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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JOHN KENNEDY, a Senator from the State of Louisiana.

PRAYER

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

Let us pray.

Our Father, You are the God of our salvation. Thank You for this sacred moment of prayer. We think of Your goodness even in the night seasons, for Your ways are reliable and sure. Remind our Senators that before honor comes humility, as they seek to serve You and country. Give them the wisdom to put their complete trust in You, knowing that You will direct their steps. Lord, use them to do Your work on Earth. Keep them calm in the quiet center of their lives so that they may experience serenity in life's swirling stresses.

We pray in Your merciful 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. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 13, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN KENNEDY, a Senator from the State of Louisiana, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. KENNEDY thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SOUTHEASTERN KENTUCKY FLOODING

Mr. MCCONNELL. Mr. President, I wish to take a moment this morning to discuss events in southeastern Kentucky. Because of heavy rainfall over the weekend, residents are enduring widespread flooding in several counties. Homes have been evacuated. A number of people have been forced to relocate to temporary shelters. Even where the floodwaters have begun to recede, a number of roads remain blocked because of water or mudslides. We are thankful that no injuries have been reported at this point. My staff in Eastern Kentucky is working closely with local officials, and I am monitoring the situation and receiving updates.

As always, we are deeply grateful to the emergency responders who rescued a number of people from their homes or their cars. Helping their fellow Kentuckians through this hardship, they have again earned our thanks.

IMMIGRATION

Mr. MCCONNELL. Mr. President, on an entirely different matter, the Senate took an initial step toward considering proposals to address DACA, border security, and other immigration issues. This week's debate comes as no surprise to my colleagues. For a month now, I have repeatedly stated my intention to bring these issues to the Senate floor following a government funding agreement. Senators have had plenty of time to prepare. There is no reason why we should not reach a bipartisan solution this week, but to do this, we need to get the debate started, look past making political points, and focus on actually making law.

Making law will take 60 votes in the Senate, a majority in the House, and a Presidential signature. Yesterday, a number of my colleagues announced a reasonable proposal that I believe is our best chance to actually make law. It attends to my Democratic colleagues' stated priority: a compassionate solution for 1.8 million illegal immigrants who were brought to the United States as children. In exchange, it also delivers on the President's stated conditions. Their solution provides funding to secure the border, reforms extended-family chain migration, and recalibrates the visa lottery program.

This proposal has my support. During this week of fair debate, I believe it deserves the support of every Senator who is ready to move beyond making points and actually making a law. If other proposals are to be considered, our colleagues will have to actually introduce their own amendments, rather than just talk about them.

I made a commitment to hold this debate and to hold it this week. I have lived up to my commitment. I hope everyone will cooperate so that this opportunity does not go to waste.

TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, last week, as part of our bipartisan funding agreement, the Senate approved much needed disaster relief for communities hit by last year's devastating storms. This was an important accomplishment, but it isn't the only way this Congress has helped Americans begin to rebuild.

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Recently, Florida Power & Light, the State's largest utility, announced that their savings from tax reform will completely cover the costs of rebuilding critical infrastructure in the wake of Hurricane Irma. Absent tax reform, consumers would have paid for much of the repairs in the form of higher rates. Now the utility can cover the cost itself, saving Florida families an average of $250.

In other States, from Montana to Massachusetts to my home State of Kentucky, utilities are planning to directly pass along their savings by cutting consumers' monthly bills.

Of course, lower utility rates aren't the only way tax reform is helping middle-class Americans. Week after week, the headlines are full of more bonuses, more pay raises, and more new benefits for hard-working Americans as a direct result—a direct result—of tax reform. With all of this good news pouring in, it is easy to forget how hotly the debate over tax reform was contested.

Republicans argued that letting middle-class families keep more of their own money and giving American job creators a 21st-century tax code would unleash prosperity and directly help American workers.

Our Democratic colleagues gambled on a different prediction. Every single House Democrat voted in lockstep with their leader. She predicted tax reform would bring about Armageddon. Every single Democrat in the Senate rallied behind their leader, my friend from New York. He declared that there was ''nothing about this bill that suits the needs of the American worker.''

We always knew one side would be proven wrong. Either tax reform would benefit middle-class families and help reignite the economy or it would not. The early results speak for themselves. In the great State of Missouri, 20 companies, and counting, have already announced tax reform bonuses, raises, or benefits. That includes thousand-dollar bonuses for 2,500 workers at Central Bank of St. Louis and at Great Southern Bank in Springfield and more bonuses at Mid-Am Metal Forming in Rogersville. One of the Senators from Missouri voted for the policy that made all this happen. Their other Senator tried to block it.

In Ohio, tax reform has already led Jergens to double employees' annual raise. It has enabled Sheffer Corporation, a cylinder manufacturer, to give workers four-figure bonuses. Here is how Sheffer's CEO responded to Democrats who have been trying to talk down these bonuses: ''Some people have said that's 'crumbs,' but for the Sheffer people, we consider that fine dining.''

Remember, these bonuses and pay raises are just the tip of the spear. The Tax Cuts and Jobs Act also directly helps families by cutting tax rates and expanding deductions. In every paycheck, American workers will keep more of what they earn.

Only one Senator from Ohio voted to put all this middle-class progress on the menu. Every single Democrat in the Senate and the House voted to stop tax reform. Fortunately, for middle-class families in Missouri, in Ohio, in Kentucky, and across the Nation, Republicans overcame the obstruction and passed this historic bill.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

BROADER OPTIONS FOR AMERICANS ACT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 2579, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 302, H.R. 2579, a bill to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, we are in the midst of debate in the Senate on the issue of immigration. It is the first time in 5 years we have taken up this issue. There are many compelling reasons for us to get this right.

On September 5, President Trump announced that he was going to end the DACA Program, a program created by an Executive order of President Obama's that protects 780,000 young people who are undocumented in the United States. The elimination of that program officially on March 5—just a few weeks away—will mean that these young people and many just like them will be subject to deportation and no longer allowed to legally work in the United States.

President Trump challenged Congress to do something about it, to pass a law. As you can see, more than 5 months have passed, and we haven't done that. But we have a chance this week to get it right. We have a chance to make this work.

This morning, I come to the floor for a brief time to tell the story of two young women. The first one is named Tereza Lee. Tereza Lee is the reason for the DREAM Act, which is legislation I introduced 17 years ago.

Tereza was born in Brazil. Her parents were from Korea, but they traveled to Brazil first. She was brought to the United States at the age of 2 and made it to Chicago, IL.

Her father wanted to be a Protestant minister and to start a church. That was his dream, and he worked at it. They were a poor family. They didn't have much money to start with, but he pursued his dream. He gathered some people together in church settings.

Her mother went to work at a dry-cleaners in Chicago, which is not uncommon. The vast majority of dry-cleaning establishments in that city are run and owned by Korean families. It is a hard job, a lot of hours, but she was prepared to work to feed her family and to raise Tereza and her brothers and sisters.

During the course of her father's ministry, Tereza started banging away at an old piano at the back of the church and fell in love with the instrument. Someone gave her family a discarded piano, and she spent hours each day practicing. She signed up for something called the Merit Music Program in Chicago, which is available for kids in public schools who can't afford lessons, and she developed her skill as a pianist. At the point she reached high school, she actually was playing with the Chicago Symphony Orchestra. People took notice of it and said: Tereza, you have to go forward with this amazing skill of yours and apply to the best music schools. She did. She applied to the Juilliard School of Music and the Manhattan School of Music, and she was accepted.

She did run into a problem. When it came time to fill out the forms to go to school, there was a section where she had to declare her nationality or citizenship.

She said to her mom: What do I put here?

Her mom said: I don't know. We brought you here on a visitor's visa, and we never filed any more papers.

Technically, Tereza was an undocumented person in America. She didn't have legal status. So she contacted our office and asked what she could do. That was 17 years ago. We took a look at the law, and the law is pretty brutal for those who are undocumented in this country. It basically said to this 18-year-old girl: You have to leave the United States for 10 years and petition to come back in and apply for green card status and citizenship. Ten years? Brought here at the age of 2, she was banished by our laws in the United States and given no future.

That is when I introduced the DREAM Act—for her initially but for many others in similar circumstances, kids who are brought here to America as infants and toddlers, young children, young teenagers who had no home, who had no country. They go to our public

schools and pledge allegiance to the same flag we pledge allegiance to every morning, but there is no legal status for them.

The story has a happy ending for Tereza Lee. Even though the DREAM Act is not the law of the land, benefactors stepped forward and paid for her education at the Manhattan School of Music, and she ended up with a Ph.D. in music. She ended up playing piano in Carnegie Hall. She is now married and because of that marriage has become a legal citizen of the United States and is the mother of two.

That is the story of Tereza Lee, a Korean-American young woman who, in her way, with her musical skill, makes America a better nation.

There is another Korean-American girl I would like to salute as well. Her face may be more familiar. In 1982, a Korean immigrant came to the United States. He didn't speak English very well. He carried a Korean-English dictionary with him. He had a couple hundred dollars. He landed in California and decided he was going to make a go of it here in America, so he went off to school and obtained a degree in manufacturing engineering technology, and then he started to raise a family.

In that family was a young girl who showed at a very early age an interest in snowboarding. Her father, this Korean immigrant with no measurable skills and little proficiency in English, decided that he would help her, and he did. He made great sacrifices so she could develop her skills in snowboarding, and ultimately she became one of the best in the world.

Yesterday at the Olympic Games in South Korea, she was awarded the Gold Medal because of her skills in snowboarding and the fact that she won this halfpipe competition against the others, some of the best in the world.

This is Chloe Kim. Chloe Kim, this Korean-American girl, like Tereza Lee, developed an amazing skill. Today, all across this country and all across the world, we are saluting this amazing 17-year-old girl and the skill she developed. But let's remember that Chloe Kim's story is the story of immigration in America. Chloe Kim's story is the story of people who come to these shores determined to make a life. They don't bring wealth. Many of them don't even bring proficiency in English. They certainly in many cases don't bring advanced degrees. They only come here with the determination to make a better life for themselves and a better country for all of us.

That is the story of immigration. It is the story of this Korean-American girl, Chloe Kim. It is the story of Tereza Lee, another Korean-American girl who was a Dreamer and inspired the introduction of the legislation we are debating this week in the Senate.

There is a difference of opinion among Senators about immigration. Several Senators have said: We have too many immigrants; we have to limit those who come to this country. Some of them have even said that we have to be careful that we select only the best and brightest to come into this Nation. Well, I am the son of an immigrant myself, and I can tell you for sure that my grandparents and my mother didn't come to this country with any special skills or proficiency. They came here with a determination to make a better life, and they did, for themselves and for me. That is my story, that is my family's story, and that is America's story.

This week as we debate immigration, let's not only applaud Chloe Kim for her great achievement as a first-generation American, the daughter of an immigrant who came here with nothing, let's applaud Tereza Lee, too, who was determined against the odds to use her skills to make a better life for herself and a better country for all of us.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

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

Mr. SCHUMER. Mr. President, last night the Senate took up a neutral bill on immigration to begin debate on legislation to protect the Dreamers and provide additional border security. It is a debate upon which the lives of the Dreamers depend. They were brought into this country as kids through no fault of their own. For many of them, America is the only country they remember. They learn in our schools, they work at our companies, they serve in our military, and they are stitched into the very fabric of our Nation.

This week we have the opportunity to offer these Dreamers protection and the chance to finally become Americans, and this is supported in every State throughout the Nation. Eighty percent of Americans—a majority of Democrats, Independents, and Republicans all support allowing the Dreamers to stay here and become American citizens. We have an opportunity to improve border security, as well, which is something that also has broad support.

Both Democrats and Republicans, in large numbers, have supported both helping the Dreamers become Americans and protecting our borders. That should be the focus of all our energies—finding a bipartisan compromise that would achieve those things and pass the Senate.

We can put together a bipartisan plan here in the Senate and sell it to the Nation. I know that there are other forces swirling around. That was true of the budget deal, but Leader MCCONNELL and I put together an agreement. The Senate voted for it in large numbers, the House passed it with significant support from both parties, and the President signed it. We can do the same thing on immigration. The Senate can take the lead once again in a bipartisan way that can get 60 votes and move the Nation forward.

We all know Americans in every State—your State, Mr. President, my State, and every State—who ask: Why can't you work together and get something done? Well, this is a very difficult issue and we are all aware of that, but we can get something done. We are on the verge, but it is still hard. We are not there yet, but we can get something done. Let's work toward that.

INFRASTRUCTURE AND THE PRESIDENT'S BUDGET

Mr. President, on another matter entirely, the White House released its long-awaited infrastructure plan. After promising a trillion-dollar infrastructure plan to build ''gleaming new roads, bridges, highways, railways, and waterways all across our land,'' President Trump's plan turned out to be less than half a loaf. Instead of a trillion dollars or more of investment, the Trump infrastructure plan includes only $200 billion in Federal investment, relying on State and local governments and private entities to pony up the rest of the cash.

There is a great irony that on the same day the President put out the $200 billion infrastructure plan, the administration's budget slashed well over $200 billion in existing infrastructure investments that we do make every year. While the Trump infrastructure plan gives with one hand, the Trump budget takes more away than is given. That doesn't show much of a commitment to do infrastructure. That shows sort of a schizophrenic administration.

Even on the side where they try to give, the Trump infrastructure plan has a lot of flaws. Already cash-strapped State and local governments would likely have to raise taxes on their constituents to fund new investments. Meanwhile, private entities will seek projects with the quickest return on investment. If you have a big, large resort with a lot of wealthy people going there, yes, a private person might build a road, but if you have a bridge in Shreveport or in Rochester, a middle-sized city or anywhere else in the country, no private investor is going to invest in that. There won't be any money for it. Large parts of the country will be left out. And who will be left out most? Rural America, which lacks the population or traffic to attract investment, would get shut out. They have a set-aside for rural America, but it is not close to enough—not close to enough.

Worse, the Trump infrastructure plan would mean a slew of tolls—Trump tolls—from one end of America to the other. Large developers are going to want to make a quick buck on new investment, and who is going to pay for

it? The average, middle-class, working-class American who drives and pays the tolls.

These companies—let's face it; everyone knows this—are not going to lend money to build a road and not get any return. When the Federal Government puts money into roads, they don't ask for a return, other than jobs created building the roads and jobs created because new companies, new housing, and other new things will locate alongside the road. It does pay for itself through what the economists would call external costs—externalities. But the companies that invest, the big financiers who invest will want an immediate return, and that means tolls—tolls, tolls, and more tolls. More tolls may not sound like a big deal to the bankers and financiers who put together Trump's plan, but they sure mean a lot to working Americans who commute on these roads every day.

I would remind people that the Federal Government has invested in roads and infrastructure for centuries, not decades. Henry Clay, a Whig—the predecessor party of the Republican Party—first proposed it in the 1820s and 1830s. Dwight Eisenhower, a Republican President, expanded our Federal highway system dramatically with huge positive effect in large parts of America. Ronald Reagan never cut infrastructure. He cut a lot of other things, but not infrastructure. He knew it was important. So why are we making this 180-degree, hairpin turn right now? It doesn't make sense.

There are other problems with the Trump plan. What about ''Buy American''? Everyone says they are for ''Buy American.'' The Trump infrastructure plan unwinds ''Buy American'' provisions. If we are going to rebuild American infrastructure, let's do it with American steel, American concrete, and American labor.

This is the kind of plan you would expect from a President who surrounds himself with industry insiders, financiers, people in Wall Street who look at infrastructure as an investment to be made by corporations. But infrastructure has always been something the government invests in because the benefits aren't immediately apparent to business. A road might not generate short-term profits unless it is dotted with tolls, but a factory might locate nearby and bring new jobs to the area. The private sector might not build high-speed internet all the way out to the house at the end of the road if there isn't a profit, but that family is just as deserving as every other family in America to be part of the internet, which is a necessity these days, just as electricity was in the thirties when Franklin Roosevelt proposed connecting all rural homes to the electric grid. The private sector then and the private sector now should not pick and choose. It will leave large parts of America out. That is why the Trump infrastructure plan falls short.

For almost our entire history, the consensus in Congress and the White House was that the government should lead the way on infrastructure. As I have mentioned, Republicans Henry Clay, Dwight Eisenhower, and Ronald Reagan believed that we need investment in infrastructure. Democrats still believe it.

I hope that our mutual desire to fix the Nation's crumbling infrastructure without shifting the burden onto taxpayers and local governments motivates us to put the President's proposal to the side, as we did with the budget, and come up with one ourselves.

Mr. President, yesterday, the Trump administration delivered a budget to Congress that will drastically slash funding for education, environmental protection, transportation, Medicare, and Medicaid. Yes, folks, despite the President's promise that he would never cut Medicare, Medicaid, and Social Security, he is cutting two out of the three in this budget—or so he proposes.

Even with all those cuts, though, the Trump budget actually increases the deficit. Even in the realm of budgetary magic, the Trump budget pulls a trick so absurd that it would even make Houdini blush: Cut Medicare, cut Medicaid, and yet increase the deficit. How the heck did that happen? Only in the world of President Trump and his budgeteers.

Just weeks after jamming through a partisan tax bill that would greatly benefit big corporations and the wealthy while adding $1.5 trillion to the deficit, the Trump administration is now proposing a massive curtailment of the programs that help almost everyone else in America and, at the same time, increasing the deficit—a bad magic trick, very bad.

After an entire campaign's worth of promises to protect Medicaid and Medicare, President Trump proposes to cut deeply into both of them. After calling education the civil rights issue of our time in his first address to the Congress, President Trump proposes a 10-percent cut in education funding. Ask your school boards throughout America how they feel about that. Alongside his long-delayed infrastructure plan, President Trump proposes to cut transportation funding by nearly one-fifth—a decrease so large it would result in a net cut in infrastructure funding even if you add in the President's new infrastructure bill.

On the heels of a massive corporate tax cut, this budget is the very inverse of economic populism. It cuts back from nearly every program that helps the middle class and those struggling to reach it. The Trump budget is the encapsulation of an administration that promises populism but delivers plutocracy where the rich and powerful get the tax cuts, but everyone else just gets cut out.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for about 15 minutes as in morning business.

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

FALSE CLAIMS ACT

Mr. GRASSLEY. Mr. President, I am going to address, as I do often on the floor, problems with the False Claims Act. As author of the False Claims Act of 1986, I want to say upfront, before I talk about some problems, that this is a piece of legislation that has brought into the Federal Treasury $56 to $57 billion of fraudulently taken money.

Each year, the Department of Justice updates the amount of money that has come in under the False Claims Act, about $3 billion to $4 billion a year. We are talking about a piece of legislation I passed more than 30 years ago, that had been good for the taxpayers, to make sure their money is handled the way the law requires. Obviously, if it is taken fraudulently, it isn't handled the way the taxpayers would expect.

With that introduction, I want to bring up some problems with the False Claims Act. Today, there are some troubling developments in the courts' interpretation of the False Claims Act. To understand these developments, I want to review a little history.

