

S. 10

To provide for comprehensive solutions to the border crisis
regarding illegal substances and illegal immigration.

IN THE SENATE
August 27, 2023

Mrs. Dawson-Lockheart (for herself,) introduced the following
bill, on behalf of the Rosen Administration, as authored by
President Rosen;

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

A BILL

1. TITLE I – Border Security and Enforcement

1.1. SEC. 101. STRENGTHENING BORDER INFRASTRUCTURE

- 1.1.1. Physical Border Infrastructure— The Secretary of Homeland Security shall allocate funds to the construction, maintenance, and improvement of physical infrastructure on the southern border. This includes physical barriers in areas identified by the Border Patrol as high-risk for illegal crossings, and infrastructure to ensure the safety and well-being of migrants, such as processing centers that comply with humanitarian standards.
- 1.1.2. Road Infrastructure— The Secretary of Homeland Security, in consultation with the Secretary of Transportation, shall identify areas along the border where improved road infrastructure would enhance border security efforts and authorize necessary funds for these improvements.
- 1.1.3. Border Patrol Facilities— The Secretary of Homeland Security shall allocate funds for upgrades and expansions to Border Patrol facilities to accommodate increased personnel and to ensure these facilities are equipped with the latest technology and conform to humanitarian standards.
- 1.1.4. Environmental Considerations— The Secretary of Homeland Security shall carry out this infrastructure development in a manner that minimizes negative environmental impact and respects sensitive ecosystems. The Secretary shall consult with the Administrator of the Environmental Protection Agency and local environmental authorities during this process.
- 1.1.5. Accountability and Oversight— The Secretary of Homeland Security shall establish mechanisms for oversight and accountability in the use of these funds, including regular reporting to Congress on the progress and effectiveness of the infrastructure improvements.
- 1.1.6. Community Input— The Secretary of Homeland Security shall solicit and consider input from border communities, local authorities, and Indigenous tribes during the planning and implementation of these infrastructure projects to ensure local perspectives and rights are respected, and potential negative impacts are mitigated.
- 1.1.7. Technology Integration— The Secretary of Homeland Security

shall integrate technology with physical infrastructure to enhance efficiency and effectiveness. This includes surveillance systems, drones, and other innovative technologies as deemed appropriate.

1.2. SEC. 102. INCREASING TECHNOLOGICAL RESOURCES AND INNOVATION

- 1.2.1. Advanced Surveillance Technologies— The Secretary of Homeland Security shall allocate resources for the acquisition and implementation of advanced surveillance technologies, including but not limited to drones, infrared cameras, and motion detectors, to improve border security.
- 1.2.2. Biometric Systems— The Secretary of Homeland Security shall implement biometric systems at ports of entry and in immigration proceedings to accurately identify and track individuals entering, exiting, and residing in the United States.
- 1.2.3. Data Integration and Sharing— The Secretary of Homeland Security shall coordinate with relevant federal and state agencies, as well as international partners, to ensure timely, secure, and effective sharing of immigration and border security data.
- 1.2.4. Cybersecurity Measures— The Secretary of Homeland Security shall develop and implement robust cybersecurity measures to protect sensitive immigration and border security data from unauthorized access, hacking, and other cyber threats.
- 1.2.5. Technological Innovation— The Secretary of Homeland Security is encouraged to explore and invest in innovative technologies and methods to improve border security and immigration enforcement. The Secretary shall report annually to Congress on these innovation efforts, including any proposed changes to current practices based on these innovations.
- 1.2.6. Accountability and Transparency— The Secretary of Homeland Security shall establish systems for oversight and accountability in the use and potential misuse of these technologies, and ensure the transparency of their operations to Congress and the public, respecting privacy laws and guidelines.
- 1.2.7. Training and Workforce Development— The Secretary of Homeland Security shall establish ongoing training programs for border security personnel in the operation and maintenance

of these technologies and shall ensure adequate staffing levels to support these initiatives.

