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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of our forebears, You have been our refuge in every generation. Do not forsake us during these challenging days. Lord, enlighten our lawmakers so that they will be led by Your spirit, as they trust You to guide them with Your loving providence. Give them the wisdom to walk on the road beaten hard by the footsteps of saints, apostles, prophets, and martyrs. May they not forget the glorious heritage You have prepared for those who love You. Strengthen them, O God, with Your mighty arms, enabling them to serve Your purpose for their lives in this generation.

We pray in Your sovereign 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 (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 19, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following the leader remarks of myself and Senator MCCONNELL the Senate will be in morning business for an hour. The Republicans will control the first half, the majority the final half. Following that morning business the Senate will resume consideration of the immigration bill.

We have in order a number of amendments that are now pending. I would hope the managers of this bill will work to get time agreements set for these amendments and we will work out a time to do these as quickly as we can. But if we have to have an agreement to move forward on these amendments—and I would suggest I do not want and I do not think we should have to move to table any of the amendments or anything like that; I think we should be able to have votes on these—I look forward to the managers working out a time agreement on these amendments so we can move forward and move on to something else on this bill as quickly as possible.

IMMIGRATION REFORM

Mr. REID. Mr. President, the life of a young woman by the name of Roxanna began as an immigration success story. Her parents came from Cuba in the 1950s, and they raised their daughter to appreciate the freedoms and opportunities available to her. That was because she was born in the United States. Roxanna was born in the United States. She is an American citizen.

She wrote to me last month. Here is what she said:

I am proud to say that this country has always been my home.

But when she met her husband Genaro, she saw a different side of the American immigration system. He came to the United States 15 years ago, and he did not have proper documentation, proper paperwork.

He left Mexico for the same reasons Roxanna's parents left Cuba—to try, to try really hard to build a better life. He worked tremendously long hours when he got here, doing odd jobs for not very much—a few dollars a day, to be honest.

Then he moved to Nevada, got a job doing construction, did a little better, and there he did real well because he met Roxanna.

They married in 2003 and soon petitioned to have his undocumented status changed, adjusted. Although they initially received a letter from immigration officials that gave them hope, they have lived in limbo now for 10 years. Because he is undocumented, he worries every day of being arrested and deported—every day—and he has nightmares every night that he will be separated from the love of his life, his American wife.

This is what she wrote to me in addition to what I have recited earlier:

We pay our taxes. . . . We have never caused any harm to anyone or been in trouble with the law. We don't stand on corners asking for money. We work very hard to make ends meet. . . . We have friends and family here that we love and [who] love us. Yet [we] still feel like [we're] not wanted here.

Genaro is one of 11 million people living in America without proper documentation. Many of those 11 million are the parents, siblings, or spouses of U.S. citizens. Some of them overstayed

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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their visas. Some crossed the border illegally. Others were brought here by their parents when they were only children. I recited 2 days ago one example in Las Vegas: a 7-month-old when she came here, carried on her father's shoulders.

But regardless of how they got here or why they lack the proper documents, these 11 million people play a crucial role in our economy and a vital role in our communities.

That was proven last night at 5 o'clock when the Congressional Budget Office—this nonpartisan arm we look to for direction of what things cost and do not cost here on Capitol Hill with our legislation—issued a statement yesterday that this bill that is on the floor today certainly is good for the economy. As I will say a couple times during my brief remarks here, it is going to, over the next two decades—what is left in this one and the next decade—reduce the deficit in America by almost $1 trillion.

Of course, as we have said here previous to getting the report from CBO, this legislation is good for the economy and good for security. That is a good package.

These 11 million people need a pathway to get right with the law. The commonsense, bipartisan reform proposal before the Senate will help them do just that. It will reduce illegal immigration by strengthening our borders, it will fix our broken legal immigration system, and it will crack down on unscrupulous employers who provide an incentive to come here illegally and take, in many instances, tremendous advantage of these people who are desperate.

This measure that is now on the Senate floor provides a route to earned citizenship—earned citizenship—for 11 million people who are already here. Some have been here for a long time. The process for them is not easy. They do not go to the front of the line. They go to the back of the line. But they at least are in the line. They will have to work, pay taxes, stay out of trouble, and work on English.

This legislation will also recognize that the alternative to earned citizenship; that is, deporting 11 million people, is simply not sensible. We do not have the money. We cannot do it fiscally and we cannot do it physically, and that is for sure.

Detaining and deporting every unauthorized immigrant would cost more each year than the entire budget for the Department of Homeland Security. And not only is mass deportation impractical—not to mention cruel—it is the wrong approach for our economy—again, a trillion-dollar reduction in our deficit if we pass this bill, which we will here in the Senate.

Immigration reform that includes a roadmap to citizenship will boost our national economy, I repeat, and increase our security.

Helping 8 million immigrants who are already working—of the 11 million who are here, they are working, some, as we heard from Roxanna, in jobs that are not that great, but they are working. As she says, they are already working. They need to get right with the law. And it will mean billions of new revenue for our country. It will mean every U.S. resident pays his or her fair share.

That is one reason an overwhelming majority of Americans support the legislation that is on the floor—not 51 to 49—an overwhelming number of Americans, Democrats, Independents, and Republicans.

But immigration reform is not just an economic issue. It is a moral issue. This bipartisan proposal will allow immigrants to stay with those they love, with their U.S. citizen children in many instances, siblings and spouses. It will allow Genaro to stay with his American wife.

This is Roxanna's final plea to me in this letter that she wrote:

> I pray that you would open your hearts to the millions like me. . . . All we ask is a chance [at] a pathway to citizenship and the peace of mind to live our lives as meaningful citizens of this great country.

Her country, my country, our country.

I urge all my Senators on this side of the aisle, as we say, and the Republican Senators to keep her wish, her prayer—a prayer and a wish she shares with 11 million human beings who are here in America today. This prayer, this wish, should be in all of our minds and in our hearts the next few days.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

OBAMACARE

Mr. McCONNELL. Mr. President, last year President Obama was asked about the lessons he has learned from his first term. Instead of focusing on errors in judgment or policy, he seemed to indicate that he needed to do a better job—just a better job—of telling ''a story to the American people.'' In other words, the policy was just fine, and if Americans did not get it, it was because they had a listening problem. Well, that is an attitude that has come to define this administration.

I would say that is why folks will be rallying on the Capitol grounds today. They, like a growing number of Americans, are losing faith in government. They think it is working against them, not for them. And for good reason.

Let's take ObamaCare. This law has been pretty unpopular for several years now. It is not as though the American people have not been exposed—probably overexposed—to the arguments on both sides of the issue. ObamaCare must have been discussed hundreds of thousands—maybe even millions—of times over the past few years. That includes political debates, more speeches than any of us care to count, issue ads both pro and con, and—guess what—Americans still do not like the idea of ObamaCare, not because they are unable to understand or because they have not ''seen the right messenger.'' It is because most of them like their health care plan and want to keep it. It is because they do not want to pay more to the health insurance companies. And it is because they do not think the law is going to work as promised.

Yet the Washington Democrats' explanation for ObamaCare's enduring unpopularity still seems to be that the law is too complicated for their constituents to understand, and the Washington Democratic solution seems to be not to actually change the policy but to spend millions in a campaign-style PR—PR—blitz.

So the news flash would be this: If you still do not think Americans are able to understand a law you passed more than 3 years ago, then there is something wrong with the law, not with the American people.

Instead of going around the country trying to convince Americans why they are wrong, the administration could actually listen for a change. I think they should start over on health care and embrace the types of commonsense, step-by-step reforms that would actually lower the cost. I am not holding my breath that is going to happen.

So at a minimum they need to at least do this: The President, members of his Cabinet, and the congressional Democrats—congressional Democrats who voted for this law—need to get out and explain to Americans what is headed their way. Do not feed them the sunny picture painted in the ObamaCare ads the President's campaign team is already running but actually explain the reality of the situation to them. For instance, Americans need to know about the coming wave of premium hikes. We have already seen projected double-digit increases in some States. They need to know we are likely to see even more Americans lose the health care they want to keep, just like the thousands of Californians who will probably have to look for new plans after Aetna pulled out of the individual market in their State, almost certainly because of ObamaCare. They need to know they could lose their jobs or see their hours cut or struggle to find work in the first place. In fact, a recent survey showed that about 70 percent—70 percent—of small businesses say the law will make it harder for them to hire. Americans need to know all of these things because they need to prepare for them.

It is supremely unhelpful when the President claims that those who already have health care will not see changes, as he did just a few weeks ago. He knows that is not what many experts are saying. He owes it to the country to be frank about that. So it is time to get off the campaign trial, call

off the PR spinmeisters, put down the communications plan. It is time to level with the American people.

SENATE RULES

Mr. MCCONNELL. It has been over 140 days now since we settled here in the Senate the issue of the Senate's rules. We settled it conclusively not only this January but actually January 2 years before that. What happened this January is we had an extensive bipartisan discussion about what rules or standing orders we might change. In the wake of that discussion, we passed two rules changes and two standing orders.

The majority leader said—well, this is what he said 2 years ago:

> I agree that the proper way to change the Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senates rules other than through the regular order.

That was in January of 2011. What he said back in 2011—and the reason I put that up even though that was a previous Congress—he said either this Congress or the next Congress, the Congress we are in now.

This January, I said to the majority leader:

> I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules this Congress unless they went through the regular order process?

That was this January, just a few months ago, a little over 140 days.

The majority leader said:

> That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.

Now, that is not ambiguous. That is not ambiguous at all.

So the reason I and my colleagues have been talking about this repeatedly is that this is a huge institutional issue. The naive notion that somehow you can break the rules of the Senate to change the rules of the Senate for nominations only was laid out by Senator ALEXANDER yesterday in which he suggested a hypothetical series of measures that, if I were in the job the majority leader is currently in a year and a half from now, would be a very appealing agenda to my side, things like repealing ObamaCare, things like national right to work, things like opening ANWR.

Now, I would say to my friends on the other side, that is not something they would be very excited about, but in American politics things change. There is a tendency, when you are in the majority, to be kind of arrogant about it and to think the rules of the Senate are unnecessarily inconvenient to what you are trying to achieve.

Well, the Senate was designed from the very beginning—George Washington was actually asked during the Constitutional Convention: What do you think the Senate is going to be like?

He said: I think it is going to be like the saucer under the tea cup. The tea is going to slosh out of the cup, down to the saucer, and cool off.

In other words, they anticipated that the Senate would not be a place where things happen rapidly.

Written right into the Constitution is advise and consent. Advise and consent. The Senate has a role to play, for example, on nominations—which seem to be the fixation of the majority at the moment even though there is no evidence whatsoever that this administration has been treated poorly with regard to either executive branch or judicial nominations, no evidence at all. This is a manufactured crisis. Nevertheless, they seem to be focused on nominations. What do my friends in the majority think ''advise and consent'' means? Apparently they think it means ''sit down and shut up. Do what I say when I tell you to.'' I do not think that is what the Founding Fathers had in mind.

So there are a number of reasons we should not go down this road:

No. 1, the majority leader gave his word. Your word is the currency of the realm in the Senate. That ought to end it right there.

No. 2, do not assume you could just sort of surgically break the rules of the Senate to change the rules of the Senate for nominations only.

No. 3, I think it would be appropriate, since the American people change their minds from time to time about whom they would like to be in the majority of the Congress, to think about the consequences when the shoe is on the other foot.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The ACTING PRESIDENT pro tempore. The Republican whip.

IMMIGRATION REFORM

Mr. CORNYN. Mr. President, we obviously are talking about immigration this week and last week and next week. I am one of those who, after many years working on this subject, hopes we are successful in passing what I believe is good, credible immigration reform.

I have come to the conclusion, like many Americans, that the status quo is simply unacceptable. I have talked a little bit about some of the bodies in unmarked graves that I witnessed myself in Brooks County, TX, where under the current broken system people come across the border from faraway lands only to die trying to get into this country and are buried in unmarked graves in places like Brooks County.

I met with a young woman who was prostituted after having been brought into the United States from Central America, and she worked in a Houston nightclub, where she was basically held as an indentured servant or slave because she knew she was vulnerable to deportation. So the person who brought here there and put her in that situation knew they had the power to keep her quiet and not disclose what was happening, while she was living a horrific existence.

Those are just a couple of examples why I believe our system is broken and neither serves our economic interests nor represents our American values. So I want a good solution. But it is not just what happens here in the Senate. That is not the end game. The end game is what happens when this bill goes to the House and once the House and the Senate get together in a conference committee and reconcile the differences between those two bills to see if we can actually get a bill which reflects our values and which represents our economic interests, things such as recruiting the best and the brightest minds from around the world to stay here in America and to create jobs here.

Those are some of the positives in the underlying bill that we need to preserve, but there are other issues we need to fix. That is what I want to talk about right now.

Last night the Congressional Budget Office released its long-awaited report on the underlying bill, the so-called Gang of 8 immigration bill people have heard so much about. The report, as usual, is a blizzard of numbers and estimates and projections, but here are two I want to talk about in particular, which you see reflected on this chart.

I think this is going to be a shocking revelation to most people who thought this bill would actually fix our broken immigration system.

If you will look behind me, it says: The number of new unauthorized immigrations in the United States by 2033 with the passage of the underlying bill, 7.5 million; without it, 10 million.

So what we see reflected in the Congressional Budget Office, which is the ''coin of the realm,'' the ''gold standard''—whatever you want to call it—around here, love it or hate it, and we all find ourselves on different sides depending on the issue, but the gold standard, the Congressional Budget Office, says this bill will not fix the underlying problem.

In other words, despite all of the promises and perhaps I might say the hopes and the dreams and the good intentions of the authors of this underlying bill, this bill will have only a

minimal impact on illegal immigration. Does that sound like the kind of solution we owe to the American people to solve this broken system? Does that sound like a solution to solve our long-term problem in this area?

I want to take a moment to discuss another portion of the bill that has gone largely unnoticed by most of the country, but first let me respond to some remarks made by my friend from Arizona Senator MCCAIN yesterday. I am going to agree, not disagree, with Senator MCCAIN. Standing right here on the Senate floor, as he so often does, Senator MCCAIN said he was absolutely confident—absolutely confident—that U.S. authorities can obtain 100 percent situational awareness and full operational control of the southern border. He cited the head of the Border Patrol as his authority.

I was glad to hear him say that because I agree with him exactly. He is exactly right. But I was a little confused at the same time. He repeated a comment that the majority leader had made about my amendment, which will be pending soon before the Senate and which we will vote on later today or tomorrow. He called my amendment a poison pill, suggesting that it would somehow kill the underlying bill. Well, if the standards in my amendment are exactly the same as those in the underlying bill of 100 percent situational awareness and 90 percent operational control, defined as 90 percent capture of people crossing the border illegally—Senator MCCAIN thinks it is attainable, the Border Patrol Chief thinks it is attainable, and I think it is attainable. So how could that possibly be a poison pill? I do not understand it.

As I have said numerous times over the last week, my amendment uses the same standards and many of the same metrics as the Gang of 8 bill. Here is the difference: My amendment establishes a real border security trigger before immigrants can transition from probationary status—something called registered provisional immigrant status—before they can transition from that probationary status to legalization. Under the Gang of 8 bill, that would occur after 10 years of probationary status. But the problem is, contrary to initial advertisements back in January where Senator DURBIN, among others—the distinguished majority whip—said back in January that the pathway to citizenship is contingent upon border security, only to say just a few days ago, quoted in the National Journal—he said: Now we have delinked the pathway to citizenship from border security. Indeed, they have in the underlying bill, and that is what my amendment is designed to fix.

Here is the real tragedy. In 1986 Ronald Reagan signed an amnesty for 3 million people. That is not the tragedy. The tragedy is, in return the American people said we are going to fix our broken immigration system. We are going to enforce the law. Well, we all know what happened.

The amnesty was granted and the enforcement never came.

Here is the tragedy. The underlying bill, without an amendment such as mine that provides a real border security trigger that realigns the incentives for the right, the left, Republicans, Independents, Democrats, everybody to be focused like a laser on how do we actually implement that operational control of the border—which Senator MCCAIN believes is attainable, I believe is attainable, the Border Patrol Chief believes is attainable—without realigning everybody's incentives to focus like a laser on obtaining that objective, this is like 1986 all over again.

All we have to do is look at the polling to tell us—and I don't think we even need any polls to tell us—that there is enormous skepticism across the country about Washington. This bill says: Trust us. Trust us.

There is a trust deficit in Washington, DC, and on immigration. When so many promises have been made in the past that have not been kept, I think it is unreasonable to ask the American people to just trust us. We need an enforcement mechanism such as my amendment, which will guarantee that everybody is aligned and it is highly incentived to make sure that those Border Patrol measures are upheld. Then we will not have what is reflected on the chart behind me, as reported by the Congressional Budget Office yesterday.

The year 1986 was when Congress passed amnesty for illegal immigrants without guaranteeing results on border security. Ever since then Members of this Chamber have said we will never make that mistake again. Yet the underlying bill would effectively be 1986 on steroids and the CBO report confirms it. That is why those of us who actually would like to see a good, credible immigration bill pass—not only in the Senate but also in the House—believe, as I do, that this legislation is dead on arrival in the House of Representatives without a real border security trigger.

It is going to be a challenge even if we put that in, but we have a much better chance of success if we deal with the problem that the Congressional Budget Office has identified, and if we deal with the experience we have had from 1986 and other times when we made extravagant promises to the American people how we are going to fix the system, only to find that those promises have not been kept. That will be the real poison pill to this bill, and it will also be an unnecessary and lamentable tragedy if somehow we can't, working together, find a solution to our broken immigration system.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Mr. President, this week President Obama and his allies are launching a big summer push to convince people that his health care law will not be a train wreck. We have heard in the Senate from one of the authors of the health care law that he saw a train wreck coming, so now what we see is the Obama administration trying to actually sell the bill—not that it is good or bad, just trying to sell it in any way they can to make the American people think about it in ways that may change their minds.

The American people know this is a health care law that is not really doing what they want. What they are looking for is the ability to get the care they need from a doctor they want at a lower cost. That is far from anything the American people are going to see.

What we see today in Politico is the headline: ''Selling of ObamaCare Officially Begins,'' selling of the law that was passed. Not something that is good, just trying to sell the law itself.

The Washington Post this morning, ''Push is on to promote health law.'' The push isn't on to promote better care, not more affordable care; no, just to promote the law.

I believe it is going to be a tough sell. A new poll out earlier this month showed that only 37 percent of Americans think the health care law is a good idea. That is even fewer people than think it was a good idea when the law was passed 3 years ago.

Remember, the Democrats promised the American people that, well, the law would be actually overwhelmingly popular by now. That is nothing further from the truth because this law is more unpopular now than when it was passed.

We see the President of the United States pulling out all the stops trying to sell this horribly written law. This is a law that is bad for patients. It is bad for providers, nurses, and doctors who take care of those patients, and it is going to be bad for the American taxpayers.

What the President is doing is joined by a new interest group, and the group is called Enroll America. This is a group, and who is running it? Former Obama administration officials who moved from the White House to this group to try to sell this health care law. This is the group, part of what we have known as the Sebelius shakedown, the effort on the part of the Secretary of Health and Human Services who was asking health care businesses to donate to this organization. This group has started rolling out a PR campaign to try to convince people to sign up for insurance under the President's health care law.

I agree more people need insurance, but we have to make sure the people not just have insurance but get good care. This is what this is supposed to be all about. The President keeps talking about more coverage. What we need is care for people, not just more coverage.

Take a look at that and say: Is it actually going to work? According to the

article in this morning's Washington Post, the President of this group, Enroll America, a former White House staffer, said yesterday in a telephone interview: The group's research shows that 78 percent of uninsured people don't know about the changes coming in January.

You have to say: What kind of insurance are people going to be able to sign up for? What are they going to get to choose from? What choices will they have? What will they find in the exchange?

By the way, the exchanges are running way behind time. This was a front-page story in one of the national papers today.

First of all, for a lot of people in terms of trying to sign up on the exchanges, what they are going to find is it is going to be a lot more expensive than it would have been for them if this health care law had never passed in the first place. Remember, the President said that policies would actually be $2,500 cheaper by the end of his first term. Now we are seeing policies actually a lot more expensive, not just by what the President promised but even more expensive than what they would have been had the law never passed in the first place.

Here is an editorial from the Racine, WI, Journal Times. This is how they put it the other day. They wrote:

> Despite assurances from Democrats that the national health care plan will drive down health care costs—

The President's promise—

> the evidence is increasingly telling the opposite tale.

This is Wisconsin. I mean, this is a State which has just recently elected a Democrat to the Senate, a State that went for the President.

Here is another headline that Enroll America will not be talking about when they try to cite the President's health care law. This is from the McClatchy news on Tuesday. The article is titled ''Obamacare's big question: What's it going to cost me?''

That is what people want. That is what they want to know. That is why folks were interested in the health care law in the first place: they were paying too much for health care and they needed and looked for care that was actually more affordable for them, right for them.

The writer from McClatchy, under this headline, ''Obamacare's big question: What's it going to cost me?'' writes: ''Early rate proposals around the country,'' around the country, ''are a mix of steep hikes and modest increases.''

Either way, insurance rates are going up everywhere; it is just a question of how fast and how high. So there is no surprise that the people across the country are disappointed and believe they have been misled by the President when he said rates will actually go down by $2,500 a family.

When we look at the States that have been putting out their numbers for next year, for a lot of people the answer to the question of what is going to happen to rates is they are going up very fast and very high.

In Ohio, the average individual market health insurance premium next year will be 88 percent higher than this year. That is according to the State insurance department. That is the State's official numbers.

In California, for a typical 40-year-old man who doesn't smoke, rates in an insurance exchange will increase by 116 percent next year.

The McClatchy article also quotes one health care expert saying that under the President's health care law there are winners and there are losers.

I agree; that is absolutely right. There are winners and there are losers. We will talk about some of them this morning. The problem is the President and Democrats in Congress who pushed this health care act into law never said, never admitted to the American people that they were going to be losers.

Enroll America is telling everybody to sign up for health insurance, but they aren't admitting that the law picked who wins and who loses. Let's take a look at that. It is another important point in this health care law, what is going to happen and what this new insurance is going to look like. It is going to be loaded onto the backs of young people. Under the law, many young people, many young, healthy people will have to pay a lot more for each older, sicker person who will pay less. For the President's scheme to work, these young healthy people will have to buy high-priced, government-mandated insurance they may not need, they may not want, and that may not be right for them.

Here is another point about what Enroll America is telling people and what it is not telling people about the new Washington-mandated insurance. This group put up a blog post recently talking about ways States can maximize their Medicaid enrollment. This is one of the strategies Enroll America is pushing: get people signed up for Medicaid. A Medicaid card doesn't ensure patients actually get access to quality medical care for themselves or their families.

According to one survey, one-third of physicians nationwide are unwilling to accept new Medicaid patients. Other studies have concluded that some patients in the Medicaid system do worse in terms of health care than people who have no insurance at all. The Congressional Budget Office predicts that the health care law will put another 13 million people into the broken and failing Medicaid Program.

Even with the enormous expansion of Medicaid, even after a Washington mandate that everybody in America must purchase health insurance, and even after Enroll America's big push to sign up more people, the Congressional Budget Office, the people who research this, who study this, say the number of uninsured Americans will never fall below 31 million. It will not fall below 31 million people even over the next decade.

In spite of all of this revamping of a health care system, significant changes—much to the detriment of the American people because the President was focused on coverage—he is still leaving 31 million people uncovered and others paying much more. There are winners and losers, lots of losers.

This law will cost $1.8 trillion over the next decade according to the CBO. It still fails to help millions and millions and millions of Americans.

Then the question is who is actually being helped by the law because, as I said, there are going to be winners and losers. The Wall Street Journal, just the other day, page B1, Monday, June 17, ''Wanted: Health-Care Legal Experts.'' Legal experts. The lawyers are turning out to be winners under the health care law—not the patients, not the providers, not the taxpayers, the lawyers. The article says:

> Some companies are warning that President Barack Obama's health-care overhaul will cost jobs. It won't be in their legal departments.

The article continues:

> Health-care companies racing to go comply with the Affordable Care Act and other rules are calling in the lawyers, sparking a mini-boom for specialist attorneys who can backstop overloaded internal teams and steer clients through an increasingly crowded regulatory minefield.

The point of the health care reform should be to help the American people, not just to create more jobs for lawyers. The point should be to increase access to care for people, not just to send them Medicaid cards and tell them they are covered. The point of reform should be to help people get the care they need from the doctor they choose at a lower cost.

President Obama doesn't want to talk about the ways his health care law picks winners and losers. He doesn't want to talk about the many losers under his plan. Enroll America doesn't want to level with the American people to tell them the health insurance they get under the President's law might not be what is best for them.

If we are going to truly reform our health care system in this country, the President and his allies should start by telling the American people how his law falls short.

I yield the floor, and 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. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COONS). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744 which the clerk will report.

The legislative clerk read as follows:

A bill S. (744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy-Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

AMENDMENT NO. 1208

Mr. LEE. Mr. President, I ask unanimous consent to call up amendment No. 1208.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 1208.

The amendment is as follows:

(Purpose: To require fast-track congressional approval when the Secretary of Homeland Security notifies Congress of the implementation of the border security strategies and certifies that the strategies are substantially operational)

On page 856, lines 1 and 2, strike ''the Secretary has submitted to Congress'' and insert ''Congress has approved, using the fast-track procedures set forth in paragraph (3), the contents of''.

On page 56, strike lines 19 through 22, and insert the following: ''Congress has ratified, using the fast-track procedures set forth in paragraph (3), the written certification submitted by the Secretary to the President and Congress, after consultation with the Comptroller of the United States, that—''.

On page 858, between lines 10 and 11, insert the following:

(3) FAST-TRACK PROCEDURES.—

(A) IN GENERAL.—Not later than 30 days after receiving a submission from the Secretary under paragraph (1) or (2), the Senate and the House of Representatives shall vote to determine whether the action taken by the Secretary meets the requirements set forth in such paragraphs that are required before applications may be processed by the Secretary for registered provisional immigrant status or adjustment of status under section 245B or 245C, respectively, of the Immigration and Nationality Act, as added by sections 2101 and 2102.

(B) REFERRAL TO COMMITTEE.—The question described in subparagraph (A) may not be referred to any congressional committee.

(C) AMENDMENTS.—The question described in subparagraph (A) may not be subject to amendment in the Senate or in the House of Representatives.

(D) MAJORITY VOTE.—The question described in subparagraph (A) shall be subject to a vote threshold of a majority of all members of each House duly chosen and sworn.

(E) PRESIDENTIAL SIGNATURE.—The congressional approval and ratification required under paragraphs (1) and (2) shall not be completed until after it has received the signature of the President.

Mr. LEE. Mr. President, amendment No. 1208 would require fast-track congressional approval at the introduction of the Department of Homeland Security border security strategies before the award of registered provisional immigrant, or RPI, status—before the eligibility of that status begins, as well as at the certification of the strategy's completion, before those receiving RPI status may become eligible to become lawful permanent residents and eligible to receive green cards. This would be a fast-track vote, one that would have to occur within 30 days after the triggering event within the executive branch. It would also be subject to a 51-vote threshold and would not be subject to a filibuster. It is a basic function of Congress to oversee the executive branch and to ensure that the executive branch is enforcing the law as enacted by Congress.

In the area of border security, the executive branch, in both Republican and in Democratic administrations, has failed to fully enforce the laws passed by Congress. To give a few examples, the Secure Fence Act, which was enacted in 2006, still has not been fully implemented, and the fencing requirement—the fence segments required by that act—still have not been fulfilled. The US–VISIT entry-exit system, which was put into place by legislation enacted in 1996, still is not fully implemented. It is worth noting that 40 percent of our current illegal immigrants are people who have overstayed their visas. It is very reasonable to assume there is a significant connection between our failure to implement this entry-exit system called for by existing law and the fact that a sizable chunk—several millions of our current illegal aliens—are people who have overstayed their visas.

Polls overwhelmingly show Americans do not believe the border is secure. They also believe we should secure our borders first before moving on to certain areas of immigration reform. These are failures of the Federal Government. The American people cannot hold unelected bureaucrats in the executive branch—people such as the Secretary of Homeland Security—accountable for those failures. The most direct line of accountability is from the American people to their Members of Congress. In order to ensure the voice of the American people is heard, Congress must be able to vote on the border security strategy and on the certification of that strategy as a condition precedent to allowing these RPI provisions to kick in and to allowing people to enter into the pathway to citizenship and advance toward citizenship in the coming years.

To cut out Congress cuts out the American people, and that is exactly what this bill, without an amendment such as this one, would do. So it is important to remember that to cut out Congress cuts out the American people, and that is what we are trying to protect against.

Opponents of my amendment have argued they would be unwilling to rely on a majority of Congress to approve a border security plan as a condition for allowing the RPI period to open and to proceed. Has it ever occurred to them that it might be precisely because a majority of Americans would not approve the border security plan or at least they might not approve of it or, perhaps, it is not a good idea to move forward on sweeping new policies that will affect generations to come without the support of the American people? It is, after all, the American people who have to deal with the consequences of a dangerous and unsecured border. They will have to deal with cross-border violence. They will have to deal with the heartbreaking stories of human trafficking. They will have to deal with the drugs imported into their communities. They will have to deal with the economic effects and the added costs of public services associated with an ongoing unsecure border. Therefore, it is the American people who should be the ones who get to say whether the border is secure and not the unelected, unaccountable bureaucrats who have a long track record of failing to implement the objectives established by Congress and embodied in law.

My amendment would restore the voice of the American people to this process because, again, cutting out Congress means cutting out the American people. I strongly urge my colleagues to defend the rights of the American people, to weigh in on this important issue, and to support my amendment.

Finally, I wish to commend the House Judiciary Committee for passing the SAFE Act out of committee last night. The SAFE Act is an important step forward in improving interior enforcement, securing the border, and strengthening our national security. It also demonstrates that we can effectively pursue significant immigration reforms in a step-by-step approach with individual reform measures.

The SAFE Act is by no means a small piece of legislation but, importantly, it focuses reform on particular areas that should receive bipartisan support in both Chambers of Congress.

First, let's secure the border. Let's set up a workable entry-exit system and create reliable employment verification systems that will protect immigrant citizens and businesses from bureaucratic mistakes. Let's also fix our legal immigration system to make sure we are letting in the immigrants our economy needs in numbers that make sense for our country.

Once these and other tasks, which are plenty big in and of themselves, are completed or at least in progress to the American people's satisfaction, then and only then can we address the needs of current undocumented workers with justice, compassion, and sensitivity.

Since the beginning of this year, more than 40 immigration-related bills have been introduced in the House and in the Senate. By a rough count, I can support more than half of them, eight

of which have Republican and Democratic cosponsors. We should not risk forward progress on these and other bipartisan reforms simply because we are unable to iron out each of the more contentious issues.

So, again, with respect to this amendment No. 1208, I strongly urge my colleagues to support this amendment because we were elected not to delegate the power to make laws to other people, we were elected to make law. Identifying the precise moment at which the border is sufficiently secure—that it is a good time to open the pathway to legalization, the pathway to citizenship, whatever we end up calling it—it makes a lot of sense to put that decision in the hands of the elected people precisely because that decision is one that is difficult to identify. It is difficult for us to identify exactly what standards will satisfy the American people. We can make a rough approximation, but we should require a vote by both Houses of Congress and an act of Congress submitted to the President for signature or veto before the RPI period is open. We were elected to make decisions such as these, and we should not be outsourcing those decisions to others who are not elected.

Those who are not elected who, under the text of Senate bill 744, would be empowered to make these decisions, are—make no mistake—well-educated people and well-intentioned people, and I am not saying they categorically cannot be trusted. What I am saying is that those people who are well educated and well intentioned do not stand for reelection at regular intervals as we do. They are not elected by the people. They don't stand for election at regular intervals. For the most part they are insulated and isolated from the electoral process which keeps all of us accountable to the people in whom the ultimate sovereign authority lies.

For those reasons I urge my colleagues to support amendment No. 1208.

Thank you. I yield the floor and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WOMEN'S HEALTH CARE

Mrs. BOXER. Mr. President, a couple of us are going to come down to the floor and talk about an action that was taken in the House yesterday. With all the issues we have to confront—whether it is continuing this economic recovery and job creation; dealing with immigration, as we are trying to do in the Senate; dealing with going to conference on the budget, which Chairman MURRAY has been pushing for day after day after day—one would think the House would take up one of those matters. But instead what do they do? They take up an extreme anti-choice bill. Clearly, House Republicans have learned no lessons from last year, when voters resoundingly rejected their efforts to defund Planned Parenthood, restrict women's access to birth control, and slash preventive care for women and families.

So the debate they had in the House yesterday echoes of last year, when Republicans talked about ''legitimate rape'' or a pregnancy from rape as a ''gift from God.'' In fact, the Republican sponsor of this bill said the incidence of pregnancy from rape was ''very low''—an assertion that is flatly contradicted by the facts.

I see my colleague Senator MURRAY is here, and I would just pause and ask her through the Chair if she needs to speak first.

Mrs. MURRAY. No. Go ahead.

Mrs. BOXER. Then I will complete and turn to her. I so thank her for organizing us this morning.

In November, voters sent the message that they want us to focus on real concerns—jobs, education, immigration reform. But now they are back. They are back in full force with an even more extreme antiwomen, anti-choice agenda.

They should know this: The women of America are watching and so are the men who support them.

This House Republican bill that was passed by them yesterday is a frontal assault on women's health. It puts women in danger of becoming infertile, in danger of suffering serious complications arising from cancer, blood clots, kidney disease or diabetes, just to name a few of these conditions. It is an attack on 40 years of settled law, and it criminalizes doctors.

Furthermore, there is no real rape or incest exception. It just bans abortion by a date certain with no real rape or incest exception. Let me explain this.

The Republican sponsors of the bill claim there is an exception for rape and incest. As a matter of fact, it was not in there, and they quickly added it. But, seriously, they do not fix the problem because what they do is say: Yes, a woman can end a pregnancy if she is raped, but she has to report that rape, and it is true that many women choose not to report the rape for their own private and personal reasons.

So when you tell a woman who has been raped and who is too scared to report it that she has to carry the rapist's child to term, that is not a rape exception. That is an outrage. When you tell a victim of incest, who is too scared to report it, that she has to carry that child to term, that is not an incest exception. It is revictimizing someone who has suffered a horrific crime.

Sixty-five percent of rape victims do not report these crimes. There is no protection at all for those women in this bill.

There is also no health exception. The House Republican bill has no health exception at all. It is a reckless disregard for the health of women. For example, if a woman will face serious complications, even life-threatening complications, if they continue a pregnancy—where they could suffer kidney failure, a worsening of breast cancer and ovarian cancer—there is no help for those women.

I would say listen to the women who have suffered these problems.

Judy Shackelford of Wisconsin. Four months into her pregnancy she developed a pregnancy-induced blood clot in her arm. The only guarantee that she would not die and leave behind her 5-year-old son was for Judy to end the pregnancy. She and her husband made the difficult decision to terminate the pregnancy, and those Congressmen playing doctor over there are telling her what she should do for her family. They are not doctors.

Listen to Christie Brooks of Virginia. Christie was pregnant with her second child. After a 20-week ultrasound, she found out her daughter would be born with a severe structural birth defect and would suffocate at birth. She made the difficult decision of ending that pregnancy at 22 weeks.

Then there is Vikki Stella. Vikki I have met. She discovered months into her pregnancy that the fetus she was carrying suffered from major anomalies and had no chance of survival—zero. Because of Vikki's diabetes, the doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion.

That procedure not only protected Vikki from immediate medical risks, but it ensured that she could have more children in the future. And those Congressmen over there want to get into her life and tell her what to do and tell her family what to do.

This bill is so extreme it would throw doctors in jail for 5 years for providing women with the care they need. And they talk about this brutal doctor who is now serving two consecutive life terms for what he did. Well, that is the way the system should work. If you break the law, as that doctor did, you go to jail. But do not change the law so if a good doctor is trying to help a good patient, he or she risks going to prison.

This bill is so extreme a broad array of groups oppose it. The American Congress of Obstetricians and Gynecologists—they represent thousands of OB/GYNs nationwide—said this bill is ''dangerous to patients' safety and health.''

A coalition of 15 religious groups oppose the bill. Here is what they said:

> We believe—and Americans, including people of faith, overwhelmingly agree—that the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith. Our laws should support and safeguard a woman's health—not deny access to care.

In closing—and before we hear from my colleague—let me tell you this: Speaker BOEHNER said last week that creating jobs is ''really our No. 1 priority.'' Majority Leader ERIC CANTOR

said ''House Republicans are focused on creating jobs and restoring faith in our government.''

No, they are not. They are continuing the war on women. If this is what their agenda is, why are they doing that? Why are they attacking 40 years of settled law?

President Obama has threatened to veto this bill, saying it shows ''contempt for women's health and [their] rights.'' In the Senate, my friend and I, who are here—and many others—are going to block this dangerous and extreme bill.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Washington.

Mrs. MURRAY. Madam President, I wish to thank the Senator from California for coming out today to let everyone know how extreme this bill is and how important it is that we send the message that this bill is going to be what most Republicans know deep down already. The anti-choice bill that they passed yesterday—a bill the New York Times called ''the most restrictive abortion bill to come to a vote in either chamber in a decade''—is not going anywhere—is not going anywhere.

The bill they passed yesterday is a nonstarter in the Senate, and it is a nonstarter with the overwhelming majority of American women. It is an attack on women's rights under the Constitution, and it is an attack on a woman's ability to make her own health care decisions.

It is a bill that was motivated by politics, pure and simple, and it amounts to little more than a charade designed to appeal to a dwindling base. But it is a charade that will end in the Senate today.

Even more than reminding House Republicans this bill has no chance of moving forward, I am here to provide a reality check because, apparently, despite the one that millions of American women provided last November, House Republicans need another one.

Despite the fact in States across the country voters rejected one candidate after another who politicized rape and ran on restricting a woman's right to choose, House Republicans are now back at it again.

Despite the fact they had to bring in a paid pollster to tell the entire Republican House caucus to stop talking about rape, apparently the message has not sunk in.

For many Republicans it is like 2012 all over again, which is to say it is more like 1950 all over again—a time when an all-male House Republican Judiciary panel can join together—all male—just like they did last Wednesday, to pass a bill that clearly ignores Roe v. Wade; a time when the same panel could reject efforts to protect the life and health of the mother or even reject efforts to make exceptions for rape or incest; a time when one of those panel members, a Republican Representative from Arizona, can even trot out the idea that women are not likely to become pregnant if they are raped.

But it is not 1950, and that irresponsible and shameful claim has been debunked by doctors and experts of all stripes, time and again.

It has been 40 years since Roe v. Wade put the health care choices of women in the hands of women. We are not going back.

But just as House Republicans need a reality check that American women are not going to have the clock turned back on them, I also believe the American people need to know House Republicans—and those on the far right targeting women's health care—are not going away anytime soon either.

In fact, I wish I could say the new restrictions on women's health care choices that the House passed yesterday were a surprise or that I thought that after last fall, Republicans would magically see the light.

I wish I could say I bought the rhetoric from some Republicans who have criticized their own because they believe we should be focused on jobs and the economy at such a difficult time.

But the truth is, attacks on women's health care have not stopped and, apparently, they will not stop. That is because they are a core part of that party's philosophy. In fact, all we have to do is look back at the moment that Republicans in the House took power.

We all remember back to 2010, after campaigning, by the way, across the country on a platform of jobs and the economy, the first three bills they introduced were each direct attacks on women's health.

The very first bill they introduced, H.R. 1, would have totally eliminated title X funding for family planning and teen pregnancy prevention, and it included an amendment that would have completely defunded Planned Parenthood and would have cut off support for the millions of women who count on that.

Another one of their opening rounds of bills would have permanently codified the Hyde amendment and the DC abortion ban. The original version of their bill did not even include an exception for the health of the mother.

Finally, they introduced a bill right away that would have rolled back every single one of the gains we made for women in the health care reform bill.

That Republican bill would have removed the caps on out-of-pocket expenses that protect women from losing their homes or their life savings if they get sick. It would have ended the ban on lifetime limits on coverage. It would have allowed insurance companies to once again discriminate against women by charging them higher premiums, and it would have rolled back the guarantee that insurance companies cover contraceptives.

Those were just their first three bills.

Since that time, we have seen women targeted on everything from contraception to Violence Against Women Act protections, to stripping the new protections provided under the Affordable Care Act.

Through economic peril, budget crises, record unemployment, the attacks on women's health have remained constant. On Capitol Hill, in State houses across the country, and in courtrooms at all levels, the fight against women making their own decisions about their health rages on. Republicans have shown they will go to just about any length to limit access to care. They have put politics between women and their own health care, they have put employers between women and their health care, they have even threatened to shut down the government over this very issue.

They have shown that this is not about what is best for women and men and their own family planning decisions; instead, it is about political calculation. It is about appeasing the far right. It is about their continued efforts to do whatever it takes to push their extreme agenda. But as we have seen with this latest effort, the deck is stacked against them because the Constitution is not going anywhere. Also, because Senators such as myself and Senator BOXER are not going anywhere either, because women who believe Republicans should not be making their health care decisions are not going anywhere. Therefore, this bill is not going anywhere.

Mrs. BOXER. Would the Senator yield for a question? I wish to engage my friend in a colloquy.

We are very fortunate, the Senator and I, because we chair important committees here. Of course all the committees are important—the Budget Committee and I the Environment and Public Works Committee. Both of us have worked hard to get important bills through the Senate—Senator MURRAY, the budget of the United States of America, and for me, the Water Resources Development Act, which deals with making sure the infrastructure around our water, our ports is sound. About 500,000 jobs go along with it. The Senator's is critical because it attacks the issue of jobs and deficits and the rest.

So it seems to me—and I want to know if my friend agrees with me—there is an agenda the Republican House can embrace to deal with what is concerning the American people, such as taking the Senator's bill, the budget bill, to conference after they went out and campaigned all over the country saying we did not want a budget. We pass a budget, now they are stopping the budget; picking up and passing the water resources bill, or their own version of it if they want; certainly dealing with comprehensive immigration reform, which is critical.

I was disheartened to hear Speaker BOEHNER say: Well, I am not that interested in comprehensive immigration reform. Well, why doesn't he take a look at the budgetary impact which is so positive for our Nation doing this,

getting people out of the shadows, getting them to start businesses and work.

Does my friend agree there is no shortage of important and critical issues facing the American people they could take up there other than an attack on women and women's health?

Mrs. MURRAY. Let me respond this way: When I go home—and I go home every weekend—my constituents talk to me about this big word called sequestration and its impact on their lives. Whether they have been furloughed, and their paycheck is much smaller, or whether they are running a violence against women center and they are having to close down a facility, or whether they are sending their kids to preschool and teachers have been laid off, or whether their small pizza shop in Kitsap County is going to have to close because so many people have been furloughed and cut back because of sequestration, what they want us to do is to invest in our infrastructure, to invest in our education, to make our country strong for the future, and to quit governing by crisis, which is why I have come to the floor, as the Senator from California knows, constantly to say we passed our budget; the House has passed their budget; solve this and replace sequestration in a responsible and fair way. We need to get to conference.

But we are being blocked by a handful of Republicans here on the Senate floor. Over in the House, they are not appointing conferees. They do not want to go to conference apparently, because they want to take the floor time to attack women's health care. This is not what the country is telling us to do. They are telling us to do our job and get a budget done so they have certainty. They are telling us to do our job and make sure we invest in the WRDA bill Senator BOXER has worked so hard to do; that the Corps of Engineers projects, whether it is a dam or whatever project they have at home that provides jobs and provides the kind of economy they need is taken care of. They elected us to come back here and do the job of this country.

So, yes, it is frustrating to me to have to come to the floor one more time to talk about abortion when we should be talking about the investments that need to be made, when we should be passing a budget, we should be investing in our children and their future and providing people with jobs and job training and research that is so important at universities across this country so we can be a good place 30 years from now in this country and be competitive.

I would say to my colleague, yes, it appears to me the country has an agenda that is vastly different than the House Republicans on the far right.

Mrs. BOXER. Madam President, I think it says it all here. We need to do our work on the issues that matter to the people. We need to make sure the economic recovery gains steam. We need to make sure we look at this sequester and fix it. We need to make sure we have, yes, deficit reduction, but investment. We need to stand strong here in the Senate. We will. Hopefully our House colleagues will change their minds. Republicans over there set the agenda. Get to the business of the people and stop attacking women.

AMENDMENT NO. 1240

Mrs. BOXER. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1240.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Ms. LANDRIEU, and Mrs. MURRAY, proposes an amendment numbered 1240.

Mrs. BOXER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime)

On page 919, line 17, insert after ''agents,'' the following: ''in consultation with the Secretary of Defense, National Guard personnel performing duty to assist U.S. Customs and Border Protection under section 1103(c)(6) of this Act, Coast Guard officers and agents assisting in maritime border enforcement efforts,''.

Mrs. BOXER. Madam President, I rise in support of the Boxer-Landrieu-Murray amendment numbered 1240 which is a very simple amendment. It has bipartisan support as well. It would require the participation of the National Guard and the Coast Guard in new Border Protection training programs.

The underlying bill includes language authorizing specialized training for Federal law enforcement agents who have been tasked with securing the border to update them on how the law will impact their duties and their responsibilities. The bill specifically requires Customs and Border Protection, Border Patrol, ICE officers, and agriculture specialists at the border to undergo training on such things as identification and detection of fraudulent travel documents, civil rights protections, border community concerns, environmental concerns, and how agents should handle vulnerable populations such as children, victims of crime, and human trafficking.

But the bill leaves out two very important groups of Federal officials who will be key to further securing our lands and sea borders. They leave out the National Guard and the Coast Guard. The bill provides new authorizations for the National Guard to assist Customs and Border Protection agents with border enforcement duties. In the case of the Coast Guard, the bill continues their large role with maritime border security.

But the new training language excludes both the National Guard and the Coast Guard. So we look at our amendment as making a pretty easy fix. We do not think it was intentional to leave the National Guard and the Coast Guard out of the training. So we simply restore it.

I noted that Senator CORNYN identified the same problem during Judiciary Committee consideration of the bill. This piece was tucked into a more controversial amendment, so it did not pass. This bipartisan idea needs to be taken out. It needs to stand alone. It needs to pass. I am very hopeful it will.

In closing, I will list who is supporting us: National Task Force to End Sexual and Domestic Violence Against Women; Asian Pacific Islander Institute on Domestic Violence; Casa de Esperanza; National Latina Network for Healthy Families and Communities; Futures Without Violence; Institute on Domestic Violence in the African American Community; Jewish Women International; Legal Momentum; National Coalition Against Domestic Violence; National Congress of American Indians Task Force on Violence Against Women; National Council of Jewish Women; National Network to End Domestic Violence; National Organization of Sisters of Color Ending Sexual Assault; National Resource Center on Domestic Violence; and the YWCA.

We have a big group out there that understands these officers need that training.

With that, I thank everybody for their indulgence for allowing me time to explain the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1227

Mr. HELLER. Madam President, I ask unanimous consent that the pending amendment be set aside so I can call up amendment No. 1227.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada, [Mr. HELLER], for himself and Mr. REID, proposes an amendment numbered 1227.

Mr. HELLER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To include a representative from the Southwestern State of Nevada on the Southern Border Security Commission)

On page 861, line 9, strike ''4 members, consisting of 1 member'' and insert ''5 members, consisting of 1 member from the Southwestern State of Nevada and 1 member''.

Mr. HELLER. Madam President, the debate we are having in this Chamber is incredibly important to our Nation's

future. We simply cannot afford to waste this opportunity to bring meaningful reform to America's immigration system. We have a chance to enact commonsense reforms that will help fix the broken system that punishes those who simply want to work hard and play by the rules.

Over the course of the next 2 weeks, we have an opportunity to enhance border security and to ensure that those coming to our shores do so in a lawful manner. In order to do that, we need to make sure the underlying immigration bill actually addresses the issues and offers reasonable solutions that make sense.

Let me be clear: In order to fix the immigration system, we must secure our borders. Attempting to bring about immigration reform while ignoring the problems at our borders makes no sense. I, like many of my colleagues, have repeatedly voted this week in favor of increasing border security. I think most Americans would agree any reform legislation must include measures that stop unlawful entry into our country. The underlying bill recognizes the serious need for greater security at our borders and establishes a southern border security commission if State-based results are not achieved in a reasonable time.

I for one hope we secure our borders effectively and quickly so no such commission is ever needed. The southern border security commission will be established only if the Department of Homeland Security fails to achieve effective control of the southern border within 5 years of the bill's enactment. Hopefully we never recognize that scenario. But if for some reason a southern border security commission is needed, and if we fail to change the status quo after 5 years, then the States that are most affected by these issues must have a central role in fixing those problems.

Let me be clear: My amendment No. 1227 does not endorse the creation of the border commission. It simply ensures that should the commission be required, it will be fully representative of States' concerns and State-based recommendations on how to achieve control of the southern border.

The commission is primarily comprised of representatives from southern border States, including Arizona, California, Texas, and New Mexico, and is responsible for providing concrete recommendations to Congress and the administration on how to achieve control of the southern border should DHS fail to do so.

But Nevada would not be guaranteed a voice on the commission, despite the fact that Nevada shares contiguous borders with two southern border States and faces many of the same immigration-related challenges as these States. It is more than reasonable to argue that Nevada, which is a short drive away from San Diego, Los Angeles, and Phoenix, should be included on a commission designed to improve border security in the southwestern region. If that commission is necessary, Nevada should have a seat at that table. Including Nevada on the commission makes the underlying bill more effective, enhances this particular border security provision, and ensures that it fully addresses the issues affecting the southern border and southwestern States.

If we reject common sense during this amendment process, we are going to end up right back where we started in years to come. We are not going to give the American people the solution they deserve in this immigration bill. It is common sense that if the Federal Government fails to gain control of the borders, then the States most affected by the failure should be able to play a role in fixing the problem. It is common sense that States such as Nevada, which faces the same problems as other States in the region, should contribute to the process as members of that commission.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I come to the floor with even more good news about the Gang of 8's immigration reform proposal that is being debated before the Senate. The nonpartisan Congressional Budget Office has confirmed that this legislation we are considering is good for the American economy.

We in the Gang of 8 have spent months working on this bipartisan effort because we knew it was good for the United States. Now we have the official word from the Congressional Budget Office confirming that it will reduce our Nation's deficit and grow our Nation's economy.

As you can see in this graph, the Congressional Budget Office's analysis shows that our bill will increase the U.S. gross domestic product by 3.3 percent in the first 10 years after its enactment and 5.4 percent in the second 10 years after its enactment. This means the bipartisan immigration reform we are debating in the Senate will actually grow our economy, not harm it as some of the ardent opponents have tried to argue.

I have been saying this all along: bringing 11 million people out of the shadows will increase our economic growth, and now we know by how much.

The Congressional Budget Office also tells us we reduce the deficit by $197 billion over the next decade and by another $700 billion more between 2024 and 2033 through changes in direct spending and revenues. We are talking about almost $1 trillion in deficit spending that we can lift from the backs of the next generation by giving 11 million people a pathway to productive citizenship.

I have been saying all along, bringing 11 million people out of the shadows and fixing our broken immigration system will increase the gross domestic product and decrease the deficit, and now we know by how much. The report says it will come in payroll taxes, income taxes, fees, and fines estimated to be about $459 billion in the first 10 years and $1.5 trillion in the second 10 years. It also found that there will be fewer unauthorized individuals coming into the United States as a result of our bill.

Contrary to what my colleague from Alabama has continuously claimed on the floor of the Senate, the CBO found ''that the border enforcement and security provisions of the bill, along with the implementation of the mandatory employment verification system, would decrease the net future flows of unauthorized people into the United States.''

The bottom line of this report is clear. What the CBO numbers tell us is that 11 million people living in fear and in the shadows are not, as some would have us believe, part of America's problem, but bringing them out of the shadows is actually part of the solution and part of strengthening America's economic future. They are a key to economic growth, and immigration reform will help save the Social Security and Medicare trust funds.

What we realize today is that giving 11 million people a pathway, an arduous pathway, nonetheless a tough pathway, go through a criminal—come forth and register with the government, first of all, and let us know who is here, go through a criminal background check; they must pass that background check because if they don't, they are deported; and then ultimately they pay their taxes, learn English, and after more than a decade earn their way toward citizenship; fixing that broken immigration system, in effect, is an economic growth strategy and exactly the right thing to do.

Frankly, the CBO numbers negate any reasonable argument the opponents of this legislation have. Every argument they have made is based on one thing and one thing only: that ''those people'' living in the shadows, ''those people'' trying to earn a living, ''those people'' trying to keep their families together are a symptom of American decline. Our history of immigration clearly contradicts those arguments, and the CBO numbers confirm it.

The opponents of this legislation couldn't be more wrong. Giving 11 million people a pathway to citizenship, while strengthening our enforcement efforts, is not a symptom of decline. On the contrary, it is a symbol of America's hope and a validation of American values, what we stand for as a nation and who we are as a people.

I believe a new generation of immigrants willing to work hard and contribute to the economy will help make this another century of American exceptionalism.

I say to my friends on the other side, and I say to my friend from Alabama

who appears to have only gotten the CBO score for the first 10 years but not the second 10 years, even though I understand he was the one who asked for the CBO to score the second 10 years, apparently the second 10 years holds an inconvenient truth for my friend. The good news in this analysis actually gets better in the second 10 years. The CBO reports that immigration reform will reduce the deficit by $700 billion, increase wages by half a percent, increase GDP by 5.4 percent, and increase productivity and innovation.

As I listen to the Senator from Alabama make his remarks about the CBO report on wages, I don't think the numbers say he believes what they say. He was talking about how American family wages would go down, and the report explicitly says that is not the case.

In fact, Ezra Klein wrote yesterday in the Washington Post that the idea that immigration would lower wages of already working Americans is ''actually a bit misleading. . . . As for folks already here, CBO is careful to note that their estimates ''do not necessarily imply that current U.S. residents would be worse off'' in the first 10 years, and in the second 10 years, they estimate that the average American's wages will actually rise.''

In addition, in case my friend from Alabama missed it, the report also says:

> Although immigrants constituted 12 percent of the population in the year 2000, they accounted for 26 percent of U.S. based Nobel Prize winners, and they made up 25 percent of public venture-backed companies started between 1990 and 2005.

The fact is, immigrants receive patents at twice the rate of the native-born U.S. population. The bottom line, as Ezra Klein states:

> The bill's overall effect on the overall economy is unambiguously positive.

This is encouraging news for the American economy and it validates what many of us have known all along. I would only say let's not take a report from the Congressional Budget Office, twist it for political purposes, and then preach to the fears of those who would oppose this legislation no matter how encouraging and positive the CBO numbers are. I am already beginning to hear the voices who, of course, are rejecting the CBO's analysis. I find it interesting. I stand on this floor very often and listen to my colleagues who use the CBO numbers when it inures to their benefit but reject them when it doesn't. You can't do it. You can't have it both ways. This is a reason to move forward, not a reason for further obstruction.

The Congressional Budget Office report is encouraging enough, in my view, to make this legislation part of an economic recovery strategy and a long-term competitiveness strategy. I say to the opponents of the legislation: Don't stand in the way of economic growth. Don't stand in the way of economic recovery. Let's say yes to immigration reform.

Even a voice I normally am not in concert with—Grover Norquist, the president of Americans for Tax Reform, said yesterday:

> Today's CBO score is more evidence that immigration is key to economic growth. Immigration reform will jumpstart America's economy and reduce our national debt. . . . I urge Congress to fix our broken immigration system for the sake of the American economy.

I don't usually agree with Grover Norquist, so the fact that we can actually agree on this issue means we have done something right in the Gang of 8, something worthy of the support even of some of my most conservative colleagues.

I think my friends on the other side are out of arguments. Ezra Klein does a good job of bottom-lining the CBO analysis. He says:

> This isn't just a good CBO report. It's a wildly good CBO report. They're basically saying immigration reform is a free lunch: It cuts the deficit by growing the economy. It makes Americans better off and it makes immigrants better off. At a time when the U.S. economy desperately needs a bit of help, this bill, according to CBO, helps. And politically, it forces opponents of the bill onto the ground they're least comfortable occupying: They have to argue that immigration reform is bad for cultural or ethical reasons rather than economic ones.

The good news in this CBO report about the economic benefits of immigration reform is exactly one of the reasons 70 percent of Americans support it. It is good for the economy. Once again, we realize the breadth of support for this legislation goes far beyond politics, demographics, or elections. It goes to our responsibility to the economy and to our country.

We have an obligation to pass this legislation if we want to fix our immigration system and rebuild our economy.

To those opponents of immigration reform who tell us ''those people'' will come here and use services, demand more and bankrupt the system, I would point them to this graphic.

The sizable deficit reduction from immigration reform in the first 10 years is actually dwarfed by the amount that immigrants will continue to contribute in reducing the national deficit in the second 10 years.

This clearly shows immigration reform is good for America now and in the long term. People have long realized, and the CBO numbers show us, that this legislation is, without a doubt, the right thing to do. It benefits all of us as an issue.

These are people who have come here to work, contribute to our economy, our economic competitiveness, pay their taxes, and be part of the dream. The CBO report simply puts numbers to what that dream is all about and what we have known all along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, as chair of the Agriculture, Nutrition and Forestry Committee, I rise today to speak about the urgent need for comprehensive immigration reform. I too, along with the distinguished Senator from New Jersey, wish to indicate that it is very good news that this is not only good in a number of ways to have a legal system that is working for the economy, but we are actually going to see deficit reduction. Saving money as well as providing certainty in the economy for workers and businesses, a legal system that works for people, for families, business workers, is extremely positive.

I wish to congratulate all of my colleagues and friends on both sides of the aisle who have worked so hard: the leader of the Judiciary Committee, the leader of the Immigration Subcommittee, and all of those on both sides of the aisle who have worked so hard to make this happen.

I particularly thank Senator DIANNE FEINSTEIN, Senator BENNET, and others who have worked very hard on a portion of the bill that relates to agriculture.

In agriculture, we need comprehensive immigration reform. It is critically important for farmers from Michigan, Wisconsin, Alabama, California, and everywhere in between.

As you know, we passed our farm bill with wide bipartisan support a week ago. In the debate, we talked a lot about risk management and making sure that farmers have a safety net when they experience a disaster, whether it be a drought, a late freeze, or other severe weather. But what about when the weather is good, the Sun shines, there is enough rain but not too much, and it falls at the right times and the crops grow and ripen, and then there aren't enough people to harvest it, which has happened too many times in Michigan? When that happens, crops unpicked, unsorted, and unsold rot in the fields. In California, last year peach growers saw much of their crop rot on the trees because they couldn't find enough workers. One farmer outside Marysville, CA, said he was losing 5 percent of his peaches every day—every day—because he couldn't get enough farm workers and the system didn't work. And this year grapefruit growers are already behind on picking by 2 weeks because of the labor shortage. We need a legal system that works.

In Alabama, in 2011 thousands of farm workers fled the State as a new immigration law was passed and undermined the ability to get quality legal workers. Brian Cash, a tomato grower on Chandler Mountain, said that one day he had 64 workers and the next day he had 11 when the new law made it a crime not to carry valid documents at all times, which forced police to check on anyone they suspected was here illegally. The way this was put together, it was not workable. So we need a system that works, that is realistic, that makes sure everyone, in fact, who is here is documented as legally here, but

it has to be done in a way that works for farmers and workers. Because Brian didn't have enough workers to harvest his 125 acres, he watched his tomato crop rot in the field, and that loss cost him $100,000.

In my home State of Michigan last year, we couldn't get enough workers to help harvest the crops up and down the west side of the State. Asparagus grower John Bakker, who runs the Michigan Asparagus Advisory Board, reports that 97 percent of Michigan asparagus is harvested by hand and almost all of our hand-harvesting labor comes from migrant workers. That means much of our asparagus crop, unfortunately, was left in the field last year.

As you can see here, this was all left in the field. All of this is what has happened.

Alan Overhiser from Casco Township, MI, grows peaches and apples on 225 acres. He typically hires 25 to 30 seasonal workers. Right now he only has two. He said:

> I think one thing people don't understand is that people we normally hire are skilled at this work. It's not just something that everyone can do. I think that's probably the myth out there. The reality is that we're in the business of providing safe, high-quality food that people want to buy. It takes a skilled labor force. It's hard work. They just aren't everywhere.

So we need to have a legal system that farmers can count on to have the skilled labor they need.

Dianne Smith, the executive director of the Michigan Apple Committee, said that because last year's crop harvest was lost to a weather disaster, many farm workers, of course, moved on to different jobs. In fact, she said that apple growers from Michigan to Washington are desperate to get back the skilled workers they need and that growers are hearing that until immigration is worked out, until there is a legal system they can trust and count on, workers they have worked with for years aren't willing to come back to the United States.

Russ Costanza grows squash, peppers, cucumbers, tomatoes, and eggplants on his Michigan farm. In the 1960s every farm worker his father hired came from nearby Benton Harbor, MI. As of 2010 not a single worker came from that city.

Again, there are the challenges of finding farm workers, those who are skilled and who want to do this kind of work.

Fred Leitz, who also farms near Benton Harbor, says American workers don't want to work in the fields. He has reached out to find workers and says it is a particular kind of work that most American workers are not interested in doing. In 2009 migrant workers held 200 of the 225 jobs at his apple orchard, and he said he would be out of business without their help. He has to have a legal system that works so that he knows he is following the law, so that people know they are following the law, they can count on it, and they can have the skilled workers they need every year.

Today, 77 percent of our country's farm workers are foreign born. These are men and women who work in extremely difficult jobs. They are people who need and want to follow the law. We have to make sure the law works. We need immigration reform to make sure we have an accountable system.

For our workers who put in so much effort all year long only to watch their crops rot in the fields, we need immigration reform. We need a legal system that works. If they do not have workers to pick all of their crops, then farmers are going to plant fewer acres. The effect of a labor shortage can be just as devastating and disastrous on our food supply and our families' grocery bills as a drought or a freeze.

So there is no two ways about it. We need to pass this bill. We need immigration reform. We need a system that is accountable, that is credible, that is legal, and that works. Farmers and farm worker organizations are strongly endorsing this bill because fixing our immigration system is what the bill before us is all about.

I am very pleased people have come together—those representing workers, those representing farmers—to find something that actually is a good balance and works for everyone in this sector of the economy.

This bill first creates a way for current undocumented workers to obtain legal status through the blue card program if they have worked at least 100 work days or 575 hours from January 1, 2010, through December 31, 2012. All the blue card holders receive biometric identification, and employers will be required to provide a record of their employment to the Department of Agriculture as well. To be eligible then for a green card, the workers must have worked for at least 100 days per year for 8 years prior to enactment or 150 days for 5 years prior to enactment, and they also would have to show that they paid taxes on the income they earned while in blue card status and that they have not been convicted of any felony or violent misdemeanor as well.

Next, the bill also establishes an agriculture worker program to assign work visas for immigrant workers who don't wish to live in the United States but want to be able to come to the United States and work legally. Workers must register with USDA and pay a registration fee, and the USDA will create an electronic employment monitoring system similar to our current student and exchange visitor information system to track temporary workers.

This bill ensures a review of the visa cap after 5 years so we can see how the program is working for farmers and for farm workers. It also gives the Secretary of Agriculture the power to increase the number of visas in an emergency, as in a situation where we don't have enough workers and the crops are actually rotting in the fields.

In addition, any workers who are unemployed for more than 60 days or breach a contract with an employer will have to leave the United States.

Furthermore, the bill provides much needed certainty for farmers and for workers when it comes to wages. Under the bill farmers will know how much to plan to spend on help, and workers will know how much to plan on earning for their work.

Finally, farm employers must hire eligible and qualified American workers before filling any shortages of workers through the visa program. So, as always—and certainly a high priority for me—we want to make sure American workers have the first opportunity for these jobs. It is only in a situation where there are not Americans applying and wishing to have this employment that we would then turn to those who are legally here and who are foreign born.

We are the top agricultural export country in the world—the top. That is one of the bright spots for us. As I have said so many times, 16 million people work in this industry. We can't continue to be the top export country if we leave crops in the fields or on the trees because we don't have a legal system that works and we don't have legal employees who are here, workers who are here legally and who can do the work. So we need to pass this bill.

There are many reasons to pass this bill. One is to make sure we are actually picking from the fruit trees and not letting things fall and rot on the ground—the precious food we are growing across the country. We need to pass this bill because our food supply and the world's food supply depend on being able to get the crops out of the fields.

We have done a great job working together to produce a 5-year farm bill that addresses everything from research and support for farmers when they have disasters to conservation practices, trade, local food systems, rural development, and on and on. The one piece we can do now that will really give American agriculture a positive one-two punch is to pass this bill.

This bill is a balance. It has been worked out among all those involved in the agricultural economy, both from a business standpoint and a worker standpoint. Everyone is very clear: The system is broken. It doesn't work. It doesn't work for anybody right now. So we need a system that works, that is accountable, that has the right kind of balance, and that, of course, puts American workers first but allows our farmers to have the legal workers they need as well in that process.

This bill makes sense, and I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1320

Mr. CRUZ. Madam President, I ask unanimous consent to temporarily set aside the pending amendment so that I may call up my amendment No. 1320 which is at the desk.

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

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Texas [Mr. CRUZ] proposes an amendment numbered 1320.

Mr. CRUZ. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions)

On page 896, strike line 11 and all that follow through page 942, line 17, and insert the following:

TITLE I—BORDER SECURITY

SEC. 1101. BORDER SECURITY REQUIREMENTS.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Secretary shall—

(1) triple the number of U.S. Border Patrol agents stationed along the international border between the United States and Mexico;

(2) quadruple the equipment and other assets stationed along such border, including cameras, sensors, drones, and helicopters, to enable continuous monitoring of the border;

(3) complete all of the fencing required under the Secure Fence Act of 2006 (Public Law 109–367);

(4) develop, in cooperation with the Department of Defense and all Federal law enforcement agencies, a policy ensuring real-time sharing of information among all Federal law enforcement agencies regarding—

(A) smuggling routes for humans and contraband;

(B) patterns in illegal border crossings;

(C) new techniques or methods used in cross-border illegal activity; and

(D) all other information pertinent to border security;

(5) complete and fully implement the United States Visitor and Immigrant Status Indicator Technology (US-VISIT), including the biometric entry-exist portion; and

(6) establish operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367)) over 100 percent of the international border between the United States and Mexico.