In 1943, Congress gutted the Lincoln-era law known as the False Claims Act. At that time, during World War II, the Department of Justice said it needed no help from whistleblowers to fight fraud. The Department of Justice said, if the government already knows about the fraud, then no court should even hear a whistleblower's case. In 1943, Congress amended the False Claims Act to bar any whistleblower from bringing a claim if the government knows about the fraud.

Looking back at World War II, we know what they did to the False Claims Act was a big mistake because the bar led to absurd results that only hurt the taxpayers. It basically meant that all whistleblower cases were blocked, even cases where the government only knew about the fraud because of the whistleblower. In other words, whistleblowers are patriotic people when they are reporting fraud, but it didn't make any difference because of the way the law was amended in 1943.

In 1984, the Seventh Circuit barred the State of Wisconsin from a whistleblower action against Medicaid fraud. Even today, Medicaid fraud is a major problem. We have ways of getting at it now, but in 1984 they didn't. In this case in Wisconsin, that State had already told the Federal Government about the fraud because it was required to report that fraud under Federal law. Because of the so-called government

knowledge bar enacted in 1943, whistleblower cases went nowhere and neither did prosecution of wrongdoers.

Getting back to what I was involved in, in 1986, I worked with many of my colleagues—particularly a former Democratic Congressman from California by the name of Mr. Berman—to make it possible for whistleblowers to be heard again. In other words, these patriotic Americans just want the government to do what the law says it ought to be doing and money spent the way it ought to be spent. They want people to know about it so action can be taken.

In 1986, for whistleblowers to be heard again, that included eliminating the so-called government knowledge bar. Since then, what the government knows about fraud has still been used by defendants in false claims cases as a defense against their own state of mind. Courts have found that what the government knows about fraud can still undercut allegations that defendants knowingly submitted false claims. The theory goes something like this: If the government knows about the defendant's bad behavior and the defendant knows the government knows, then the defendant did not knowingly commit fraud. That doesn't make sense, does it? Once you wrap your head around that logic or puzzle, I have another one for you.

In 2016, the question of what the government knows about fraud in False Claims Act cases began to take center stage once again. In Escobar, the Supreme Court rightly affirmed that a contractor can be liable under the ''implied false certification'' theory. That means a contractor can be in trouble when it doesn't make good on its bargain. And it doesn't matter whether the contractor outright lies—a misleading omission of its failures is enough.

Unfortunately, parts of the Court's ruling are getting some defendants and judges tied in knots. Justice Thomas wrote that the false or misleading aspect of the claim has to be material to the government's decision whether to pay it. Justice Thomas said that one of several ways you can tell whether something misleading is also material is if the government knows what the contractor is up to and pays the claim anyway. That is a good way for people to commit fraud. At first glance, I suppose that kind of makes sense. If someone gives you something substantially different in value or quality from what you asked for, why would you pay for it? But if the difference really isn't that important, you might still accept it.

Even if that is true, the problem here is that courts are reacting the way they always have. They are trying to outdo each other in applying Justice Thomas's analysis inappropriately or as strictly as possible, to the point of absurdity. In doing so, they are starting to resurrect elements of that old government knowledge bar that I worked so hard to get rid of in 1986. And remember, that government knowledge bar goes back to the big mistake Congress made in 1943 by eliminating it from the False Claims Act.

Justice Thomas actually wrote:

> [I]f the Government pays a particular claim in full despite its actual knowledge that certain requirements were violated, that is very strong evidence that those requirements are not material. Or, if the Government regularly pays a particular type of claim in full despite actual knowledge that certain requirements were violated, and has signaled no change in position, that is strong evidence that the requirements are not material.

Justice Thomas did not say that in every case, if the government pays a claim despite the fact that someone, somewhere in the bowels of democracy might have heard about allegations that the contractor may have done something wrong, the contractor is automatically off the hook. Think about that. Why should the taxpayer pay the price for bureaucrats who fail to expose fraud against the government? That is why the False Claims Act exists—to protect taxpayers by rewarding whistleblowers for exposing fraud.

Justice Thomas said that the government's actions when it has actual knowledge that certain requirements were violated are evidence of whether those requirements are material. What does it mean for the government to have actual knowledge? Would it include one bureaucrat who suspected a violation but looked the other way? Would that prove the requirement was material? Courts need to be careful here.

First, this statement about government knowledge is not the standard for materiality. The standard for materiality is actually the same as it has always been. The Court did not change that definition in Escobar. Materiality means ''having a natural tendency to influence, or being capable of influencing, the payment or receipt of money or property.'' The question of the government's behavior in response to fraud is one of multiple factors for courts to weigh in applying the standard.

Second, courts and defendants should be mindful that Justice Thomas limited the relevance here to actual knowledge of things that actually happened. There are all sorts of situations where the government could have doubts but no actual knowledge of fraud. Maybe the government has only heard vague allegations but has no facts. Maybe the rumors are about something that may be happening in an industry but nothing about a particular false claim by a particular defendant. Maybe an agency has started an inquiry but still has a long way to go before that inquiry is finished. Maybe someone with real agency authority or responsibility hasn't learned of it yet. There are a lot of situations where the government might not have actual knowledge of the fraud.

Third, even if the government does pay a false claim, that is not the end of the matter. Courts have long recognized that there are a lot of reasons why the government might not intervene in a whistleblower case. There are a lot of reasons why the government might still pay a false claim. Maybe declining to pay the claim would leave patients without prescriptions or life-saving medical care. Paying the claims in that case does not mean that the fraud is unimportant; it means that in that moment, the government wants to ensure access to critical care. That payment cannot and does not deprive the government of the right to recover the payment obtained through fraud.

Can you imagine if that were the rule? Can you imagine if providers could avoid all accountability because the government decided not to let someone suffer? Then fraudsters could hold the government hostage. They could submit bogus claims all the time with no consequences because they know the government is not going to deny treatment to the sick and the vulnerable. That is just not what the False Claims Act says. Courts should not read such a ridiculous rule into that statute.

Fourth, courts should take care in reading into the act a requirement for the government to immediately stop paying claims or first pursue some other remedy. There could be many important reasons to pay a claim that have nothing to do with whether the fraud is material. Further, there is no exhaustion requirement. The False Claims Act does not require the government to jump through administrative hoops or give up its rights. And that would be an unreasonable burden on the government, in any event.

We have decades of data showing that the government cannot stop fraud by itself—hence the importance of whistleblowers; hence the importance of the False Claims Act. I also know from many years of oversight that purely administrative remedies are very time-consuming and often toothless.

The government should be able to decide how best to protect the taxpayers from fraud. The False Claims Act is the most effective tool the government has. The government should be able to use it without the courts piling on bogus restrictions that are just not law.

I started with the importance of the False Claims Act. It has brought $56 billion to $57 billion into the Treasury since its enactment in 1986. Each year, the Department of Justice updates the law, usually reporting $3 billion or $4 billion coming in under that act in the previous year.

I hope the courts understand that every bureaucrat in government has to have the opportunity to report what is wrong so that we make sure the taxpayers' money is properly spent.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, for months, Senators have been clamoring for a floor debate on DACA, border security, and other urgent issues pertaining to immigration. We have certainly had ample time to prepare.

The week we set aside for this debate has arrived—the week my Democratic colleagues insisted that we dedicate to this issue. The clock is ticking, but the debate has yet to begin. That is because our Democratic colleagues have yet to yield back any of their postcloture time so we can begin this important debate. If we are going to resolve these matters this week, we need to get moving. In my view, the proposal unveiled yesterday by Senator GRASSLEY and a number of other Senators offers our best chance to find a solution.

I have committed that the amendment process will be fair and both sides will have the opportunity to submit ideas for debate and votes. For that to happen, our colleagues will have to actually introduce their own amendments, rather than just talk about them.

My colleague, Senator TOOMEY, for example, has done just that. He put forward an amendment to address one of the most glaring aspects of our Nation's broken immigration system—sanctuary cities. I see no reason to further delay consideration of this and other substantive proposals. Let's start by setting up a vote on his amendment and an amendment from my Democratic colleagues—an amendment of their choosing, not mine, with their consent. With their consent, we can start the debate and have the first two amendment votes.

Mr. President, consistent with that, I ask unanimous consent that at 2:15 p.m. today, the motion to proceed to H.R. 2579 be agreed to. I ask unanimous consent that Senator TOOMEY, or his designee, be recognized to offer amendment No. 1948 and that the Democratic leader, or his designee, be recognized to offer an amendment; further, that the time until 3:30 p.m. be equally divided between the leaders or their designees and that following the use or yielding back of that time, the Senate vote on the amendments in the order listed, with 60 affirmative votes required for adoption, and that no second-degree amendments be in order prior to the votes; finally, that if any of the amendments are adopted, they become original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Reserving the right to object, Mr. President, I appreciate the process the majority leader agreed to this week, but the proposal he just offered does not address the underlying issues of this debate and why we are here. It does not address Dreamers, nor does it address border security.

As I said this morning, the Senate must focus on finding a bipartisan solution that addresses those two issues—Dreamers and border security. Rather than the partisan proposal offered by the Republican leader, I suggest we consider two proposals inside the scope of the debate, one for each side. Let the Republicans offer the President's plan, in the form of legislation carried by the Senators from Iowa and Arkansas, which the leader supports, and the Democrats will offer the bipartisan Coons-McCain bill—narrow legislation that protects the Dreamers, boosts border security, and adds resources for immigration courts.

Each is the opening foray—one for Democrats, one for Republicans—and can start the process and let us know where we stand. Our legislation is ready to go, and we would be happy to vote as soon as the Republicans have their proposal drafted and ready for an amendment vote.

To begin this debate as the Republican leader suggests would be getting off on the wrong foot—unrelated to DACA and very partisan. Respectfully, I suggest we move to the bills offered by Senator GRASSLEY and Senator COONS instead. Let's get this debate started on the right foot.

So I object to the leader's request.

The PRESIDING OFFICER. Objection is heard.

The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, when we set out to do tax reform, we had two big goals we wanted to achieve for the American people.

First, we wanted to provide them with immediate relief on their tax bills, which we did, by lowering tax rates across the board, doubling the child tax credit, and nearly doubling the standard deduction. Thanks to lower rates and the new withholding tables, Americans across the Nation will start seeing bigger paychecks this month. Yet our objective went beyond tax cuts, as important as that relief is to the American people.

We wanted to create an economy that would produce the jobs and opportunities that would provide Americans with security and prosperity for the long term. Before the Tax Cuts and Jobs Act, our Tax Code was not helping to create that kind of an economy. In fact, it was working against it. Businesses, large and small, were weighed down by high tax rates and growth-killing tax provisions and all of the regulatory and compliance burdens that went along with them, and our outdated international tax rules left America's global businesses at a competitive disadvantage in the global economy. That had real consequences for American workers.

A small business owner who struggled to afford the annual tax bill for her business was highly unlikely to be able to hire a new worker or to raise wages. A larger business that struggled to stay competitive in the global marketplace, while having paid substantially higher tax rates than its foreign competitors, too often had limited funds to expand or increase investment in the United States.

So, when it came time for tax reform, we set out to reform the business side of the Tax Code to benefit American workers. We knew that for American workers to have access to good jobs and opportunities, the American economy had to thrive, and that meant American businesses had to thrive, so we took action to lessen the challenges that faced American businesses.

We lowered tax rates across the board for the owners of small- and medium-sized businesses, farms, and ranches. We expanded the ability of business owners to recover the investments they make in their businesses, which will free up cash that they can reinvest in their operations and their workers. We lowered our Nation's massive corporate tax rate, which, up until January 1, was the highest corporate tax rate in the developed world. We also brought the U.S. international tax system into the 21st century by replacing our outdated worldwide system with a modernized territorial tax system so American businesses would not be operating at a disadvantage next to their foreign competitors.

The goal in all of this was to free up businesses to increase investments in the U.S. economy, to hire new workers, and to increase wages and benefits. I am happy to report that is exactly what they are doing. Even though tax reform has been the law of the land for less than 2 months, businesses are already announcing new investment, new jobs, better wages, and better benefits for workers.

Tech giant Apple announced that thanks to tax reform, it will bring home almost $250 billion in cash, which it has been keeping overseas, and invest it in the United States. It also announced it will create 20,000 new jobs. Fiat Chrysler announced it will be adding 2,500 jobs at a Michigan factory in order to produce the pickups it had been making in Mexico. Nexus Services is hiring 200 more workers. JPMorgan Chase is adding 4,000 new jobs and opening 400 new branches. Boeing is investing an additional $100 million in infrastructure and facilities and an additional $100 million in workforce development. Regions Financial Corporation is investing an additional $100 million in capital expenditures. FedEx is investing $1.5 billion to expand its FedEx Express hub in Indianapolis. ExxonMobil is investing an additional $35 billion in the U.S. economy over the next 5 years—and on and on.

We are starting to see similar results, not just from larger and medium-sized companies but from smaller companies too. For example, Jones Auto and Towing in Riverview, FL, is putting two new tow trucks into service,

which means new jobs for local workers.

There are all of the companies that are boosting their base wages: Bank of Hawaii; Charter Communications, Incorporated; Berkshire Hills Bancorp; Rod's Harvest Foods in St. Ignatius, MT; Walmart; Cigna Corporation; Great Western Bancorp in my home State of South Dakota; Webster Financial Corporation; Capital One; Humana. The list keeps going and going and going.

Then there are the companies that are increasing their 401(k) matches, boosting wages, creating or expanding parental leave benefits, and improving health benefits.

Tax reform is already working for American workers, and as the benefits of tax reform accrue, we can expect more jobs, more benefits, higher wages, and more opportunities for American workers in the future. That is what tax reform was designed to do—to unleash the entrepreneurial spirit in this country and provide incentives for American businesses to expand and grow their businesses. In doing that, they will create those better paying jobs, those higher wages, and a better standard of living for American workers and American families. It is having the desired effect, and we are seeing it every single day in this country.

This is not only a short-term thing; this will have a long-term effect and be a change that will be good for the American economy and American workers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, about 20 minutes ago, our majority leader, Senator MCCONNELL, tried to move debate along on an immigration bill, and I am puzzled that our minority leader, Senator SCHUMER, objected. The reason I am puzzled is, for a long period of time—maybe 10 years—some of the Senators on the other side of the aisle and even some Senators on our side of the aisle have been advocating for giving certainty to the young people who have been brought here by their parents whom we call either Dreamers or DACA people. They have been advocating for giving them legalization.

The majority leader, 2 weeks ago, promised the minority an opportunity to have a debate on that issue—the first debate on immigration since 2013, I believe. The majority leader, today, tried to carry out that promise and get this bill moving, and we had this objection. It is very puzzling.

I think it is legitimate to ask the minority leader, in his objecting to a unanimous consent agreement, why the objection is coming with regard to the very debate that he has, on his side of the aisle, been demanding of the majority for a long period of time. Hasn't the minority leader and the entire Democratic Party been asking for this debate? Yes, they have been.

Leader MCCONNELL has honored his commitment and allowed us to have an open, fair immigration debate this week. The key words are an ''immigration debate,'' not a DACA-only debate, not an amnesty-only debate but an immigration debate. An immigration debate has to include a discussion about enforcement measures. An immigration debate has to include a discussion about how to remove dangerous criminal aliens from our country. A real immigration debate has to include discussions about how to protect the American people.

The leader has asked unanimous consent to allow us to start debating these issues, and the Democrats are refusing. Puzzling, I say it is, because they have been the ones to demand this debate. Why don't they want to debate things like sanctuary cities, as one example, which was asked for? Are they unprepared to discuss the vital public safety issues or is it more likely they are worried that some bills on enforcement on this side of the aisle could actually pass? Maybe that is the case, but it is no reason not to allow this body to start debate on this very important issue.

The American people deserve a real immigration debate about the four pillars we agreed to at the White House and not just a debate about the Democrats' preferred policy preferences. Yes, DACA is an important part of that discussion, but it is only one part. If the Democrats are insisting that we debate their preferred policies only, that is not a real debate at all.

We have filed an amendment that takes into consideration the four pillars that were agreed to at a bicameral, bipartisan meeting at the White House, with the President presiding on January 9. Those four pillars include: legalization and a path to citizenship, border security, the elimination of chain migration, and, fourthly, the elimination of the diversity visa lottery. Those all fit in, maybe not in detail and exactly the way the President might want it, but they fit into the four pillars as to which he said he would sign a piece of legislation.

I suggest to my other 99 colleagues that there is a provision that can pass the U.S. Senate, pass the House of Representatives, and be signed by the President of the United States because he has said he agrees with those principles. Other people have bills but not bills that can become law based upon what the President will sign or not sign.

Again, I think it is very puzzling that the Democratic leadership will not allow this debate to go forward, for it is something they have been asking for. More importantly, maybe it is quite the surprise that the majority leader would allow this debate to move forward, but that is how a consensus was met about 2 weeks ago on the issue of opening up government and having this debate and moving forward to a budget agreement. Those things have been done. Now the leader is carrying out his promise. I hope the other side will agree to move ahead.

RECESS

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate stand in recess as under the previous order.

There being no objection, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

BROADER OPTIONS FOR AMERICANS ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, as people around the Nation listen to this floor debate, I am sure they can hear the divisions about immigration loud and clear. I know I can. Immigration policy is hard, it is emotional, and it has vexed this Congress for decades.

While the floor debate we are having right now can be trying and can be thrown off-kilter by one more ill-timed tweet from the President, we have to keep our eyes on the ball because as tough as it may seem right here, the stakes are so much higher for millions of people who live every day in this country, trapped in a broken immigration system. They face the constant fear of deportation, and they suffer from the threat of being ripped apart from their families, their friends, and the communities that they love.

Just like the deep divisions we see on this issue across the country, finding a path forward in the Senate, in the House, and all the way to the White House is not going to be easy, but tackling the tough issues and engaging in fair and honest debate is why we are here. Creating a more perfect union is why we are here. Finding a bipartisan path forward both to secure our borders and protect the futures of so many hard-working families is why we are here.

First, we have to agree to some basic truths. To start, Dreamers—hundreds of thousands of our friends and neighbors, our teachers, firefighters, servicemembers, and students—are not criminals. They are not MS–13 gang members nor are they the shadowy pictures depicted in disgusting campaign ads in the President's speeches.

They are not a drain on our economy. In fact, Dreamers are just the opposite, contributing in countless ways to our communities and enriching the lives of so many others.

So who are Dreamers?

Dreamers are determined; they are passionate; they are American in every way except on paper. They are fighting for the only lives they have ever known. They are fighting for their loved ones with everything they have, and they are trying to do it the right way.

A few years back, when Congress had fallen down on its job to fix the broken immigration system, Dreamers stepped up to work in good faith with the Federal Government—Dreamers like Jose Manuel Vasquez, who grew up in south Seattle. He didn't know he was not a natural born citizen until he went to get a driver's license. Thanks to the DACA Program, Jose Manuel was able to graduate from the University of Washington. He started a tech business, and he volunteers at local nonprofits.