- 1.2.8. Public and Private Partnerships— The Secretary of Homeland Security shall encourage partnerships with academic institutions, private sector companies, and non-profit organizations to support research, development, and implementation of advanced technology solutions for border security.

- 1.3. SEC. 103. APPROPRIATIONS

- 1.3.1. For the activities and operations detailed under this title pertaining to border security and enforcement, the sum of \$3,750,000,000.00 is hereby authorized and appropriated.

- 2. TITLE II – Cooperation with Mexico and Central America**

- 2.1. SEC. 201. ENHANCING REGIONAL COOPERATION

- 2.1.1. Diplomatic Engagement— The Secretary of State shall increase diplomatic engagement with Mexico and the countries of Central America to discuss common challenges related to immigration, drug trafficking, and regional security, and to explore opportunities for cooperation and partnership.
- 2.1.2. Security Cooperation— The Secretary of State, in coordination with the Secretary of Homeland Security and the Secretary of Defense, shall work with counterparts in Mexico and Central America to enhance security cooperation, including the sharing of intelligence, joint training and operations, and capacity building efforts.
- 2.1.3. Economic Development and Governance— The Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Commerce, shall develop initiatives to promote economic development, good governance, and the rule of law in Mexico and Central America. These initiatives may include foreign aid, technical assistance, trade agreements, and anticorruption measures.
- 2.1.4. Addressing Root Causes of Migration— The Secretary of State, in coordination with the Secretary of Health and Human Services and the Secretary of Education, shall work with counterparts in Mexico and Central America to address the root causes of migration, including poverty, violence, lack of educational and economic opportunities, and social inequality.

- 2.1.5. Asylum Cooperation— The Secretary of State and the Secretary of Homeland Security shall negotiate agreements with Mexico and Central American countries to improve the processing of asylum seekers and to ensure their humane treatment in accordance with international standards.
- 2.1.6. Monitoring and Evaluation— The Secretary of State shall establish mechanisms to monitor and evaluate the effectiveness of these cooperative efforts, and to adjust strategies as needed based on these evaluations. The Secretary shall report annually to Congress on the progress and outcomes of these efforts.
- 2.2. SEC. 202. PROMOTING SUSTAINABLE DEVELOPMENT AND ADDRESSING ROOT CAUSES OF MIGRATION
- 2.2.1. Economic Development Aid— The Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall provide increased economic aid to Mexico and Central American countries aimed at creating jobs, supporting small and medium-sized enterprises, and improving economic infrastructure.
- 2.2.2. Educational and Vocational Programs— The Secretary of State, in coordination with the Secretary of Education, shall establish and fund educational and vocational programs in Mexico and Central American countries to enhance access to quality education, improve literacy rates, and provide vocational training to create a skilled workforce.
- 2.2.3. Anti-Corruption Measures— The Secretary of State, in cooperation with the Attorney General, shall provide support for local anti-corruption measures in Mexico and Central America. This can include training for law enforcement and judiciary, as well as assisting in the creation of legislation and institutions to combat corruption.
- 2.2.4. Violence Prevention and Rule of Law— The Secretary of State, in coordination with the Secretary of Defense, shall assist in the creation and support of local law enforcement programs aimed at reducing violence and organized crime in Mexico and Central America, promoting rule of law, and improving overall security conditions.
- 2.2.5. Public Health Initiatives— The Secretary of Health and Human Services shall establish public health initiatives in Mexico and Central American countries to improve access to quality

healthcare, combat infectious diseases, and tackle malnutrition.

- 2.2.6. Environmental Sustainability— The Administrator of the Environmental Protection Agency, in coordination with the Secretary of State, shall establish environmental sustainability programs in Mexico and Central American countries to combat climate change, protect biodiversity, and promote sustainable agricultural practices.
- 2.2.7. Monitoring and Evaluation— The Secretary of State, in coordination with relevant Secretaries and Administrators, shall establish mechanisms for monitoring and evaluating the effectiveness of these initiatives and shall adjust strategies as needed based on these evaluations. The Secretary shall report annually to Congress on the progress and outcomes of these initiatives.