(b) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101, or blue card status under section 2111 until the Secretary has substantially complied with all of the requirements set forth in subsection (a).

(c) BUDGETARY EFFECTS OF NONCOMPLIANCE.—

(1) INITIAL REDUCTIONS.—If, on the date that is 3 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the amount appropriated to the Department for the following fiscal year shall be automatically reduced by 20 percent;

(B) an amount equal to the reduction under subparagraph (A) shall be made available, in block grants, to the States of Arizona, California, New Mexico, and Texas for securing the international border between the United States and Mexico; and

(C) the salary of all political appointees at the Department shall be reduced by 20 percent.

(2) SUBSEQUENT YEARS.—If, on the date that is 4, 5, 6, or 7 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the reductions and block grants authorized under subparagraphs (A) and (B) of paragraph (1) shall increase by an additional 5 percent of the amount appropriated to the Department before the reduction authorized under paragraph (1)(A); and

(B) the salary of all political appointees at the Department shall be reduced by an additional 5 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal year 2014 through 2018.

(2) OFFSET.—

(A) IN GENERAL.—Any amounts appropriated pursuant to paragraph (1) shall be offset by an equal reduction in the amounts appropriated for other purposes.

(B) RESCISSION.—If the reductions required under subparagraph (A) are not made during the 180-day period beginning on the date of the enactment of this Act, there shall be rescinded, from all unobligated amounts appropriated for any Federal agency (other than the Department of Defense), on a proportionate basis, an amount equal to the amount appropriated pursuant to paragraph (1).

Mr. CRUZ. Madam President, central to any debate over immigration is the need to secure our borders. The American people are overwhelmingly unified on that proposition. We must secure our borders. Unfortunately, the bill before this body—the Gang of 8 immigration bill—does not secure our borders.

Right now our borders are anything but secure. In fiscal year 2012 there were 364,768 apprehensions along the southwest border. Forty-nine percent of those apprehensions were in Texas.

The Border Patrol reported in 2012 463 deaths, 549 assaults, and 1,312 rescues. And this is just a tiny fraction of those actually harmed crossing the border illegally. In fiscal year 2012 there were 2,297,662 pounds of marijuana and nearly 6,000 pounds of cocaine seized at the southwest border.

The trafficking we are seeing is not just human life, but it is also drugs that are destroying the lives of countless young people and Americans across our country. From April 2006 to March of 2013 over 9 million pounds of marijuana, cocaine, meth, and heroin has been seized just in Texas, $182 million in currency has been seized, over 4,000 weapons have been seized. Madam President, 392 cartel members have been arrested in Texas since 2007, 33 cartel-related homicides in Texas just since 2009, and 78 instances where shots were fired at law enforcement officers in Texas.

The insecurity of our borders is causing human tragedies in our country, many of which are occurring in my home State of Texas. A brutal example can be found in the situation faced by my constituents in Brooks County, TX, a county in South Texas 60 miles southwest of Corpus Christi, 90 miles from Laredo. Seemingly far removed and peaceful, Brooks County is the site of an extreme problem: hundreds of thousands of people coming here illegally, many of them from countries other than Mexico, attempting to cross the harsh terrain on foot, cutting across private property to avoid detection by the understaffed Border Patrol.

According to news sources, 400 to 500 illegal immigrants cross Brooks County on foot every single night—400 to 500 a night. The Washington Post recently wrote a piece about Brooks County and described the situation as follows:

There has been a surge in illegal migrants, mostly from Central America, trying to sneak around the checkpoint by cutting through the desolate ranches and labyrinths of mesquite brush that parallel the highway.

They arrive in South Texas by riding the freight trains up through southern Mexico and along the gulf coast. Smugglers float them across the Rio Grande to safe houses and border cities such as Brownsville and McAllen, then drive them north toward Houston and San Antonio along U.S. Route 281.

Several miles before the Falfurrias Border Patrol checkpoint, the smugglers pull over, and that's where the migrants start walking.

Because they are either paid in advance or based solely on how many people they successfully deliver, smugglers often leave illegal immigrants in places such as the sometimes 30-mile overland hike, which is undertaken at a brutally fast pace, and sadly the harsh land and climate lead to the death of many.

The Washington Post interviewed one of my constituents, Mr. Presnall Cage, on that point. He said:

''I don't want the bodies here anymore,'' said Presnall Cage, whose family's 43,000-acre property is directly west of the highway checkpoint. ''A more secure border would mean fewer deaths,'' he said.

The system we have is not humane. It is cruel, and it results in terrible human tragedies.

The Washington Post went on to describe the situation Mr. Cage faces.

Some of the migrants find their way to Cage's ranch house, as three groups of people had done the week before. ''I feel so sorry for them,'' he said. ''They have no idea what they're getting into.'' Cage has placed dozens of water faucets around his property. But a sinking feeling sets in whenever he sees a pair of sneakers laid across a path or a shirt tied to a branch near the road, typical last-ditch distress signals.

When winter arrives and quail hunters come to his ranch with dogs, more bodies show up. Last year 16 bodies were found on Cage's ranch. Sixteen men, women, and children lost their lives because of our broken immigration system.

Sadly, the 16 found on Mr. Cage's ranch represent only a small fraction of the 129 bodies found in just Brooks County last year. The county spent $159,000 last year to recover and bury those who went unclaimed. They are buried at the Sacred Heart Burial Park. They are spread across three sections of the cemetery. In those three sections, the graves do not have names.

The remains of a human being lie marked only by simple aluminum markers carrying serial numbers or sterile descriptions: ''Unknown Female,'' ''Bones,'' or ''Skull.''

No one who cares about our humanity would want to maintain a system where the border isn't secure, where vulnerable women and children entrust themselves to corrupt coyotes and drug dealers and are left to die in the desert. This is a system that produces human tragedy, and the most heartbreaking aspect of this Gang of 8 bill is that it will perpetuate this tragedy. It will not fix the problem. It will not secure the borders.

Linda Vickers, who is a constituent from Brooks County, wrote me about the situation she faces:

> In all the years I have lived here (since 1996) I have never seen or been confronted by so many illegal immigrants. Since May of last year the numbers have continued to rise. . . . But I have never seen it like this! Nor, have I ever felt this unsafe in my own home and on my own ranch as I do right now. I have had so many gang members (MS–13, Pistoleros, etc.) around my house that I now feel it is not ''if'' I will be assaulted, but ''when.''

Linda Vickers' husband is a veterinarian, Dr. Mike Vickers. Like many other ranchers in Brooks County, Mike speaks Spanish and he worked for Mexican ranchers for years as a vet until the travel became too dangerous. Dr. Vickers gave the following statement of his own:

> I live on a Brooks County ranch with my wife, Linda. In 2012, 129 bodies of deceased illegal aliens were found in our County on private ranch land. Most of these bodies were found within 15 minutes of our front door in any given direction! We believe these bodies represent only 20–25% of the actual number of illegal immigrants dying in this area. . . . In one week of last July, I personally rescued 15 people (most were Central Americans) that were lost and close to dying from dehydration and heat exhaustion. . . . This same week I found a deceased person that had been laid across a dirt road in order to be found. He was a 31 year old man from El Salvador.

A system that perpetuates these human tragedies is cruel. It is the opposite of humane. Yet the bill before this Senate, the Gang of 8 bill, encourages illegal immigration now and more in the future if it is passed.

Apprehensions in the Rio Grande Valley are projected to be higher in fiscal year 2013 than in any year since 2000, and the number of apprehensions to date, after only 8 months, is already more than the total apprehensions in fiscal years 2002 to 2004 and 2007 to 2011.

This is a chart of the apprehensions of what Homeland Security refers to as OTMs—those who are other than Mexican—because a significant number of people coming into this country illegally are not from Mexico but are from other nations.

The black line represents apprehensions of OTMs along the southwest border, and the white line represents apprehensions in Texas. You see two clear spots—one in the mid-2000s, coming up right upon the consideration of the last major amnesty bill, and we saw apprehensions spike dramatically as people were incentivized by that offer of amnesty to risk their lives coming here illegally, and we see again a second spike happening right now.

DHS statistics show apprehensions on the southwest border are up 13 percent versus the same time last year—from 170,223 in 2012 to 192,298.

The Gang of 8 bill encourages illegal immigration in many ways, one of which is by prohibiting immigration law enforcement from detaining or deporting any apprehended illegal immigrant if they ''appear to be eligible for instant legalization'' and requiring that they be allowed to apply for amnesty. In other words, what this bill does is it handcuffs law enforcement from enforcing our immigration laws. We should not be surprised that when you handcuff law enforcement, the result is more and more breaking the law.

The Gang of 8 bill allows illegal aliens who have been previously removed to, in the Secretary's discretion, be eligible for legalization even if they have illegally reentered the country yet again. And neither the Gang of 8 bill nor many of the alternative border security proposals that have been introduced do enough to meaningfully secure our borders.

The last time this body passed major immigration reform was 1986. In 1986 the Federal Government made a promise to the American people. The Federal Government said: We will grant amnesty to some 3 million people who are here illegally. In exchange, we will secure the borders. We will stop illegal immigration. We will fix the problem. The American people accepted that offer. What happened in 1986 was that the amnesty happened, 3 million people received it, and yet the border security never happened.

I was struck last week when the senior Senator from New York stood at his desk and said: When this bill passes, illegal immigration will be a thing of the past. It was an echo from the debate in 1986. In 1986 that same promise was made to the American people: Just grant amnesty and illegal immigration will be a thing of the past. Do you know what we have learned? If legalization comes first, border security never happens.

One of the major questions before this body is, Which should come first, legalization or border security? I can tell you that the overwhelming majority of Americans, Republicans and Democrats, want border security first before any legalization. Yet the Gang of 8 bill and the alternatives before this body don't require even a single additional Border Patrol agent prior to legalization. The Gang of 8 bill does not require that a single foot of fencing be built along the border prior to legalization. The Gang of 8 bill does not require a biometric exit-entry system prior to legalization.

Unlike the Gang of 8 bill, the amendment I have called up does provide real border security. It does what we have been telling the American people, but it actually follows through on it. Prior to legalization, my amendment would do a number of things. No. 1, it would triple the number of Border Patrol agents on the southern border. Today there are a little over 18,000 Border Patrol agents on the border, but our border is not secure. This bill triples that. This bill quadruples the number of cameras, sensors, helicopters, fixed-wing assets, technology, and infrastructure on the border. This bill requires that we complete all 700 miles of the fencing required by law in the Secure Fence Act. This bill requires real-time sharing of information among Federal law enforcement agencies. This bill requires that we complete and fully implement the US–VISIT system, including biometric exist-entry. And this bill requires that we establish operational control over 100 percent of the southern border.

Proponents of the Gang of 8 bill suggest that we don't need additional border patrol. I have to say that it is interesting seeing Senators who represent States that are very, very far away from the border standing up with complete confidence and sharing what we need to do to secure the border.

I can tell you, every time I have been to the border in my home State of Texas, the No. 1 answer that has been given from people on the ground—how do we fix this? How do we secure the border? How do we make it so you are not at risk from Mexican drug cartels and from the constant human tragedy of illegal immigration? The No. 1 answer you get over and over from law enforcement on the ground is this: More boots on the ground.

Let me put things in perspective in terms of what exactly we are talking about with boots on the ground. We need to have sufficient resources to secure the border. And let's take as a comparison the border versus New York City. In New York City, there are 34,500 NYPD officers. The area those 34,000 officers are policing is 468 square miles. That is a density of about 73 officers per square mile. By contrast, the border has 18,516 Border Patrol agents, but instead of policing 468 square miles, they are policing approximately 200,000 square miles. That is a density of 0.1 agents per square mile.

Let's look at it in a different way to get a sense of the differential there is right now. In New York City, 34,500 NYPD officers, as represented by this chart, are policing about 470 square miles—that little dot. By comparison, roughly half this number of Border Patrol agents are policing a square that large. And that is why law enforcement on the border says that whenever you spot those who are coming here illegally—even if you spot them, even if you find them, there is a delay in getting Border Patrol agents there to apprehend them, and by the time they are there, many of them have escaped and fled into the interior.

Why focus on inputs? One of the reasons to focus on inputs is that this administration in particular has demonstrated both a willingness to disregard the law and less than complete fidelity to truth. Proponents of the Gang of 8 say there are provisions in this statute that require that DHS fix the problem. I would like to point out a couple of provisions of current law.

If you look right now at current law, current Federal law requires:

> Ports of entry shall use equipment and software to allow the biometric comparison and authentication of all travel documents.

That was enacted in law in 2002. Has it happened? No. It is one of the things in the civics classes we teach our kids: Congress passes a law, the President signs it, and suddenly it occurs. It doesn't occur if the Executive doesn't implement it. And the statement of the head of the travel entry programs at CBP in 2011 was:

> The operational costs of a biometric program at this time would be inordinately expensive and the benefits not commensurate with the costs.

Despite the fact that the statute, the words on the paper say we have to have a biometric system, we do not, and the Obama administration made it perfectly clear they do not intend to change that.

Look at another provision of current law. Current law provides the DHS Secretary shall—not may, not might—''shall provide for at least 2 layers of reinforced fencing'' over 700 specified miles.

How much of that has happened? Madam President, 36.6 miles of double-layered fence is currently standing. The statute says there shall be 700. DHS has built only 36. Words on a paper don't secure the border.

A third example of current law right now that the Obama administration is disregarding, current law provides DHS Secretary Janet Napolitano must ''achieve and maintain operational control'' over the entire border.

What does Janet Napolitano say? She says: ''Look, operational control, it's an archaic term.''

DHS doesn't even measure it anymore, much less require it.

Why? Because when they were measuring it they found it wasn't being achieved, the border wasn't secure. So rather than enforce it, they just erased the metric that demonstrated they are not fixing the problem.

There are two fundamental questions this body needs to consider when it comes to border security. No. 1, do we have real border security? Do we fix the problem, stop providing empty promises? The Gang of 8 bill has empty promises that will do nothing to secure the border. I think the American people are tired of empty promises.

The amendment I have offered will put real teeth in border security: triple the number of Border Patrol agents on the southwest border; quadruple the cameras, sensors, drones, helicopters, and other technology and infrastructure as appropriate; ensure that we fix the problem.

No. 2, there is a fundamental question: Which comes first, legalization or border security? The Gang of 8 bill says let's have legalization first and then border security is a promise that will happen in the future. We have been down that road. That was the exact same path we took in 1986. In 1986 Congress told the American people we will grant legalization now, and on Tuesday I will pay you the cost of a hamburger. In the future, we will secure the border. Three decades later it still has not happened.

The only way to make it happen is to require border security first, to put the incentives on the Federal Government. Talk is cheap. We need to fix the problem.

In closing, I ask you, Madam President, and I ask the American people to focus on the cost, the human tragedy of our current system. In 1986 there were 3 million people here illegally. They were granted amnesty and the Federal Government promised the problem would be solved. Three decades later the border is still not secure, and there are 11 million people here illegally.

If this body passes the Gang of 8 bill, it will grant immediate legalization and it still will not secure the border. In another 10 or 20 years we will be back here, but it will not be 3 million or 11 million; it will be 20 million or 30 million people here illegally. If that happens, there are going to be a lot more graves like this, a lot more little boys, little girls, a lot more men and women who will never achieve the potential they could because of our system. It is a perverse system that encourages good people who just want a better life—they want a better life for their kids—and with our system, because we do not enforce the law, they risk their lives, they entrust themselves to human traffickers who assault them, who sexually violate them, who leave them to die in the desert.

The American people are overwhelmingly unified that, No. 1, we need to secure the border. And, No. 2, any bill that this body passes should have border security first and then legalization, not the other way around. There is an old saying that is popular in Texas: Fool me once, shame on you; fool me twice, shame on me.

In 1986, Congress asked the American people: Trust us with legalization first and border security later. We learned it never happened. You know what. I don't think the American people are ready to be fooled a second time. I hope this body will adopt the amendment I have introduced to provide real border security and to ensure that border security occurs first, before legalization.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent my remarks be as in morning business.

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

JUDICIAL CONFIRMATION PROCESS

Mr. HATCH. Mr. President, the Senate has so far this year confirmed 26 judicial nominees, including six appeals court nominees. The majority was right on cue, complaining about what they still insist is unprecedented confirmation obstruction and threatening to fundamentally change the confirmation process itself.

The late Senator from New York, Daniel Patrick Moynihan, once said that you are entitled to your own opinion but not to your own facts. So let us look at the real confirmation facts.

The Senate confirmed a higher percentage of President Obama's first-term appeals court nominees, and did so faster, than it had for President Bush. The 111 judges confirmed in the previous Congress was the highest total in more than 20 years.

Now we are at the beginning of President Obama's second term. The Senate is on a faster second-term confirmation pace than under any President in American history. And by the way, we have already confirmed more judges as the Democratic majority allowed to be confirmed in all of 2005, the first year of President Bush's second term.

Or we can look specifically at nominees to the U.S. Court of Appeals. The six appeals court nominees already confirmed this year are more than 60 percent above the average annual confirmation pace during the entire time I have been in the Senate. In fact, the Senate confirmed more appeals court nominees by this time in only eight of those 36 years.

Despite those confirmation facts, the majority wants the public to believe that legions of judicial nominees are piling up, waiting to be confirmed, and the only thing holding back this confirmation flood is Republican obstruction in general, and Republican filibusters in particular.

Democratic Senators claim that there have been hundreds of filibusters. In January 2011, they claimed that there had been 275 filibusters in the previous 4 years alone. Last December, the claim had risen to 391.

My Democratic colleagues would be no less accurate if they claimed thousands or even millions of filibusters. There is no other way to say it, Mr. President, but the majority is committing filibuster fraud.

Here's how they do it. The Senate must end debate on a bill or a nomination before we can vote on it. The process for ending debate, or invoking cloture, has two steps, a cloture motion and a cloture vote.

A cloture motion is nothing more than a request to end debate and requires only the signature of 16 Senators. The little secret behind those wild claims of filibusters in the hundreds is that Democrats are counting cloture motions, not filibusters. On January 1 of this year, one Democratic Senator actually let slip what the majority is up to when he referred to ''the

use of the filibuster as measured by the number of cloture motions.''

Cloture motions and filibusters are two different things. In a report dated just last month, the Congressional Research Service said:

> Senate leadership has increasingly made use of cloture . . . at times when no evident filibuster has yet occurred.

The current majority leader files cloture motions left and right, sometimes at the same time and in virtually the same breath as when he brings up a matter for consideration. That gimmick boosts the number that the majority uses as false evidence of a filibuster problem, but it is simply filibuster fraud. So many of these cloture motions are unnecessary that a higher percentage is withdrawn without any cloture vote at all than under previous majority leaders of either party.

Here is one recent example. The Judiciary Committee unanimously reported the appeals court nomination of Sri Srinivasan on May 16, 2013. No one opposed this nominee in the Judiciary Committee, and no one was ever going to oppose this nominee on the floor. The majority leader still filed a cloture motion even though the minority leader had already agreed to a confirmation vote.

I will not be surprised if the majority claims that this unanimously confirmed nominee was somehow filibustered because a completely unwarranted and totally unnecessary cloture motion was filed and promptly withdrawn.

It is time to stop the gimmicks and fake numbers. It is time to stop the filibuster fraud. A cloture motion is simply a request to end debate while a cloture vote is an actual attempt to end debate. A filibuster occurs when that attempt to end debate fails.

Let's look specifically at judicial filibusters. The majority should know the judicial filibuster facts because, after all, they pioneered the use of filibusters to defeat judicial nominees who would otherwise be confirmed.

The Senate has taken a total of 51 cloture votes on 36 different judicial nominations since the first one in 1968. Remember that a vote against cloture is a vote for a filibuster. As this chart shows, 79 percent of all votes by Senators for judicial filibusters in American history have been cast by Democrats.

One reason why the majority uses fake definitions and made-up numbers is that the number of real judicial filibusters is much lower today than in the past, especially during the previous administration.

At this point under President Bush, the Senate had taken 24 cloture votes on judicial nominees and 20 of them had failed. In other words, there had been 20 judicial filibusters. Not cloture motions, but actual filibusters that prevented confirmation votes. But under President Obama, the Senate has taken only nine cloture votes on judicial nominees and only four of those have failed. There have been only four judicial filibusters since President Obama took office.

It's no wonder that the majority today would rather use fake numbers than talk about real filibusters. Democrats led five times as many filibusters of President Bush's judicial nominees than there have been filibusters of President Obama's judicial nominees. Five times as many.

Not only that, but the very same majority party leaders who today most loudly condemn judicial filibusters the majority leader, the majority whip, and the Judiciary Committee chairman each voted no less than 21 times for judicial filibusters by this point under President Bush. They voted for real filibusters then, they condemn fake filibusters today.

Another example of filibuster fraud is the claim that the Senate today is bound by a 2006 agreement among a group of Senators who came to be known as the Gang of 14. Just a few months ago, the majority whip said that the Senate is supposed to use this agreement today as the standard for justifying a filibuster. In the Judiciary Committee and here on the floor, Senators on the other side of the aisle lecture us about how we supposedly have violated that agreement.

That agreement was never binding on more than those 14 Senators, it offered a standard that was to be interpreted and applied individually, and it never applied to anyone after 2006.

Here's what happened. By the spring of 2005, Democrats had led 20 filibusters that prevented confirmation votes on 10 different appeals court nominees. The majority leader threatened to prevent judicial filibusters through a parliamentary ruling that could be sustained by a simple majority vote. A group of seven Democrats and seven Republicans joined to head off that confrontation.

With a 55–45 Republican majority, the seven Democrats were enough to prevent judicial filibusters and the seven Republicans were enough to prevent a ban on judicial filibusters.

I have here the memorandum of understanding signed by those 14 Senators. Three things stand out.

First, it ''confirms an understanding among the signatories.'' The agreement applied only to those 14 Senators, only five of whom are serving today.

Second, it says that this agreement is ''related to pending and future nominations in the 109th Congress.'' The agreement expired more than 6 years ago.

Third, it says that those 14 Senators will support judicial filibusters only under ''extraordinary circumstances'' and that each Senator decides individually whether those circumstances exist. There never was any objective standard that applied to the Senate as a whole, or to any group of Senators for that matter.

It could not be clearer. This was an agreement among those Senators to use that standard during that Congress in order to avoid that confrontation over changing confirmation procedures.

Individual Senators may certainly use whatever standard they choose for their cloture or confirmation votes, including whatever this extraordinary circumstances standard might mean. But it is pure fiction to say that this temporary agreement ever bound, let alone binds today, more than those Senators who explicitly agreed to it.

Today we have the bizarre phenomenon of Democratic Senators who voted for nearly two dozen filibusters of Bush nominees telling us that an expired agreement they had never joined somehow prevents us from voting for filibusters of Obama nominees today.

Why is the majority using such sleight of hand and trying to enforce non-existent agreements? Why are they engaging in filibuster fraud?

One possibility is that the majority wants to cover up the fact that President Obama has consistently lagged behind his predecessors in making judicial nominations. The Senate, after all, cannot confirm nominations that do not exist.

The Administrative Office of the U.S. Courts tracks pending nominees for current judicial vacancies. You can see here the record based on that data. The Senate had pending nominations for an average of 41 percent of current vacancies under President Clinton, 53 percent under President Bush, but only 35 percent under President Obama. And today it is even lower, at only 33 percent.

During his first term, President Obama was more than 30 percent behind President Bush's nominations pace, but ended up only 10 percent behind in total confirmations. That hardly looks like partisan obstruction to me.

Not all vacancies, of course, are created equal. Some are more pressing than others. President Obama recently sent to the Senate nominees for the three remaining vacancies on the U.S. Court of Appeals for the DC Circuit and the majority is demanding swift confirmation. By the Democrats' own standards, however, these nominees should not be considered.

In 2006, Judiciary Committee Democrats wrote then-Chairman Arlen Specter to oppose considering a DC Circuit nominee. That letter, which I have here, said that another DC Circuit nominee ''should under no circumstances be considered—much less confirmed before we first address the very need for that judgeship and deal with the genuine judicial emergencies identified by the Judicial Conference.''

Madam President, I ask that both of these documents be printed in the RECORD.

My Democratic colleagues had two criteria for filling a DC Circuit vacancy. The need for the judgeship to be filled had to be established, and particularly pressing vacancies elsewhere

had to be addressed. Let's apply those Democratic criteria to these new DC Circuit nominees.

The first Democratic standard is that there must clearly be a need for the particular judgeship to be filled. In 2006, Democrats offered specific criteria including the total number of appeals filed.

As you can see here, based on the most recent data from the judiciary's administrative office, the number of appeals filed shown here in green has been below the 2006 level every year since, and far below the average of all circuits across the country shown here in red.

Another Democratic benchmark is the number of appeals resolved on the merits per active judge. Based on the same data from the judiciary's administrative office, even with a lower number of active judges, this benchmark has risen a mere four percent from 2006.

Whether you look at new cases or completed cases, judges on the DC Circuit handle about 40 percent fewer cases than judges on the next busiest circuit.

Based on these Democratic benchmarks, these DC Circuit vacancies do not need to be filled.

The second Democratic standard for considering DC Circuit nominees is that more pressing vacancies designated judicial emergencies should first be addressed. Vacancies get that label the older they are and the heavier a court's caseload.

The contrast between 2006 and today is really dramatic. When Democrats in July 2006 rejected consideration of a single DC Circuit nominee, President Bush had made nominations for 12 of the 20 existing judicial emergencies. Now, when Democrats demand consideration of not one but three DC Circuit nominees, President Obama has sent us nominees for only eight of the 33 judicial emergencies that exist today.

So the DC Circuit's caseload is down while judicial emergencies without nominees are up. I am not accusing my colleagues in the majority of flip-flopping because their party controls the White House, but it seems to me that their own criteria clearly compel the conclusion that these new DC Circuit nominees should not be considered at this time.

The second reason for the majority's filibuster fraud is that they want to manufacture some justification, even if they have to make it up out of thin air, for eliminating judicial filibusters. They want to do today exactly what the Gang of 14 prevented in 2006, but with far less justification.

The minority leader, Senator MCCONNELL, has daily reminded us of the majority leader's explicit promise not to pursue changing confirmation procedures except through the steps provided for in our standing rules.

In addition, if we look at the facts rather than the fiction, there is no conceivable reason to pursue such a change by any means. There have been far fewer judicial filibusters today—one-fifth as many—than during the Bush administration. There is less justification to change confirmation procedures today than there was when Democrats opposed doing so in 2006.

Let me summarize this journey through the real world of judicial confirmations. There is a very real, very serious debate about the kind of judges America needs on the federal bench. The process of considering President Obama's judicial nominees, however, is being conducted reasonably and fairly.

The majority apparently will do anything, even engaging in filibuster fraud, to avoid admitting the facts while hoping that no one will be the wiser. The truth is that filibusters are down, not up, and there have been far fewer judicial filibusters of Obama nominees than there were of Bush nominees. The DC Circuit's caseload is down while the number of judicial emergencies without nominees is up.

There is a better course than provoking unnecessary confrontations by nominees to positions that should not even exist or by threatening to change confirmation procedures that should not be changed. The majority should abandon their strategy of filibuster fraud and prioritize filling the most pressing vacancies.

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

U.S. SENATE,
Washington, DC.

MEMORANDUM OF UNDERSTANDING ON JUDICIAL NOMINATIONS

We respect the diligent, conscientious efforts, to date, rendered to the Senate by Majority Leader FRIST and Democratic Leader REID. This memorandum confirms an understanding among the signatories, based upon mutual trust and confidence, related to pending and future judicial nominations in the 109th Congress.

This memorandum is in two parts. Part I relates to the currently pending judicial nominees; Part II relates to subsequent individual nominations to be made by the President and to be acted upon by the Senate's Judiciary Committee.

We have agreed to the following:

PART I: COMMITMENTS ON PENDING JUDICIAL NOMINATIONS

A. Votes for Certain Nominees. We will vote to invoke cloture on the following judicial nominees: Janice Rogers Brown (D.C. Circuit), William Pryor (11th Circuit), and Priscilla Owen (5th Circuit),

B. Status of Other Nominees. Signatories makes no commitment to vote for or against cloture on the following judicial nominees: William Myers (9th Circuit) and Henry Saad (6th Circuit),

PART II: COMMITMENTS FOR FUTURE NOMINATIONS

A. Future Nominations. Signatories will exercise their responsibilities under the Advice and Consent Clause of the United State Constitution in good faith. Nominees should only be filibustered under extraordinary circumstances, and each signatory must use his or her own discretion and judgment in determining whether such circumstances exist.

B. Rules Changes. In light of the spirit and continuing commitments made in this agreement, we commit to oppose the rules changes in the 109th Congress, which we understand to be any amendment to or interpretation of the Rules of the Senate that Would force a vote on a judicial nomination by means other than unanimous consent or Rule XXII,

We believe that, under Article II, Section 2, of the United States Constitution, the word ''Advice'' speaks to consultation between the Senate and the President with regard to the use of the President's power to make nominations. We encourage the Executive branch of government to consult with members of the Senate, both Democratic and Republican, prior to submitting a judicial nomination to the Senate for consideration.

Such a return to the early practices of our government may well serve to reduce the rancor that unfortunately accompanies the advice and consent process in the Senate.

We firmly believe this agreement is consistent with the traditions of the United States Senate that we as Senators seek to uphold.

Ben Nelson, Mike DeWine, Joe Lieberman, Susan Collins, Mark Pryor, Lindsey Graham, Lincoln Chafee, John McCain, John Warner, Robert Byrd, Mary Landrieu, Olympia Snowe, Ken Salazar, Daniel Inouye.

U.S. SENATE,
Washington, DC, July 27, 2006.

Hon. ARLEN SPECTER,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN SPECTER: We write to request that you postpone next week's proposed confirmation hearing for Peter Keisler, only recently nominated to the D.C. Circuit Court of Appeals. For the reasons set forth below, we believe that Mr. Keisler should under no circumstances be considered—much less confirmed—by this Committee before we first address the very need for that judgeship, receive and review necessary information about the nominee, and deal with the genuine judicial emergencies identified by the Judicial Conference.

First, the Committee should, before turning to the nomination itself, hold a hearing on the necessity of filling the 11th seat on the D.C. Circuit, to which Mr. Keisler has been nominated. There has long been concern—much of it expressed by Republican Members—that the D.C. Circuit's workload does not warrant more than 10 active judges. As you may recall, in years past, a number of Senators, including several who still sit on this Committee, have vehemently opposed the filling of the 11th and 12th seats on that court:

Senator Sessions: ''[The eleventh] judgeship, more than any other judgeship in America, is not needed.'' (1997)

Senator Grassley: ''I can confidently conclude that the D.C. Circuit does not need 12 judges or even 11 judges.'' (1997)

Senator Kyl: ''If . . . another vacancy occurs, thereby opening up the 11th seat again, I plan to vote against filling the seat—and, of course, the 12th seat—unless there is a significant increase in the caseload or some other extraordinary circumstance.'' (1997)

More recently, at a hearing on the D.C. Circuit, Senator Sessions, citing the Chief Judge of the D.C. Circuit, reaffirmed his view that there was no need to fill the 11th seat: ''I thought ten was too many . . . I will oppose going above ten unless the caseload is up.'' (2002)

In addition, these and other Senators expressed great reluctance to spend the estimated $1 million per year in taxpayer funds to finance a judgeship that could not be justified based on the workload. Indeed, Senator Sessions even suggested that filling the 11th seat would be ''an unjust burden on the taxpayers of America.''

Since these emphatic objections were raised in 1997, by every relevant benchmark, the caseload for that circuit has only dropped further. According to the Administrative Office of the United States Courts, the Circuit's caseload, as measured by written decisions per active judge, has declined 17 percent since 1997; as measured by number of appeals resolved on the merits per active judge, it declined by 21 percent; and as measured by total number of appeals filed, it declined by 10 percent. Accordingly, before we rush to consider Mr. Keisler's nomination, we should look closely—as we did in 2002—at whether there is even a need for this seat to be filled and at what expense to the taxpayer.

Second, given how quickly the Keisler hearing was scheduled (he was nominated only 28 days ago), the American Bar Association has not yet even completed its evaluation of this nominee. We should not be scheduling hearings for nominees before the Committee has received their ABA ratings. Moreover, in connection with the most recent judicial nominees who, like Mr. Keisler, served in past administrations, Senators appropriately sought and received publicly available documents relevant to their government service. Everyone, we believe, benefited from the review of that material, which assisted Senators in fulfilling their responsibilities of advice and consent. Similarly, the Committee should have the benefit of publicly available information relevant to Mr. Keisler's tenure in the Reagan Administration, some of which may take some time to procure from, among other places, the Reagan Library. As Senator Frist said in an interview on Tuesday, ''[T]he DC Circuit . . . after the Supreme Court is the next court in terms of hierarchy, in terms of responsibility, interpretation, and in terms of prioritization.'' We should therefore perform our due diligence before awarding a lifetime appointment to this uniquely important court.

Finally, given the questionable need to fill the 11th seat, we believe that Mr. Keisler should not jump ahead of those who have been nominated for vacant seats identified as judicial emergencies by the non-partisan Judicial Conference. Indeed, every other Circuit Court nominee awaiting a hearing in the Committee, save one, has been selected for a vacancy that has been deemed a ''judicial emergency.'' We should turn to those nominees first; emergency vacancies should clearly take priority over a possibly superfluous one.

Given the singular importance of the D.C. Circuit, we should not proceed hastily and without full information. Only after we reassess the need to fill this seat, perform reasonable due diligence on the nominee, and tend to actual judicial emergencies, should we hold a hearing on Mr. Keisler's nomination.

We thank you for your consideration of this unanimous request of Democratic Senators.

Sincerely,

Patrick Leahy, Charles Schumer, Russell Feingold, Dianne Feinstein, Herb Kohl, Edward Kennedy, Richard Durbin, Joe Biden.

Mr. HATCH. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BENNET. Madam President, I come to the floor today to talk about the bill that has been before us for the last week and a half or so to fix our broken immigration system.

As the Presiding Officer knows, this bill has been the product of bipartisan work both in the so-called Gang of 8, which I have the privilege to be a part of, as well as in the Judiciary Committee where they ran a process that set a standard for the way this place ought to operate. We considered over 300 amendments in the Judiciary Committee, accepting 141 amendments, many of them from Republicans and Democrats alike. Now we are on the floor.

Those who want to delay immigration reform, who want to defeat immigration reform, are using every tactic they can find to try to stop this bill. But, fortunately, there are other people of goodwill on both sides of the aisle who are trying to come to an agreement.

We focused a lot in the last week, as we should, talking about the border. I spoke about the progress we have already made in securing our southern border. There is more to do. There is progress that is reflected in the underlying bill, and if that can be improved in a way that does not make the pathway to citizenship contingent or unreal, I think there are those of us who are willing to hear what that looks like.

What we have not spent time on is actually what people in Colorado have spent their time on when it comes to the question of fixing our broken immigration system, which is the way the current system defeats them in their efforts to build their businesses in this economy and the promise that could be achieved if we actually were able to pass this bill as it has been written. I have heard from people from every walk of life across the State of Colorado who have been hurt by our outdated and unreasonable and unimaginative and un-American immigration laws. They understand in their gut the velocity we can add to the economy by fixing the system, if Washington would just do its work. They include high-tech companies on the Front Range including the bioscience, engineering, and aerospace industries, among others. One of those companies, Newsgator, an innovative social media software company based in Denver, makes a compelling case. Its chairman and founding CEO J.B. Holston told our office:

I have been watching the immigration debate closely because my company relies on high-skilled technology workers. In the 21st century global economy, we are in an arms race—

we are in an arms race—

for recruiting, attracting, and retaining the world's best and brightest. Our current immigration system is a barrier to American businesses winning that race.

Stalled progress on immigration also sidelines growth capital for U.S. high tech companies. That's a toxic combination for growth.

The proposed immigration overhaul bill is a great step forward.

It is not only the high-tech sector feeling these pain points. Farmers, including peach growers on the western slope, cattle ranchers on the eastern plains, and onion growers in the northern part of our State, and tourism and the ski industry across Colorado are feeling it as well, and DREAMers from the Denver public school system and other school districts, rural and urban, struggling to go to college and work toward a career because of their legal status.

We made a commitment when we set out as the Gang of 8, Democrats and Republicans working together, that our legislation would be deficit neutral, that it wouldn't add one dime—not one dollar—to our deficit. That was an important principle for the members of this group because, as the Presiding Officer knows, we face significant deficits, significant national debt.

Yesterday, the nonpartisan Congressional Budget Office not only affirmed the stories I am hearing from my tech community and my agricultural community and from businesses all across the State about economic growth, it also had some incredible news with respect to our deficit. CBO estimates if we pass this bill, we will reduce the deficit by almost $200 billion in the first decade and almost $700 billion in the second decade—almost $1 trillion. Even in Washington, DC, that is real money. There will be almost $1 trillion of deficit reduction over the next two decades as a consequence of this bill.

So let's break down what the CBO is saying. This bill will increase employment and jobs in the country. More workers will come here. More people will build businesses here. They will consume more and invest more. This will spur economic growth.

These are not my opinions. These are not the opinions of the Gang of 8, although we share these opinions. These are the opinions of the nonpartisan Congressional Budget Office as a result of reading this bill.

Our bill also allows millions of Americans who are currently undocumented to step out of the shadows of a cash economy and start contributing more to our economy as they earn more.

When you crunch the numbers, based on the Congressional Budget Office score, this bill will significantly increase our gross domestic product, adjusted for inflation, and reduce deficits.

The CBO found that projected deficits will decline significantly over the next decade as a consequence of this legislation.

Every year, from 2015 on, they expect deficits to go down. It is going to end up, as I said earlier, saving us $197 billion between now and 2023.

It turns out that based on this estimate, we will only begin to see the benefits of this bill in the first decade. The economic benefits of this bill actually accelerate in the second decade. From

2024 to 2033 the bill would reduce deficits by $690 billion.

I realize we have gotten in the habit around this place of thinking in 30-day increments or 60-day increments. It is driving folks at home crazy. This is a chance for us to reset for the 21st century.

The CBO has done the math. What that math tells you—despite what other people who do not want to have immigration reform for whatever reason have said, who claim that this is going to drive our deficits through the roof—that math tells us we have a total of $887 billion in deficit reduction over the next 20 years.

Here is a surprising fact that is buried in the Congressional Budget Office report: Those deficit-reduction estimates are actually conservative. CBO is only counting the most obvious savings in their estimate. It is not including other more indirect economic benefits—such as increased productivity—that will likely yield additional savings.

Here is what CBO actually says in its report. This is a direct quote:

> According to CBO's central estimates (within a range that reflects the uncertainty about two key economic relationships in CBO's analysis), the economic impacts not included in the cost estimate would have no further net effect on budget deficits over the 2014–2023 period and would further reduce deficits (relative to the effects reported in the cost estimate) by about $300 billion over the 2024–2033 period.

Let me put that another way. The CBO is saying this bill could actually, when you factor in the economic effects, reduce deficits by $300 billion more in the second decade than it actually projects in the cost estimates.

One way or another, we are either just below or just above $1 trillion, and that is real money, particularly in light of the sequester—the law we had written to be so terrible and so ugly it would never, ever go into effect, but now is the law of the land. What a more destructive way to get $1 trillion in savings than a bunch of automatic, across-the-board cuts. In fact, the prominent conservative economist Doug Holtz-Eakin said a few months ago that he thought, using a dynamic scoring model, the immigration bill could reduce deficits by even more—shaving as much as $2.7 trillion off our deficits.

So until yesterday we had not heard what this nonpartisan group, the Congressional Budget Office, had to say about this immigration bill. But it supports what we have already heard from businesses at home, our industry leaders across the country, and economists no matter what political stripe they are, that fixing our immigration system is going to help strengthen our economy. We know it will secure our borders. We know it will reunite families. And we know it will bring people who came to this country for a better life a chance to come out of the shadows and contribute to our democracy and contribute to our economy in the 21st century, as they did in the 20th century and as they did in the 19th century before that.

What we have not heard is a convincing case to maintain the status quo that is holding back our economy, that is keeping unresolved the question about what to do with the 11 million people who are living in our shadow economy, and what we are to do to reinvite talented people from around the world to make their best contribution in America. That is what this bill represents. This bill is a reaffirmation of the idea that we are a nation of laws and a nation of immigrants. The Senate should pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

FROMAN NOMINATION

Ms. WARREN. Madam President, I rise today to talk about trade agreements and the impact they have on our economy. Trade agreements affect access to foreign markets and our level of imports and exports. They also affect a wide variety of public policy issues—everything from wages, jobs, the environment, and the Internet, to monetary policy, pharmaceuticals, and financial services.

Many people are deeply interested in tracking the trajectory of trade negotiations, but if they do not have reasonable access to see the terms of the agreements under negotiation, then they do not have any real input. Without transparency, the benefits of an open marketplace of ideas are reduced enormously.

I am deeply concerned about the transparency record of the U.S. Trade Representative and with one ongoing trade agreement in particular: the Trans-Pacific Partnership. For months, the Trade Representative, who negotiates on our behalf, has been unwilling to provide any public access to the composite bracketed text relating to the negotiations. The composite bracketed text includes proposed language from the United States and also from other countries, and it serves as the focal point for negotiations. The Trade Representative has allowed Members of Congress to access the text, and I appreciate that, but there is no substitute for public transparency.

I have heard the argument that transparency would undermine the Trade Representative's policy to complete the trade agreement because public opposition would be significant. In other words, if people knew what was going on, they would stop it. This argument is exactly backward. If transparency would lead to widespread public opposition to a trade agreement, then that trade agreement should not be the policy of the United States.

I believe in transparency and democracy, and I think the U.S. Trade Representative should too. So I asked the President's nominee to be Trade Representative Michael Froman three questions: The first: Would he commit to releasing the composite bracketed text. The second: If not, would he commit to releasing a scrubbed version of the bracketed text that made anonymous which country proposed which provision. And I want to note that even the Bush administration put out a scrubbed version during the negotiations around the Free Trade Area of the Americas agreement. Third, I asked Mr. Froman if he would provide more transparency behind what information is made available to outside advisers. Currently, there are about 600 outside advisers who have access to sensitive information, and the roster includes a wide diversity of industry representatives and some from labor and some from NGOs. But there is no transparency around who gets what information or whether they are all getting the same things, and I think that is a real problem.

Mr. Froman's response to my three questions was clear: no, no, and no. He will not commit to making this information public so that the public can track what is going on.

So I am voting against Mr. Froman's nomination later today because I believe we need a new direction from the Trade Representative—a direction that prioritizes transparency and public debate. The American people have the right to know more about our negotiations that will have a dramatic impact on our working men and women, on our environment, on our economy, on the Internet.

We should have a serious conversation about our trade policies because these issues matter. But it all starts with the transparency of the U.S. Trade Representative.

Thank you, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Madam President, I want to speak for a few minutes on the progress we are making on the immigration bill. In speaking about the progress, it also gives me a chance to say to my colleagues on this side of the aisle that I hope we can get an agreement to vote on amendments this afternoon, because it is not only Democrats who want amendments, we have got a lot of Republicans who want to put up some amendments. If we can get this tranche of amendments out of the way, then that gives us a chance to put up another tranche of 8 to 10 amendments is what I think we have the possibility of doing.

We have been on this bill for 1 week. We had one vote last week. That was on my own amendment. That dealt with border security. Of course, that vote was not a vote up or down on the amendment, it was a vote to table. We were refused by the majority to have

an up-or-down vote on legislation that is part of the legislation that is some of the most important to the people of this country, securing the border before we have legalization. I quoted yesterday a CNN poll that said 60 percent of the people say border security is the No. 1 issue as far as immigration is concerned. It is a necessary predecessor to legalization.

Yesterday we had three votes. Unfortunately, they were 60-vote thresholds. Obviously, most of the time you have a 60-vote threshold, it is set up so that any amendment under that rule would fail. Yesterday the majority leader threatened again to keep us working all weekend. He stated he could file a cloture motion to cut off debate as early as Friday. Of course, I hope that is not the case, because we need an open and fair amendment process. We do immigration reform about once every 25 years. My colleagues hear me say we made a lot of mistakes in 1986. That is the last time we had a major immigration bill pass the Senate. So we need to get it right. People do not want us to do it in a fast and haphazard way. People want us to be very cautious about something you do once every 25 years.

The chairman of the Judiciary Committee and I had a very good working relationship in committee. We still have a good working relationship with this bill out here on the floor of the Senate. But there are 98 other Senators involved. In committee it is a different situation than on the Senate floor. In committee, we did not limit the ability of any Member to raise an amendment. We had some tough votes we were all forced to take in committee.

But now there are other Members who want their chance to improve the bill. Of course, I said at the beginning of my remarks if we get these eight amendments out of the way that are in this tranche, then we can bring other amendments up, both Republican and Democratic amendments.

I realize there is a bipartisan group of Senators working on a border security amendment. This is supposed to be some grand compromise. The group is trying to find common ground somewhere between the bill as drafted, 1,075 pages in that bill as drafted, and the Cornyn amendment—middle ground.

At this point I am hearing from the other side as well as the Group of 8 that they think the Cornyn amendment goes too far. Some would say the Democrats will not negotiate in good faith because they have the votes to pass the bill as is. It is no secret the Democrats wish to have 70 votes at the end of the day. But even with 70 votes, in my view, that is not a big victory and may very well be a failure. It should not take much to get 15 Republican votes. It does not guarantee the House will take up the bill. In fact, this bill may be dead on arrival in the other body since they have their own approach and they have their own ideas.

It was reported today that this bipartisan group of Senators trying to find middle ground between this big bill and the Cornyn amendment on border security are having trouble finding that consensus. They are having trouble because the Democrats do not want any triggers or roadblocks to legalization. That is clear. In other words, some people are not willing to learn from the mistakes we made in 1986. We thought in good faith we were writing a piece of legislation that would stop people crossing the border without papers. We did that by making it illegal for the first time to hire undocumented workers. We did it by adding a $10,000 fine. So take away the magnet to work, the border is secure, legalize 3 million people at that time.

We found that legalizing illegality brings yet more illegality. So now there are 12 million people who either overstayed a visa or crossed the border without papers. We should learn from that mistake of 25 years ago, the last time an immigration bill was up. We should do something about border security. That something has to be stronger than what is in this piece of legislation. But it is apparent to me—I hear rumors that a lot of people on the other side of the aisle do not want any triggers or roadblocks to legalization. That is not saying you do not want legalization, that is only saying certain preconditions ought to happen before there is legalization. Those ought to be meaningful steps to take.

Yesterday the majority leader, as I said, said he was not in favor of triggers. Secretary Napolitano in this administration made it clear legalization should come first and triggers should not be a roadblock to legalization, the very same mistakes we made in 1986.

The group negotiating this broader amendment is trying to do the right thing, but I have real doubts that the other side of the aisle wants to do anything to secure the border. Because of this, the misguided, mislabeled bill before us could be falling apart. Those of us who question this big government bill appear to be making headway in exposing the bill for what it truly is, legalization first, enforcement later. Despite repeated promises, it is that, legalization first, border security when? Sometime down the road. Sometime never happens.

Sure, the proponents can throw money and dictate how many cameras and drones to buy, but that does not mean the border will be stronger or more secure. We need to do more than give them the capability of achieving specific metrics. We need them to prove their success.

One more thing on the possibility of working this weekend. Since I have been in the Senate, we have had a lot of weekend sessions. Generally what happens is you have a lot of debate and a lot of talk and a lot of wasted time on Saturdays. You have one vote at 2 o'clock on Sunday. For a guy like me, I am going to be here regardless, not because I am manager of this bill solely, but I have not missed a vote in the Senate since July 1993. I have cast about 6,700 votes without missing a vote. If there is only one vote Sunday afternoon I am going to be here. But I would suggest if we are going to have a weekend session, that action be taken to make sure we are actually doing something and voting, that if we are going to be in session, that there is not some sort of accommodation made, usually for the majority party and sometimes the Republican Party, but right now it is the Democratic Party to make a provision so people who want to fly home can do it. Either we are here to work on the weekend or we should not be here.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MURRAY. Mr. President, Senate Democrats have come to the floor now 13 times and requested unanimous consent to move to bipartisan budget negotiations with the House. We are ready to get to work. We have been ready for 88 days now, which is how long it has been since the Senate passed a budget.

Back in March we assumed that once the two Chambers passed their budgets, Republicans would be eager to join us in a formal budget conference, since they have spent years talking about the need to return to regular order. Instead, we have seen delay after delay. Now that Republicans have gotten exactly what they wished for, they seem to be running as quickly as they can in the other direction, and they have offered excuse after excuse after excuse.

First, they said they wanted a framework before they would start a conference, even though a framework is exactly what a budget is. In other words, they wanted to negotiate behind closed doors when we should be negotiating in a conference.

Then they said they wouldn't allow us to go to conference unless we guaranteed the wealthiest Americans and biggest corporations would be protected from paying a penny more in taxes.

Then many Republicans indicated they didn't want negotiations happening too early, to take away the leverage they think they have on the debt ceiling.

Then some of them called for a do-over of the budget debate, including another 50 hours of debate and a whole new round of unlimited amendments, even after they praised the open and thorough floor debate we had on the Senate budget.

Now, in what seems to be the latest delaying tactic, some Republicans are

saying before we can work to solve short-term problems we first need to agree on the budget outlook 30 years down the road.

Enough is enough. The American people are sick and tired of the constant lurching from crisis to crisis. They are looking to their elected officials to come together, to compromise, to find common ground, and that is exactly what we would be doing in a conference.

It is not just Democrats saying so. Over the past few weeks, we have heard a number of Republicans step forward and agree with us that the tea party and Senate Republican leadership are wrong. Senator COBURN said blocking conference is ''not a good position to be in.'' Senator BOOZMAN said he would ''very much like to see a conference.'' Senator WICKER said, weeks ago now, that ''by the end of next week, we probably should be ready to go to conference.'' Now, according to Politico, ''more Republicans appear to favor heading to conference than blocking it.''

As many of my colleagues on the other side of the aisle have said, it is certainly true there are big differences between the parties' budget values, and priorities, but that would give us all the more reason to sit down and try to find some common ground. The fact is we have a lot of work that needs to be done in the next few weeks. We have 11 days until the next State work period and then just 3½ weeks before we all go back to our home States again for August. Because some Republicans want to continue the harmful austerity measures resulting from sequestration, we now have a $91 billion gap between the House and Senate spending bills for the next fiscal year.

If we don't reconcile those differences, we are going to find ourselves in a very tough, bad situation come September, and a lot of hard-working families and communities are going to feel the consequences. It does not have to be that way. I am confident, if both sides come together now in a conference committee and are ready to compromise, we can find a way to reach a fair and bipartisan and responsible agreement.

The American people shouldn't have to worry the government is going to lurch into another crisis that has been manufactured by this Congress. It doesn't have to happen. Instead of fighting over whether we should be engaging in bipartisan talks, we should be working together to get more Americans back to work, to protect our economic recovery, and lay the foundation for strong middle-class growth in the future. I think we can all agree on those important goals, and they are very urgent ones. But we cannot move forward on them if we are consumed with constant artificial crises.

I believe it is time for Senate Republican leaders to listen to the many Members of their own party who prefer commonsense bipartisanship over delay and disorder and allow the House and Senate to begin a bipartisan budget conference. I am here this afternoon to ask unanimous consent to do just that.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order from each side, a motion to instruct relative to the debt limit and a motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to the motions; further, that no amendments be in order to either of the motions prior to the votes; all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, and I hope I am not going to have to object, but I wish to suggest a very modest and sensible alteration to the UC request from my colleague, the chair of the Budget Committee, so hopefully we can get on to this because I would like to see us go to conference.

I was very critical of the 3 years when my Democratic colleagues absolutely refused to do a budget. It is progress that this year they decided to do one. I am glad. I am on the Budget Committee. I think we ought to have a budget, and I think we should go to the conference committee, despite the fact we are very far apart.

My Democratic friends supported and voted for a budget with at least $1 trillion of new tax increases, and I strongly oppose that. But I agree that is what ought to be discussed in conference. The budget that was passed uses the big tax increase that was in the budget for additional spending. I strongly disagree with that. But again, that is exactly the kind of thing that ought to be the subject of negotiations in a conference. We are very far apart. I don't know whether we can narrow that gap, but we should try.

The only reason I have been objecting, and that some of my colleagues have been objecting thus far, is that our Democratic friends want to insist on retaining the opportunity to use the conference report on a budget resolution to raise the debt ceiling, and I would point out the debt ceiling issue was not even contemplated in the Senate budget resolution. It never came up, it wasn't discussed, there was no amendment, there was no vote, and it is not in the document. In the House budget, the debt limit increase is not contemplated. It is not there. It wasn't voted on. It is completely absent.

So consistent with the rules of the Senate, I would simply suggest we go right ahead to conference, that we have a conference on the budget but that we follow the normal procedure of the Senate, which is that matters that are not in either bill, either the House or Senate bill, be excluded from consideration in a conference report so we don't airdrop in some extraneous unrelated matter that was never contemplated by either body.

I think that is the sensible approach and necessary because the debt limit is a very important issue. We have a staggering amount of debt we have allowed to accumulate. It is already damaging our economy and is a huge threat and we know the President and many of our Democratic friends think we should just raise that debt ceiling with no strings, no conditions, no reforms. So we have a very real concern this conference committee, as contemplated by my friends on the other side, would be a vehicle for the backroom deal that would allow them to exclude Republicans and come back and jam through a debt ceiling increase with no reforms.

In order to avoid that, but so we can go to conference, which I think we should do, I would simply ask that we modify the unanimous consent request as follows; so it would not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

If the chair of the Budget Committee would agree to that modification of her unanimous consent request, then I would agree to it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I would like to point out to everyone that we had hours and hours of debate, with over 100 amendments offered, and no one offered an amendment on the debt ceiling limit. As part of the agreement in order to go to conference, we have offered to have a vote now on whether we should have motions to instruct. I would be willing, as chair, to abide by that vote once our unanimous consent is agreed to.

But I have to say, as a matter of principle, for a chair of any committee to say, once we have gone through hundreds of hours of debate and a lot of amendments, that then, before we go to conference, we have to agree to a principle that has not been voted on or offered in the Senate as part of that is not how we can proceed in this body. It would be the same as if I would come out and say: I am not going to allow us to go to conference on whatever bill because I have a small provision, and unless you absolutely agree it has to be in there, even though I don't have the votes, we are not going to conference. We would never get anything done.

The unanimous consent request I have offered allows my Republican friends to have a vote on this, even though they didn't ask for a vote in all those hours of debate and hundreds of hours we spent on this issue, before we move to conference. The principle is this: Our Republican colleagues wish to have an open debate, they say, but we are not having an open debate because of their insistence we don't go to conference.

So I object to the Senator's request and again renew my request as I stated before with the provision we have a motion to instruct and allow those Senators who have strong feelings about this to vote on it before we go to conference.

Finally, I would add, remember with whom I am going to conference: Republicans and Democrats from our side and Republicans and Democrats from the other body, a majority of whom are on their side of the aisle, with the chairman, PAUL RYAN, a Republican conservative, chairing their side.

This is an issue that is going to have plenty of debate, plenty of open discussion, if it should come up, and we will all have an opportunity to vote on it.

I renew my unanimous consent request.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, and I will wrap up quickly. I thank my colleague, the chair of the Budget Committee, but as she knows—and I wish to make sure everyone is clear—the motion to instruct conferees the chairman of the Budget Committee is recommending is completely nonbinding. It is nothing more than a recommendation. The fact remains she is insisting on retaining the ability to do a backroom deal that would raise the debt ceiling without allowing any Republican input in this body whatsoever. This is a very bad policy. It was not contemplated in either bill.

I would be delighted to go to conference with a budget resolution from the House and the Senate that does contemplate everything that is in those two respective agreements but not some extraneous matter that could be very damaging to our economy that was never contemplated. So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

AMENDMENT NO. 1200, AS MODIFIED

Mr. PAUL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1200, which is cosponsored by the Senator from Missouri, Mr. ROY BLUNT, with a modification at the desk.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL], for himself and Mr. BLUNT, proposes an amendment numbered 1200, as modified.

Mr. PAUL. Mr. President, I ask unanimous consent that the amendment be considered as read.

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

The amendment is as follows:

(Purpose: To provide for enhanced border security, including strong border security metrics and congressional votes on border security and for other purposes)

At the appropriate place in title I, insert the following:

CHAPTER ____—BORDER SECURITY ENHANCEMENTS

SEC. 1____1. SHORT TITLE.

This chapter may be cited as the ''Trust But Verify Act of 2013''

SEC. 1____2. MEASURES USED TO EVALUATE BORDER SECURITY.

(a) BORDER SECURITY REVIEW.—

(1) IN GENERAL.—The Secretary shall conduct an annual comprehensive review of the following:

(A) The security conditions in each of the following 9 Border Patrol sectors along the Southwest border:

(i) The Rio Grande Valley Sector.

(ii) The Laredo Sector.

(iii) The Del Rio Sector.

(iv) The Big Bend Sector.

(v) The El Paso Sector.

(vi) The Tucson Sector.

(vii) The Yuma Sector.

(viii) The El Centro Sector.

(ix) The San Diego Sector.

(B) Update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006 (Public Law 109–367), with the goal of completing the fence not later than 5 years after the date of the enactment of this Act.

(C) Progress towards the completion of an effective exit and entry program at all points of entry that tracks visa holders.

(D) Progress towards the goal of a 95 percent apprehension or turn back rate.

(E) A 100 percent incarceration until trial rate for newly captured illegal entrants and overstays.

(F) Progress towards the goal ending of illegal immigration and undocumented presence, as measured by census data and the Department.

(2) REPORT.—Not later than July 1, 2014, and annually thereafter, the Secretary shall submit a report to Congress containing specific results of the review conducted under paragraph (1).

(3) RULE OF CONSTRUCTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in paragraph (1) may be construed as prohibiting the Secretary from proposing—

(i) alterations to boundaries of the Border Patrol sectors; or

(ii) a different number of sectors to be operated on the Southern border.

(B) REPORTING.—The Secretary may not make any alteration to the Border Patrol sectors in operation or the boundaries of such sectors as of the date of the enactment of this Act unless the Secretary submits, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a written notification and description of the proposed change not later than 120 days before any such change would take effect.

(b) UNQUALIFIED OPINION.—

(1) IN GENERAL.—The Secretary shall submit a report to Congress that contains—

(A) an unqualified opinion of whether each of the sectors referred to in subsection (a)(1)(A) has achieved ''total operational control'' of the border within its jurisdiction; and

(B) the following criteria and goals of the Department:

(i) Transparent data relating to the success of border security and immigration enforcement policies.

(ii) Improved accountability to the people of the United States.

(iii) 100 percent surveillance capability on the border not later than 2 years after the date of the enactment of this Act.

(iv) An apprehension or turn back rate of 95 percent or higher not later than 5 years after the date of the enactment of this Act.

(v) Increasing annual targets for apprehensions, which shall be adapted to the unique conditions of each Border Patrol sector.

(vi) Uniformity in data collection and analysis for each Border Patrol sector.

(vii) An update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006.

(2) TOTAL OPERATIONAL CONTROL DEFINED.—In this chapter, the term ''total operational control'', with respect to a border sector, occurs if—

(A) the fence construction requirements required under this chapter have been completed;

(B) the infrastructure enhancements required under this chapter have been completed and deployed;

(C) there have been verifiable increases in personnel dedicated to patrols, inspections, and interdiction;

(D) U.S. Customs and Border Protection has achieved 100 percent surveillance capacity and uninterrupted monitoring throughout the entire sector;

(E) U.S. Customs and Border Protection has achieved an apprehension rate of at least 95 percent for all attempted unauthorized crossings;

(F) uniform data collection standards have been adopted across all sectors; and

(G) U.S. Customs and Border Protection is tracking the exits of 100 percent of outbound aliens through all points of entry.

(3) METRICS DESCRIBED.—The Secretary shall use specific metrics to assess the progress toward, and maintenance of, total operational control of the border in each Border Patrol sector, including—

(A) with respect to resources and infrastructure—

(i) a description of the infrastructure and resources deployed on the Southwest border, including physical barriers and fencing, surveillance cameras, motion and other ground sensors, aerial platforms, and unmanned aerial vehicles;

(ii) an assessment of the Border Patrol's ability to perform uninterrupted surveillance on the entirety of the border within each sector;

(iii) an assessment of whether the Department of Homeland Security has attained a 100 percent surveillance capability for each sector; and

(iv) a specific analysis detailing the miles of fence built, including double-layered fencing, pursuant to the Secure Fence Act of 2006 (Public Law 109–367), as amended by this Act.

(B) with respect to illegal entries between ports—

(i) the number of attempted illegal entries, categorized by—

(I) number of apprehensions;

(II) people turned back to country of origin (turn-backs); and

(III) individuals who have escaped (got aways);

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempted to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the total number of successful illegal entries, based on reliable supporting evidence;

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted crossings;

(II) successful evasions of law enforcement;

(III) the value of smuggled contraband;

(IV) successful discoveries and arrests; and

(V) arrest rate trends related to violent criminals crossing the border;

(vi) physical evidence of crossings not otherwise tied to a pursuit, including fence-cuttings; and

(vii) transparent data that reports if the numbers include actual physical capture or turn-backs witnessed by border enforcement and a segregation of data that includes evidence of individuals going back, including but not limited to footprints, food and torn clothing;

(C) with respect to illegal entries at ports—

(i) the number of attempted illegal entries, categorized by the number of apprehensions, turn-backs, and got aways;

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempt to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the number of successful illegal entries, based on reliable supporting evidence; and

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted entries;

(II) successful discovery methods;

(III) the use of falsified official travel documents;

(IV) evolving evasion tactics; and

(V) arrest rate trends related to persons apprehended attempting to smuggle prohibited items;

(D) with respect to repeat offenders—

(i) data and analysis of recidivism trends, including the prevalence of multiple arrests and repeated attempts to enter unlawfully; and

(ii) updated information on U.S. Customs and Border Protection's Consequence Delivery System;

(E) with respect to smuggling—

(i) progress made in creating uniformity in the punishment of unlawful border crossers relative to their crimes for the purposes of deterring smuggling;

(ii) the percentage of unlawful immigrants and smugglers who are subject to a uniform punishment; and

(iii) data breaking down the treatment of, and consequences for, repeat offenders to determine the extent to which the Consequence Delivery System serves as an effective deterrent;

(F) with respect to visa overstays, data for each year, categorized by—

(i) the type of visa issued to the alien; and

(ii) the nationality of the alien;

(G) with respect to the unlawful presence of aliens—

(i) the total number of individuals present in the United States, which will be correlated in future years with normalization participants;

(ii) net migration into the United States, including legal and illegal immigrants, categorized by—

(I) nationality; and

(II) country of origin, if different from nationality;

(iii) deportation data, categorized by country and the nature of apprehension;

(iv) individuals who have obtained or who seek legal status; and

(v) individuals without legal status who have died while in the United States;

(H) the number of Department agents deployed to the border each year, categorized by staffing assignment and security function;

(I) progress made on the implementation of full exit tracking capabilities for land, sea, and air points of entry;

(J) progress towards the goal of 100 percent incarceration until trial date for newly captured illegal entrants and overstays;

(K) progress towards the goal of ending illegal immigration and undocumented presence, as measured by data collected by the United States Census Bureau and the Department; and

(L) progress towards eliminating disputes between Federal agencies in the use of public lands to perform border enforcement operations.

SEC. 1___3. REPORTS ON BORDER SECURITY.

(a) DEPARTMENT OF HOMELAND SECURITY REPORT.—

(1) IN GENERAL.—Not later than July 1, 2014, and annually thereafter for 5 years, the Secretary shall submit a report to Congress that contains a comprehensive review of the security conditions in each of the Border Patrol sectors along the Southwest border.

(2) PUBLIC HEARINGS FOR REPORT.—Congress shall hold public hearings with the Secretary and other individuals responsible for preparing the report submitted under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials. Congress shall allow differing views on the conclusions of the report to be expressed by outside groups and interested parties for purposes of analyzing data through a transparent and deliberative committee process.

(b) INSPECTOR GENERAL'S REPORT.—

(1) IN GENERAL.—Not later than 30 days after the issuance of each report under subsection (a), the Inspector General of the Department shall submit a report to Congress that provides an independent analysis of the report submitted under subsection (a)(1) to analyze—

(A) the accuracy of the report; and

(B) the validity of the data used by the Department to issue the report.

(2) PARTICIPATION.—The Inspector General should participate in any hearings relating to the assessment of the border security report of the Department.

(c) GOVERNORS REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Governor of each of the States along the Southern border may submit an independent report to Congress that provides the perspective of the Governor and other officials of such State tasked to law enforcement on the security conditions along that State's border with Mexico.

(2) PUBLIC HEARINGS FOR STATE REPORTS.—Congress shall hold public hearings with the Governor and other officials from each State that submits a report under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials.

(d) PUBLIC DISCLOSURE OF REPORTS.—Upon the receipt of a report submitted under this section, the Senate and the House of Representatives shall—

(1) provide copies of the report to the Chair and ranking member of each standing committee with jurisdiction under the rules of such House, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate; and

(2) make the report available to the public.

SEC. 1___4. CONGRESSIONAL APPROVAL PROCEDURES.

(a) JOINT RESOLUTION DEFINED.—

(1) IN GENERAL.—In this subsection, the term ''joint resolution'' means only a joint resolution of the 2 Houses of Congress that only includes—

(A) the matter contained in the preamble set forth in paragraph (2); and

(B) the matter after the resolving clause set forth in paragraph (3).

(2) PREAMBLE.—The joint resolution shall include the following preamble:

''Whereas Congress passed and the President enacted into law section 1___6 of the Trust But Verify Act of 2013, with the promise to the American people that the border would be fully secure within 5 years;

''Whereas, one goal of comprehensive immigration reform was to verify that the United States Government is capable of implementing operational control of the border;

''Whereas the prerequisite to reforming visa law and the creation of new immigration and visa categories was the implementation of full border security within a reasonable amount of time; and

''Whereas the American people have been the subject of broken promises in the past on border security: Now, therefore, be it''.