Another Dreamer who grew up in Pasco, WA, described being 4 years old when he was taken to the airport to fly to the United States. He said that he was so young, he didn't understand what was going on. He only recalls being confused about why he couldn't bring all of his toys with him to his new home in America. Years later, after he enrolled in DACA, he said that he was able to quit working in manual labor and start working as a personal banker at Wells Fargo.

There are hundreds of thousands of Dreamers with similar stories. They came out of the shadows. They paid their taxes. They kept promises. They underwent background checks and did the hard work, even if only for a temporary shot at the opportunity so many others in this country have taken for granted.

What Dreamers are is the embodiment of so much of what this country was founded on. That is truth No. 1.

Truth No. 2: We all want to keep America safe, with commonsense border security measures, and for anyone to claim otherwise is merely making an attempt to muddy the debate so that critics can retreat to their partisan corners, fall back on hateful rhetoric, and try to stop a bipartisan bill from actually moving forward.

The reality is, no matter what political party you ascribe to, protecting and defending the safety of fellow citizens and preventing those who could do us harm from entering this country is something we all believe in and something we are all working for, which leads me to truth No. 3; that is, despite failed attempts in the past, today is a new day and a new chance to finally fix our broken immigration system for the Dreamers who call our country home. It is a new chance to honor our country's rich tradition of welcoming people from around the world who add to the rich tapestry of our Nation, who enrich our communities, and who will write the next chapter of our Nation's history. It is a new chance for my Republican colleagues to stand by their word and do what they said—work with Democrats in good faith to find a bipartisan path forward that will allow Dreamers to stay here in the country they call home.

I hope Congress finally has the will to see this through, to be a nation of laws and a land of opportunity. With the right piece of legislation, we can do both.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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.

Mr. CORNYN. Mr. President, yesterday we began floor debate on something that we have literally been talking about for years. I remember, after the election of 2012, meeting at the White House with then-President Barack Obama, with Speaker of the House Boehner, Leader MCCARTHY, Senator MCCONNELL, and others. The President was prepared to do something he had threatened to do, which we actually asked him not to do, and that is, to try to take unilateral Executive action to deal with the issue of these young adults who came with their parents, when they were children, into the United States in violation of our immigration laws.

We said: Please, President Obama, give us a chance to work with you to come up with a solution.

He listened and said: No. I am going to sign an Executive order or action, and I am going to go this alone.

Well, unfortunately for the young people who were the beneficiaries of this DACA Executive order, the court struck it down, so they were left in doubt and in some jeopardy, wondering, now that they had been granted a deferred action against deportation by President Obama, what their future would look like. So President Trump, upon the advice of General Kelly, who was then Secretary of Homeland Security, said: Give the Congress some time to deal with this.

Indeed, here we are with a deadline of March 5. All of the time that this President has been in office—since January 20 of last year—this has been basically living on borrowed time insofar as the DACA Program is involved. President Trump quite appropriately said that this is a legislative responsibility and that Congress needs to deal with this.

Well, here we are. The debate actually began on February 8, which is the date that Senator MCCONNELL, the Senate majority leader, agreed to initiate the motion to proceed on the debate. Of course, you will remember what happened. The government was shut down because our Democratic colleagues refused to proceed to deal with the continuing resolution for funding the government until there was some resolution of this DACA issue. So the majority leader said: We are going to deal with it starting February 8 if there is no other agreement, and it is going to be a fair and impartial process. Everybody's ideas are going to be aired, and people should be able to vote on those ideas.

Well, here we are. We started yesterday with cloture on the bill. Now, under the Senate rule, there are 30 hours that will expire tonight at 11 p.m. or thereabouts, and we are waiting on our colleagues across the aisle to begin this process that they were so eager to initiate that they shut down the government.

So far, the majority leader came to the floor and made an offer at about noon today, saying: We will start with a vote on an amendment of your choosing, and then we will go to one of our choosing. We will go back and forth and have an orderly process so I can follow through on my commitment to keep a fair, equal, and orderly process.

Well, even though they were willing to shut down the government to bring us to this point, now they seem to be incredibly reluctant to actually have a vote on any of their proposals. It really is bizarre.

We all want a solution for these young adults. In America, we don't punish children for the mistakes their parents made, and we are not going to punish these young people, who are now adults, who have been able to go to college and, in many instances, become very productive people. We want to provide them an opportunity to flourish. Indeed, the President—notwithstanding the fact that 690,000 DACA recipients currently exist, he said: I will be willing to up that number to everybody who is eligible, whether or not they signed up. That is 1.8 million young people. Do you know what? We are not only going to give them deferred action, we are going to give them an opportunity to become Americans.

It is incredibly generous, but our colleagues across the aisle seem to be tripped up by their own plan and unable to respond to this generous offer.

The President has said: In return for the 1.8 million young people who will have a pathway to citizenship and predictability and stability and a great future for their lives, we are going to have to secure the border. We are going to have to do the sorts of things the Federal Government should have done a long time ago.

Coming from Texas, a border State, we have 1,200 miles of common border with Mexico. As we heard this morning in the world threats hearing in the Senate Intelligence Committee, the Director of National Intelligence said the transnational criminal organizations or cartels, which are commodity agnostic—they make money trafficking in people, drugs, or other contraband, and they are exploiting the porous nature of our border with our neighbor to the south, Mexico. Indeed, Central American countries are sending even their young children up to the border, exploiting a loophole in our law.

The President has also said that in addition to dealing with border security, he wants to change legal immigration to focus on the nuclear family—mom and dad and the kids. If other people want to come to the United States, then they can qualify

for various employment-based visas. They can come study as a student. They can come as a tourist. They can qualify for an H–1B visa as somebody who is highly skilled. There are other ways to come. But we are going to limit the number of visas and green cards based strictly on your family relationships.

Then the President said that he wanted to deal with the diversity lottery visa. This is perhaps the most difficult to understand visa our government issues. Basically, what we say is that there are 50,000 diversity visas, and for those countries that aren't otherwise represented, we are going to sort of spread those like bread on the water and welcome 50,000 people without regard to their background, their education, their other merits or qualifications.

Some have said, like the President—and I agree with him—that we ought to look at not only how immigrants can benefit from coming to the United States but also what qualities they have that they can bring us. Yes, we ought to compete for the best and brightest—for example, the 600,000 or so foreign students who come to our colleges and universities. What about focusing on those who graduate in STEM fields—science, technology, engineering, and math. There have been some folks who have said: Well, we ought to staple a green card to those people because we want to continue to attract the best and the brightest. We don't want to train them, educate them, and send them home, only to compete with us.

Well, those are some great ideas. We are not going to be able to have votes on bills unless our friends across the aisle will agree to get onto a bill. Preferably it is the bill that Senator GRASSLEY and others, including myself, have cosponsored, which will be filed this afternoon, based on those four pillars.

Coming from a border State, I have spent quite a bit of time in the Rio Grande Valley, down in Laredo, and over in El Paso, and I have learned a lot from the experts at the border, who would be the Border Patrol agents themselves. I have talked to people like Manny Padilla, who is the chief Border Patrol officer in the Rio Grande Valley, which is one of the most active regions in the country. His sector, at times, has been one of the busiest in the country, with some 200,000 apprehensions a year just in the Rio Grande Valley itself. I have seen the border firsthand, of course. It is vast, and the terrain varies widely, from portions where the Rio Grande River flows strongly, to ones where it has dried up, where there is hardly any water at all separating Mexico and the United States, and still others that include 3,200-foot cliffs along the riverbank, particularly out in the Big Bend area of West Texas.

I have also had the opportunity to welcome many of my colleagues who don't come from border States to my State so they could become better informed about the nature and the challenge of border security. When you spend time there and speak to the local officials and people who live and work along the border, you realize the scale of the challenge we are facing in securing the border, as well as combating the cartels and people who are importing poison into the United States and unfortunately taking far too many lives as the result of drugs. You realize that a one-size-fits-all approach doesn't work. Generations of Texans know that too.

People who live in border communities are an invaluable resource, and we ought to be talking to them about what would work best to provide the security in a way that would also be helpful to their local community. I have mentioned before one of those down in Hidalgo, TX, where the Border Patrol said: We need some physical barriers to help control the flow of illegal immigration across the border.

The local community said: Well, we need to improve the flood levee system so that we can actually buy affordable insurance, so that we can develop our property at a reasonable cost.

Out of that came a bond election for a levee wall system that was a win-win. It provided the flood protection needed by the community, and it provided the physical barrier that the Border Patrol said they needed in order to control illegal immigration.

So there is an opportunity for a win-win here if we will just listen to the experts and we will talk to the local stakeholders and the people who live, work, and play along our border with Mexico.

I have also had many conversations with Hispanic leaders from across my State. One of them is my friend Roger Rocha, the president of the League of United Latin American Citizens, or LULAC, who has been courageous in putting his reputation on the line in order to find common ground and give DACA recipients an opportunity not only to stay and work but to eventually become American citizens.

Well, yesterday, I said there will be a process that is fair to everybody—that is what the majority leader guaranteed—and all of our colleagues will have a chance to have their proposals considered. Amendments will have a 60-vote threshold before they can be adopted. That is the rule of the Senate. What I am interested in is solving the problem, and that means not only finding a proposal that can get 60 votes in the Senate but one that can pass the House and be signed into law by the President.

I read this morning—when I got up and was making a cup of coffee and looking through the newspaper—that our colleague across the aisle, the Democratic whip, whom I have worked with and met with on this topic many times, said his goal was to get all the Democrats and 11 Republicans to get to that 60-vote threshold. That was his goal in this legislation. What is missing is how he would propose to get this passed through the Republican majority in the House and signed by the President if it doesn't comply with the President's requirements that he laid out in his four pillars. I am not interested in a futile act; I am interested in actually making a law, which means passing the Senate, passing the House, and getting signed into law by the President.

Yesterday, a group led by Chairman GRASSLEY of the Judiciary Committee put forth a proposal that I believe can pass the Senate, can pass the House, and can be signed into law by President Trump. It is called the Secure and Succeed Act. The name itself is quite fitting. We have to secure the border, and we have to be able to provide for the future success of DACA recipients. It is not one or the other; it is both. The Secure and Succeed proposal provides a pathway to citizenship, like the President proposed, for 1.8 million DACA-eligible recipients, which is far more than President Obama ever offered. I mean, this is pretty incredible. What President Obama offered was DACA for 690,000 young people. This President has offered a pathway to citizenship for 1.8 million. Some people may think that is far too generous, but the President made that offer expecting to get border security and these other provisions done at the same time.

This legislation provides a real plan to strengthen our borders and utilize boots on the ground, better technology, and infrastructure. It reallocates visas from the diversity lottery system in a way that is fair, and it continues the existing family-based immigration categories until the current backlog is clear.

I am proud to cosponsor this commonsense solution, not because it is perfect—no piece of legislation ever is—but what it does is it advances the issue in a way that can pass the Senate so the House can take it up and the President can ultimately sign it. That is the only way I know to get something accomplished here.

Everybody needs to get to work. Our Democratic colleagues who voted to shut down the government over this issue now seem unprepared to meet the deadline they themselves insisted upon, even after the majority leader has provided a fair and open process for everybody to participate. So everybody needs to get to work. Our colleagues have known for a while that this was coming. They asked for this debate, but they have not yet filed any proposed legislation. I am wondering what the holdup is.

Here is the bottom line. I am not interested in gamesmanship for gamesmanship's sake, political theater for political theater's sake, or ideas that can't become law. As the President said 2 weeks ago, the ultimate proposal must be one where nobody gets everything they want but our

country gets the critical reforms that it needs. About 124,000 young people hope we can rise to the occasion. Just in my State alone, there are 124,000 DACA recipients who hope we can rise to the occasion and take advantage of the tremendous, generous offer President Trump has made in a bill he said he would sign into law if we were able to pass it in the Senate and in the House and get it on his desk.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. REED. Mr. President, last September, President Trump took it upon himself to create an economic, humanitarian, and political crisis by rescinding the Deferred Action for Childhood Arrivals Program, or DACA, without proposing a serious solution for the nearly 800,000 DACA recipients who now face deportation. These people and their families have had to endure fits and starts of uncertainty as Democrats and some Republicans have worked tirelessly to advance the Dream Act and other fair and reasonable compromises authored chiefly by my colleagues, Senators DURBIN and GRAHAM, also supported by the Presiding Officer, only to have President Trump and the Republican majority find every way to say no, or to stall the process.

This week, however, the Senate has an opportunity to address the panic and stress the President caused, not just for those on DACA and their families, but also for our Nation's businesses and our broader economy. I thank my colleagues on both sides of the aisle for this chance for an open debate on a solution for Dreamers. In particular, I again thank Senator DURBIN, Senator GRAHAM, and Senator FLAKE for their advocacy and efforts to find a bipartisan compromise. I thank Leader SCHUMER for his leadership in pushing for a resolution, and Leader MCCONNELL for keeping his commitment to have this debate. I thank them all.

The basic facts of this debate are clear. The American people overwhelmingly support finding a solution for Dreamers that protects them from deportation and provides a pathway to citizenship for those who work hard and play by the rules. I believe that a bipartisan majority of my colleagues want the same thing. The question before us is whether the partisanship and raw feelings surrounding this debate will prevent a solution to this crisis from becoming law. So I urge my colleagues: Let us forge the bipartisan agreement that the American people want and the Dreamers deserve. Let us end this crisis. Then, after this bipartisan show of good faith, let us again take up the kind of comprehensive immigration reform that many of us in this body have already voted to pass so we can fix our broken immigration system once and for all.

I do not believe, however, that solving the DACA crisis, which President Trump in a sense created, should come at the cost of radically restructuring legal immigration. According to the conservative Cato Institute, President Trump's immigration proposals in exchange for resolving the DACA crisis would result in an approximate 44-percent reduction in legal immigration. This would be the largest cut to immigration in nearly a century. In addition to the profound effects such a cut would have on American families, culture, and opportunities, it would also level a massive blow to the American labor force and economic growth.

According to the Cato Institute and the independent research firm Macroeconomic Advisers, slashing legal immigration by about half could initially cut our projected economic growth rate by 12.5 percent in the next year or two. That would be a significant blow to our economy, and it could lead to further reduced economic growth projections down the line due to the reduction in the size of the American workforce. And, just as our Nation faces a skyrocketing deficit due to the impact of policies like the Republican tax plan, the National Academy of Sciences estimates that immigrants, on average, contribute over $92,000 more than they receive in government benefits over the course of their lives, and losing these American workers would only further shrink revenue that could help balance the budget.

If Congress decides to take on immigration reform of this magnitude, it must be in the context of bipartisan, comprehensive immigration reform, and not in the context of resolving this crisis that has been prompted by President Trump.

Nor should this discussion suggest that a desire to do the right thing by Dreamers somehow indicates a lack of appreciation for the importance of securing our borders. I believe my colleagues on both sides of the aisle agree that border security is of critical importance to our Nation. I have voted to increase the vetting of visa applicants, to heighten security on international travel, and to increase support for homeland security and border control by billions of dollars. In Fiscal Year 2000, there were 8,619 Border Patrol agents on the southwest border. Today, there are currently just shy of 20,000. The Obama administration alone added more than 3,000 Border Patrol agents on our southern Border, doubled the amount of fencing, and added technological systems, including aerial and ground surveillance systems. Unlawful immigration began lessening under President Obama, and today, fewer people are entering the country illegally across the U.S.-Mexico border than in the past 50 years. I believe in a strong border that continues to adapt the best technologies and tactics to keep our Nation safe. What I do not believe in, however, is symbolic action, like the construction of a wall that would drain taxpayer dollars without making Americans any safer.

There is a reason that Americans on both sides of the political divide have spoken out against deporting Dreamers. A great many of these young people are outstanding and accomplished, and our communities would feel the loss of all that they contribute. It is true that they were brought here as children outside the appropriate processes, but this was through no fault of their own. As they have grown up here, they have pursued higher education, started American families, worked hard and paid taxes, and stayed out of trouble with the law. They have passed background checks, been fingerprinted, paid hundreds of dollars in fees, and submitted detailed records to immigration enforcement officials whose job it is to prevent fraud and spot any criminals in the system. Indeed, DACA status is not blanket amnesty or an entitlement, but is something that must be earned and kept up.

Hundreds of DACA recipients served in the U.S. Armed Forces, like Zion Dirgantara, whose mother brought him and his brother from Indonesia to Philadelphia when they were young, and who did not know about his undocumented status until he applied for a driver's license. Last fall, Zion told the Washington Post that he was deeply affected when, at age 12, he watched the crash of United Flight 93 in his new home State of Pennsylvania on September 11, 2001, but he could not join the Army out of high school because of his undocumented status. Because of DACA, he was able to enlist in the Army, but both his status and his ability to continue serving his country hang in the balance during this debate.

Many of my colleagues have spoken movingly and eloquently about the Dreamers who have come forward to tell their stories. I associate myself with their remarks, and challenge my colleagues who have not met these young people in person to listen to their stories and perspectives. Over the last few months, I, and my staff, have had the opportunity to meet several very impressive Dreamers living in Rhode Island who have illustrated what the loss of DACA means to them and their families. I met one young woman studying at Brown University who needs DACA to ensure that she can stay here to attend medical school and help fill the shortage of doctors in America. Another young man I met told me that DACA, for him, means being able to drive to school and work every day to save up for advanced education.

These young people want to live productive lives and, indeed, according to the Center for American Progress, letting DACA expire completely would

cost our Nation's economy over $460 billion over the next decade, including an annual loss to Rhode Island's economy of an estimated $60 million. Finding a solution for these people is not just the right thing to do, but it also makes smart economic sense, and I believe that is part of the reason why the American people are largely in agreement on helping Dreamers.

I also wish to note that this same moral and economic sense applies to the need to provide deportation relief and legal status for qualified recipients of Temporary Protected Status, or TPS, and Deferred Enforced Departure. These individuals came to America from devastated parts of the world seeking safety and a fresh start, and they have become integral members of our community and our economy. Like DACA recipients, they have passed rigorous and periodic background checks, paid hundreds of dollars in fees, and demonstrated that they are not risks to public safety or national security. The average TPS beneficiary has been in America for 19 years and many have been here even longer. About 70 percent to 80 percent are employed, and they are collectively parents to nearly 275,000 American citizen children.

Since 1999, I have been fighting for a pathway to citizenship for Liberians who came to States like Rhode Island to escape two bloody civil wars and the Ebola virus outbreak. Some of these Liberian refugees have been fixtures of our community for nearly 30 years but, like DACA recipients, they could face deportation in a number of weeks because of the expiration of TPS and DED protections. Congress can and should include these populations in the solutions we discuss here this week.