2.3. SEC. 203. APPROPRIATIONS

- 2.3.1. For the initiatives and collaborations specified in this title regarding international cooperation, the sum of \$2,250,000,000.00 is hereby authorized and appropriated.

3. TITLE III – Tackling the Opioid Crisis

- 3.1. SEC. 301. ENHANCING DRUG TREATMENT AND PREVENTION PROGRAMS
 - 3.1.1. Increasing SAMHSA Grants— The Secretary of Health and Human Services shall increase funding for Substance Abuse and Mental Health Services Administration (SAMHSA) State Opioid Response Grants to expand prevention, treatment, and recovery services for individuals with opioid use disorder.
 - 3.1.2. Flexibility in Funds Use— The Secretary of Health and Human Services shall provide states with greater flexibility in the use of SAMHSA State Opioid Response Grants to better address the unique needs and challenges of their communities.
 - 3.1.3. Expanding Access to Medication-Assisted Treatment— The Secretary of Health and Human Services shall reduce regulatory barriers to increase access to medication-assisted treatment for opioid addiction, including buprenorphine. This can include eliminating or reducing training requirements for prescribers, permitting more types of healthcare providers to prescribe these medications, and raising patient limits for prescribers.

- 3.1.4. Enhancing Overdose Reversal Drug Availability— The Secretary of Health and Human Services shall establish a program to increase the availability of overdose reversal drugs, such as naloxone, in communities across the country. This can include providing grants to states and localities to purchase these drugs, training more individuals to administer them, and promoting their use in settings where overdoses frequently occur.
- 3.1.5. Strengthening Drug Courts and Diversion Programs— The Attorney General shall increase support for drug courts and other diversion programs that direct individuals with substance use disorders away from the criminal justice system and into treatment. This can include providing additional funding, technical assistance, and training for these programs.
- 3.1.6. Increasing Public Awareness— The Secretary of Health and Human Services shall launch a nationwide public awareness campaign about the dangers of opioid misuse, the signs of addiction, and the availability of prevention and treatment resources.
- 3.1.7. Reporting— The Secretary of Health and Human Services and the Attorney General shall annually report to Congress on the implementation and outcomes of these initiatives.
- 3.2. SEC. 302. IMPROVING HEALTHCARE INFRASTRUCTURE AND RESOURCES
- 3.2.1. Boosting Federal Funding— The Secretary of Health and Human Services shall increase federal funding for health initiatives, including, but not limited to, initiatives for preventing and treating substance use disorders. Such funding shall be directed toward hospitals, community clinics, and other healthcare facilities across the country, with particular focus on those located in regions disproportionately affected by the opioid crisis.
- 3.2.2. Addressing Supply Shortages— The Secretary of Health and Human Services shall establish programs to alleviate shortages of essential supplies and staff in hospitals and other healthcare facilities struggling to cope with the opioid crisis. This can include providing financial incentives to recruit and retain healthcare professionals, especially in underserved areas, and assisting healthcare facilities in acquiring necessary medical supplies.

- 3.2.3. Promoting Telemedicine— The Secretary of Health and Human Services shall promote the use of telemedicine to reach patients in remote or underserved areas who lack easy access to healthcare services. This can include providing grants to healthcare providers to implement telemedicine services and modifying regulatory requirements to facilitate the use of telemedicine.
- 3.2.4. Strengthening Emergency Response Capabilities— The Secretary of Health and Human Services, in coordination with the Secretary of Homeland Security, shall strengthen the emergency response capabilities of healthcare facilities to effectively respond to surges in opioid overdoses. This can include providing funding for training, equipment, and coordination among healthcare facilities and emergency services.
- 3.2.5. Research and Development— The Director of the National Institutes of Health, in collaboration with the Secretary of Health and Human Services, shall increase funding for research into new treatments for opioid addiction and more effective strategies for preventing and responding to opioid overdoses.
- 3.2.6. Reporting— The Secretary of Health and Human Services and the Director of the National Institutes of Health shall annually report to Congress on the implementation and outcomes of these initiatives.