(3) MATTER AFTER THE RESOLVING CLAUSE.—The matter after the resolving clause in the joint resolution shall read as follows: ''It is the sense of Congress that the United States border is secure because—

''(1) the double-layered fencing is on schedule to be completed in 5 years and sufficient progress has been made in the past year to complete such fencing on the schedule promised to the American people;

''(2) an effective exit-entry registration system at all points of entry that tracks visa holders is either completed or sufficiently completed to the satisfaction of Congress;

''(3) the goal of a 95 percent effectiveness rate for the capture of unauthorized immigrants has been achieved, or is on pace to be achieved, not later than 5 years after the date of the enactment of the Trust But Verify Act of 2013;

''(4) the security conditions in each of the 9 Border Patrol sectors along the Southwest border have been achieved, or are on pace to be achieved not later than 5 years after the date of the enactment of the Trust But Verify Act of 2013, as determined by total operational control metric set forth in section 1___2 of such Act;

''(5) a 100 percent incarceration rate until trial for newly captured illegal entrants and overstayers has been implemented;

''(6) progress towards the goal of ending illegal immigration and undocumented presence has been achieved, as measured by data collected by the United States Census Bureau and the Department; and

''(7) sections 245B of the Immigration and Nationality Act, as added by section 2101 of the Border Security, Economic Opportunity, and Immigration Modernization Act, will not compromise border security and shall remain in effect for at least 1 more year notwithstanding section 1___5 of the Trust But Verify Act of 2013.''.

(b) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

(1) INTRODUCTION.—A joint resolution—

(A) may be introduced in the Senate or in the House of Representatives during the 30-day calendar day period beginning on—

(i) July 1, 2014;

(ii) July 1 of any of the following 4 years; or

(iii) 30 days after date on which the report is submitted under section 1___3(a) if such submission occurs before July 1 of a calendar year;

(B) in the Senate, may be introduced by any Member of the Senate;

(C) in the House of Representatives, may be introduced by any Member of the House of Representatives; and

(D) may not be amended.

(2) REFERRAL TO COMMITTEE.—A joint resolution introduced in the Senate shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate. A joint resolution introduced in the House of Representatives shall be referred to the Committee on Homeland Security of the House of Representatives.

(3) DISCHARGE OF COMMITTEE.—If the congressional committee to which a joint resolution is referred has not discharged the resolution at the end of 30th day after its introduction—

(A) such committee shall be discharged from further consideration of such resolution; and

(B) such resolution shall be placed on the appropriate calendar of the House involved.

(4) FLOOR CONSIDERATION.—

(A) MOTION.—

(i) IN GENERAL.—After the committee to which a joint resolution is referred has reported, or has been discharged pursuant to paragraph (3) from further consideration of, the joint resolution—

(I) it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the joint resolution; and

(II) all points of order against the joint resolution (and against consideration of the joint resolution) are waived;

(III) the motion described in subclause (I) is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable;

(IV) the motion described in subclause (I) is not subject to amendment, a motion to postpone, or a motion to proceed to the consideration of other business; and

(V) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(ii) UNFINISHED BUSINESS.—If a motion to proceed to the consideration of the joint resolution is agreed to, the resolution shall remain the unfinished business of the respective House until it has been disposed.

(B) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection with such resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order.

(C) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the joint resolution shall occur.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as applicable, to the procedure relating to a joint resolution shall be decided without debate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—If 1 House receives a joint resolution from the other House before the House passes a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) with respect to a joint resolution of the House receiving the resolution—

(i) the procedures in that House shall be the same as if no joint resolution had been received from the other House; except that

(ii) the vote on final passage shall be on the joint resolution of the other House.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such—

(i) it is deemed a part of the rules of each House, respectively;

(ii) it is only applicable with respect to the procedures to be followed in that House in the case of a joint resolution; and

(iii) it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1___5. CONDITIONS.

(a) YEAR 1.—Except as provide in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2014, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(b) YEAR 2.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2015, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(c) YEAR 3.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2016, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(d) YEAR 4.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2017, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(e) YEAR 5.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2018, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(f) STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—If section 245B of the Immigration and Nationality Act ceases to be effective pursuant to this section—

(1) any alien who was granted registered provisional immigrant status before the date such section ceases to be effective shall remain in such status; and

(2) any alien whose application for registered provisional immigrant status is pending may not be granted such status until such section is reinstated.

(g) RULES OF CONSTRUCTION.—Except as provided in subsection (g), no provision of this section may be construed—

(1) to limit the authority of the Secretary to review and process applications for registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act; or

(2) to repeal or limit the application of section 245B(c) of such Act.

(h) SUNSET.—Paragraphs (1) and (2) shall cease to have effect on December 31, 2018, unless Congress enacts a joint resolution pursuant to section 1___4 during 2018.

SEC. 1___6. TRIGGERS BASED ON CONGRESSIONAL APPROVAL.

(a) YEAR 1.—If a joint resolution is enacted pursuant to section 1___4 during 2014, the sunset provision set forth in section 1___5(a) shall have no further force or effect.

(b) YEAR 2.—If a joint resolution is enacted pursuant to section 1___4 during 2015, the sunset provision set forth in section 1___5(b) shall have no further force or effect.

(c) YEAR 3.—If a joint resolution is enacted pursuant to section 1___4 during 2016, the sunset provision set forth in section 1___5(c) shall have no further force or effect.

(d) YEAR 4.—If a joint resolution is enacted pursuant to section 1___4 during 2017, the sunset provision set forth in section 1___5(d) shall have no further force or effect.

(e) YEAR 5.—If a joint resolution is enacted pursuant to section 1___4 during 2018, the sunset provision set forth in section 1___5(e) shall have no further force or effect.

SEC. 1___7. REQUIREMENT FOR PHYSICAL BORDER FENCE CONSTRUCTION.

(a) CONSTRUCTION OF BORDER FENCING.—

(1) FIRST YEAR.—Except as provided in subsection (d), during the 1-year period beginning on the date of the enactment of this Act, the Secretary shall construct not fewer than 100 miles of double-layer fencing on the Southern border.

(2) SUBSEQUENT YEARS.—During each of the first 4 1-year periods immediately following the 1-year period described in paragraph (1), the Secretary shall construct not fewer than 150 miles of double-layer fencing on the Southern border.

(b) CERTIFICATION.—Except as provided in subsection (d), not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a written certification that construction of the double-layer fencing required under subsection (a) has been completed during the preceding year to—

(1) the Committee on the Judiciary of the Senate;

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

(3) the Committee on the Judiciary of the House of Representatives; and

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

(c) DETERMINATION OF MILES OF FENCING CONSTRUCTED.—

(1) INCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may apply, toward the requirement under subsection (a), the number of miles of—

(A) new double-layer fencing that have been completed; and

(B) a second fencing layer that has been added to an existing, single-layered fence.

(2) EXCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may not apply, toward the requirement in subsection (a)—

(A) vehicle barriers;

(B) ground sensors;

(C) motion detectors;

(D) radar-based surveillance;

(E) thermal imaging;

(F) aerial surveillance platforms;

(G) observation towers;

(H) motorized or nonmotorized ground patrols;

(I) existing single-layer fencing; or

(J) new construction of single-layer fencing.

(d) SUNSET.—The Secretary shall no longer be required to comply with the requirements under subsection (a) and (b) on the earliest of—

(1) the date on which the Secretary submits the 5th affirmative certification pursuant to subsection (b); or

(2) the date on which the Secretary certifies the completion of not fewer than 700 miles of double-layer fencing on the Southern border.

(e) CONFORMING AMENDMENT.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by striking subparagraph (D).

SEC. 1___8. ONE HUNDRED PERCENT EXIT TRACKING FOR ALL UNITED STATES VISITORS.

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

(1) Consistent with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the United States will continue its progress toward full biometric entry-exit capture capability at land, air, and sea points of entry.

(2) No capability exists to fully track whether non-United States persons in the United States on a temporary basis have exited the country consistent with the terms of their visa, whether by land, sea, or air.

(3) No program exists along the Southwest border to track land exits from the United States into Mexico.

(4) Without the ability to capture the full cycle of an alien's trip into and out of the United States, it is possible for persons to remain in the United States unlawfully for years without detection by U.S. Immigration and Customs Enforcement.

(5) Because there is no exit tracking capability, there is insufficient data for an official assessment of the number of persons who have overstayed a visa and that remain in the United States. Studies have estimated that as many as 40 percent of all persons in the United States without lawful immigration status entered the country legally and did not return to their country of origin or follow the terms of their entry.

(6) Despite a legal mandate to track alien exits, more than a decade without any significant capability to do so has—

(A) degraded the Federal Government's ability to enforce immigration laws;

(B) placed a greater strain on law enforcement resources; and

(C) undermined the legal immigration process in the United States.

(b) REQUIREMENT FOR OUTBOUND TRAVEL DOCUMENT CAPTURE AT LAND POINTS OF ENTRY.—

(1) OUTBOUND TRAVEL DOCUMENT CAPTURE AT FOOT CROSSINGS.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system for all outbound lanes at each land point of entry along the Southern border that is only accessible to individuals on foot or by nonmotorized means.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(2) OUTBOUND TRAVEL DOCUMENT CAPTURE AT ALL OTHER LAND POINTS OF ENTRY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system at all outbound lanes not subject to paragraph (1) at each land point of entry along the Southern border.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(3) INFORMATION REQUIRED FOR COLLECTION.—While collecting information under paragraphs (1) and (2), the Secretary shall collect identity-theft resistant departure information from the machine-readable visas, passports, and other travel and entry documents.

(4) RECORDING OF EXITS AND CORRELATION TO ENTRY DATA.—The Secretary shall integrate the records collected under paragraphs (1) and (2) into the interoperable data system established under section 3303(b) and any other database necessary to correlate an alien's entry and exit data.

(5) PROCESSING OF RECORDS.—Before the departure of outbound aliens at each point of entry, the Secretary shall provide for cross-reference capability between databases designated by the Secretary under paragraph (4) to determine and record whether an outbound alien has been in the United States without lawful immigration status.

(6) RECORDS INCLUSION REQUIREMENTS.—The Secretary shall maintain readily accessible entry-exit data records for immigration and other law enforcement and improve immigration control and enforcement by including information necessary to determine whether an outbound alien without lawful presence in the United States entered the country through—

(A) unauthorized entry between points of entry;

(B) visa or other temporary authorized status;

(C) fraudulent travel documents;

(D) misrepresentation of identity; or

(E) any other method of entry.

(7) PROHIBITION ON COLLECTING EXIT RECORDS FOR UNITED STATES CITIZENS.—

(A) PROHIBITION.—While documenting the departure of outbound individuals at each point of entry along the Southern border, the Secretary may not—

(i) process travel documents of United States citizens;

(ii) log, store, or transfer exit data for United States citizens;

(iii) create, maintain, operate, access, or support any database containing information collected through outbound processing at a point of entry under paragraph (1) or (2) that contains records identifiable to an individual United States citizen.

(B) EXCEPTION.—The prohibition set forth in subparagraph (A) does not apply to the records of an individual if an officer processing travel documentation in the outbound lanes at a point of entry along the Southern border—

(i) has a strong suspicion that the individual has engaged in criminal or other prohibited activities; or

(ii) needs to verify an individual's identity because the individual is attempting to exit the United States without travel documentation.

(C) VERIFICATION OF TRAVEL DOCUMENTS.—Subject to the prohibition set forth in subparagraph (A), the Secretary may provide for the confirmation of a United States citizen's travel documentation validity in the outbound lanes at a point of entry along the Southern border.

(c) INFRASTRUCTURE IMPROVEMENTS AT LAND POINTS OF ENTRY.—

(1) FACILITATION OF LAND EXIT TRACKING.—The Secretary may improve the infrastructure at, or adjacent to, land points of entry, as necessary, to implement the requirements under paragraphs (1) and (2) of subsection (b), by—

(A) expanding or reconfiguring outbound road or bridge lanes within a point of entry;

(B) improving or reconfiguring public roads or other transportation infrastructure leading into, or adjacent to, the outbound lanes at a point of entry if—

(i) there has been a demonstrated negative impact on transportation in the area adjacent to a point of entry as a result of projects carried out under this section; or

(ii) the Secretary, in consultation with State, local, or tribal officials responsible for transportation adjacent to a point of entry, has submitted a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that projects proposed under this section will have a significant negative impact on transportation adjacent to a point of entry without such transportation infrastructure improvements; and

(iii) the total of funds obligated in any year to improve infrastructure outside a point of entry under subsection (c)(1) shall not exceed 25 percent of the total funds obligated to meet the requirements under paragraphs (1) and (2) of subsection (b) in the same year;

(C) constructing, expanding, or improving access to secondary inspection areas, where feasible;

(D) physical structures to accommodate inspections and processing travel documents described in subsection (b)(3) for outbound aliens, including booths or kiosks at exit lanes;

(E) transfer, installation, use, and maintenance of computers, software or other network infrastructure to facilitate capture and processing of travel documents described in subsection (b)(3) for all outbound aliens; and

(F) performance of outbound inspections outside of secondary inspection areas at a point of entry to detect suspicious activity or contraband.

(2) REPORT ON INFRASTRUCTURE REQUIREMENTS TO CARRY OUT 100 PERCENT LAND EXIT TRACKING.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a report that assesses the infrastructure needs for each point of entry along the Southern border to fulfill the requirements under subsection (b), including—

(A) a description of anticipated infrastructure needs within each point of entry;

(B) a description of anticipated infrastructure needs adjacent to each point of entry;

(C) an assessment of the availability of secondary inspection areas at each point of entry;

(D) an assessment of space available at or adjacent to a point of entry to perform processing of outbound aliens;

(E) an assessment of the infrastructure demands relative to the volume of outbound crossings for each point of entry; and

(F) anticipated wait times for outbound individuals during processing of travel documents at each point of entry, relative to possible improvements at the point of entry.

(d) PROCEDURES FOR EXIT PROCESSING AND INSPECTION.—

(1) INDIVIDUALS SUBJECT TO OUTBOUND SECONDARY INSPECTION.—Officers performing outbound inspection or processing travel documents may send an outbound individual to a secondary inspection area for further inspection and processing if the individual is—

(A) determined or suspected to have been in the United States without lawful status during processing under subsection (b) or at another point during the exit process;

(B) found to be subject to an outstanding arrest warrant;

(C) suspected of engaging in prohibited activities at the point of entry;

(D) traveling without travel documentation; or

(E) subject to any random outbound inspection procedures, as determined by the Secretary.

(2) LIMITATIONS ON OUTBOUND SECONDARY INSPECTIONS.—The Secretary may not designate an outbound United States citizen for secondary inspection or collect biometric information from a United States citizen under outbound inspection procedures unless criminal or other prohibited activity has been detected or is strongly suspected.

(3) OUTBOUND PROCESSING OF PERSONS IN THE UNITED STATES WITHOUT LAWFUL PRESENCE.—

(A) PROCESS FOR RECORDING UNLAWFUL PRESENCE.—If the Secretary determines, at a point of entry along the Southern border, that an outbound alien has been in the United States without lawful presence, the Secretary shall—

(i) collect and record biometric data from the individual;

(ii) combine data related to the individual's unlawful presence with any other information related to the individual in the interoperable database, in accordance with paragraphs (4) and (5) of subsection (b); and

(iii) except as provided in subparagraph (B), permit the individual to exit the United States.

(B) EXCEPTION.—An individual shall not be permitted to leave the United States if, during outbound inspection, the Secretary detects previous unresolved criminal activity by the individual.

SEC. 1___9. RULE OF CONSTRUCTION.

Nothing in this Act, or amendments made by this Act, may be construed as replacing or repealing the requirements for biometric entry-exit capture required under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208).

SEC. 1___10. STUDENT VISA NATIONAL SECURITY REGISTRATION SYSTEM.

(a) ESTABLISHMENT.—The Secretary shall establish a Student Visa National Security Registration System (referred to in this section as the ''System'').

(b) COUNTRIES REPRESENTED.—The System shall include information about each alien in the United States on a student visa from 1 of the following countries:

(1) Afghanistan.
(2) Algeria.
(3) Bahrain.
(4) Bangladesh.
(5) Egypt.
(6) Eritrea.
(7) Indonesia.
(8) Iran.
(9) Iraq.
(10) Jordan.
(11) Kuwait.
(12) Lebanon.
(13) Libya.
(14) Morocco.
(15) Nigeria.
(16) North Korea.
(17) Oman.
(18) Pakistan.
(19) Qatar.
(20) Russia.
(21) Saudi Arabia.
(22) Somalia.
(23) Sudan.
(24) Syria.
(25) Tunisia.
(26) United Arab Emirates.
(27) Yemen.

(c) REGISTRATION.—The Secretary shall notify each alien from 1 of the countries listed under subsection (b) who is seeking a student visa under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) that the alien, not later than 30 days after receiving a student visa, shall—

(1) register with the System, as part of the visa application process; and

(2) be interviewed and fingerprinted by a Department official.

(d) BACKGROUND CHECK.—The Secretary shall perform a background check on all aliens described in subsection (c) to ensure that such individuals do not present a national security risk to the United States.

(e) MONITORING.—The Secretary shall establish a procedure for monitoring the status of all alien students in the United States on student visas.

(f) REPORTS.—

(1) INSPECTOR GENERAL.—The Secretary shall submit an annual report to Congress that—

(A) describes the effectiveness with which the Department is screening student visa applicants through the System; and

(B) indicates whether the System has been implemented in a manner that is overbroad or results in the deportation of individuals with no reasonable link to a national security threat or perceived threat.

(2) CERTIFICATION AND NATIONAL SECURITY REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(i) certifies that the System has been implemented; and

(ii) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using student visas to gain entry into the United States.

(B) EFFECT OF NONCOMPLIANCE.—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary shall suspend the issuance of visas under subparagraphs (F) and (J) of section 101(a)(15) of the Immigration and Nationality Act until the Secretary has submitted the report described in subparagraph (A).

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that contains—

(A) the number of students screened and registered under the System during the past year, broken down by country of origin; and

(B) the number of students deported during the past year as a result of information gathered during the interviews and background checks conducted pursuant to subsections (c)(2) and (d), broken down by country of origin.

SEC. 1___11. ASYLUM AND REFUGEE REFORM.

(a) REGISTRATION.—The Secretary shall notify each alien who is admitted as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158) that the alien, not later than 30 days after being admitted as a refugee or granted asylum—

(1) shall register with the Department as part of application process; and

(2) shall be interviewed and fingerprinted by an official of the Department.

(b) BACKGROUND CHECK.—The Secretary shall screen and perform a background check on all individuals seeking asylum or refugee status under section 207 or 208 of the Immigration and Nationality Act to ensure that such individuals do not present a national security risk to the United States.

(c) MONITORING.—The Secretary shall monitor individuals granted asylum or admitted as refugees for indications of terrorism.

(d) REPORTS.—

(1) SECRETARY OF HOMELAND SECURITY.—The Secretary shall submit an annual report to Congress that—

(A) describes the effectiveness with which the Department is screening applicants for asylum and refugee status; and

(B) indicates whether the System has been implemented in a manner that is overbroad or results in the deportation of individuals with no reasonable link to a national security threat or perceived threat.

(2) CERTIFICATION AND NATIONAL SECURITY REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(i) certifies that the requirements described in subsections (a) through (c) have been implemented; and

(ii) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using asylum and refugee status to gain entry into the United States.

(B) EFFECT OF NONCOMPLIANCE.—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary shall suspend the granting of asylum and refugee status under sections 207 and 208 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) until the Secretary has submitted the report described in subparagraph (A).

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that contains—

(A) the number of aliens seeking asylum or refugee status who were screened and registered during the past year, broken down by country of origin; and

(B) the number of aliens seeking asylum or refugee status who were deported as a result of information gathered during interviews and background checks under subsections (a)(2) and (b), broken down by country of origin.

SEC. 1___12. RESOLUTION OF PUBLIC LAND USE DISPUTES IMPEDING BORDER SECURITY AND ENFORCEMENT.

(a) PROHIBITION.—The Secretary of Interior and the Secretary of Agriculture may not impede, prohibit, restrict, or delay activities of the Secretary on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to achieve total operational control of the Southern border.

(b) AUTHORIZED ACTIVITIES.—The Secretary shall be granted immediate access to land under the jurisdiction of the Secretary of Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land in accordance with the requirements under this Act:

(1) Installing and using ground and motion sensors.

(2) Installing and using of surveillance equipment, including—

(A) video or other recording devices;

(B) radar and infrared technology; and

(C) infrastructure to enhance border enforcement line-of-sight.

(3) Using aircraft and securing landing rights, where appropriate, as determined by the Secretary.

(4) Using motorized vehicles to conduct routine patrols and pursuits as required, including trucks and all-terrain vehicles.

(5) Accessing roads.

(6) Constructing and maintaining roads.

(7) Constructing and maintaining fences or other physical barriers.

(8) Constructing and maintaining communications infrastructure.

(9) Constructing and maintaining operations centers.

(10) Setting up any other temporary tactical infrastructure.

(c) CLARIFICATION OF WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waivers referred to in this subsection), the waiver by the Secretary on April 1, 2008, pursuant to section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the Southern border shall be considered to apply to all land under the jurisdiction of the Secretary of Interior or the Secretary of Agriculture that is located within 100 miles of the Southern border for all activities of the Secretary described in subsection (b).

(2) DESCRIPTION OF LAWS SUBJECT TO WAIVED.—The laws referred to in paragraph (1) are—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Clean Air Act (42 U.S.C. 7401 et seq.);

(G) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(H) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(I) the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.);

(J) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(K) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(L) Public Law 86–523 (16 U.S.C. 469 et seq.);

(M) the Act of June 8, 1906 (16 U.S.C. 431 et seq.) (commonly known as the ''Antiquities Act of 1906'') ;

(N) the Act of August 21, 1935 (16 U.S.C. 461 et seq.);

(O) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(P) the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.);

(Q) the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.);

(R) the Wilderness Act (16 U.S.C. 1131 et seq.);

(S) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(T) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(U) the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.);

(V) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(W) subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'');

(X) the Otay Mountain Wilderness Act of 1999 (Public Law 106–145, 113 Stat. 1711);

(Y) sections 102(29) and 103 of California Desert Protection Act of 1994 (16 U.S.C. 410aaa et seq.);

(Z) the National Park Service Organic Act (16 U.S.C. 1 et seq.);

(AA) Public Law 91–383 (16 U.S.C. 1a-1 et seq.);

(BB) sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467);

(CC) the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628);

(DD) section 10 of the Act of March 3, 1899 (33 U.S.C. 403);

(EE) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald Eagle Protection Act of 1940)'';

(FF) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(GG) Public Law 95–341 (42 U.S.C. 1996);

(HH) Public Law 103–141 (42 U.S.C. 2000bb et seq.);

(II) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(JJ) the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.);

(KK) the Mineral Leasing Act (30 U.S.C. 181, et seq.);

(LL) the Materials Act of 1947 (30 U.S.C. 601 et seq.); and

(MM) the General Mining Act of 1872 (30 U.S.C. 22 note).

(d) NOTIFICATION REQUIREMENTS.—The Secretary shall submit a monthly report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

(1) describes any public land use dispute raised by another Federal agency;

(2) describes any other land conflict subject to subsection (a) relating to border security operations on public lands; and

(3) explains whether the waiver authority under subsection (c) was exercised in regards to such dispute or conflict.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize—

(1) the restriction of legal land uses, including hunting, grazing, and mining; or

(2) additional restriction on legal access to such land.

SEC. 1___13. SAVINGS AND OFFSETS.

(a) USE OF FUNDS.—The Secretary may use amounts from the Comprehensive Immigration Reform Trust Fund made available under subparagraphs (A)(ii) and (D) of section 6(a)(3)—

(1) to fulfill the requirement under section 1___8 for 100 percent exit tracking of outbound aliens at land points of entry;

(2) to establish and maintain the Student Visa National Security Registration System described in section 1___10; and

(3) to reform the processing of applications for asylum and refugee status pursuant to section 1___11.

(b) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds may be obligated or expended for the construction of a new headquarters for the Department.

(2) EXCEPTION.—The prohibition under paragraph (1) shall not apply if the Secretary certifies to Congress that—

(A) total operational control of the Southern border has been achieved;

(B) 100 percent exit tracking for all United States visitors at air, sea, and land points of entry has been achieved;

(C) the Student Visa National Security Visa Registration System is fully operational; and

(D) reforms to asylum and refugee processing set forth in section 1___11 have been fully implemented.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000,000 to carry out paragraphs (1) through (3) of subsection (a).

(d) RESCISSION OF CERTAIN UNOBLIGATED FUNDS.—From discretionary funds appropriated to the Department, but not obligated as of the date of the enactment of this Act, $1,000,000,000 is hereby rescinded.

SEC. 1___14. IMMIGRATION LAW ENHANCEMENTS.

(a) TRANSITION OF EXECUTIVE OFFICE FOR IMMIGRATION REVIEW.—

(1) ESTABLISHMENT OF COURT OF IMMIGRATION REVIEW.—Title 28, United States Code, is amended by inserting after chapter 7 the following:

"CHAPTER 9—COURT OF IMMIGRATION REVIEW

"§ 211. Establishment and appointment of judges

''(a) ESTABLISHMENT.—There is established, under article I of the Constitution of the United States, a court of record, which shall be known as the United States Court of Immigration Review.

''(b) JURISDICTION.—The Court of Immigration Review shall have original, but not exclusive, jurisdiction over all civil proceedings arising under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and is authorized to implement orders issued by the Court, in cooperation with the Department of Justice.

''(c) APPOINTMENT OF JUDGES.—The President shall appoint, by and with the advice and consent of the Senate, such judges as may be necessary to carry out the duties of the Court of Immigration Review.

"§ 212. Tenure and salaries of judges

''(a) TENURE.—Each judge of the United States Court of Immigration Review shall be appointed for a term of 10 years.

''(b) SALARY.—Each judge shall receive a salary at an annual rate determined in accordance with section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351 et seq.), as adjusted by section 461 of this title.

"§ 213. Times and places of holding court

''The United States Court of Immigration Review may hold court at such times and such places as it may fix by rule of court.''.

(2) CONFORMING AMENDMENT TO HOMELAND SECURITY ACT OF 2002.—Subtitle A of title XI of the Homeland Security Act of 2002 (6 U.S.C. 521 et seq.) is amended—

(A) by striking the subtitle heading and inserting the following:

"Subtitle A—United States Court of Immigration Review"; and

(B) by amending section 1101 (6 U.S.C. 521) to read as follows:

"SEC. 1101. RESPONSIBILITIES OF UNITED STATES COURT OF IMMIGRATION REVIEW.

''The United States Court of Immigration Review, established under chapter 9 of title 28, United States Code, shall be responsible for interpreting and administering Federal immigration laws by conducting immigration court proceedings and appellate reviews of such proceedings, in cooperation with the Department of Justice.''.

(3) CONFORMING AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—Section 103 (8 U.S.C. 1103) is amended—

(A) in subsection (a)—

(i) by striking ''He'' each place it appears and inserting ''The Secretary'';

(ii) by striking ''the Service'' each place it appears and inserting ''the Department of Homeland Security'';

(B) in subsection (c)—

(i) by striking ''The Commissioner shall'' and inserting ''The Director, U.S. Citizenship and Immigration Services, shall'';

(ii) by striking ''He'' and inserting ''The Director'';

(iii) by striking ''the Service'' each place it appears and inserting ''U.S. Citizenship and Immigration Services''; and

(iv) by striking ''The Commissioner may'' and inserting ''The Director may'';

(C) in subsections (d) and (e), by striking ''The Commissioner'' and inserting ''The Director, U.S. Citizenship and Immigration Services'';

(D) in subsection (e), by striking ''the Service'' and inserting ''U.S. Citizenship and Immigration Services''; and

(E) in subsection (g), by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Attorney General shall assist the Secretary of Homeland Security in enforcing the provisions of this Act, in cooperation with the United States Court of Immigration Review, established under chapter 9 of title 28, United States Code.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the immigration judges serving in the Executive Office for Immigration Review on the day before the date of the enactment of this Act, absent misconduct or other compelling circumstances, should be—

(1) appointed by the President to serve on the United States Court of Immigration Review, established under chapter 29 of title 28, United States Code; and

(2) confirmed by the Senate as soon as practicable, but in no case later than 1 year after such date of enactment.

(c) CONTINUITY PROVISION.—All officers and employees of the Executive Office for Immigration Review on the day before the date of the enactment of this Act, absent misconduct or other compelling circumstances, shall remain in their respective positions during the Office's transition to the United States Court of Immigration Review.

(d) ENDING OF CAPTURE AND RELEASE.—The Secretary may not release any individual arrested by the Department for the violation of any immigration law before the individual is duly tried by the United States Court of Immigration Review unless the Secretary determines that such arrests were made in error. Individuals arrested or detained by the Department have the right to an expedited proceeding to ensure that they are not detained without a hearing for an excessive period of time.

SEC. 1___15. PROTECTING THE PRIVACY OF AMERICAN CITIZENS.

(a) IN GENERAL.—Nothing in this Act, the amendments made by this Act, or any other provision of law may be construed as authorizing, directly or indirectly, the issuance, use, or establishment of a national identification card or system.

(b) LIMITATIONS ON IDENTIFICATION OF UNITED STATES CITIZENS.—

(1) BIOMETRIC INFORMATION.—United States citizens shall not be subject to any Federal or State law, mandate, or requirement that they provide photographs or biometric information without prior cause.

(2) PHOTO TOOL.—As used in this Act, the term ''Photo Tool'' may not be construed to allow the Federal Government to require United States citizens to provide a photograph to the Federal Government, other than photographs for Federal employment identification documents and United States passports.

(3) BIOMETRIC SOCIAL SECURITY CARDS.—Notwithstanding section 3102, any other provision of this Act, the amendments made by this Act, or any other provision of law, the Federal Government may not require United States citizens to carry, or to be issued, a biometric social security card.

(4) CITIZEN REGISTRY.—Notwithstanding any provision of this Act, the amendments made by this Act, or any other law, the Federal Government is not authorized to create a de facto national registry of citizens.

(c) IDENTIFICATION OF NONCITIZENS.—The Federal Government is authorized to require noncitizens, for identification purposes, to provide biometric identification, including fingerprints, DNA, and Iris scans, and non-biometric information, including photographs.

SEC. 1___16. NUMERICAL LIMITATION ON REGISTERED PROVISIONAL IMMIGRANTS.

Notwithstanding any other provision of law, the Secretary may not grant registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until the first joint resolution is enacted pursuant to section 1___4, and to more than 2,000,000 applicants for such status in any calendar year following enactment of the first joint resolution enacted pursuant to section 1___4.

Mr. PAUL. Mr. President, I rise today to speak about my amendment, which we have entitled ''Trust But Verify.''

I am in full support of immigration reform, as are most Members of this body and most Americans. But part of that reform must be that we insist on border security.

Recently the authors of the current bill made clear that legalization will not be made contingent on border security. Most conservatives such as myself believe just the opposite, that legalization or documentation of workers absolutely must depend on border security first. My amendment does that. Trust But Verify makes documentation of undocumented workers contingent on border security.

I believe the American people should not rely on bureaucrats or a commission to enforce border security. We have been promised security in the past and it never happens. My amendment is different than any other amendment because I want Congress to institute border security, not wait for a plan from the administration.

With Trust But Verify Congress will vote every year for 5 years on whether the border is secure. The power to enforce border security will be in our hands, the people's representatives, and it is Congress that will be held accountable if we fail. If Congress believes the border is not secure, then the processing of the undocumented workers stops until the border becomes secure.

To be clear, my amendment doesn't replace any triggers of the underlying bill. It simply adds new conditions to build on border security measures that are already in the bill. The only way to put real pressure on the Department of Homeland Security is to have tough triggers that ensure that the border is secure before immigration reform can proceed.

My amendment is entitled ''Trust But Verify.'' My amendment legislates exactly how we secure the border. The current bill merely requests a plan to secure the border. My amendment requires 100 percent border surveillance capability, a 95-percent apprehension rate, and a completion of a double-layered fence. Instead of having a plan to build a fence, we just tell them: Build the fence. We monitor the building of the fence as it progresses, and we make these triggers transparent to the public.

This amendment also would end the practice of releasing people who are caught crossing the border. Ninety-five percent of the people caught are released and they never come back—they go to the interior of the country.

Legalization of undocumented workers is allowed to commence after 1 year if Congress agrees that the border is secure. The resolution would be simple and would simply state every year: It is the sense of Congress that the U.S. border is increasingly secure. And Congress will determine if the Department of Homeland Security has met the goals Congress has written into law.

My amendment mandates that 100 percent exit tracking for U.S. visitors is accomplished through all portals—air, land, and water. One of the biggest problems our Nation is experiencing is that individuals here on temporary visas tend to overstay, and some never exit the country. My amendment solves this problem.

My amendment also has two important national security elements. One provision sets up a student visa national security registration system as a means to track young men and women who come to this country on student visas. Also, individuals here under asylum or refugee status must register in a program providing increased screening and a means to make sure the Federal Government has an idea of where people in these programs reside.

We should remember that most of the 9/11 hijackers were here on student visas and were not being properly monitored. And I still don't think that problem has been fixed.

This amendment is fully paid for by taking funds that would have gone toward this commission. We will not need a commission because we are actually going to put border security in the bill, and it requires no additional funding. If my amendment is implemented, there will not be a need for this commission.

One big problem with immigration reform is the dire need to reform our immigration court system. My amendment empowers immigration judges to have the power to implement orders. Judges make decisions and then no one will carry out the orders. It is a completely broken system. Both the left and the right agree we need to fix the immigration court system. This amendment would do it. My amendment would convert our courts from administrative courts to article I courts with enhanced jurisdiction.

My amendment also protects the privacy of all Americans by placing in law protections against citizens being subject to invasive biometric identification cards. Most Second Amendment supporters rightly see universal background checks as a step too far in invading citizens' personal business. Any national ID, biometric or otherwise, raises the same constitutional concerns.

Finally, my amendment does not allow the processing of this new category called registered provisional immigrants until Congress votes that the border is secure. Then we limit the number to 2 million per year, and each year we vote: Is the border more secure? If the border is not becoming more secure, the process stops until we agree the border is secure. This will allow the Department of Homeland Security to do an effective job of conducting background checks on the estimated 11 to 12 million people.

If Congress votes that the border is not secure, the processing of people into this category stops. It will not start again until Congress, the Representatives of the people, believe that the border is secure.

We desperately need immigration reform. If we don't have reform, I think we will have another 10 million people come over in the next decade. So something should be done, but it has to be done in a way that fixes the system. This amendment will fix the system.

I ask my colleagues to support Senate amendment No. 1200, Trust But Verify.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1251

(Purpose: Requiring Enforcement, Security and safety while Upgrading Lawful Trade and travel Simultaneously (RESULTS))

Mr. CORNYN. Mr. President, I ask unanimous consent to set aside the pending amendments, and to call up my amendment No. 1251.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself, Mr. CRAPO, Mr. BLUNT, Mr. KIRK, Mr. HATCH, Mr. ALEXANDER, Mr. ISAKSON, Mr. ROBERTS, Mr. BURR, Mr. CHAMBLISS, and Mr. JOHANNS, proposes an amendment numbered 1251.

Mr. CORNYN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Wednesday, June 12, 2013, under ''Text of Amendments.'')

Mr. CORNYN. Mr. President, I have been working on immigration policy for all the time I have been in the Senate, about 10 years now. So I have some familiarity with the issues and the arguments that have been made. It is always amazing to hear a lot of the same arguments being repeated now that we have heard before in 2007 and before. But one of the differences is we have 43 new Senators who weren't here in 2007, the last time we had a major debate on immigration reform. So I think the discussions have been useful and, hopefully, they will be productive.

There is one obstacle, in my view, to immigration reform which is something I would like to see: When it comes to securing our borders and making sure that the flow of illegal immigration across our borders stops or gets as close as we can to zero, the Federal Government has zero credibility. The reason is simple. We have been making promises since 1986 about border security enforcement.

Remember, 1986 was the year that Ronald Reagan—a model to Republicans and conservatives—signed an amnesty for 3 million people, premised on the representation and the expectation that enforcement would ensue and the problem would be solved. In other words, he and the American people said: We will have a compassionate resolution of the condition of the 3 million people who are here, but we want to make sure that the rule of law is restored and that we will not have to do this again.

When the Gang of 8—the four Republicans and four Democrats who authored the underlying bill—announced their product, I was hopeful they would produce a bill with solid mechanisms for gaining secure borders. Unfortunately, the bill contains no guarantees or results, no real trigger, only more promises reminiscent of 1986 and many years subsequent.

In 1996, Bill Clinton signed a law saying we were going to implement a biometric entry-exit system. When that didn't happen, after 2011 the 9/11 Commission said one of the things we needed and was revealed as a vulnerability for national security was the absence of a biometric entry-exit system.

Despite the passage of all those years and the recommendations of the 9/11 Commission, we still have not implemented a biometric entry-exit system. An entry system, yes, but exit, no. And 40 percent of illegal immigration occurs as a result of the fact that people enter the country legally and don't leave when their visa expires.

So, unfortunately, this bill contains more hollow promises and no real trigger. By that I mean a conditioning on the transfer to either probationary status or to legal permanent residency based on hitting the standards that are met in the underlying bill—100 percent situational awareness, 90 percent apprehensions, which is defined in the bill as operational control of the border.

The message is, again, we don't have any enforcement mechanism here. We are going to put a lot of money and a lot of resources into this but we cannot control what future administrations do. We know no current Congress can bind future Congresses. So these promises once again—I am very concerned and I think the American people should be concerned—are promises only and not delivering the results that I think they insist upon before they will accept a resolution of the 11 million people in compassionate terms.

But I do not think promises alone are good enough. You should not take my word for it. You want to see, for example, what the Congressional Budget Office came out with yesterday. I think people would be serious about serious solutions to illegal immigration, but the Congressional Budget Office which—love them or hate them, agree or disagree—is the gold standard that Congress is bound by when evaluating legislation. What they said is the number of new unauthorized immigrants in the United States by the year 2033 will go up. It will be 7.5 million people. If we did not pass any bill at all, it will be 10 million. That is what the Congressional Budget Office said. Those are not my figures, those are their figures. I think it is incumbent upon anybody who disagrees to challenge these figures, and so far we have heard no challenge forthcoming.

Make no mistake, border security is not an alternative to immigration reform, it is a necessary complement to the sensible reforms that I think a large majority of this Chamber could agree on, such as allowing the United States to retain more highly skilled immigrants who get Ph.D's and master's degrees at our colleges and universities in STEM fields—science, technology, engineering, mathematics, and the like.

I know there has been a fair amount of disinformation circulated about the proposals in my RESULTS amendment, so let me explain what it actually does once more. My amendment requires the Federal Government to have 100-percent situational awareness on the border. With technology the American taxpayer has already paid for and which has been deployed in Afghanistan and Iraq and is owned by the Department of Defense, I am absolutely convinced we can get 100-percent situational awareness on the border. Senator MCCAIN yesterday said he agreed with that. He cited a letter, which I am sure we will see forthwith, by the head of the Border Patrol who said that is attainable.

Senator BENNET of Colorado and Senator FLAKE of Arizona, two members of the Gang of 8, said they agree it is attainable. I think it is attainable. That is one requirement.

Second, my amendment requires full operational control of the border. That does not mean 100-percent detention of people coming across. It means we have a deterrent effect by at least 90 percent of people coming across being detained.

I have been in and around law enforcement most of my adult life. It is not just how many people we detain, it is the deterrent value of the knowledge of people who violate our laws that if they do so they will be apprehended and they will receive the appropriate punishment. So the deterrence factor is very important here. It is not just how

many people you catch but there has to be some metric that can be objectively measured.

Next—and I alluded to this a moment ago—there has to be a nationwide biometric entry-exit system. As I said, this has been the law since 1996 when Bill Clinton signed it into law. Yet it has never been implemented. What has been implemented is that when foreign nationals visit the United States they do have to give a set of fingerprints, but there is no complementary exit system to make sure those same people leave the country when their visa expires—whether they are a student or a tourist or a guest worker or something of the like. Forty percent of our illegal immigration is people who enter legally and simply do not leave when their visa expires. This biometric entry-exit system would allow us to identify them and then to allow the Department of Homeland Security and Immigration and Customs Enforcement to do their job.

Fourth, my amendment requires nationwide E-Verify; in other words, a means not to make the employers the police to sort of sift through documents to try to figure out from your utility bill whether you actually are a legal resident of the United States and can qualify to work, but actually an electronic system. All employees of the Federal Government, all of our employees in our Senate offices have to go through that anyway to make sure this is uniformly observed, so that the economic magnet that attracts so much illegal immigration is removed and only people who can legally work in the country are allowed to do so.

My amendment could have taken a much tougher position and said this trigger must be met before people can progress or sign up for probationary status. I voted for such an amendment, but knowing that amendment would not pass the Senate I said the trigger ought to be between the probationary status and the time when people transition from probationary status to legal permanent residency. The whole rationale is not to be punitive, not to create an obstacle that cannot be met, but to realign the incentives for the executive branch, the bureaucracy, Republicans, Democrats, Independents, conservatives, liberals to come together and say we are going to make sure this target is hit: 100-percent surveillance; 90-percent apprehensions or full operational control of the border; an E-Verify system; and a biometric entry-exit system.

Is it realistic to believe these goals can be met in the next decade? Many experts, including members of the Gang of 8, which I mentioned a moment ago, believe it is. Some of those experts include people such as Robert Bonner, the former head of Customs and Border Protection; Asa Hutchison, the former Under Secretary for Border & Transportation Security at the Department of Homeland Security, and as I mentioned, several of the Gang of 8—Senator BENNET of Colorado, Senator FLAKE of Arizona, Senator MCCAIN of Arizona—have all said they believe this requirement of 100-percent situational awareness and operational control of our southern border is feasible and can be accomplished and that it is a reasonable, attainable goal.

My question for them and for others is, if they believe it is feasible and if they believe we are suffering from a trust deficit as a result of the American people being asked to trust us and that trust being exploited and violated so many times in the past with promises that are not kept, why not agree to a reasonable condition after probationary status, before people transfer to legal permanent residency where we know the forces will be aligned in order to make sure that is met. Then we can regain the American people's confidence and see we restored law and order and legality out of a current lawless and chaotic system which exploits and preys on many innocent people who die, who are subjected to human slavery as a result of trafficking, and you name it.

There is a crisis of confidence in Washington these days and the only way I think we are going to regain that confidence and demonstrate to the American people we are serious about making this happen is a trigger and a conditioning of that transition from RPI status to LPR status contained in my amendment.

If it is attainable and if it is something that is important in terms of regaining the public's confidence instead of just saying ''trust us,'' why not support the amendment? Why not demand real results on border security, rather than repetitive promises that have not been kept in the past and which the American public is in deep doubt will be kept in the future? Without a genuine border security trigger, this bill, I would daresay, has zero chance of passing the House of Representatives. For those of us who wish to see an improvement in the status quo because we believe the status quos is simply unacceptable, for those of us who wish to see a good immigration reform bill pass, why not pass this bill with my amendment? Why not give this bill some momentum as it goes over to the House of Representatives and as we come together as a Senate and a House to reconcile those differences in the bill and send over a good bill, an enforceable bill—not just full of hollow promises but one which will actually gain results when it comes to security.

Everybody in this Chamber knows the Senate bill is dead on arrival in the House. They have their own ideas. They are going to take up immigration reform on a piecemeal basis, but ultimately my hope is they will cobble together one or more smaller bills and then we will be able to get to a conference with the House to work out the differences. But this is the kind of sleight of hand which I think undermines our credibility and increases the skepticism of the American people that we are actually going to deliver as represented when it comes to immigration reform.

You have seen this before. Senator DURBIN, the distinguished majority whip, said in January 2013: A pathway to citizenship needs to be ''contingent upon securing the border.'' I agree with Senator DURBIN. I agree that is the essential bargain the American people are willing to accept. There was a CNN poll yesterday that said 6 out of 10 of the American people would accept a pathway to citizenship, perhaps grudgingly, if they actually felt as though the results they demand be provided on border security and enforcement are contained in this bill.

That is why I believe it was so important for Senator DURBIN to say, as part of their announcement of the goals of the Gang of 8, that a pathway to citizenship would be ''contingent upon securing the border.''

Here is the disconnect. Unfortunately, 6 months later, June 11, 2013, Senator DURBIN was quoted in the National Journal that the gang has now decided that ''the pathway to citizenship'' and border enforcement can be delinked. In other words, the way to citizenship is guaranteed and good luck on the border security and the enforcement. Good luck, present Congress, trying to enforce your will, present and hence, on a future Congress; good luck, President Obama, trying to dictate exactly what a future President, 10 years from now, will do.

The only way I believe we can credibly go back and defend our position for immigration reform before our constituents, certainly my constituents, is to look them in the eyes and say we have fixed the problem. We have done everything humanly possible to make sure all the incentives are aligned so that border security, interior enforcement, and E-Verify are actually in place before people transition to legal permanent residency.

We have now had three decades to fix our broken promises on border security and now is the time to demand real results and to create a mechanism for achieving them. It is time to make good on our promises to the American people by securing America's borders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise to speak about amendment No. 1311, the Hire Americans First amendment, which I hope to call up later.

Nearly 8 percent of Americans are unemployed or underemployed and our immigration policy obviously must be a jobs policy. Any successful immigration plan must take a closer look at the H–1B Program, which serves an important but specific and limited purpose. The H–1B visa was created so businesses—particularly in high tech but not exclusively that—so businesses could recruit foreign workers to help fill the void created a by a lack of

American workers with those specific skills. Yet, as this bill comes to the floor, something very important was excluded. The bill lacks a requirement—which was in earlier versions of the bill—that employers hire an equally or better qualified American worker when one is available, rather than a potential H–1B worker.

The bill lacks a requirement that employers hire a qualified, equally or better qualified American worker when one is available, rather than a potential H–1B foreign worker. With this bill we are enshrining a process—without this amendment—that allows companies to pass over skilled Americans for foreign workers after they have been required to actually actively recruit those Americans.

The bill has provisions to recruit Americans for these jobs that might have gone to an H–1B foreign worker, but it falls short. It doesn't require the employer to actually—after going through that process, to actually hire the American worker who is as qualified or better qualified than the H–1B foreign worker. This approach only undermines support for the H–1B Program because it will be seen as a tool to avoid hiring American workers.

Understand the American public, as they start to kind of understand and digest the provisions of this purported new law, this legislation, when they hear that, yes, companies have to recruit and look for American workers but in the end, even if the American worker is as qualified or more qualified, the company is under no obligation to actually hire the American. Senator GRASSLEY has been a champion in the fight to end H–1B abuse. That is why I am proud to join Senator GRASSLEY in our bipartisan amendment to introduce the H–1B and L–1 Visa Fraud and Abuse Prevention Act of 2013.

The H–1B program should only be used when there is no qualified worker available in the United States. That is clearly what the American people overwhelmingly say they want: that the program should only be used when there is no qualified worker available here. This amendment would increase protections to workers by requiring that employers only hire H–1B workers, as I said before, when there is no equally qualified or better qualified American.

This amendment would make sure a worker from Wuhan would not be hired at the expense of a qualified engineer or scientist from Elyria or Sylvania, OH. It means ensuring that American companies seek out, find, and hire skilled American workers before seeking visas for foreign workers. However, that is not included in this version of the bill that we are debating on the Senate floor—the immigration bill. The bill in its current form simply says that companies have to look for qualified Americans. It doesn't require them to actually hire the equally qualified or better qualified American, such as a chemist from Cleveland or a computer scientist from Celina. The underlying bill increases the number of H–1B-eligible visas, and that is fine. But it also cracks down on employers who take advantage of the system. Without the requirement to also hire qualified U.S. workers, the recruitment steps mean standing on an escalator that leads to nowhere.

What this legislation now says is that companies that consider H–1B visa hires need to recruit Americans, but the bill falls short of saying if the American is as qualified or more qualified they need to hire that American. If they are qualified Americans who can do the work, there is simply no need to fill the post with an H–1B worker. Passing the Brown-Grassley amendment—also cosponsored by Senator SESSIONS, a Republican from Alabama, and Senator MANCHIN, a Democrat from West Virginia—the hire Americans first amendment is important in fixing that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1237, AS MODIFIED

Mr. MERKLEY. Mr. President, under the prior unanimous consent agreement, I call up my amendment numbered 1237, as modified.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes amendment numbered 1237, as modified.

The amendment is as follows:

(Purpose: To increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer seeks to fill with H–2B nonimmigrants)

On page 1793, between lines 17 and 18, insert the following:

SEC. 4607. AMERICAN JOBS IN AMERICAN FORESTS.

(a) SHORT TITLE.—This section may be cited as the ''American Jobs in American Forests Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) FORESTRY.—The term ''forestry'' means—

(A) propagating, protecting, and managing forest tracts;

(B) felling trees and cutting them into logs;

(C) using hand tools or operating heavy powered equipment to perform activities such as preparing sites for planting, tending crop trees, reducing competing vegetation, moving logs, piling brush, and yarding and trucking logs from the forest; and

(D) planting seedlings and trees.

(2) H–2B NONIMMIGRANT.—The term ''H–2B nonimmigrant'' means a nonimmigrant described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(3) PROSPECTIVE H–2B EMPLOYER.—The term ''prospective H–2B employer'' means a United States business that is considering employing 1 or more nonimmigrants described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(4) STATE WORKFORCE AGENCY.—The term ''State workforce agency'' means the workforce agency of the State in which the prospective H–2B employer intends to employ H–2B nonimmigrants.

(c) DEPARTMENT OF LABOR.—

(1) RECRUITMENT.—As a component of the labor certification process required before H–2B nonimmigrants are offered forestry employment in the United States, the Secretary of Labor shall require all prospective H–2B employers, before they submit a petition to hire H–2B nonimmigrants to work in forestry, to conduct a robust effort to recruit United States workers, including, to the extent the State workforce agency considers appropriate—

(A) advertising at employment or job-placement events, such as job fairs;

(B) placing the job opportunity with the State workforce agency and working with such agency to identify qualified and available United States workers;

(C) advertising in appropriate media, including local radio stations and commonly used, reputable Internet job-search sites; and

(D) such other recruitment efforts as the State workforce agency considers appropriate for the sector or positions for which H–2B nonimmigrants would be considered.

(2) SEPARATE CERTIFICATIONS AND PETITIONS.—A prospective H–2B employer shall submit a separate application for temporary employment certification and petition for each State in which the employer plans to employ H–2B nonimmigrants in forestry for a period of 7 days or longer. The Secretary of Labor shall review each application for temporary employment certification and decide separately whether certification is warranted.

(d) STATE WORKFORCE AGENCIES.—The Secretary of Labor may not grant a temporary labor certification to a prospective H–2B employer seeking to employ H–2B nonimmigrants in forestry until after the Director of the State workforce agency, in each State in which such workers are sought—

(1) submits a report to the Secretary of Labor certifying that—

(A) the employer has complied with all recruitment requirements set forth in subsection (c)(1) and there is legitimate demand for the employment of H–2B nonimmigrants in each of those States; or

(B) the employer has amended the application by removing or making appropriate modifications with respect to the States in which the criteria set forth in subparagraph (A) have not been met; and

(2) makes a formal determination that nationals of the United States are not qualified or available to fill the employment opportunities offered by the prospective H–2B employer.

Mr. MERKLEY. Mr. President, I thought I would take a few moments to share the contents of this amendment and why it is an important addition to the bill we are considering currently. This is related to a very critical part of Oregon's economy; that is, timber and forest jobs. Forest jobs have long been a pillar of our rural economy in my State. In fact, my father worked as a millwright when he first came to Oregon. He worked as a mechanic, which was basically to keep the sawmill operating.

When the sawmill shut down, he pursued other jobs as a mechanic. We traveled with the timber economy, as so many families in Oregon did. Many of our rural towns are mill towns—towns closely related to the production of

lumber from our national forests and from private forests.

Over the past several decades, times have been pretty tough in the timber economy, and we have many forest workers who have suffered through these tough times. Their families have gone with the ups and downs of the timber economy. Certainly, the recession added insult to injury, and the unemployment rates in many of our timber counties soared and have been stuck at over 15 percent.

That is why in 2009 I and others fought to get funding in the recovery bill to expand thinning and wildfire prevention. The concept was that we have millions of acres of overgrown second-growth forests which is not ideal for ecosystems, and it is not ideal for producing timber. What it is ideal for is forest fires and disease. So thinning these forests made a lot of sense, and we can put a lot of folks to work.

We did get funding for forest health, but in 2010 we had a little shock. One of our newspapers in Oregon, the Bend Bulletin, started reporting about how the forest service contracts intended to put Americans to work—and for the Oregon forests, Oregonians to work—were instead awarded to contractors who were bringing in foreign workers under the H–2B visa program. These contractors, using cheap labor, were underbidding the local companies that were employing Oregonians from these rural communities—communities deeply steeped in the tradition of forest jobs.

In 2011, we found out from a Department of Labor audit of some of these contracts—more than $7 million worth—that not one Oregonian was hired. In fact, the audit concluded that it was likely Oregonians didn't even know the jobs existed. Now, why is that? Because the contractor—seeking to underbid the contractors who would hire Americans—proceeded to advertise in California for jobs in Oregon. They proceeded to advertise well in advance of the jobs; there was a disconnect in time. They proceeded to imply in the advertisements that a second language was required.

When applications were received by the few Oregonians who found out about those jobs, they round-filed those applications, put them through the shredder, rather than using our tax money to thin our forests to prevent forest fires and disease and didn't hire Americans for those jobs.

The information provided to my office showed that in 2010 and 2011 in Oregon and Washington more than one-third of the contracts being awarded by the Forest Service were going to companies that self-attested that they could not find a single American worker who wanted to do these jobs. Now these companies are operating in rural communities with very high unemployment rates in the middle of a terrible recession. We have thousands of Oregonians who have signed up on a job seeker database saying they want to work in our forests.

In Oregon that list involves more than 5,000 individuals who are on a State list wanting to work in the woods, and the contractors said they could not find anyone who wanted one of these jobs. This is exactly the type of abuse that undermines the entire program. This is the type of abuse that must not be allowed.

As I go from county to county doing townhalls, as I do in each county every year, folks say time and time again: We need more jobs in the woods. Well, those jobs that we do have in the woods, we need to make sure they know about those jobs. When our taxpayer dollars are funding the work, we need to make sure the money goes to create jobs where they are needed.

That is why I am proposing a narrowly tailored amendment to address this problem with three simple changes to the H–2B program for forestry jobs. First, enhanced recruitment. Employers, before submitting a petition to hire H–2B workers, would be required to use appropriate recruitment strategies to find or notify Americans who are interested in these jobs. This could be advertising at job fairs, with local and State workforce agencies and nonprofits, or advertising on reputable Internet job search sites or radio. The key is they must work with the State workforce agency to advertise in the places where local residents are likely to hear about the jobs. That is exactly what did not happen in Oregon in 2009 and 2010.

The second provision of this amendment is that the Secretary of Labor could grant a temporary labor certification to an employer to hire H–2B forest workers. In order to do that, the director of the State workforce agency would have to certify that the employer has complied with the recruitment requirements, and the director of the State workforce agency would have to make a determination that local workers were not qualified or available to fill the jobs. That way we connect the contractor who is responsible to make sure that folks know about these jobs with the workforce agency that has the expertise in finding people who want to know about these jobs. If there is a situation where a contractor simply says, well, we advertised, but we cannot find anyone, the workforce agency would know whether that was a legitimate and valid conclusion.

The third point is that if an employer seeks to be certified for a work itinerary that covers multiple States, and if the work outside the primary State lasts 7 days or longer, then the employer needs to contact the agency in each State. That way they don't simply have someone starting work in California for a day or two and shifting to Oregon, shifting to Washington, or shifting to Idaho—perhaps for a month in each place—but never advertising in the State where the work is being done. These are three simple changes to our H–2B program for forest workers that could make a real difference for individuals struggling to find work in the woods.

Now, we cannot go back and fix the contracts that have already been issued and abused in the past, but we can fix the problems we know about now so that those forest workers do get the jobs in the future—those Oregonians, those Americans who want to work in the woods.

In places like Myrtle Creek, where I was born, or Roseburg, where I went to first grade, when you are born in these timber communities, you are practically born with a chainsaw in your hand. Timber is the heart of the local economy. To have folks—who are unemployed, trying to support their families and desperate for jobs in the woods—find out that our tax money that was supposed to go to put them to work has been put to work hiring people from outside our country is outrageous and unacceptable. This amendment will address it in a responsible manner.

I urge my colleagues to support this amendment.

I thank the Presiding Officer for the time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

WOMEN'S HEALTH CARE

Mr. BLUMENTHAL. Mr. President, I come to the floor today to discuss H.R. 1797. A number of my colleagues, Senators MURRAY and BOXER, have been here this morning to talk about the bill that passed yesterday in the House of Representatives that would prohibit all abortions beyond 20 weeks with very, very limited exceptions.

This topic is critically important to the women of Connecticut and our country, and the bill is lamentably and regrettably yet another example of legislation that feigns concern for women's health when actually it would endanger the lives and well-being of women across this great country.

The bill would take decisions regarding health care away from women and their doctors and would force doctors to decide between incurring criminal penalties and helping their patients. That choice is unacceptable professionally and morally.

The decision to end a pregnancy is a serious decision that a woman should make in consultation with her doctor. When those decisions are made later in a pregnancy, they are most often the result of serious health risks to the mother or the discovery that the fetus is not viable. They are the result of those risks or the discovery that a fetus is not viable. Political interference is abhorrent and unacceptable in these personal and private decisions, and it violates the constitutional right of privacy.

The other scenario in which a woman may seek an abortion later in a pregnancy is due to an inability to access such services earlier—whether due to

financial restrictions or a lack of access to health care or other extenuating circumstances.

In fact, 58 percent of abortion patients say they would have preferred to have an abortion earlier. Low-income women were more than twice as likely as their wealthier counterparts to be delayed because of financial limitation and difficulty in making arrangements. As politicians, we should not be placing additional restrictions on women in these circumstances.

The House bill blatantly ignores constitutional protections that are vitally necessary to protect the health of women, as decided in Roe v. Wade and Planned Parenthood v. Casey, because these kinds of restrictions place limitations that interfere with constitutional rights and have no place in these personal and very private decisions.

The limited exceptions in this bill would require a woman to report a rape or incest to law enforcement or a specific government agency when she is seeking much needed health care services. Those restrictions that affect women when they have been victims of a crime or face serious health risks have no effect in reducing abortions, and that is their purported purpose—to reduce abortion—but that purpose will in no way be served by these restrictions. Victims of incest or rape may be too young or too fearful of retaliation to report to a law enforcement agency. Why create a needless, lawless obstacle to vital health care?

We should be working to ensure that women have the ability to access safe and affordable contraception so there are fewer unintended pregnancies in this country. And yet supporters of this bill would also restrict access to contraception, and they are the ones who have tried to make it more difficult to get access to the information and services necessary to prevent unintended pregnancies.

We need to do more. Our Nation needs to do better to ensure that women have access to preventive and maternal health care so they can be prepared to face the responsibility of pregnancy and parenthood. This bill would do very little, if anything, to actually help women protect their health care and the health care of their families.

I urge my colleagues to reject any consideration of this ill-intended and, I hope, ill-fated measure that endangers women's health across the country, and I urge my colleagues to focus on the real priorities that face this Congress—job creation and economic recovery, for example—and stop this attack on women's health.

Thank you, Mr. President. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PORTMAN. Mr. President, we are debating the immigration bill again today, and as the Presiding Officer knows, I am one of those Members of the Senate who believe our immigration system is broken, both the legal system and the way in which we want to deal with those who come here illegally.

I have concerns with the underlying legislation. I have spoken about that on the floor. I have concerns about the workplace magnet. I think the E-Verify proposals in the underlying bill are an improvement to the current system but still not as strong as they need to be to be an effective deterrent to those who are unauthorized to work. I don't think the system will work, frankly, unless we strengthen those provisions at the workplace. Most people want to come here for economic reasons, and if we don't deal with the workplace we will not be able to affect much at the border if people really want to come here with their families to get a job.

Second, we have learned now that 40 percent of those who are here illegally have actually overstayed their visas, meaning they came here legally but then overstayed their visas and are here illegally now.

We also learned that under E-Verify, unfortunately, about 54 percent of those who are unauthorized to work are getting through the system now with the pilot programs that are available. So that needs to be strengthened, and I will have proposals to do that.

I am working with the eight Members of our body here who have put together this legislation and other Senators on both sides of the aisle to try to strengthen those provisions because I don't think the bill is going to hold together without real enforcement.

Secondly, the border enforcement needs to be strengthened and the triggers need to be strengthened. I am working with Senator JOHN CORNYN and others on that. I hope Senators on both sides of the aisle can agree that along with having workplace verification that really does determine who is eligible to work and whether documentation is fraudulent, we also need to have a secure border moving forward.

Third, I have concerns about some of the benefits that will be offered to people who are in this interim status, so-called RPI status, who would be in a legal status but still not able to obtain a green card. So the question is, What benefit should they get? We want to be sure people are not enticed to come here for benefits but, rather, come here legally to work.

Finally, I have concerns about some of the criteria for this status, which would be a legal status, as it relates to crimes they have committed. As a result, I rise today to urge my colleagues to support two amendments I have filed to the underlying bill. I believe these amendments would serve to clarify what kinds of criminal acts would render violent offenders inadmissible under the immigration reform bill we are debating.

The first amendment addresses convictions for domestic violence, stalking, or child abuse. Under the current language, those convicted of these crimes would only be ineligible for admission in the event they served at least 1 year in prison. My amendment would change this language to declare inadmissible anybody convicted of such crimes who could have been sentenced to no less than 1 year of imprisonment for the crime at the time of conviction. I think this is really a clarification amendment and a simple amendment that should be accepted by both sides because it is in keeping with the original purpose of the language, which is to allow a more consistent and fair application of the law.

If my amendment is accepted, two individuals convicted of the same crime under the same circumstances would be treated in the same way under our Nation's immigration laws. That is not the case as the bill is currently written. The current language puts emphasis on the time served rather than the offense committed. As we all know, the amount of time a person convicted of a crime might serve in prison is related to a whole lot of factors unrelated to the purpose of this legislation—from the disposition of the sentencing judge, to the recommendations made by the prosecutors, to the overcrowding in many of our State prisons. So this amendment would take those extraneous considerations out of the picture, applying the same standard to all applicants for citizenship while ensuring that the spirit of the original language remains—preventing violent criminals from reaping the benefits of this legislation.

The second amendment serves a similar purpose. It would exclude crimes against children involving moral turpitude—things such as child abuse, child neglect, and contributing to the delinquency of a minor through sexual acts. It would remove those from the discretionary authority of the Secretary of the Department of Homeland Security and immigration judges with regard to removal, deportation, or inadmissibility of an individual. This amendment would strengthen our efforts to prevent and punish child abuse and would ensure that anyone who endangers our children is not eligible to become a citizen of this country.

Nothing is more precious than American citizenship. We see that everyday with people coming to this country, some legal and some illegal. We have to ensure that this legislation does not extend that privilege to those who would commit crimes against the most vulnerable among us.

These very simple, commonsense amendments would help to achieve that goal. So along with E-Verify and ensuring that our border will be secure,

ensuring that the appropriate benefits are provided to those who are not citizens but here in an interim status, I urge my colleagues to adopt these two amendments to ensure that those who would like to become citizens of the United States are those who deserve it and are not individuals who have engaged in the kinds of criminal acts that would make them inappropriate to become citizens of the United States.

I thank the Chair, and I yield back the time. I don't see any colleagues stepping forward, so I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENTS NOS. 1268, 1298, AND 1224 EN BLOC

Mr. LEAHY. Mr. President, on behalf of Senators MANCHIN, PRYOR, and REED, I ask unanimous consent that the following amendments be called up en bloc: Manchin No. 1268, Pryor No. 1298, and Reed No. 1224.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. MANCHIN, Mr. PRYOR, for himself and Mr. JOHANNS, and Mr. REED, proposes amendments numbered 1268, 1298, and 1224 en bloc.

The amendments are as follows:

AMENDMENT NO. 1268

(Purpose: To provide for common sense limitations on salaries for contractor executives and employees involved in border security)

At the end of title I, add the following:

SEC. 1122. MAXIMUM ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.

Section 4304(a)(16) of title 41, United States Code, is amended by inserting before the period at the end the following: '', except that in the case of contracts with the Department of Homeland Security or the National Guard while operating in Federal status that relate to border security, the limit on the costs of compensation of all executives and employees of contractors is the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently $230,700)''.

AMENDMENT NO. 1298

(Purpose: To promote recruitment of former members of the Armed Forces and members of the reserve components of the Armed Forces to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement)

At the end of section 1102, add the following:

(e) RECRUITMENT OF FORMER MEMBERS OF THE ARMED FORCES AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—

(1) REQUIREMENT FOR PROGRAM.—The Secretary, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement.

(2) RECRUITMENT INCENTIVES.—

(A) STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS WITH A THREE-YEAR COMMITMENT.—Section 5379(b) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of an employee who is otherwise eligible for benefits under this section and who is serving as a full-time active-duty United States border patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

(B) RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

(3) REPORT ON RECRUITMENT INCENTIVES.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report including an assessment of the desirability and feasibility of offering incentives to members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, for the purpose of encouraging such members to serve in United States Customs and Border Protection and Immigration and Customs Enforcement.

(B) CONTENT.—The report required by subparagraph (A) shall include—

(i) a description of various monetary and non-monetary incentives considered for purposes of the report; and

(ii) an assessment of the desirability and feasibility of utilizing any such incentive.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

AMENDMENT NO. 1224

(Purpose: To clarify the physical present requirements for merit-based immigrant visa applicants)

On page 1162, strike lines 7 through 11 and insert the following:

(B) has been in the United States in a class of aliens authorized to accept employment in the United States for a continuous period of at least 10 years, not counting brief, casual, and innocent absences.