Mr. President, I, along with many of my colleagues, have taken the tough votes to strengthen our border and ensure immigrants play by the rules. I have voted for the DREAM Act and for comprehensive immigration reform that passed in this body. I know that we can address this crisis if we choose to, but I also know that the only true path forward is real bipartisan compromise, not posturing or legislative gamesmanship. I urge my colleagues to support compromise legislation to address the specific crisis before us and, when we have done that, to begin earnest discussions on bipartisan and comprehensive immigration reform.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for my 197th ''Time to Wake Up'' speech. My poster board is getting a little dog-eared, but we keep moving doggedly along.

Last week, I spoke about corporate America outsourcing its lobbying to the U.S. Chamber of Commerce—a determined enemy of any action on climate change. When pro-climate companies support the chamber, they support its anti-climate lobbying, its anti-climate election spending and threatening, and they enable the chamber's anti-climate stranglehold with the fossil fuel industry on Congress.

The chamber is not alone in its anti-climate advocacy on behalf of corporate America. Another big Washington trade association obstructing climate action, despite having been a pro-climate action member, is the National Association of Manufacturers, often called NAM.

Over the last two decades, NAM has spent more than $150 million lobbying the Federal Government, and each year, NAM lobbies extensively for the fossil fuel industry.

Here are some of the greatest hits of NAM's fossil fuel lobbying.

NAM lobbies to expand offshore drilling in the Atlantic, Gulf of Mexico, Pacific, and Arctic. I wonder how many of its members want to be out there supporting offshore drilling in all those areas.

NAM advocates for the continued use of coal in the electric power and industrial sectors. There is not a congressional district left where a majority of voters don't want coal-plant emissions regulated. Yet there is NAM.

NAM lobbies to roll back fuel economy standards that save consumers billions of dollars at the pump. Never mind that the equipment that keeps cars cleaner is manufactured; the National Association of Manufacturers is opposed.

NAM sent what it calls a key vote letter to all Members of Congress urging repeal of a rule to protect streams from mountaintop removal coal mining pollution. More on that in a moment.

NAM urged the Trump administration to withdraw from the Paris Agreement. More on that in a moment too.

Finally, NAM opposes any efforts to put a price on carbon pollution.

Back to that key vote letter. ''The NAM's Key Vote Advisory Committee has indicated that votes on H.J. Res. 38, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 115th Congress.'' This letter warns Members of Congress to vote the way the group wants or risk losing out on its endorsements and all the campaign support that goes with it. Who knows—run up a bad enough score and NAM may support your opponent.

Well, you would think protecting streams and drinking water from pollution from coal mines would be nothing but common sense. Streams fouled by coal mining waste literally run orange. This is the actual photograph; this is not a black-and-white photograph that has been color-corrected. This stream is running orange. As one West Virginia woman whose local stream was contaminated told the New York Times, ''Orange is not the color of water.'' But NAM and its fossil fuel allies opposed those clean water protections. Why? Where is the manufacturing value in streams that look like that? Follow the money. Look at the National Association of Manufacturers' major donors. A lot of the usual suspects—coal companies, oil companies, and Koch-owned oil production companies.

But here is what is strange. There are also a lot of companies that care about climate and sustainability that fund the National Association of Manufacturers. Just look at the pharmaceutical and healthcare sector. Bristol-Myers Squibb, Eli Lilly, Johnson & Johnson, Novartis, Pfizer, and UnitedHealth all belong to and fund NAM. If you go on their websites, you will find them urging people to live healthier, longer lives. So why are they lobbying through NAM to let coal companies make streams look like this? You will find these companies, on their websites, touting their commitments to sustainability and to reduce carbon emissions. So why are they lobbying through the National Association of Manufacturers against climate policies they actually support?

The National Association of Manufacturers rather inexplicably opposes all serious climate action. In particular, it opposes putting a price on carbon emissions. It even funded a debunked study that claimed putting an economy-wide price on carbon would cost millions of jobs. It lobbied for a legislative amendment making it more difficult to begin pricing carbon. But look at NAM's own member companies that are already pricing carbon emissions. Archer Daniels Midland, Cargill, Corning, Microsoft, and Stanley Black & Decker all apply a price on carbon in their own internal management and accounting. They understand that pricing carbon doesn't kill jobs. They understand that pricing carbon makes economic and environmental sense.

Here in Congress, what we see is NAM claiming to represent them but actually carrying water for the fossil fuel industry and waging full-scale war on good climate policy. Just like with the chamber's pro-climate members, we see essentially no pushback when the ostensible mouthpiece for these companies lobbies against these companies' stated position. Why would you, as a big American corporation, take a position on a very big issue and then delegate your lobbying to an entity in Washington that is opposed to your stated position? Indeed, we see virtually no corporate lobbying by anyone for good climate policy. Even companies with an internal carbon price don't lobby for a carbon price.

The American Opportunity Carbon Fee Act, which Senator SCHATZ and I have introduced in the last two Congresses, would create an economy-wide price on carbon emissions, using market forces to dramatically reduce

greenhouse gas emissions, protect our future, and improve public health. It would be border adjustable to protect American companies from unfair competition abroad, and it would return all of the revenue it raised to the American people. Liberal and conservative economists agree that this is the best way to tackle climate change. But the National Association of Manufacturers, on behalf of its fossil fuel allies, opposes us. It protects at all costs the massive market failure that allows the fossil fuel industry to duck the costs of its pollution. That is market failure 101.

It is not just that. NAM opposed cap and trade. NAM opposed the Paris Agreement. NAM sued to stop the Clean Power Plan. NAM supports the climate deniers of the Trump administration. They have no alternative, no better idea, no other way that they want to address the climate crisis; they are just against any serious action on climate change.

Archer Daniels Midland, Cargill, Corning, Microsoft, and Stanley Black & Decker are members of NAM. All of them supported the Paris Agreement, but all this time, they continue to fund the National Association of Manufacturers. It doesn't make any sense. These companies are already pricing carbon. They know it is good policy. They support the Paris Agreement. Yet they fund the trade advocacy group that is pulling out all the stops to kill the policy they support and the agreement they support. I asked last week, and I will ask again: When is the cavalry going to get here?

Lots of pro-climate companies fund the National Association of Manufacturers' anti-climate crusade. It is bizarre, but it is true.

Intel says it ''believes that global climate change is a serious environmental, economic and social challenge that warrants an equally serious response by governments and the private sector,'' but Intel funds NAM as NAM fights any response by governments.

KPMG has an entire practice area devoted to advising companies on the emerging risks and hazards of climate change, but KPMG funds NAM as NAM ignores and talks down those very hazards.

McCormick is focused on reducing its carbon emissions and, like a lot of good companies, even expects its suppliers to do the same, but McCormick also funds the National Association of Manufacturers.

Pernod Ricard is committed to reducing its carbon emissions, but Pernod Ricard funds NAM.

Procter & Gamble says:

> As a global citizen, we are concerned about the negative consequences of climate change. We believe industry, governments, and consumers can work together to reduce emissions to protect the environment.

That is what they believe, but they fund the National Association of Manufacturers, which tries to stop any such effort.

Verizon is so concerned about climate change that it has reduced its own emissions by over 50 percent, but Verizon still funds the National Association of Manufacturers.

I could go on, but you get the picture. Company after company claims that addressing climate change is their priority, and many do great things—truly great things—inside their fence lines and in many cases even out their supply chains, demanding sustainability compliance out their supply chains. But here, where the rubber hits the lawmaking road in Congress, the corporate support is for groups leading the war against climate action here in Washington, and virtually none of the companies show up here on the other side.

It is not as though they say: OK, I will support the National Association of Manufacturers and their efforts to obstruct any climate action, but I am going to come down and make clear on my own, in my own lobbying, that we want climate action. I am going to offset the lobbying that this group I fund does against the position I espouse.

No, they don't do that. They almost never come in on their own to support good climate policy to counterbalance what their own advocates are advocating when their own advocates are advocating against them, which explains why the fossil fuel guys keep on winning here in Congress. It is easy to win when the other side doesn't show up or, if they do, shows up wearing your jersey.

Here is how bad it is. The National Association of Manufacturers and the chamber and the fossil fuel industry hired a bunch of Washington lobbyists to create a fake consumer group called the Consumer Energy Alliance. This fake consumer group then created a fake initiative in Kentucky called—these names are always so comical—Kentuckians for Solar Fairness. What is the goal? The goal is to support Kentucky legislation making it harder for consumers to sell rooftop solar power back to the big utilities.

NAM is behind this scheme. Why? If you are Johnson & Johnson or Cargill or Corning or Microsoft or KPMG or Procter & Gamble, why do you want to be associated with a scheme like this? Remember, this is ostensibly the National Association of Manufacturers. Out in the real world, there is a lot of manufacturing going on in renewable energy.

We manufactured offshore wind turbines in Rhode Island's waters. Rhode Island boat builder Blount Marine even got the contract to manufacture the new boat to get technicians out to service the manufacturer turbines. The framing on which our offshore wind turbines stand was manufactured in Louisiana. Solar arrays are manufactured and installed all around the country, providing more American jobs than coal. In Texas alone, solar provides nearly 9,000 jobs, and more than 1.6 gigawatts of solar capacity has been manufactured and installed in Texas. Go to Iowa, where one-third of their electricity is from wind, and look how much ground-based wind turbine manufacturing and maintenance is going on—really good jobs.

Why is the National Association of Manufacturers so violently opposed to manufacturing in the renewable energy industry? Why does NAM get involved in a Kentucky utility regulatory issue with nothing apparent to do with manufacturing? Why is the National Association of Manufacturers exactly and perfectly aligned with the fossil fuel industry and not its own membership on so many issues?

In Washington, the fossil fuel lobby is relentless. They have a bad name and an obvious conflict of interest, so they like to do their political dirty work through groups like the National Association of Manufacturers and the U.S. Chamber of Commerce.

I get it. Disguise is an age-old tactic. But why does corporate America put up with having its trade association used as disguise to fight climate action and to get involved in State quarrels that benefit only the fossil fuel industry?

The effect of corporate America allowing its trade groups to be captured by fossil fuel interests is that corporate America is now, for all practical purposes, collectively united against climate action in Congress. Say whatever they say on their websites; do whatever they do within their fence lines or out their supply chains; sign whatever they sign by way of letters and advertisements; that is all good, but when it comes to Congress, where the lawmaking rubber hits the road, corporate America is collectively united against climate action, either through direct antagonism like the fossil fuel industry or by letting antagonists like the National Association of Manufacturers and the chamber be their lobbying intermediaries and erase their good climate policies by the time they get to Congress and replace them with the fossil fuel industry's climate denial or by simply ducking the fight and not showing up on game day.

If we are going to meet America's responsibilities and finally pass good climate policy, we are going to need everyone, including corporate America, to do their part. Right now, fossil fuel interests from corporate America are all over the field, armed and ready for battle, and the good guys are not even showing up at the game.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

RURAL HIGH-SPEED BROADBAND

Mr. PETERS. Mr. President, a community built without access to drinking water would never be expected to grow and thrive. Parents wouldn't move their children to a home where they don't have running water for bathing and for drinking. Restaurants wouldn't be able to cook and keep their kitchens clean. Manufacturers

wouldn't build new factories where they couldn't access water for cooling and other types of processes. Simply put, a community without access to water would fail.

Being connected to high-speed broadband in the 21st century is as critical to the prosperity of rural communities as being connected to running water. I have seen it firsthand. While meeting with Michiganders in Barry County, we discussed recent economic development. Part of the county is seeing new construction of homes, the creation of new businesses, and an influx of young families. The other part of the county has seen much more limited growth. You can guess which part of the county is set up for broadband and which isn't.

My constituents from Barry County know that high-speed internet is the key to economic growth, educational opportunity, and access to limitless services, information, and ideas. Our rural communities and our Nation as a whole are now at a crossroads. We have the opportunity to level the playing field for all Americans by making the right investments, right now, in rural communities across our Nation. These towns are not connected to broadband by choice. They are not connected to broadband because it is simply too expensive to deploy in these geographic areas.

Local city councils in rural areas must struggle to fund broadband projects themselves or they struggle to convince providers that it makes economic sense to invest in their communities, especially in places where populations are small or spread out. While deployment can be expensive, high-speed broadband is not a luxury. It is critical infrastructure. High-speed broadband is critical infrastructure the same way that the pipes that carry our water and the wires that carry our electricity are critical infrastructure.

The Federal Government has a role to play in infrastructure when it comes to the national deployment of life-changing, critical innovations. We have been here before. In the 20th century, the United States faced a parallel challenge with the deployment of electricity. It took strategic Federal action to bring electricity to less populated rural areas. These commonsense investments raised our overall standard of living and spurred productivity in an agricultural sector that was at risk of falling behind urban-based industries.

If we can successfully electrify a nation, then we have no excuse for not connecting it to the internet in the modern era.

Rural electricity was the breakthrough in the 20th century. Universal high-speed broadband will be the breakthrough of the 21st century, provided we invest in it. Any serious national infrastructure package needs real Federal investment in rural broadband.

Unfortunately, the Trump administration's infrastructure proposal utterly fails to recognize the urgency for robust connectivity nationwide, especially for communities caught on the wrong side of the digital divide. The administration's plan fails to provide any dedicated funding for rural broadband. Strategic Federal investments are needed to fill in the gaps for States and local communities struggling to keep up with the internet demands of today, let alone getting ahead of the connectivity demands of tomorrow. This administration's infrastructure proposal would only create more gaps.

Although the administration is advertising their infrastructure proposal as a $1.7 trillion plan, $1.5 trillion of it would fall on the backs of cash-strapped State and local governments. If this is all they are proposing, this is simply a lost opportunity. If this is all they are proposing, this administration is setting up our communities for failure.

What are they actually proposing? They are proposing toll roads and hiking State and local taxes. They aren't even being subtle about this. It is in black and white. The administration's plan says: ''Providing States flexibility to toll existing Interstates would generate additional revenues.''

Michiganders did not send me to the U.S. Senate because they want toll roads and higher local taxes. As a candidate, President Trump promised real Federal investment in communities across our great Nation. Now this administration is offering up State and local taxes and tolls to pay for roads, bridges, waterways, and zero dedicated dollars—zero dedicated dollars—for broadband expansion.

As I said earlier, any serious national infrastructure plan needs real Federal investment in rural broadband. Universal broadband means rural prosperity, continued economic growth, and international competitiveness. We must invest in this goal in order to reach it.

I urge my colleagues to join me in making real investments in rural high-speed broadband a top priority in any infrastructure legislation. All of our friends, family members, and neighbors in rural communities across our great Nation are counting on us to deliver this.

I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Maryland.

Mr. CARDIN. Mr. President, I want to share with my colleagues a concern I have about a group of people who are legally in this country and have a similar problem as the DACA registrant Dreamers who we need to pay attention to. I am strongly in support of passing legislation to protect DACA and Dreamers. I will talk a little bit about that also.

There is a group of individuals who have been in this country for a long time—similar to the Dreamers—who know no other country but the United States of America. They are legally here. They also have a date on their back as a result of the Trump administration, in some cases, not renewing what is known as temporary protected status; in other cases, it has deferred that decision making on the extension of temporary protected status.

In 1990, Congress passed legislation that authorized the creation of the TPS program. We recognized that there were times in which armed conflict or environmental disasters or other extraordinary circumstances would present itself where individuals would not be safe in their home country, and they would be permitted to legally come to the United States under this protected status. I would like to call it ''humanitarian protected status'' because these conditions have continued in many of these countries for decades.

Many of these people have been here for decades because the circumstances in their home country have not changed. Administration after administration has renewed their protected status, and they have been permitted to live here legally, to be able to work and go to school. They serve in our military. They have served our Nation very, very well.

The numbers are smaller than those of the Dreamers. The total number is approximately 437,000. The largest country by far is El Salvador, which is 195,000; Honduras, about 57,000; and Haiti, about 50,000.

I think Members of Congress are fully aware of the circumstances in Central America and recognize the fact that, for many families, it was not safe for them to stay in their countries because, if they had, their children would have either ended up in gangs or have been murdered and that the economic circumstances in these countries had not allowed for economic opportunities for their families. As a result, the United States welcomed them here in a protected status, and they have become part of our economy.

For the State of Maryland, this number is actually larger than the Dreamer category. We have 22,500 who are in the TPS status—97 percent from El Salvador, Honduras, and Haiti. It has been estimated that this group has contributed $1.2 billion to Maryland's GDP. They have been in our country for decades. The young people particularly know no other country than the United States of America. It would not be safe for them to return to their countries.

We have information about that, and I call it to my colleagues' attention. The process in going forward on extending the TPS status is that we first get the recommendation from our Embassy in the country itself. In this case, I had a chance to review the recommendations from the Embassy, and it is clear that our experts on the ground in the country felt that these families should be able to remain in the United States. There are many reasons for that.

One is the bilateral relationship with the country itself, in which the country has asked us not to return these individuals to the country because it cannot handle this population's returning to the country. They don't have jobs, and the infrastructure in the country will not handle that. I think we are all familiar with Haiti and how devastated it has been by storms. It literally does not have the capacity to be able to handle the return of the Haitians. It would be an incredible burden on the country of Haiti, and there are no jobs available for these individuals.

I think all are familiar with what happened with the returning of certain individuals to Central America. If we force deportation, make no mistake about it, the individuals who have been law-abiding here in the United States, who have been adding to our economy, who are part of our social fabric, and who believe that they are Americans will be returned to an environment in which they are going to be vulnerable to the intimidation of gangs, and they will be without employment. Many will have no choice but to choose to either join a gang or be subjected to the type of intimidation and violence that one's standing up to the gang brings not only to oneself but to the members of one's family. That is something that we should not be allowing.

There are also economic reasons for which there have been recommendations to continue this program. The challenge is that they now have dates on their backs because of the decision in some of these countries not to extend the TPS status by the Trump administration.

These are very similar circumstances to those of the Dreamers, but it doesn't quite have the same amount of attention around the Nation. These individuals are legally in this country. They came here legally, but they have been here for the same length of time, and they are part of our fabric, which is the same as the Dreamers. It is for that reason that the right result is to protect their legal status here in the United States and to give them a pathway to citizenship so that they can become legal citizens of the country they know as home.

S. 2144, the SECURE Act, was introduced by me, Senator VAN HOLLEN, Senator FEINSTEIN, and others in order to accomplish that. I hope that, during the debate that we are having here, we will find a way to incorporate protection for these 437,000 people who are legally here so that they know their futures are here and that they are protected in the workforce.

As I said, it is very similar to the Dreamer issue. We know that the Dreamer issue—the crisis, the March date that we are facing—was created by the President of the United States. The DACA Program was created by President Obama on June 15, 2012. Since that day, we have had about 800,000 people who have been registered under the DACA Program. They are now legally working, attending schools, and are able to operate motor vehicles. They are, clearly, our future teachers, our doctors, our engineers, and our entrepreneurs. They are very much a part of our economy. In Maryland we have 10,000 who have registered under the DACA Program. They have contributed $500 million to Maryland's GDP.

For so many reasons, it would just be common sense for us—I would think without too much controversy—to pass a bill that would say to, I believe it is, a total of 1.8 million: We know that you know of no other home but America. We welcome you. We are going to pass legislation that protects your status and gives you a pathway to citizenship.