3.3. SEC. 303. APPROPRIATIONS

- 3.3.1. To combat and address the health crises described in this title, the sum of \$3,000,000,000.00 is hereby authorized and appropriated.

4. TITLE IV – International Cooperation and Border Security Enhancement

4.1. SEC. 401. STRENGTHENING INTERNATIONAL COOPERATION AND BORDER SECURITY

- 4.1.1. Enhancing International Cooperation— The Secretary of State, in coordination with the Secretary of Homeland Security and the Attorney General, shall enhance cooperation with Mexico and other Central American countries to combat drug trafficking and smuggling networks. This includes the development of bilateral and multilateral agreements to share

intelligence, enhance law enforcement collaboration, and support cross-border investigations.

- 4.1.2. Addressing Root Causes of Migration— The Secretary of State shall work with Mexico and other Central American countries to address the economic, social, and political factors driving migration. This includes providing targeted foreign assistance to promote economic development, strengthen rule of law, improve governance, and address violence and insecurity.
- 4.1.3. Assisting Border Security in Mexico— The Secretary of State, in coordination with the Secretary of Homeland Security, shall provide support to Mexico to strengthen its capacity to secure its southern border with Guatemala. This support can include technical assistance, equipment, and training for Mexican border security forces.
- 4.1.4. Increasing Border Security Funding and Resources— The Secretary of Homeland Security shall receive increased funding and resources for border security and enforcement. This includes more personnel, technology, infrastructure, and equipment to detect, deter, and disrupt drug trafficking and smuggling networks at the U.S.-Mexico border.
- 4.1.5. Accountability in Border Security Technology— The Secretary of Homeland Security, in coordination with the Government Accountability Office, shall improve oversight and accountability for border security technology acquisitions, ensuring the effective use of funds.
- 4.1.6. Reporting— The Secretary of State and the Secretary of Homeland Security shall annually report to Congress on the implementation and outcomes of these initiatives.

4.2. SEC. 402. APPROPRIATIONS

- 4.2.1. For the advancement of objectives in this title related to international cooperation and border security enhancements, the sum of \$2,250,000,000.00 is hereby authorized and appropriated.

5. TITLE V – Improving Access to Substance Abuse Treatment

5.1. SEC. 501. ENHANCEMENT OF TREATMENT AND PREVENTION PROGRAMS

- 5.1.1. Increased Funding for State Opioid Response Grants— The

Secretary of Health and Human Services shall increase funding for state opioid response grants under the Substance Abuse and Mental Health Services Administration (SAMHSA). This increased funding shall be used to expand the capacity of states to provide prevention, treatment, and recovery support services for individuals with opioid use disorders.

- 5.1.2. Expanded Flexibility in Use of Grant Funds— The Secretary of Health and Human Services shall revise the terms of state opioid response grants to allow states greater discretion in how they use these funds. This is to enable states to address the specific needs and challenges of their communities more effectively.
- 5.1.3. Removal of Barriers to Buprenorphine Access— The Secretary of Health and Human Services, in coordination with the Drug Enforcement Administration, shall revise federal regulations to remove or reduce the training requirements for healthcare providers to prescribe buprenorphine, a medication that can help treat opioid addiction. This is to increase access to this life-saving medication for individuals struggling with opioid addiction.
- 5.1.4. Expansion of Medication-Assisted Treatment Programs— The Secretary of Health and Human Services shall increase funding and support for medication-assisted treatment programs, which combine medications like buprenorphine with counseling and behavioral therapies. This is to provide a holistic approach to the treatment of opioid use disorders.
- 5.1.5. Public Awareness Campaigns— The Secretary of Health and Human Services, in coordination with the Centers for Disease Control and Prevention and other relevant federal agencies, shall launch public awareness campaigns to educate the public about the dangers of opioid misuse and the availability of prevention, treatment, and recovery support services.
- 5.1.6. Reporting— The Secretary of Health and Human Services shall annually report to Congress on the implementation and outcomes of these initiatives.