Beginning on page 1164, strike line 23 and all that follows through page 1165, line 2, and insert the following:

(f) ELIGIBILITY IN FISCAL YEARS AFTER FISCAL YEAR 2028.—Beginning on October 1, 2028, aliens are not eligible for adjustment of status under subsection (c)(3) unless they have been in a class of aliens authorized to accept employment in the United States for 20 years before the date on which they file an application for such adjustment of status.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Mr. President, yesterday we had the good fortune of receiving the Congressional Budget Office cost estimate of the immigration bill before the Senate, and I would like to mention two findings from the CBO report.

It says the bill will drive down wages. For legal American workers, the CBO estimates the bill would drive down their average wages.

Secondly, it says the bill will not stop illegal immigration. Despite promises of a secure border, the bill would slow future illegal immigration by only 25 percent, according to the CBO. In the next couple of decades, that would mean 7.5 million new undocumented immigrants coming to the country.

Before I dive into these two findings, let me remind my colleagues what was said by the authors of the bill. They said that undocumented immigrants and, hence, illegal migration would be a thing of the past. They said their bill included the toughest enforcement measures in history.

In their framework, the Group of 8 said they would write a bill which would ensure that the problem does not have to be revisited. They implied that their bill—similar to the 1986 bill—would take care of the problems once and for all. The obvious fact there is that the 1986 legislation said it would secure the border, but it never did secure the border. So we see the Group of 8 legislation before us as making the same mistakes we made in 1986.

As to what the Group of 8 said—that they would write a bill that would ensure that the problem does not have to be revisited—we find the Congressional Budget Office thinks entirely differently.

I may not always agree with CBO. I disagree with the fact that CBO has used dynamic economic effects to score this bill, when they do not use it on anything else. Yet they refuse to provide the dynamic scoring particularly on revenue bills. But everyone knows what the CBO says goes.

I always say on the Senate floor, CBO is god. If they say something is going to cost something, and you want to dispute what they say, you have to have 60 votes in this body to overturn a point of order against the CBO. It is very difficult to get 60 votes in the Senate, so that is when if they say something is something, it is something, and that makes them god around this town.

So I ask the proponents about these two key findings that I have pointed

out: What do the proponents say about the fact that the influx of new immigrants would have the effect of bringing down the average wage for America's workforce?

This is exactly the point Peter Kirsanow, a member of the U.S. Commission on Civil Rights, argued before our Judiciary Committee on April 19. He said illegal immigration has a negative effect on the wages and employment levels of low-skilled workers, particularly African Americans.

The second question to the group: Is the fact that S. 744 will drive down wages acceptable to those who support the bill?

In the report, the ''CBO estimates that, under the bill, the net annual flow of unauthorized residents would decrease by about 25 percent relative to what would occur under current law.''

I wish to put in front of that 25 percent my own words: You mean if we pass this legislation, according to CBO, this legislation is only going to have the effect of lowering the illegal immigration by 25 percent, when we are led to believe they are going to overcome the problems we did not foresee in 1986, when we legalized—thought we did it once and for all; that would take care of it—and we find out now it did not take care of it. We legalized 3 million people, and now we have 12 million undocumented people here as well.

So let's just see. If the CBO is correct and the net flow of unauthorized residents would only decrease by about 25 percent, does that not indicate we will have to revisit the immigration issue again?

It is obvious this bill will not ensure that we are not back in this same position down the road, contrary to the promises of the Group of 8 that: We are going to write this legislation in a way that we will not have to revisit it. We said that very same thing in 1986, but here we are 25 years later with four times the number of undocumented workers than we had then.

The CBO also reported that while ''enforcement and employment verification requirements in the legislation would probably reduce the size of the U.S. population,'' other aspects of the bill will, in fact, ''probably increase the number of unauthorized residents—in particular, people overstaying their visas issued under the new programs for temporary workers.''

This bill favors legalization before border security and, apparently, will have no noticeable decrease in the net annual flow of unauthorized residents. The CBO says the bill will not stop the flow of illegal immigration.

If proponents are serious about stopping people from living here illegally—contrary to our law, a nation based upon the rule of law—they need to adopt commonsense legislation that will stop this flow, not merely reduce it by just 25 percent.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1200

Mr. REID. Mr. President, it is my understanding regular order would be my calling up Paul amendment No. 1200, as modified.

The PRESIDING OFFICER. The Senator may call for regular order.

Mr. REID. I so move.

The PRESIDING OFFICER. The amendment is now pending.

Mr. REID. I move to table the Paul amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

The PRESIDING OFFICER. (Mr. BROWN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 37, as follows:

[Rollcall Vote No. 154 Leg.]

YEAS—61

Baldwin	Graham	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Rubio
Cantwell	Kaine	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Leahy	Stabenow
Coons	Levin	Tester
Corker	Manchin	Udall (CO)
Cowan	McCain	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Flake	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NAYS—37

Alexander	Enzi	Moran
Ayotte	Fischer	Paul
Barrasso	Grassley	Portman
Blunt	Hatch	Roberts
Boozman	Heller	Scott
Burr	Hoeven	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Thune
Coburn	Johanns	Toomey
Cochran	Johnson (WI)	Vitter
Cornyn	Kirk	Wicker
Crapo	Lee	
Cruz	McConnell	

NOT VOTING—2

Chiesa	Risch

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, has the matter just voted on been tabled?

The PRESIDING OFFICER. That is correct.

Mr. REID. Mr. President, I ask unanimous consent the time until 4:25 p.m. be equally divided between the two leaders or their designees, with Senator SESSIONS controlling 7 minutes of the Republican time, and this be for debate on the following amendments: Manchin No. 1268, Lee No. 1208, as modified, with the changes at the desk, Pryor No. 1298, Heller No. 1227, and Merkley No. 1237, as modified.

We still have a number of other amendments the managers are working on and we will get to those later, or try to at least.

Continuing my request: At 4:25 p.m. the Senate will proceed to votes in relation to the amendments in the order listed; that the amendments be subject to a 60-affirmative-vote threshold; that there be 2 minutes equally divided prior to each vote and all after the first vote be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I wish to address the leader and the managers of the bill, both Senator SESSIONS and Senator LEAHY. I know there are about 100 or so other amendments pending, and I know we have been sort of held up the last couple of days, but there are amendments—and this is the question I have—that don't touch the heart of the bill but that are important to connect to this bill that have no opposition that I know of.

I am asking the leader, for amendments that have no opposition and have bipartisan support, when could we possibly get on amendments that don't have opposition.

Mr. REID. I would say through the Chair to my dear friend from Louisiana, the managers have been working through these amendments. I know my friend says there is no opposition. Having said that, that doesn't mean there isn't opposition.

Ms. LANDRIEU. So I should do more checking on them then.

Mr. REID. We have a number of people trying to get amendments on the list. We will continue to work on that. It is not because the managers haven't tried.

Mr. President, I would ask my request be modified to have the vote start at 4:35 rather than 4:25; otherwise, Senator SESSIONS will not have time.

The PRESIDING OFFICER. Is there objection to the leader's unanimous consent?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider Calendar No. 182; that there be 2 minutes for debate equally divided in the

usual form; that following the use or yielding back of time, the Senate proceed to vote with no intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

It is Michael Froman to be U.S. Trade Representative.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, unless Senator MCCONNELL objects, we will have a vote right after this batch of votes.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be equally charged to both sides.

The Senator from Alabama is recognized.

Mr. SESSIONS. The Congressional Budget Office's analysis of the immigration bill of the Gang of 8 confirmed in dramatic fashion our most significant concerns about the bill. Indeed, I would say, through the history of the movement of this bill through the Senate, this is the most dramatic event yet.

Basically, it says these things in explicit phrases after careful analysis:

No. 1, it will reduce the wages of American citizens.

No. 2, it will increase unemployment in America.

No. 3, it will reduce GNP per capita in America. The growth in our economy will be reduced by the passage of this bill.

It concludes that the flow of illegal immigrants will not be stopped but will only be reduced by 25 percent.

So we are talking about a bill that is supposed to be the toughest ever, that is going to promote economic growth in America, a bill that is supposed to make us economically stronger and end illegal immigration in the future. It just doesn't do that.

I have read the bill. I have studied the bill and looked at the bill. I have been concluding and saying for weeks each one of those things, and the score confirms that.

So I would ask colleagues: How can we vote for a bill that pulls down wages of Americans, increases unemployment, and only has a modest reduction in the illegality that is occurring today, reduces GNP, and increases the debt? How can we do that?

For example, the bill would increase welfare spending by $259 billion in the first 10 years and increase the on-budget deficits by $14 billion.

It has been said the overall deficit when we account for the off-budget items looks better. But that is a direct result of counting the Social Security, Medicare, FICA withholding on people's payroll. That money, for the people who are paying in, is being set aside in trust funds to pay for their Social Security and retirement when they draw it in the future. We can't count that money as improving the debt situation of the United States. As soon as the 10-year prohibition or so that limits welfare is off, then the cost of the legislation is going to go up much more.

The bill would make no meaningful reduction in future illegal immigration. CBO estimates about 350,000 illegal immigrants would be added each year. As Senator CORNYN has said, 7.5 million people would enter illegally in the next 10 years instead of the current level of about 10 million. So that is a 25-percent reduction. CBO writes:

> However, other aspects of the bill would probably increase the number of unauthorized residents—in particular, people overstaying their visas issued under the new programs for temporary workers. . . .

I have been pointing out for weeks people are going to come here with their families, supposedly to work temporarily for 3 years, with the ability to extend for 3 years, and then who is going to be able to tell them to go home? They are not going to go home in any realistic way. We are going to have a substantial increase in visa overstays. CBO concludes that is correct. It is a guaranteed policy that will not work. So the bill would result in a massive increase in the future legal flow of immigration.

Current law estimates we will add 10 million people in 10 years, including the legalized illegal immigrants. That means 30 million immigrants by 2023. That is the number I have been using. I felt that was a fair, legitimate number. It is complicated.

I asked Senator SCHUMER twice in the committee: How many people will be admitted in the next 10 years and given legal status? He wouldn't say. The bill's sponsor would not tell us how many, but CBO now has said the figure I have used—30 million—basically is correct. That is triple the number that would be admitted under the current legal flow of immigrants into our country. We admit 1 million a year. That would be 10 million over 10 years, and this would be 30 million. So we have to ask those questions.

Finally, CBO tells us, under this bill: The average wage would be lower than under current law over the first 12 years.

Let me read that again: The average wage would be lower than under current law over the first 12 years. They use the words ''first dozen years.'' So that should be the end of the bill right there.

This is the chart that is included in CBO's analysis and their report. It is the exact same chart they prepared, not the chart I prepared.

I know the Presiding Officer cares about this issue. This is the impact on average wages. This is where we start today at the zero factor, and it drops down to 2024, 10 years of lower wages than if we didn't pass the bill—which only makes sense because we are flowing in a huge flow and supply of low-skilled workers, and they are going to pull down the wages particularly of our lower income workers. This is going to happen. Mathematics and the free markets tell us that.

So the country—the Nation—the Congress should try to determine what the right flow of immigrant labor is and get it right so we are not hammering American workers today who are unemployed, who are struggling for jobs, trying to get better pay. In fact, average workers' pay has declined since 1999.

CBO's estimate of per capita GNP—this is their chart from their report—shows that through 2030, we have lower GNP per capita than if the bill never passed.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SESSIONS. Mr. President, if we have a few more minutes and no one else is seeking the floor, I would note that CBO's unemployment rate '' . . . S. 744 would cause the unemployment rate to increase slightly between 2014 and 2020''—6 years of higher unemployment rates.

We have heard a lot of talk over the years about the declining wages. I do think that it is important for us to discuss. But that decline of wages—which started over a decade ago and is accelerated with this legislation—how is it we are not talking about it?

Senator MENENDEZ, one of the intrepid authors of the immigration bill before us made some remarks earlier this morning that I thought were pretty remarkable. He said not to worry about these first 10 years of lower growth, lower wages, and higher unemployment because the analysis actually gets better in the next 10 years.

But if we look at that and how it plays out, what we would see is this: We would see there is an improvement in the wages in the second 10 years—which, let me tell you, their projections are always better the first 10 years. But in the second 10 years, even if we saw some growth, the growth still does not get back to the level it would have been had the bill never been passed. We have to know that. The growth does not recover from the spot we already are.

Respectfully, the inconvenient truth that he referred to is that this Rube Goldberg scheme that has been hatched will certainly help certain special economic interests and certain political interests will be served for sure, but it will be devastating for American workers at a time they are already hurting. I don't see how we can justify this.

Are we supposed to tell the American people that they are to accept declining wages for another 10 years? How can that be the policy of the Congress of the United States? How can we tell the American person, at a time when

unemployment is way too high, that we are going to pass a bill that makes unemployment higher? How can we tell them the on-budget deficit is going to be increased? Am I hearing this correctly?

To the public I would ask: Can you, the American people, afford that? Can you sustain declining wages for another 10 years? Do you want your Congress to pass a law that will reduce your wages that would increase unemployment?

What about after that? Because of the sustained downward pressure on wages, American wages 20 years from now will still be lower than they would have been had the legislation not passed, and, particularly, as I indicated, it falls on the lower wage people who are falling further behind. The impact of the 1,000-page immigration legislation that is before us today, experts tell us, will fall more heavily on the poorer people and cause them to fall even further behind.

The working people in this country are going to get hammered by this legislation. We need to be passing laws that help them get jobs, help them add higher wages, help them have better benefits and more full-time jobs, not fewer full-time jobs.

I don't see how we owe loyalty to Mr. Zuckerberg, the Facebook billionaire who is running ads telling us what we are supposed to do. Does he know real people who are suffering out there? He doesn't impress me. He claims there is some convention of conservatives running this advertisement. I am not aware that Mr. Zuckerberg is a conservative. Do we all owe our loyalty to him because he brilliantly produced Facebook or do we owe our loyalty to the working men and women who vote for us, who fight our wars, pay our taxes, and serve our country?

I suspect that if Mr. Zuckerberg were to post job openings tonight on Facebook, put out his salaries, what he wants to pay, he would find there might be plenty of Americans who want to take these jobs. I suspect so. I would ask him to do so. Put on your website what kind of qualifications, what kind of salaries you will pay, and let's see if we do not have more applications than you suggest exist out there.

We know we have college graduates in large numbers in STEM fields also having a hard time finding work. We know that is a fact. We have senior engineers and scientists and computer people who would like to go to work too. Maybe they have been laid off. Maybe there has been downsizing. They have experience. Are they not to be considered? We have to bring people in through some of these work programs for a period of time to take the jobs.

A good immigration plan can work. We may need to bring in some workers. We certainly need seasonal workers whom we can bring into America if we do it right, and we need a guest worker program. I support that. I support the million people a year who are admitted into our country who work here every year. But this is a huge increase. The guest worker program will double under this legislation.

I am afraid we are not serving the legitimate interests of the American working men and women—immigrant, native born, Black, Asian, White, Hispanic—who are here today, struggling today. Are we serving them if we bring in more people than the economy can absorb? We can see that will pull down their wages and make it hard for them to have a job.

An author in the National Review wrote recently—I think this is very wise and insightful:

We are a nation with an economy, not an economy with a nation.

What that means to me is that we represent people, human beings, and we have an obligation to help them make their lives better and not to make their lives tougher. It seems to me we have such a pell-mell rush for amnesty that we have not seen the enforcement, we have agreed to too much legal flow, and we have very little reduction in the illegal flow over the next 10 years, and for that reason the bill should not become law.

That is why the bill is in trouble. That is why we need to be listening to the House. They are having serious hearings, step by step, on this legislation. The first legislation that I have seen them to produce is very good.

We can reform the system. We can make it better. We can have a generous immigration system for America, as we have already had. We can be compassionate toward people who have been here for a long time and not try to deport everybody who has been here and done well but is not legally here. We can do something about that. But we need to be sure that the amount of workers coming in is an amount that can readily be absorbed, that can be assimilated, and we need to be sure that the illegality ends. CBO says it will not under this bill.

AMENDMENT NO. 1208, AS MODIFIED

Mr. President, I ask unanimous consent that the Lee amendment No. 1208 be modified with the changes that are at the desk.

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

The amendment, as modified, is as follows:

(Purpose: To require fast-track congressional approval when the Secretary of Homeland Security notifies Congress of the implementation of the border security strategies and certifies that the strategies are substantially operational)

On page 856, lines 1 and 2, strike ''the Secretary has submitted to Congress'' and insert ''Congress has approved, using the fast-track procedures set forth in paragraph (3), the contents of''.

On page 856, strike lines 19 through 22, and insert the following: ''Congress has ratified, using the fast-track procedures set forth in paragraph (3), the written certification submitted by the Secretary to the President and Congress, after consultation with the Comptroller of the United States, that—''.

On page 858, between lines 10 and 11, insert the following:

(3) FAST-TRACK PROCEDURES.—

(A) IN GENERAL.—Not later than 30 days after receiving a submission from the Secretary under paragraph (1) or (2), the Senate and the House of Representatives shall vote to determine whether the action taken by the Secretary meets the requirements set forth in such paragraphs that are required before applications may be processed by the Secretary for registered provisional immigrant status or adjustment of status under section 245B or 245C, respectively, of the Immigration and Nationality Act, as added by sections 2101 and 2102.

(B) REFERRAL TO COMMITTEE.—The question described in subparagraph (A) may not be referred to any congressional committee.

(C) AMENDMENTS.—The question described in subparagraph (A) may not be subject to amendment in the Senate or in the House of Representatives.

(D) MAJORITY VOTE.—The question described in subparagraph (A) shall be subject to a vote threshold of a majority of all members of each House duly chosen and sworn.

(E) PRESIDENTIAL SIGNATURE.—The congressional approval and ratification required under paragraphs (1) and (2) shall not be completed until after it has received the signature of the President.

Mr. SESSIONS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1268

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1268, offered by the Senator from West Virginia, Mr. MANCHIN.

Mr. MANCHIN. Mr. President, I rise today to speak to an important amendment to S. 744, the immigration bill now before us. My amendment would cap compensation for private contractors employed for border security at $230,700 a year. That is the same cap we now have on nonelected civilian employees of the Federal Government.

I am offering this amendment because over the last couple of decades the United States has increasingly relied on private contractors to do the work that the men and women in our armed services used to do, and they are getting exorbitant salaries to do it—in some cases, up to $763,000 a year. That is almost twice the salary of the President of the United States, and it is almost four times the salary of the Secretary of Defense or Homeland Security. If we do nothing, that will soon rise to $951,000 a year.

With the war in Afghanistan winding down, defense contractors are looking for new opportunities, and border security is at the top of their list. The New York Times said that some of them will demonstrate military-grade surveillance equipment this summer in an effort to get homeland security contracts worth billions of dollars.

I urge that this amendment be adopted. It caps it at $230,000 across the board for all civilian employees.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, the subcommittee, of which I was not a member, gave a lot of thought to this. Their number reduced by half the amount that could be charged. I think it is somewhat higher than in the amendment of Senator MANCHIN, but it went from—it could have been $900,000 a year and I believe they cut it to under $500,000 a year. The Committee on Armed Services discussed it. I believe the Manchin amendment did not pass. I supported the subcommittee's mark on that. I think they have come to a reasonable number. You are asking top executives maybe to move across the country to lead an engineering project, and maybe that is the right figure.

But I respect the interest of the Senator, and I understand the effort behind his amendment.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to amendment No. 1268.

Mr. MANCHIN. 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 assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

The PRESIDING OFFICER (Mr. BLUMENTHAL). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 155 Leg.]

YEAS—72

Alexander	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Moran
Baucus	Grassley	Murkowski
Begich	Hagan	Murphy
Bennet	Harkin	Murray
Blumenthal	Heinrich	Nelson
Boozman	Heitkamp	Pryor
Boxer	Heller	Reed
Brown	Hirono	Reid
Cantwell	Hoeven	Roberts
Cardin	Isakson	Rockefeller
Casey	Johanns	Sanders
Chambliss	Johnson (SD)	Schatz
Coats	King	Schumer
Collins	Kirk	Shaheen
Coons	Klobuchar	Stabenow
Corker	Landrieu	Tester
Cornyn	Leahy	Thune
Cowan	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wyden

NAYS—26

Ayotte	Carper	Crapo
Blunt	Coburn	Cruz
Burr	Cochran	Fischer
Graham	McCain	Shelby
Hatch	Paul	Toomey
Inhofe	Portman	Vitter
Johnson (WI)	Rubio	Warner
Kaine	Scott	Wicker
Lee	Sessions	

NOT VOTING—2

Chiesa	Risch

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

AMENDMENT NO. 1208, AS MODIFIED

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1208 offered by the Senator from Utah, Mr. LEE.

The Senator from Utah.

Mr. LEE. Mr. President, this amendment, if enacted, would require fast-track congressional approval at the introduction of the Department of Homeland Security strategies before the award of registered provisional immigrant—or RPI—status begins and at the certification of the strategy's completion before those receiving RPI status become eligible for green cards.

The basic point of this amendment is that we have a trigger that needs to signal that it is OK to open the RPI process, the process by which illegal aliens will be legalized first and then eventually made citizens. Somebody needs to signal that it is OK to pull that trigger, that it is OK to proceed. I think that decision needs to be made right here in the U.S. Congress.

This would occur pursuant to a fast-track plan of no more than 30 days. It would not be subject to a filibuster; it would be subject only to a 51-vote threshold. We should pass this amendment and we should move forward.

For these reasons, I strongly urge my colleagues to support this amendment, to preserve the right of the people to be heard. If we cut out Congress, we are cutting out the right of the American people to be heard on this issue and the right of the American people to decide when and under what circumstances it is OK to continue the pathway to citizenship.

For this reason, I urge my colleagues to support this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I oppose this amendment because it would significantly delay even the initial registration process.

I have said the pathway to citizenship should not be a false promise. We either make the promise or we don't. It should be attainable, not something that is always over the next mountain.

The drafters worked long and hard to reach a bipartisan agreement. Similar efforts to this were defeated on a bipartisan basis in the Judiciary Committee's consideration because we did not want to make the legalization program inappropriately subject to partisan disputes.

This amendment would simply remove a real promise of citizenship. I oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1208, as modified.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 39, nays 59, as follows:

[Rollcall Vote No. 156 Leg.]

YEAS—39

Alexander	Cruz	Lee
Ayotte	Enzi	McConnell
Barrasso	Fischer	Moran
Blunt	Grassley	Paul
Boozman	Hagan	Portman
Burr	Hatch	Roberts
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Johnson (WI)	Vitter
Crapo	Kirk	Wicker

NAYS—59

Baldwin	Graham	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Rubio
Cantwell	King	Sanders
Cardin	Klobuchar	Schatz
Carper	Landrieu	Schumer
Casey	Leahy	Shaheen
Collins	Levin	Stabenow
Coons	Manchin	Tester
Cowan	McCain	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Flake	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NOT VOTING—2

Chiesa	Risch

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1298

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1298, offered by the Senator from Arkansas, Mr. PRYOR.

The Senator from Arkansas.

Mr. PRYOR. Mr. President, this is amendment No. 1298. It is the Pryor-Johanns amendment. I think the good news here is we have agreed to a voice vote. But basically what this amendment does is it requires the Department of Homeland Security, as they are doing their hiring to beef up the border, to hire veterans of our Armed Services.

This is a win-win all the way around. Our vets have, as we know, a higher unemployment rate, but also they happen

to be the best trained, the most disciplined. They have that can-do spirit. They are familiar with the equipment and they make great employees, as many of us know who hire veterans. We also know our veterans know how to complete a mission.

So with that, Mr. President, I wish to yield the floor to Senator JOHANNS.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, very briefly, I thank Senator PRYOR for bringing this amendment forward. I very proudly support it and concur that it can be voice voted.

Thank you, Mr. President.

The PRESIDING OFFICER. Is there anyone who expresses opposition?

The Senator from Arkansas.

Mr. PRYOR. Mr. President, I understand we are able to dispose of this amendment with a voice vote, so I ask unanimous consent that the 60-affirmative-vote threshold be waived on the Pryor amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on adoption of amendment No. 1298.

The amendment (No. 1298) was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1227

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1227, offered by the Senator from Nevada, Mr. HELLER.

The Senator from Nevada.

Mr. HELLER. Mr. President, as I said in my remarks this morning, I hope this commission is never required because if it is, it means the border still is not secure 5 years down the road. If that is the case, then the commission will need to be fully representative of the concerns and recommendations of all the States in the southwestern region that are affected by our broken immigration system.

Should DHS fail to gain control of the borders, and should it be necessary to form a commission to ensure we achieve that objective, it makes no sense to exclude Nevada's perspective and recommendations. My State's unique location and growing immigrant population leave it highly vulnerable to our Nation's flawed immigration system.

I urge my colleagues to support this commonsense amendment.

Mr. President, I yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Who yields time in opposition?

Mr. REID. I yield it back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 1227.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Jersey (Mr. CHIESA) and the Senator from Idaho (Mr. RISCH).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 9, as follows:

[Rollcall Vote No. 157 Leg.]

YEAS—89

Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Pryor
Blunt	Heitkamp	Reed
Boozman	Heller	Reid
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Kaine	Shaheen
Chambliss	King	Shelby
Coburn	Kirk	Stabenow
Cochran	Klobuchar	Tester
Coons	Landrieu	Thune
Corker	Leahy	Toomey
Cornyn	Levin	Udall (CO)
Cowan	Manchin	Udall (NM)
Crapo	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wicker
Flake	Mikulski	Wyden
Franken	Moran	

NAYS—9

Barrasso	Cruz	Lee
Coats	Enzi	Scott
Collins	Johnson (WI)	Sessions

NOT VOTING—2

Chiesa	Risch

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The majority leader.

Mr. REID. For the information of all Senators, following the disposition of the Merkley amendment, the Senate will consider the Froman nomination.

AMENDMENT NO. 1237, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to the amendment No. 1237, as modified, offered by the Senator from Oregon.

The Senator from Oregon.

Mr. MERKLEY. Let me take you back in time to 2009 and 2010. The housing market had collapsed, sawmills had shut down across our Nation, and thousands of loggers and sawmill workers were out of work. You can imagine how outraged those unemployed loggers were when they found out that government contracts had been let for logging but the contracts were going to go to employees from Mexico. That is the type of bypass that completely disturbs the fabric of our immigration system. It undercut the success of thousands of rural families across this Nation.

This amendment has a simple fix. It says that jobs have to be appropriately advertised so that our loggers will know how to apply. That is it. It will work for rural America. It will work for the forest industry. It will work for our loggers.

Mr. President, I understand that we are able to dispose of this amendment with a voice vote. I ask unanimous consent that the 60-vote affirmative threshold be waived under the Merkley amendment, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 1237), as modified was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I apologize to everyone for not mentioning this before. We are very close to coming up with an agreement that the managers have developed, along with our able staff, to have a series of amendments in order. As things are now contemplated, we would debate those tonight and in the morning and have some votes starting at 2:15. Hopefully tonight and in the morning we will add to what we are going to agree to later so that we would have even more amendments. It is my understanding that there is already contemplation of some important work in the morning.

In short, I don't think we will have any more votes tonight after this one we are going to take on the Froman nomination. We are going to have a consent agreement to put a number of amendments in order and start those. There are four or five—I don't remember the exact number. We will start those votes at 2:15 and continue working on this important legislation.

EXECUTIVE SESSION

NOMINATION OF MICHAEL FROMAN TO BE UNITED STATES TRADE REPRESENTATIVE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Michael Froman, of New York, to be United States Trade Representative.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form.

The Senator from Montana.

Mr. BAUCUS. Mr. President, the Finance Committee reported out the nomination of Michael Froman to be USTR unanimously. It is rare that I speak so highly of somebody. I can think of many top administration officials who are very good. Michael Froman will be another. He is very smart, and he is very tough. He is the right person for the job as the United States begins to negotiate trade agreements with Asia, the so-called TPP, as well as the trade agreement with the Europeans. Our economic future is tied to economic growth tied to trade.

I strongly urge my colleagues to vote for Michael Froman. Give him a big vote so that when he goes to Geneva and when he goes to other parts of the world to negotiate trade agreements, the world will know he has our strong support. Michael Froman is a great man, and I hope very much that he gets that vote where everybody votes for him. He is a good man.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Ms. WARREN. I agree with Senator BAUCUS that trade issues are powerfully important to our economy. They involve public policy issues that range from jobs to the Internet.

Many people are interested in following our trade policies, and they need to have enough information to be able to offer real input into the process. I think the Trade Representative needs to be committed to transparency and democracy.

Last week I asked Mr. Froman if he would commit to making public the bracketed text for the Trans-Pacific Partnership. I asked him to provide more information about what trade advisers were receiving what information. Each request that I made about a commitment to public revealing information, he answered with a no.

So I rise to repeat my opposition to Mr. Froman's nomination as the next U.S. Trade Representative. We need a new direction from the Trade Representative—a direction that prioritizes transparency and public debate.

I urge a ''no'' vote.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in support of the nomination of Michael Froman to be the next U.S. Trade Representative.

Right now, there is a leadership vacuum in this country when it comes to international trade. That is especially true at the Office of the U.S. Trade Representative.

A recent study by the Office of Personnel Management, which survey's employee satisfaction at executive branch agencies, found that USTR ranks near the bottom among small agencies in almost every category, including effective leadership.

Unfortunately, this is not a new trend—the agency has been in steady decline since 2009.

This is due both to a lack of real leadership and the fact that, with Trade Promotion Authority expired, our trade negotiators don't have the tools needed to do their job. To date, there has been no real effort by President Obama to secure TPA renewal.

While I was pleased that President Obama announced this week that the United States and the European Union will soon begin formal negotiations on a trade agreement, I was surprised and dismayed that the President did not even mention TPA once in his remarks.

This is incredible to me.

It is easy to stand up and make speeches about trade. But real progress won't come by launching initiatives and talking about them. Getting our trade agenda right requires real leadership and the ability to get the agreements negotiated and approved by Congress.

That simply won't happen without TPA.

Members of Congress have fought to fix this problem.

We pushed for a vote on TPA renewal on the Senate floor 21 months ago. Unfortunately, that effort failed, largely due to lack of support from our Senate Democratic colleagues.

To me, this shows that Presidential engagement on TPA renewal is vital. Without the President's active leadership and public support for TPA, it is hard to see how our current efforts to renew TPA can succeed.

And we must succeed.

Today, 95 percent of the world's customers live outside the U.S. They account for 92 percent of global economic growth and 80 percent of the world's purchasing power.

But the U.S. is falling behind as we fight for access to these markets. We simply cannot afford to sit back while other countries write the rules of trade to the detriment of our workers and our economy.

Throughout the process of confirming Mr. Froman, I have made it clear that I expect the next U.S. Trade Representative to share my commitment to strong intellectual property rights protection and my passionate belief in the need for the U.S. to lead in setting the rules of international trade through renewal of Trade Promotion Authority.

Mr. Froman was unequivocal, during both our confirmation hearing and in subsequent questions for the record, that he shares these goals.

As the ranking member of the Finance Committee, I plan to hold him to his word.

I also hope he will use his close relationship with the President to convince him that strong and vocal Presidential leadership on TPA will be critical to getting it done.

I plan to do all I can to help support a positive, pro-growth trade agenda.

I believe a strong vote in favor of Mr. Froman to be our next U.S. Trade Representative will be a good first step.

I have seen a lot of people come and go in this position. I can say this: I have every confidence this man is going to be an excellent leader in the position he has accepted. I hope everybody on this floor will vote for him. He is for the trade promotion authority, which any President would want because it makes it easier to approve these free-trade agreements and other agreements that really are in the best interests our country.

This man is competent, and he is highly qualified. He doesn't share my philosophy particularly, but I think he does with regard to this position. I have every confidence in him, and I hope everybody who can will vote for him.

Mr. BAUCUS. Mr. President, is there any time remaining?

The PRESIDING OFFICER. The Senator from Montana.

There is no time remaining.

Mr. BAUCUS. I would ask for 10 or 15 seconds.

The PRESIDING OFFICER. Without objection, so ordered.

The Senator from Montana.

Mr. BAUCUS. I would say to my good friend from Massachusetts that if she will work with us, we will work with Mr. Froman to make sure he answers all of our questions.

I plan to work with the Senator to get answers to the questions. I was unaware of this problem until the Senator just mentioned it.

Ms. WARREN. May I be heard for 10 seconds?

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

Ms. WARREN. I have no doubt that Mr. Froman will be a highly qualified Trade Representative. There is a point of principle at stake here, and that point of principle is that we should not be moving forward on trade agreements without making more of this information public. This is what this is about. Without that, I urge a ''no'' vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Michael Froman to be United States Trade Representative?

Mr. VITTER. Mr. President, 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 assistant bill clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''yea.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 4, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—93

Alexander	Fischer	Mikulski
Ayotte	Flake	Moran
Baldwin	Franken	Murkowski
Barrasso	Gillibrand	Murphy
Baucus	Graham	Murray
Begich	Grassley	Nelson
Bennet	Hagan	Paul
Blumenthal	Harkin	Portman
Blunt	Hatch	Pryor
Boozman	Heinrich	Reed
Brown	Heitkamp	Reid
Burr	Heller	Roberts
Cantwell	Hirono	Rockefeller
Cardin	Hoeven	Rubio
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Chambliss	Johanns	Scott
Coats	Johnson (SD)	Sessions
Coburn	Johnson (WI)	Shaheen
Cochran	Kaine	Shelby
Collins	King	Stabenow
Coons	Kirk	Tester
Corker	Klobuchar	Thune
Cornyn	Landrieu	Toomey
Cowan	Leahy	Udall (CO)
Crapo	Lee	Udall (NM)
Cruz	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Whitehouse
Enzi	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—4

Levin	Sanders
Manchin	Warren

ANSWERED ''PRESENT''—1

Boxer

NOT VOTING—2

Chiesa	Risch

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am not going to ask unanimous consent to call up any amendments or to have any votes or anything, so everybody can relax. But I do want to speak for a minute about the process we are in.

We have now been considering a major piece of legislation for weeks. The chairman and the ranking member of the committee did a masterful job. Even though there are some people still against the bill, there are people for the bill, we are not exactly sure how it is going to come out, but I want to say Senator LEAHY and Senator SESSIONS—but Senator LEAHY particularly, as the chair—could not have done a better job getting the bill printed, printing all of the amendments, staying here through the night, letting the members of the committee have a lot of time to debate the bill, to amend the bill. The committee did a very good job.

I am planning to vote for the bill. I have not kept that a secret or said anything to the contrary. Of course the amendment process is important. I cannot make that commitment until we see it. If an amendment gets on this bill that undermines some of the important principles, I might have to change my mind. I don't think that is going to happen.

But there is the problem and this is why I am going to stay on the floor until, hopefully, something can be worked out. I am not on the committee. Most of the people on this floor are not on the committee. The committee is representative of a minority group of Republicans and Democrats. The majority of us do not serve on the Judiciary Committee. While we were interested and worked with our friends who are on the committee to suggest important changes that would improve the bill or correct the bill or fix the bill or save money, we were not on the committee to do it. That is the process. I am not complaining about that.

What I am complaining about is when it gets to the floor, you would think the process would allow amendments to be debated so Members such as myself—I serve as chair of the Homeland Security Appropriations Committee. I am not a distant third party to this debate. My whole budget funds this bill. This is what I spend good bit of my time on. The people in my State and constituencies I represent have a lot of interest in this bill. I am not a Johnny-come-lately to this issue. I have things I want to say about it. I wish to have some amendments talked about and voted on. If people want to vote them down, fine. If they want to vote for them, fine. If they want to have 50 votes, fine. If they want to have 60 votes—I just want a chance to talk about my amendment, so I am going to do so right now.

I also want to say there are some amendments—I have a short list of eight or so. Some of them are quite minor. One or two are fairly significant and might need a debate. But part of my group of amendments is completely, to my knowledge, unopposed by anyone. I have Senator COATS as a cosponsor. I have worked openly. I filed amendments, the text of which have been out there for days now. Senator COATS, who is my ranking member—we try to work together in a bipartisan fashion. He has cosponsored several of these amendments.

What I am strongly suggesting is the staff and the leadership managing this bill try to identify, of the amendments that have been filed, those that are noncontroversial, that everyone would agree to. I think there are probably 20 or 30 such amendments. They do not change the underlying agreement. They do not spend any additional money. They fix or modify or improve sections of the bill. That is our job. That is what we are supposed to do. That is the legislative process.

You know what. If it were not meant to be that way, we should have a rule that says the bill goes to committee and then it doesn't even come to the Senate floor, then it goes over to the House of Representatives, and their committee works on it and they send it to the President.

But that is not what our laws say. Our laws say we should have some debate on the Senate floor.

I have also been here long enough to realize the leadership is trying its best and there are some amendments that are very controversial. I am not new to the Senate. Fine. But what I am talking about is when we get on a major bill such as this and Members work hard to build support and to get bipartisan support, our amendments that are noncontroversial should go first and then controversial amendments could go last.

But that is not what happens around here. What happens around here is the guys who cause all the trouble all the time on every bill—I don't want to name their names because it is not appropriate—but there is a group on the other side, and a few maybe on our side, who are never happy with anything so they file tons of amendments and we spend all of our time worrying about their amendments. Those of us who spend a lot of our time building bipartisan support, who offer amendments that have no opposition, actually never get to those amendments.

This is sad. I basically have had enough. I have tried to be patient all week. I have come every day and said: Are any of these amendments going to get in the queue? That is not the way we are working right now. We are taking the worst amendments, the most controversial amendments, the guys who cause trouble on every single bill, and give them votes on their amendments. Some of them have been defeated 99 to 1, and then everybody gets tired and aggravated and everybody says we are tired, we are aggravated, we are calling cloture. And do you know what happens when cloture is called. All amendments that are not pending, even ones that no one opposes, that could actually help a human being—imagine that, an amendment that actually could help someone—crumble up on the Senate floor and everybody goes home and says, well, that was a wonderful debate.

I am just venting here, but I am saying this is one Senator who is tired of it. More important, my constituents are tired of it. It is not about me, it is about them. They look at this and they say why can't you get that amendment passed? There is no opposition to it. It is good. We have worked on it. It would help.

That is a good question, and I have to say ''I have no idea.''

We have voted on all kinds of amendments that are controversial, that are

very high-level kind of message amendments. When the authors offer them or sponsor them, they know they are never going to pass but they are looking for a headline.

I am not looking for any headline. I don't care if any reporter writes about these amendments. But I happen to know some things in this bill. As chair of the Small Business Committee, I have had some hearings myself—amazing, that other committees actually have hearings. I have had hearings and have had dozens of small business owners say to me as chair of the Small Business Committee: Look, Senator, we are not getting any attention here because everybody is talking about all sorts of things such as the fence, the border, this and that. Could anybody pay attention to the 7 million small businesses that are going to have to abide by this E-Verify? By the way, we like the program, we are for the program, but we have some suggestions to make it better.

Some of that happened in the Judiciary Committee, but the Judiciary Committee is not the Small Business Committee. I have excellent members on my committee and they have a voice, and this is an amendment many of them support that I do not think the Judiciary Committee—either the Republicans or the Democrats—opposes. The small business community is for it. I don't know what to say other than I can't even get in the queue, I cannot even get on the list to be considered.

Then I have a small group of amendments, because—you know, I am happy to do it and I do it joyfully—I am the chair of the Adoption Caucus. You, Mr. President, have been wonderful. Senator KLOBUCHAR has been wonderful. Orphans do not have lobbyists. I am not sorry, they just don't. They don't have any money to pay lobbyists. Through all the good people who volunteer to represent them, they come to my office, they ask for help. I try to do my best. I don't always succeed, but I try.

AMY KLOBUCHAR and I, because she is a Senator who has also been terrific about this, with others, not just myself—we have some amendments that have nothing to do with the English language or any language, the fence, any money, anything, just a few technical corrections that could help some American families trying to adopt.

I was able to get one of my adoption amendments up. I thank Senator LEAHY. But we have four or five. I am not trying to be hoggish about it, but they are not controversial. I have 15 amendments that are noncontroversial—maybe I am making that up, maybe there is an opponent—I can't get that discussed. But only people who have controversial amendments with no chance of passing them, only people who want headlines in newspapers, only people who have amendments nobody over here is going to vote for, get to talk about it and the rest of us who work hard and get bipartisanship and present amendments that could actually help the bill, make the country stronger—we never get to talk.

I am going to stay on the floor and object until I get an answer for that question: Why is it that people who play by the rules, Senators who work across the aisle, who work hard to build bipartisan support, who work hard to get amendments that do not cost any money, that will not really cause too much trouble—why do our amendments get the last consideration?

I think it has ramifications for the way the Senate operates. Then it is like behavior: The better behaved you are, the quieter you are, the more team player you are, you don't get anything. The only way you get something is to become obnoxious and to get your amendments that have no bipartisan support, those who have amendments that cost a gazillion dollars or take away a gazillion dollars. That is not encouraging good behavior on the Senate floor.

I want to be a good team player. The people I represent want this body to work. We want bipartisan solutions to real problems, and even people who do not have lobbyists and even people who do not have a lot of money deserve time on the Senate floor. And I intend to provide it to orphans whom I support to try to help, and to the parents who are adopting kids and don't ask for much but do ask: Could the Senator from Louisiana please have an amendment that nobody opposes to help us and our kids?

I am going to stand here and support the small businesses that get overlooked all the time. They are not asking for much. They like the E-Verify Program. I thought they had a few very positive suggestions, so I thought I would put them in an amendment and offer it. Silly me. Then this EB–5 reporting is one of the worst run programs in the government, and everyone acknowledges that. Everyone knows it is not working, so the committee does a good job to fix it. But my staff and I worked pretty hard.

We are very close with those who work on immigration, and we talked with them about some perfecting amendments. But, silly me, to think we could make any improvements to the underlying bill on the EB–5 program which could create millions of jobs in Louisiana, Texas, the gulf coast—which is the area I pay the most attention to—California, New York, Rhode Island, and other places.

I am going to sit here—I know other Senators may want to talk, but sorry. Until I get some answers about some of our amendments, not just mine but other amendments. There are Republican and Democratic amendments that are not controversial and are cleared on all fronts. I want those amendments to go first, and then we can say congratulations to the Members who worked hard to minimize opposition and to write their amendments in a way that people could be supportive. That is what Senators are supposed to do.

We have turned from a Senate to a theater, and I am tired of being part of a theater. If I wanted to be part of a theater, I would have gone to New York. Not that anybody would have put me on the stage because I can't sing or dance, but I don't want to. I want to lead, but it is getting very difficult in this place to do any leadership. So I am just going to sit here until maybe somebody who is a leader around here can come talk to us about what we are going to do with amendments on an immigration bill that is controversial, the bill itself—let me not understate that.

There will be people who don't want to vote for this bill no matter what shape it is in. I am not one of them. I want to know the answer to my question: How many amendments of the 140 pending are noncontroversial that Republicans and Democrats will agree to? That is my question, and I would like an answer.

My second question is, When could we possibly vote on those amendments before cloture is called? Cloture is going to be called on this bill, and the reason is because we cannot get a lot of cooperation. So what will happen is all these noncontroversial amendments will fall by the wayside, and what a shame. I am just tired of it.

It is the same group around here that causes all the trouble, and the rest of us try to be supportive, try to go along, try to work in a bipartisan way, and we get shut out. I have had enough, and the people I represent have said: We are finished.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. First, over the last few moments I had a chance to listen to the Senator from Louisiana. I just want to applaud the tenacity with which she approaches her duties in this Chamber. She is a terrific colleague. When there is something she thinks is the right thing to do, she will fight very hard to get that done.

I am here to say a word in support of the bipartisan immigration legislation we are looking at. In the months that led up to this debate, I have met with people across Rhode Island to discuss our pressing need for national immigration reform. Rhode Island, like Connecticut—perhaps even more than Connecticut—is a State with a proud tradition of immigration, and our many immigrant communities make our State stronger and more vibrant.

I have heard from leaders of our Latino communities which are the fastest growing share of our State's population and workforce. I have heard from leaders of my State's other immigrant communities, particularly including members of our Liberian community, many of whom fled civil war in their home country but are unable to fully participate in the American

dream because of the uncertainty of their immigration status. I have heard from leaders in Rhode Island's technology industry who often have trouble recruiting talented employees they want to hire to fill a specific need, but the people they are looking for cannot obtain a timely green card. I met with men and women who are struggling to find work after losing their jobs to temporary foreign workers.

From all of those stories, one message comes through loudly and clearly: Our immigration system is broken. There are 11 million people living in the shadows. These are people who want to work to support their families and contribute to our communities. Eligible, legal immigrants can wait years, even decades to gain entry to this country. Then we educate the best and brightest from around the world, but too often we tell them they cannot remain in this country after they graduate.

The bill before us offers a bipartisan solution to these problems. It provides a pathway to citizenship for the undocumented immigrants already in this country, including the DREAMers, the children who were brought here at an early age and who are American already in every meaningful sense of the word.

The pathway that is created by this bill is tough, but it is fair. It prevents dangerous criminals from becoming citizens. It requires undocumented immigrants to pay a fine, to learn English, and to work. But for the vast majority of undocumented immigrants in our Nation, it offers a way out of the shadows. That is why, as this debate continues, we should reject amendments that would place further obstacles in that path to citizenship.

This bill also significantly improves the security of our southern border—a border that is already more secure than at any time in our Nation's history. Under President Obama, the number of Border Patrol agents has nearly doubled. Border crossings are down. This bill will build on these successes by giving the Department of Homeland Security tools to further strengthen border enforcement. This bill makes real improvements to our legal immigration system. It will allow spouses and children of permanent residents to come to this country without unnecessary delay.

I recently heard a heartbreaking story from a woman in Cranston, RI, who told me her husband might be forced to return to his native country while he waits for up to 2 years to receive a green card—leaving her at home alone for those 2 years to care for her disabled child.

This bill will also make our Nation more competitive by helping us to attract the best and brightest from around the world. Two years ago I met with a talented young man named Love Sarin who studied for his doctorate at Brown University and then founded a company in Providence that developed technology to help protect communities from the harm of mercury exposure. But when he applied for a green card, he was denied even though he had been educated at one of our universities, was creating jobs in our country, and was helping to protect our health and environment.

More recently, I received a letter from Charles in East Providence who says this issue is ''close to [his] heart,'' and it is. His girlfriend just finished her second master's degree program at Johnson and Wales University. But unless she finds an employer willing to sponsor her for a visa, she may have to return to her native China. ''These young people want to stay here and want to succeed,'' Charles wrote.

This bill will allow more talented individuals in the sciences and other fields to stay here and contribute to our economy. Let me compliment the eight sponsors of this legislation for their tireless efforts to find a reasonable middle ground. This bill is a compromise. No one can say they got everything they wanted, but on balance this bill is our best opportunity to fix our Nation's broken immigration system. It is our best opportunity in years.

As we now know, this bill will reduce our deficit by nearly $900 billion over the next 20 years.

Let me also compliment our Judiciary Chairman Senator LEAHY for his leadership in getting us to this point. The markup of this legislation by Chairman LEAHY's committee was thorough, fair, and transparent. The committee adopted 141 amendments—nearly all of them on a bipartisan basis—and the bill is stronger and better today than when it was introduced.

I was proud that three of my amendments were adopted, all of them unanimously, by the committee. My first amendment provided both American workers and workers on H–1B visas with a way of reporting H–1B program violations. At my community dinners back home, I heard stories of Rhode Island workers who were replaced by foreign workers on H–1B visas. One day they are at work, the next day they are gone, and a foreign worker is doing their job. Some were even forced to train their replacements.

These workers had nowhere to turn. My amendment creates a Department of Labor toll-free hotline and a Web site for American and foreign workers to report possible violations of H–1B visa rules and an inspector general audit.

My second amendment expands the bill's INVEST visa, which is issued to qualified foreign-born entrepreneurs so they can come and create businesses in the United States. My amendment added funding from startup accelerators to the INVEST Program criteria.

As many of my colleagues know, startup accelerators help entrepreneurs get off the ground by providing training, support, and often initial funding. In Providence, one such accelerator called Betaspring has helped launch 57 different companies, creating jobs in our State and across the country. So they will now benefit from the INVEST visa.

I also offered an amendment to allow scientists and researchers with unique skills who wish to serve our country by working in our prestigious National Laboratories to obtain citizenship on an expedited basis provided they pass the necessary rigorous background checks.

I want to thank my colleagues on the Judiciary Committee for working with me to include these important provisions on a bipartisan basis. I do believe further improvements can be made on the floor, and I intend to offer several more amendments during this debate.

I am working on two amendments that would leverage our immigration laws to strengthen our Nation's cyber security. One amendment would set aside some entry visas for potential witnesses in investigations and prosecutions of cyber crime. We allow visas to those who help our law enforcement agencies to bring cases against those who are hacking us and trying to steal our intellectual property and potentially even sabotaging our critical infrastructure. Another amendment would ensure that enablers and beneficiaries of hackers who steal our American intellectual property do not benefit from our immigration system. It would allow our government to designate entities and individuals who are associated with criminal hackers and say: Forget it. If you are involved in supporting criminal hacking of our cyber networks, you are not getting a visa. Your employees are not getting visas, and your organizations cannot support visa applications.

I also intend to offer an amendment relating to the E-Verify system, clarifying that employers need not reverify the authorization of workers retaining the same position under the new employers. As new companies take over existing service contracts, workers in certain low-skilled positions can find themselves working for dozens of employers over their careers without ever changing their job. They are not changing their job, the employers are changing, and they should not have to reverify every time. That is a needless burden on both the employer and the employee.

In addition, I filed an amendment to close what is referred to as the terror gap. Right now, believe it or not, nothing in our laws prevents a suspected terrorist from legally purchasing a firearm even if a background check reveals he is on the terrorist watch list. My amendment would give the Attorney General the authority to prohibit the transfer of firearms to suspected terrorists on the terrorist watch list. That seems like common sense, and this amendment was based on legislation introduced by our late colleague, Senator Frank Lautenberg. I am very aware of his presence as I stand here

because with his departure, his desk moved over to the other side of the aisle, and my desk moved into his space. So now I am actually standing in Frank's spot.

Frank was a tireless advocate for protecting our communities from the scourge of gun violence. I know as Democrats and Republicans we are divided on gun issues. But if there is a gun issue we ought to be able to come together on, it is that the people who are on the terrorist watch list should not be able to buy firearms legally in this country. I hope we can at least agree on that.

Finally, Chairman LEAHY has also put forward an important and worthy amendment that would provide for the equal treatment of all families under our immigration laws. I was extremely proud to stand with Rhode Island's Governor Lincoln Chafee last month as he signed into law legislation making Rhode Island the 10th State in the country to provide for marriage equality. It is time that our immigration system catches up with States such as Rhode Island, and I was pleased to vote for this amendment in the committee.

I will say I also understand and appreciate and indeed honor the position the group of Senators who put this bill together have taken, that they need to vote to protect their bill and their agreement. So on our side, Senator SCHUMER, Senator DURBIN, Senator BENNET, and Senator MENENDEZ may have to take positions to make sure this bill goes forward and passes, and I wish to be on record as saying that I may vote differently than they do, but I certainly appreciate the position they are in, and I think it is honorable on their part to stick with the deal they have agreed to and to work hard to make sure this immigration bill passes.

Chairman LEAHY, the chairman of our committee, has worked for years to ensure that all families are treated fairly under immigration law. I have been very proud to support his efforts. I see no reason why treating all marriages equally should be so controversial, much less a reason for blocking our best hope for comprehensive immigration reform.

I will conclude by saying I look forward to working in earnest with my colleagues toward an immigration system that is worthy of our great Nation. It is time to come together, fix our broken immigration system, and make this a system of which we can be proud. I urge all of my colleagues to join in this important task.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. HEINRICH). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. LANDRIEU. Mr. President, I know the staff is working hard to figure out the best way forward, and there are lots of views about different amendments that may be controversial, but I am going to stay here and work for the next hour or two tonight to see if we can just do one simple thing—just one simple thing: that we can look at the list of all amendments pending and all of those amendments that are noncontroversial—no one objects to anything in the amendment—I would like that list put together. It could be either voice-voted tomorrow or all of those amendments could just get pending and be voted on later. I am not even particular about when the vote would occur or under what circumstances. The leadership can make all of those decisions. But what I would like right now is to stop this operation until we can get the noncontroversial amendments out of the way.

There are Republican amendments that nobody over here objects to. There are Democratic amendments that Republicans don't object to. I think those sponsors—which I would be included in, but I am not the only one—could be rewarded for their good work, for coming up with amendments that nobody is angry about, that people think, oh, that is a good idea; we should do it. Why don't we do those amendments first. Then all the other amendments people have filed for various reasons—some in good fashion. People feel very strongly about them and want to discuss them. They want to have a vote on them. They know it might not pass, but it is important for them to represent that position. I have no problem with that. I understand that.

What I and my constituents don't understand is why we can't take noncontroversial amendments that everyone supports and get those passed.

So until I get an answer to that, I am going to just suggest the absence of a quorum and spend a couple of hours trying to find the answer. Thank you.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. LANDRIEU. Mr. President, in the last few minutes, we have made a little bit of progress. I am doing the best I can to work with both sides of the aisle to simply get a list of amendments that are not controversial. There are approximately 230 amendments pending on the immigration bill. Many of them are controversial, but there are some, potentially as many as 20, maybe even 30 amendments that are pending that are public record, that have been filed, that Members on both sides of the aisle have worked on very hard.

We have known about this debate. Some of us have been following it more closely than others. But I dare to say there is not a Senator as a Member of this body who has not been focused on what our constituents want us to do to either improve this bill or to fight against this bill. You have heard a lot of that debate.

I think this bill will probably pass. But who knows at this point, because there are 200 amendments pending. What I am suggesting as a way forward is to take those amendments that are noncontroversial. Republicans have not come up with their list of noncontroversial yet. The Democrats are very close to coming up with our list of noncontroversial amendments. We think it is about 12 or 15. They can have 12, 15 or 20 or 30 that are noncontroversial. No one on their side objects, no one on our side objects, and they could do some good on this bill in a variety of different ways.

I am suggesting we take those noncontroversial amendments and make them pending and vote on them sometime, anytime, tonight, tomorrow. We can voice vote them all as a package. We can vote them individually. I am not trying to be overly prescriptive. But what I am saying, and I am very serious about this, is my days of working on a major piece of legislation—working your heart out for weeks getting ready for the debate. You are so proud of your amendments. You have worked with the other side. You have Republicans. You have Democrats. You have vetted it with all the different input and organizations. You have worked so hard on your amendment, and then we come to the bill. We cannot discuss any amendments that people have worked hard to work out the problems. We can only discuss the problem amendments.

It is not the right way to legislate. It is not the way the Senate was created. It is not the way Congress should function. It is a disservice to every one of our constituents. There are lots of arrangements and understandings and compromises that go on off this Senate floor. That is what Senators do all day long. I am proud to be a Senator. I work with my colleagues. We work throughout the day, late at night, in meetings, and say, listen, I have this great idea. Oh, I think that is a wonderful idea. It will improve the bill. Can we work on it together?

Our staffs work very hard, spend hours and hours on the phone talking with people, negotiating, only to be told those amendments that people have really worked on and eliminated all opposition by being openminded, thoughtful, and willing to compromise, those amendments go to the back of the line.

Only those amendments that have no chance of passing, that do not have bipartisan support, get to be discussed on the Senate floor. That is not the Senate I signed up for. I am not whining. I am just saying, I am going to use my

power to change the Senate. I am starting right now. I am not doing it anymore.

The people whom I represent are exhausted by it. I am getting exhausted by it. My staff is exhausted by it. It is rewarding very bad behavior. So the worse your amendment is, the more controversial your amendment is, the least likely to get any votes on the other side, you get to go first. The rest, everybody who has done it sort of the old-fashioned way, the way we are supposed to do it, the way we learned about it in school, the way our parents taught us, the way we observe other great Senators, we come and cannot even get in the queue.

Then when you do in this new system of rewarding bad behavior, those of us—and it is a big group of us. It is not just me. It is a very large group and Republicans as well. We get told: All your amendments that are noncontroversial that you have worked so hard to put together, great ideas that are middle of the road and could actually solve some problems of someone out in America, which is why I thought we should come here, to help solve problems, you all only get 1 amendment or you only get 2 amendments because we have 240.

That is not the way it should work. I am not going an inch further, not 1 inch. This is the way it should work. A bill is brought to the floor and everybody files their amendments. Senators work very hard with the other side to try to get amendments that both sides could agree to—because that is a democracy.

Then those amendments get identified, and those amendments go first. All of the other amendments that are message amendments or controversial amendments, they should get votes. I am not saying they should not. I am happy to vote on them. Some of them are tough votes. I have no problem with that. What I have a problem with, and I think if every Senator was honest, they have a problem with it too, are the good amendments, the noncontroversial amendments, the ones that everybody works on, never get a vote. All the bad amendments get the attention and votes.

I do not think that is right. We have to get back to the regular order—not to the regular order. We have to get back. It is not regular order. We have to get back to collegiality and common sense and trust. That is what the Senate is best at. That has been lost. We better find it pretty quickly.

I am going to stay here. We are not going anywhere. We are not going to go to any unanimous consent requests until the list of noncontroversial amendments is produced. The Republicans can produce their list; we produce our list of noncontroversial amendments. Then the leadership can say to me: Senator LANDRIEU, we will voice vote these and everybody will be happy or they can say: Senator LANDRIEU, we have to vote on these individually and we will do that at the end or some time certain—I am fine with that—or they can say: We are going to vote on them individually and they all need 60 votes, even though they have 100 percent of the body. I would be fine. I am not trying to be difficult, but I am trying to be a Senator.

I am trying to say that I, for one, am tired of the bullies on this floor and the small group that thinks that on every single solitary bill they should get the first amendment, the biggest amendment, and we spend all of our time talking about them. It may be important. They are not going to pass. That is OK. I do not even mind that. But what I do mind is, after all of us who try to work in a bipartisan fashion have to listen to this, bill after bill, day after day, then we cannot even get our amendments that are noncontroversial. That is where I draw the line.

Please, do not anybody write: Senator LANDRIEU is on the floor and is pitching a fit because she cannot get her amendment. This is not about my amendment. This is about the Senate. This is about the Senate and noncontroversial amendments which cannot even get on any list. Why? I do not know. Why? Why would that be? How is this possible?

No one objects. I am going to read just a few that we are talking about. Some of them are mine. I know two others that are by AMY KLOBUCHAR. One of mine is amendment No. 1340. It simply reiterates in this bill that everything done with children and families will be done in the best interests of the child. ''Best interests of the child'' is done in every State, in every court.

When we are making decisions about families, it is always in the best interests of the child. It is modern child welfare practice. It will clarify this bill. I do not know of anyone opposing it. You know what. If someone is opposing it, then take it off the list—just take it off the list. I am not even opposed to that.

I do not think anyone is opposing it. But if they do, they just have to call the Democratic cloakroom and say: I do not think we should be making decisions in the best interests of the child. I will take it off the list. But I am not going to lose this amendment because the Senate cannot function.

There is another amendment I have with Senator COATS. We have worked very hard on this amendment. I had a hearing in my committee as chair of the Senate Small Business Committee. Our committee worked very hard, similar to most committees around here. My members are wonderful. I believe that when I call a meeting and they come and we spend hours looking at an issue and we actually all come to an agreement, maybe this is something we could do. It deserves a chance, but not in the system that we have because, again, the amendments that really work are noncontroversial and never get discussed, never get in the queue—only the other ones.

One that Senator COATS and I have is entitled E-Verify Early Adoption for Small Employees or the EEASE Act. We even took the extra time to come up with a creative name because we like legislating. We think that is what we are supposed to do.

The EEASE Act, which is a small amendment to this bill, does three things. I think one of them the small businesses will love: It directs DHS to create a mobile app for E-Verify. Wouldn't that be convenient for small businesses? Picture yourself in your pickup truck out in your field or out in your garage, and someone walks up to you and wants a job. You have a ''For Hire'' sign posted, and the guy comes up to you. He says: Here is my driver's license. Here is my paperwork. The employer picks up their iPhone, hits a button, goes to the app, and it is E-Verify. They know the person is legal, and they hire them for a job. How wonderful would that be? That is one of our amendments.

There is enough money in this bill to do that, but the bill doesn't say that now. Our amendment would say: Make a mobile app for E-Verify. Small businesses don't have time to run back to the farm, try to dial in on the Internet in a rural area, such as the Presiding Officer's, in New Mexico. Not everybody has high-speed Internet. Not everybody can go run back to the farm in the middle of the day, and then when they come back, they are tired. Why don't they just have everybody carry a pocket communication system? That is an amendment. I don't know one single solitary person on this floor who is against it, but we can't even get a vote on it.

This idea came out of a roundtable with 24 representatives of very important small business groups. I tell my committee and I tell people in the Congress that my committee is going to be a voice for small business. Well, that is great. They come up and they talk to me in committee. I hear them. I take what they say, write it in an amendment, and can't get it in the queue even when no one opposes it.

We have another amendment, and this one may be controversial—I don't know. I would be willing, again—if somebody says: We object because it messes up the compromise we have—I would maybe even withdraw this amendment after I spoke about it because I think it is important or I would be happy to get into any queue, any time, any day, to have a vote on it.

This amendment provides an access lane for small business for H–1B visas. It dawned on me after the bill came out of the Judiciary Committee and after we had our roundtable that, yes, we were increasing the number of H–1B visas, which I support and most people who support the bill. It dawned on me and it became apparent to some of the small business advocates that there was no express lane for them. The 7 million small businesses that were—many of them are high-tech companies

that are relatively small, some of them are startups, and 40 percent of all the patents are held by small businesses. It kind of dawned on us maybe about a week ago that maybe we should have been paying more attention, that the H–1B visas might all go to big businesses and maybe we should have an express lane for the 7 million small businesses that don't have a fleet of lawyers and a fleet of human resources people. They are just trying to create jobs in America. How terrible. They are just the ones creating all the new jobs. Could we please maybe help them? I don't think this is controversial. Do you know what. Maybe someone objects to it. Take it off the list.

Senator KLOBUCHAR has two amendments, and I am sure she has been fighting very hard to get them up, like everyone. These amendments have to do with streamlining and removing obstacles for intercountry adoption.

You would have to be walking in your sleep to not understand that we have a problem in intercountry adoption. Guatemala has closed, Vietnam has closed, Russia has closed. Parents have gone to great expense. I have seen them weeping in the halls of Congress, begging their Congressmen, Congresswomen, and Senators to please help them. They were in the process, in the middle of an adoption, they had been matched with a child, and the adoption has been closed. There are sad stories in this world. I wish we could fix every one, but we can't.

This amendment actually would solve the problem for some families—not all but some families who went through the international process—not to help with Russia or Guatemala. I am sorry, we haven't come up with a solution for that.

No one opposes this amendment. It could help hundreds, if not thousands, of families to eliminate one or two more barriers to intercountry adoption. Why would we want to do that? I will say why because I think it is very important and I would imagine 100 Members of the Senate would think it is very important for children to be raised by parents. What a novel, extreme idea that children should actually be with parents or with a responsible, loving adult. Why would the Senate of the United States not spend any time at all eliminating barriers so that children could be with parents? I don't know. I kind of think that is important. I have two children. I am one of nine siblings. My family made a big impact on me to help me to be the leader I am today, so I kind of think that is important.

Senator KLOBUCHAR filed this bill. I am very proud of Minnesota. We are all proud of Minnesota. Minnesota adopts more children per capita internationally than any State in the Union. Minnesota has a very strong ethic when it comes to this. Do we help Minnesota? No. We punish Minnesota by not even allowing an amendment that is noncontroversial. Senator KLOBUCHAR has people in her State who could be helped by this amendment. I am certain there are people in Louisiana who could be helped. There are people in every State from New Mexico to New York. No one is objecting to it, but we cannot get it on the list.

There is an interesting problem with some of these adoptive parents. I spend an awful lot of time with them. I am happy to do it, and they do need champions in Congress, and I am not the only one. Senator BLUNT has been fabulous, Senator COATS has been fabulous, Senator BOOZMAN of Arkansas has been fabulous, Senator SHAHEEN has been terrific, Senator GILLIBRAND, and Senator LEVIN. I mean, literally, you don't hear the Senators talking about it as much as me because I am kind of the chairman. I listen to them, and I try to voice our opinions, but trust me, there are many Members.

These amendments are not controversial, and they will help orphans, and they will help families who are trying to adopt children. Could we get it on the list of noncontroversial amendments?

There is another amendment that I think is noncontroversial, and it has to do with a program that is absolutely dysfunctional today and everyone knows it. It is the EB–5 program. Not only is the program dysfunctional and expensive, it is not being operated correctly, and Judiciary knows this. In their bill, in the underlying bill, they have made some great modifications to the program. That is very good, and that is very good legislating. If this program could operate correctly, efficiently, transparently, and without fraud and corruption, it could create millions of jobs. The last time I checked, there were a few people in Louisiana who need them. This is not a little thing, this is a big thing. There are people in my State who would cut off their right arm for a good-paying job right now. That is true in many parts of this country.

Instead of taking up an amendment that is noncontroversial, that actually could pass, that creates jobs, we can't take up this amendment because we have to take up the amendments that raise the most ruckus, that create the most firestorm, that satisfy the theatrical needs of some Members on the floor. We can't do anything that is kind of boring, noncontroversial, and bipartisan.

This amendment would strengthen the work the Judiciary Committee did. It is amendment No. 1383. I literally do not know anyone who is opposing this.

I am going to read these numbers out because, again, I am not agreeing to unanimous consent for anything until both sides get a list of noncontroversial amendments. Some are amendments Nos. 1338, 1383, 1340, 1261, and 1297. Potentially, there is no opposition to amendment No. 1406, and I think there are some others that might not be controversial, but I haven't completely checked, so I am not going to put them on the list.

Some of these are mine, and some of these are from other Senators. The Republican staff may have a list of noncontroversial amendments, and when we get those lists and we can get those in the queue first, then I will be happy for the queue to go on. If not, we are just going to call cloture, and it is just not going to work.

I am supporting the bill. I want my leader to know, and I have to say this, but I know he is going to speak, and I most certainly would give the floor to him at this moment, but I wish to say something about what a wonderful leader I think we have.

Senator REID, this is no criticism of you. You are the most patient person—one of the most patient people I have ever observed in my professional life or in my whole life. I honestly do not know how you do your job. Even if the caucus elected me, I would have to decline. I do not have the patience, as you can tell, to do the job of a leader. It would not work. They would never let me, but I wouldn't accept if they did.