We do that because America doesn't tear families apart. We don't say to people who know no other home but America that we don't want them to stay here. That is what we stand for as a nation. These are the values that make America the strong nation that it is. By the way, these individuals are contributing to the growth of our economy, and all of us benefit.

Over the last several months—over a longer period than that—I have been in the company of many of the Dreamers and many of the people holding TPS status. I have been at roundtable discussions during which we have had opportunities to listen to their stories about how they view America as their home.

One said that the best birthday present she ever received was when President Obama passed the DACA Executive order—when she knew that she had a future in America. Others have told us stories: Without the protection under the DACA Program, one never could have gotten a driver's license and, therefore, never would have had an opportunity to advance in our economy. Others have attended our colleges.

The interesting thing is that I have been in many meetings on college campuses in which, for the first time, students have recognized that their fellow student had been a Dreamer. They hadn't known that. They had just known him as one of their classmates in school. I have been in businesses when, for the first time, employees had discovered that one of their colleagues happened to be a Dreamer. They hadn't known that. They had just known him as a fellow employee.

This is widely supported. It is important for our economy and important for our values to keep the families together, and the American people support us on this. Poll after poll shows that Americans believe that those Dreamers should be protected here in the United States.

I include statements that I have received from Prince George's, Anne Arundel, Howard, and Montgomery Counties and Baltimore City school superintendents.

They wrote:

> Maryland is a national leader in providing students with a world-class education. Essential to our success is our commitment to providing children in our schools with a safe and welcoming environment to learn. Termination of DACA will have direct and damaging effects on the Maryland students who are current beneficiaries.
>
> It is a direct threat to Maryland's economic stability and safety, as it will strip students of their ability to work and drive legally, pay taxes, and pursue post-secondary opportunities. Parents who lose work authorizations will face deportation or be moved into a dangerous underground economy, causing financial uncertainty for their families and harmful stress on their children—our students. In addition the DACA decision could impact our ability to motivate our youth to remain committed to their education and pursuing college or careers, and will lead to worsening economic hardships of our DACA community.

I have seen many letters of support and many testimonies from both—those with TPS and the Dreamers—but I emphasize the one letter that I received from the Law Enforcement Immigration Task Force, which is cochaired by the Montgomery County police chief, Tom Manger. What he said, I think, is very important. There are a lot of reasons we should be protecting TPS recipients and DACA recipients, but he wrote:

> We are concerned that, absent action by Congress, the Dreamer population will be driven back into the shadows and be hesitant to report crimes or cooperate with investigations. Such an outcome would risk undermining community safety.

We are not safe by people going into the shadows. This is the United States of America. Why would we want people to try to hide from us? That is not the country we are. We do not create fear in the hearts of law-abiding citizens. These are law-abiding citizens. They have sisters and brothers who are U.S. citizens. They have other family members, some of whom are TPS recipients, some of whom are Dreamers, and some of whom are U.S. citizens. We don't tell families that we are going to tear them apart. That is not what America believes in. These are all individuals who have gone through security checks. These are people who have been law-abiding—complying with our laws—working, serving in our military, building this country.

I know that the first order of business is to make sure that the Dreamers are protected. I strongly support that and would vote for a bill on the floor right now, tonight, which has been introduced by some of our colleagues, that protects the Dreamers, in and of itself, with nothing else connected to it. We should do it, and it shouldn't be controversial. I also urge us to make sure that we take care of those who are in TPS status. It is a smaller group, and it doesn't have the same degree of national attention, but this is about the same values and the same economic concerns, the same families and the same issues.

I hope we can find a way in which we can include both the Dreamers and TPS recipients in protecting their status here in America and giving them

pathways to citizenship because it is the right thing for them, the right thing for their families, the right thing for our Nation, and the right thing for our economy.

I know that my colleague from Maryland is on the floor. He has been one of the great leaders on this issue. I know he has met with many from the community who are in both the Dreamer and the TPS status. I have joined him at meetings around Maryland in which we have talked to the families. Through the Presiding Officer, I personally thank my colleague for all of the work he has done in order to bring this issue to the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. I thank the Presiding Officer.

Mr. President, I start by thanking my colleague from the State of Maryland, Senator CARDIN, for his leadership on many, many issues but, especially, as we gather here on the Senate floor to discuss the Dreamers and immigration issues, including the folks who are TPS recipients. I thank him for his leadership in Maryland and around the country on these vital issues.

I think the country understands how important it is that we provide the Dreamers with a secure future. These are individuals who have grown up in our country. They know no other country as home. They have been in classrooms with our kids. They have pledged allegiance to the flag. They are now students in college or individuals working in businesses. Some of them are small business owners. Many serve in our Armed Forces. It would be disgraceful if, after welcoming these young people, we were to cast them away.

Unfortunately, last September, President Trump lit the fuse on the deportation of the Dreamers, and that clock has been ticking every day and every month as we approach the March 5 deadline. So we as a Senate—as Republicans and Democrats but, more importantly, as Americans—need to come together and finally do our work so that we operate as a body that can help solve problems in this country. Part of that is making sure that these Dreamers have a secure home and a pathway to becoming full citizens here in the United States of America.

Just the other day I was talking to the president of the University of Maryland. We have a number of DACA recipients who are there training to be engineers, training to be doctors, and people who are looking forward to participating in the only country they know, the United States of America.

I wish to turn now quickly to people who are here under what is called temporary protected status. These are individuals who are in the United States and could not return home because of disasters in their home countries, whether by earthquakes or hurricanes or other events that made it impossible to return home because their homes had been destroyed or other circumstances had changed that made it impossible for them to return. We, the United States of America, granted these individuals temporary protected status. These are individuals who are in the United States legally, and many of them have been here for over two decades. In the case of El Salvador, we have most people who are here from El Salvador on temporary protected status since the year 2000. They have families here. They are small business men and women, and they are working productively in our communities. In the case of Honduras, it was even earlier, 1998.

Senator CARDIN and I and others have introduced legislation called the SECURE Act, which would also provide security here in the United States for these individuals on TPS status. Unfortunately, a series of decisions coming down from the Trump administration has put the future of these individuals in jeopardy.

The clock is also ticking on many of these people who have been here for more than 20 years toward deportation. These are individuals who are, again, working here legally and are contributing to our communities. I believe that as Americans we should recognize that it is important that we provide a secure future for them as well. That is why we introduced the SECURE Act.

So I am hopeful that as we debate a secure future for the Dreamers, we also find a way going forward to provide a secure future for those who are here under TPS.

It seems to me that the answer is in plain sight. The answer is making sure that Dreamers have a secure future, providing a path to citizenship as long as they meet all of the requirements, and that we ensure we have border security. I don't think there is a Senator in this body who does not believe that the United States has to have strong and secure borders. The debate has always been what is the smartest, most effective, most cost-efficient way to provide for border security.

I hope nobody is interested in wasting taxpayer dollars on things that don't work. It seems to me that we should be about the business of finding the most cost-effective way to ensuring that border security. As we do that, we should be listening to the experts as to what works and what does not work. Unfortunately, we have seen more focus in recent months on things that cost a lot of money but don't really significantly improve our border security. I am hoping that we can come together and have a rational conversation about how we can secure our borders in the most cost-effective way.

This is a moment for the Senate to really stand up and do its job. I think if you look at those two issues—a path forward for the Dreamers with a path toward citizenship for those who meet all the requirements and that we find a way to do smart, cost-effective border security—then, that is clearly the way forward. I do hope that as we consider those two important priorities, we also come together and find a way forward for people who are here on temporary protected status, because in my conversations with Republican Senators, they recognize that for these individuals—who are here legally, working in the country, and having been here for an average of 20 years—we should find a way to make sure they have a secure future here.

We may want to look at ways to reform TPS going forward, and we can have that discussion, but for those who are here now and have been living in the United States for decades and working, let's find a way to provide a secure future for them as well. This is going to be a test for the Senate—hopefully, in the coming days, but if not, in the coming weeks, and I hope we can get the job done.

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. MCCONNELL. 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. MCCONNELL. Mr. President, I ask unanimous consent that the motion to proceed to H.R. 2579 be agreed to; that Senator TOOMEY or his designee be recognized to offer amendment No. 1948 and that Senator COONS or his designee be recognized to offer amendment No. 1955; further, that the time until 8 p.m. be equally divided between the leaders or their designees and that following the use or yielding back of that time, the Senate vote on the amendments in the order listed, with 60 affirmative votes required for adoption, and that no second-degree amendments be in order prior to the votes; finally, that if any of the amendments are adopted, they become original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection?

The assistant Democratic leader.

Mr. DURBIN. Mr. President, reserving the right to object, there have been meetings going on all day on a bipartisan basis to try to resolve the issue before us, which was the President's decision to end the DACA Program effectively March 5 of this year. I believe progress is being made. I hope we can continue along those lines. The proposed amendment by the Senator from Pennsylvania does not address this issue, and for that reason, I object.

The PRESIDING OFFICER. Objection is heard.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the en bloc consideration of the following nominations: Executive Calendar Nos. 155, 261, and 469.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Adam J. Sullivan, of Iowa, to be an Assistant Secretary of Transportation; Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration; and Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to consider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Sullivan, Batory, and Martinez nominations en bloc?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

ADDITIONAL STATEMENTS

TRIBUTE TO KELLY MCCUTCHEN

● Mr. ISAKSON. Mr. President, today I am proud to honor in the RECORD a dedicated Georgian who has devoted his life's work to our State.

Mr. Kelly McCutchen has spent the last 25 years of his career guiding the direction of one of Georgia's respected think tanks, the Georgia Public Policy Foundation. Most recently, Kelly served as CEO of the organization. Prior to taking the helm in 2010, he was the organization's vice president, and he remains as a member of its board of trustees.

At the Georgia Public Policy Foundation, Kelly helped create the Civic Renewal Project that highlights the work of outstanding community-based organizations, the No Excuses program to recognize and study high-achieving, high-poverty public schools, and the foundation's award-winning statewide report cards on education, crime, and taxes.

In January 2018, the foundation was named one of the best independent think tanks in the 2017 Global Go To Think Tank Index Report. During his tenure, the foundation was also named No. 1 for ''highest integrity'' and No. 3 for ''most knowledgeable among business organizations or State associations in Georgia'' by James magazine in 2004.

A proud third-generation high honors graduate of the Georgia Institute of Technology in Atlanta, Kelly has also served on the Georgia Tech Alumni Association. He is a founder and served as governing board chair of Tech High, a math, science, and technology focused public charter school in Atlanta.

At the Georgia Chamber of Commerce, Kelly served on the education policy committee and the healthcare policy committee.

He chaired the board of the Healthcare Institute for Neuro-Recovery and Innovation Foundation and has also served on the Georgia Science and Technology Executive Committee and on the public policy committee for Metro Atlanta United Way. In addition, he is a policy adviser for the Technology Association of Georgia.

His service to our State has also been seen on the boards of Leadership Georgia and the Conservative Policy Leadership Institute.

Of particular significance to me as chairman of the Senate Committee on Veterans' Affairs, Kelly cofounded the Georgia Warrior Alliance, a nonprofit with the mission to make Georgia the national leader in programs supporting military veterans and their families.

Kelly's wife, Mary Kay Davis McCutchen, has been a dedicated companion and chief supporter of his work and civic engagement. Their son Kelly and daughter Caroline are college students who have wonderful role models to follow in their very special parents.

Kelly McCutchen is a Georgian whom I am proud to know and to call a friend. I applaud his service and wish him the very best as he continues his service to our State in his new role as executive director of the High Impact Network of Responsible Innovators.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 6:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 96. An act to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

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–4326. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Standardizing Phytosanitary Treatment Regulations: Approval of Cold Treatment and Irradiation Facilities; Cold Treatment Schedules; Establishment of Fumigation and Cold Treatment Compliance Agreements'' (RIN0579–AD90) received in the Office of the President of the Senate on February 12, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4327. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Research and Engineering), transmitting, pursuant to law, a report relative to activities under the Secretary of Defense Personnel Management Demonstration Project authorities for Department of Defense Science and Technology Reinvention Laboratories (STRLs) for calendar year 2017; to the Committee on Armed Services.

EC–4328. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to the President's fiscal year 2019 budget request; to the Committee on the Budget.

EC–4329. A communication from the Secretary of the Interior, transmitting proposed legislation entitled ''Reclamation Title Transfer Act of 2018''; to the Committee on Energy and Natural Resources.

EC–4330. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization of State Hazardous Waste Management Program Revision'' (FRL No. 9974–25–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on February 9, 2018; to the Committee on Environment and Public Works.

EC–4331. 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 Air

Quality Implementation Plans; Arkansas; Infrastructure State Implementation Plan Requirements for the National Ambient Air Quality Standards'' (FRL No. 9973–23–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 9, 2018; to the Committee on Environment and Public Works.

EC–4332. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College and Higher Education Grant Programs'' (RIN1840–AD28) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC–4333. A communication from the Acting Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''U.S. Department of Homeland Security Annual Performance Report for Fiscal Years 2017–2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–4334. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the Office's Strategic Plan for fiscal years 2018–2022, the Congressional Budget Justification and Annual Performance Plan for fiscal year 2019, and the Annual Performance Report for fiscal year 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–4335. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting proposed legislation; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–167. A resolution adopted by the House of Representatives of the Commonwealth of Pennsylvania memorializing its support of the Department of Energy's proposed Grid Resiliency Pricing Rule; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 576

Whereas, Electric generation power plants in this Commonwealth that participate in the wholesale electric markets strengthen competition and enhance the resilience and reliability of the bulk power and transmission systems and are vital to the public interest; and

Whereas, The nation's and this Commonwealth's economy, environment and security depend on a reliable, resilient electric grid powered by an ''all of the above'' mix of energy generation resources, including traditional baseload generation that is produced from long-term fuel sources located onsite; and

Whereas, The North American Electric Reliability Corporation, whose mission is to assure the reliability and security of North America's bulk power system, in a May 2017 letter to United States Secretary of Energy Rick Perry warned that ''premature retirements of fuel-secure baseload generating stations reduces resilience to fuel supply disruptions''; and

Whereas, The recent United States Department of Energy Staff Report to the Secretary on Electricity Markets and Reliability made clear that resiliency must be addressed by the Federal Energy Regulatory Commission (FERC) and there is an ''urgent need for clear definitions of reliability- and resilience-enhancing attributes and should quickly establish the market means to value or the regulatory means to provide them''; and

Whereas, The 2014 polar vortex exposed problems with the resiliency of the electric grid when PJM Interconnection struggled to meet demand for electricity because a significant amount of generation was not available to run due to weather-related outages; and

Whereas, Pennsylvania's fuel-secure baseload generation plants employ thousands of workers in high-paying jobs and contribute significantly to State and local economies; and

Whereas, Pennsylvania's coal industry, including coal power plants, is a vital contributor to the State's economy, providing support through direct, indirect and induced impacts, including approximately 36,100 full and part-time jobs, and $4.1 billion in total value added to the Commonwealth's economy; and

Whereas, Pennsylvania's nuclear industry, including nuclear power plants, is a vital contributor to the State's economy, providing support through direct, indirect and induced impacts, including approximately 15,900 in-State full time jobs and $2 billion to the Commonwealth's gross domestic product, and $69 million in net State tax revenues annually; and

Whereas, In addition to the reliability, security, grid resilience and economic attributes, Pennsylvania's fuel-secure baseload coal plants have made significant investments to meet increased environmental standards, helping to improve air and water quality in the Commonwealth; and

Whereas, Pennsylvania is also home to unique fuel-secure coal generation sources that use waste coal as a fuel-source, employing 3,800 Pennsylvania residents and producing 1,500 megawatts of renewable energy, also helping to remove approximately 200 million tons of refuse coal from mine scarred land in Pennsylvania; and

Whereas, In addition to the reliability, security, grid resilience and economic attributes, Pennsylvania's fuel-secure baseload nuclear power plants also provide more than 93% of this Commonwealth's emissions-free electricity and are the only emissions-free, predictable and reliable electric generation source; and

Whereas, Pennsylvania's diverse portfolio of fuel-secure baseload generation resources are vital to our Commonwealth's economic competitiveness, natural environment and public health and safety; and

Whereas, It is in the public interest that fuel-secure baseload generation resources be properly compensated for providing these positive attributes and under the current design of the wholesale electric markets, prices are set-in a manner that undervalues fuel-secure generation resources; and

Whereas, The Secretary of Energy has proposed, for consideration by FERC, a Grid Resilience Pricing Rule with the goal of ensuring our nation's energy security: Therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania acknowledge the grid resilience and reliability benefits that fuel-secure baseload electricity generation resources provide to the residents, businesses and economy of this Commonwealth and assert that fuel-secure baseload generation resources receive proper compensation for these positive attributes; and be it further

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania agree with the goals of the United States Department of Energy's proposed Grid Resiliency Pricing Rule and urge the Federal Energy Regulatory Commission to swiftly implement policies and approve tariff provisions to ensure fuel-secure baseload electricity generation resources receive proper compensation for all of the positive attributes they provide our nation's and this Commonwealth's electric system; and be it further

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania, while expressing support for FERC's swift action to ensure the positive attributes provided by fuel-secure baseload generation resources receive proper compensation in the wholesale market, will continue to exercise the General Assembly's authority to make energy policy consistent with the health, safety and welfare of our residents; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, United States Secretary of Energy Rick Perry, FERC Commissioners, the presiding officers of each house of Congress, each member of Congress from Pennsylvania and the Board of Managers of PJM Interconnection.

POM–168. A concurrent resolution adopted by the Legislative Assembly of the Commonwealth of Puerto Rico requesting the United States Congress and the United States Department of the Interior to take necessary actions to provide for the updating of the various topographic and hydrographic maps of Puerto Rico; to the Committee on Energy and Natural Resources.

S. CON. RES. 1

STATEMENT OF MOTIVES

The United States Geological Survey (hereinafter, the USGS) is a scientific organization that provides unbiased information on the health of our ecosystems and the environment; the natural hazards that threaten us; the natural resources, based on the impact of climate change and land use; and the core science systems that allow us to provide timely, relevant, and useful information.

As the Nation's largest water, earth, and biological science mapping agency, the USGS collects, monitors, analyzes, and provides scientific knowledge on the condition of the natural resources and any problems and issues related thereto. The agency's diverse scientific knowledge enables it to conduct large-scale multidisciplinary investigation, and to provide unbiased scientific information to resource managers, planners, and other customers. Likewise, the USGS works in conjunction with other federal agencies as well as the private sector through official memoranda of understanding and memoranda of agreement in order to fulfill the agency's scientific mission.

The services offered by the USGS are of utmost importance for Puerto Rico. The maps drawn by this entity are used for multiple purposes, such as the identification of drainage basins and the topography, land classification, localization, and the location of water resources, properties, delimitation, etc.