5.2. SEC. 502. ENHANCEMENT OF RECOVERY SERVICES AND ALTERNATIVES TO INCARCERATION

- 5.2.1. Increased Funding for Recovery Services— The Secretary of Health and Human Services shall increase funding for recovery support services. This includes but is not limited to funding for

sober living facilities, peer recovery support services, recovery community organizations, and job training programs for individuals in recovery from substance use disorders.

- 5.2.2. Expansion of Drug Courts— The Attorney General shall increase funding and support for drug courts, which provide alternatives to incarceration for non-violent offenders with substance use disorders. The goal is to increase the number of drug courts and enhance their capacity to serve more individuals.
- 5.2.3. Training for Drug Court Personnel— The Attorney General, in collaboration with the Substance Abuse and Mental Health Services Administration, shall develop training programs for drug court judges, prosecutors, defense counsel, and other court personnel. This training shall focus on the nature of addiction, evidence-based treatment approaches, the use of medication-assisted treatment, and the principles of recovery.
- 5.2.4. Research on Drug Court Effectiveness— The Attorney General, in collaboration with the National Institute of Justice, shall conduct research to evaluate the effectiveness of drug courts in reducing substance use, recidivism, and incarceration. The findings of this research shall be reported to Congress and used to improve the effectiveness and efficiency of drug courts.
- 5.2.5. Reporting— The Secretary of Health and Human Services and the Attorney General shall annually report to Congress on the implementation and outcomes of these initiatives.

5.3. SEC. 503. APPROPRIATIONS

- 5.3.1. For the support and execution of health and treatment strategies delineated in this title, the sum of \$2,200,000,000.00 is hereby authorized and appropriated.

6. TITLE VI – Economic Development and Capacity Building in Countries of Origin

6.1. SEC. 601. SUPPORT FOR ECONOMIC DEVELOPMENT AND CAPACITY BUILDING IN MIGRANT-SENDING COUNTRIES

- 6.1.1. Authorization of Economic Development Assistance— The Secretary of State, in coordination with the Administrator of the United States Agency for International Development (USAID), is authorized to provide economic development assistance to countries in Central America and Mexico. This assistance shall

be aimed at addressing the economic root causes of migration, such as poverty, unemployment, and lack of economic opportunities.

- 6.1.2. Support for Good Governance and Anti-Corruption Efforts— The Secretary of State, in coordination with the Administrator of USAID, shall provide support for initiatives aimed at improving governance, strengthening democratic institutions, and combating corruption in migrant-sending countries. These initiatives may include support for civil society organizations, independent media, and other entities working towards these goals.
- 6.1.3. Authorization of Education and Workforce Development Programs— The Secretary of State, in coordination with the Administrator of USAID, is authorized to implement education and workforce development programs in migrant-sending countries. These programs should focus on improving access to quality education, vocational training, and job placement services, especially for young people and other vulnerable populations.
- 6.1.4. Coordination with International Partners— The Secretary of State shall coordinate with international partners, including multilateral development banks and other international financial institutions, to leverage additional resources and increase the impact of U.S. assistance.
- 6.1.5. Reporting— The Secretary of State and the Administrator of USAID shall annually report to Congress on the implementation and outcomes of these initiatives.
- 6.2. SEC. 602. STRENGTHENING BORDER SECURITY IN MIGRANT-SENDING COUNTRIES
 - 6.2.1. Authorization of Assistance for Border Security— The Secretary of State, in coordination with the Secretary of Homeland Security and relevant international partners, is authorized to provide assistance for improving border security in migrant-sending countries. This assistance may include training, equipment, infrastructure, and other resources needed to detect, deter, and disrupt human trafficking and smuggling networks.
 - 6.2.2. Development of Border Security Plans— The Secretary of State, in coordination with the Secretary of Homeland Security, shall

work with migrant-sending countries to develop comprehensive border security plans. These plans should include measures for improving border surveillance, enhancing interdiction capabilities, strengthening legal frameworks for prosecuting traffickers and smugglers, and protecting the rights of migrants.