Let me say I hope I am doing a favor for the Senate because what I want to do is be Senator. I have been here long enough to remember when we actually were Senators, when we actually could come to the floor with a bill, sort among ourselves what were really tough amendments, what were kind of sort of tough amendments, and what were easy amendments. We would do the easy amendments because that is just the way you legislate—go ahead and get some things done that we all know to do. We have all graduated from college. Some of us have master's degrees and Ph.Ds. We do not sit around eating bonbons all day.

We are talking to our constituents. That is our job. We write amendments based on those meetings and conversations because people come to us and say: Senator, I have a problem. Can you fix it?

What am I going to say to them?

I wish to, but I can't. I can't fix any of your problems because there is no way to fix them because I can't even get a simple amendment on the floor on any bill, any day, any week, any month.

Mr. Leader, I have had enough. I know you have too. I want you to know I am not trying to be difficult. Do you know what. I came here to be a Senator, and I would like to be one again. I am sorry, but until I get a list of uncontroversial amendments, I don't care if they have 20 and we have 5. I don't care if we have 20 and they have 5. I have no idea. The ones that are uncontroversial I want to move forward. Then we can debate all day long how to put the other ones in any kind of list, and we may put mine last—just trying to show how generous I am trying to be. We may take all of my amendments that are controversial and put them last, but I want all the amendments that are not controversial to go first. I am not going to yield until we do.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I can remember when the Senator first came here 10 years ago, approximately. There was an issue dealing with the military. MARY LANDRIEU was a new Senator. She was over here, she had her desk on the other side, and she went on, and, wow, it was quite an impressive speech. For a long time after that, I called her Military MARY.

The reason that it is such a memorable time for me is her good father, ''Moon'' Landrieu, was watching his daughter. I called him and told him what a great job she had done. Of course, he was very proud of all 10 of his children but especially that night of his daughter MARY.

I have no problem with MARY LANDRIEU coming to the floor and doing what she thinks is appropriate. She is absolutely right. We have a lot of trouble now getting simple things done. On a bill like this, it used to be that we would have two managers, whip through all these amendments. We would just accept them. I mean, I listened to Senator LANDRIEU talk about the best interests of the child. Who in the world would oppose that?

The problem we have is that if we get a lot of amendments pending, it will be hard to get rid of them. So Senator LEAHY, who is a very experienced legislator, Senator GRASSLEY, their staffs, I hope what Senator LANDRIEU has done is maybe to give the impetus to do what we used to do routinely; that is, the amendments that couldn't be taken care of on the floor would be in what was called a managers' amendment where the two managers would agree on matters most of which were noncontroversial. Sometimes there was a little trading going on—this is a Republican amendment, this is a Democratic amendment; we don't totally love this one, we don't totally love that one, but let's put it together and have that be part of the managers' package. We haven't done that much anymore. We can't agree even on the simple things. She is right.

So I hope, Mr. President, that the night will bring the ability for us to move to these amendments of hers or have a managers' package. I am here to inform the Senate that one of my goals is to work very hard to try to finish as much of this bill as we can as soon as we can. I have told everyone many times we are going to finish the immigration bill before we leave for the July 4 recess. We are going to do that. I hope we don't have to work this Friday, Saturday, and Sunday. I hope that is the case, but right now we don't know. The odds right now are that is where we are headed.

I am going to come tomorrow morning at 11:30 and be recognized, and I will move to table one of the pending amendments. That will get everybody over here, and maybe in the light of the day, prior to noon, people will be more reasonable. By that time maybe I will have a better idea as to how we are going to move forward.

As I have said in the past, we can file cloture Friday, Saturday, or Sunday or maybe even Monday. But right now it looks like we may have to move that up a day and maybe I will have to file cloture on something tomorrow.

So I have really appreciated everyone's movement on this bill today. I think basically there is a good feel there is an end in sight. We have a number of Senators who have been working with the Gang of 8 to come up with some suggestions and, hopefully, they will have an amendment they can offer tomorrow sometime that will put forth what they think they need to improve this bill.

The focus for the last several days has been on border security. So let's see what they have to offer on border security. The one thing everyone has to understand is, while I am happy to look at anything they think will help border security, it cannot get in the way and take away from this bill a pathway to citizenship, which the American people want.

So we are going to continue working. Staff will work on it all night. The managers of this bill and others interested in this bill will work on it. There are calls being made to the White House tonight. So at 11:30 tomorrow I will come in and see if we have a path forward to getting this bill in a position where we can finish it next week without working the weekend. But if we can't, the weekend is still in play.

Ms. LANDRIEU. If the Senator will yield for a question.

Mr. REID. Of course.

Ms. LANDRIEU. I think that is an excellent suggestion. Again, let me just thank the Senator sincerely for his patience, and I appreciate the compliments.

As he knows, there are many other Senators who feel just like I do. It is time to be Senators again, and it is just time to trust one another to at least move amendments that are noncontroversial, that no one objects to. Then we can whittle the list down to those that do need debate and discussion, and, as you said, a little trading may have to go on. That is normal.

What is not normal is coming to this floor, and those of us who have worked so hard to get cosponsors, to tap down resistance, to modify, to compromise, don't get any time at all because—I don't know. I don't know who decided we don't. But I have enough power to try to change it, and I am going to.

So I just want to say in closing, I have in front of me a list of 24 amendments—amendments by Senators BEGICH, CARDIN, COLLINS, HAGAN, HELLER, KIRK, KLOBUCHAR, LANDRIEU, LEAHY, HATCH, MURRAY, NELSON, REED, SCHATZ, STABENOW, UDALL, UDALL, and a few others—about 24—that the Republicans and Democrats think no one objects to. I would ask the leader if he would review this list tonight, ask the managers of the bill if they would review this list tonight, and if we could just get these noncontroversial amendments agreed to either by voice vote, individual vote, or en bloc vote. It doesn't matter to me. It could be this week or next week.

These amendments have been worked on by Members of both sides genuinely. We don't want any headlines. We don't want any press releases. We would just like our amendments passed. There is no opposition to them. I will provide this list to the Senator and, hopefully, tomorrow morning, when everybody has calmed down a little bit, maybe that is the way we can proceed.

Mr. President, I ask unanimous consent to have printed for the RECORD the list of amendments I have just referred to.

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

NONCONTROVERSIAL AMENDMENTS

1. Begich 1285: Requires social security to establish special procedures for updating social security records for those living more than 150 miles from a social security office.

2. Cardin 1286: Provides social service agencies with resources to help Holocaust survivors age in place comfortably.

3. Carper 1408: Requires strategy to prevent unauthorized immigration transiting through Mexico.

4. Collins 1255: Retains existing risk-based allocation of Operation Stonegarden grants [with modification to come].

5. Feinstein 1250: Provides authorization for the use of the CIR Trust Fund to alleviate the burdens on the Judiciary.

6. Hagan 1368: Reauthorizes Bullet Proof Vest program and establishes a Border Crime Prevention grant program.

7. Heller 1234: Requires DHS to submit a report to Congress on how the 10 airport biometric exit pilots impact wait times and CBP staffing needs.

8. Kirk-Coons 1239: Allowing certain naturalization requirements to be waived for USAF active-duty members who receive military awards.

9. Klobuchar-Coats 1261: Adoption amendment. Requires certificates of citizenship and other Federal documents to reflect name and date of birth determinations made by a State court.

10. Klobuchar-Coats 1297: Provides that an adoption processed by the Central Authority of another Convention Country will permit an alien child adopted abroad to immigrate before the child has been in the legal and physical custody of the adoptive parent for two years.

11. Landrieu 1338: Requires DHS to consult the Administrator of the SBA during its analysis of impact of E-Verify on businesses. Requires the DHS to create a smart-phone app, which will make it easier for small businesses to use E-Verify.

12. Landrieu 1382: Authorizes public-private partnerships to expand land ports of entry.

13. Landrieu-Cochran 1383: Requires reports on EB5 program.

14. Landrieu 1341: Requires DHS to attempt to reduce detention daily bed rate through a competitive bid process and still maintain current health and management practices.

16. Leahy-Hatch 1183: Encourages international participation in the performing arts.

17. Murray 1368: Prohibits the shackling of pregnant women, absent extraordinary circumstances, in all DHS detention facilities.

18. Nelson 1253: Provides additional resources for maritime security [with modification to come].

19. Reed 1223: Increases role of public libraries in the integration of new immigrants.

21. Schatz 1296: Requires GAO report on visa processing at US embassies and consulates.

22. Stabenow 1405: This amendment requires a number of administrative changes and studies all aimed at administering the refugee resettlement program more efficiently and effectively.

23. Tom Udall 1241: Expands the Border Enforcement Security Task Force in the Southwest border region.

24. Tom Udall 1242: Makes $5 million available for strengthening the Border Infectious Disease Surveillance Project.

Mr. REID. Mr. President, to my friend from Louisiana, I reiterate what I said earlier: I understand her concern. The only thing I would say in regard to her statement is, she wants to do things in the normal way. I am sad to report the normal way is what we have been doing the last 6 or 8 months. And that is the sad commentary that this has become the normal way.

I will be happy to review that list. I will do it looking at every amendment. There are some people, you know, who don't want this bill to pass. They don't want to do anything to improve the bill. No matter what side you are on, these are people who offered these amendments in good faith that they believe will improve the bill. But understand some people don't want the bill improved; they just want the bill to go away.

So I will work on this. I haven't talked to Senator LEAHY tonight, but I will. I talked to Senator GRASSLEY earlier today. So I heard the Senator loudly and clearly, and I will do the best I can.

Mr. SCHATZ. Mr. President, I am here today to briefly discuss an amendment to an important provision in the immigration bill that the Senate is considering concerning Stateless persons. Section 3405 of the comprehensive immigration bill would, for the first time, recognize and provide protections to those people in the United States that have no nationality—they are Stateless. There are countless men, women, and children in the United States today who cannot claim any nation as their home. Many lost their nationality when their country of origin ceased to exist as a result of political upheaval, rampant persecution, or violent conflict. The comprehensive immigration bill would encourage these people in the United States to come forward and apply to be recognized as Stateless persons. Under the proposed law, if an individual is recognized as Stateless, they could seek conditional lawful status, provided they meet the appropriate requirements, and be protected from being deported back to a State they no longer recognize as their home.

The amendment I am offering to the immigration bill would advance this important effort to recognize and protect Stateless persons living in the United States.

We live in a time when political turmoil, persecution, and war are no longer the only conditions creating Stateless persons. Today, rapid and extreme environmental change threatens to erode national boundaries and make States uninhabitable to people.

This is not an abstract challenge. Low-lying island States and atolls in the Pacific and Indian Oceans today face an existential crisis due to inexorable sea level rise that is making them uninhabitable. In Kiribati, for example, rising seas are contaminating local water tables with salt water, denuding fertile land and decimating island crops. The threat of higher seas also makes Kiribati, the Marshall Islands, and other island States more vulnerable to extreme weather that will inundate these countries with swells of storm surge and leave whole communities literally underwater. And in a short time, these island States will disappear beneath the waves.

Sea level rise is just one of the dramatic challenges the world faces as a result of climate change. Other environmental stressors are manifesting in States around the world that carry similar consequences as well. In North Africa, for instance, countries such as Morocco, Tunisia, and Libya lose hundreds of square miles of fertile land each year to desertification, driving away farming communities that are accustomed to living off the land. In Southeast Asia, salt water intrusion from sea level rise is destroying aquaculture ponds that communities rely on for economic development and food, uprooting families from their homes and driving them inland in search of new ways to support their livelihoods. And rapidly receding glaciers in the Himalayan Plateau threaten to make the headwaters of the region's major rivers run dry, with consequences for downstream communities that may eventually be forced from their homes in search of new water sources.

Scientists expect that climate change will exacerbate these environmental stressors, including drought, glacial melt, and heat waves, transforming once fertile landscape into barren and uninhabitable land. Besides these slow onset challenges, there are more people at risk today of being made permanently homeless by extreme weather events like typhoons, hurricanes, and other storms that threaten to decimate communities. And, unfortunately, the populations most at risk also happen to be the world's poorest people who too often have no other choice but to abandon their homes once disaster strikes.

By the end of the century, climate change will eclipse war as the greatest driver of homelessness around the world. We can and must protect those people who are in the United States from being deported to a country that is no longer inhabitable due to sea level rise or other environmental changes that leave the state uninhabitable to people.

The amendment I am proposing is quite simple. If enacted, the Secretary of Homeland Security, in consultation with the Secretary of State, may designate individuals or a group of individuals displaced permanently by climate change as Stateless persons.

Again, let me be clear about what this amendment does. It simply recognizes that climate change, like war, is one of the most significant contributors to homelessness in the world. And like with States torn apart and made uninhabitable by war, we have an obligation not to deport people back to a country made uninhabitable by sea level rise and other extreme environmental changes that render these states desolate. It does not grant any individual or group of individuals outside the United States with any new status or avenue for seeking asylum in the United States.

Finally, the amendment also recognizes that the climate challenges that other States face are not unique to people beyond U.S. borders. Indeed, Hawai'i, Alaska and other States are and will continue to experience increased environmental pressures, with sea level rise, drought, wild fires and extreme weather driving Americans from their homes.

As such, the amendment would require the Government Accountability Office to conduct a study assessing the impact of climate change on internal migration in the United States and U.S. territories. The GAO report will assess the impacts and costs on existing Federal, State, and local services of various regions resulting from climate change-induced migration of U.S. citizens. This important study will help the United States chart a path forward for responding to internal persons displaced by environmental change and extreme weather events, and identify what resources the Federal, State, and local governments need to invest in to adequately respond to climate-induced migration.

Climate change is one of the greatest challenges the United States will confront this century. But with the kinds of forward-thinking and pragmatic policies I am proposing today, we can put the United States on a path to respond to the challenges the country will face, and help protect those communities most at risk. I look forward to working with my colleagues to advance this important effort.

MORNING BUSINESS

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

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

MARGARET NORVELL COMMISSIONING CEREMONY

Ms. LANDRIEU. Mr. President, I ask unanimous consent to have printed in the RECORD a speech I delivered on June 1, 2013 in New Orleans, LA to commemorate the commissioning of the Coast Guard Fast Response Cutter Margaret Norvell.

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

I would like to thank Vice Admiral Parker, commander of the Atlantic Area for the Coast Guard, Rear Admiral Baumgartner, commander of the 7th District who's accepting delivery of this cutter and 17 others, Rear Admiral Cook, our new District 8 commander which is headquartered here in New Orleans, Boysie and Chris Bollinger and Nickie Candies for inviting me to today's ceremony and all the work they do to make Louisiana proud, the men and women of the Coast Guard who serve with incredible bravery and distinction, the workforce of Bollinger Shipyards that does work everyday building strong, reliable boats to keep our Nation safe and secure, and I would like to extend a special welcome to the family members of Margaret Norvell, who are with us here today, as they were for the Fleet Dedication ceremony last March in Lockport, the Heroes dinner at the World War II Museum, and the opening of the New Canal Lighthouse Museum and Education Center in April. I'm pleased to share the stage with two of Margaret's great-grandchildren, Barbara Norvell Perrone, the ship's sponsor, and Maj. Michael Norvell, who is following his family's proud military tradition and currently serves as a commissioned officer in the Louisiana Air National Guard. I'd also like to acknowledge Councilwoman Clarkson for being here today and for her continued support of the Coast Guard.

I'm very honored to be here to commission the Coast Guard Cutter Margaret Norvell. It is the 5th Sentinel Class Cutter in a planned fleet of 58 ships that Bollinger will build for the Coast Guard, continuing Louisiana's proud tradition of building ships for our Nation's military. Whether they're engaged in a dangerous rescue, pursuing and interdicting drug smugglers, or responding to a severe hurricane, these ships and their crews will play an integral role in the security of our Nation.

Bollinger Shipyards is an ideal place to construct these ships. Since 1946, Bollinger has been a family owned and operated Louisiana business with a well-earned reputation for superior quality, value, and service. Chris, I want to thank you and particularly the hard working men and women from Bollinger Shipyards for the Margaret Norvell. I am certain she will make us all proud during the course of her service in the Coast Guard, just as her namesake did. I also want to thank all of you for the Cutter Paul Clark, which was delivered on May 18, marking Bollinger's sixth FRC delivery to the Coast Guard, every one of which has been on-time and on-budget.

These Sentinel Class Cutters are replacing the 110-foot Island Class Patrol Boats that were also built at Bollinger between 1984 and 1992. Bollinger's design for the Fast Response Cutter beat out 26 other competitors. The company's longstanding relationship with the Coast Guard is a win-win for Louisiana workers as well as the Nation's security, and I'm proud to be in a position to advocate for continued funding for the construction and acquisition of these highly capable boats.

This ship we are commissioning here today is a fitting testament to Margaret Norvell's 41 years in the U.S. Lighthouse Service from 1891 to 1932. She was one of only 141 women who served as lighthouse keepers, and she assumed her position just as so many other women did, after her husband Louis, the original keeper of the Head of Passes Light at the mouth of the Mississippi River, tragically drowned and left her with two children, ages 1 and 3.

Margaret assumed the post for 5 years before her appointment as keeper of the Port of Pontchartrain Light in 1896. She distinguished herself there in 1903 after a hurricane battered the town of Buras in Plaquemines Parish and left 200 residents without refuge. Margaret took every single one of them in and provided them with shelter. In 1924, she was transferred to the New Canal Light Station. Two years later in 1926, using her small rowboat, she battled a merciless squall for 2 hours on Lake Pontchartrain and successfully rescued a downed naval aviator from the wreckage of his airplane in the water. Margaret retired in 1932 and passed away two years later.

The lighthouse from which she performed her heroic rescue dated back to 1839, but it was destroyed by Hurricane Katrina 4 years after the Coast Guard decommissioned it from service. With support from the Lake Pontchartrain Basin Foundation, the New Canal Lighthouse was rebuilt and reopened in April as a museum and educational center to commemorate the role of the Lighthouse Service and the brave men and women like Margaret who served in it. Margaret once remarked, ''There isn't anything unusual in a woman keeping a light in her window to guide men folks home. I just happen to keep a bigger light than most women because I have got to see that so many men get safely home.''

She is the first enlisted woman from the Coast Guard to be honored with a ship in her name. She was also a New Orleans native who distinguished herself through heroic rescues that took place right here in Louisiana. For all these reasons, I'm very grateful for the opportunity to join Margaret's family in honoring her service to Louisiana and our Nation, as well as the leadership and courage that she and 140 other women demonstrated in the history of the U.S. Lighthouse Service along with more than 8,000 women who are on active and reserve duty in the Coast Guard today. Margaret helped to blaze the trail, and our nation is safer and stronger today because of it.

ADDITIONAL STATEMENTS

TRIBUTE TO CARA GROSETH

• Mr. THUNE. Mr. President, today I recognize Cara Groseth, an intern in my Rapid City, SD office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Cara is a graduate of Stevens High School in Rapid City, SD. Currently she is attending the South Dakota State University, where she is double majoring in economics and apparel merchandise. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Cara for all of the fine work she has done and wish her continued success in the years to come.•

RECOGNIZING DOME TECHNOLOGY

• Mr. RISCH. Mr. President, as a part of National Small Business Week it is important for us to recognize companies who have a history of continually pushing the bounds of improvement and expansion. America depends on small businesses to propel the country into future innovation and that is why I would like to honor Dome Technology from Idaho Falls, ID as the Idaho Small Business of the Week.

Dome Technology builds thin shell monolithic domes which can be used for industrial bulk storage or for practical architectural facilities such as churches or gymnasiums. Though dome architecture has been used in the past, the specific technique used by Dome Technology was patented in Idaho in 1977 by three brothers, Barry, David, and Randy South. They began experimenting with dome technology in 1975 by spraying foam and concrete to the inside of a pressurized, dome-shaped fabric air form.

Dome Technology has built some 500 monolithic domes in the past 30-plus years all over the United States, Canada, Latvia, Estonia, Russia, Argentina, Germany, Jordan, Lithuania and multiple other countries. In addition to providing durable and multi-purpose structures, Dome Technology continues to work to create domes which can withstand environmental extremes such as hurricanes and earthquakes.

In 2007, Dome Technology built the largest monolithic dome in the world. Currently, 75 percent of all concrete domes worldwide have been built by Dome Technology.

But things haven't always been easy for this Idaho company. Dome Technology is an example of how a small business can overcome difficulty and rebound from economic hurdles. Prior to 2002, Dome Technology had been building on average 20 domes per year and employed 135 people. But after the September 11, 2001 terrorist attacks, the company shrunk to 35 employees while demand and prices decreased.

Dome Technology then borrowed around $1 million and diversified their products. Pivoting from large scale storage, the company began focusing on marketing their domes for architectural purposes such as churches, gymnasiums and community centers. Dome Technology has seen growth in the demand for schools built with dome technology and in 2007 built the first indoor water park in a dome.

In addition to expanding the uses of architectural domes, Dome Technology began focusing on exporting their product internationally to countries such as Canada, Poland, Latvia, Morocco, Romania and Bulgaria. The company has now rebounded back to 120 employees and demand is steadily growing.

Through experimentation and a devotion to quality, Dome Technology has proven itself to be a company which delivers a unique, quality product year after year. What strikes me the most about Dome Technology is their ability, as a specialized company with a

niche product, to make the most of what could have been a depressed period of business and to use that as an impetus for improving their business model. Idaho is proud of small businesses like Dome Technology and I am especially proud to recognize them today in honor of National Small Business Week.●

MESSAGE FROM THE HOUSE

At 1:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 475. An act to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

H.R. 1151. An act to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

H.R. 1797. An act to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

H.R. 1896. An act to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1797. An act to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes; to the Committee on the Judiciary.

H.R. 1896. An act to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1151. An act to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

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–1982. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the use of Cooperative Threat Reduction funds for nuclear and radiological materials transport outside the former Soviet Union; to the Committee on Armed Services.

EC–1983. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled ''Defense Production Act Annual Fund Report for Fiscal Year 2012''; to the Committee on Armed Services.

EC–1984. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure: Enterprise and Federal Home Loan Bank Housing Goals Related Enforcement Amendment'' (RIN2590–AA57) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1985. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Wassenaar Arrangement 2012 Plenary Agreements Implementation: Commerce Control List, Definitions, and Reports'' (RIN0694–AF83) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1986. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Carolina: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 9823–1) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Environment and Public Works.

EC–1987. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; 110(a) (1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9820–7) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Environment and Public Works.

EC–1988. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Jersey; Infrastructure SIP for the 19997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter Standards'' (FRL No. 9824–1) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Environment and Public Works.

EC–1989. A communication from the Senior Management Analyst, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Addresses of Regional Offices'' (RIN1018–AY13) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Environment and Public Works.

EC–1990. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Temporary Shelter for Individuals Displaced by Severe Storms and Tornadoes in Oklahoma'' (Notice 2013–39) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Finance.

EC–1991. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Mexican Land Trust'' (Rev. Rul. 2013–14) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Finance.

EC–1992. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 1002 (P.L. 107–243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102–1) for the February 20, 2013–April 20, 2013 reporting period; to the Committee on Foreign Relations.

EC–1993. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2013 through March 31, 2013; to the Committee on Foreign Relations.

EC–1994. A communication from the Director, International Broadcasting Bureau, Broadcasting Board of Governors, transmitting, pursuant to law, the Agency's fiscal year 2013 Program Plan and Sequestration Summary; to the Committee on Foreign Relations.

EC–1995. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Defense Trade Cooperation Treaties with Australia and the United Kingdom'' ((RIN0750–AH70) (DFARS Case 2012–D034)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Foreign Relations.

EC–1996. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) complying with the Improper Payments Elimination and Recovery Act (IPERA) of 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–1997. A communication from the Director of the Office of Civil Rights, Broadcasting Board of Governors, International Broadcasting Bureau, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1998. A communication from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the Department's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1999. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2000. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2001. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2002. A communication from the Acting Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Department's Semiannual Report from the Office of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2003. A communication from the Chief Human Capital Officer, Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Small Business Administration, received in the Office of the President of the Senate on June 12, 2013; to the Committee on Small Business and Entrepreneurship.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute and an amendment to the title:

S. 959. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs.

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. THUNE (for himself, Mr. MCCONNELL, Mr. HATCH, Mr. CORNYN, Mr. BARRASSO, Mr. RUBIO, Mr. JOHANNS, Mr. BOOZMAN, Mr. GRASSLEY, Mr. SHELBY, Mr. CRAPO, Mr. HELLER, Mrs. FISCHER, Mr. INHOFE, Mr. MORAN, Mr. CHAMBLISS, Mr. ROBERTS, Mr. VITTER, Mr. KIRK, Mr. ENZI, Mr. RISCH, Mr. ISAKSON, Mr. BLUNT, Mr. LEE, Mr. TOOMEY, Ms. AYOTTE, Mr. COATS, Mr. FLAKE, and Mr. SCOTT):

S. 1183. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Ms. MURKOWSKI):

S. 1184. A bill to amend title XVIII of the Social Security Act to include information on the coverage of intensive behavioral therapy for obesity in the Medicare and You Handbook and to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mr. CASEY:

S. 1185. A bill to enhance penalties for violations of securities protections that involve targeting seniors; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. WARREN (for herself and Mr. COWAN):

S. 1186. A bill to reauthorize the Essex National Heritage Area; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. HELLER, Mr. MENENDEZ, and Mr. ISAKSON):

S. 1187. A bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. DONNELLY):

S. 1188. A bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. CHIESA):

S. 1189. A bill to adjust the boundaries of Paterson Great Falls National Historical Park to include Hinchliffe Stadium, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ENZI (for himself and Mr. CASEY):

S. 1190. A bill to amend the Small Business Act to permit agencies to count certain contracts toward contracting goals; to the Committee on Small Business and Entrepreneurship.

By Mr. BENNET (for himself and Ms. AYOTTE):

S. 1191. A bill to facilitate better alignment, cooperation, and best practices between commercial real estate landlords and tenants regarding energy efficiency in buildings, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself, Mr. GRASSLEY, and Mr. MANCHIN):

S. 1192. A bill to implement common sense controls on the taxpayer-funded salaries of government contractors by limiting reimbursement for excessive compensation; 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. LEVIN (for himself, Mr. CORNYN, Ms. LANDRIEU, Mr. COWAN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. CARDIN, Mr. UDALL of Colorado, Mr. LEAHY, Mr. BROWN, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mrs. HAGAN, Mrs. MURRAY, Mr. PRYOR, Mr. COCHRAN, Mr. SESSIONS, Mr. COONS, Mrs. BOXER, Mr. WARNER, Mr. WHITEHOUSE, Mr. CRUZ, Mrs. SHAHEEN, Mr. KAINE, Mr. RUBIO, Mr. RISCH, Ms. MIKULSKI, Mr. WICKER, Ms. BALDWIN, Mr. CASEY, Mr. BEGICH, Mr. NELSON, Mr. UDALL of New Mexico, and Ms. WARREN):

S. Res. 175. A resolution observing Juneteenth Independence Day, June 19, 1865, the day on which slavery finally came to an end in the United States; considered and agreed to.

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 176. A resolution designating July 12, 2013, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. RISCH, Mr. LEVIN, Mr. JOHNSON of Wisconsin, Mr. CARDIN, Mr. RUBIO, Mrs. SHAHEEN, Mr. CRAPO, Ms. CANTWELL, Mr. VITTER, Ms. HEITKAMP, Mrs. FISCHER, Mr. PRYOR, Mr. ENZI, Mr. UDALL of New Mexico, Mr. HOEVEN, Mrs. HAGAN, Mr. BARRASSO, Mr. BEGICH, Mr. PORTMAN, Mr. CASEY, Mr. BOOZMAN, Mr. COWAN, Mr. COCHRAN, Mrs. MURRAY, Ms. AYOTTE, Ms. HIRONO, Mr. BROWN, Mr. HARKIN, Mr. MANCHIN, Mr. BAUCUS, Mr. SCHATZ, Mr. MERKLEY, Ms. BALDWIN, Mr. WARNER, Ms. MIKULSKI, Mr. BENNET, Mr. ROBERTS, Mr. NELSON, Mr. COONS, Mr. MENENDEZ, Mr. UDALL of Colorado, Mr. DONNELLY, Mr. ROCKEFELLER, Mr. CARPER, Mr. KING, Ms. WARREN, Mr. KIRK, Mr. THUNE, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. HEINRICH, Mr. ISAKSON, and Mr. TESTER):

S. Res. 177. A resolution honoring the entrepreneurial spirit of small business concerns in the United States during National Small Business Week, which begins on June 17, 2013; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. CARPER, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 294

At the request of Mr. TESTER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 360

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 360, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 401

At the request of Mr. CARPER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor

of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 423

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 423, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 429

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 603

At the request of Mr. BARRASSO, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 629

At the request of Mr. PRYOR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

At the request of Mr. BOOZMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 629, supra.

S. 633

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 633, a bill to amend title 38, United States Code, to provide for coverage under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes.

S. 669

At the request of Mr. PRYOR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 689

At the request of Mr. HARKIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 710

At the request of Mr. WARNER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 765

At the request of Mr. BENNET, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 765, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 769

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 826

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 826, a bill to amend the Internal Revenue Code of 1986 to reform and enforce taxation of tobacco products.

S. 831

At the request of Mr. COATS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 831, a bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2017, under the Surface Mining Control and Reclamation Act of 1977.

S. 916

At the request of Mr. COCHRAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 929

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 929, a bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 1039

At the request of Mr. MERKLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1039, a bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes.

S. 1063

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1063, a bill to improve teacher quality, and for other purposes.

S. 1079

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1079, a bill to require the Director of the Bureau of Safety and Environmental Enforcement to promote the artificial reefs, and for other purposes.

S. 1088

At the request of Mr. FRANKEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1088, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 1126

At the request of Mr. REED, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1126, a bill to aid and support pediatric involvement in reading and education.

S. 1158

At the request of Mr. WARNER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the names of the Senator from

South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 109

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Res. 109, a resolution expressing the sense of the Senate that the United States should leave no member of the Armed Forces unaccounted for during the drawdown of forces in Afghanistan.

S. RES. 157

At the request of Ms. KLOBUCHAR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 157, a resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

S. RES. 164

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 164, a resolution designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers.

S. RES. 170

At the request of Mr. ISAKSON, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Maryland (Mr. CARDIN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 170, a resolution commemorating John Lewis on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee.

AMENDMENT NO. 1200

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1200 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1224

At the request of Mr. REED, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 1224 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1250

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of amendment No. 1250 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of amendment No. 1251 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1268

At the request of Mr. MANCHIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 1268 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1272

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 1272 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1276

At the request of Mr. CARPER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 1276 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1286

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1286 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1311

At the request of Mr. BROWN, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 1311 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1312

At the request of Mr. SANDERS, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Maryland (Mr. CARDIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 1312 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1314

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1314 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1318

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 1318 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1327

At the request of Mr. BLUMENTHAL, the names of the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 1327 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1338

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of amendment No. 1338 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 175—OBSERVING JUNETEENTH INDEPENDENCE DAY, JUNE 19, 1865, THE DAY ON WHICH SLAVERY FINALY CAME TO AN END IN THE UNITED STATES

Mr. LEVIN (for himself, Mr. CORNYN, Ms. LANDRIEU, Mr. COWAN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. CARDIN, Mr. UDALL of Colorado, Mr. LEAHY, Mr. BROWN, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mrs. HAGAN, Mrs. MURRAY, Mr. PRYOR, Mr. COCHRAN, Mr. SESSIONS, Mr. COONS, Mrs. BOXER, Mr. WARNER, Mr. WHITEHOUSE, Mr. CRUZ, Mrs. SHAHEEN, Mr. KAINE, Mr. RUBIO, Mr. RISCH, Ms. MIKULSKI, Mr. WICKER, Ms. BALDWIN, Mr. CASEY, Mr. BEGICH, Mr. NELSON, Mr. UDALL of New Mexico, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 175

Whereas news of the end of slavery did not reach the frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Abraham Lincoln's Emancipation Proclamation, which was issued on January 1, 1863, months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as ''Juneteenth Independence Day'', as inspiration and encouragement for future generations;

Whereas African Americans from the Southwest, for more than 145 years, continue the tradition of observing Juneteenth Independence Day;

Whereas 42 States, the District of Columbia, and other countries, including Goree Island, Senegal (a former slave port), have designated Juneteenth Independence Day as a special day of observance in recognition of the emancipation of all slaves in the United States;

Whereas Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures;

Whereas the faith and strength of character demonstrated by former slaves and their descendants remain an example for all people of the United States, regardless of background, religion, or race;

Whereas the late Lula Briggs Galloway of Saginaw, Michigan—author, social activist, curator of African-American history, originator of the interim Juneteenth Creative Culture Center and Museum in Saginaw, Michigan, and then-President of the National Association of Juneteenth Lineage, Inc.—successfully worked to bring national recognition to Juneteenth Independence Day and encouraged the United States Senate and the United States House of Representatives to pass a resolution in 1997 in honor of that day;

Whereas national observance of Juneteenth Independence Day continues under the steadfast leadership of the National Juneteenth Observance Foundation;

Whereas Frederick Douglass, born Frederick Augustus Washington Bailey in Maryland in 1818, escaped from slavery and became a leading writer, orator, and publisher, and one of the United States' most influential advocates for abolitionism, and the equality of all people;

Whereas, on September 10, 2012, and September 12, 2012, the House of Representatives and the Senate, respectively, each passed legislation, signed into law by the President on September 20, 2012 (Public Law 112–174), to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol, during an unveiling Ceremony on June 19, 2013, the same day as recognition of Juneteenth Independence Day;

Whereas, on June 18, 2009, the United States Senate and on July 29, 2008, the United States House of Representatives each adopted resolutions apologizing for the legacy of slavery in the United States and ''Jim Crow'' laws;

Whereas the crime of lynching succeeded slavery, and on June 13, 2005, the United States Senate adopted a resolution apologizing to the victims of lynching and the descendants of those victims;

Whereas slavery was not officially abolished until the ratification of the 13th amendment to the Constitution of the United States in January 1865; and

Whereas, over the course of its history, the United States has grown into a symbol of democracy and freedom around the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical significance of Juneteenth Independence Day to the United States;

(2) supports the continued nationwide celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States; and

(3) recognizes that the observance of the end of slavery is a part of the history and heritage of the United States.

SENATE RESOLUTION 176—DESIGNATING JULY 12, 2013, AS ''COLLECTOR CAR APPRECIATION DAY'' AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. TESTER (for himself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 176

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 12, 2013, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 177—HONORING THE ENTREPRENEURIAL SPIRIT OF SMALL BUSINESS CONCERNS IN THE UNITED STATES DURING NATIONAL SMALL BUSINESS WEEK, WHICH BEGINS ON JUNE 17, 2013

Ms. LANDRIEU (for herself, Mr. RISCH, Mr. LEVIN, Mr. JOHNSON of Wisconsin, Mr. CARDIN, Mr. RUBIO, Mrs. SHAHEEN, Mr. CRAPO, Ms. CANTWELL, Mr. VITTER, Ms. HEITKAMP, Mrs. FISCHER, Mr. PRYOR, Mr. ENZI, Mr. UDALL of New Mexico, Mr. HOEVEN, Mrs. HAGAN, Mr. BARRASSO, Mr. BEGICH, Mr. PORTMAN, Mr. CASEY, Mr. BOOZMAN, Mr. COWAN, Mr. COCHRAN, Mrs. MURRAY, Ms. AYOTTE, Ms. HIRONO, Mr. BROWN, Mr. HARKIN, Mr. MANCHIN, Mr. BAUCUS, Mr. SCHATZ, Mr. MERKLEY, Ms. BALDWIN, Mr. WARNER, Ms. MIKULSKI, Mr. BENNET, Mr. ROBERTS, Mr. NELSON, Mr. COONS, Mr. MENENDEZ, Mr. UDALL of Colorado, Mr. DONNELLY, Mr. ROCKEFELLER, Mr. CARPER, Mr. KING, Ms. WARREN, Mr. KIRK, Mr. THUNE, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. HEINRICH, Mr. ISAKSON, and Mr. TESTER) submitted the following resolution; which was considered and agreed to.:

S. RES. 177

Whereas 2013 marks the 50th anniversary of National Small Business Week;

Whereas the approximately 27,900,000 small business concerns in the United States are the driving force behind the Nation's economy, creating nearly 2 out of every 3 new jobs and generating close to 50 percent of the Nation's non-farm gross domestic product;

Whereas small businesses are the driving force behind the economic recovery of the United States;

Whereas small businesses represent 99.7 percent of employer firms in the United States;

Whereas small business concerns are the Nation's innovators, serving to advance technology and productivity;

Whereas small business concerns represent 98 percent of all exporters and produce 31 percent of exported goods;

Whereas Congress established the Small Business Administration in 1953 to aid, counsel, assist, and protect the interests of small business concerns in order to preserve free and competitive enterprise, to ensure that a fair proportion of the total Federal Government purchases, contracts, and subcontracts for property and services are placed with small business concerns, to ensure that a fair proportion of the total sales of government property are made to small business concerns, and to maintain and strengthen the overall economy of the United States;

Whereas, every year since 1963, the President has designated a ''National Small Business Week'' to recognize the contributions of small businesses to the economic well-being of the United States;

Whereas, in 2013, National Small Business Week will honor the estimated 27,900,000 small businesses in the United States;

Whereas the Small Business Administration has helped small business concerns by providing access to critical lending opportunities, protecting small business concerns from excessive Federal regulatory enforcement, helping to ensure full and open competition for government contracts, and improving the economic environment in which small business concerns compete;

Whereas, for more than 50 years, the Small Business Administration has helped millions of entrepreneurs achieve the American dream of owning a small business, and has played a key role in fostering economic growth; and

Whereas the President has designated the week beginning June 17, 2013, as ''National Small Business Week'':

Now, therefore, be it

Resolved, That the Senate—

(1) honors the entrepreneurial spirit of small business concerns in the United States during National Small Business Week, which begins on June 17, 2013;

(2) applauds the efforts and achievements of the owners and employees of small business concerns, whose hard work and commitment to excellence have made small business concerns a key part of the economic vitality of the United States;

(3) recognizes the work of the Small Business Administration and its resource partners in providing assistance to entrepreneurs and small business concerns; and

(4) recognizes the importance of ensuring that—

(A) guaranteed loans, including microloans and microloan technical assistance, for start-up and growing small business concerns, and venture capital, are made available to all qualified small business concerns;

(B) the management assistance programs delivered by resource partners on behalf of the Small Business Administration, such as Small Business Development Centers, Women's Business Centers, and the Service Corps of Retired Executives, are recognized for providing invaluable counseling services to entrepreneurs in the United States;

(C) the Small Business Administration continues to provide timely and efficient disaster assistance so that small businesses in areas struck by natural or manmade disasters can quickly return to business to keep local economies alive in the aftermath of such disasters;

(D) affordable broadband Internet access is available to all people in the United States, particularly people in rural and underserved communities, so that small businesses can use the Internet to make their operations more globally competitive while boosting local economies;

(E) regulatory relief is provided to small businesses through the reduction of duplicative or unnecessary regulatory requirements that increase costs for small businesses; and

(F) leveling the playing field for contracting opportunities remains a primary focus, so that small businesses, particularly minority-owned small businesses, can compete for and win more of the $400,000,000,000 in contracts that the Federal Government enters into each year for goods and services.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1343. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1344. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1345. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1346. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1347. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1348. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1349. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1350. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1351. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1352. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1353. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1354. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1355. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1356. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1357. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1358. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1359. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1360. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1361. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1362. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1363. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1364. Mr. WARNER (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1365. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1366. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1367. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1368. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1369. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1370. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1371. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1372. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1373. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1374. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1375. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1376. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1377. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1378. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1379. Mr. GRASSLEY (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1380. Mr. JOHNSON, of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1381. Mr. JOHNSON, of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1382. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1383. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1384. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1385. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1386. Mrs. HAGAN (for herself, Mr. COONS, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1387. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1388. Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1389. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1390. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1391. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1392. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1393. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1394. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1395. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1396. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1397. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1398. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1399. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1400. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1401. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1402. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1403. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1404. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1405. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1406. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1407. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1408. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1409. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1410. Mr. LEAHY (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1411. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1412. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1413. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1414. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1415. Ms. HIRONO (for herself, Mr. FRANKEN, Mr. SCHATZ, Mrs. MURRAY, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1416. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1417. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1418. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1419. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1420. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1421. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1422. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1423. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1424. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1425. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1426. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1427. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1343. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1465, strike lines 3 through 5, and insert the following:

(2) REQUIREMENT FOR DATA COLLECTION.—

(A) IN GENERAL.—A law enforcement official who makes contact with an individual with the purpose or effect of enforcing an immigration law shall collect the following data:

(i) The law enforcement official's basis for, or circumstances surrounding, such contact, including if such individual's perceived race or ethnicity contributed to such basis.

(ii) The identifying characteristics of such individual, including the individual's race, gender, ethnicity, and approximate age.

(iii) If such contact resulted in a stop or search, how long such a stop or search lasted, whether consent was requested and obtained for such stop or search, and the name of the person who provided such consent.

(iv) A description of any articulable facts and behavior by the individual that demonstrate reasonable suspicion to justify such stop or probable cause to justify such search or attempt to enforce the immigration laws.

(v) A description of any items seized during such search, including contraband or money, and a specification of the type of search conducted.

(vi) Whether any warning or citation was issued as a result of such contact and the basis for such warning or citation.

(vii) Whether an arrest or detention was made as a result of such contact, the justification for such arrest or detention, and the ultimate disposition of such arrest or detention.

(viii) Whether the affected individual is undergoing immigration proceedings as of the date of the annual report.

(ix) If a warning, citation, arrest, or detention is involved, the surname of the affected individual.

(x) The immigration status of the individual involved and whether removal proceedings were subsequently initiated against that individual.

(xi) Whether any complaint was made by the individual stopped or searched.

(B) DEFINITIONS.—In this paragraph:

(i) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(ii) LAW ENFORCEMENT OFFICIAL.—The term ''law enforcement official'' means—

(I) an officer of U.S. Customs and Border Protection;

(II) an officer of U.S. Immigration and Customs Enforcement; or

(III) an officer or employee of a State or a political subdivision of a State who is carrying out the functions of an immigration officer pursuant to an agreement entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) or pursuant to any other agreement with the Department.

(3) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(4) COMPILATION OF DATA.—

(A) DEPARTMENT OF HOMELAND SECURITY LAW ENFORCEMENT OFFICIALS.—The Secretary shall compile the data collected under paragraph (2) by officers of U.S. Customs and Border Protection and officers of U.S. Immigration and Customs Enforcement.

(B) OTHER LAW ENFORCEMENT OFFICIALS.—The head of each agency, department, or other entity that employs law enforcement officials other than officers referred to in subparagraph (A) shall—

(i) compile the data collected by such law enforcement officials pursuant to paragraph (2); and

(ii) submit the compiled data to the Secretary.

(5) USE OF DATA.—The Secretary shall consider the data compiled under paragraph (4) in making policy and program decisions related to enforcement of the immigration laws.

(6) ANNUAL REPORT.—

(A) REQUIREMENT.—Not later than one year after the effective date of this section, and annually thereafter, the Secretary shall submit to Congress the data compiled under paragraph (3) and a report on the data.

(B) AVAILABILITY.—Each report submitted under subparagraph (A) shall be made available to the public.

SA 1344. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BETTER ENFORCEMENT THROUGH TRANSPARENCY AND ENHANCED REPORTING ON THE BORDER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Better Enforcement Through Transparency and Enhanced Reporting on the Border Act'' or the ''BETTER Border Act''.

(b) OFFICE OF HOMELAND SECURITY STATISTICS.—

(1) ESTABLISHMENT.—There is established within the Department an Office of Homeland Security Statistics (referred to in this section as the ''Office''), which shall be headed by a Director.

(2) TRANSFER OF FUNCTIONS.—

(A) ABOLISHMENT OF OFFICE OF IMMIGRATION STATISTICS.—The Office of Immigration Statistics of the Department is abolished.

(B) TRANSFER OF FUNCTIONS.—All functions and responsibilities of the Office of Immigration Statistics as of the day before the date of the enactment of this Act, including all of the personnel, assets, components, authorities, programs, and liabilities of the Office of Immigration Statistics, are transferred to the Office of Homeland Security Statistics.

(3) DUTIES.—The Director of the Office shall—

(A) collect information from agencies of the Department, including internal databases used to—

(i) undertake border inspections;

(ii) identify visa overstays;

(iii) undertake immigration enforcement actions; and

(iv) grant immigration benefits;

(B) produce the annual report required to be submitted to Congress under subsection (c); and

(C) collect the information described in section 103(d) of the Immigration and Nationality Act (8 U.S.C. 1103(d)) and disseminate such information to Congress and to the public;

(D) produce any other reports and conduct any other work that the Office of Immigration Statistics was required to produce or conduct before the date of the enactment of this Act; and

(E) produce such other reports or conduct such other work as the Secretary determines to be necessary.

(4) INTRADEPARTMENTAL DATA SHARING.—Agencies and offices of the Department shall share any data that is required to comply with this section.

(5) CONSULTATION.—In carrying out this subsection, the Director of the Office shall consult with the Ombudsman for Immigration Related Concerns to the greatest extent practicable.

(6) PLACEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify Congress where the Office has been established within the Department.

(7) CONFORMING AMENDMENT.—Section 103(d) (8 U.S.C. 1103(d)) is amended by striking ''Commissioner'' and inserting ''Director of the Office of Homeland Security Statistics''.

(c) REPORT ON PERFORMANCE METRICS.—

(1) IN GENERAL.—In addition to any reports required to be produced by the Office of Immigration Statistics before the date of enactment of this Act, the Director, on an annual basis, shall submit to Congress a report on performance metrics that will enable—

(A) the Department to develop an understanding of—

(i) the security of the border;

(ii) efforts to enforce immigration laws within the United States; and

(iii) the overall working of the immigration system; and

(B) policy makers, including Congress—

(i) to make more effective investments in order to secure the border;

(ii) to enforce the immigration laws of the United States; and

(iii) to ensure that the Federal immigration system is working efficiently at every level.

(2) CONTENTS.—The report required under paragraph (1) shall contain outcome performance measures, for the year covered by the report, including—

(A) for the areas between ports of entry—

(i) the estimated number of attempted illegal entries, the estimated number of successful entries, and the number of apprehensions, categorized by sector;

(ii) the number of individuals that attempted to cross the border and information concerning how many times individuals attempted to cross, categorized by sector;

(iii) the number of individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector; and

(iv) the recidivism rates for all classes of individuals apprehended, including individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector;

(B) for ports of entry—

(i) the estimated number of attempted illegal entries, the number of apprehensions, and the estimated number of successful entries, categorized by field office; and

(ii) information compiled based on random samples of secondary inspections, including estimates of the effectiveness of inspectors in identifying civil and criminal immigration and customs violations, categorized by field office; and

(iii) enforcement outcomes for individuals denied admission, including the number of—

(I) individuals allowed to withdraw their application for admission or voluntarily return to their country of origin;

(II) individuals referred for criminal prosecution; and

(III) individuals receiving any other form of administrative sanction;

(C) for visa overstays—

(i) the number of people that overstay the terms of their admission into the United States, categorized by—

(I) nationality;

(II) type of visa or entry; and

(III) length of time an individual overstayed, including—

(aa) the number of individuals who overstayed less than 180 days;

(bb) the number of individuals who overstayed less than 1 year; and

(cc) the number of individuals who overstayed for 1 year or longer; and

(ii) estimates of the total number of unauthorized aliens in the United States that entered legally and overstayed the terms of their admission;

(D) for interior enforcement—

(i) the number of arrests made by U.S. Immigration and Customs Enforcement for civil violations of immigration laws and the number of arrests made for criminal violations, categorized by Special Agent in Charge field office;

(ii) the legal basis for the arrests pursuant to criminal statutes described in clause (i);

(iii) the ultimate disposition of the arrests described in clause (i);

(iv) the overall number of removals and the number of removals, by nationality;

(v) the overall average length of detention and the length of detention, by nationality; and

(vi) the number of referrals from U.S. Citizenship and Immigration Services to Immigration and Customs Enforcement, and the ultimate outcome of these referrals, including how many resulted in removal proceedings;

(E) for immigration benefits—

(i) the number of applications processed, rejected, and accepted each year for all categories of immigration benefits, categorized by visa type;

(ii) the mean and median processing times for all categories of immigration benefits, categorized by visa type; and

(iii) data relating to fraud uncovered in applications for all categories of immigration benefits, categorized by visa type; and

(F) for the Employment Verification System established under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)—

(i) the total number of tentative nonconfirmations (further action notices);

(ii) the number of tentative nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(iii) the total number of final nonconfirmations;

(iv) the number of final nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(v) the total number of confirmations; and

(vi) the estimated number of confirmations issued to unauthorized workers.

(d) EARLY WARNING SYSTEM.—Using the data collected by the Office under this section, the Secretary shall establish an early warning system to estimate future illegal immigration, which shall monitor the outcome performance measures described in subsection (c)(2), along with political, economic, demographic, law enforcement, and other trends that may affect such outcomes.

(e) SYSTEMATIC MODELING OF ILLEGAL IMMIGRATION TRENDS.—The Secretary shall provide for the systematic modeling of illegal immigration trends to develop forecast models of illegal immigration flows and estimates for the undocumented population residing within the United States.

(f) EXTERNAL REVIEW OF HOMELAND SECURITY DATA.—

(1) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall make raw data collected by the Department, including individual-level data subject to the requirements in paragraph (3), on border security, immigration enforcement, and immigration benefits available for research on immigration trends, to—

(A) appropriate academic institutions and centers of excellence;

(B) the Congressional Research Service; and

(C) the Government Accountability Office.

(2) PUBLIC RELEASE OF DATA.—The Secretary shall ensure that data of the Department on border security, immigration enforcement, and immigration benefits is released to the public to the maximum degree permissible under Federal law to increase the confidence of the public in the credibility and objectivity of measurements related to the management and outcomes of immigration and border control processes.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary, in consultation with the National Academy of Sciences—

(A) shall ensure that the data described in paragraphs (1) and (2) is anonymized to safeguard individual privacy;

(B) may mask location data below the sector, district field office, or special agent in charge office level to protect national security; and

(C) shall not be required to provided classified information to individuals other than to those individuals who have appropriate security clearances.

(g) AVAILABILITY OF FUNDS.—The Secretary may use such sums as may be necessary from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1)—

(1) to establish the Office; and

(2) to produce reports related to securing the border and enforcing the immigration laws of the United States.

SA 1345. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 889, between lines 19 and 20, insert the following:

(d) LIMIT ON FUTURE SPENDING.—

(1) ANNUAL COST REPORTS.—Beginning on September 1, 2015, and annually thereafter, the Director of the Congressional Budget Office shall issue an annual report that—

(A) certifies whether all of the projected Federal costs starting with the next fiscal year and for the following 9 fiscal years, are fully offset by projected savings, during the applicable 10-year period; and

(B) provides detailed estimates of the costs and savings, year by year, program by program, and provision by provision.

(2) FUTURE FEES.—If a report required by paragraph (1) provides that the projected costs are not fully offset by the projected savings, the Secretary shall increase the fees authorized by this Act, and by the amendment made by this Act, in an amount equal to the amount of such costs that are not offset by the amount of such savings.

(3) DEFINITIONS.—In this subsection:

(A) COSTS.—The term ''costs'' means the increased spending and revenue reductions resulting from this Act and the amendments made by this Act.

(B) SAVINGS.—The term ''savings'' means the revenue increases and decreased expenditures resulting from this Act and the amendments made by this Act.

SA 1346. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1319, between lines 17 and 18, insert the following:

''(G) VOLUNTARY PROGRAM ON IDENTITY AUTHENTICATION.—

''(i) IN GENERAL.—Not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall establish by regulation, as part of an optional electronic platform for accessing the System, an identity authentication program that is made available to individuals and entities on a voluntary basis and that contains additional mechanisms for authenticating an individual's identity and using the authenticated identity information for employment eligibility verification purposes.

''(ii) DESIGN AND OPERATION OF PROGRAM.—The voluntary program required by clause (i) shall be designed and operated to include an identity verification platform that—

''(I) uses state-of-the-art multidimensional knowledge-based authentication technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to the extent helpful in acquiring the best technology to implement the program, is operated pursuant to a contract or other agreement with a nongovernmental entity or entities, but that remains under the control of the Secretary as to the use of all determinations communicated by the platform, regardless of the entity operating the platform;

''(III) communicates tentative and final nonconfirmations of identity;

''(IV) is integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(V) is designed to make risk-based assessments regarding the reliability of a claim of a identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) is designed to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity-proofing;

''(VII) generates queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) uses publicly available databases as well as databases under the jurisdiction of the Commissioner of Social Security, the Secretary of Homeland Security (including the U.S.-VISIT data base), and the Secretary of State (including passport and visa databases) to formulate queries to be presented to individuals whose identities are being verified;

''(IX) will not retain data collected by the platform within any database separate from the one in which the platform is located and will limit access to the existing databases to a reference process that shields the operator of the platform from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) does not permit individuals or entities using the System access to any data related to the individuals whose identities are being verified beyond confirmations and tentative and final nonconfirmations of identity;

''(XI) provides online assistance to individuals receiving tentative nonconfirmations of identity to correct errors in records and achieve appropriate confirmations to the greatest extent and as rapidly as possible;

''(XII) is subject to a review and appeals process by administratively responsible personnel to correct errors in the capabilities of the platform;

''(XIII) may include, if feasible, a capability for permitting document and biometric inputs that can be offered to individuals and entities using the System and may be used at the option of employees to facilitate identity verification (but which would not be required of either employers or employees); and

''(XIV) is developed, to the greatest extent possible, in accordance with the timeframes specified in this Act.

''(iii) IDENTITY AUTHENTICATION AND SELF-VERIFICATION.—During the period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and ending on the date on which the identity authentication program established under clause (i) is available for use by employers, an employer may use a verification system, service, or method in addition to those provided for in this section to confirm the identity of an individual without incurring liability under section 274B if—

''(I) the employer imposes the same requirement in a uniform manner on all individuals undergoing employment eligibility verification; and

''(II) the employer does not impose such a requirement for any purpose other than identity authentication with respect to newly hired employees.

SA 1347. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1700, between lines 6 and 7, insert the following:

SEC. 4225. SMALL BUSINESS EXPRESS LANE.

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by section 4231, is amended by adding at the end the following:

''(8)(A) The Secretary shall establish a small business express lane for the H-1B visa application process, under which the Secretary—

''(i) may waive the fee for premium processing under section 286(u) for a business that—

''(I) is considered a small business with not more than 25 employees;

''(II) is not considered an H-1B dependent employer; and

''(III) reports a business income on the tax filings for the previous year of not more than $250,000; and

''(ii) shall, to the extent practicable, create or modify an online interface capable of providing real time feedback and error mitigation technology that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(B) The total amount of fees waived during a fiscal year by the Secretary under subparagraph (A)(i) shall be added to the projected cost for the service in the following fiscal year and a revised fee shall be established based on the projected cost.

''(C) The Secretary shall, to the extent practicable, create an online interface and mobile application that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(D)(i) The Secretary, in coordination with the Administrator of the Small Business Administration, shall set a goal of not less than 30 percent of H-1B visas being awarded to small businesses.

''(ii) Of the goal amount described in clause (i)—

''(I) ⅓ of the goal shall be reserved for businesses with not more than 25 employees; and

''(II) ⅔ of the goal may be used by businesses with not more than 500 employees.

''(iii) The goal described in clause (i) may be modified by the Secretary, in consultation with the Administrator of the Small Business Administration, based on any feedback provided by the Office of Advocacy of the Small Business Administration.

''(E) The Bureau of Immigration and Labor Market Research shall submit a report, on an annual basis, to the Committee on the Judiciary of the Senate, the Small Business

and Entrepreneurship Committee of the Senate, the Committee on the Judiciary of the House of Representatives, and the Small Business and Entrepreneurship Committee of the House of Representatives that contains—

''(i) the total number of H-1B visa applications broken down by business size category and expressed as a percentage of the total—

''(I) 0–25 employees;

''(II) 26–50 employees;

''(III) 50–100 employees;

''(IV) 100–500 employees; or

''(V) more than 500 employees;

''(ii) the total number of H-1B visa applications broken down by North American Industry Classification System (NAICS) Code and expressed as a percentage of the total; and

''(iii) the percentage and number of—

''(I) small businesses to apply for H-1B visas;

''(II) small businesses awarded H-1B visas;

''(III) small businesses that used the premium processing service;

''(IV) all businesses that used the premium processing service and were awarded H-1B visas; and

''(V) all businesses that did not use the premium processing service and were awarded H-1B visas; and

''(iv) a longitudinal and graphical view of the small business percentages described in subparagraph (D) and this subparagraph.

''(F) Beginning 4 years after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 4 years thereafter, as part of the report submitted under subparagraph (E), the Bureau of Immigration and Labor Market Research shall include description of the impact of the application process on the on small business, which shall take into consideration—

''(i) the cost to apply for the visas;

''(ii) the impact of the fee waiver under subparagraph (A)(i) on small businesses; and

''(iii) recommendations for streamlining the application process, including recommended modifications and updates to the online user interface and mobile application.''.

SA 1348. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 949, between lines 21 and 22, insert the following:

''(4) ENGLISH SKILLS.—An alien is not eligible for registered provisional immigrant status unless the alien establishes that the alien meets the requirements of section 245C(b)(4).''.

SA 1349. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 955, strike line 21 and all that follows through page 961, line 13, and insert the following:

(6) ELIGIBILITY AFTER DEPARTURE.—An alien who departed from the United States, while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure, who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary's consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

SA 1350. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 8 and all that follows through page 1496, line 25, and insert the following:

SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.

(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.

(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting ''(a)'' before ''In any'';

(2) by striking ''he shall'' and inserting ''the person shall''; and

(3) by adding at the end the following:

''(b) The Government is not required to provide counsel to aliens under subsection (a).''.

SA 1351. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 8 and all that follows through page 1496, line 25, and insert the following:

SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.

(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.

(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting ''(a)'' before ''In any'';

(2) by striking ''he shall'' and inserting ''the person shall''; and

(3) by adding at the end the following:

''(b) The Government is not required to provide counsel to aliens under subsection (a).''.

(c) REPEAL.—Subsections (b), (c), and (d) of section 2104 of this Act and the amendments to section 242 of the Immigration and Nationality Act, which were made by section 2104(b) of this Act, are repealed.

SA 1352. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through page 948, line 23, and insert the following:

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

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

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

SA 1353. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 946, strike line 15 and all that follows through ''(5)'' on page 950, line 1, and insert the following:

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—The Secretary may waive the application of subparagraph (A)(i)(III) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(5)

SA 1354. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through ''(5)'' on page 950, line 1, and insert the following:

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

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

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(5)

SA 1355. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REMOVAL OF CRIMINAL ALIENS.

(a) SHORT TITLE.—This section may be cited as the ''Criminal Alien Removal Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) CRIMINAL ALIEN.—Except as otherwise provided, the term ''criminal alien'' means an alien who—

(A) is inadmissible by reason of having committed any offense covered in section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 182(a)(2));

(B) is deportable by reason of having committed any offense covered in subparagraph (A)(ii), (A)(iii), (B), (C), or (D) of section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2));

(C) is deportable under section 237(a)(2)(A)(i) of such Act (8 U.S.C. 1227(a)(2)(A)(i)) on the basis of an offense for which the alien has been sentenced to a term of imprisonment of at least 1 year; or

(D) is inadmissible under section 212(a)(3)(B) (8 U.S.C. 1182(a)(3)(B)) or deportable under section 237(a)(4)(B) (8 U.S.C. 1227 (a)(4)(B)).

(2) CRIMINAL ALIEN PROGRAM.—The term ''Criminal Alien Program'' means the Criminal Alien Program required by subsection (c).

(c) CRIMINAL ALIEN PROGRAM.—

(1) REQUIREMENT FOR CRIMINAL ALIEN PROGRAM.—The Secretary shall carry out a program known as the ''Criminal Alien Program'' for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes of the Criminal Alien Program are to—

(A) identify criminal aliens who are incarcerated in a Federal, State, or local correctional facility;

(B) ensure that such aliens are not released into the community upon the alien's release from such incarceration, without regard to whether the alien is released on parole, supervised release, or probation; and

(C) remove such aliens from the United States upon such release.

(3) TECHNOLOGY USAGE.—To carry out the Criminal Alien Program in remote locations, the Secretary shall, to the maximum extent practicable—

(A) employ technology, such as videoconferencing in such locations if necessary;

(B) utilize mobile access to Federal databases of aliens, including existing systems and new integrated data system required by this Act; and

(C) utilize electronic Livescan fingerprinting technology in order to make such resources available to State and local law enforcement agencies in such locations.

(4) PARTICIPATION BY STATES AND LOCALITIES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a State or locality shall not be eligible to receive funds pursuant to a program described in subparagraph (B) unless the appropriate officials of such State or locality—

(i) cooperate with the Secretary to carry out the Criminal Alien Program;

(ii) expeditiously and systematically identify criminal aliens who are incarcerated in a prison or jail located in such State or locality; and

(iii) promptly convey the information collected under clause (ii) to the Secretary to carry out the Criminal Alien Program.

(B) PROGRAMS.—The programs described in this subparagraph are any law enforcement grant program carried out by personnel of any element of the Department of Justice, including the program described in section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

(C) OTHER AUTHORITIES.—To assist States and localities in participating in the Criminal Alien Program, appropriate officials of a State or locality—

(i) are authorized to hold an illegal alien for a period of up to 14 days after the date such alien completes a term of incarceration within the State or locality in order to effectuate the transfer of such alien to Federal custody if the alien is removable or not lawfully present in the United States; and

(ii) are authorized to issue a detainer that would allow an alien who completes a term of incarceration within the State or locality to be detained by the State or local prison until personnel from U.S. Immigration and Customs Enforcement is able to take the alien into custody.

(5) EVALUATION OF INCARCERATED ALIEN POPULATIONS.—The Secretary, acting in conjunction with the Attorney General and the appropriate officials of the States and localities, as appropriate, shall carry out the Criminal Alien Program as follows:

(A) Not later than 1 year after the date of the enactment of this Act, identify each criminal aliens who—

(i) is incarcerated in a Federal correctional facility; and

(ii) will be deportable or removable upon release from such incarceration.

(B) Not later than 3 years after such date of enactment, identify each criminal alien who—

(i) is incarcerated in State or local correctional facility;

(ii) is serving a term of 3 or more years; and

(iii) will be deportable or removable upon release from such incarceration.

(d) REMOVAL OF IDENTIFIED CRIMINAL ALIENS.—Criminal aliens who are incarcerated and identified as deportable or removable under subsection (c)(5) shall be ordered removed and deported within 90 days.

(e) REDESIGNATION.—

(1) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is—

(A) redesignated as section 295 of the Immigration and Nationality Act; and

(B) inserted into such Act after section 294 of such Act.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by adding after the item related to section 294 the following:

''Sec. 295. Communication between government agencies and the Immigration and Naturalization Service.''.

(f) REPORTS TO CONGRESS.—The Secretary shall submit to Congress reports on the implementation of the Criminal Alien Program and the other provisions of this section, including the Secretary's progress in meeting the deadlines set out in subsection (c)(5) as follows:

(1) An initial report not later than 60 days after the deadline described in subsection (c)(5)(A).

(2) A second report not later than 60 days after the deadline described in subsection (c)(5)(B).

(3) An annual report thereafter.

SA 1356. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, unless, during the first 120-calendar day period of continuous session of Congress after the receipt of the submissions required by paragraph (2), Congress passes a Joint Resolution of Approval of the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy in accordance with this subsection, and such Joint Resolution is enacted into law.

(2) SUBMISSION OF COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY AND THE SOUTHERN BORDER FENCING STRATEGY.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to Congress and the Comptroller General, and make the available to the public through a website of the Department—

(A) the Comprehensive Southern Border Security Strategy;

(B) the Southern Border Fencing Strategy; and

(C)(i) an assessment of the laws the Secretary is required to enforce under the Immigration and Nationality Act and other immigration laws;

(ii) the progress of the Secretary in implementing such laws; and

(iii) a plan for required additional enforcement of such laws.

(3) GAO REVIEW.—Not later than 90 days after the date of the submissions under paragraph (2), the Comptroller General shall submit to Congress a report analyzing the submission made under paragraph (2).

(4) CONGRESSIONAL REVIEW.—Congress shall seek the input of the American people on the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy and hold any hearings Congress determines are necessary for reviewing such Strategies.

(5) JOINT RESOLUTION OF APPROVAL.—

(A) RESOLUTION OF APPROVAL.—In this paragraph, the term ''Resolution of Approval'' means a Joint Resolution of the Congress entitled ''Joint Resolution Approving the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy'', the sole matter after the resolving clause of which is as follows:

''That Congress approves the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy submitted to Congress on _____, in accordance with the provisions of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(B) PROCEDURES APPLICABLE TO THE SENATE.—

(i) RULEMAKING AUTHORITY.—The provisions under this subparagraph are enacted by Congress—

(I) as an exercise of the rulemaking power of the Senate, and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of a Resolution of Approval, and such provisions supersede other rules of the Senate only to the extent that they are inconsistent with such other rules; and

(II) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

(ii) INTRODUCTION; REFERRAL.—

(I) IN GENERAL.—Not later than the third day on which the Senate is in session following the day on which the submissions required by paragraph (2) are received by the Congress, a Resolution of Approval shall be introduced (by request) in the Senate by either the Majority Leader or Minority Leader. If the Resolution of Approval is not introduced as provided in the preceding sentence, any Senator may introduce a Resolution of Approval on the fourth day on which the Senate is in session after the date of the receipt of the submissions required by paragraph (2).

(II) REFERRAL.—Upon introduction, the Resolution of Approval shall be referred jointly to each of the committees having jurisdiction over the subject matter in the submissions required by paragraph (2) by the President of the Senate. Upon the expiration of 60 days of continuous session after the introduction of the Resolution of Approval, each committee to which the Resolution of Approval was referred shall make its recommendations to the Senate.