As a matter of fact, the USGS's plans are part of the requirements of the permit process carried out by the government agencies of Puerto Rico. However, the aforementioned maps are not up to date and most of them date back to many decades. As expected, our Island and its topography have been altered in the last forty (40) or fifty (50) years; therefore, it is necessary to amend and update said maps.

The USGS keeps evolving and, in 2010, the agency made changes to its structure in order to focus on or pay special attention to

natural hazards. For such reason, the importance of the accuracy in the records or documents that the agency provides must be recognized. Regarding the USGS's maps of our Island, it is essential that these maps are updated in order to avoid issues in future developments and make an orderly land planning feasible.

In view of these circumstances and through this Concurrent Resolution, this Legislative Assembly hereby requests the United States Congress and the pertinent federal agencies to provide for the updating of the various topographic and hydrographic maps of our Island.

Be it resolved by the Legislative Assembly of Puerto Rico:

Section 1.—To request the United States Congress and the United States Department of Interior to take the necessary administrative and legislative actions in order to provide for the updating of the various topographic and hydrographic maps of our Island.

Section 2.—It is hereby provided that a certification on this Concurrent Resolution shall be issued immediately to be delivered to the United States Congress and the United States Department of the Interior.

Section 3.—This Concurrent Resolution shall be translated into English to be delivered as provided in Section 2.

Section 4.—This Concurrent Resolution shall take effect immediately after its approval.

POM–169. A concurrent resolution adopted by the Legislative Assembly of the Commonwealth of Puerto Rico memorializing the Assembly's opposition to H.R. 4202, the ''Parity in Animal Cruelty Enforcement Act'', to the Committee on Energy and Natural Resources.

S. CON. RES. 28

STATEMENT OF MOTIVES

The sport of cockfighting began in Puerto Rico in the 17th century, when it was officially established on April 5, 1770 by the decree of Spanish governor Don Miguel de Muesas. At that time, cockfighting was already a pastime in most European countries. It was so popular that, during the reign of King Henry VIII, cockfights were held in the Palace of Whitehall, in the courtyards and interiors of churches, and even in the British Parliament. Likewise, cockfights were so popular in France that they adopted the gamecock as their national symbol.

In the United States, some presidents were fans of the sport, among them, George Washington, Thomas Jefferson, Andrew Jackson, and Abraham Lincoln who was known as ''Honest Abe'' due to being a good pit judge. In fact, for many years, it was acceptable and encouraged in the United States for a gentleman to raise game fowls and be an expert at the sport.

Over the years, cockfight bans began appearing all across the Nation. In 1898, the sport was banned after Puerto Rico became a territory of the United States of America, but underground cockfights continued. However, as a result of the fight put up by the third President of the Senate of Puerto Rico, the Honorable Rafael Martínez-Nadal, who was a fan of the sport and defended this Island tradition, then Governor of Puerto Rico, Robert Gore, repealed the ban and promulgated legislation which recognized cockfighting as a legitimate sport in the Island.

As a result of the above mentioned, the rule of law has recognized that the sport of cockfighting has been part of our culture and traditions. According to José S. Alegría, ''the sport of cockfighting was a leveler that made a gentleman out of all those who visited the pits, regardless of their standing in society.'' This sport is known as the ''gentlemen's sport,'' because the people who follow the same keep their word during the competitions, without the need for a contract or a similar document for such purposes.

Although this sport has millions of fans in dozens of countries around the world, Puerto Rico is still considered ''the Mecca'' of cockfighting. The sport is so well established that, unlike many other sports on the Island, cockfighting does not require subsidies from the Government of Puerto Rico. Moreover, it is estimated to generate over twenty-seven thousand (27,000) direct and indirect jobs. Likewise, this sport greatly impacts Puerto Rico's tourism because we receive visitors from Mexico, the Dominican Republic, and other countries who travel to the Island to partake in the sport of cockfighting.

Since its beginnings in Puerto Rico, the sport of cockfighting has faced great challenges and has overcome them. In 2007, the Federal Government passed the Animal Welfare Act[sic], Pub. Law 110–22 which classified as a felony the transport, sale, and purchase of tools and paraphernalia relating to this activity, among other things. At that time, the territories and places where cockfighting was legal were excluded from the application of the Act.

However, HR 4202 was introduced on November 1 of this year, jeopardizing the continuity of this sport in Puerto Rico. On this occasion, the express intent of the bill is to extend the total ban against animal fighting set forth in the ''Animal Welfare Act'' to the United States territories. Moreover, it prohibits the purchase, sale, or transportation of accessories to be used in cockfights, and even imposes penalties of imprisonment. The congress members who introduced this measure consider these types of fights animal cruelty.

It is worth noting that the sport of cockfighting in Puerto Rico is well regulated. For instance, safety measures are taken to guarantee that participating gamecocks wear the same spurs and are of the same age, weight, and bet. Furthermore, pit judges are empowered to stop the fight if they notice either excessive punishment or that a gamecock is not fit to continue fighting. Once the fight is over, both gamecocks are examined by specialized staff and treated accordingly for their prompt recovery. Hence, it is evident that our industry has taken measures to ensure the protection of gamecocks.

The enactment of HR 4202 shall threaten a century-old practice that is deeply rooted in our culture, history, and traditions. Moreover, said bill shall affect various components of our economy that provide services related to this sport, such as veterinarians, game fowl breeders, agricultural stores, and trophies and awards manufacturers, among others. For all of the foregoing, the Legislative Assembly is compelled to firmly and unequivocally reject the enactment of HR 4202, since it does not take into account the adverse effect that such bill shall have on Puerto Rico's economy and culture.

Be it Resolved by the Legislative Assembly of Puerto Rico:

Section 1.—To express the firm and unequivocal repudiation and opposition of the Legislative Assembly of Puerto Rico to HR 4202 of the United States House of Representatives that seeks to apply the ''Animal Welfare Act'' to United States territories and, consequently, prohibits cockfights in Puerto Rico.

Section 2.—A certified copy of this Concurrent Resolution translated into English shall be delivered to the members of the Senate and of the House of Representatives of the U.S. Congress and to the President of the United States of America.

Section 3.—This Concurrent Resolution shall take effect upon its approval.

POM–170. A resolution adopted by the House of Representatives of the State of Michigan urging the President of the United States, the United States Congress, and other agencies to continue efforts to prevent the introduction of new aquatic species into the Great Lakes from the Chicago area waterway system and to consider new research and technologies; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 21

Whereas, The Great Lakes and the people, industries, and communities that depend on them have suffered significant harm from the introduction of aquatic invasive species. Studies indicate that past invasions by sea lampreys, zebra mussels, and other aquatic species likely cost the Great Lakes region more than $100 million annually, with impacts on fishing, power generation, manufacturing, municipal drinking water systems, tourism, and recreation; and

Whereas, The introduction of new aquatic invasive species remains a real and imminent threat. Bighead and silver carp are less than 50 miles from Lake Michigan. If they were to invade the Great Lakes, they could displace native species, disrupt fisheries, and injure boaters, negatively impacting the $7 billion Great Lakes sport fishery and $5 billion Great Lakes boating industry; and

Whereas, There are ongoing efforts by the state of Michigan, the other Great Lakes states, and the federal government to prevent the introduction of bighead and silver carp and other new aquatic invasive species. Among other actions, the Michigan Department of Natural Resources employs active enforcement, outreach, education, and monitoi ing for bighead and silver carp while the Illinois Department of Natural Resources, the United States Army Corps of Engineers, the United States Fish and Wildlife Service, and other federal agencies work to prevent bighead and silver carp from reaching the Great Lakes; and

Whereas, New research and technologies can enhance action already being taken to prevent and control aquatic invasive species. Ozone, carbon dioxide, hot water, sound, and microparticles have all shown promise in preventing an invasion and are being actively studied. Restoring native fish populations may also help support a healthy fish community and provide ecosystem resiliency to limit the spread of aquatic invasive species: Now, therefore, be it

Resolved by the House of Representatives, That we encourage the President and Congress of the United States, the Michigan Department of Natural Resources, the United States Army Corps of Engineers, the United States Fish and Wildlife Service, and other agencies to continue efforts to prevent the introduction of new aquatic species, specifically bighead, silver, and black carp, into the Great Lakes from the Chicago Area Waterway System; and be it further

Resolved, That we encourage the open consideration of new research and the development of new technologies that may provide innovative and effective methods to prevent and control aquatic invasive species; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, President of the United States Senate, Speaker of the House of Representatives, members of the Michigan congressional delegation, Director of the Michigan Department of Natural Resources, the commanders of the United States Army Corps of Engineers Great Lakes and Ohio River Division and Mississippi Valley Division, the Director of the United States Fish and Wildlife Service, and the other members of the Asian Carp Regional Coordinating Committee.

POM–171. A resolution adopted by the Board of Supervisors of Jackson County, Mississippi, supporting continued and increased exploration and production of the Gulf of Mexico, and urging the Bureau of Ocean Energy Management to finalize a 2019–2024 National Outer Continental Shelf Program that maintains and expands access to Gulf of Mexico energy resources; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES ON FEBRUARY 12, 2018

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 92. A resolution expressing concern over the disappearance of David Sneddon, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, without amendment:

H.R. 535. A bill to encourage visits between the United States and Taiwan at all levels, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

H.R. 1625. A bill to amend the State Department Basic Authorities Act of 1956 to include severe forms of trafficking in persons within the definition of transnational organized crime for purposes of the rewards program of the Department of State, and for other purposes.

S. 2060. A bill to promote democracy and human rights in Burma, and for other purposes.

By Mr. CORKER, from the Committee on Foreign Relations, with amendments:

S. 2286. A bill to amend the Peace Corps Act to provide greater protection and services for Peace Corps volunteers, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. INHOFE for Mr. MCCAIN for the Committee on Armed Services.

*Lisa Gordon-Hagerty, of Virginia, to be Under Secretary for Nuclear Security, Department of Energy.

*Kevin Fahey, of Massachusetts, to be an Assistant Secretary of Defense.

*Paul C. Ney, Jr., of Tennessee, to be General Counsel of the Department of Defense.

*Thomas E. Ayres, of Pennsylvania, to be General Counsel of the Department of the Air Force.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. MERKLEY (for himself, Mrs. MURRAY, Mr. BLUMENTHAL, Mr. SANDERS, Mr. WYDEN, Mr. MARKEY, Mrs. FEINSTEIN, Mr. BOOKER, Ms. WARREN, Mr. UDALL, Ms. BALDWIN, Ms. DUCKWORTH, Ms. SMITH, Mrs. GILLIBRAND, Ms. HARRIS, Mr. HEINRICH, and Mr. DURBIN):

S. 2417. A bill to amend the Truth in Lending Act to address certain issues relating to the extension of consumer credit, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HASSAN (for herself and Mrs. CAPITO):

S. 2418. A bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself and Mr. GARDNER):

S. 2419. A bill to amend the Small Business Act to improve the technical and business assistance services under the SBIR and STTR programs; to the Committee on Small Business and Entrepreneurship.

By Mr. DAINES (for himself, Mrs. ERNST, Mrs. FISCHER, Mr. LANKFORD, Mr. INHOFE, and Mr. BLUNT):

S. 2420. A bill to amend the Internal Revenue Code of 1986 to provide a child tax credit for pregnant moms; to the Committee on Finance.

By Mrs. FISCHER (for herself, Mr. DONNELLY, Mr. BARRASSO, Mr. ROUNDS, Mr. ROBERTS, Ms. HEITKAMP, Mr. COONS, Mr. CARPER, Ms. DUCKWORTH, Mr. ISAKSON, Mr. WARNER, Mrs. ERNST, Mrs. MCCASKILL, Mr. INHOFE, Mr. MANCHIN, Mr. MORAN, Ms. KLOBUCHAR, Mr. WICKER, Ms. SMITH, Mr. HOEVEN, Mr. CASEY, and Mr. BENNET):

S. 2421. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to provide an exemption from certain notice requirements and penalties for releases of hazardous substances from animal waste at farms; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself and Mr. MARKEY):

S. 2422. A bill to require a study on the health impacts of air traffic noise and pollution; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHATZ (for himself, Mr. LEAHY, Mr. DURBIN, Mr. SANDERS, Mr. WHITEHOUSE, Mr. BENNET, Mr. COONS, Mr. BLUMENTHAL, Ms. HIRONO, Ms. WARREN, Mr. BOOKER, Ms. HARRIS, Mr. CARDIN, Mr. MERKLEY, Mrs. GILLIBRAND, and Mr. MARKEY):

S. 2423. A bill to reinstate Federal Pell Grant eligibility for individuals incarcerated in Federal and State penal institutions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mr. HATCH:

S. 2424. A bill to require the Secretary of Agriculture to convey certain Federal land to facilitate scientific research supporting Federal space and defense programs; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ALEXANDER (for himself, Mr. CORKER, Mr. CARDIN, and Mr. JONES):

S. Res. 404. A resolution recognizing the coordinated struggle of workers on the 50th anniversary of the 1968 Memphis sanitation workers strike to voice their grievances and reach a collective agreement for rights in the workplace; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. BOOZMAN):

S. Res. 405. A resolution designating the third week of March 2018 as ''National CACFP Week''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 503

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 503, a bill to require the Secretary of Agriculture to make publicly available certain regulatory records relating to the administration of the Animal Welfare Act and the Horse Protection Act, to amend the Internal Revenue Code of 1986 to provide for the use of an alternative depreciation system for taxpayers violating rules under the Animal Welfare Act and the Horse Protection Act, and for other purposes.

S. 523

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 523, a bill to amend the Internal Revenue Code of 1986 to establish a stewardship fee on the production and importation of opioid pain relievers, and for other purposes.

S. 538

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 538, a bill to clarify research and development for wood products, and for other purposes.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 851

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 851, a bill to end offshore corporate tax avoidance, and for other purposes.

S. 943

At the request of Ms. HEITKAMP, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 943, a bill to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

S. 1050

At the request of Ms. DUCKWORTH, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the

Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1537

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1537, a bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act.

S. 1692

At the request of Mr. COONS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1692, a bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 1895

At the request of Mr. UDALL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1895, a bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes.

S. 1980

At the request of Ms. STABENOW, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1980, a bill to amend the Internal Revenue Code of 1986 to provide credits for the production of renewable chemicals and investments in renewable chemical production facilities, and for other purposes.

S. 1989

At the request of Ms. KLOBUCHAR, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1989, a bill to enhance transparency and accountability for online political advertisements by requiring those who purchase and publish such ads to disclose information about the advertisements to the public, and for other purposes.

S. 2101

At the request of Mr. DONNELLY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2101, a bill to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2278

At the request of Ms. HEITKAMP, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2278, a bill to amend the Public Health Service Act to provide grants to improve health care in rural areas.

S. 2341

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2341, a bill to amend title 38, United States Code, to improve the processing of veterans benefits by the Department of Veterans Affairs, to limit the authority of the Secretary of Veterans Affairs to recover overpayments made by the Department and other amounts owed by veterans to the United States, to improve the due process accorded veterans with respect to such recovery, and for other purposes.

S. 2343

At the request of Mr. WICKER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2343, a bill to require the Federal Communications Commission to establish a task force for meeting the connectivity and technology needs of precision agriculture in the United States.

S. 2353

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

S. 2354

At the request of Mr. UDALL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2354, a bill to provide for the administration of certain national monuments, to establish a National Monument Enhancement Fund, and to establish certain wilderness areas in the States of New Mexico and Nevada.

S. 2381

At the request of Ms. KLOBUCHAR, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2381, a bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes.

S. 2398

At the request of Mr. HOEVEN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2398, a bill to amend title 31, United States Code, to provide that activities relating to the training and readiness of the reserve components of the Armed Forces during a lapse in appropriations shall constitute voluntary services that may be accepted by the United States.

S. 2406

At the request of Mr. ALEXANDER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2406, a bill to advance cutting-edge research initiatives of the National Institutes of Health.

S. 2413

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2413, a bill to provide for the appropriate use of bridge contracts in Federal procurement, and for other purposes.

S. RES. 401

At the request of Mr. DAINES, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. Res. 401, a resolution designating May 5, 2018 as the ''National Day of Awareness for Missing and Murdered Native Women and Girls''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DAINES (for himself, Mrs. ERNST, Mrs. FISCHER, Mr. LANKFORD, Mr. INHOFE, and Mr. BLUNT):

S. 2420. A bill to amend the Internal Revenue Code of 1986 to provide a child tax credit for pregnant moms; to the Committee on Finance.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2420

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 ''Child Tax Credit for Pregnant Moms Act of 2018''.

SEC. 2. CHILD TAX CREDIT ALLOWED WITH RESPECT TO UNBORN CHILDREN.

(a) IN GENERAL.—Subsection (c) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(3) CREDIT ALLOWED WITH RESPECT TO UNBORN CHILDREN.—

''(A) IN GENERAL.—The term 'qualifying child' includes an unborn child for any taxable year if such child is born and issued a social security number before the due date for the return of tax (without regard to extensions) for the taxable year. For purposes of the preceding sentence, the term 'social security number' means a social security number issued to an individual by the Social Security Administration, but only if the social security number is issued to a citizen of the United States or is issued pursuant to subclause (I) (or that portion of subclause (III) that relates to subclause (I)) of section 205(c)(2)(B)(i) of the Social Security Act.

''(B) DOUBLE CREDIT IN CASE OF CHILDREN UNABLE TO CLAIM CREDIT.—In the case of any child who is not taken into account under subparagraph (A) for the taxable year immediately preceding the taxable year in which the child is born, the amount of the credit determined under this section with respect to such child for the taxable year of the child's birth shall be increased by 100 percent.

''(C) UNBORN CHILD.—For purposes of this paragraph—

''(i) UNBORN CHILD.—The term 'unborn child' means a child in utero.