- 6.2.3. International Cooperation and Coordination— The Secretary of State, in coordination with the Secretary of Homeland Security, shall promote international cooperation and coordination in border security efforts. This includes sharing of intelligence and best practices, joint operations and investigations, and regional capacity-building initiatives.
- 6.2.4. Training and Technical Assistance— The Secretary of State, in coordination with the Secretary of Homeland Security, shall provide training and technical assistance to law enforcement and border security officials in migrant-sending countries. This training should cover areas such as immigration law, human trafficking and smuggling, intelligence analysis, and human rights.
- 6.2.5. Reporting— The Secretary of State and the Secretary of Homeland Security shall annually report to Congress on the implementation and outcomes of these initiatives.

6.3. SEC. 603. APPROPRIATIONS

- 6.3.1. For the economic development and capacity-building efforts outlined in this title, the sum of \$1,800,000,000.00 is hereby authorized and appropriated.

7. **TITLE VII – U.S.-Mexico Migration Management and Security Cooperation**

7.1. SEC. 701. ESTABLISHMENT OF BINATIONAL TRANSPORTATION SYSTEM

- 7.1.1. Authorization— The Secretary of Homeland Security, in coordination with the Secretary of State, is authorized to negotiate and enter into an agreement with the government of Mexico to establish a binational transportation system to facilitate the orderly movement of migrants from Guatemala to the United States.
- 7.1.2. Operational Control— The binational transportation system shall be jointly owned by the United States and Mexico, each

holding a 50% stake. A private company shall be contracted to manage the operations of the system, with provisions for the U.S. and Mexican governments to intervene in cases of emergencies, neglect, or malpractice. Any major decisions concerning the management of the company would require the approval of both governments.

7.1.3. Security— Under the agreement, Mexico may either provide security to immigrants redirected from one port of entry to another through Mexico, or the services can be contracted out. The costs for these security services shall be covered by the U.S. under 8 U.S. Code § 1103(a)(11)(A).

7.1.4. Financing— The costs of establishing and operating the binational transportation system shall be absorbed by the U.S. Department of Justice under 8 U.S. Code § 1103(a)(7) and 8 U.S. Code § 1103(a)(11)(A).

7.2. SEC. 702. INCREASED SECURITY COOPERATION

7.2.1. Security Assistance— The Secretary of Homeland Security, in coordination with the Secretary of State, is authorized to increase aid payments to the government of Mexico for the provision of security along the migration route, whether provided by military, police, or private contractors.

7.2.2. Conditions— Such aid payments shall be subject to the Mexican government's adherence to human rights standards and the rule of law in its security operations.

7.2.3. Reporting— The Secretary of Homeland Security and the Secretary of State shall annually report to Congress on the implementation and outcomes of the binational transportation system and the security cooperation efforts.

7.3. SEC. 703. APPROPRIATIONS

7.3.1. For the objectives and missions of this title centering on migration management and security cooperation, the sum of \$1,800,000,000.00 is hereby authorized and appropriated.

8. TITLE VIII – GENERAL

8.1. SEC. 801. APPROPRIATIONS; SUM

8.1.1. In total, there shall be authorized and appropriated \$17,050,000,000.00 from the general budget for the purposes of

this Act.

8.2. SEC. 802. SEVERABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, or the application of the provisions of this Act to any person or circumstance, shall not be affected thereby.

8.3. SEC. 803. EFFECTIVE DATE.

This Act shall take effect on the date that is 90 days after the date of its enactment.