(III) DISCHARGE.—If any committee to which a Resolution of Approval is referred has not reported the Resolution of Approval at the end of 60 days of continuous session of the Congress after introduction of the Resolution of Approval, such committee shall be discharged from further consideration of the Resolution of Approval, and the Resolution of Approval shall be placed on the legislative calendar of the Senate.

(iii) CONSIDERATION.—

(I) IN GENERAL.—When each committee to which a Resolution of Approval has been referred has reported, or has been discharged from further consideration of, the Resolution of Approval it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the Resolution of Approval. Such motion shall not be debatable. If a motion to proceed to the consideration of the Resolution of Approval is agreed to, the Resolution of Approval shall remain the unfinished business of the Senate until the disposition of the Resolution of Approval.

(II) DEBATE.—Debate on the Resolution of Approval, and on all debatable motions and appeals in connection with the Resolution of Approval, shall be limited to not more than 30 hours, which shall be divided equally between Members favoring and Members opposing the Resolution of Approval. A motion to further limit debate shall be in order and shall not be debatable. The Resolution of Approval shall not be subject to amendment, to a motion to postpone, or to a motion to proceed to the consideration of other business.

A motion to recommit the Resolution of Approval shall not be in order.

(III) FINAL VOTE.—Immediately following the conclusion of the debate on the Resolution of Approval, and a single quorum call at the conclusion of such debate if requested in accordance with the rules of the Senate, the vote on the Resolution of Approval shall occur.

(IV) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to the Resolution of Approval shall be limited to 1 hour of debate.

(iv) RECEIPT OF A RESOLUTION FROM THE HOUSE.—If the Senate receives from the House of Representatives a Resolution of Approval, the following procedures shall apply:

(I) A Resolution of Approval of the House of Representatives received in the Senate shall not be referred to a committee and shall be placed on the Senate calendar, except that it shall not be in order to consider the Resolution of Approval received from the House of Representatives until such time as each committee to which the Resolution of Approval introduced in the Senate was referred under clause (ii)(II) reports the Resolution of Approval or is discharged from further consideration of the Resolution of Approval, pursuant to this subparagraph.

(II) With respect to the disposition by the Senate of a Resolution of Approval, on any vote on final passage of a Resolution of Approval of the Senate, a Resolution of Approval received from the House of Representatives shall be automatically substituted for the resolution of the Senate.

(C) PROCEDURES APPLICABLE TO THE HOUSE OF REPRESENTATIVES.—

(i) RULEMAKING AUTHORITY.—The provisions of this subparagraph are enacted by Congress—

(I) as an exercise of the rulemaking power of the House of Representatives, and as such they are deemed a part of the rules of the House of Representatives, but applicable only with respect to the procedure to be followed in the House of Representatives in the case of a Resolution of Approval, and such provisions supersede other rules of the House of Representatives only to the extent that they are inconsistent with such other rules; and

(II) with full recognition of the constitutional right of the House of Representatives to change the rules (so far as relating to the procedure of the House of Representatives) at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(ii) INTRODUCTION; REFERRAL.—

(I) IN GENERAL.—Not later than the third day on which the House of Representatives is in session following the day on which the submissions required by paragraph (2) are received by the Congress, a Resolution of Approval shall be introduced (by request) in the House of Representatives by either the Speaker of the House of Representatives or the Minority Leader. If the Resolution of Approval is not introduced as provided in the preceding sentence, any Member may introduce a Resolution of Approval on the fourth day on which the House of Representatives is in session after the date of the receipt of the submissions required by paragraph (2).

(II) REFERRAL.—A Resolution of Approval shall upon introduction be immediately referred to the appropriate committee or committees of the House of Representatives. Any Resolution of Approval received from the Senate shall be held at the Speaker's table.

(III) DISCHARGE.—Upon the expiration of 60 days of continuous session after the introduction of a Resolution of Approval, each committee to which the Resolution of Approval was referred shall be discharged from further consideration of the Resolution of Approval, and the Resolution of Approval shall be referred to the appropriate calendar, unless the Resolution of Approval or an identical resolution was previously reported by each committee to which it was referred.

(iii) CONSIDERATION.—It shall be in order for the Speaker to recognize a Member favoring the Resolution of Approval to call up the Resolution of Approval after it has been on the appropriate calendar for 5 legislative days. When a Resolution of Approval is called up, the House of Representatives shall proceed to its immediate consideration and the Speaker shall recognize the Member calling up the Resolution of Approval and a Member opposed to the Resolution of Approval for 10 hours of debate in the House of Representatives, to be equally divided and controlled by such Members. When such time has expired, the previous question shall be considered as ordered on the Resolution of Approval to adoption without intervening motion. No amendment to the Resolution of Approval shall be in order, nor shall it be in order to move to reconsider the vote by which the Resolution of Approval is agreed to or disagreed to.

(iv) RECEIPT OF RESOLUTION FROM SENATE.—If the House of Representatives receives from the Senate a Resolution of Approval:

(I) The Resolution of Approval shall not be referred to a committee.

(II) With respect to the disposition of the House of Representatives of the Resolution of Approval—

(aa) the procedure with respect to the Resolution of Approval introduced in the House of Representatives shall be the same as if no Resolution of Approval had been received from the Senate; but

(bb) the vote on final passage in the House of Representatives shall be on the Resolution of Approval received from the Senate.

SA 1357. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 955, strike lines 1 through 5, and insert the following:

(C) INTERVIEWS.—

(i) MANDATORY INTERVIEWS.—Before granting a waiver of ineligibility for registered provisional immigrant status under this section, the Secretary, through U.S. Citizenship and Immigration Services, shall conduct an in-person interview if the applicant is present in the United States and is described in paragraph (2) or (6)(B) of section 212(a) (relating to criminal aliens and aliens who failed to appear at prior removal hearings).

(ii) PERMITTED INTERVIEWS.—The Secretary, through U.S. Citizenship and Immigration Services, may interview applicants for registered provisional immigrant status not described in clause (i) to determine whether they meet the eligibility requirements set forth in subsection (b).

SA 1358. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 922, strike line 1 and all that follows through page 927, line 7, and insert the following:

SEC. 1113. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the DHS Task Force).

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the international borders between the United States and Mexico and between the United States and Canada protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1112.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 35 members, appointed by the President, who have expertise in enforcing Federal immigration laws, migration, local crime indices, civil and human rights, community relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 15 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement officials;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services; and

(ii) 20 members shall be from the Southern border region and shall include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community;

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services.

(B) TERM OF SERVICE.—Members of the DHS Task Force described in subclauses (VIII) through (XI) of clause (i) and subclauses (VIII) through (XI) of clause (ii) shall be selected by a vote of their peers. All members of the DHS Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving the findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit a final report to the President, Congress, and the Secretary that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties for which the DHS Task Force should be responsible after the termination date described in subsection (e).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2014 through 2017.

(e) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

SA 1359. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 861, strike line 23 and all that follows through page 864, line 7, and insert the following:

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—If the Secretary certifies that the Department has not achieved effective control in all border sectors during any fiscal year beginning before the date that is 5 years after the date of the enactment of this Act, not later than 60 days after such certification, there shall be established a commission to be known as the Southern Border Security Commission (referred to in this section as the Commission).

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of—

(A) 2 members who shall be appointed by the President;

(B) 2 members who shall be appointed by the President pro tempore of the Senate, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the Senate of the other political party;

(C) 2 members who shall be appointed by the Speaker of the House of Representatives, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the other political party;

(D) 4 members, consisting of 1 member from each of the States along the Southern border, who shall be—

(i) the Governor of such State; or

(ii) appointed by the Governor of each such State; and

(E) 5 members, consisting of front line personnel with experience securing the borders of the United States and enforcing customs and immigration laws selected by a vote of their peers, including—

(i) 2 U.S. Border Patrol agents;

(ii) 1 U.S. Customs and Border Protection employee;

(iii) 1 U.S. Citizenship and Immigration Services employee; and

(iv) 1 U.S. Immigration and Customs Enforcement employee.

(2) QUALIFICATION FOR APPOINTMENT.—Appointed members of the Commission shall be distinguished individuals noted for their knowledge and experience in the field of border security at the Federal, State, or local level.

(3) TIME OF APPOINTMENT.—The appointments required by paragraph (1) shall be made not later than 60 days after the Secretary makes a certification described in subsection (a).

(4) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(5) VACANCIES.—Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(6) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of at least 6 members of the Commission.

(c) DUTIES.—The Commission's primary responsibility shall be to make recommendations to the President, the Secretary, and Congress on policies to achieve and maintain the border security goal specified in section 3(b) by achieving and maintaining—

(1) the capability to engage in, and engaging in, persistent surveillance in border sectors along the Southern border; and

(2) an effectiveness rate of 90 percent or higher in all border sectors along the Southern border.

(d) REPORT.—Not later than 180 days after the end of the 5-year period described in subsection (a), the Commission shall submit to the President, the Secretary, and Congress a report setting forth specific recommendations for policies for achieving and maintaining the border security goals specified in subsection (c). The report shall include, at a minimum, recommendations for the personnel, infrastructure, technology, and other resources required to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(e) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the Commission such staff and administrative services as may be necessary and appropriate for the Commission to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service or status or privilege.

(g) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall review the recommendations in the report submitted under subsection (d) in order to determine—

(1) whether any of the recommendations are likely to achieve effective control in all border sectors;

(2) which recommendations are most likely to achieve effective control; and

(3) whether such recommendations are feasible within existing budget constraints.

(h) TERMINATION.—The Commission shall terminate 30 days after the date on which the report is submitted under subsection (d).

SA 1360. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 861, strike line 8.

On page 861, line 14, strike the period at the end and insert the following: ''; and

(E) 5 members, consisting of front line personnel with experience securing the borders of the United States and enforcing customs and immigration laws selected by a vote of their peers, including—

(i) 2 U.S. Border Patrol agents;

(ii) 1 U.S. Customs and Border Protection employee;

(iii) 1 U.S. Citizenship and Immigration Services employee; and

(iv) 1 U.S. Immigration and Customs Enforcement employee.

On page 923, line 9, strike ''29'' and insert ''35''.

On page 923, line 10, insert ''enforcing Federal immigration laws,'' after ''expertise in''.

On page 923, line 15, strike ''12 members'' and insert ''15 members''.

On page 924, beginning on line 4, strike ''and'' and all that follows through ''17 members'' on line 7, and insert the following:

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services; and

(ii) 20 members

On page 924, beginning on line 20, strike ''and'' and all that follows through line 22, and insert the following:

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services.

On page 924, line 24, insert ''described in subclauses (VIII) through (XI) of clause (i) and subclauses (VIII) through (XI) of clause (ii) shall be selected by a vote of their peers. All members of the Task Force''.

SA 1361. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1105 and insert the following:

SEC. 1105. PROHIBITION ON ACTIONS THAT IMPEDE BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—The waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private land; and

(2) not provide authority on or access to State or private land.

SA 1362. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. REMOVAL OF NONIMMIGRANTS WHO OVERSTAY THEIR VISAS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall immediately initiate removal proceedings, in accordance with chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), against not fewer than 90 percent of the aliens who—

(1) were admitted as nonimmigrants after such date of enactment; and

(2) have exceeded their authorized period of admission.

(b) REPORT.—At the end of each calendar quarter, the Secretary shall submit a report to Congress that identifies—

(1) the total number of aliens who exceeded their authorized period of stay as nonimmigrants during that quarter;

(2) the total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings; and

(3) statistics about aliens who lawfully entered the United States and exceeded their authorized period of admission, categorized by visa type and nation of origin.

SA 1363. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1014, strike line 1 and all that follows through ''(e)'' on page 1020, line 3, and insert ''(b)''.

SA 1364. Mr. WARNER (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1852, line 1, strike ''$250,000'' and insert ''an additional $150,000''.

On page 1854, strike lines 4 through 20, and insert the following:

''(ii) QUALIFIED ENTREPRENEUR.—

''(I) IN GENERAL.—The term ''qualified entrepreneur'' means an individual who—

''(aa) has a significant ownership interest, which need not constitute a majority interest, in a United States business entity;

''(bb) is employed in a senior executive position of such United States business entity; and

''(cc) had a substantial role in the founding or early-stage growth and development of such United States business entity.

''(II) WAIVER OF SIGNIFICANT OWNER INTEREST REQUIREMENT.—Notwithstanding subclause (I)(aa), the Secretary may determine that an individual that does not have a significant ownership interest in a United States business entity but that otherwise meets the requirements of subclause (I) is a qualified entrepreneur if the business entity was acquired in a bona fide arm's length transaction by another United States business entity.

On page 1856, strike lines 19 through 21, and insert the following:

''(III)(aa) pays a wage that is not less than 250 percent of the Federal minimum wage; or

''(bb) provides to the holder of the position equity compensation in an amount equal to 1 percent of the equity of the United States business entity on an 'as-converted' basis.

On page 1861, strike lines 16 through 25, and insert the following:

''(cc) has been advising such entity or other similar funds or a series of funds for at least 2 years; and

''(dd) has advised such entity or a similar fund or a series of funds with respect to at least 2 investments of not less than $500,000 made by such entity or similar fund or series of funds during at least 2 of the most recent 3 years.

On page 1863, strike lines 13 through 17, and insert the following:

''(B) AVAILABILITY OF VISAS.—

''(i) IN GENERAL.—Visas shall be available, in a number not to exceed 10,000 for each fiscal year, to qualified immigrants seeking to enter the United States for the purpose of creating new businesses, as described in this paragraph.

''(ii) ADDITIONAL VISAS.—

''(I) IN GENERAL.—An additional 5,000 visas for each fiscal year shall be reallocated from unused visas if the Secretary determines, after receiving the report required by subclause (II), that the provision of visas under this paragraph has been effective in creating new businesses and that there would be additional economic benefit derived from the provision of additional visas under this paragraph.

''(II) GAO REPORT.—Not later than 30 days after the end of each fiscal year, the Comptroller General of the United States shall submit to Congress and the Secretary a report on the effectiveness of providing visas under this section in creating new businesses and recommendations with respect to the provision of such visas. The Secretary shall provide any necessary data to Comptroller General upon request.

On page 1864, line 1, strike ''3-year period'' and insert ''6-year period''.

On page 1865, line 1, strike ''2-year period'' and insert ''3-year period''.

On page 1865, line 3, insert after ''revenue'' the following: '', in any 12-month period during that 3-year period,''.

On page 1865, line 8, strike the semicolon and insert ''; or''.

SA 1365. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1298, strike line 18 and all that follows through page 1299, line 11, and insert the following:

SEC. 2552. FILING OF APPLICATIONS NOT REQUIRING REGULAR INTERNET ACCESS.

(a) ELECTRONIC FILING NOT REQUIRED.—

(1) IN GENERAL.—The Secretary may not require that an applicant or petitioner for permanent residence or United States citizenship use an electronic method to file any application, or to access a customer account as the sole means of applying for such status.

(2) SUNSET DATE.—This subsection shall cease to be effective on October 1, 2020.

(b) NOTIFICATION REQUIREMENT.—Beginning on October 1, 2020, the Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application or to access a customer account unless the Secretary notifies the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of such requirement not later than 30 days before the effective date of such requirement.

(c) ENABLING DIGITAL PAPERWORK PROCESSING.—In order to improve efficiency and to discourage fraud, the Secretary may provide incentives to encourage digital filing, including expedited processing, modified filing fees, or discounted membership in trusted traveler programs, if the Secretary provides electronic access to a digital application process in application support centers, district offices, or other ubiquitous, commercial, and nongovernmental organization locations designated by the Secretary.

On page 1418, strike lines 12 through 19 and insert the following:

SEC. 3103. INCREASING SECURITY AND INTEGRITY OF GOVERNMENT-ISSUED CREDENTIALS AND SYSTEMS.

(a) ASSESSMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in coordination with the National Institute of Standards and Technology, shall submit an assessment, with recommendations to Congress on—

(1) the feasibility of automated biometric comparison to verify that the person presenting the employment authorization document is the rightful holder;

(2) how best to enable United States citizens and aliens lawfully present in the United States to better secure the accuracy and privacy of their digital interactions with Federal information systems; and

(3) a timetable for the actions described in paragraphs (1) and (2).

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to support a public-private, multi-stakeholder process that includes relevant Federal agencies and groups representing the State governors, motor vehicle administrators, civil liberties groups, public safety organizations, representatives of the technology, financial services and healthcare sectors, and such other public or private entities as the Secretary considers appropriate.

(2) FUNCTIONS.—The advisory committee established pursuant to paragraph (1) shall—

(A) collect and analyze recommendations from the stakeholders described in paragraph (1) with respect to the assessment conducted under subsection (a); and

(B) provide Congress with any ongoing recommendations for legislative and administrative action regarding improvements to the security, integrity, and privacy of government issued credentials and systems.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to enter into agreements with the National Academy of Sciences to provide reviews and intellectual support for the mission of the advisory committee established pursuant to subsection (b)(1).

SA 1366. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1465, strike lines 6 through 12 and insert the following:

(3) REGULATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(B) COMPLIANCE.—The Secretary shall establish mandatory training courses for covered Department of Homeland Security officers on compliance with the regulations issued under subparagraph (A).

(C) INSPECTOR GENERAL REPORT.—Beginning not later than 1 year after the date on which the Secretary establishes the mandatory training courses under subparagraph (B), and every year thereafter, the Inspector General for the Department shall submit to Congress a report on the compliance by covered Department of Homeland Security officers with the regulations issued under subparagraph (A).

SA 1367. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1464, strike line 22 and all that follows through page 1466, line 8, and insert the following:

(c) STUDY AND REGULATIONS.—

(1) DATA COLLECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department of Homeland Security officers.

(2) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, and every year thereafter, the Secretary shall complete a study analyzing the data.

(3) REGULATIONS.—Not later than 90 days after the date the first study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(4) REPORTS.—Not later than 30 days after completion of each study required by paragraph (2), the Secretary shall submit the study to—

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

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

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) DEFINED TERM.—In this subsection, the term ''covered Department of Homeland Security officer'' means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration and Customs Enforcement, or the Transportation Security Administration.

SA 1368. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON RESTRAINTS ON PREGNANT DETAINEES.

(a) PROHIBITION ON RESTRAINT OF PREGNANT DETAINEES.—

(1) PROHIBITION.—A detention facility shall not use restraints on a detainee known to be pregnant, including during labor, transport to a medical facility or birthing center, delivery, and postpartum recovery, unless the facility administrator makes an individualized determination that the detainee presents an extraordinary circumstance as described in paragraph (2).

(2) EXTRAORDINARY CIRCUMSTANCE.—Restraints for an extraordinary circumstance are only permitted if a medical officer has directed the use of restraints for medical reasons or if the facility administrator makes an individualized determination that—

(A) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others; or

(B) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

(3) REQUIREMENT FOR LEAST RESTRICTIVE RESTRAINTS.—In the rare event that one of the extraordinary circumstances in paragraph (2) applies, medical staff shall determine the safest method and duration for the use of restraints and the least restrictive restraints necessary shall be used for a pregnant detainee, except that—

(A) if a doctor, nurse, or other health professional treating the detainee requests that restraints not be used, the detention officer accompanying the detainee shall immediately remove all restraints;

(B) under no circumstance shall leg or waist restraints be used;

(C) under no circumstance shall wrist restraints be used to bind the detainee's hands behind her back; and

(D) under no circumstances shall any restraints be used on any detainee in labor or childbirth.

(4) RECORD OF EXTRAORDINARY CIRCUMSTANCES.—

(A) REQUIREMENT.—If restraints are used on a detainee pursuant to paragraph (2), the facility administrator shall make a written finding within 10 days as to the extraordinary circumstance that dictated the use of the restraints.

(B) RETENTION.—A written find made under subparagraph (A) shall be kept on file by the detention facility for at least 5 years and be made available for public inspection, except that no individually identifying information

of any detainee shall be made public without the detainee's prior written consent.

(b) PROHIBITION ON PRESENCE OF DETENTION OFFICERS DURING LABOR OR CHILDBIRTH.—Upon a detainee's admission to a medical facility or birthing center for labor or childbirth, no detention officer shall be present in the room during labor or childbirth, unless specifically requested by medical personnel. If a detention officer's presence is requested by medical personnel, the detention officer shall be female, if practicable. If restraints are used on a detainee pursuant to subsection (a)(2), a detention officer shall remain immediately outside the room at all times so that the officer may promptly remove the restraints if requested by medical personnel, as required by subsection (a)(3)(A).

(c) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' includes any adult or juvenile person detained under the Immigration and Nationality Act (8 U.S.C. 1101) or held by any Federal, State, or local law enforcement agency under an immigration detainer.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement or the Commissioner of U.S. Customs and Border Protection, including facilities that hold such individuals under a contract or agreement with the Director or Commissioner, or that is used, in whole or in part, to hold individuals pursuant to an immigration detainer.

(3) FACILITY ADMINISTRATOR.—The term ''facility administrator'' means the official that is responsible for oversight of a detention facility or the designee of such official.

(4) LABOR.—The term ''labor'' means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) POSTPARTUM RECOVERY.—The term ''postpartum recovery'' mean, as determined by her physician, the period immediately following delivery, including the entire period a woman is in the hospital or infirmary after birth.

(6) RESTRAINT.—The term ''restraint'' means any physical restraint or mechanical device used to control the movement of a detainee's body or limbs, including flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security (tether) chain, or a convex shield.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 30 days before the end of each fiscal year, the facility administrator of each detention facility in whose custody a pregnant detainee had been subject to the use of restraints during the previous fiscal year shall submit to the Secretary a written report that includes an account of every instance of such a use of restraints. No such report may contain any individually identifying information of any detainee.

(2) PUBLIC INSPECTION.—Each report submitted under paragraph (1) shall be made available for public inspection.

(e) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out this section at every detention facility.

SA 1369. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1796, lines 9 and 10, strike ''U.S. Citizenship and Immigration Services'' and insert ''Department of Labor''.

On page 1799, lines 19 and 20, strike ''Director of U.S. Citizenship and Immigration Services'' and insert ''Secretary of Labor''.

On page 1800, line 1, strike ''Director'' and insert ''Secretary of Labor''.

SA 1370. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, line 2, insert ''and aliens with an advanced degree in science, technology, engineering, or mathematics from an institution of higher education in the United States who are residing in the United States'' after ''workers''.

SA 1371. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1082, strike line 7 and all that follows through page 1087, line 17.

SA 1372. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1496, line 1, insert '', in consultation with the Department of Health and Human Services or U.S. Immigration and Customs Enforcement,'' after ''shall''.

SA 1373. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 879, line 12, insert '', the Director of the Administrative Office of the United States Courts, the Secretary of Agriculture, the Secretary of Labor,'' after ''Attorney General''.

SA 1374. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 864, line 14, strike ''Secretary'' and insert ''Secretary, after consultation with the Attorney General, the Secretary of the Interior, the Director of the Administrative Office of the United States Courts, and the heads of other appropriate Federal agencies,''.

SA 1375. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 918, between lines 12 and 13, insert the following:

(3) ELIGIBILITY REQUIREMENTS FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDING.—Section 241(i) (8 U.S.C. 1231(i)), as amended by this section, is further amended by adding at the end the following:

''(8) A State, or a political subdivision of a State, shall not be eligible to enter into a contractual arrangement under paragraph (1) if the State or political subdivision—

''(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, whether lawful or unlawful, of any individual.''.

SA 1376. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1584, strike lines 11 through 18.

SA 1377. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 911, beginning on line 6, strike '', working through U.S. Border Patrol,''.

SA 1378. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 866, line 3, before ''and successfully'' insert ''through programs in existence on the date of enactment of this Act or programs established thereafter''.

SA 1379. Mr. GRASSLEY (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. LIMITATION ON CERTAIN ALIENS CLAIMING EARNED INCOME TAX CREDIT IN PRIOR YEARS.

(a) IN GENERAL.—Paragraph (1) of section 32(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(G) PROHIBITION ON RETROACTIVE CREDIT FOR CERTAIN IMMIGRANTS.—

''(i) IN GENERAL.—In the case of an individual who is granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year prior to the year such individual was granted such status unless such individual —

''(I) was an eligible individual for such prior taxable year, and

''(II) was authorized to engage in employment in the United States for such prior taxable year.

''(ii) MARRIED INDIVIDUALS.—In the case of an eligible individual who is married (within the meaning of section 7703) to an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year—

''(I) in which such individual was married (within the meaning of section 7703) to the eligible individual, and

''(II) which is prior to the year the spouse of such individual was granted such status,

unless such spouse was authorized to engage in employment in the United States for such prior taxable year.''.

(b) QUALIFYING CHILDREN.—Subparagraph (D) of section 32(c)(3) of such Code is amended by redesignating clause (ii) as clause (iii) and by inserting after clause (i) the following new clause:

''(ii) PRIOR YEARS.—In the case of an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, such individual shall not be taken into account as a qualifying child under subsection (b) for any taxable year prior the year such individual was granted such status unless such individual was authorized to engage in employment in the United States for such prior taxable year.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1380. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 952, strike line 22 and all that follows through page 953, line 12, and insert the following:

''(3) APPLICATION PERIOD.—The Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

SA 1381. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. DISALLOWANCE OF EARNED INCOME TAX CREDIT FOR REGISTERED PROVISIONAL IMMIGRANTS.

(a) IN GENERAL.—Subparagraph (D) of section 32(c)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(D) LIMITATION ON ELIGIBILITY OF CERTAIN ALIENS.—

''(i) REGISTERED PROVISIONAL IMMIGRANT STATUS.—The term 'eligible individual' shall not include an individual who is in registered provisional immigrant status under section 245B of the Immigration and Nationality Act during any portion of the taxable year.

''(ii) NONRESIDENT ALIENS.—The term 'eligible individual' shall not include any individual who is a nonresident alien individual for any portion of the taxable year unless such individual is treated for such taxable year as a resident of the United States for purposes of this chapter by reason of an election under subsection (g) or (h) of section 6013.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1382. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 905, line 10, strike ''(d)'' and insert the following:

(d) DONATIONS FOR LAND PORTS OF ENTRY FACILITIES.—

(1) DONATIONS PERMITTED.—Notwithstanding any other provision of law, including chapter 33 of title 40, United States Code, the Secretary, for purposes of constructing, altering, operating, or maintaining a new or existing land port of entry facility, may accept donations of real and personal property (including monetary donations) and nonpersonal services from private parties and State and local government entities.

(2) ALLOWABLE USES OF DONATIONS.—The Secretary, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such property or services for necessary activities related to the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator of General Services for necessary activities described in paragraph (1) related to a new or existing land port of entry facility under the custody and control of the Administrator.

(3) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by any person described in paragraph (1) to make a donation of real or personal property (including monetary donations) or nonpersonal services to facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary.

(4) CONSIDERATIONS.—In determining whether or not to approve a proposal described in paragraph (3), the Secretary or the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity;

(C) the potential of the proposal to enhance the security of the port of entry; and

(D) other factors that the Secretary determines to be relevant.

(5) CONSULTATION.—

(A) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary is encouraged to consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(i) to determine locations for new ports of entry; and

(ii) to minimize the adverse impacts from such ports on the environment, historic and cultural resources, commerce, and the quality of life for the communities and residents located near such ports.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed—

(i) to create any right or liability of the parties described in subparagraph (A); and

(ii) to affect any consultation requirement under any other law.

(6) SUPPLEMENTAL FUNDING.—Property (including monetary donations) and services provided pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or services made available for the same purpose.

(7) UNCONDITIONAL DONATIONS.—A donation provided pursuant to paragraph (1) shall be made unconditionally, although the donor may specify—

(A) the land port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which the donated property or services shall be used.

(8) RETURN OF DONATIONS.—If the Secretary or the Administrator does not use the property or services donated pursuant to paragraph (1) for the specific land port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated property or services shall be returned to the entity that made the donation. No interest shall be owed to the donor with respect to any donation of funding provided under paragraph (1) that is returned pursuant to this paragraph.

(9) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Administrator, shall submit a report to the congressional committees listed in subparagraph (B) that describes—

(i) the accepted donations received under this subsection;

(ii) the ports of entry that received such donations; and

(iii) how each donation helped facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry.

(B) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this subparagraph are—

(i) the Committee on Appropriations of the Senate;

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

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

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

(vi) the Committee on Ways and Means of the House of Representatives.

(10) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Secretary or the Administrator of General Services to construct, alter, operate, and maintain land port of entry facilities.

(e)

SA 1383. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 4806, add the following:

(j) REPORTS.—

(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the EB-5 program carried out pursuant to section 203(b)(5) of the Immigration and Nationality (8 U.S.C. 1153(b)(5)), as amended by this section.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) The number of applications pending for an immigrant visa described in section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)) disaggregated by State.

(B) The period of time each such application has been pending.

(C) The average length of time required to conduct an economic evaluation of a project and suitability of a petitioner for such a visa and the Secretary's goals for these timeframes.

(D) A description of any additional resources necessary to efficiently administer the EB-5 program carried out pursuant to such section 203(b)(5).

(E) The number of applications that have been approved or denied for such a visa in the most recent reporting period with an accompanying explanation of reasons for such approval or denial disaggregated by State.

(F) The number of jobs created by such EB-5 program in each 180-day period, disaggregated by State.

(G) The types of projects proposed and the number of aliens granted such a visa in each 180-day period, disaggregated by State and by North American Industry Classification System (NAICS) code.

SA 1384. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. INTERNATIONAL COOPERATION WITH RESPECT TO BORDER SECURITY AND TRADE FACILITATION.

(a) AUTHORITY TO ENTER INTO CUSTOMS PARTNERSHIPS WITH FOREIGN GOVERNMENTS.—Section 629(g) of the Tariff Act of 1930 (19 U.S.C. 1629(g)) is amended to read as follows:

''(g) PRIVILEGES AND IMMUNITIES.—

''(1) IN GENERAL.—Except as provided in subparagraph (B), any person designated to perform the duties of an officer of the Customs Service pursuant to section 401(i) shall be entitled to the same privileges and immunities as an officer of the Customs Service with respect to any actions taken by the person in the performance of those duties.

''(2) FOREIGN LAW ENFORCEMENT OFFICERS.—A law enforcement officer of a foreign government designated to perform the duties of an officer of the Customs Service pursuant to section 401(i) shall be entitled to such of the privileges and immunities described in paragraph (1) as are afforded to the officer pursuant to the law of the United States or an agreement between the United States and the foreign government authorized under paragraph (3).

''(3) AUTHORIZATION OF AGREEMENTS WITH FOREIGN GOVERNMENTS.—The Secretary of State, in coordination with the Secretary of Homeland Security, may enter into an agreement with the government of a foreign country to extend to law enforcement officers of that government that are designated to perform the duties of an officer of the Customs Service under section 401(i) such of the privileges and immunities described in paragraph (1) as are necessary for those law enforcement officers to carry out those duties.''.

(b) AUTHORITY OF FOREIGN CUSTOMS OFFICERS WITH RESPECT TO PRECLEARANCE ACTIVITIES IN THE UNITED STATES.—Section 629(e) of the Tariff Act of 1930 (19 U.S.C. 1629(e)) is amended by adding at the end the following: ''Notwithstanding any other provision of Federal, State, or local law, a foreign customs officer stationed at a facility in the United States under this subsection may possess, use, and transport to and from the facility inspectional aids, personal protective equipment, and such other items as are necessary to carry out the officer's official duties to the same extent as a United States official acting in the official's official capacity in the United States.''.

(c) STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS IN THE UNITED STATES.—

(1) IN GENERAL.—Subtitle H of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890A. STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS AND ASSOCIATED PERSONNEL.

''(a) IN GENERAL.—The Secretary or the Attorney General may authorize the stationing of law enforcement officers and associated personnel of a foreign government in the United States for the purpose of enhancing law enforcement cooperation and operations with the foreign government.

''(b) EXTENSION OF PRIVILEGES AND IMMUNITIES.—The Secretary of State, in coordination with the Secretary or the Attorney General, or both, may extend privileges and immunities, as negotiated pursuant to an international agreement or treaty with a particular foreign government, to law enforcement officers and associated personnel of the foreign government stationed in the United States in accordance with subsection (a) as may be necessary for those law enforcement officers and associated personnel to carry out the functions authorized under subsection (a).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 890 the following:

''Sec. 890A. Stationing of foreign law enforcement officers and associated personnel.''.

(d) FEDERAL JURISDICTION OVER PERSONNEL WORKING AS PART OF BORDER SECURITY INITIATIVES.—

(1) IN GENERAL.—Chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''§ 1925. Offenses committed by personnel working in furtherance of border security initiatives outside the United States

''(a) OFFENSE.—It shall be unlawful for any individual who is employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in a foreign country in furtherance of a border security initiative pursuant to a treaty, agreement, or other arrangement to engage in conduct that would constitute an offense under Federal law if the conduct had been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States.

''(b) PENALTY.—Any individual who violates subsection (a) shall be punished as provided for that offense.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''1925. Offenses committee by personnel working in furtherance of border security initiatives outside the United States.''.

SA 1385. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1147, strike lines 16 through 19, and insert the following:

''(1) FISCAL YEARS 2015 THROUGH 2017.—During each of the fiscal years 2015 through 2017, the worldwide level

Beginning on page 1147, line 24, strike ''Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act,'' and insert ''During fiscal year 2018 and each subsequent fiscal year,''

On page 1154, strike line 21, and insert the following:

''(6) APPLICATION PROCEDURES.—

''(A) SUBMISSION.—During the 30-day period beginning on the first October 1 occurring at least 3 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and during each 30-day period beginning on October 1 in subsequent years, eligible aliens may submit, to U.S. Citizenship and Immigration Services, an application for a merit-based immigrant visa that contains such information as the Secretary may reasonably require.

''(B) ADJUDICATION.—Before the last day of each fiscal year in which applications are filed pursuant to subparagraph (A), the Director, U.S. Citizenship and Immigration Services, shall—

''(i) review the applications to determine which aliens will be granted a merit-based immigrant visa in the following fiscal year in accordance with this subsection; and

''(ii) in coordination with the Secretary of State, provide such visas to all successful applicants.

''(C) FEE.—An alien who is allocated a visa

On page 1160, strike lines 11 through 13 and insert the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

On page 1164, line 23, strike ''(f)'' and insert the following:

(f) APPLICABILITY OF CERTAIN GROUNDS OF INADMISSIBILITY.—In determining an alien's inadmissibility under this section, section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)) shall not apply.

(g)

On page 1206, line 8, strike ''203(b)(2)(B).'' and insert ''203(b)(2)(B) or 201(b)(1)(N).''.

On page 1630, strike lines 3 through 5, and insert the following:

''(C) An allocation adjustment under clause (i), (ii), (iii), or (iv) of subparagraph (B)—

''(i) may not increase the total number of nonimmigrant visas available for any fiscal year under section 101(a)(15)(H)(i)(b) above 180,000; and

''(ii) may not take place to make additional nonimmigrant visas available for any fiscal year in which

On page 1677, line 13, insert '', other than a public institution of higher education,'' after ''entity''.

On page 1680, line 25, insert ''(other than nonprofit education and research institutions)'' after ''employer''.

On page 1681, line 25, strike ''employer who'' and insert ''employer (other than nonprofit education and research institutions) that''.

On page 1735, strike lines 4 through 8 and insert the following:

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

''(B) The applicable numerical limitation referred to in subparagraph (A) for each fiscal year is—

''(i) 10,500 for each of the nationalities identified in clause (iii) of section 101(a)(15)(E); and

''(ii) 10,500 for all aliens described in clause (vi) of such section.''.

Beginning on page 1791, strike line 24 and all that follows through page 1792, line 4, and insert the following:

''(2) PROHIBITION ON DIRECT PAYMENTS FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive direct payments from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.''.

SA 1386. Mrs. HAGAN (for herself, Mr. COONS, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013''.

(b) REAUTHORIZATION.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2012'' and inserting ''2018''.

(c) SENSE OF CONGRESS ON 5-YEAR LIMITATION ON FUNDS.—It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll et seq.) should be made available through the end of the 4th fiscal year following the fiscal year for which amounts are awarded and should not be made available until expended.

(d) UNIQUELY FITTED ARMOR VESTS.—Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3) by striking ''; or'' and inserting ''; and'';

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following:

''(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including armor vests uniquely fitted to individual female law enforcement officers; or''.

SEC. 1123. BORDER CRIME PREVENTION PROGRAM.

(a) GRANTS AUTHORIZED.—The Secretary shall establish a Border Crime Prevention Program to assist units of local governments and tribal governments—

(1) to better prevent crime and promote public safety and criminal justice in border areas; and

(2) to enhance coordination between Federal and local law enforcement agencies.

(b) APPLICATION.—Each eligible entity may apply for a grant under this section by submitting an application containing such information as the Secretary may reasonably require.

(c) ELIGIBILITY.—For purposes of this section, an ''eligible entity'' includes—

(1) any State or unit of local government in the United States, including cities, towns, and counties, that—

(A) touches the Southern border or the Northern border; or

(B) is located within 100 miles of the Southern border or the Northern border; and

(2) tribal governments in the United States that own land that is located within 100 miles of the Southern border or the Northern border.

(d) DIRECT FUNDING.—Each grant awarded under this section shall be provided directly to the eligible entity that applied for such grant.

(e) USES OF GRANT FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), grant funds under this section may be expended—

(A) to hire and train additional career law enforcement officers for deployment to the border;

(B) to procure equipment, technology, or support systems;

(C) to pay for overtime, mileage reimbursements, fuel, and similar costs;

(D) to provide specialized training to law enforcement officers;

(E) to build or sustain law enforcement facilities or equipment;

(F) to provide for first responders and emergency response services;

(G) to provide support for local prosecutors and probation officers; and

(H) for any other purpose authorized by the Secretary.

(2) LIMITATION.—Grants awarded under this section may not be used to enforce Federal immigration laws.

(3) FEDERAL SHARE.—The Federal share of the cost of any activity described in paragraph (1) for which grant funds are expended under this section—

(A) shall be 100 percent; and

(B) may be used to cover indirect costs.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, from the Comprehensive Immigration Trust Fund established under section 6(a)(1), $50,000,000 for each of the fiscal years 2014 through 2018 to carry out this section.

SA 1387. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1544, line 19, insert after ''the alien'' the following: ''has shown, by clear and convincing evidence, that the alien''.

SA 1388. Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, insert the following:

TITLE V—AMERICA WORKS

SEC. 5001. SHORT TITLE.

This title may be cited as the ''American Manufacturing Efficiency and Retraining Investment Collaboration Achievement Works Act'' or ''AMERICA Works Act''.

SEC. 5002. FINDINGS.

Congress finds the following:

(1) Recent data show that United States manufacturing companies cannot fill as many as 600,000 skilled positions, even as unemployment numbers hover at historically high levels.

(2) The unfilled positions are mainly in the skilled production category, and in occupations such as machinist, operator, craft worker, distributor, or technician.

(3) in less than 20 years, an overall loss of expertise and management skill is expected to result from the gradual departure from the workplace of 77,200,000 workers.

(4) Postsecondary success and workforce readiness can be achieved through attainment of a recognized postsecondary credential.

(5) According to the January 2011 Computing Technology Industry Association report entitled ''Employer Perceptions of Information Technology Training and Certification'', 64 percent of hiring information technology managers rate information technology certifications as having extremely high or high value in validating information technology skills and expertise. The value of those certifications is rated highest among senior information technology managers, such as Chief Information Officers, and managers of medium-size firms.

SEC. 5003. INDUSTRY-RECOGNIZED AND NATIONALLY PORTABLE CREDENTIALS FOR JOB TRAINING PROGRAMS.

(a) WORKFORCE INVESTMENT ACT OF 1998.—

(1) YOUTH ACTIVITIES.—Section 129(c)(1)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2854(c)(1)(C)) is amended—

(A) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively; and

(B) inserting after clause (i) the following:

''(ii) training (which may include priority consideration for training programs that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123);''.

(2) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(d)(4)(F) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F)) is amended by adding at the end the following:

''(iv) PROGRAMS THAT LEAD TO AN INDUSTRY-RECOGNIZED AND NATIONALLY PORTABLE CREDENTIAL.—In assisting individuals in selecting programs of training services under this section, a one-stop operator and employees of a one-stop center referred to in subsection (c) may give priority consideration to programs (approved in conjunction with eligibility decisions made under section 122) that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area involved.''.

(3) CRITERIA.—

(A) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 122(b)(2)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(b)(2)(D)) is amended—

(i) in clause (ii), by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(iv) in the case of a provider of a program of training services that leads to a recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act), that the program leading to the credential meets such quality criteria as the Governor shall establish.''.

(B) YOUTH ACTIVITIES.—Section 123 of the Workforce Investment Act of 1998 (29 U.S.C. 2843) by inserting ''(including such quality criteria as the Governor shall establish for a training program that leads to a recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act))'' after ''plan''.

(b) CAREER AND TECHNICAL EDUCATION.—

(1) STATE PLAN.—Section 122(c)(1)(B) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amended—

(A) by striking ''(B) how'' and inserting ''(B)(i) how'';

(B) by inserting ''and'' after the semicolon; and

(C) by adding at the end the following

''(ii) in the case of an eligible entity that, in developing and implementing programs of study leading to recognized postsecondary credentials, desires to give a priority to such programs that are aligned with in-demand occupations or industries in the area served (as determined by the eligible agency) and that may provide a basis for additional credentials, certificates, or degree, how the entity will do so;''.

(2) USE OF LOCAL FUNDS.—Section 134(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2354(b)) is amended—

(A) in paragraph (11), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (12)(B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(13) describe the career and technical education activities supporting the attainment of recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act), and, in the case of an eligible recipient that desires to provide priority consideration to certain programs of study in accordance with the State plan under section 122(c)(1)(B), how the eligible recipient will give priority consideration to such activities.''.

(3) TECH-PREP PROGRAMS.—Section 203(c)(2)(E) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2373(c)(2)(E)) is amended by striking ''industry-recognized credential, a certificate,'' and inserting ''recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act and approved by the eligible agency),''.

(c) TRAINING PROGRAMS UNDER TAA.—Section 236(a) of the Trade Act of 1974 (19 U.S.C. 2296(a)) is amended by adding at the end the following:

''(12) In approving training programs for adversely affected workers and adversely affected incumbent workers under paragraph (1), the Secretary may give priority consideration to workers seeking training through programs that are approved in conjunction with eligibility decisions made under section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842), and that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area (defined for purposes of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)) involved.''.

SEC. 5004. DEFINITIONS.

In this title:

(1) INDUSTRY-RECOGNIZED.—The term ''industry-recognized'', used with respect to a credential, means a credential that—

(A) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(B) is endorsed by a recognized trade or professional association or organization, representing a significant part of the industry sector; and

(C) is a nationally portable credential, meaning a credential that is sought or accepted, across multiple States, as described in subparagraph (A).

(2) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' means a credential consisting of an industry-recognized credential for postsecondary training, a certificate that meets the requirements of subparagraphs (A) and (C) of paragraph (1) for postsecondary training, a certificate of completion of a postsecondary apprenticeship through a program described in section 122(a)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or an associate degree or baccalaureate degree awarded by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SEC. 5005. EFFECTIVE DATE.

This title, and the amendments made by this title, take effect 120 days after the date of enactment of this Act.

SA 1389. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1234, between lines 16 and 17, insert the following:

(d) NO DISCRETION FOR CRIMES INVOLVING MORAL TURPITUDE THAT ARE CERTAIN CRIMES AGAINST CHILDREN.—

(1) IMMIGRATION JUDGES.—Subparagraph (D)(ii) of section 240(c)(4) (8 U.S.C. 1229a(c)(4)), as added by subsection (a) of this section, is amended—

(A) in subclause (I), by striking ''or'' at the end;

(B) by redesignating subclause (II) as subclause (III); and

(C) by inserting after subclause (I) the following:

''(II) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

(2) SECRETARY.—Subsection (w)(2) of section 212 (8 U.S.C. 1182), as added by subsection (b) of this section, is amended—

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

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

(C) by inserting after subparagraph (A) the following:

''(B) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

SA 1390. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1572, beginning on line 23, strike ''the alien served at least 1 year imprisonment'' and insert ''a sentence of 1 year imprisonment or more may be imposed''.

SA 1391. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3409 and insert the following:

SEC. 3409. LAW ENFORCEMENT AND NATIONAL SECURITY CHECKS.

(a) REFUGEES.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended by adding at the end the following: ''No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.''.

(b) ASYLEES.—Section 208(d)(5)(A) (8 U.S.C. 1158(d)(5)(A)) is amended—

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

''(i) asylum shall not be granted—

''(I) until the identity of the applicant, using biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted asylum; and

''(II) any information related to the applicant in such a record or database supports the applicant's eligibility for asylum;'';

(2) in clause (iv), by striking ''and'' at the end;

(3) in clause (v), by striking the period at the end and inserting a semicolon and ''and''; and

(4) by adding at the end the following:

''(vi) asylum shall not be granted unless, notwithstanding any derogatory information, the applicant has met the burden of proof contained in subsection (b)(1)(B).''.

SA 1392. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1079, line 18, strike the period at the end and insert ''and includes logging employment, as described in section 655.103(c) of title 20, Code of Federal Regulations, as in effect on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

SA 1393. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1471, between lines 2 and 3, insert the following:

(b) ADJUDICATION.—Section 208(d)(6) (8 U.S.C. 1158(d)(6)) is amended to read as follows:

''(6) FRIVOLOUS APPLICATIONS.—

''(A) KNOWINGLY FRIVOLOUS APPLICATIONS.—If 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)(A), the alien may, at the discretion of the Attorney General, be permanently ineligible for any benefits under this Act, effective as of the date of a final determination on such application.

''(B) DETERMINATIONS BY ASYLUM OFFICERS.—

''(i) IN GENERAL.—If an asylum officer, as defined in section 235(b)(1)(E), determines that an alien has made a frivolous application for asylum, the asylum officer may dismiss the application.

''(ii) RECONSIDERATION.—The Board of Immigration Appeals or an immigration judge may review and reverse the determination of an asylum officer under clause (i) if the Board or judge determines that the asylum claim involved is plausible.''.

(c) INFORMATION.—Section 208 (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) INFORMATION.—With respect to an application for asylum that comes before an immigration judge or asylum officer (as defined in section 235(b)(1)(E)), the judge or officer involved shall obtain detailed country conditions information relevant to eligibility for asylum or the withholding of removal from the Department of State. Such information shall include—

''(1) an assessment of the accuracy of the applicant's assertions about conditions in his or her country of nationality or habitual residence and his or her particular situation;

''(2) information about whether individuals who are similarly situated to the applicant are persecuted or tortured in his or her country of nationality or habitual residence and the frequency of such persecution or torture; and

''(3) other information determined by the judge or officer to be relevant to prevent fraud.''.

(d) INCREASE IN STAFFING.—The Secretary of Homeland Security shall provide for an increase in the staff of the U.S. Citizenship and Immigration Services and the Fraud Detection and National Security Directorate at Asylum Offices to oversee, detect, and increase the anti-fraud operations and prosecutions relating to fraudulent asylum activities.

(e) FUNDING.—The Secretary of Homeland Security shall use amounts derived through fees provided for in this Act (or an amendment made by this Act) to carry out subsections (b) through (d) (and the amendments made by such subsections)).

SA 1394. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2 and all that follows through the end of title I inserting the following:

SEC. 2. STATEMENT OF CONGRESSIONAL FINDINGS.

Congress makes the following findings:

(1) Every sovereign nation has an unconditional right and duty to secure its territory and people, which right depends on control of its international borders. The sovereign people and several states of the United States have delegated these sovereign functions to the Federal Government (United States Constitution, article I, section 8, clause 4). The liberty and prosperity of the people depends on the execution of this duty.

(2) The passage of this Act recognizes that the Federal Government must secure the sovereignty of the United States of America and establish a coherent and just system for those who seek to join American society to assimilate.

(3) The United States has failed to control its borders. The porousness of the Southern border has contributed to the proliferation of the narcotics trade and its attendant violent crime. The trafficking and smuggling of persons across the border is an ongoing human rights scandal.

(4) We have always welcomed immigrants to the United States and will continue to do so, but in order to qualify for the honor and privilege of eventual citizenship, our laws must be followed. The world depends on America to be strong economically, militarily, and ethically. The establishment of a stable, just, and efficient immigration system only supports those goals. As a Nation, we have the right and responsibility to make our borders safe, to establish clear and just rules for seeking citizenship, to control the flow of legal immigration, and to eliminate illegal immigration, which has become a threat to our national security.

(5) Throughout our long history, many lawful immigrants have assimilated into American society and contributed to our strength and prosperity. Our immigration policy strives to welcome those who share the values of the United States Constitution and seek to contribute to our nation's greatness. But no person has a right to enter the United States unless by its express permission and in accordance with the procedures established by law.

(6) This Act is premised on the right and need of the United States to achieve these goals, and to protect its borders and maintain its sovereignty.

SEC. 3. EFFECTIVE DATE TRIGGERS.

(a) DEFINITIONS.—In this section and sections 4 through 8 of this Act:

(1) COMMISSION.—The term ''Commission'' means the Southern Border Security Commission established pursuant to section 4.

(2) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—The term ''Comprehensive Southern Border Security Strategy'' means the strategy established by the Secretary pursuant to section 5(a) to achieve and maintain operational control and full situational awareness of the Southern border.

(3) CONSEQUENCE DELIVERY SYSTEM.—The term ''Consequence Delivery System'' means the series of consequences applied to persons illegally entering the United States by U.S. Border Patrol to prevent illegal border crossing recidivism.

(4) EFFECTIVENESS RATE.—The term ''effectiveness rate'' means a metric, informed by situational awareness, that measures the percentage calculated by dividing—

(A) the number of illegal border crossers who are apprehended or turned back during a fiscal year (excluding those who are believed to have turned back for the purpose of engaging in criminal activity), by

(B) the total number of illegal entries in the sector during such fiscal year.

(5) FULL SITUATIONAL AWARENESS.—The term ''full situational awareness'' means situational awareness of the entire Southern border, including the functioning and operational capability to conduct continuous and integrated manned or unmanned, monitoring, sensing, or surveillance of 100 percent of Southern border mileage or the immediate vicinity of the Southern border .

(6) MAJOR VIOLATOR.—The term ''major violator'' means a person or entity that has engaged in serious criminal activities at any port of entry along the Southern border, including possession of narcotics, smuggling of prohibited products, human smuggling, human trafficking, weapons possession, use of fraudulent United States documents, or other offenses serious enough to result in arrest.

(7) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(8) OPERATIONAL CONTROL.—The term ''operational control'' means the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

(9) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(b) BORDER SECURITY GOALS.—The border security goals of the Department shall be—

(1) to achieve and maintain operational control of the Southern border within 5 years of the date of the enactment of this Act;

(2) to achieve and maintain full situational awareness of the Southern border within 5 years of the date of the enactment of this Act;

(3) to fully implement a biometric entry and exit system at all land, air, and sea ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) within 5 years of the date of the enactment of this Act; and

(4) to implement a mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, within 5 years of the date of the enactment of this Act.

(c) TRIGGERS.—

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until—

(A) the Secretary and the Commissioner of United States Customs and Border Protection jointly submit to the President and Congress a written certification, including a comprehensive report detailing the data, methodologies, and reasoning justifying such certification, that certifies, under penalty of perjury, that—

(i) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

(ii) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(iv) the Secretary has implemented an integrated biometric entry and exit data system at all land, sea, and air ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b);

(B) not earlier than 60 days after the submission of a certification under paragraph (A), the Inspector General of the Department of Homeland Security, who has been appointed by the President, by and with the advice and consent of the Senate, in consultation with the Comptroller General of the United States, reviews the reliability of the data, methodologies, and conclusions of a certification under subparagraph (A) and submits to the President and Congress a written certification and report attesting that each of the requirements of clauses (i), (ii), (iii), and (iv) of subparagraph (A) have been achieved; and

(C) a joint resolution of approval is enacted into law pursuant to paragraph (2).

(2) JOINT RESOLUTION OF APPROVAL.—

(A) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary may not exercise any authority to grant temporary legal status to individuals who are unlawfully present in the United States unless, not later than 15 calendar days after the date on which Congress receives written certification from the Secretary pursuant to paragraph (1)(A), there is enacted into law a joint resolution approving the certification of the Secretary.

(B) CONTENTS OF JOINT RESOLUTION.—In this paragraph, the term ''joint resolution'' means a joint resolution—

(i) that is introduced not later than 3 calendar days after the date on which the written certification of the Secretary under paragraph (1)(A) is received by Congress;

(ii) that does not have a preamble;

(iii) the title of which is as follows: ''Joint resolution relating to the approval of the certification of the Secretary of Homeland Security obligations under the Border Security, Economic Opportunity, and Immigration Modernization Act''; and

(iv) the matter after the resolving clause of which is as follows: ''That Congress approves the certification of the Secretary of Homeland Security that—

''(I) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

''(II) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

''(III) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

''(IV) the Secretary has implemented an integrated biometric entry and exit data system at all land, sea, and air ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).''.

(3) FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) RECONVENING.—Upon the receipt of a written certification from the Secretary under paragraph (1)(A), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this paragraph, the House shall convene not later than the second calendar day after receipt of such certification;

(B) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House not later than 5 calendar days after the date of receipt of the certification described in paragraph (1)(A). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after Congress receives the certification described in paragraph (1)(A), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(D) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) FAST TRACK CONSIDERATION IN SENATE.—

(A) RECONVENING.—Upon receipt of a certification under paragraph (1)(A), if the Senate has adjourned or recessed for more than 2 days, the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate that, pursuant to this paragraph, the Senate shall convene not later than the second calendar day after receipt of such message.

(B) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(C) FLOOR CONSIDERATION.—

(i) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the 4th day after the date on which Congress receives a certification described in paragraph (1)(A) and ending on the 6th day after the date on which Congress receives such certification (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(ii) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the Majority Leader and Minority Leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(iii) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(i) The joint resolution of the other House shall not be referred to a committee.

(ii) With respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—

(i) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (2)(A).

(ii) VETOES.—If the President vetoes the joint resolution—

(I) the period beginning on the date the President vetoes the joint resolution and ending on the date the Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (2)(A); and

(II) debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(E) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph and paragraphs (2), (3), and (4) are enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively;

(ii) as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(iii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) PROTECTING CONSTITUTIONAL SEPARATION OF POWERS AGAINST ABUSES OF DISCRETION.—Not later than 30 days after the submission of a certification by the Secretary under subsection (c)(1)(A), the Comptroller General of the United States shall review such certification and provide Congress with a written report reviewing the reliability of such certification, and expressing the conclusion of the Comptroller General as to whether or not the requirements of clauses (i), (ii), (iii), and (iv) of subsection (c)(1)(A) have been achieved.

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, there shall be established a commission to be known as the ''Southern Border Security Commission'' (in this section referred to as the ''Commission'').

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of up to 8 members as follows:

(A) The Governor of the State of Arizona, or the designee of the Governor.

(B) The Governor of the State of California, or the designee of the Governor.

(C) The Governor of the State of New Mexico, or the designee of the Governor.

(D) The Governor of the State of Texas, or the designee of the Governor.

(E) One designee of the Governor of the State of Arizona who is not such official or such official's designee under subparagraph (A).

(F) One designee of the Governor of the State of California who is not such official or such official's designee under subparagraph (B).

(G) One designee of the Governor of the State of New Mexico who is not such official or such official's designee under subparagraph (C).

(H) One designee of the Governor of the State of Texas who is not such official or such official's designee under subparagraph (D).

(2) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(3) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of a majority of members of the Commission.

(4) MEETINGS.—Members of the Commission shall meet at the times and places of their choosing.

(5) NATURE OF REQUIREMENTS.—The tenure and terms of participation as a member of the Commission of any Governor or designee of a Governor under this subsection shall be subject to the sole discretion of such Governor.

(c) CONSULTATION; FEDERALISM PROTECTIONS.—

(1) CONSULTATION.—The Secretary shall consult not less frequently than every 90 days with members of the Commission as to the substance and contents of any strategy, plan, or report required by section 5 of this Act.

(2) FEDERALISM PROTECTIONS.—The Secretary may make no rules, regulations, or conditions regarding the operation of the Commission, or the terms of service of members of the Commission.

(d) TRANSITION.—The Secretary shall no longer be required to consult with the Commission under subsection (d)(1) on the date which is the earlier of—

(1) 30 days after the date on which a certification is made by the Secretary and Comptroller General of the United States under section 3(c)(2)(A) of this Act; or

(2) 10 years after the date of the enactment of this Act.

SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.

(a) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a strategy, to be known as the ''Comprehensive Southern Border Security Strategy'' (in this section referred to as the ''Strategy)'', for achieving and maintaining operational control and full situational awareness of the Southern border, to—

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

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

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on the Judiciary of the House;

(E) the Committee on Appropriations of the Senate;

(F) the Committee on Appropriations of the House of Representatives; and

(G) the Comptroller General of the United States.

(2) ELEMENTS.—The Strategy shall include, at a minimum, a consideration of the following:

(A) The state of operational control and situational awareness of the Southern border, including a sector-by-sector analysis.

(B) An assessment of principal Southern border security threats.

(C) Efforts to analyze and disseminate Southern border security and Southern border threat information between Department border security components.

(D) Efforts to increase situational awareness of the Southern border in accordance with privacy, civil liberties, and civil rights protections, including—

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

(ii) use of manned aircraft and unmanned aerial systems, including the camera and sensor technology deployed on such assets.

(E) A Southern border fencing strategy that identifies where fencing, including double-layer fencing, infrastructure, and technology should be deployed along the Southern border.

(F) A comprehensive Southern border security technology plan for detection technology capabilities, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment.

(G) Technology required to both enhance security and facilitate trade at Southern border ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric technology, and other sensors and technology that the Secretary determines necessary.

(H) Operational coordination of Department Southern border security components, including efforts to ensure that a new border security technology can be operationally integrated with existing technologies in use by the Department.

(I) Cooperative agreements other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or in the maritime environment.

(J) Information received from consultation with other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or the maritime environment, and from Southern border community stakeholders, including representatives from border agricultural and ranching organizations and representatives from business organizations within close proximity of the Southern border.

(K) Agreements with foreign governments that support the border security efforts of the United States.

(L) Efforts to detect and prevent terrorists and instruments of terrorism from entering the United States.

(M) Staffing requirements for all Southern border security functions.

(N) Metrics required by section 6 of this Act.

(O) An assessment of existing efforts and technologies used for border security and the effect of the use of such efforts and technologies on civil rights, private property rights, privacy rights, and civil liberties.

(P) Resources and other measures that are necessary to achieve a 50 percent reduction in the average wait times of commercial and passenger vehicles at international land ports of entry along the Southern border and the Northern border.

(Q) A prioritized list of research and development objectives to enhance the security of the Southern border.

(R) A strategy to reduce passenger wait times and cargo screening times at airports that serve as ports of entry.

(3) IMPLEMENTATION PLAN.—Not later than 60 days after the submission of the Strategy under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1) an implementation plan for each of the border security components of the Department to carry out the Strategy. The plan shall include, at a minimum—

(A) a comprehensive border security technology plan for continuous and systematic surveillance of the Southern border, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment;

(B) the resources, including personnel, infrastructure, and technologies that must be developed, procured, and successfully deployed, to achieve and maintain operational control and full situational awareness of the Southern border; and

(C) a set of interim goals and supporting milestones necessary for the Department to achieve and maintain operational control and full situational awareness of the Southern border.

(4) SEMIANNUAL REPORTS.—

(A) IN GENERAL.—After the Strategy is submitted under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1), not later than May 15 and November 15 each year, a report on the status of the implementation of the Strategy by the Department, including a report on the state of operational control of the Southern border, the metrics required by section 6 of this Act, and the funding used to achieve stated goals.

(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include—

(i) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy;

(ii) a detailed description of—

(I) any impediments identified in the Department's efforts to execute the strategy;

(II) the actions the Department has taken, or plans to take, to address such impediments; and

(III) any additional measures developed by the Department to measure the state of security along the Southern border;

(iii) for each U.S. Border Patrol sector along the Southern border—

(I) the effectiveness rate for such sector;

(II) the number of recidivist apprehensions; and

(III) the recidivism rate for all unique subjects that received a criminal consequence through the Consequence Delivery System process;

(iv) the aggregate effectiveness rate of all U.S. Border Patrol sectors along the Southern border;

(v) a resource allocation model for current and future year staffing requirements that includes optimal staffing levels at Southern border land, air, and sea ports of entry, and an explanation of U.S. Customs and Border Protection methodology for aligning staffing levels and workload to threats and vulnerabilities across all mission areas;

(vi) detailed information on the level of manpower available at all Southern border land, air, and sea ports of entry and between Southern border ports of entry, including the number of canine and agricultural officers assigned to each such port of entry;

(vii) detailed information that describes the difference between the staffing the model suggests and the actual staffing at each Southern border port of entry and between the ports of entry; and

(viii) monthly per passenger wait times, including data on peaks, for crossing the Southern border and the Northern border, per passenger processing wait times at air and sea ports of entry, and the staffing levels at all ports of entry.

SEC. 6. BORDER SECURITY METRICS.

(a) METRICS FOR SECURING THE SOUTHERN BORDER BETWEEN PORTS OF ENTRY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security between ports of entry along the Southern border. The metrics shall address, at a minimum, the following:

(1) The effectiveness rate for the areas covered.

(2) Estimates, using alternate methodologies, including recidivism and survey data, of total attempted illegal border crossings, the rate of apprehension of attempted illegal border crossings, and the inflow into the United States of illegal border crossers who evade apprehension.

(3) Estimates of the impacts of the Consequence Delivery System of U.S. Border Patrol on the rate of recidivism of illegal border crossers.

(4) The current level of situational awareness.

(5) Amount of narcotics seized between ports of entry.

(6) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Border Patrol fails to seize.

(b) METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security at Southern border ports of entry. The metrics shall address, at a minimum, the following:

(A) The effectiveness rate for such ports of entry.

(B) Estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and randomized secondary screening data, of total attempted inadmissible border crossers, the rate of apprehension of attempted inadmissible border crossers, and the inflow into the United States of inadmissible border crossers who evade apprehension.

(C) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Customs and Border Protection fails to seize.

(D) The number of infractions related to personnel and cargo committed by major violators who are apprehended by U.S. Customs and Border Protection at such ports of entry, and the estimated number of such infractions committed by major violators who are not so apprehended.

(E) The effect of the border security apparatus on crossing times.

(2) COVERT TESTING.—The Inspector General of the Department of Homeland Security shall carry out covert testing at ports of entry along the Southern border and submit to the Secretary and the committees of Congress specified in section 5(a)(1) of this Act a report that contains the results of such tests. The Secretary shall use such results to assess activities under this subsection.

(c) INDEPENDENT ASSESSMENT BY NATIONAL LABORATORY WITHIN DEPARTMENT OF HOMELAND SECURITY LABORATORY NETWORK.—The Secretary shall request the head of a national laboratory within the Department laboratory network with prior expertise in border security to—

(1) provide an independent assessment of the metrics implemented in accordance with subsections (a) and (b) to ensure each such metric's suitability and statistical validity; and

(2) make recommendations for other suitable metrics that may be used to measure the effectiveness of border security along the Southern border.

(d) EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) IN GENERAL.—The Secretary shall make available to the Government Accountability Office the data and methodology used to develop the metrics implemented under subsections (a) and (b) and the independent assessment described under subsection (c).

(2) REPORT.—Not later than 270 days after receiving the data and methodology described in paragraph (1), the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report on the suitability and statistical validity of such data and methodology.

(e) GAO REPORT ON BORDER SECURITY DUPLICATION.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report addressing areas of overlap in responsibilities within the border security functions of the Department.

SEC. 7. COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.

(a) COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the Comprehensive Immigration Reform Trust Fund (referred to in this section as the ''Trust Fund''), consisting of—

(A) amounts transferred from the general fund of the Treasury under paragraph (2)(A); and

(B) proceeds from the fees described in paragraph (2)(B).

(2) DEPOSITS.—

(A) INITIAL FUNDING.—On the later of the date of the enactment of this Act or October 1, 2013, $8,300,000,000 shall be transferred from the general fund of the Treasury to the Trust Fund.

(B) ONGOING FUNDING.—Notwithstanding section 3302 of title 31, United States Code, in addition to the funding described in subparagraph (A), and subject to paragraphs (3)(B) and (4), the following amounts shall be deposited in the Trust Fund:

(i) ELECTRONIC TRAVEL AUTHORIZATION SYSTEM FEES.—Fees collected under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by section 1102(c).

(ii) REGISTERED PROVISIONAL IMMIGRANT PENALTIES.—Penalties collected under section 245B(c)(10)(C) of the Immigration and Nationality Act, as added by section 2101.

(iii) BLUE CARD PENALTY.—Penalties collected under section 2211(b)(9)(C).

(iv) FINES FOR ADJUSTMENT FROM BLUE CARD STATUS.—Fines collected under section 245F(a)(5) of the Immigration and Nationality Act, as added by section 2212(a).

(v) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.—Fines collected under section 245F(f) of the Immigration and Nationality Act, as added by section 2212(a).

(vi) MERIT SYSTEM GREEN CARD FEES.—Fees collected under section 203(c)(6) of the Immigration and Nationality Act, as amended by section 2301(a)(2).

(vii) H–1B AND L VISA FEES.—Fees collected under section 281(d) of the Immigration and Nationality Act, as added by section 4105.

(viii) H–1B OUTPLACEMENT FEE.—Fees collected under section 212(n)(1)(F)(ii) of the Immigration and Nationality Act, as amended by section 4211(d).

(ix) H–1B NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4233(a)(2).

(x) L NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4305(a)(2).

(xi) J–1 VISA MITIGATION FEES.—Fees collected under section 281(e) of the Immigration and Nationality Act, as added by section 4407.

(xii) F–1 VISA FEES.—Fees collected under section 281(f) of the Immigration and Nationality Act, as added by section 4408.

(xiii) RETIREE VISA FEES.—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by section 4504(b).

(xiv) VISITOR VISA FEES.—Fees collected under section 281(g) of the Immigration and Nationality Act, as added by section 4509.

(xv) H–2B VISA FEES.—Fees collected under section 214(x)(5)(A) of the Immigration and Nationality Act, as added by section 4602(a).

(xvi) NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.—Fees collected under section 214(z) of the Immigration and Nationality Act, as added by section 4604.