''(ii) CHILD IN UTERO.—The term 'child in utero' means a member of the species homo sapiens, at any stage of development, who is carried in the womb.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 404—RECOGNIZING THE COORDINATED STRUGGLE OF WORKERS ON THE 50TH ANNIVERSARY OF THE 1968 MEMPHIS SANITATION WORKERS STRIKE TO VOICE THEIR GRIEVANCES AND REACH A COLLECTIVE AGREEMENT FOR RIGHTS IN THE WORKPLACE

Mr. ALEXANDER (for himself, Mr. CORKER, Mr. CARDIN, and Mr. JONES) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions.:

S. RES. 404

Whereas, in 1968, 1,300 African-American sanitation workers in Memphis, Tennessee, fought for collective bargaining rights and equality in the workplace;

Whereas, in the struggle for rights of workers, the American Federation of State, County and Municipal Employees (referred to in this preamble as ''AFSCME'') integrated the labor movement and the civil rights movement in a demand for basic human rights and respect for all men and women;

Whereas Black employees doing most of the low-wage work in Memphis had almost no health care, pensions, or vacation, worked in deplorable conditions, and were shown disrespect by White supervisors;

Whereas 40 percent of the workers qualified for welfare in order to supplement their low salaries and were denied the opportunity to improve their working conditions by Memphis Mayor Henry Loeb and the City Council;

Whereas, on January 31, 1968, 22 Black sewer workers who reported for work were sent home when it began raining, losing pay for that day, while White workers were not sent home and received full pay for that day;

Whereas, the following day, February 1, 1968, sanitation workers Echol Cole and Robert Walker sought refuge from a downpour in the hamper of a garbage truck amid putrefying garbage and were crushed to death when the compactor malfunctioned;

Whereas, on February 12, 1968, Memphis sanitation and public employees went on strike after attempting last-minute negotiations with Mayor Loeb and the city on the terms of their employment, demanding that the city recognize the union and provide a pay increase to $2.35 an hour from an average of $1.70, as well as overtime pay, and promotions based on merit irrespective of race;

Whereas, in response to the demands of the workers, Mayor Loeb, on February 13, 1968, threatened to hire replacements unless workers returned to work;

Whereas, on February 18, 1968, the President of AFSCME, Jerry Wurf, arrived in Memphis and negotiations began in the basement of St. Mary's Episcopal Church with Rabbi James A. Wax of Temple Israel representing the Memphis Ministerial Association, mediating between the city and striking workers, assisted by Local 1733 President T.O. Jones and AFSCME Director of Legislative and Community Affairs William Lucy;

Whereas, after an all-night vigil outside City Hall on February 19 through 20, 1968, the National Association for the Advancement of Colored People and union workers called for a boycott of downtown businesses;

Whereas, on February 23, 1968, 1,500 strikers and supporters organized a march to the Memphis City Hall, where, 11 days after the initial strike, the City Council refused to recognize the union;

Whereas, in the following days, 500 White labor union members joined members of the clergy and sanitation workers in a march downtown, 116 strikers and supporters were arrested during a peaceful demonstration, and hundreds of high school students joined in another march led or supported by members of the clergy, including Rabbi Wax, the Reverend Frank McRae of St. John's United Methodist Church, Father Nicholas Vieron of Annunciation Greek Orthodox Church, and Dean William Dimmick of St. Mary's Episcopal Church;

Whereas, on March 4, 1968, a proposal by State Senator Frank White to create a State mediation board to resolve the stalemate was rejected by Mayor Loeb;

Whereas, on March 5, 1968, the Memphis Ministerial Association announced that Rev. Dr. Martin Luther King, Jr., would be traveling to Memphis on behalf of striking workers;

Whereas, on March 7, 1968, the City Council voted to reject union dues checkoff for sanitation workers;

Whereas, throughout March 1968, national civil rights leaders, including Roy Wilkins, Bayard Rustin, Ralph Abernathy, James Bevel, Andrew Young, and Jesse Jackson, among others, came to Memphis to rally the strikers;

Whereas, on March 28, 1968, Rev. Dr. Martin Luther King, Jr., and the Reverend James Lawson of Centenary Methodist Church led a march from the gathering spot for sanitation workers at Clayborn Temple and on to Beale Street, which was marred by window-breaking and disintegrated into a riot as police responded with tear gas and gunfire;

Whereas, also on March 28, 1968, 16-year-old Larry Payne was shot to death by a Memphis police officer, police arrested 280 mostly Black demonstrators, and the State legislature authorized a 7:00 p.m. curfew that was enforced by 4,000 members of the National Guard moving into Memphis;

Whereas in response to the death of Larry Payne, Rev. Dr. Martin Luther King, Jr., called the mother of Larry Payne, Lizzie, offering consolation, and vowed to visit Lizzie on the return of Dr. King to Memphis;

Whereas, also on March 28, 1968, and in response to the promise of Rev. Dr. Martin Luther King, Jr., to return to Memphis to lead a march based on the principles of nonviolence, the city obtained a temporary restraining order in Federal court forbidding such a march;

Whereas in response to the temporary restraining order, AFSCME General Counsel Mel Wulf asked the firm of Burch, Porter and Johnson and attorneys Lucius E. Burch, Jr., David Caywood, Charles Newman, and W.J. Michael Cody to work on lifting the order to allow the march to proceed;

Whereas Louis Lucas and Walter Bailey of the Ratner and Sugarmon firm were deeply involved in representing Rev. Dr. Martin Luther King, Jr., and striking workers for the duration of the labor dispute;

Whereas, on April 3, 1968, Rev. Dr. Martin Luther King, Jr., addressed a rally of 10,000 Black workers and residents, members of the clergy, White liberals, and union members at Mason Temple, the Memphis headquarters of the Church of God in Christ, for what would be the last speech of Dr. King, forever known for the lines ''I have been to the mountain top'' and ''I may not get there with you but I want you to know tonight that we as a people will get to the promised land'', linking the civil rights and labor movements and foreshadowing his fate;

Whereas, on April 4, 1968, a daylong hearing on the injunction by the city resulted in an order from United States District Court Judge Bailey Brown in the late afternoon allowing the march, with some restrictions, to go forward on April 5, 1968;

Whereas, on April 4, 1968, the day after his rallying cry for compromise, Rev. Dr. Martin Luther King, Jr., was assassinated by a sniper on the balcony outside of his Lorraine Motel room in Memphis;

Whereas, on April 4, 1968, Memphis and cities across the United States erupted in violent protests and rioting;

Whereas, on April 5, 1968, Rabbi James A. Wax led a march from St. Mary's Episcopal Church to City Hall and confronted Mayor Henry Loeb with the people of the United States watching on all 3 networks, telling Mayor Loeb ''There are laws far greater than the laws of Memphis and Tennessee, and these are the laws of God'';

Whereas, on April 8, 1968, an estimated 42,000 people, led by the wife of Rev. Dr. Martin Luther King, Jr., Coretta Scott King, and her children, peacefully marched in memory of Dr. King and in support of the requests of the union;

Whereas, on April 16, 1968, AFSCME announced that a 14-month contract had been agreed to and accepted, and included union dues check off, a grievance procedure, and wage increases of 10 cents per hour in May and another 5 cents per hour in September, ending the 3-month strike;

Whereas, on April 29, 2011, the 1,300 sanitation worker strikers were inducted into the Labor Hall of Honor in the Department of Labor; and

Whereas, today, the integration of the civil rights and labor movements remains a work in progress and requires our continued vigilance: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 50th anniversary of the coordinated struggle of workers during the 1968 Memphis sanitation workers strike to voice their grievances and reach a collective agreement for rights in the workplace;

(2) honors the perseverance of the 1,300 members of Local 1733 in urging social and economic equality in the workplace;

(3) honors the memory and inspiring contribution of Rev. Dr. Martin Luther King, Jr., in the ultimate resolution of the labor dispute;

(4) recognizes the contributions of all those named and unnamed who participated in the fight for justice during the strike; and

(5) recognizes there is work to be done to improve both racial and labor relations.

SENATE RESOLUTION 405—DESIGNATING THE THIRD WEEK OF MARCH 2018 AS ''NATIONAL CACFP WEEK''

Ms. KLOBUCHAR (for herself and Mr. BOOZMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 405

Whereas the third week of March is annually recognized as ''National CACFP Week'' to raise awareness of the Child and Adult Care Food Program (commonly referred to as the ''CACFP'') of the Department of Agriculture;

Whereas the Department of Agriculture reaffirms the vital role positive nutritional habits play in the healthy growth of children in the United States;

Whereas the Department of Agriculture also reaffirms the importance of nutritional education for the most vulnerable and youngest children, as well as adults, through centers and homes throughout the United States;

Whereas the American Academy of Pediatrics supported and informed the meal pattern revisions issued by the Department of Agriculture, which highlighted the continual importance of updated and accurate nutritional information for children;

Whereas, in 2016, the CACFP provided daily meals and snacks to 4,400,000 children and adults in child care centers, adult day care homes, and after-school programs, providing almost 2,100,000,000 meals and snacks in total;

Whereas the CACFP not only provides nutritional meals and education but also increases the quality of child care in general, especially for children in low-income areas;

Whereas the innovative approach to oversight of the CACFP, which pairs child care centers, adult day care homes, and after-school sites with either a non-profit sponsoring organization or a State agency, highlights a unique public-private partnership that supports working families and small businesses;

Whereas, although child care can be expensive in many locations throughout the United States, the CACFP increases the effectiveness and viability of child care centers and adult day care homes for many providers, especially in rural areas; and

Whereas an increasing number of studies demonstrate that access to the CACFP can measurably and positively impact the cognitive, social, emotional, and physical health and development of children, leading to more favorable outcomes such as—

(1) a decreased likelihood of being hospitalized;

(2) an increased likelihood of healthy weight gain; and

(3) an increased likelihood of a more varied diet: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on March 11, 2018, as ''National CACFP Week''; and

(2) recognizes the role of the Child Adult Care Food Program (commonly referred to as the ''CACFP'') in improving the health of the country's most vulnerable children and adults in child care centers, adult day care homes, and after-school care by providing nutritious meals and snacks.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1943. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table.

SA 1944. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1945. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1946. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1947. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1948. Mr. TOOMEY (for himself, Mr. CRUZ, Mr. INHOFE, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1949. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1950. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1951. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1952. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1953. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1954. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1955. Mr. COONS (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

SA 1956. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2579, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1943. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TERMINATION OF DIVERSITY IMMIGRANT VISA PROGRAM.

(a) REPEAL.—Section 203 of the Immigration and Nationality Act (8 U.S.C. 1153) is amended by striking subsection (c).

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a)—

(i) in paragraph (1), by adding ''and'' at the end;

(ii) in paragraph (2), by striking ''; and'' and inserting a period; and

(iii) by striking paragraph (3); and

(B) by striking subsection (e);

(2) in section 203—

(A) by striking subsection (c);

(B) in subsection (d), by striking ''subsection (a), (b), or (c)'' and inserting ''subsection (a) or (b)'';

(C) in subsection (e)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3) as paragraph (2);

(D) in subsection (f), by striking ''subsection (a), (b), or (c) of this section'' and inserting ''subsection (a) or (b)'';

(E) in subsection (g), by striking ''subsections (a), (b), and (c)'' and inserting ''subsections (a) and (b)''; and

(F) in subsection (h)(2)(B), by striking ''subsection (a), (b), or (c)'' and inserting ''subsection (a) or (b)''; and

(3) in section 204—

(A) in subsection (a)(1), by striking subparagraph (I);

(B) in subsection (e), by striking ''subsection (a), (b), or (c)'' and inserting ''subsection (a) or (b)''; and

(C) in subsection (l)(2)(B), by striking ''section 203 (a) or (d)'' and inserting ''subsection (a) or (d) of section 203''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act.

(2) SELECTEES.—Notwithstanding paragraph (1), any alien who registered for the Diversity Immigrant Visa Program and received notification before the date of the enactment of this Act that he or she has been selected to apply for a diversity immigrant visa under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) may submit an application for such visa under the applicable provisions of law in effect on the day before such date of enactment.

SA 1944. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STATUS VERIFICATION FOR REMITTANCE TRANSFERS.

(a) IN GENERAL.—Section 919 of the Electronic Fund Transfer Act (relating to remittance transfers) (15 U.S.C. 1693o–1) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) STATUS VERIFICATION OF SENDER.—

''(1) REQUEST FOR PROOF OF STATUS.—

''(A) IN GENERAL.—Each remittance transfer provider shall request from each sender of a remittance transfer, the recipient of which is located in any country other than the United States, proof of the status of that sender under the immigration laws, prior to the initiation of the remittance transfer.

''(B) ACCEPTABLE DOCUMENTATION.—Acceptable documentation of the status of the sender under this paragraph—

''(i) shall be, in any State that requires proof of legal residence—

''(I) a State-issued driver's license or Federal passport; or

''(II) the same documentation as required by the State for proof of identity for the issuance of a driver's license, or as required for a passport;

''(ii) shall be, in any State that does not require proof of legal residence, such documentation as the Bureau shall require, by rule; and

''(iii) does not include any matricula consular card.

''(2) FINE FOR NONCOMPLIANCE.—Each remittance transfer provider shall impose on any sender who is unable to provide the proof of status requested under paragraph (1) at the time of transfer, a fine equal to 7 percent of the United States dollar amount to be transferred (excluding any fees or other charges imposed by the remittance transfer provider).

''(3) SUBMISSION OF FINES TO BUREAU.—All fines imposed and collected by a remittance transfer provider under paragraph (2) shall be submitted to the Bureau, in such form and in such manner as the Bureau shall establish, by rule.

''(4) ADMINISTRATIVE AND ENFORCEMENT COSTS.—The Bureau shall use fines submitted under paragraph (3) to pay the administrative and enforcement costs to the Bureau in carrying out this subsection.

''(5) USE OF FINES FOR BORDER PROTECTION.—Amounts from the collection of fines under this subsection that remain available

after the payment of expenses described in paragraph (4), shall be transferred by the Bureau to the Treasury, to be used to pay expenses relating to United States Customs and Border Protection for border security fencing, infrastructure, and technology.

''(6) DEFINITION RELATING TO IMMIGRATION STATUS.—In this subsection, the term 'immigration laws' has the same meaning as in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).''.

(b) STUDY AND REPORT REGARDING REMITTANCE TRANSFER PROCESSING FINES AND IDENTIFICATION PROGRAM.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to determine the effects of the enactment of section 919(g) of the Electronic Fund Transfer Act, as amended by this section.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the results of the study conducted under paragraph (1) that includes—

(A) an analysis of the costs and benefits of complying with section 919(g) of the Electronic Fund Transfer Act, as amended by this section; and

(B) recommendations about whether the fines imposed under that section 919(g) should be extended or increased.

SA 1945. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ASCERTAINING CITIZENSHIP AND IMMIGRATION STATUS IN DECENNIAL CENSUS OF POPULATION.

Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) Notwithstanding section 5 of this title, the Secretary shall include in each questionnaire used for the conduct of a decennial census of population under subsection (a) a question to ascertain United States citizenship and immigration status.''.

SA 1946. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RESTRICTION OF COPS FUNDING FOR SANCTUARY CITIES.

None of the amounts appropriated in any Act for the Community Oriented Policing Services Program may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

SA 1947. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CRIMINAL PENALTIES FOR ALIENS FOR FAILURE TO DEPART AT THE EXPIRATION OF THEIR VISAS.

(a) IN GENERAL.—Chapter 8 of title II of the Immigration and Nationality Act (8 U.S.C. 1321 et seq.) is amended by inserting after section 274D the following new section:

''SEC. 274E. CRIMINAL PENALTIES FOR FAILURE TO DEPART.

''(a) IN GENERAL.—Any alien who—

''(1) is required to depart from the United States as a result of the expiration of the alien's visa; and

''(2) fails to depart from the United States, shall be fined under title 18, United States Code, imprisoned for not more one year, or both.

''(b) CONSTRUCTION.—Nothing in this section shall be construed to diminish or qualify any penalties to which an alien may be subject for activities proscribed by section 243(a) of any other provision of this Act.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by inserting after the item relating to section 274D the following new item:

''Sec. 274E. Criminal penalties for failure to depart.''.

SA 1948. Mr. TOOMEY (for himself, Mr. CRUZ, Mr. INHOFE, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STOP DANGEROUS SANCTUARY CITIES ACT.

(a) SHORT TITLE.—This section may be cited as the ''Stop Dangerous Sanctuary Cities Act''.

(b) ENSURING THAT LOCAL AND FEDERAL LAW ENFORCEMENT OFFICERS MAY COOPERATE TO SAFEGUARD OUR COMMUNITIES.—

(1) AUTHORITY TO COOPERATE WITH FEDERAL OFFICIALS.—A State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision that complies with a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) shall be deemed to be acting as an agent of the Department of Homeland Security; and

(B) with regard to actions taken to comply with the detainer, shall have all authority available to officers and employees of the Department of Homeland Security.

(2) LEGAL PROCEEDINGS.—In any legal proceeding brought against a State, a political subdivision of a State, or an officer, employee, or agent of such State or political subdivision, which challenges the legality of the seizure or detention of an individual pursuant to a detainer issued by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357)—

(A) no liability shall lie against the State or political subdivision of a State for actions taken in compliance with the detainer; and

(B) if the actions of the officer, employee, or agent of the State or political subdivision were taken in compliance with the detainer—

(i) the officer, employee, or agent shall be deemed—

(I) to be an employee of the Federal Government and an investigative or law enforcement officer; and

(II) to have been acting within the scope of his or her employment under section 1346(b) and chapter 171 of title 28, United States Code;

(ii) section 1346(b) of title 28, United States Code, shall provide the exclusive remedy for the plaintiff; and

(iii) the United States shall be substituted as defendant in the proceeding.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to provide immunity to any person who knowingly violates the civil or constitutional rights of an individual.

(c) SANCTUARY JURISDICTION DEFINED.—

(1) IN GENERAL.—Except as provided under paragraph (2), for purposes of this section the term ''sanctuary jurisdiction'' means any State or political subdivision of a State that has in effect a statute, ordinance, policy, or practice that prohibits or restricts any government entity or official from—

(A) sending, receiving, maintaining, or exchanging with any Federal, State, or local government entity information regarding the citizenship or immigration status (lawful or unlawful) of any individual; or

(B) complying with a request lawfully made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer for, or notify about the release of, an individual.

(2) EXCEPTION.—A State or political subdivision of a State shall not be deemed a sanctuary jurisdiction based solely on its having a policy whereby its officials will not share information regarding, or comply with a request made by the Department of Homeland Security under section 236 or 287 of the Immigration and Nationality Act (8 U.S.C. 1226 and 1357) to comply with a detainer regarding, an individual who comes forward as a victim or a witness to a criminal offense.

(d) SANCTUARY JURISDICTIONS INELIGIBLE FOR CERTAIN FEDERAL FUNDS.—

(1) ECONOMIC DEVELOPMENT ADMINISTRATION GRANTS.—

(A) GRANTS FOR PUBLIC WORKS AND ECONOMIC DEVELOPMENT.—Section 201(b) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141(b)) is amended—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) in paragraph (3)(B), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) the area in which the project is to be carried out is not a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).''.

(B) GRANTS FOR PLANNING AND ADMINISTRATION.—Section 203(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3143(a)) is amended by adding at the end the following: ''A sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act) may not be deemed an eligible recipient under this subsection.''.

(C) SUPPLEMENTARY GRANTS.—Section 205(a) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3145(a)) is amended—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) in paragraph (3)(B), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) will be carried out in an area that does not contain a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).''.

(D) GRANTS FOR TRAINING, RESEARCH, AND TECHNICAL ASSISTANCE.—Section 207 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3147) is amended by adding at the end the following:

''(c) INELIGIBILITY OF SANCTUARY JURISDICTIONS.—Grants funds under this section may not be used to provide assistance to a sanctuary jurisdiction (as defined in subsection (c) of the Stop Dangerous Sanctuary Cities Act).''.

(2) COMMUNITY DEVELOPMENT BLOCK GRANTS.—Title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) is amended—

(A) in section 102(a) (42 U.S.C. 5302(a)), by adding at the end the following:

''(25) The term 'sanctuary jurisdiction' has the meaning provided in subsection (c) of the Stop Dangerous Sanctuary Cities Act.''.