(xvii) X–1 VISA FEES.—Fees collected under section 214(s)(6) of the Immigration and Nationality Act, as added by section 4801.

(xviii) PENALTIES FOR ADJUSTMENT FROM REGISTERED PROVISIONAL IMMIGRANT STATUS.—Penalties collected under section 245C(c)(5)(B) of the Immigration and Nationality Act, as added by section 2102.

(C) AUTHORITY TO ADJUST FEES.—As necessary to carry out the purposes of this Act, the Secretary may adjust the amounts of the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph.

(3) USE OF FUNDS.—

(A) INITIAL FUNDING.—Of the amounts transferred to the Trust Fund pursuant to paragraph (2)(A)—

(i) $6,500,000,000 shall be made available to the Secretary for carrying out the Comprehensive Southern Border Security Strategy, including the Southern border fencing strategy;

(ii) $750,000,000 shall remain available for the 6-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to expand and implement the mandatory employment verification system, which shall be used as required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(iii) $900,000,000 shall remain available for the 8-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary of State to pay for one-time and startup costs necessary to implement this Act; and

(iv) $150,000,000 shall remain available for the 2-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary for transfer to the Secretary of Labor, the Secretary of Agriculture, or the Attorney General, for initial costs of implementing this Act.

(B) REPAYMENT OF TRUST FUND EXPENSES.—The first $8,300,000,000 collected pursuant to the fees, penalties, and fines referred to in clauses (ii), (iii), (iv), (vi), (xiii), (xvii), and (xviii) of paragraph (2)(B) shall be collected, deposited in the general fund of the Treasury, and used for Federal budget deficit reduction. Collections in excess of $8,300,000,000 shall be deposited into the Trust Fund, as specified in paragraph (2)(B).

(C) PROGRAM IMPLEMENTATION.—Amounts deposited into the Trust Fund pursuant to paragraph (2)(B) shall be available during each of fiscal years 2014 through 2018 as follows:

(i) $50,000,000 to carry out the activities referenced in section 1104(a)(1).

(ii) $50,000,000 to carry out the activities referenced in section 1104(b).

(D) ONGOING FUNDING.—Subject to the availability of appropriations, amounts deposited in the Trust Fund pursuant to paragraph (2)(B) are authorized to be appropriated as follows:

(i) Such sums as may be necessary to carry out the authorizations included in this Act.

(ii) Such sums as may be necessary to carry out the operations and maintenance of border security and immigration enforcement investments described in subparagraph (A).

(E) EXPENDITURE PLAN.—The Secretary, in consultation with the Attorney General and

the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, in conjunction with the Comprehensive Southern Border Strategy, a plan for expenditure that describes—

(i) the types and planned deployment of fixed, mobile, video, and agent and officer portable surveillance and detection equipment, including those recommended or provided by the Department of Defense;

(ii) the number of Border Patrol agents and U.S. Customs and Border Protection officers to be hired, including a detailed description of which Border Patrol sectors and which land border ports of entry such agents and officers will be stationed;

(iii) the numbers and types of unarmed, unmanned aerial systems and unarmed, fixed-wing and rotary aircraft, including pilots, air interdiction agents, and support staff to fly or otherwise operate and maintain the equipment;

(iv) the numbers, types, and planned deployment of marine and riverine vessels, if any, including marine interdiction agents and support staff to operate and maintain the vessels;

(v) the locations, mileage, and planned deployment of fencing, including double layer fencing, tactical and other infrastructure, and technology, including fixed towers, sensors, cameras, and other detection technology;

(vi) the numbers, types, and planned deployment of ground-based mobile surveillance systems;

(vii) the numbers, types, and planned deployment of tactical and other interoperable law enforcement communications systems and equipment;

(viii) required construction, including repairs, expansion, and maintenance, and location of additional checkpoints, Border Patrol stations, and forward operating bases;

(ix) the number of additional attorneys and support staff for the Office of the United States Attorney for Tucson;

(x) the number of additional support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(xi) the number of additional personnel, including Marshals and Deputy Marshals for the United States Marshals Office for Tucson;

(xii) the number of additional magistrate judges for the southern border United States district courts;

(xiii) activities to be funded by the Homeland Security Border Oversight Task Force;

(xiv) funding amounts and types of grants to States and other entities;

(xv) funding amounts and activities necessary to hire additional personnel and for start-up costs related to upgrading software and information technology necessary to transition from a voluntary E-Verify system to the mandatory employment verification system under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) within 5 years;

(xvi) the number of additional personnel and other costs associated with implementing the immigration courts and removal proceedings mandated in subtitle E of title III;

(xvii) the steps the Commissioner of Social Security plans to take to create a fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant Social Security card, including—

(I) the types of equipment needed to create the card;

(II) the total estimated costs for completion that clearly delineates costs associated with the acquisition of equipment and transition to operation, subdivided by fiscal year and including a description of the purpose by fiscal year for design, pre-acquisition activities, production, and transition to operation;

(III) the number and type of personnel, including contract personnel, required to research, design, test, and produce the card; and

(IV) a detailed schedule for production of the card, including an estimated completion date at the projected funding level provided in this Act; and

(xviii) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

(F) ANNUAL REVISION.—The expenditure plan required in (E) shall be revised and submitted with the President's budget proposals for fiscal year 2016, 2017, 2018, and 2019 pursuant to the requirements of section 1105(a) of title 31, United States Code.

(4) LIMITATION ON COLLECTION.—

(A) IN GENERAL.—No fee deposited in the Trust Fund may be collected except to the extent that the expenditure of the fee is provided for in advance in an appropriations Act only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(B) RECEIPTS COLLECTED AS OFFSETTING RECEIPTS.—Until the date of the enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2014, the fees authorized by paragraph (2)(B) that are not deposited into the general fund pursuant to paragraph (3)(B) may be collected and shall be credited as to the Trust Fund to remain available until expended only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(b) COMPREHENSIVE IMMIGRATION REFORM STARTUP ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the ''Comprehensive Immigration Reform Startup Account,'' (referred to in this section as the ''Startup Account''), consisting of amounts transferred from the general fund of the Treasury under paragraph (2).

(2) DEPOSITS.—There is appropriated to the Startup Account, out of any funds in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until expended on the later of the date that is—

(A) the date of the enactment of this Act; or

(B) October 1, 2013.

(3) REPAYMENT OF STARTUP COSTS.—

(A) IN GENERAL.—Notwithstanding section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), 50 percent of fees collected under section 245B(c)(10)(A) of the Immigration and Nationality Act, as added by section 2101 of this Act, shall be deposited monthly in the general fund of the Treasury and used for Federal budget deficit reduction until the funding provided by paragraph (2) has been repaid.

(B) DEPOSIT IN THE IMMIGRATION EXAMINATIONS FEE ACCOUNT.—Fees collected in excess of the amount referenced in subparagraph (A) shall be deposited in the Immigration Examinations Fee Account, pursuant to subsection (m) of section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), and shall remain available until expended pursuant to subsection (n) of such section.

(4) USE OF FUNDS.—The Secretary shall use the amounts transferred to the Startup Account to pay for one-time and startup costs necessary to implement this Act, including—

(A) equipment, information technology systems, infrastructure, and human resources;

(B) outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) grants to community and faith-based organizations; and

(D) anti-fraud programs and actions related to implementation of this Act.

(5) EXPENDITURE PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, a plan for expenditure of the one-time and startup funds in the Startup Account that provides details on—

(A) the types of equipment, information technology systems, infrastructure, and human resources for which funds will be allocated;

(B) the plans for outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) the types and amounts of grants to community and faith-based organizations; and

(D) the anti-fraud programs and actions related to implementation of this Act.

(c) ANNUAL AUDITS.—

(1) AUDITS REQUIRED.—Not later than October 1 each year beginning on or after the date of the enactment of this Act, the Chief Financial Officer of the Department shall, in conjunction with the Inspector General of the Department, conduct an audit of the Trust Fund.

(2) REPORTS.—Upon completion of each audit of the Trust Fund under paragraph (1), the Chief Financial Officer shall, in conjunction with the Inspector General, submit to Congress, and make available to the public on an Internet website of the Department, a jointly audited financial statement concerning the Trust Fund.

(3) ELEMENTS.—Each audited financial statement under paragraph (2) shall include, at a minimum, the following:

(A) The report of an independent certified public accountant.

(B) A balance sheet reporting admitted assets, liabilities, capital and surplus.

(C) A statement of cash flow.

(D) Such other information on the Trust Fund as the Chief Financial Officer, the Inspector General, or the independent certified public accountant considers appropriate to facilitate a comprehensive understanding of the Trust Fund during the year covered by the financial statement.

SEC. 8. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) AWARDING ENTITY.—The term ''awarding entity'' means the Secretary, the Director of the Federal Emergency Management Agency, the Chief of the Office of Citizenship and New Americans, as designated by this Act, or the Director of the National Science Foundation.

(2) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) UNRESOLVED AUDIT FINDING.—The term ''unresolved audit finding'' means a finding in a final audit report conducted by the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise

unallowable cost that is not closed or resolved within 1 year from the date when the final audit report is issued.

(b) ACCOUNTABILITY.—All grants awarded by an awarding entity pursuant to this Act shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) AUDITS.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. Such Inspectors General shall determine the appropriate number of grantees to be audited each year.

(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the end of the 1-year period described in subsection (a)(3).

(C) PRIORITY.—In awarding a grant under this Act, the awarding entity shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years prior to the date the entity submitted the application for such grant.

(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the period of 2 fiscal years in which the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to such entity into the general fund of the Treasury; and

(ii) seek to recover the costs of the repayment under clause (i) from such entity.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) PROHIBITION.—An awarding entity may not award a grant under this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax imposed by section 511(a) of the Internal Revenue Code of 1986.

(B) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department or the National Science Foundation for grant programs under this Act may be used by an awarding entity or by any individual or entity awarded discretionary funds through a cooperative agreement under this Act to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit to Congress an annual report on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, each awarding entity shall submit to Congress a report—

(A) indicating whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

SEC. 9. REFERENCE TO THE IMMIGRATION AND NATIONALITY ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 10. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—Except as otherwise provided, the term ''Department'' means the Department of Homeland Security.

(2) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Homeland Security.

TITLE I—BORDER SECURITY

SEC. 1101. DEFINITIONS.

In this title:

(1) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(2) RURAL, HIGH-TRAFFICKED AREAS.—The term ''rural, high-trafficked areas'' means rural areas through which drugs and undocumented aliens are routinely smuggled, as designated by the Commissioner of U.S. Customs and Border Protection.

(3) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(4) SOUTHWEST BORDER REGION.—The term ''Southwest border region'' means the area in the United States that is within 100 miles of the Southern border.

SEC. 1102. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.

(a) IN GENERAL.—Not later than September 30, 2017, the Secretary shall increase the number of trained full-time active duty U.S. Border Patrol agents deployed to the Southern border by 5,000, compared to the number of such officers as of the date of the enactment of this Act. The Secretary shall make progress in increasing such number of officers during each of fiscal years 2014 through 2017.

(b) CONSTRUCTION.—Nothing in subsection (a) may be construed to preclude the Secretary from reassigning or stationing U.S. Customs and Border Protection officers and U.S. Border Patrol agents from the Northern border to the Southern border.

(c) FUNDING.—Section 217(h)(3)(B) (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i)—

(A) by striking ''No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the'' and inserting ''The'';

(B) in subclause (I), by striking ''and'' at the end;

(C) by redesignating subclause (II) as subclause (III); and

(D) by inserting after subclause (I) the following:

''(II) $16 for border processing; and'';

(2) in clause (ii), by striking ''Amounts collected under clause (i)(II)'' and inserting ''Amounts collected under clause (i)(II) shall be deposited into the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act. Amounts collected under clause (i)(III)''; and

(3) by striking clause (iii).

SEC. 1103. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER.

(a) IN GENERAL.—With the approval of the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, in the Southwest border region for the purposes of assisting U.S. Customs and Border Protection in securing the Southern border.

(b) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(1) IN GENERAL.—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the Southern border.

(2) NATURE OF DUTY.—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under subsection (b) shall include the temporary authority—

(1) to construct fencing, including double-layer and triple-layer fencing;

(2) to increase ground-based mobile surveillance systems;

(3) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the Southern border;

(4) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) to construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

SEC. 1104. ENHANCEMENT OF EXISTING BORDER SECURITY OPERATIONS.

(a) BORDER CROSSING PROSECUTIONS.—

(1) IN GENERAL.—From the amounts available pursuant to the authorization of appropriations in paragraph (3), funds shall be available—

(A) to increase the number of border crossing prosecutions in every sector of the Southwest border region by at least 50 percent per day, as calculated by the previous annual average on the date of the enactment of this Act, through increasing the funding available for—

(i) attorneys and administrative support staff in offices of United States attorneys;

(ii) support staff and interpreters in Court Clerks' Offices;

(iii) pre-trial services;

(iv) activities of the Federal Public Defenders Office; and

(v) additional personnel, including Deputy U.S. Marshals in United States Marshals Offices to perform intake, coordination, transportation, and court security; and

(B) to reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the border crossing prosecutions carried out pursuant to subparagraph (A).

(2) ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.—The chief judge of the United States district courts within sectors of the Southwest border region are authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the respective judges are appointed.

(3) FUNDING.—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of this Act such sums as may be necessary to carry out this subsection.

(b) OPERATION STONEGARDEN.—

(1) IN GENERAL.—The Federal Emergency Management Agency shall enhance law enforcement preparedness and operational readiness along the borders of the United States through Operation Stonegarden.

(2) GRANTS AND REIMBURSEMENTS.—

(A) IN GENERAL.—For purposes of paragraph (1), not less than 90 percent of the amounts made available pursuant to the authorization of appropriations in paragraph (3) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration and drug smuggling in the Southwest border region.

(B) GRANTS TO LAW ENFORCEMENT AGENCIES.—Allocations for grants and reimbursements to law enforcement agencies under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(3) FUNDING.—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund pursuant to section 7(a)(3)(C)(ii) of this Act such sums as may be necessary to carry out this subsection.

(c) PHYSICAL AND TACTICAL INFRASTRUCTURE IMPROVEMENTS.—

(1) CONSTRUCTION, UPGRADE, AND ACQUISITION OF BORDER CONTROL FACILITIES.—The Secretary shall, consistent with the Southern Border Security Strategy required by section 5 of this Act, upgrade existing physical and tactical infrastructure of the Department, and construct and acquire additional physical and tactical infrastructure, including the following:

(A) U.S. Border Patrol stations.

(B) U.S. Border Patrol checkpoints.

(C) Forward operating bases.

(D) Monitoring stations.

(E) Mobile command centers.

(F) Field offices.

(G) All-weather roads.

(H) Lighting.

(I) Real property.

(J) Land border port of entry improvements.

(K) Other necessary facilities, structures, and properties.

(2) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall do the following:

(A) U.S. BORDER PATROL STATIONS.—

(i) Construct additional U.S. Border Patrol stations in the Southwest border region that U.S. Customs and Border Protection determines are needed to provide full operational support in rural, high-trafficked areas.

(ii) Analyze the feasibility of creating additional U.S. Border Patrol sectors along the Southern border to interrupt drug and human trafficking operations.

(B) U.S. BORDER PATROL CHECKPOINTS.—Operate and maintain additional temporary or permanent checkpoints on roadways in the Southwest border region in order to deter, interdict, and apprehend terrorists, human traffickers, drug traffickers, weapons traffickers, and other criminals before they enter the interior of the United States.

(C) U.S. BORDER PATROL FORWARD OPERATING BASES.—

(i) Establish additional permanent forward operating bases for U.S. Border Patrol, as needed.

(ii) Upgrade existing forward operating bases to include modular buildings, electricity, and potable water.

(iii) Ensure that forward operating bases surveil and interdict individuals entering the United States unlawfully immediately after such individuals cross the Southern border.

(3) SAFE AND SECURE BORDER INFRASTRUCTURE.—The Secretary and the Secretary of Transportation, in consultation with the Governors of the States in the Southwest border region or the region along the Northern border, shall establish a grant program, which shall be administered by the Secretary of Transportation and the Administrator of the General Services Administration, to construct transportation and supporting infrastructure improvements at existing and new international border crossings necessary to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018, such sums as may be necessary to carry out this subsection.

(d) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHWEST BORDER STATES.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 2 additional district judges for the district of Arizona;

(B) 3 additional district judges for the eastern district of California;

(C) 2 additional district judges for the western district of Texas; and

(D) 1 additional district judge for the southern district of Texas.

(2) CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107–273; 116 Stat. 1788), as of the effective date of this Act, shall 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.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

''Arizona	15'';

(B) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	9
Central	28
Southern	13''; and

(C) by striking the items relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	20
Eastern	7
Western	15''.

(4) INCREASE IN FILING FEES.—

(A) IN GENERAL.—Section 1914(a) of title 28, United States Code, is amended by striking ''$350'' and inserting ''$360''.

(B) EXPENDITURE LIMITATION.—Incremental amounts collected by reason of the enactment of this paragraph shall be deposited as offsetting receipts in the special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(5) WHISTLEBLOWER PROTECTION.—

(A) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(B) CIVIL ACTION.—An employee injured by a violation of subparagraph (A) may, in a civil action, obtain appropriate relief.

SEC. 1105. BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

(A) routine motorized patrols; and

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

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that

the Secretary determines will best protect the natural and cultural resources on Federal lands; and

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

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

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

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

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

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

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

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

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

SEC. 1106. EQUIPMENT AND TECHNOLOGY.

(a) ENHANCEMENTS.—The Secretary, in consultation with the Commissioner of U.S. Customs and Border Protection and consistent with the Southern Border Security Strategy required by section 5 of this Act, shall upgrade existing technological assets and equipment, and procure and deploy additional technological assets and equipment, including the following:

(1) Unarmed, unmanned aerial vehicles.

(2) Fixed-wing aircraft.

(3) Helicopters.

(4) Remote video surveillance camera systems.

(5) Mobile surveillance systems.

(6) Agent portable surveillance systems.

(7) Radar technology.

(8) Satellite technology.

(9) Fiber optics.

(10) Integrated fixed towers.

(11) Relay towers.

(12) Poles.

(13) Night vision equipment.

(14) Sensors, including imaging sensors and unattended ground sensors.

(15) Biometric entry-exit systems.

(16) Contraband detection equipment.

(17) Digital imaging equipment.

(18) Document fraud detection equipment.

(19) Land vehicles.

(20) Officer and personnel safety equipment.

(21) Other technologies and equipment.

(b) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall—

(1) deploy additional mobile, video, and agent-portable surveillance systems, and unarmed, unmanned aerial vehicles in the Southwest border region as necessary to provide 24-hour operation and surveillance;

(2) operate unarmed unmanned aerial vehicles along the Southern border for 24 hours per day and for 7 days per week;

(3) deploy unarmed additional fixed-wing aircraft and helicopters along the Southern border;

(4) acquire new rotary and make upgrades to the existing helicopter fleet;

(5) increase horse patrols in the Southwest border region; and

(6) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(c) LIMITATION.—

(1) IN GENERAL.—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (2), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) EXCEPTION.—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated for each of fiscal years 2014 through 2018 for U.S. Customs and Border Protection such sums as may be necessary to carry out this section.

SEC. 1107. ACCESS TO EMERGENCY PERSONNEL.

(a) SOUTHWEST BORDER REGION EMERGENCY COMMUNICATIONS GRANTS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governors of the States in the Southwest border region, shall establish a 2-year grant program, to be administered by the Secretary, to improve emergency communications in the Southwest border region.

(2) ELIGIBILITY FOR GRANTS.—An individual is eligible to receive a grant under this subsection if the individual demonstrates that he or she—

(A) regularly resides or works in the Southwest border region; and

(B) is at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to the Southern border.

(3) USE OF GRANTS.—Grants awarded under this subsection may be used to purchase satellite telephone communications systems and service that—

(A) can provide access to 9–1–1 service; and

(B) are equipped with global positioning systems.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the grant program established under this subsection.

(b) INTEROPERABLE COMMUNICATIONS FOR LAW ENFORCEMENT.—

(1) FEDERAL LAW ENFORCEMENT.—There are authorized to be appropriated to the Department, the Department of Justice, and the Department of the Interior, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary—

(A) to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for Federal law enforcement agents working in the Southwest border region in support of the activities of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, including law enforcement agents of the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Department of the Interior, and the Forest Service; and

(B) to upgrade, through a competitive procurement process, the communications network of the Department of Justice to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, in the Southwest border region for appropriate law enforcement personnel of the Department of Justice (including the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms, and Explosives), the Department (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection), the United States Marshals Service, other Federal agencies, the State of Arizona, tribes, and local governments.

(2) STATE AND LOCAL LAW ENFORCEMENT.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Justice, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for State and local law enforcement agents working in the Southwest border region.

(B) ACCESS TO FEDERAL SPECTRUM.—If a State, tribal, or local law enforcement agency in the Southwest border region experiences an emergency situation that necessitates immediate communication with the Department of Justice, the Department, the Department of the Interior, or any of their respective subagencies, such law enforcement agency shall have access to the spectrum assigned to such Federal agency for the duration of such emergency situation.

SEC. 1108. SOUTHWEST BORDER REGION PROSECUTION INITIATIVE.

(a) REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED IMMIGRATION-RELATED CRIMINAL CASES.—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution, pre-trial services and detention, clerical support, and public defenders' services associated with the prosecution of federally initiated criminal cases declined by local offices of the United States attorneys.

(b) EXCEPTION.—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018 such sums as may be necessary to carry out this section.

SEC. 1109. INTERAGENCY COLLABORATION.

The Assistant Secretary of Defense for Research and Engineering shall collaborate with the Under Secretary of Homeland Security for Science and Technology to identify equipment and technology used by the Department of Defense that could be used by U.S. Customs and Border Protection to improve the security of the Southern border by—

(1) detecting border tunnels;

(2) detecting the use of ultralight aircraft;

(3) enhancing wide aerial surveillance; and

(4) otherwise improving the enforcement of such border.

SEC. 1110. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) SCAAP REAUTHORIZATION.—Section 241(i)(5)(C) (8 U.S.C. 1231(i)(5)) is amended by striking ''2011.'' and inserting ''2016.''.

(b) SCAAP ASSISTANCE FOR STATES.—

(1) ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN

CRIMES.—Section 241(i)(3)(A) (8 U.S.C. 1231(i)(3)(A)) is amended by inserting ''charged with or'' before ''convicted''.

(2) ASSISTANCE FOR STATES INCARCERATING UNVERIFIED ALIENS.—Section 241(i) (8 U.S.C. 1231(i)) is amended—

(A) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively;

(B) in paragraph (7), as so redesignated, by striking ''(5)'' and inserting ''(6)''; and

(C) by adding after paragraph (3) the following:

''(4) In the case of an alien whose immigration status is unable to be verified by the Secretary of Homeland Security, and who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States, the Attorney General shall compensate the State or political subdivision of the State for incarceration of the alien, consistent with subsection (i)(2).''.

(3) TIMELY REIMBURSEMENT.—Section 241(i) (8 U.S.C. 1231(i)), as amended by paragraph (2), is further amended by adding at the end the following:

''(8) Any funds awarded to a State or a political subdivision of a State, including a municipality, for a fiscal year under this subsection shall be distributed to such State or political subdivision not later than 120 days after the last day of the application period for assistance under this subsection for that fiscal year.''.

SEC. 1111. SOUTHERN BORDER SECURITY ASSISTANCE GRANTS.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary, in consultation with State and local law enforcement agencies, may award border security assistance grants to law enforcement agencies located in the Southwest border region for the purposes described in subsection (b).

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to law enforcement agencies located in a county that is located within 25 miles of the Southern border.

(b) PURPOSES.—Each grant awarded under subsection (a) shall be used to address drug trafficking, smuggling, and border violence—

(1) by obtaining law enforcement equipment and tools, including secure 2-way communication devices, portable laptops and office computers, license plate readers, unmanned aerial vehicles, unmanned aircraft systems, manned aircraft, cameras with night viewing capabilities, and any other appropriate law enforcement equipment;

(2) by hiring additional personnel, including administrative support personnel, dispatchers, and jailers, and to provide overtime pay for such personnel;

(3) by purchasing law enforcement vehicles;

(4) by providing high performance aircraft and helicopters for border surveillance and other critical mission applications and paying for the operational and maintenance costs associated with such craft;

(5) by providing critical power generation systems, infrastructure, and technological upgrades to support State and local data management systems and fusion centers; or

(6) by providing specialized training and paying for the direct operating expenses associated with detecting and prosecuting drug trafficking, human smuggling, and other illegal activity or violence that occurs at or near the Southern border.

(c) APPLICATION.—

(1) REQUIREMENT.—A law enforcement agency seeking a grant under subsection (a), or a nonprofit organization or coalition acting as an agent for 1 or more such law enforcement entities, shall submit an application to the Secretary that includes the information described in paragraph (2) at such time and in such manner as the Secretary may require.

(2) CONTENT.—Each application submitted under paragraph (1) shall include—

(A) a description of the activities to be carried out with a grant awarded under subsection (a);

(B) if equipment will be purchased with the grant, a detailed description of—

(i) the type and quantity of such equipment; and

(ii) the personnel who will be using such equipment; and

(C) a description of the need of the law enforcement agency or agencies for the grant, including a description of the inability of the agency or agencies to carry out the proposed activities without the grant.

(d) REVIEW AND AWARD.—

(1) REVIEW.—Not later than 90 days after receiving an application submitted under subsection (c), the Secretary shall review and approve or reject the application.

(2) AWARD OF FUNDS.—Subject to the availability of appropriations, not later than 45 days after the date an application is approved under paragraph (1), the Secretary shall transmit the grant funds to the applicant.

(3) PRIORITY.—In distributing grant funds under this subsection, priority shall be given to high-intensity areas for drug trafficking, smuggling, and border violence.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 and 2015, $300,000,000 for grants authorized under this section.

SEC. 1112. USE OF FORCE.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, shall issue policies governing the use of force by all Department personnel that—

(1) require all Department personnel to report each use of force; and

(2) establish procedures for—

(A) accepting and investigating complaints regarding the use of force by Department personnel;

(B) disciplining Department personnel who violate any law or Department policy relating to the use of force; and

(C) reviewing all uses of force by Department personnel to determine whether the use of force—

(i) complied with Department policy; or

(ii) demonstrated the need for changes in policy, training, or equipment.

SEC. 1113. TRAINING FOR BORDER SECURITY AND IMMIGRATION ENFORCEMENT OFFICERS.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, agriculture specialists, and, in consultation with the Secretary of Defense, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6)) of this Act, stationed within 100 miles of any land or marine border of the United States or at any United States port of entry receive appropriate training, which shall be prepared in collaboration with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, in—

(1) identifying and detecting fraudulent travel documents;

(2) civil, constitutional, human, and privacy rights of individuals;

(3) the scope of enforcement authorities, including interrogations, stops, searches, seizures, arrests, and detentions;

(4) the use of force policies issued by the Secretary pursuant to section 1112 of this Act;

(5) immigration laws, including screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture;

(6) social and cultural sensitivity toward border communities;

(7) the impact of border operations on communities; and

(8) any particular environmental concerns in a particular area.

(b) TRAINING FOR BORDER COMMUNITY LIAISON OFFICERS.—The Secretary shall ensure that border communities liaison officers in U.S. Border Patrol sectors along the Southern border and the Northern border receive training to better—

(1) act as a liaison between border communities and the Office for Civil Rights and Civil Liberties of the Department and the Civil Rights Division of the Department of Justice;

(2) foster and institutionalize consultation with border communities;

(3) consult with border communities on Department programs, policies, strategies, and directives; and

(4) receive Department performance assessments from border communities.

(c) HUMANE CONDITIONS OF CONFINEMENT FOR CHILDREN IN U.S. CUSTOMS AND BORDER PROTECTION CUSTODY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish standards to ensure that children in the custody of U.S. Customs and Border Protection—

(1) are afforded adequate medical and mental health care, including emergency medical and mental health care, if necessary;

(2) receive adequate nutrition;

(3) are provided with climate-appropriate clothing, footwear, and bedding;

(4) have basic personal hygiene and sanitary products; and

(5) are permitted to make supervised phone calls to family members.

SEC. 1114. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the ''DHS Task Force'').

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the Southern border and the Northern border protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1113 of this Act.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 29 members, appointed by the President, who have expertise in migration, local crime indices, civil and human rights, community relations, cross-border

trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 12 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement official;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol; and

(ii) 17 members shall be from the Southern border region and include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol.

(B) TERM OF SERVICE.—Members of the Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed, subject to prior approval of expense estimates by the Secretary, for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit to the President, the Secretary, and Congress a final report that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties the DHS Task Force should be responsible for after the termination date described in subsection (e).

(d) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2014 through 2017 such sums as may be necessary to carry out this section.

SEC. 1115. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) ESTABLISHMENT.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

"SEC. 104. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.

''(a) IN GENERAL.—There shall be within the Department an Ombudsman for Immigration Related Concerns (in this section referred to as the 'Ombudsman'). The individual appointed as Ombudsman shall have a background in immigration law as well as civil and human rights law. The Ombudsman shall report directly to the Deputy Secretary.

''(b) FUNCTIONS.—The functions of the Ombudsman shall be as follows:

''(1) To receive and resolve complaints from individuals and employers and assist in resolving problems with the immigration components of the Department.

''(2) To conduct inspections of the facilities or contract facilities of the immigration components of the Department.

''(3) To assist individuals and families who have been the victims of crimes committed by aliens or violence near the United States border.

''(4) To identify areas in which individuals and employers have problems in dealing with the immigration components of the Department.

''(5) To the extent practicable, to propose changes in the administrative practices of the immigration components of the Department to mitigate problems identified under paragraph (4).

''(6) To review, examine, and make recommendations regarding the immigration and enforcement policies, strategies, and programs of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services.

''(c) OTHER RESPONSIBILITIES.—In addition to the functions specified in subsection (b), the Ombudsman shall—

''(1) monitor the coverage and geographic allocation of local offices of the Ombudsman, including appointing a local ombudsman for immigration related concerns; and

''(2) evaluate and take personnel actions (including dismissal) with respect to any employee of the Ombudsman.

''(d) REQUEST FOR INVESTIGATIONS.—The Ombudsman shall have the authority to request the Inspector General of the Department of Homeland Security to conduct inspections, investigations, and audits.

''(e) COORDINATION WITH DEPARTMENT COMPONENTS.—The Director of U.S. Citizenship and Immigration Services, the Assistant Secretary of Immigration and Customs Enforcement, and the Commissioner of Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such official by the Ombudsman.

''(f) ANNUAL REPORTS.—Not later than June 30 of each year, the Ombudsman shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall contain full and substantive analysis, in addition to statistical information, and shall set forth any recommendations the Ombudsman has made on improving the services and responsiveness of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection and any responses received from the Department regarding such recommendations.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 452 of the Homeland Security Act of 2002 (6 U.S.C. 272) is repealed.

(c) CLERICAL AMENDMENTS.—The table of contents for the Homeland Security Act of 2002 is amended—

(1) by inserting after the item relating to section 103 the following new item:

''Sec. 104. Ombudsman for immigration related concerns.''; and

(2) by striking the item relating to section 452.

SEC. 1116. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, subject to the availability of appropriations for such purpose, hire, train, and assign to duty, by not later than September 30, 2018—

(1) 5,000 full-time officers of U.S. Customs and Border Protection to serve—

(A) on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at United States land ports of entry on the Northern border and the Southern border; and

(B) at airports to implement the biometric entry-exit system in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b); and

(2) 350 full-time support staff distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

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

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

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner of U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

(g) CONSULTATION.—

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, $1,000,000,000, of which $5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FEDERAL FUNDS.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

SEC. 1117. CROSS-BORDER TRADE ENHANCEMENT.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) PERSON.—The term ''person'' means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

(c) EVALUATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

SEC. 1118. HUMAN TRAFFICKING REPORTING.

(a) SHORT TITLE.—This section may be cited as the ''Human Trafficking Reporting Act of 2013''.

(b) FINDINGS.—Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 ''severe forms of trafficking in persons'' means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) 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.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department's 2012 Trafficking in Persons report found that—

(A) the United States is a ''source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking,''; and

(B) the United States needs to ''improve data collection on human trafficking cases at the Federal, state and local levels''.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments world wide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that ''the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time''.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation's Uniform Crime Report.

(c) HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.—Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

''(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term 'part 1 violent crimes' shall include severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).''.

SEC. 1119. PROHIBITION ON LAND BORDER CROSSING FEES.

The Secretary shall not establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, nor conduct any study relating to the imposition of such a fee.

SEC. 1120. DELEGATION.

The Secretary may delegate any authority provided to the Secretary under this Act or an amendment made by this Act to the Secretary of Agriculture, the Attorney General, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of State, or the Commissioner of Social Security.

SEC. 1121. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

SEC. 1122. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to authorize the deployment, procurement, or construction of fencing along the Northern border.

On page 1008, strike line 18 and all that follows through page 1009, line 22, and insert the following:

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

''(i) a criminal investigation or prosecution;

''(ii) a national security investigation or prosecution; or

''(iii) a duly authorized investigation of a civil violation; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

''(A) shall apply only until—

''(i) an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

''(ii) all opportunities for administrative appeal of the denial have been exhausted; and

''(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

''(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

''(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien's status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or 245F to make a determination on any petition or application.

''(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.

Beginning on page 945, strike line 21 and all that follows through page 946, line 12 and insert the following:

''(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

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

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

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

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

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

''(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or a violation of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

On page 948, beginning on line 14, strike ''subparagraph (A)(i)(III) or''.

On page 955, strike lines 1 through 5 and insert the following:

''(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary shall interview each such applicant.

Beginning on page 956 strike line 7 and all that follows through page 961, line 13.

Beginning on page 1014, strike line 1 and all that follows through page 1020, line 2.

After section 2009 insert the following:

SEC. 2110. VISA INFORMATION SHARING.

Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''discretion and on the basis of reciprocity,'' and inserting ''discretion,'';

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

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

''(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including, but not limited to, terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(ii) determining a person's removability or eligibility for a visa, admission, or other immigration benefit;''; and

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

On page 1579, line 11, insert ''less than 5 years nor'' after ''not''.

On page 1579, line 15, by inserting ''not less than 10'' after ''years''; and

On page 1579, between lines 15 and 16, insert the following:

''(8) in the case of a violation that is the third or more subsequent offense committed by such person under this section or section 1324, shall be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both; or

''(9) in the case of a violation that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall

be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both.

On page 1582, between lines 14 and 15 insert the following:

(d) TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.—Section 1956(c)(7) of title 18, United States Code is amended—

(1) in subparagraph (E), by striking ''or'' after the semicolon;

(2) in subparagraph (F), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following—

''(G) any act which is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of such Act (relating to importation of an alien for immoral purpose);''.

SEC. 3713. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

''(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

''(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or(v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not less than 5 years, nor more than 25 years, or both;'' and

(C) in clause (vi), as redesignated, by striking inserting ''and not less than 10'' before ''years''; and

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a) of this section, the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.''.

SEC. 3714. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner's office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term ''covered area'' means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

SEC. 3715. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Putting the Brakes on Human Smuggling Act''.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following:

''(F) using a commercial motor vehicle in willfully and knowingly aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.''.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking ''(E)'' and inserting ''(F)''; and

(4) by inserting after subparagraph (E) the following:

''(F) using a commercial motor vehicle on more than one occasion in willfully and knowingly aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, and attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or''.

(d) LIFETIME DISQUALIFICATION.—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

''(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

''(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

''(2) in committing an act for which the individual is convicted under—

''(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(B) section 277 of such Act (8 U.S.C. 1327).''.

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.''.

(2) NOTIFICATION BY THE STATE.—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting ''including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,'' after ''60 days,''.

SEC. 3716. DRUG TRAFFICKING AND CRIMES OF VIOLENCE.

(1) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 51 the following:

''CHAPTER 52—DRUG TRAFFICKING AND CRIMES OF VIOLENCE COMMITTED BY ILLEGAL ALIENS

''Sec.
''1131. Enhanced penalties for drug trafficking and crimes committed by illegal aliens.

''§ 1131 Enhanced penalties for drug trafficking and crimes committed by illegal aliens

''(a) IN GENERAL.—Any alien unlawfully present in the United States, who commits, or conspires or attempts to commit, a crime of violence or a drug trafficking crime (as defined in section 924), shall be fined under this title and sentenced to not less than 5 years in prison.

''(b) ENHANCE PENALTIES FOR ALIENS ORDERED REMOVED.—If an alien who violates subsection (a) was previously ordered removed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the grounds of having committed a crime, the alien shall be sentenced to not less than 15 years in prison.

''(c) REQUIREMENT FOR CONSECUTIVE SENTENCES.—A sentence of imprisonment imposed under this section shall run consecutively to any other sentence of imprisonment imposed for any other crime.''.

(2) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 51 the following:

''52. Drug Trafficking and Crimes of Violence Committed by Illegal Aliens ..... 1131''.

SEC. 3717. ILLEGAL BORDER CROSSING FOR THE PURPOSE OF TERRORISM.

Section 275(a) (8 U.S.C. 1325(a)) is amended to read as follows:

''(a) IMPROPER TIME OR PLACE; AVOIDANCE OF EXAMINATION OR INSPECTION; MISREPRESENTATION AND CONCEALMENT OF FACTS.—

''(1) IN GENERAL.—Except as provided under paragraph (2), any alien who—

''(A) enters or attempts to enter the United States at any time or place other than as designated by immigration officers;

''(B) eludes examination or inspection by immigration officers; or

''(C) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18, United States Code, imprisoned for not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under such title 18, imprisoned for not more than 2 years, or both.

''(2) ENHANCED PENALTIES.—Any alien who commits an offense described in paragraph

(1) with the intent to aid, abet, or engage in any Federal crime of terrorism (as defined in section 2332b(f) of title 18, United States Code) shall be imprisoned for not less than 15 years and not more than 30 years.''.

SEC. 3718. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

''(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

''(B) The application for the restraining order referred to in subparagraph (A) shall—

''(i) identify the offense for which the person has been arrested or charged;

''(ii) identify the location and description of the accounts to be restrained; and

''(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

''(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(D) For purposes of this section—

''(i) the term 'account' includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

''(ii) the term 'account held by the person arrested or charged' includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

''(E) Restraint pursuant to this paragraph shall not be deemed a 'seizure' for purposes of subsection 983(a) of this title.

''(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.''.

SEC. 3719. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

''(K) an issuer, redeemer, or cashier or travelers' checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;'';

(2) in paragraph (3)(B), by inserting ''prepaid access devices,'' after ''delivery,'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) 'prepaid access device' means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.''.

(b) GAO REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Commission of the U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

SEC. 3720. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

''(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value in excess of $10,000 if the instrument was drawn on an account that contained or was intended to contain more than $10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated.''.

SEC. 3721. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting '', and regardless of whether or not the person knew that the activity constituted a felony'' before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3722. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

At the appropriate place, insert the following:

SEC. ___. PROSECUTING VISA OVERSTAYS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall immediately initiate removal proceedings against not less than 90 percent of aliens admitted as nonimmigrants after such date of enactment who the Secretary has determined have exceeded their authorized period of admission.

(b) REPORT.—The Secretary shall submit to Congress a report on a quarterly basis that sets out the following:

(1) The total number of aliens who the Secretary has determined in that quarter have exceeded their authorized period of stay as nonimmigrants.

(2) The total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings during that quarter.

SA 1395. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3412 and insert the following:

SEC. 3412. EMPLOYMENT AUTHORIZATION FOR ASYLEES.

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

''(2) EMPLOYMENT.—An applicant for asylum shall be eligible for employment in the United States at the time the applicant's asylum application is submitted.''.

SA 1396. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. NATIONAL SECURITY INVESTIGATIONS.

(a) S NONIMMIGRANT STATUS.—Section 101(a) is amended—

(1) in paragraph (15)(S)(i)(III), by inserting ''or national security investigation'' after ''authorized criminal investigation''; and

(2) by redesignating paragraph (23) as paragraph (24); and

(3) by inserting after paragraph (22) the following:

''(23) The term 'national security investigation' includes investigations conducted

by appropriate personnel of the Department of Justice or an element of the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).''.

(b) REPORT ON S NONIMMIGRANTS.—Section 214(k)(4) (8 U.S.C. 1184(k)(4)) is amended—

(1) in subparagraph (B), by inserting ''or national security investigations'' after ''prosecutions or investigations'';

(2) in subparagraph (D), by striking ''successful criminal prosecution or investigation'' inserting ''successful criminal prosecution or investigation, successful national security investigation,''.

(c) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245(j)(1)(B) (8 U.S.C. 1255(j)(1)(B)) is amended by inserting ''national security investigation or'' after ''criminal investigation or''.

SA 1397. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ECONOMIC ESPIONAGE, TRADE SECRET THEFT, AND COMPUTER FRAUD.

Section of 801 the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–405; 8 U.S.C. 1182e) is amended by adding at the end the following:

''(d) ECONOMIC ESPIONAGE, TRADE SECRET THEFT, AND COMPUTER FRAUD.—

''(1) REQUIREMENT FOR ASSESSMENT.—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and annually thereafter, the Director of National Intelligence, in consultation with the Attorney General, shall identify and report to the President foreign entities, including entities owned or controlled by the government of a foreign country, that request, engage in, support, or knowingly facilitate or benefit from violations of section 1030, 1831, or 1832 of title 18, United States Code.

''(2) OTHER REQUIREMENTS.—Each report submitted under paragraph (1) shall be based on available intelligence and submitted to the President in an appropriate form.

''(3) DENIAL OR CONDITIONING OF VISAS.—

''(A) DESIGNATION OF ENTITIES.—The President may designate a foreign entity identified pursuant to paragraph (1) as an entity responsible for economic espionage, trade secret theft, or computer fraud.

''(B) DENIAL OR CONDITIONING OF VISAS OF ALIENS AFFILIATED WITH DESIGNATED ENTITIES.—The President may—

''(i) authorize the Secretary of State to deny or impose conditions on the issuance of visas to aliens who are, or during the past 10 years have been, affiliated with designated entities; and

''(ii) authorize the Secretary of Homeland Security to deny or impose conditions on admission to aliens who are, or during the past 10 years have been, affiliated with designated entities.

''(C) ALIENS AFFILIATED WITH DESIGNATED ENTITIES.—For the purpose of subparagraph (B) the term 'affiliated with designated entities', with respect to an alien, includes aliens who requested, engaged in, supported, or knowingly facilitated or benefitted from a violation of section 1830, 1831, or 1832 of title 18, United States Code, that was committed on behalf of an entity designated by the President under subparagraph (A).

''(4) WAIVER.—The Secretary of State or the Secretary of Homeland Security may, in consultation with the Director of National Intelligence, determine, in such Secretary's discretion, that because of an alien's cooperation with the United States government or other extenuating circumstances, it is not in the national interest to impose sanctions on an alien under paragraph (3).

''(5) EXCEPTION.—A sanction may not be imposed under paragraph (3) in the case of an alien who is a head of state, head of government, or cabinet-level minister, or if admitting the alien to the United States is necessary to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.''.

SA 1398. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (4) the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's social security number on the return of tax for such taxable year.

''(B) JOINT RETURN.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the social security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct social security number required to be included on a return under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN required to be included on a return under section 24(e) (relating to child tax credit),''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''With Respect to Qualifying Children'' after ''Identification Requirement'' in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3205. RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED REFUNDABLE PORTION OF THE CHILD TAX CREDIT IN PRIOR YEAR.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (5) the following new paragraph:

''(6) RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDIT IN PRIOR YEAR.—

''(A) TAXPAYERS MAKING PRIOR FRAUDULENT OR RECKLESS CLAIMS.—

''(i) IN GENERAL.—No credit shall be allowed under this subsection for any taxable year in the disallowance period.

''(ii) DISALLOWANCE PERIOD.—For purposes of clause (i), the disallowance period is—

''(I) the period of 10 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this subsection was due to fraud, and

''(II) the period of 2 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this subsection was due to reckless or intentional disregard of rules and regulations (but not due to fraud).

''(B) TAXPAYERS MAKING IMPROPER PRIOR CLAIMS.—In the case of a taxpayer who is denied credit under this subsection for any taxable year as a result of the deficiency procedures under subchapter B of chapter 63, no credit shall be allowed under this subsection for any subsequent taxable year unless the taxpayer provides such information as the Secretary may require to demonstrate eligibility for such credit.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3206. CHECKLIST FOR PAID PREPARERS TO VERIFY ELIGIBILITY FOR REFUNDABLE PORTION OF THE CHILD TAX CREDIT; PENALTY FOR FAILURE TO MEET DUE DILIGENCE REQUIREMENTS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall prescribe a form (similar to Form 8867) which is required to be completed by paid income tax return preparers in connection with claims for the refundable portion of the child tax credit under section 24(d) of the Internal Revenue Code of 1986.

(b) PENALTY.—Section 6695 of the Internal Revenue Code of 1986 (relating to other assessable penalties with respect to the preparation of tax returns for other persons) is amended by adding at the end the following new subsection:

''(h) FAILURE TO BE DILIGENT IN DETERMINING ELIGIBILITY FOR REFUNDABLE PORTION OF CHILD TAX CREDIT.—Any person who is a tax return preparer with respect to any return or claim for refund who fails to comply with due diligence requirements imposed by the Secretary by regulations with respect to determining eligibility for, or the amount of, the credit allowable by section 24(d) shall pay a penalty of $500 for each such failure.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 1399. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1471, strike line 15 and all that follows through page 1474, line 16.

SA 1400. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1475, strike line 3 and all that follows through the matter following line 10 on page 1482.

SA 1401. Mr. GRASSLEY submitted an amendment intended to be proposed

by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1469, strike line 5 and all that follows through page 1471, line 2.

SA 1402. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1474, strike line 17 and all that follows through page 1475, line 2.

SA 1403. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1145, line 20, strike ''120,000'' and insert ''150,000''.

On page 1148, line 6, insert ''of the visas remaining after the allocation under subparagraph (C)''after ''50 percent''.

On page 1148, line 9, insert ''of the visas remaining after the allocation under subparagraph (C)''after ''50 percent''.

On page 1148, between lines 11 and 12, insert the following:

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

On page 1148, line 13, strike ''to tier 1 or tier 2'' and insert ''under tier 1, tier 2, or tier 3''.

On page 1154, line 21, strike ''(6)'' and insert the following:

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is, has been, or will be a primary caregiver shall be allocated 10 points.

''(D) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(E) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(F) HUMANITARIAN CONCERNS.—An alien who is, has been, or will be the primary caregiver of a United States citizen suffering an extreme hardship or the last surviving sibling or last surviving son or daughter of a United States citizens shall be allocated 10 points.

''(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

''(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7)

On page 1155, line 5, strike ''(7)'' and insert ''(8)''.

On page 1155, line 10, strike ''(8)'' and insert ''(9)''.

On page 1155, line 15, strike ''(9)'' and insert ''(10)''.

SA 1404. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 954, beginning on line 3, strike ''and'' and all that follows through ''(III)'' on line 4, and insert the following:

''(III) an affidavit from aliens who are 18 years of age or older stating that the alien—

''(aa) unlawfully entered the United States on or before December 31, 2011; or

''(bb) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(IV)

On page 1044, line 23, strike the period at the end and insert the following: ″, including an affidavit from aliens who are 18 years of age or older stating that the alien—

(i) unlawfully entered the United States on or before December 31, 2012; or

(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of this Act.

SA 1405. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1469, between lines 4 and 5, insert the following:

CHAPTER 1—IMPROVEMENTS TO ASYLUM AND REFUGEE PROGRAMS

On page 1490, between lines 2 and 3, insert the following:

CHAPTER 2—DOMESTIC REFUGEE RESETTLEMENT

SEC. 3421. SHORT TITLE.

This chapter may be cited as the ''Domestic Refugee Resettlement Reform and Modernization Act of 2013''.

SEC. 3422. DEFINITIONS.

In this chapter:

(1) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a nonprofit organization providing a variety of social, health, educational and community services to a population that includes refugees resettled into the United States.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Refugee Resettlement.

(3) NATIONAL RESETTLEMENT AGENCY.—The term ''national resettlement agency'' means a voluntary agency contracting with the Department of State to provide sponsorship and initial resettlement services to refugees entering the United States.

SEC. 3423. ASSESSMENT OF THE REFUGEE DOMESTIC RESETTLEMENT PROGRAM.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(b) MATTERS TO BE STUDIED.—In the study required under subsection (a), the Comptroller General shall determine and analyze—

(1) how the Office of Refugee Resettlement defines self-sufficiency and if this definition is adequate in addressing refugee needs in the United States;

(2) the effectiveness of Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency and integration;

(3) the Office of Refugee Resettlement's budgetary resources and project the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency and integration;

(4) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(5) how community-based organizations can be better utilized and supported in the Federal domestic resettlement process; and

(6) recommended statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under paragraphs (1) through (5).

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit the results of the study required under subsection (a) to Congress.

SEC. 3424. REFUGEE ASSISTANCE.

(a) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

''(C) When providing assistance under this section, the Director shall ensure that such assistance is provided to refugees who are secondary migrants and meet all other eligibility requirements for such services.''.

(b) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) (8 U.S.C. 1522(a)(3)) is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by striking ''a periodic'' and inserting ''an annual''; and

(3) by adding at the end the following:

''(B) At the end of each fiscal year, the Director shall submit a report to Congress that includes—

''(i) States experiencing departures and arrivals due to secondary migration;

''(ii) likely reasons for such migration;

''(iii) the impact of secondary migration on States hosting secondary migrants;

''(iv) the availability of social services for secondary migrants in those States; and

''(v) the unmet needs of those secondary migrants.''.

(c) AMENDMENTS TO THE SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) (8 U.S.C. 1522(c)(1)(B)) is amended—

(1) by inserting ''a combination of—'' after ''based on''; and

(2) by striking ''the total number'' and inserting the following:

''(i) the total number''; and

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

''(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.''.

(d) NOTICE AND RULEMAKING.—Not later than 90 days after the date of the enactment of this Act nor later than 30 days before the effective date set forth in subsection (e), the Director shall—

(1) issue a proposed rule for a new formula by which grants and contracts are to be allocated pursuant to the amendments made by subsection (c); and

(2) solicit public comment with respect to such proposed rule.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 3425. RESETTLEMENT DATA.

(a) IN GENERAL.—The Director shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with the requirements set forth in subsections (b) through (e).

(b) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Director shall—

(1) coordinate with the Centers for Disease Control, national resettlement agencies, community based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs; and

(2) in collecting information under this subsection, utilize initial refugee health screening data, including—

(A) history of severe trauma, torture, mental health symptoms, depression, anxiety and posttraumatic stress disorder recorded during domestic and international health screenings; and

(B) Refugee Medical Assistance utilization rate data.

(c) DATA ON HOUSING NEEDS.—The Director shall partner with State refugee programs, community based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(1) the number of refugees who have become homeless; and

(2) the number of refugees who are at severe risk of becoming homeless.

(d) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Director shall gather longitudinal information relating to refugee self-sufficiency, integration, and employment status during the 2-year period beginning on the date that is 1 year after the refugees' arrival in the United States.

(e) AVAILABILITY OF DATA.—The Director shall—

(1) annually update the data collected under this section; and

(2) submit an annual report to Congress that contains the updated data.

SEC. 3426. GUIDANCE REGARDING REFUGEE PLACEMENT DECISIONS.

(a) CONSULTATION.—The Secretary of State shall provide guidance to national resettlement agencies and State refugee coordinators on consultation with local stakeholders pertaining to refugee resettlement.

(b) BEST PRACTICES.—The Secretary of Health and Human Services, in collaboration with the Secretary of State, shall collect best practices related to the implementation of the guidance on stakeholder consultation on refugee resettlement from voluntary agencies and State refugee coordinators and disseminate such best practices to such agencies and coordinators.

SEC. 3427. EFFECTIVE DATE.

This chapter, and the amendments made by this chapter, shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1406. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WAIVER OF SMALL BUSINESS PROCUREMENT PROVISIONS.

Part 19 of the Federal Acquisition Regulation, section 15 of the Small Business Act (15 U.S.C. 644), and any other applicable laws or regulations establishing procurement requirements relating to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) may not be waived with respect to any contract awarded under any program or other authority under this Act or an amendment made by this Act, other than as provided under subsection (a)(2) or (c) of section 2108 of this Act.

SA 1407. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 905, between lines 5 and 6, insert the following:

(4) LAND PORTS OF ENTRY.—The Secretary and the Administrator of the General Services Administration may upgrade, expand, or replace existing land ports of entry to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

SA 1408. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Homeland Security, shall develop and submit to Congress a strategy to address the unauthorized immigration of individuals who transit through Mexico to the United States.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in conjunction with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in coordination with the Secretary of Homeland Security, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed, as appropriate.

(d) AVAILABILITY OF FUNDS.—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1409. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 904, line 20, strike ''The Secretary'' and insert the following:

(A) GRANTS AUTHORIZED.—The Secretary

On page 905, between lines 5 and 6, insert the following:

(B) ELIGIBLE USE OF GRANT FUNDS.—In addition to the uses described in subparagraph (A), grants awarded under this paragraph may be used for maintenance of all public roads, including locally owned public roads and roads on tribal land—

(i) that are located within 100 miles of—

(I) the Northern border; or

(II) the Southern border; and

(ii) on which federally owned motor vehicles comprise more than 50 percent of the vehicular traffic.

SA 1410. Mr. LEAHY (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 934, after line 25, add the following:

SEC. 1116. OVERSIGHT OF POWER TO ENTER PRIVATE LAND AND STOP VEHICLES WITHOUT A WARRANT.

(a) IN GENERAL.—Section 287(a) (8 U.S.C. 1357(a)) is amended—

(1) in paragraph (5), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by redesignating paragraphs (4) and (5) as subparagraphs (E) and (F), respectively;

(4) in the matter preceding subparagraph (A), as so redesignated—

(A) by inserting ''(1)'' before ''Any officer'';

(B) by striking ''Service'' and inserting ''Department of Homeland Security''; and

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

(5) by striking paragraph (1)(C), as so redesignated and inserting the following:

''(C) within a distance of 25 air miles from any external boundary of the United States, or such distance as may be prescribed by the Secretary pursuant to paragraph (2) of this

subsection, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;

''(D) within a distance of 10 air miles from any such external boundary, or such distance as may be prescribed by the Secretary pursuant to paragraph (2) of this subsection, to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;'';

(6) by inserting after the flush text at the end of subparagraph (F), as so redesignated, the following:

''(2)(A)(i) The Secretary of Homeland Security may establish for a sector or district a distance less than or greater than 25 air miles, but in no case greater than 100 air miles, as the maximum distance from an external boundary of the United States in which the authority described in paragraph (1)(C) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(ii) The Secretary of Homeland Security may establish for a sector or district a distance less than or greater than 10 air miles, but in no case greater than 25 air miles, as the maximum distance from an external boundary of the United States in which the authority described in paragraph (1)(D) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(B) In making the certifications described in subparagraph (A), the Secretary shall consider, as appropriate, land topography, confluence of arteries of transportation leading from external boundaries, density of population, possible inconvenience to the traveling public, types of conveyances used, reliable information as to movements of persons effecting illegal entry into the United States, effects on private property and quality of life for relevant communities and residents, consultations with affected State, local, and tribal governments, including the governor of any relevant State, and other factors that the Secretary considers appropriate.

''(C) A certification made under subparagraph (A) shall be valid for a period of 5 years and may be renewed for additional 5-year periods. If the Secretary finds at any time that circumstances no longer justify a certification, the Secretary shall terminate the certification.

''(D) The Secretary shall report annually to the Committee on the Judiciary and Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and Committee on Homeland Security of the House of Representatives the number of certifications made under subparagraph (A), and for each such certification, the sector or district and reasonable distance prescribed, the period of time the certification has been in effect, and the factors justifying the certification.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AUTHORITIES WITHOUT A WARRANT.—In section 287(a) (8 U.S.C. 1357(a)), the undesignated matter following paragraph (2), as added by subsection (a)(5), is amended—

(A) by inserting ''(3)'' before ''Under regulations'';

(B) by striking ''paragraph (5)(B)'' both places that term appears and inserting ''subparagraph (F)(ii)'';

(C) by striking ''(i)'' and inserting ''(A)'';

(D) by striking ''(ii) establish'' and inserting ''(B) establish'';

(E) by striking ''(iii) require'' and inserting ''(C) require''; and

(F) by striking ''clause (ii), and (iv)'' and inserting ''subparagraph (B), and (D)''.

(2) CONFORMING AMENDMENT.—Section 287(e) (8 U.S.C. 1357(e)) is amended by striking ''paragraph (3) of subsection (a),'' and inserting ''subsection (a)(1)(D),''.

On page 937, strike lines 3 through 9 and insert the following:

SEC. 1118. PROHIBITION ON NEW LAND BORDER CROSSING FEES.

(a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SA 1411. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1490, between lines 2 and 3, insert the following:

SEC. 3413. SPECIFIC CONSIDERATION OF STATELESS GROUPS OF INDIVIDUALS.

Pursuant to section 3405, the Secretary, in consultation with the Secretary of State, may designate, as stateless persons, any specific group of individuals who are no longer considered nationals by any state as a result of sea level rise or other environmental changes that render such state uninhabitable for such group of individuals.

SEC. 3414. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON CLIMATE CHANGE-INDUCED INTERNAL MIGRATION.

(a) STUDY.—The Comptroller General of the United States shall carry out a study of the effects of climate change-induced migration on—

(1) United States immigration policies; and

(2) Federal, State, and local social services.

(b) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under subsection (a).

(2) CONTENTS.—The report specified in paragraph (1) shall include an analysis of—

(A) the expected extent of climate change-induced internal migration of—

(i) residents of Alaska, Hawaii, and other States; and

(ii) residents of United States territories and possessions;

(B) the expected impacts and additional costs on existing Federal, State, and local social services of various regions, States, and localities resulting from the climate change-induced migration of United States citizens;

(C) the status of individuals who are stateless as a result of climate change; and

(D) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the additional costs and social services required to address impacts associated with climate change-induced migration.

SA 1412. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, strike lines 11 through 18, and insert the following:

SEC. 1112. TRAINING FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT OFFICERS, AND OTHER FEDERAL AGENTS PERFORMING BORDER ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol officers and agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6)), Coast Guard officers and agents, and agriculture specialists stationed within 100 miles of any land or marine border of the United States.

At the appropriate place, insert the following:

SEC. _____. PROTECTIONS AND RELIEF FOR DOMESTIC VIOLENCE SURVIVORS.

(a) JUDICIAL REVIEW IN VAWA CASES.—

(1) REVIEW OF ORDERS OF REMOVAL OF DOMESTIC VIOLENCE SURVIVORS.—Section 242(a) (8 U.S.C. 1252(a)) is amended to read as follows:

''(1) GENERAL ORDERS OF REMOVAL.—

''(A) IN GENERAL.—Judicial review of a final order of removal (other than an order of removal without a hearing pursuant to section 235(b)(1)) is governed only by chapter 158 of title 28 of the United States Code, except as provided in subparagraph (B), subsection (b), and except that the court may not order the taking of additional evidence under section 2347(c) of such title.

''(B) DOMESTIC VIOLENCE SURVIVORS AND CRIME VICTIMS.—A final order for the removal of a nonimmigrant described in section 101(a)(15)(T) or section 101(a)(15)(U), a VAWA self-petitioner, an applicant for relief under section 240A(b)(2) or under any prior status provide comparable relief, notwithstanding any other provision of law, shall be subject to de novo review by the court at the request of the nonimmigrant, VAWA self-petitioner, or applicant for relief.''.

(2) CANCELLATION OF REMOVAL OF DOMESTIC VIOLENCE SURVIVORS.—Section 240A(b)(2) (8 U.S.C. 1229b(b)(2)) is amended by adding at the end the following:

''(E) JUDICIAL REVIEW OF DETERMINATION FOR DOMESTIC VIOLENCE SURVIVORS.—There shall be judicial review available of a determination of whether an individual is eligible for or entitled to relief under this paragraph or any prior statute providing comparable relief, notwithstanding any other provision of law.''.

(b) ELIGIBILITY FOR CANCELLATION OF REMOVAL FOR DOMESTIC VIOLENCE SURVIVORS.—Section 240A(b)(2)(A)(iv) (8 U.S.C. 1229b(b)(2)(A)(iv)) is amended to read as follows:

''(iv) the alien is not inadmissible under section 212(a)(2)(G), section 212(a)(2)(H), or section 212(a)(3) and is not deportable under section 237(a)(2)(A)(v) or section 237(a)(4); and''.

(c) DESIGNATING IMMIGRANTS ELIGIBLE FOR U VISAS AND SPECIAL IMMIGRANT JUVENILE STATUS, AND SELF-PETITIONING ELDER ABUSE VICTIMS, AS ALIENS ELIGIBLE TO RECEIVE CERTAIN ASSISTANCE.—

(1) RELIEF FROM CERTAIN SAFETY NET LIMITATION FOR DOMESTIC VIOLENCE SURVIVORS,

VICTIMS OF ABUSE, AND SPECIAL IMMIGRANT JUVENILES.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(A) in the subsection heading, by striking ''BATTERED ALIENS'' and inserting ''DOMESTIC VIOLENCE SURVIVORS, VICTIMS OF ABUSE, AND SPECIAL IMMIGRANT JUVENILES '';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''in the United States by a spouse or parent or by a member of the spouse or parent's family'' and inserting ''by a spouse, parent, son, or daughter or by a member of the spouse's, parent's, son's or daughter's family'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking the comma at the end and inserting a semicolon;

(II) in clause (ii), by striking the comma at the end and inserting a semicolon;

(III) clause (iii), by striking the period at the end and inserting a semicolon;

(IV) in clause (v), by inserting ''or'' after the semicolon; and

(V) by adding at the end the following:

''(vi) status as a VAWA self-petitioner;'';

(C) in paragraph (3)(B), by striking ''or'' at the end;

(D) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(5) an alien who has been granted nonimmigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) or who has a pending application for such nonimmigrant status;

''(6) an alien who has been granted immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 10 1101(a)(27)(J)) or who has a pending application for such immigrant status; or

''(7) an alien who has been granted status as a spouse or child of a registered provisional immigrant under section 245B the Immigration and Nationality Act or alien with blue card status granted under 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and who has been battered or subjected to extreme cruelty by a spouse or parent, or who has a pending application for such status.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(d) RELIEF FOR CERTAIN DOMESTIC VIOLENCE SURVIVORS FROM 5-YEAR BAR.—

(1) IN GENERAL.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)) is amended by adding at the end the following new paragraph:

''(3) BATTERED AND CRIME VICTIM ALIENS.—An alien who—

''(A) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, son, or daughter, or by a member of the spouse's, parent's, son's, or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(B) is described in section 431(c).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(e) ELIGIBILITY FOR SAFETY NET BENEFITS FOR CERTAIN DOMESTIC VIOLENCE SURVIVORS.—

(1) ELIGIBILITY FOR SSI AND FOOD ASSISTANCE SAFETY NET BENEFITS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612 (a)(2)) is amended by adding at the end the following:

''(N) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—With respect to eligibility for a specified Federal program (as defined in paragraph (3)), paragraph (1) shall not apply to an alien who—

''(i) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, or son or daughter, or by a member of the spouse or parent or son or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(ii) is described in section 431(c).''.

(2) RELIEF FOR DOMESTIC VIOLENCE SURVIVORS FROM TANF, SOCIAL SERVICE BLOCK GRANT, AND MEDICAID BAN.—Section 402(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at the end the following:

''(G) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—An alien who—

''(i) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, son, or daughter, or by a member of the spouse's, parent's, son's, or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(ii) is described in section 431(c).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

On page 1224, between lines 23 and 24, insert the following:

(d) RELIEF FROM CERTAIN RESTRICTION ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by subsection (c), is amended in paragraph (1) as so designated by subsection (c), in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

At the appropriate place, insert the following:

SEC. ___. RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.

(a) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2))is amended by inserting'', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

On page 1274, strike lines 5 through 11 and insert the following:

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), applicants approved for nonimmigrant status under section 101(a)(15)(T) of such Act, section 101(a)(15)(U) of such Act, and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

On page 1576, line 4, strike ''and (E)'', and insert ''(E), and (K)''.

SA 1413. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO FIREARMS FOR FOREIGN FELONS ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the ''No Firearms for Foreign Felons Act of 2013''.

(b) FELONIES.—Section 921(a) of title 18, United States Code, is amended—

(1) in paragraph (20)—

(A) in the matter preceding subparagraph (A), by inserting ''includes a covered foreign felony and'' before ''does not include'';

(B) subparagraph (A)—

(i) by striking ''any Federal or State offenses'' and inserting ''any Federal offense, State offense, or covered foreign felony''; and

(ii) by striking '', or'' at the end and inserting a semicolon;

(C) in subparagraph (B)—

(i) by striking ''any State offense classified by the laws of the State'' and inserting ''any State offense or covered foreign felony classified by the laws of that jurisdiction''; and

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

(D) by inserting after subparagraph (B) the following:

''(C) any offense under the law of another country that is not a covered foreign felony.''; and

(2) by adding at the end the following:

''(36) The term 'any court' includes any Federal, State, or foreign court.

''(37) The term 'covered foreign felony'—

''(A) means an offense under the law of another country that—

''(i) is punishable by a term of imprisonment of more than 1 year under the law of the other country; and

''(ii) involves conduct which, if committed in the United States, would constitute an offense under Federal or State law that is punishable by a term of imprisonment of more than 1 year; and

''(B) does not include any offense as to which the convicted person establishes that the conviction for the offense resulted from a denial of fundamental fairness that would violate due process if committed in the United States.''.

(c) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(B) in clause (i)—

(i) by inserting ''(I)'' after ''(i)'';

(ii) by striking ''and'' and inserting ''or''; and

(iii) by adding at the end the following:

''(II) is a crime under foreign law that is punishable by imprisonment for a term of not more than 1 year; and''; and

(2) in subparagraph (B)(ii), by striking ''if the conviction has'' and inserting the following: ''if the conviction—

''(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

''(II) has''.

(d) PENALTIES.—Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended by inserting ''or a covered foreign felony'' after ''an offense under State law''.

SA 1414. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1224, between lines 23 and 24, insert the following:

(d) RELIEF FROM CERTAIN RESTRICTION ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by subsection (c), is amended in paragraph (1) as so designated by subsection (c), in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

At the appropriate place, insert the following:

SEC. ____. RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.

(a) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2))is amended by inserting'', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

On page 1274, strike lines 5 through 11 and insert the following:

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), applicants approved for nonimmigrant status under section 101(a)(15)(T) of such Act, section 101(a)(15)(U) of such Act, and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

On page 1576, line 4, strike ''and (E)'', and insert ''(E), and (K)''.

SA 1415. Ms. HIRONO (for herself, Mr. FRANKEN, Mr. SCHATZ, Mrs. MURRAY, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1151, strike lines 16 through 21.

On page 1154, strike lines 3 through 8.

Beginning on page 1197, strike line 12 and all that follows through page 1198, line 24, and insert the following:

(a) PREFERENCE ALLOCATION OF FAMILY-SPONSORED IMMIGRANT VISAS.—

(1) IN GENERAL.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b), is further amended to read as follows:

''(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

''(1) UNMARRIED SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are the unmarried sons or daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (4).

''(2) UNMARRIED SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or daughters, but not a child (as defined in section 101(b)(1)), of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed the sum of—

''(A) 20 percent of the worldwide level of family-sponsored immigrants under section 201(c); and

''(B) any visas not required for the class specified in paragraph (1).

''(3) MARRIED SONS AND MARRIED DAUGHTERS OF CITIZENS.—Qualified immigrants who are the married sons or married daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) and (2).

''(4) BROTHERS AND SISTERS OF CITIZENS.—Qualified immigrants who are the brothers or sisters of citizens of the United States, if such citizens are at least 21 years of age, shall be allocated visas in a number not to exceed 40 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) through (3).''.

Beginning on page 1217, strike line 18 and all that follows through page 1220, line 9, and insert the following:

(a) NONIMMIGRANT ELIGIBILITY.—Section 101(a)(15)(V) (8 U.S.C. 1101(a)(15)(V)) is amended to read as follows:

''(V) subject to section 214(q) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

''(i) the unmarried son or unmarried daughter of a citizen of the United States;

''(ii) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence;

''(iii) the married son or married daughter of a citizen of the United States; or

''(iv) the sibling of a citizen of the United States.''.

(b) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

''(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

''(1) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

''(A) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V) to engage in employment in the United States during the period of such nonimmigrant's authorized admission; and

''(B) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

''(2) TERMINATION OF ADMISSION.—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

''(A) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

''(B) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.''.

SA 1416. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. REPORT ON PROCESSING OF VISAS FOR NONIMMIGRANTS AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the processing of visas for nonimmigrants at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its capacity for processing of visas for nonimmigrants in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to the processing of visas for nonimmigrants at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out operations relating to the processing of visas for nonimmigrants;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

SA 1417. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1021, line 15, insert ''Hispanic-serving institution (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)), or a'' after ''means a''.

On page 1288, lines 16 and 17, insert ''and Hispanic-serving institutions (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5))'' after ''organizations''.

On page 1293, line 2, insert ''Hispanic-serving institutions (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)),'' after ''municipalities,''.

SA 1418. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, between lines 10 and 11, insert the following:

(b) ANNUAL REPORT ON USE OF FORCE.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Inspector General of the Department shall submit to the appropriate committees of Congress a report on the use of force—

(A) by Federal employees performing enforcement of the immigration laws, including personnel of U.S. Customs and Border Protection, U.S. Border Patrol, U.S. Immigration and Customs Enforcement, the National Guard deployed to assist U.S. Customs and Border Protection under section 1103(c)(6), and the Coast Guard and agriculture specialists stationed within 100 miles of any land or marine border; or

(B) involving State or local law enforcement personnel operating as part of a task force involving Federal participation.

(2) CONTENTS.—Each report required by paragraph (1) shall include, with respect to the use of force in the enforcement of the immigration laws, the following:

(A) A description of the training requirements for use of force on issued equipment, non-force techniques, de-escalation techniques, the use of defensive equipment and a determination of the adequacy of the training requirements.

(B) A description of the type and frequency of the use of force on each of the following:

(i) Citizens of the United States.

(ii) Aliens lawfully present in the United States, including aliens in registered provisional immigrant status, blue card status, nonimmigrant status pursuant to section 101(a)(15)(W) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(W)), as amended by this Act, and those admitted under the amendments made by the DREAM Act 2013.

(iii) Persons not described in clause (i) or (ii).

(C) The gender, race, nationality, ethnicity, and age of the person upon whom force was used.

(D) The date, time, and location (including country, sector, or district, if applicable) of the use of force.

(E) A brief description of the circumstances surrounding the use of force.

(F) The number of officers who used force in the enforcement of immigration laws.

(G) A description of the administrative oversight that occurred following each such use of force.

(H) The number of complaints regarding the use of force and the number of resulting investigations.

(I) A description of the types of disciplinary actions resulting from such investigations and the frequency of such actions.

(J) A description of the policy recommendations, if any, of the Inspector General of the Department relating to use of force.

(K) Any such other information and statistics related to the use of force that the Inspector General of the Department determines to be appropriate.

(L) Results of inspections, investigations, and audits conducted pursuant to section 104(d) of the Homeland Security Act of 2002, as added by 1114 of this Act.

(M) A summary of the information and findings in described subparagraphs (A) through (L).

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(ii) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representative.

(B) USE OF FORCE.—The term ''use of force'' means physical effort to compel compliance by a subject that exceeds unresisted handcuffing, including pointing a firearm at the subject or employing canines.

(4) AVAILABILITY OF REPORTS.—Each report submitted under this subsection shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SA 1419. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1423, line 17, insert after ''by regulation'' the following: '', except that an employer may, but is not required to, use the System to verify authorization of an employee continuing in an employment from another employer in a case in which there is substantial continuity in the business operations between the predecessor and successor employers''.

SA 1420. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, line 25, insert ''investigating potential violations of laws by employers and employees, apprehending violators,'' after ''System,''.

On page 1449, beginning on line 7, strike ''Such personnel'' and all that follows through line 9, and insert ''A significant portion of such personnel shall perform enforcement, investigatory, apprehension, compliance, and monitoring functions, including the following:''.

SA 1421. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1389, line 5, strike ''$5,000 and not more than $15,000'' and insert ''$10,000 and not more than $25,000''.

On page 1389, line 12, ''$10,000 and not more than $25,000'' and insert ''$25,000 and not more than $50,000''.

On page 1390, line 18, strike ''$1,000 and not more than $4,000'' and insert ''$5,000 and not more than $15,000''.

On page 1390, lines 22 and 23, strike ''$2,000 and not more than $8,000'' and insert ''$6,000 and not more than $20,000''.

SA 1422. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1413, between lines 7 and 8, insert the following:

(g) ENHANCED PENALTIES FOR IMMIGRATION LAW VIOLATIONS.—

(1) CIVIL PENALTY.—

(A) IN GENERAL.—If an employer commits a civil violation of a Federal law relating to workplace rights (as defined in section 274A(b)(8) of the Immigration and Nationality Act), including a finding by the agency enforcing such law in the course of a final settlement of such violation, and such violation took place with respect to an unauthorized worker, the employer may be subject to an additional civil penalty of up to $5,000 per unauthorized worker.

(B) DEPOSIT OF FUNDS.—Amounts collected pursuant to subparagraph (A) shall be deposited into the Labor Law Enforcement Fund established under section 286(x) of the Immigration and Nationality Act, as added by paragraph (2).

(2) LABOR LAW ENFORCEMENT FUND.—Section 286 (8 U.S.C. 1356), as amended by section 4104, is further amended by adding at the end the following:

''(x) LABOR LAW ENFORCEMENT FUND.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury, a separate account, which shall be known as the 'Labor Law Enforcement Fund' (referred to in this subsection as the 'Fund').

''(2) DEPOSITS.—There shall be deposited, as offsetting receipts into the Fund, the civil penalties collected under section 3101(g)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(3) PURPOSE.—Amounts deposited in the Fund shall be made available to the Secretary of Labor to enforce employer compliance with Federal workplace laws, including by conducting random audits of employers in industries with a history of employing a significant number of unauthorized workers or nonimmigrants described in section 101(a)(15)(H)(ii).''.

SA 1423. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1390, line 24, strike ''(D)'' and insert the following:

''(D) CIVIL PENALTY.—Any employer that repeatedly fails to comply in a timely manner to requests from the Department for further or follow up information regarding the employer's use of the System, as determined by the Secretary, shall pay a civil penalty of not less than $100 and not more than $500 for each such violation.

''(E)

On page 1391, line 6, strike ''(E)'' and insert ''(F)''.

On page 1392, line 13, strike ''(F)'' and insert ''(G)''.

SA 1424. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1405, beginning on line 17, strike ''knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000'' and inserting ''knowing or negligent violations of paragraph (1)(A) or (2) of subsection (a) shall be fined not more than $30,000 under title 18, United States Code,''.

On page 1406, line 2, strike ''5 years'' and insert ''8 years''.

On page 1406, line 19, insert ''or negligently'' after ''knowingly''.

On page 1406, line 23, strike ''knowing'' and insert ''with knowledge of facts that would lead a reasonable person to conclude''.

On page 1407, line 14, strike ''10 years'' and insert ''12 years''.

SA 1425. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. COMPREHENSIVE INTERIOR IMMIGRATION ENFORCEMENT STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and biannually thereafter, the Secretary shall publish a strategy for achieving and maintaining effective interior immigration enforcement, which shall be known as the ''Comprehensive Interior Immigration Enforcement Strategy'' (referred to in this section as the ''Strategy'').

(b) CONTENTS.—The Strategy shall—

(1) set forth the interior immigration enforcement strategy of the Department;

(2) detail a strategy for addressing, at a minimum—

(A) visa overstays, including enforcement in each major visa category;

(B) fraudulent use of documents by undocumented immigrants to gain employment in the United States;

(C) knowing and negligent activities of employers to hire undocumented immigrants;

(D) knowing and negligent activities of employers regarding failure to comply with the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act; and

(E) shortfalls in entry and exit tracking activities;

(3) specify the priorities that shall be met for the Strategy to be considered successfully executed, which shall include, at a minimum—

(A) enforcement goals in each major category detailed in accordance with paragraph (2);

(B) speedy and fair administrative and judicial proceedings on matters relevant to enforcement activities; and

(C) target enforcement and success levels associated with priority areas of interior immigration enforcement;

(4) identify the resources necessary to carry out the Strategy, including any—

(A) improvements in technology and operational capacity required to implement the Strategy; and

(B) improvements in, or changes to, organizational structure required to implement the Strategy.

(c) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 180 days after the Strategy is published under subsection (a), the Secretary shall submit a report on the Department's plans to implement the Strategy to—

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

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

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate;

(F) the Committee on the Judiciary of the House of Representatives; and

(G) the Comptroller General of the United States.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include—

(A) a detailed analysis of the Department's execution of the Strategy published 2 years before including discussions of successes and failures under the Strategy;

(B) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy submitted under subsection (a); and

(C) a detailed description of—

(i) any impediments identified in the Department's efforts to execute the Strategy;

(ii) the actions the Department has taken, or plans to take, to address such impediments;

(iii) any resources or authorities the Department needs to execute the Strategy; and

(iv) any additional measures developed by the Department to measure interior immigration enforcement efforts.

(3) BIANNUAL REVIEW.—The Comptroller General of the United States shall—

(A) conduct a biannual review of the information contained in the annual reports submitted by the Secretary under this subsection; and

(B) submit an assessment of the status and progress of interior immigration enforcement efforts to the congressional committees set forth in paragraph (1).

(d) DESIGNATION OF INTERIOR ENFORCEMENT LEADERSHIP.—

(1) IN GENERAL.—The Secretary shall designate an individual within the Department to oversee and coordinate the implementation of all interior immigration enforcement efforts that are carried out through activities and agencies under the jurisdiction of the Secretary.

(2) DUTIES.—The individual designated pursuant to paragraph (1) shall—

(A) coordinate with other agencies, including the Department of Justice, as necessary;

(B) collaborate with the Secretary on the creation and publication of the Strategy; and

(C) oversee the implementation of the Strategy, including the reporting requirements under subsection (c).

SA 1426. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties by employees and officials of the Department or that are related to Departmental activities (unless the Inspector General of the Department determines that

such a complaint or such information should be investigated by the Inspector General) and, using the information gained by such investigations, make recommendations to the Secretary and directorates, offices, and other components of the Department for improvements in policy, supervision, training, and practice related to civil rights or civil liberties, or for the relevant office to review the matter and take appropriate disciplinary or other action.'';

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after subsection (a) the following:

''(b) INVESTIGATION OF COMPLAINTS.—The head of each directorate, office, or component of the Department and the head of any other executive agency shall ensure that the directorate, office, or component provides the Officer for Civil Rights and Civil Liberties with speedy access, and in no event later than 30 days after the date on which the directorate, office, or component receives a request from the Officer, to any information determined by the Officer to be relevant to the exercise of the duties and responsibilities under subsection (a) or to any investigation carried out under this section, whether by providing relevant documents or access to facilities or personnel.

''(c) SUBPOENAS.—

''(1) IN GENERAL.—In carrying out the duties and responsibilities under subsection (a) or as part of an investigation carried out under this section, the Officer for Civil Rights and Civil Liberties may require by subpoena access to—

''(A) any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section; and

''(B) any individual, document, record, material, file, report, memorandum, policy, procedure, investigation, video or audio recording or other media, or quality assurance report relating to any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section.

''(2) ISSUANCE AND SERVICE.—A subpoena issued under this subsection shall—

''(A) bear the signature of the Officer for Civil Rights and Civil Liberties; and

''(B) be served by any person or class of persons designated by the Officer or an officer or employee designated for that purpose.

''(3) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the institution, entity, or individual is located may issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as contempt of that court.

''(4) USE OF INFORMATION.—Any material obtained under a subpoena issued under this subsection—

''(A) may not be used for any purpose other than a purpose set forth in subsection (a);

''(B) may not be transmitted by or within the Department for any purpose other than a purpose set forth in subsection (a); and

''(C) shall be redacted, obscured, or otherwise altered if used in any publicly available manner to the extent necessary to prevent the disclosure of any personally identifiable information.

''(d) RECOMMENDATIONS.—For any final recommendation or finding made under this section by the Officer for Civil Rights and Civil Liberties to the Secretary or a directorate, office, or other component of the Department—

''(1) the Secretary shall ensure that the Department—

''(A) responds to the recommendation or finding within 30 days after the date on which the Officer communicates the recommendation or finding; and

''(B) within 60 days after the date on which the Officer communicates the recommendation or finding, provides the Officer with a plan for implementation of the recommendation or finding;

''(2) within 30 days after the date on which the Officer receives an implementation plan under paragraph (1), the Officer shall assess the plan and determine whether the plan sufficiently addresses the underlying recommendation;

''(3) if the Officer determines under paragraph (2) that an implementation plan is insufficient, the Secretary shall ensure that the Department submits a revised implementation plan that complies with the underlying recommendation within 30 days after the date on which the Officer communicates the determination; and

''(4) absent any provision of law to the contrary, the Officer shall provide the complainant with a summary of any findings or recommendations made under this section by the Officer, which shall be redacted, obscured, or otherwise altered to protect the disclosure of any personally identifiable information, other than the complainant's.''; and

(4) in subsection (e), as so redesignated—

(A) by striking ''The Secretary shall'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(B) by striking ''and the appropriate committees and subcommittees of Congress'' and inserting ''the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee)'';

(C) by striking '', and detailing any allegations'' and all that follows through ''such allegations.'' and inserting ''and a compilation of the information provided in the quarterly reports under paragraph (2).''; and

(D) by adding at the end the following:

''(2) QUARTERLY REPORTS.—

''(A) IN GENERAL.—The Officer for Civil Rights and Civil Liberties shall submit to the President of the Senate, the Speaker of the House of Representatives, the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), on a quarterly basis, a report detailing—

''(i) each nonfrivolous allegation of abuse received by the Officer during the quarter covered by the report; and

''(ii) each final recommendation made or carried out under subsection (a) that was completed during the quarter covered by the report.

''(B) CONTENTS.—Each report under this paragraph shall detail—

''(i) for each allegation described in subparagraph (A)(i) subject to a completed investigation, any final recommendation made by the Officer for Civil Rights and Civil Liberties and any action or response taken by the Department in response; and

''(ii) any matter or investigation carried out under this section that has been open or pending for more than 2 years.

''(3) INFORMING THE PUBLIC.—The Officer for Civil Rights and Civil Liberties shall—

''(A) make each report submitted under this subsection available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

''(B) otherwise inform the public of the activities of the Officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.''.

SA 1427. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1405, beginning on line 17, strike ''knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000'' and inserting ''negligent violations of paragraph (1)(A) or (2) of subsection (a) shall be fined not more than $30,000 under title 18, United States Code,''.

On page 1406, line 2, strike ''5 years'' and insert ''8 years''.

On page 1406, line 19, strike ''knowingly'' and insert ''negligently''.

On page 1406, line 23, strike ''knowing'' and insert ''with knowledge of facts that would lead a reasonable person to conclude''.

On page 1407, line 14, strike ''10 years'' and insert ''12 years''.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 16, 2013, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to John Assini@energy .senate.gov.

For further information, please contact Sara Tucker at (202) 224–6224 or John Assini at (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 19, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Staying on Track: Next Steps in Improving Passenger and Freight Rail Safety''.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimus consent that the Committee

on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Reducing Senior Poverty and Hunger: The Role of the Older Americans Act'' on June 19, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 19, 2013, at 2 p.m.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 19, 2013, at 10 a.m., in room SD–106 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Federal Bureau of Investigation.''

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 19, 2013, at 3 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate, on June 19, 2013, to conduct a hearing entitled ''Social Security Payments Go Paperless: Protecting Seniors from Fraud and Confusion.''

The Committee will meet in room 366 of the Dirksen Senate Office Building beginning at 2 p.m.

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

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 19, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Airline Industry Consolidation.''

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

TAIWAN OBSERVER STATUS ACT

Mr. REID. I ask unanimous consent to proceed to Calendar No. 86, S. 579.

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

The assistant legislative clerk read as follows:

A bill (S. 579) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be made and laid upon the table, with no intervening action or debate.

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

The bill (S. 579) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 579

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

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

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

(1) Safe, secure, and economical international air navigation and transport is important to every citizen of the world, and safe skies are ensured through uniform aviation standards, harmonization of security protocols, and expeditious dissemination of information regarding new regulations and other relevant matters.

(2) Direct and unobstructed participation in international civil aviation forums and programs is beneficial for all nations and their civil aviation authorities. Civil aviation is vital to all due to the international transit and commerce it makes possible, but must also be closely regulated due to the possible use of aircraft as weapons of mass destruction or to transport biological, chemical, and nuclear weapons or other dangerous materials.

(3) The Convention on International Civil Aviation, signed at Chicago, Illinois, December 7, 1944, and entered into force April 4, 1947, established the International Civil Aviation Organization (ICAO), stating that ''[t]he aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . [m]eet the needs of the peoples of the world for safe, regular, efficient and economical air transport''.

(4) The terrorist attacks of September 11, 2001, demonstrated that the global civil aviation network is subject to vulnerabilities that can be exploited in one country to harm another. The ability of civil aviation authorities to coordinate, preempt, and act swiftly and in unison is an essential element of crisis prevention and response.

(5) Following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,'' and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures''.

(6) The Taipei Flight Information Region, under the jurisdiction of Taiwan, covers an airspace of 180,000 square nautical miles and provides air traffic control services to over 1,200,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 10th and 19th largest airport by international cargo volume and number of international passengers, respectively, in 2011.

(7) Despite the established international consensus regarding a uniform approach to aviation security that fosters international cooperation, exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO.

(8) On October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of a Declaration on Aviation Security, but noted that ''because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system''.

(9) On October 2, 2012, Taiwan became the 37th participant to join the United States Visa Waiver program, which is expected to stimulate tourism and commerce that will rely increasingly on international commercial aviation.

(10) The Government of Taiwan's exclusion from the ICAO constitutes a serious gap in global standards that should be addressed at the earliest opportunity in advance of the 38th ICAO Assembly in September 2013.

(11) The Federal Aviation Administration and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of issues related to innovation and technology, civil engineering, safety and security, and navigation.

(12) The ICAO has allowed a wide range of observers to participate in the activities of the organization.

(13) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

(14) Senate Concurrent Resolution 17, 112th Congress, agreed to September 11, 2012, affirmed the sense of Congress that—

(A) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the ICAO will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation; and

(B) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO.

(15) Following the enactment of Public Law 108–235 (22 U.S.C. 290 note), a law authorizing the Secretary of State to initiate and implement a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly and subsequent advocacy by the United States, Taiwan was granted observer status to the World Health Assembly for four consecutive

years since 2009. Both prior to, and in its capacity as an observer, Taiwan has contributed significantly to the international community's collective efforts in pandemic control, monitoring, early warning, and other related matters.

(16) ICAO rules and existing practices allow for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status.

(b) TAIWAN'S PARTICIPATION AT ICAO.—The Secretary of State shall—

(1) develop a strategy to obtain observer status for Taiwan, at the triennial ICAO Assembly next held in September 2013 in Montreal, Canada, and other related meetings, activities, and mechanisms thereafter; and

(2) instruct the United States Mission to the ICAO to officially request observer status for Taiwan at the triennial ICAO Assembly and other related meetings, activities, and mechanisms thereafter and to actively urge ICAO member states to support such observer status and participation for Taiwan.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE ICAO ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan at the triennial ICAO Assembly and at subsequent ICAO Assemblies and at other related meetings, activities, and mechanisms thereafter. The report shall include the following:

(1) A description of the efforts the Secretary of State has made to encourage ICAO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Secretary of State will take to endorse and obtain observer status for Taiwan in ICAO at the triennial ICAO Assembly and at other related meetings, activities, and mechanisms thereafter.

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following bills en bloc: Calendar No. 45, S. 23; Calendar No. 46, S. 25; Calendar No. 47, S. 26; Calendar No. 48, S. 112; Calendar No. 49, S. 130; Calendar No. 50, S. 157; Calendar No. 52, S. 230; Calendar No. 53, S. 244; Calendar No. 55, S. 276; Calendar No. 56, S. 304; Calendar No. 59, S. 352; Calendar No. 61, S. 383; Calendar No. 62, S. 393; and Calendar No. 63, S. 459.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. REID. I ask unanimous consent that the bills be agreed to en bloc, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

SLEEPING BEAR DUNES NATIONAL LAKESHORE CONSERVATION AND RECREATION ACT

The bill (S. 23) to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 23

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 ''Sleeping Bear Dunes National Lakeshore Conservation and Recreation Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map consisting of 6 sheets entitled ''Sleeping Bear Dunes National Lakeshore Proposed Wilderness Boundary'', numbered 634/80,083B, and dated November 2010.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. SLEEPING BEAR DUNES WILDERNESS.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land and inland water within the Sleeping Bear Dunes National Lakeshore comprising approximately 32,557 acres along the mainland shore of Lake Michigan and on certain nearby islands in Benzie and Leelanau Counties, Michigan, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the ''Sleeping Bear Dunes Wilderness''.

(b) MAP.—

(1) AVAILABILITY.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) CORRECTIONS.—The Secretary may correct any clerical or typographical errors in the map.

(3) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a legal description of the wilderness boundary and submit a copy of the map and legal description to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) ROAD SETBACKS.—The wilderness boundary shall be—

(1) 100 feet from the centerline of adjacent county roads; and

(2) 300 feet from the centerline of adjacent State highways.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness area designated by section 3(a) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) MAINTENANCE OF ROADS OUTSIDE WILDERNESS BOUNDARY.—Nothing in this Act prevents the maintenance and improvement of roads that are located outside the boundary of the wilderness area designated by section 3(a).

(c) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State of Michigan with respect to the management of fish and wildlife, including hunting and fishing within the national lakeshore in accordance with section 5 of Public Law 91–479 (16 U.S.C. 460x–4).

(d) SAVINGS PROVISIONS.—Nothing in this Act modifies, alters, or affects—

(1) any treaty rights; or

(2) any valid private property rights in existence on the day before the date of enactment of this Act.

SOUTH UTAH VALLEY ELECTRIC CONVEYANCE ACT

The bill (S. 25) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 25

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 ''South Utah Valley Electric Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term ''District'' means the South Utah Valley Electric Service District, organized under the laws of the State of Utah.

(2) ELECTRIC DISTRIBUTION SYSTEM.—The term ''Electric Distribution System'' means fixtures, irrigation, or power facilities lands, distribution fixture lands, and shared power poles.

(3) FIXTURES.—The term ''fixtures'' means all power poles, cross-members, wires, insulators and associated fixtures, including substations, that—

(A) comprise those portions of the Strawberry Valley Project power distribution system that are rated at a voltage of 12.5 kilovolts and were constructed with Strawberry Valley Project revenues; and

(B) any such fixtures that are located on Federal lands and interests in lands.

(4) IRRIGATION OR POWER FACILITIES LANDS.—The term ''irrigation or power facilities lands'' means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are encumbered by other Strawberry Valley Project irrigation or power features, including lands underlying the Strawberry Substation.

(5) DISTRIBUTION FIXTURE LANDS.—The term ''distribution fixture lands'' means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are unencumbered by other Strawberry Valley Project features, to a maximum corridor width of 30 feet on each side of the centerline of the fixtures' power lines as those lines exist on the date of the enactment of this Act.

(6) SHARED POWER POLES.—The term ''shared power poles'' means poles that comprise those portions of the Strawberry Valley Project Power Transmission System, that are rated at a voltage of 46.0-kilovolts, are owned by the United States, and support fixtures of the Electric Distribution System.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYSTEM.

(a) IN GENERAL.—Inasmuch as the Strawberry Water Users Association conveyed its interest, if any, in the Electric Distribution System to the District by a contract dated April 7, 1986, and in consideration of the District assuming from the United States all liability for administration, operation, maintenance, and replacement of the Electric Distribution System, the Secretary shall, as soon as practicable after the date of enactment of this Act and in accordance with applicable law, convey and assign to the District without charge or further consideration—

(1) all of the United States right, title, and interest in and to—

(A) all fixtures owned by the United States as part of the Electric Distribution System; and

(B) the distribution fixture land;

(2) license for use in perpetuity of the shared power poles to continue to own, operate, maintain, and replace Electric Distribution Fixtures attached to the shared power poles; and

(3) licenses for use and for access in perpetuity for purposes of operation, maintenance, and replacement across, over, and along—

(A) all project lands and interests in irrigation and power facilities lands where the Electric Distribution System is located on the date of the enactment of this Act that are necessary for other Strawberry Valley Project facilities (the ownership of such underlying lands or interests in lands shall remain with the United States), including lands underlying the Strawberry Substation; and

(B) such corridors where Federal lands and interests in lands—

(i) are abutting public streets and roads; and

(ii) can provide access that will facilitate operation, maintenance, and replacement of facilities.

(b) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

(1) IN GENERAL.—Before conveying lands, interest in lands, and fixtures under subsection (a), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) EFFECT.—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) POWER GENERATION AND 46KV TRANSMISSION FACILITIES EXCLUDED.—Except for the uses as granted by license in Shared Power Poles under section 3(a)(2), nothing in this Act shall be construed to grant or convey to the District or any other party, any interest in any facilities shared or otherwise that comprise a portion of the Strawberry Valley Project power generation system or the federally owned portions of the 46 kilovolt transmission system which ownership shall remain in the United States.

SEC. 4. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under section 3(a)(1)—

(1) the conveyed and assigned land and facilities shall no longer be part of a Federal reclamation project;

(2) the District shall not be entitled to receive any future Bureau or Reclamation benefits with respect to the conveyed and assigned land and facilities, except for benefits that would be available to other non-Bureau of Reclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, including the transaction of April 7, 1986, between the Strawberry Water Users Association and the Strawberry Electric Service District.

SEC. 5. REPORT.

If a conveyance required under section 3 is not completed by the date that is 1 year after the date of the enactment of this Act, the Secretary shall, not later than 30 days after that date, submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

The bill (S. 26) to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 26

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 ''Bonneville Unit Clean Hydropower Facilitation Act''.

SEC. 2. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this Act, the term ''Diamond Fork System'' means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 3. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102–575), and shall be subject to the same terms and conditions.

SEC. 4. NO PURCHASE OR MARKET OBLIGATION; NO COSTS ASSIGNED TO POWER.

Nothing in this Act shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 6. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this Act, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 7. PAYGO.

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

SEC. 8. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98–381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this Act.

ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION ACT

The bill (S. 112) to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 112

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 ''Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act''.

SEC. 2. EXPANSION OF ALPINE LAKES WILDERNESS.

(a) IN GENERAL.—There is designated as wilderness and as a component of the National Wilderness Preservation System certain Federal land in the Mount Baker-Snoqualmie National Forest in the State of Washington comprising approximately 22,173 acres that is within the Proposed Alpine Lakes Wilderness Additions Boundary, as generally depicted on the map entitled ''Proposed Alpine Lakes Wilderness Additions'' and dated December 3, 2009, which is incorporated in and shall be considered to be a part of the Alpine Lakes Wilderness.

(b) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by subsection (a) shall be administered by the Secretary of Agriculture (referred to in this section as the ''Secretary''), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(2) MAP AND DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by subsection (a) with—

(i) the Committee on Natural Resources of the House of Representatives; and

(ii) the Committee on Energy and Natural Resources of the Senate.

(B) FORCE OF LAW.—A map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the map and legal description.

(C) PUBLIC AVAILABILITY.—The map and legal description filed under subparagraph (A) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interests in

land within the Proposed Alpine Lakes Wilderness Additions Boundary, as generally depicted on the map entitled ''Proposed Alpine Lakes Wilderness Additions'' and dated December 3, 2009, that is acquired by the United States shall—

(1) become part of the wilderness area; and

(2) be managed in accordance with subsection (b)(1).

SEC. 3. WILD AND SCENIC RIVER DESIGNATIONS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(208) MIDDLE FORK SNOQUALMIE, WASHINGTON.—The 27.4-mile segment from the headwaters of the Middle Fork Snoqualmie River near La Bohn Gap in NE ¼ sec. 20, T. 24 N., R. 13 E., to the northern boundary of sec. 11, T. 23 N., R. 9 E., to be administered by the Secretary of Agriculture in the following classifications:

''(A) The approximately 6.4-mile segment from the headwaters of the Middle Fork Snoqualmie River near La Bohn Gap in NE ¼ sec. 20, T. 24 N., R. 13 E., to the west section line of sec. 3, T. 23 N., R. 12 E., as a wild river.

''(B) The approximately 21-mile segment from the west section line of sec. 3, T. 23 N., R. 12 E., to the northern boundary of sec. 11, T. 23 N., R. 9 E., as a scenic river.

''(209) PRATT RIVER, WASHINGTON.—The entirety of the Pratt River in the State of Washington, located in the Mount Baker-Snoqualmie National Forest, to be administered by the Secretary of Agriculture as a wild river.''.

POWELL SHOOTING RANGE LAND CONVEYANCE ACT

The bill (S. 130) to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows.

S. 130

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 ''Powell Shooting Range Land Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term ''District'' means the Powell Recreation District in the State of Wyoming.

(2) MAP.—The term ''map'' means the map entitled ''Powell, Wyoming Land Conveyance Act'' and dated May 12, 2011.

SEC. 3. CONVEYANCE OF LAND TO THE POWELL RECREATION DISTRICT.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, the Secretary shall convey to the District, without consideration, all right, title, and interest of the United States in and to the land described in subsection (b).

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 322 acres of land managed by the Bureau of Land Management, Wind River District, Wyoming, as generally depicted on the map as ''Powell Gun Club''.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) USE OF CONVEYED LAND.—The land conveyed under this section shall be used only—

(1) as a shooting range; or

(2) for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(e) ADMINISTRATIVE COSTS.—The Secretary shall require the District to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (b).

(f) REVERSION.—If the land conveyed under this section ceases to be used for a public purpose in accordance with subsection (d), the land shall, at the discretion of the Secretary, revert to the United States.

(g) CONDITIONS.—As a condition of the conveyance under subsection (a), the District shall agree in writing—

(1) to pay any administrative costs associated with the conveyance including the costs of any environmental, wildlife, cultural, or historical resources studies; and

(2) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the land described in subsection (b) on or before the date of enactment of this Act by the United States or any person.

DENALI NATIONAL PARK IMPROVEMENT ACT

The bill (S. 157) to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 157

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 ''Denali National Park Improvement Act''.

SEC. 2. KANTISHNA HILLS MICROHYDRO PROJECT; LAND EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—The term ''appurtenance'' includes—

(A) transmission lines;

(B) distribution lines;

(C) signs;

(D) buried communication lines;

(E) necessary access routes for microhydro project construction, operation, and maintenance; and

(F) electric cables.

(2) KANTISHNA HILLS AREA.—The term ''Kantishna Hills area'' means the area of the Park located within 2 miles of Moose Creek, as depicted on the map.

(3) MAP.—The term ''map'' means the map entitled ''Kantishna Hills Micro-Hydro Area'', numbered 184/80,276, and dated August 27, 2010.

(4) MICROHYDRO PROJECT.—

(A) IN GENERAL.—The term ''microhydro project'' means a hydroelectric power generating facility with a maximum power generation capability of 100 kilowatts.

(B) INCLUSIONS.—The term ''microhydro project'' includes—

(i) intake pipelines, including the intake pipeline located on Eureka Creek, approximately ½ mile upstream from the Park Road, as depicted on the map;

(ii) each system appurtenance of the microhydro projects; and

(iii) any distribution or transmission lines required to serve the Kantishna Hills area.

(5) PARK.—The term ''Park'' means the Denali National Park and Preserve.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PERMITS FOR MICROHYDRO PROJECTS.—

(1) IN GENERAL.—The Secretary may issue permits for microhydro projects in the Kantishna Hills area.

(2) TERMS AND CONDITIONS.—Each permit under paragraph (1) shall be—

(A) issued in accordance with such terms and conditions as are generally applicable to rights-of-way within units of the National Park System; and

(B) subject to such other terms and conditions as the Secretary determines to be necessary.

(3) COMPLETION OF ENVIRONMENTAL ANALYSIS.—Not later than 180 days after the date on which an applicant submits an application for the issuance of a permit under this subsection, the Secretary shall complete any analysis required by the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.) of any proposed or existing microhydro projects located in the Kantishna Hills area.

(c) LAND EXCHANGE.—

(1) IN GENERAL.—For the purpose of consolidating ownership of Park and Doyon Tourism, Inc. lands, including those lands affected solely by the Doyon Tourism microhydro project, and subject to paragraph (4), the Secretary may exchange Park land near or adjacent to land owned by Doyon Tourism, Inc., located at the mouth of Eureka Creek in sec. 13, T.16 S., R. 18 W., Fairbanks Meridian, for approximately 18 acres of land owned by Doyon Tourism, Inc., within the Galena patented mining claim.

(2) MAP AVAILABILITY.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) TIMING.—The Secretary shall seek to complete the exchange under this subsection by not later than February 1, 2015.

(4) APPLICABLE LAWS; TERMS AND CONDITIONS.—The exchange under this subsection shall be subject to—

(A) the laws (including regulations) and policies applicable to exchanges of land administered by the National Park Service, including the laws and policies concerning land appraisals, equalization of values, and environmental compliance; and

(B) such terms and conditions as the Secretary determines to be necessary.

(5) EQUALIZATION OF VALUES.—If the tracts proposed for exchange under this subsection are determined not to be equal in value, an equalization of values may be achieved by adjusting the quantity of acres described in paragraph (1).

(6) ADMINISTRATION.—The land acquired by the Secretary pursuant to the exchange under this subsection shall be administered as part of the Park.

SEC. 3. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—

(A) IN GENERAL.—The term ''appurtenance'' includes cathodic protection or test stations, valves, signage, and buried communication and electric cables relating to the operation of high-pressure natural gas transmission.

(B) EXCLUSIONS.—The term ''appurtenance'' does not include compressor stations.

(2) PARK.—The term ''Park'' means the Denali National Park and Preserve in the State of Alaska.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PERMIT.—The Secretary may issue right-of-way permits for—

(1) a high-pressure natural gas transmission pipeline (including appurtenances) in nonwilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park; and

(2) any distribution and transmission pipelines and appurtenances that the Secretary determines to be necessary to provide natural gas supply to the Park.

(c) TERMS AND CONDITIONS.—A permit authorized under subsection (b)—

(1) may be issued only—

(A) if the permit is consistent with the laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(B) in accordance with section 1106(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3166(a)); and

(C) if, following an appropriate analysis prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the route of the right-of-way is the route through the Park with the least adverse environmental effects for the Park; and

(2) shall be subject to such terms and conditions as the Secretary determines to be necessary.

SEC. 4. DESIGNATION OF THE WALTER HARPER TALKEETNA RANGER STATION.

(a) DESIGNATION.—The Talkeetna Ranger Station located on B Street in Talkeetna, Alaska, approximately 100 miles south of the entrance to Denali National Park, shall be known and designated as the ''Walter Harper Talkeetna Ranger Station''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Talkeetna Ranger Station referred to in subsection (a) shall be deemed to be a reference to the ''Walter Harper Talkeetna Ranger Station''.

PEACE CORPS DC COMMEMORATIVE WORK ACT

The bill (S. 230) to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 230

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

SECTION 1. MEMORIAL TO COMMEMORATE AMERICA'S COMMITMENT TO INTERNATIONAL SERVICE AND GLOBAL PROSPERITY.

(a) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Peace Corps Commemorative Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(c) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) RESPONSIBILITY OF PEACE CORPS.—The Peace Corps Commemorative Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the commemorative work under this section (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Peace Corps Commemorative Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SEC. 2. BUDGETARY EFFECTS.

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

ENERGY POLICY AMENDMENT ACT

The bill (S. 244) to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project, was ordered to be engrossed for a third reading, was read the third time and passed.

S. 244

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

SECTION 1. PILOT PROJECT OFFICES OF FEDERAL PERMIT STREAMLINING PILOT PROJECT.

Section 365 of the Energy Policy Act of 2005 (42 U.S.C. 15924) is amended by striking subsection (d) and inserting the following:

''(d) PILOT PROJECT OFFICES.—The following Bureau of Land Management Offices shall serve as the Pilot Project offices:

''(1) Rawlins Field Office, Wyoming.

''(2) Buffalo Field Office, Wyoming.

''(3) Montana/Dakotas State Office, Montana.

''(4) Farmington Field Office, New Mexico.

''(5) Carlsbad Field Office, New Mexico.

''(6) Grand Junction/Glenwood Springs Field Office, Colorado.

''(7) Vernal Field Office, Utah.''.

AMERICAN FALLS RESERVOIR PROJECT ACT

The bill (S. 276) to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 276

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

SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING AMERICAN FALLS RESERVOIR.

Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12423, the Federal Energy Regulatory Commission shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence the construction of project works to the end of the 3-year period beginning on the date of enactment of this Act.

NATCHEZ TRACE PARKWAY LAND CONVEYANCE ACT OF 2013

The bill (S. 304) to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes, was ordered to be engrossed for a third reading was read the third time, and passed, as follows:

S. 304

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 ''Natchez Trace Parkway Land Conveyance Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Natchez Trace Parkway, Proposed Boundary Change'', numbered 604/105392, and dated November 2010.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Mississippi.

SEC. 3. LAND CONVEYANCE.

(a) CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall convey to the State, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b).

(2) COMPATIBLE USE.—The deed of conveyance to the parcel of land that is located southeast of U.S. Route 61/84 and which is commonly known as the ''bean field property'' shall reserve an easement to the United States restricting the use of the parcel to only those uses which are compatible with the Natchez Trace Parkway.

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are the 2 parcels totaling approximately 67 acres generally depicted as ''Proposed Conveyance'' on the map.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 4. BOUNDARY ADJUSTMENTS.

(a) EXCLUSION OF CONVEYED LAND.—On completion of the conveyance to the State of the land described in section 3(b), the boundary of the Natchez Trace Parkway shall be adjusted to exclude the conveyed land.

(b) INCLUSION OF ADDITIONAL LAND.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, the boundary of the Natchez Trace Parkway is adjusted to include the approximately 10 acres of land that

is generally depicted as ''Proposed Addition'' on the map.

(2) ADMINISTRATION.—The land added under paragraph (1) shall be administered by the Secretary as part of the Natchez Trace Parkway.

DEVIL'S STAIRCASE WILDERNESS ACT OF 2013

The bill (S. 352) to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 352

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 ''Devil's Staircase Wilderness Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Devil's Staircase Wilderness Proposal'' and dated June 15, 2010.

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

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

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

(3) STATE.—The term ''State'' means the State of Oregon.

(4) WILDERNESS.—The term ''Wilderness'' means the Devil's Staircase Wilderness designated by section 3(a).

SEC. 3. DEVIL'S STAIRCASE WILDERNESS, OREGON.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 30,540 acres of Forest Service land and Bureau of Land Management land in the State, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the ''Devil's Staircase Wilderness''.

(b) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(2) FORCE OF LAW.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(c) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this section shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the land within the Wilderness.

(d) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(e) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this section creates any protective perimeter or buffer zone around the Wilderness.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside the Wilderness can be seen or heard within the Wilderness shall not preclude the activity or use outside the boundary of the Wilderness.

(f) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section diminishes any treaty rights of an Indian tribe.

(g) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—Administrative jurisdiction over the approximately 49 acres of Bureau of Land Management land north of the Umpqua River in sec. 32, T. 21 S., R. 11 W, is transferred from the Bureau of Land Management to the Forest Service.

(2) ADMINISTRATION.—The Secretary shall administer the land transferred by paragraph (1) in accordance with—

(A) the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (16 U.S.C. 480 et seq.); and

(B) any laws (including regulations) applicable to the National Forest System.

SEC. 4. WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK, OREGON.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(208) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from its headwaters to the line of angle points within sec. 8, T. 22 S., R. 10 W., shown on the survey recorded in the Official Records of Douglas County, Oregon, as M64–62, to be administered by the Secretary of Agriculture as a wild river.

''(209) WASSON CREEK, OREGON.—The 10.1-mile segment in the following classes:

''(A) The 4.2-mile segment from the eastern boundary of sec. 17, T. 21 S., R. 9 W., downstream to the western boundary of sec. 12, T. 21 S., R. 10 W., to be administered by the Secretary of the Interior as a wild river.

''(B) The 5.9-mile segment from the western boundary of sec. 12, T. 21 S., R. 10 W., downstream to the eastern boundary of the northwest quarter of sec. 22, T. 21 S., R. 10 W., to be administered by the Secretary of Agriculture as a wild river.''.

THE WILD AND SCENIC RIVERS AMENDMENT ACT

The bill (S. 383) to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 383

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

SECTION 1. DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(208) ILLABOT CREEK, WASHINGTON.—

''(A) The 14.3-mile segment from the headwaters of Illabot Creek to the northern terminus as generally depicted on the map titled 'Illabot Creek Proposed WSR–Northern Terminus', dated September 15, 2009, to be administered by the Secretary of Agriculture as follows:

''(i) The 4.3-mile segment from the headwaters of Illabot Creek to the boundary of Glacier Peak Wilderness Area as a wild river.

''(ii) The 10-mile segment from the boundary of Glacier Peak Wilderness to the northern terminus as generally depicted on the map titled 'Illabot Creek Proposed WSR–Northern Terminus', dated September 15, 2009, as a recreational river.

''(B) Action required to be taken under subsection (d)(1) for the river segments designated under this paragraph shall be completed through revision of the Skagit Wild and Scenic River comprehensive management plan.''.

WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION ACT OF 2013

The bill (S. 393) to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 393

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 ''White Clay Creek Wild and Scenic River Expansion Act of 2013''.

SEC. 2. DESIGNATION OF SEGMENTS OF WHITE CLAY CREEK, AS SCENIC AND RECREATIONAL RIVERS.

Section 3(a)(163) of the Wild and Scenic Rivers Act (16 U.S. C. 1274(a)(163)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''190 miles'' and inserting ''199 miles''; and

(B) by striking ''the recommended designation and classification maps (dated June 2000)'' and inserting ''the map entitled 'White Clay Creek Wild and Scenic River Designated Area Map' and dated July 2008, the map entitled 'White Clay Creek Wild and Scenic River Classification Map' and dated July 2008, and the map entitled 'White Clay Creek National Wild and Scenic River Proposed Additional Designated Segments-July 2008' '';

(2) by striking subparagraph (B) and inserting the following:

''(B) 22.4 miles of the east branch beginning at the southern boundary line of the Borough of Avondale, including Walnut Run, Broad Run, and Egypt Run, outside the boundaries of the White Clay Creek Preserve, as a recreational river.''; and

(3) by striking subparagraph (H) and inserting the following:

''(H) 14.3 miles of the main stem, including Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware beginning at the confluence of the east and middle branches in London Britain Township, Pennsylvania, downstream to the northern boundary line of the City of Newark, Delaware, as a scenic river.''.

SEC. 3. ADMINISTRATION OF WHITE CLAY CREEK.

Sections 4 through 8 of Public Law 106–357 (16 U.S.C. 1274 note; 114 Stat. 1393), shall be applicable to the additional segments of the White Clay Creek designated by the amendments made by section 2.

MINUTEMAN MISSILE NATIONAL HISTORIC SITE BOUNDARY MODIFICATION ACT

The bill (S. 459) to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows.

S. 459

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 ''Minuteman Missile National Historic Site Boundary Modification Act''.

SEC. 2. BOUNDARY MODIFICATION.

Section 3(a) of the Minuteman Missile National Historic Site Establishment Act of 1999 (16 U.S.C. 461 note; Public Law 106–115) is amended—

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

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

''(3) VISITOR FACILITY AND ADMINISTRATIVE SITE.—

''(A) IN GENERAL.—In addition to the components described in paragraph (2), the historic site shall include a visitor facility and administrative site located on the parcel of land described in subparagraph (B).

''(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) consists of—

''(i) approximately 25 acres of land within the Buffalo Gap National Grassland, located north of exit 131 on Interstate 90 in Jackson County, South Dakota, as generally depicted on the map entitled 'Minuteman Missile National Historic Site Boundary Modification', numbered 406/80,011A, and dated January 14, 2011; and

''(ii) approximately 3.65 acres of land located at the Delta 1 Launch Control Facility for the construction and use of a parking lot and for other administrative uses.

''(C) AVAILABILITY OF MAP.—The map described in subparagraph (B) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service.

''(D) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary of Agriculture to the Secretary, to be administered as part of the historic site.

''(E) BOUNDARY ADJUSTMENT.—The boundaries of the Buffalo Gap National Grassland are modified to exclude the land transferred under subparagraph (D).''.

COMMEMORATING JOHN LEWIS

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 170, and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 170) commemorating JOHN LEWIS on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee.

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 170) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 13, 2013, under ''Submitted Resolutions.'')

Mr. REID. Mr. President, we whipped right through this, but JOHN LEWIS in my lifetime is one of the finest, most patriotic, courageous people I have ever known. I have so much admiration for this man. I have told him this personally. I want the RECORD to be spread with this. He is a person who as a very young man wanted to change the world in his own way, and in his own way he has helped change the world. I so admire him.

Mr. LEVIN. Mr. President, this week, specifically June 19, people all across the Nation are engaging in the oldest known observance of the ending of slavery, Juneteenth Independence Day.

It was on June 19, 1865, when African Americans in the Southwest received the news from Union soldiers, led by Major General Gordon Granger, that the enslaved were free. This was 2½ years after President Lincoln signed the Emancipation Proclamation, which was issued on January, 1, 1863, and months after the conclusion of the Civil War.

For more than 145 years, descendants of slaves have observed this anniversary of emancipation as a remembrance of one of the most tragic periods of our Nation's history. The suffering, degradation and brutality of slavery cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

Today, 42 States, the District of Columbia, and several other countries, including Goree Island, Senegal, a former slave port, recognize Juneteenth Independence Day with special activities in commemoration of the emancipation of all slaves in the United States.

We also celebrate Juneteenth across the country in large measure because of the efforts of Lula Briggs Galloway, of Saginaw, MI, whose efforts to promote recognition of Juneteenth played a major role in the passage of the first resolution on Juneteenth Independence Day by the U.S. Senate and House of Representatives, in 1997.

Already, Congress has observed an important moment today in honoring the history of the fight for justice and equality. The unveiling of a statue depicting Frederick Douglass in Emancipation Hall, on this day, June 19, 2013, means visitors to the Capitol from now forward will be reminded of this man's immense contributions to the moral and intellectual foundations of our Nation's drive for justice. Douglass escaped from slavery and became a leading writer, orator, publisher and one of the most influential advocates for abolitionism, and equality of all people.

Today, I am very pleased that the Senate will unanimously adopt a resolution, S. Res. 175, recognizing the historical significance of Juneteenth Independence Day, which I jointly sponsored with Senator CORNYN, and is cosponsored by Senators LANDRIEU, COWAN, HARKIN, GILLIBRAND, CARDIN, MARK UDALL, LEAHY, BROWN, STABENOW, DURBIN, SCHUMER, HAGAN, MURRAY, PRYOR, COCHRAN, SESSIONS, COONS, WHITEHOUSE, SHAHEEN, KAINE, WARNER, BOXER, CRUZ, RUBIO, RISCH, MIKULSKI, WICKER, BALDWIN, CASEY, BEGICH, NELSON, TOM UDALL and WARREN.

The resolution expresses support for the observance of Juneteenth Independence Day, and recognizes the faith and strength of character demonstrated by former slaves, that remains an example for all people of the United States, regardless of background or race.

All across America we also celebrate the many important achievements of former slaves and their descendants. We do so because in 1926, Dr. Carter G. Woodson, son of former slaves, proposed such a recognition as a way of preserving the history of African Americans and recognizing the enormous contributions of a people of great strength, dignity, faith, and conviction—a people who rendered their achievements for the betterment and advancement of a nation once lacking in humanity towards them. Every February, nationwide, we celebrate African American History Month. And, every year on June 19 we celebrate ''Juneteenth Independence Day.''

Lerone Bennett, Jr., writer, scholar, lecturer, and acclaimed Executive Editor for several decades at Ebony Magazine, has reflected on the life and times of Dr. Woodson. Bennett tells us that one of the most inspiring and instructive stories in African American history is the story of Woodson's struggle and rise from the coal mines of West Virginia to the summit of academic achievement:

> At 17, the young man who was called by history to reveal Black history was an untutored coal miner. At 19, after teaching himself the fundamentals of English and arithmetic, he entered high school and mastered the four-year curriculum in less than two years. At 22, after two-thirds of a year at Berea College [in Kentucky], he returned to the coal mines and studied Latin and Greek between trips to the mine shafts. He then went on to the University of Chicago, where he received his bachelor's and master's degrees, and Harvard University, where he became the second Black to receive a doctorate in history. The rest is history—Black history.

In keeping with the spirit and the vision of Dr. Carter G. Woodson, I would like to pay tribute to two courageous women, claimed by my home State of Michigan, who played significant roles in addressing American injustice and inequality. These are two women of different times who would change the course of history.

The contributions of Sojourner Truth, who helped lead our country out of the dark days of slavery, and Rosa Parks, whose dignified leadership sparked the Montgomery Bus Boycott and the start of the civil rights movement, are indelibly etched in the chronicle of the history of this nation. Moreover, they are viewed with distinction and admiration throughout the world.

Sojourner Truth, though unable to read or write, was considered one of the most eloquent and noted spokespersons of her day on the inhumanity and immorality of slavery. She was a leader in the abolitionist movement, and a groundbreaking speaker on behalf of equality for women. Michigan has honored her with the dedication of the Sojourner Truth Memorial Monument, which was unveiled in Battle Creek, MI, on September 25, 1999. In April 2009, Sojourner Truth became the first African American woman to be memorialized with a bust in the U.S. Capitol. The ceremony to unveil Truth's likeness was appropriately held in Emancipation Hall at the Capitol Visitor's Center. I was pleased to cosponsor the legislation to make this fitting tribute possible. Sojourner Truth lived in Washington, DC for several years, helping slaves who had fled from the South and appearing at women's suffrage gatherings. She returned to Battle Creek in 1875, and remained there until her death in 1883. Sojourner Truth spoke from her heart about the most troubling issues of her time. A testament to Truth's convictions is that her words continue to speak to us today.

On May 4, 1999, legislation was enacted which authorized the President of the United States to award the Congressional Gold Medal to Rosa Parks. I was pleased to coauthor this tribute to Rosa Parks—the gentle warrior who decided that she would no longer tolerate the humiliation and demoralization of racial segregation on a bus. I was also pleased to be a part of the effort to direct the Architect of the Capitol to commission a statue of Rosa Parks, which was recently placed in the United States Capitol, making her the second African American woman to receive such an honor.

Her personal bravery and self-sacrifice are remembered with reverence and respect by us all. Over 55 years ago, in Montgomery, AL, the modern civil rights movement began when Rosa Parks refused to give up her seat and move to the back of the bus. The strength and spirit of this courageous woman captured the consciousness of not only the American people, but the entire world. The boycott which Rosa Parks began was the start of an American revolution that elevated the status of African Americans nationwide and introduced to the world a young leader who would one day have a national holiday declared in his honor, the Reverend Martin Luther King, Jr. In addition, the overwhelming majority of my colleagues in the Senate joined me in sponsoring legislation authorizing the Congressional Gold Medal to be presented to Dr. King, posthumously, and Coretta Scott King in recognition of their contributions to the Nation. Companion legislation was led in the House by Representative JOHN LEWIS.

We have come a long way toward achieving justice and equality for all. We still, however, have work to do. In the names of Rosa Parks, Sojourner Truth, Dr. Carter G. Woodson, Dr. Martin Luther King, Jr., and many others, let us rededicate ourselves to continuing the struggle of civil rights and human rights.

In closing, I would like to pay tribute to the Juneteenth directors and event coordinators throughout my State of Michigan. They have worked tirelessly in the planning of intergenerational activities in observance of Juneteenth, heading up a wide range of activities over several days in Detroit, Flint, Holland, Lansing, Saginaw, and other areas around the State.

Mr. DURBIN. Mr. President, 148 years ago today Union troops arrived in Galveston, TX, to take possession of the State and enforce the promise of the Emancipation Proclamation.

It had been 2 months since General Lee's surrender at Appomattox Courthouse and more than 2 years since President Lincoln had issued the Emancipation Proclamation, but word of the proclamation's promise was only now reaching those held in bondage in Texas.

With the reading of General Order No. 3 to the people of Galveston, the last remaining slaves in the United States were officially free.

The date, June 19, 1865, has gone down in history as ''Juneteenth.'' It is a day to celebrate the end of legalized slavery in America and to rededicate ourselves to continuing the struggle for true equality.

I can not think of a better day to welcome to the United States Capitol—at long last—a statue of Frederick Douglass.

The statue of the great abolitionist leader was welcomed in a dedication ceremony earlier today. The statue now stands, appropriately, in Emancipation Hall, the great hall of the Capitol Visitors Center.

The Frederick Douglass statue is only the fourth carved likeness of an African American to be displayed in the United States Capitol. It joins busts of the Reverend Dr. Martin Luther King, Jr. and Douglass' fellow abolitionist leader, Sojourner Truth, and a statue of Rosa Parks, which was dedicated 2 months ago.

Importantly, the Douglass statue is the first statue accepted by Congress from residents of the District of Columbia for display in the United States Capitol.

A federal law gives each State the right to display in the Capitol two statues of its distinguished residents. Although District of Columbia residents pay federal income taxes and serve in our Armed Forces, they have no voting member in Congress and they had no statue in the Capitol, not one, until today.

By accepting the Frederick Douglass statue, Congress honors a great man and, I hope, moves closer to recognizing the rights of Washington, D.C. to be represented fairly in Congress.

Delegate ELEANOR HOLMES NORTON is Washington, D.C.'s only elected representative in either House of Congress and is a distinguished champion of freedom and equality in her own right.

She has been fighting for a dozen years for Washington, D.C.'s right to display two statues in the Capitol, the same as every State.

I was proud to include language in the fiscal 2013 Financial Services and General Government appropriations bill allowing the District to display the Douglass statue in the Capitol. I hope that America's capital city will have a second statue in the Capitol soon.

I can not think of a better or more distinguished choice for the District's first statue than Frederick Douglass.

He was called ''the Lion of Anacostia,'' after the section of Washington where he lived for the last 23 years of his life.

He was a social reformer, a brilliant orator and writer, a statesman and a leader in the movement to abolish slavery in America.

Frederick Douglass knew that evil institution well. He was born into slavery as Frederick Bailey in Talbot County, MD, in 1818. Like many enslaved children at that time, he met his mother only a few times in his life. His father was likely his mother's white owner.

When Frederick Douglass was 8 years old, he was sent to live with his owner's relative in Baltimore. She taught him the first letters of the alphabet but quit when she learned that it was illegal to teach a slave to read.

When he was 15, he was returned to his owner's farm, where he risked his life to educate other slaves.

At the age of 20, Frederick Douglass escaped from slavery. Disguising himself as a sailor, he boarded a train from Baltimore to New York City.

It was in New York that he changed his name to Douglass, to avoid being captured.

In the north, Douglass began speaking publicly about the horrors of slavery. He carried his message throughout the country and to other nations.

He published a book, Narrative of the Life of Frederick Douglass, describing his life as a slave and his efforts to gain his freedom. The book helped transform the debate over slavery—but it also forced Douglass to flee to Europe to avoid being recaptured under the Fugitive Slave Act.

He continued to speak about equal rights for all people in England, Scotland and Ireland. Supporters in Great Britain were so deeply moved that they purchased Douglass' freedom, allowing

him to return to the U.S. after more than 2 years abroad.

Upon returning, he settled in Rochester, NY, and began publishing The North Star, an uncompromising and highly regarded abolitionist newspaper.

When the Civil War broke out, Douglass recruited African American soldiers to fight for the Union Army.

His passionate writing and speeches are widely credited with influencing President Lincoln's evolving aims for the war—from simply preserving the Union to ending slavery in America for all time.

After the war, Frederick Douglass moved to Washington, D.C. He was appointed by Presidents to posts as U.S. Marshal for the District of Columbia, Recorder of Deeds for the District of Columbia, U.S. Minister to Haiti and Chargé d'Affaires to the Dominican Republic.

Frederick Douglass was a firm believer in the equality of all people, regardless of race or gender, whether Native American or immigrant.

He famously said: ''I would unite with anybody to do right and with nobody to do wrong.'' He also fought for voting rights and home rule for residents of the District of Columbia

I hope that the new statue will encourage Members of Congress to finish Frederick Douglass' fight for District residents to have self-government and Congressional representation.

I will end with a story of the last time Frederick Douglass and Abraham Lincoln saw each other.

It was Inauguration Day 1865. After hearing President Lincoln deliver his Second Inaugural Address at the Capitol, Frederick Douglass went to the White House for a reception in the President's honor.

Police officers refused him entry at first. But President Lincoln got word that Douglass was at the door and instructed that he should be welcomed in.

When President Lincoln saw Frederick Douglass, his face lit up and he said in a booming voice for all to hear: ''Here comes my friend Douglass.''

As we welcome the statue of this revered American to the United States Capitol, we say: ''Here comes our friend Douglass.'' We are very glad you are finally here.

Mr. CARDIN. Mr. President, I rise today as an original co-sponsor of Senator LEVIN's resolution celebrating the 148th anniversary of Juneteenth, the oldest commemoration of the end of slavery in the United States. On June 19, 1865, Union soldiers arrived in Galveston, TX, to inform the slaves that they were free. Although the Emancipation Proclamation had taken effect on January 1, 1863, nearly 2½ years passed before the message reached slaves in Texas and the Union troops enforced the President's order. Nearly 90 years after America's Independence Day, Africans in America finally obtained their independence from slavery. Juneteenth is a day when all Americans can celebrate Black Americans' freedom and heritage.

The House of Representatives and Senate passed resolutions by voice vote in 2008 and 2009, respectively, apologizing for the injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow laws. The resolutions acknowledged that African-Americans continue to suffer from the complex interplay between slavery and Jim Crow long after both systems were formally abolished. This suffering is both tangible and intangible, including the loss of human dignity, the frustration of careers and professional lives, and the long-term loss of income and opportunity.

On this day, it is fitting to remember our Nation's painful history. Millions of Africans were torn from their homeland and brought to the Americas as chattel. While it is unknown how many died during the Middle Passage, it is estimated that 645,000 arrived in the United States. My own State of Maryland had slaves. In 1790, more than 100,000 slaves, which would have been about one-third of the State's total population, lived in Maryland. Seventy years later, the 1860 Census indicated that there were more than 4 million slaves nationwide.

Despite Maryland's history of slavery, many Marylanders led the fight for abolition. The Underground Railroad was a secret network that helped enslaved men, women, and children escape to freedom. Its route through Maryland took passengers by boat up the Chesapeake Bay. Ships departed from the many towns located directly on the Bay and from cities on rivers that flowed into the bay, including Baltimore. Many ships' pilots risked their own lives and livelihoods by hiding passengers' and helped them on their way.

Another route led slaves by land up along the Eastern Shore of Maryland and into Delaware, where they could cross into Pennsylvania and go north to freedom in Massachusetts, New York, and Canada. This was the route used by Harriet Ross Tubman, a native of Dorchester County, MD. Tubman not only guided herself and her family to freedom through the Underground Railroad, she also made more than 19 trips to the South to lead more than 300 slaves to freedom. She never lost a ''passenger'' along the route.

Harriet Tubman's legacy lives on. She and the other brave men and women who manned the Underground Railroad are remembered as enduring symbols of America's commitment to equality, justice, and freedom. They fought for the ideals that this country was founded upon despite the fact that their conditions were far from ideal. I have introduced the S. 247, the Harriet Tubman National Historical Parks Act, to create a national park in Maryland that would extend north to New York, along the path Tubman traveled to freedom. This legislation, when enacted, will stand as a monument to all that Harriet Tubman risked her life for. The tenacity with which she fought not only for her freedom but for the freedom of her brothers and sisters is certainly something we should remember and commemorate.

Juneteenth marked both the end of slavery in the United States and the beginning of a long and arduous civil rights movement. In the years since the first Juneteenth, our Nation has no doubt made considerable progress, but many challenges remain. Discrimination, disparities, and racially motivated hate persist. We must confront these issues. We cannot ignore the disparities in health care that result in higher premature birth rates and reduced life expectancy for minority populations. We cannot ignore discriminatory sentencing in our courts or discriminatory lending practices by financial institutions. Racially motivated police brutality and hate crimes cannot stand. We must continue to pursue justice in each of these areas, and for all Americans.

We owe it to the legacy of our predecessors in the battle for racial equality to keep fighting injustice until the declaration that ''all men are created equal'' rings true. We cannot be complacent. As Martin Luther King, Jr. said, ''Injustice anywhere is a threat to justice everywhere.'' We must continue to strive toward elimination of inequality so we can truly honor the spirit of Juneteenth.

Mr. UDALL of Colorado. Mr. President, on June 19, 1865—2 years after President Abraham Lincoln signed the Emancipation Proclamation Union soldiers arrived in Galveston, TX, with news that the Civil War had finally ended and the African Americans were free from slavery. This day marked the first time news of the emancipation had reached the southern-most tip of the old confederacy.

One hundred and forty-eight years later, in Colorado and across the country, we remember the importance of providing liberty and justice for all and how embracing tolerance has helped our country to move away from the terrible legacy of slavery.

The impact of Juneteenth in 1865 has certainly reached beyond Galveston, TX. Across Colorado and the Nation, communities celebrate Juneteenth by recognizing the important progress our country has made towards equality and acknowledging how far we still have to go. We do this by remembering the heritage and struggles of African Americans and commemorating their many achievements and contributions to our country. In my home State of Colorado, for example, Pueblo celebrates its 33rd annual Juneteenth celebration by honoring active servicemembers and military veterans, and Denver hosts the Juneteenth Music Festival one of the largest celebrations of Juneteenth in the country.

Celebrating this holiday is an important reminder of how our differences make us stronger. Juneteenth brings people together to reflect on our past

and look forward to our future where we will all finally achieve the dream Dr. Martin Luther King, Jr., laid out almost 50 years ago—of being judged not by the color of our skin, but by the content of our character.

JUNETEENTH INDEPENDENCE DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 175, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 175) observing Juneteenth Independence Day, June 19, 1865, the day on which slavery finally came to an end in the United States.

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

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

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

The resolution (S. Res. 175) was agreed to.

The preamble was agreed to.

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

COLLECTOR CAR APPRECIATION DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 176.

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

The legislative clerk read as follows:

A resolution (S. Res. 176) designating July 12, 2013, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States.

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

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

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

The resolution (S. Res. 176) was agreed to.

The preamble was agreed to.

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

NATIONAL SMALL BUSINESS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 177, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 177) honoring the entrepreneurial spirit of small business concerns in the United States during National Small Business week, which begins on June 17, 2013.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 177) was agreed to.

The preamble was agreed to.

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

INCLUDE VACCINES AGAINST SEASONAL INFLUENZA

Mr. REID. Pursuant to the previous order, I ask unanimous consent that the Senate proceed to the consideration of H.R. 475 and that it be read a third time and the Senate proceed to vote on passage as provided under the previous order.

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

The legislative clerk read as follows:

A bill (H.R. 475) to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

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

The PRESIDING OFFICER. Under the previous order, the bill will be considered read three times.

The question is on passage of the bill.

The bill (H.R. 475) was passed.

ORDERS FOR THURSDAY, JUNE 20, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 20, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that the time until 11:30 a.m. be equally divided and controlled between the majority and minority.

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

PROGRAM

Mr. REID. Mr. President, Senators should be prepared for a rollcall vote at 11:30 a.m. tomorrow morning. I am doing that in an effort to make progress on the bill. We will try to work through additional amendments tomorrow. Additional votes are expected, and that is an understatement.

I tell everyone again that we are doing our utmost to try to make it as convenient as possible for people who have amendments determined by a vote or in some other manner, but we may have to be here this weekend. I hope that is not the case. I have alerted people about this for days now.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 8 p.m., adjourned until Thursday, June 20, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 19, 2013:

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL FROMAN, OF NEW YORK, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.