(B) in section 104 (42 U.S.C. 5304)—

(i) in subsection (b)—

(I) in paragraph (5), by striking ''and'' at the end;

(II) by redesignating paragraph (6) as paragraph (7); and

(III) by inserting after paragraph (5) the following:

''(6) the grantee is not a sanctuary jurisdiction and will not become a sanctuary jurisdiction during the period for which the grantee receives a grant under this title; and''.

(ii) by adding at the end the following:

''(n) PROTECTION OF INDIVIDUALS AGAINST CRIME.—

''(1) IN GENERAL.—No funds authorized to be appropriated to carry out this title may be obligated or expended for any State or unit of general local government that is a sanctuary jurisdiction.

''(2) RETURNED AMOUNTS.—

''(A) STATE.—If a State is a sanctuary jurisdiction during the period for which it receives amounts under this title, the Secretary—

''(i) shall direct the State to immediately return to the Secretary any such amounts that the State received for that period; and

''(ii) shall reallocate amounts returned under clause (i) for grants under this title to other States that are not sanctuary jurisdictions.

''(B) UNIT OF GENERAL LOCAL GOVERNMENT.—If a unit of general local government is a sanctuary jurisdiction during the period for which it receives amounts under this title, any such amounts that the unit of general local government received for that period—

''(i) in the case of a unit of general local government that is not in a nonentitlement area, shall be returned to the Secretary for grants under this title to States and other units of general local government that are not sanctuary jurisdictions; and

''(ii) in the case of a unit of general local government that is in a nonentitlement area, shall be returned to the Governor of the State for grants under this title to other units of general local government in the State that are not sanctuary jurisdictions.

''(C) REALLOCATION RULES.—In reallocating amounts under subparagraphs (A) and (B), the Secretary shall—

''(i) apply the relevant allocation formula under subsection (b), with all sanctuary jurisdictions excluded; and

''(ii) shall not be subject to the rules for reallocation under subsection (c).''.

(3) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on October 1, 2018.

SA 1949. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ____—Extensions of Detention of Certain Aliens Ordered Removed

SEC. _____1. SHORT TITLE.

This subtitle may be cited as the ''Keep Our Communities Safe Act of 2018''.

SEC. _____

2. SENSE OF CONGRESS.—

It is the sense of Congress that—

(1) Constitutional rights should be upheld and protected;

(2) Congress intends to uphold the Constitutional principle of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

SEC. _____3. DETENTION OF DANGEROUS ALIENS DURING REMOVAL PROCEEDINGS.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(1) by striking ''Attorney General'' each place such term appears (except in the second place it appears in subsection (a)) and inserting ''Secretary of Homeland Security'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''; and

(B) in paragraph (2)(B), by striking ''conditional parole;'' and inserting ''recognizance;'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''PAROLE'' and inserting ''RECOGNIZANCE''; and

(B) by striking ''parole'' and inserting ''recognizance'';

(4) in subsection (c)(1), by striking the undesignated matter following subparagraph (D) and inserting the following:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.'';

(5) in subsection (e), by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''; and

(6) by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) The length of detention under this section shall not affect a detention under section 241.

''(g) ADMINISTRATIVE REVIEW.—

''(1) LIMITATION.—The Attorney General's review of the Secretary's custody determinations under subsection (a) shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond. Any review involving an alien described in paragraph (2)(D) shall be limited to a determination of whether the alien is properly included in such category.

''(2) CLASSES OF ALIENS.—The Attorney General shall review the Secretary's custody determinations for the following classes of aliens:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in sections 212(a)(3) and 237(a)(4).

''(C) Aliens described in subsection (c).

''(D) Aliens in deportation proceedings subject to section 242(a)(2) (as in effect between April 24, 1996, and April 1, 1997).

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

SEC. _____4. ALIENS ORDERED REMOVED.

Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1)—

(A) by amending subparagraphs (B) and (C) to read as follows:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of—

''(i) the date on which the order of removal becomes administratively final;

''(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

''(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period, if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting ''or is not detained pursuant to paragraph (6)'' after ''the removal period''; and

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

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien—

''(i) to prevent the alien from absconding;

''(ii) for the protection of the community; or

''(iii) for other purposes related to the enforcement of Federal immigration laws.'';

(4) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—

''(i) IN GENERAL.—The Secretary shall establish an administrative review process to determine whether an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal should be detained or released on conditions.

''(ii) DETERMINATION.—The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B), which—

''(I) shall include consideration of any evidence submitted by the alien; and

''(II) may include consideration of any other evidence, including—

''(aa) any information or assistance provided by the Secretary of State or other Federal official; and

''(bb) any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall not have the right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security may continue to detain an alien beyond the 90 days authorized under clause (i)—

''(I) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future;

''(bb) would be removed in the reasonably foreseeable future; or

''(cc) would have been removed if the alien had not—

''(AA) failed or refused to make all reasonable efforts to comply with the removal order;

''(BB) failed or refused to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure; or

''(CC) conspired or acted to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or of any person; and

''(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

''(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall not have a right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in subparagraph (B)(ii)(II)(dd)(BB).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security may impose conditions on release as provided under paragraph (3).

''(E) REDETENTION.—

''(i) IN GENERAL.—The Secretary of Homeland Security, without any limitations other than those specified in this section, may detain any alien subject to a final removal order who is released from custody if—

''(I) removal becomes likely in the reasonably foreseeable future;

''(II) the alien fails to comply with the conditions of release or to continue to satisfy the conditions described in subparagraph (A); or

''(III) upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (B).

''(ii) APPLICABILITY.—This section shall apply to any alien returned to custody pursuant to this subparagraph as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

SEC. ____5. SEVERABILITY.

If any of the provisions of this subtitle, any amendment made by this subtitle, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this subtitle, the amendments made by this subtitle, and the application of the provisions and amendments made by this subtitle to any other person or circumstance shall not be affected by such holding.

SEC. ____6. EFFECTIVE DATES.

(a) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by section ____3 shall take effect on the date of the enactment of this Act. Section 236 of the Immigration and Nationality Act, as amended by section ____3, shall apply to any alien in detention under the provisions of such section on or after such date of enactment.

(b) ALIENS ORDERED REMOVED.—The amendments made by section ____4 shall take effect on the date of the enactment of this Act. Section 241 of the Immigration and Nationality Act, as amended by section ____4, shall apply to—

(1) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(2) acts and conditions occurring or existing before, on, or after such date of enactment.

SA 1950. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to

unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ENGLISH LANGUAGE UNITY.

(a) ENGLISH AS THE OFFICIAL LANGUAGE OF THE UNITED STATES.—

(1) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following:

''CHAPTER 6—OFFICIAL LANGUAGE

''SEC. 161. OFFICIAL LANGUAGE OF THE UNITED STATES.

''The official language of the United States is English.

''SEC. 162. PRESERVING AND ENHANCING THE ROLE OF THE OFFICIAL LANGUAGE.

''Representatives of the Federal Government shall have an affirmative obligation to preserve and enhance the role of English as the official language of the Federal Government. Such obligation shall include encouraging greater opportunities for individuals to learn the English language.

''SEC. 163. OFFICIAL FUNCTIONS OF GOVERNMENT TO BE CONDUCTED IN ENGLISH.

''(a) SCOPE.—For the purposes of this section—

''(1) the term 'official' refers to any function that—

''(A) binds the Government;

''(B) is required by law; or

''(C) is otherwise subject to scrutiny by either the press or the public; and

''(2) the term 'United States' means the several States and the District of Columbia.

''(b) OFFICIAL FUNCTIONS.—The official functions of the Government of the United States shall be conducted in English.

''(c) PRACTICAL EFFECT.—This section—

''(1) shall apply to all laws, public proceedings, regulations, publications, orders, actions, programs, and policies; and

''(2) shall not apply to—

''(A) teaching of languages;

''(B) requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

''(C) actions, documents, or policies necessary for national security, international relations, trade, tourism, or commerce;

''(D) actions or documents that protect the public health and safety;

''(E) actions or documents that facilitate the activities of the Bureau of the Census in compiling any census of population;

''(F) actions that protect the rights of victims of crimes or criminal defendants; or

''(G) using terms of art or phrases from languages other than English.

''SEC. 164. UNIFORM ENGLISH LANGUAGE RULE FOR NATURALIZATION.

''(a) UNIFORM LANGUAGE TESTING STANDARD.—All citizens of the United States should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution of the United States, and the laws of the United States made in pursuance of the Constitution of the United States.

''(b) CEREMONIES.—All naturalization ceremonies shall be conducted in English.

''SEC. 165. RULES OF CONSTRUCTION.

''Nothing in this chapter shall be construed—

''(1) to prohibit a Member of Congress or any officer or agent of the Federal Government, while performing official functions under section 163, from communicating unofficially through any medium with another person in a language other than English (as long as official functions are performed in English);

''(2) to limit the preservation or use of Native Alaskan or Native American languages (as defined in the Native American Languages Act (25 U.S.C. 2901 et seq.));

''(3) to disparage any language or to discourage any person from learning or using a language; or

''(4) to be inconsistent with the Constitution of the United States.

''SEC. 166. STANDING.

''A person injured by a violation of this chapter may in a civil action (including an action under chapter 151 of title 28) obtain appropriate relief.''.

(2) CLERICAL AMENDMENT.—The table of chapters at the beginning of title 4, United States Code, is amended by inserting after the item relating to chapter 5 the following:

''CHAPTER 6. OFFICIAL LANGUAGE''.

(b) GENERAL RULES OF CONSTRUCTION FOR ENGLISH LANGUAGE TEXTS OF THE LAWS OF THE UNITED STATES.—

(1) IN GENERAL.—Chapter 1 of title 1, United States Code, is amended by adding at the end the following:

''§ 9. General rules of construction for laws of the united states

''(a) English language requirements and workplace policies, whether in the public or private sector, shall be presumptively consistent with the laws of the United States.

''(b) Any ambiguity in the English language text of the laws of the United States shall be resolved, in accordance with the last two articles of the Bill of Rights, not to deny or disparage rights retained by the people, and to reserve powers to the States respectively, or to the people.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, United States Code, is amended by inserting after the item relating to section 8 the following:

''9. General rules of construction for laws of the United States.''.

(c) IMPLEMENTING REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall issue for public notice and comment a proposed rule for uniform testing English language ability of candidates for naturalization, which shall be based upon the principles that—

(1) all citizens of the United States should be able to read and understand generally the English language text of the Declaration of Independence, the Constitution of the United States, and the laws of the United States which are made in pursuance thereof; and

(2) any exceptions to the standard described in paragraph (1) should be limited to extraordinary circumstances, such as asylum.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 1951. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ELECTRONIC FILING AND APPEALS SYSTEM FOR H-2A PETITIONS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall establish a process for filing petitions for nonimmigrant visas under section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) that ensures that—

(1) petitioners may file such petitions through the website of United States Citizenship and Immigration Services;

(2) any software developed to process such petitions indicates to the petitioner any technical deficiency in the application before submission; and

(3) any petitioner may file such petition in a paper format if such petitioner prefers such format.

(b) REQUEST FOR EVIDENCE.—Section 218(h) of the Immigration and Nationality Act (8 U.S.C. 1188(h)) is amended by adding at the end the following:

''(3) If U.S. Citizenship and Immigration Services issues a Request for Evidence to an employer—

''(A) the employer may request such Request for Evidence to be delivered in an online format; and

''(B) if the employer makes the request described in subparagraph (A)—

''(i) the Request for Evidence shall be provided to the employer in an online format; and

''(ii) not later than 10 business days after the employer submits the requested evidence online, U.S. Citizenship and Immigration Services shall provide an online response to the employer—

''(I) indicating that the submitted evidence is sufficient; or

''(II) explaining the reasons that such evidence is not sufficient and providing the employer with an opportunity to address any such deficiency.''.

SEC. _____. H–2A PROGRAM UPDATES.

(a) IN GENERAL.—Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is amended by inserting '', labor as a year-round equine worker, labor as a year-round livestock worker (including as a dairy or poultry worker)'' before '', and the pressing of apples''.

(b) JOINT APPLICATION; DEFICIENCY REMEDY.—Section 214(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(1)) is amended—

(1) by inserting ''(A)'' after ''(1)''; and

(2) by adding at the end the following:

''(B) Multiple employers may submit a joint petition under subparagraph (A) to import aliens as nonimmigrants described in section 101(a)(15)(H)(ii)(a). Upon the approval of such petition, each joint employer shall be subject to the provisions under section 218 with respect to each alien listed in such petition. If any individual party to such a joint contract violates any condition for approval with respect to the application or provisions under section 218 with respect to each alien listed in such petition, after notice and opportunity for a hearing, the contract may be modified to remove the party in violation from the contract at no penalty to the remaining parties.

''(C) If a petition to import aliens as nonimmigrants described in section 101(a)(15)(H)(ii)(a) is denied or if the issuance of visas requested through such petition is delayed due to a problem with the petition, the Director of U.S. Citizenship and Immigration Services shall promptly notify the petitioner of the reasons for such denial or delay and provide the petitioner with reasonable time to remedy the problem.

''(D) The period of authorized admission for a nonimmigrant described in section 101(a)(15)(H)(ii)(a) under this paragraph may not exceed the shorter of—

''(i) the period for which a petitioner under this paragraph has contracted to employ the nonimmigrant; or

''(ii) three years.''.

(c) LABOR CERTIFICATION; STAGGERED EMPLOYMENT DATES.—Section 218(h) of the Immigration and Nationality Act (8 U.S.C.

1188(h)), as amended by section _____(b), is further amended by adding at the end the following:

''(4) An employer that is seeking to rehire aliens as H–2A workers who previously worked for the employer as H–2A workers may submit a simplified petition, to be developed by the Director of U.S. Citizenship and Immigration Services, in consultation with the Secretary of Labor, which shall include a certification that the employer maintains compliance with all applicable requirements with respect to the employment of such aliens. Such petitions shall be approved upon completion of applicable security screenings.

''(5) An employer that is seeking to hire aliens as H–2A workers during different time periods in a given fiscal year may submit a single petition to U.S. Citizenship and Immigration Services that details the time period during which each such alien is expected to be employed.

''(6) Upon receiving notification from an employer that the employer's H-2A worker has prematurely abandoned employment or has failed to appear for employment and such employer wishes to replace such worker—

''(A) the Secretary of State shall promptly issue a visa under section 101(a)(15)(H)(ii)(a) to an eligible alien designated by the employer to replace that worker; and

''(B) the Secretary of Homeland Security shall promptly admit such alien into the United States upon completion of applicable security screenings.''.

(d) SATISFACTION OF HOUSING REQUIREMENTS BY VOUCHER.—Section 218(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1188(c)(4)) is amended—

(1) in the matter preceding the first proviso—

(A) by inserting ''or a voucher for housing'' after ''furnish housing'';

(B) by striking ''or to secure'' and inserting '', to secure'';

(C) by inserting '', or to provide a voucher to be used by workers in securing such housing'' before the semicolon;

(2) in the fourth proviso, by inserting ''or a voucher for family housing'' after ''family housing'' the second place it appears; and

(3) in the fifth proviso—

(A) by inserting ''or housing vouchers'' after ''secure housing''; and

(B) by inserting ''or housing voucher'' after ''whether the housing''.

SA 1952. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. ALLOCATION OF EMPLOYMENT-BASED VISAS.

(a) WORLDWIDE LEVEL.—Section 201(d)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1151(d)(1)(A)) is amended by striking ''140,000'' and inserting ''270,000''.

(b) PREFERENCE ALLOCATIONS FOR EMPLOYMENT-BASED IMMIGRANTS.—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''28.6 percent'' and inserting ''29.63 percent'';

(2) in paragraph (2)(A), by striking ''28.6 percent'' and inserting ''29.63 percent'';

(3) in paragraph (3)(A), in the matter preceding clause (i), by striking ''28.6 percent'' and inserting ''29.63 percent'';

(4) in paragraph (4), by striking ''7.1 percent'' and inserting ''3.7 percent''; and

(5) in paragraph (5)(A), in the matter preceding clause (i), by striking ''7.1 percent'' and inserting ''7.41 percent''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) of the Immigration and Nationality Act (8 U.S.C. 1153(d)) is amended by adding at the end the following: ''Visas issued to a spouse or child of an immigrant described in subsection (b) shall not be counted against the worldwide level of such visas set forth in section 201(d)(1) or the per country level set forth in section 202(a)(2).''.

SA 1953. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. IMMIGRATION ENFORCEMENT JOBS FOR VETERANS.

(a) EXPEDITED HIRING OF APPROPRIATE SEPARATING SERVICE MEMBERS.—Section 3 of the Border Jobs for Veterans Act of 2015 (Public Law 114–68) is amended by inserting ''or an Immigration and Customs Enforcement agent'' after ''Customs and Border Protection officer''.

(b) ENHANCEMENTS TO EXISTING PROGRAMS TO RECRUIT SERVICE MEMBERS SEPARATING FROM MILITARY SERVICE FOR IMMIGRATION AND CUSTOMS ENFORCEMENT AGENT VACANCIES.—Section 4 of the Border Jobs for Veterans Act of 2015 (Public Law 114–68) is amended—

(1) in subsection (a), by inserting ''or Immigration and Customs Enforcement agents'' before the period at the end; and

(2) in subsection (b)—

(A) by inserting ''and Immigration and Customs Enforcement agent'' after ''Customs and Border Protection officer'' each place it appears;

(B) by inserting ''and Immigration and Customs Enforcement agents'' after ''Customs and Border Protection officers'' each place it appears;

(C) by inserting ''and U.S. Immigration and Customs Enforcement officials'' after ''U.S. Customs and Border Protection officials'' each place it appears; and

(D) in paragraph (3), by inserting ''and U.S. Immigration and Customs Enforcement field offices'' after ''U.S. Customs and Border Protection field offices''.

(c) REPORTS TO CONGRESS.—Section 5 of the Border Jobs for Veterans Act of 2015 (Public Law 114–68) is amended—

(1) in subsection (a), by inserting ''or Immigration and Customs Enforcement agents'' after ''Customs and Border Protection officers''; and

(2) in subsection (b), by inserting ''Immigration and Customs Enforcement agent vacancies'' after ''Customs and Border Protection officer vacancies'' each place it appears.

SA 1954. Mr. HELLER submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. CRIMINAL ALIEN GANG MEMBER REMOVAL.

(a) SHORT TITLE.—This section may be cited as the ''Criminal Alien Gang Member Removal Act''.

(b) GROUNDS OF INADMISSIBILITY AND DEPORTABILITY FOR ALIEN GANG MEMBERS.—

(1) DEFINITION OF GANG MEMBER.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53) The term 'criminal gang' means an ongoing group, club, organization, or association of 2 or more persons that has, as 1 of its primary purposes, the commission of 1 or more of the criminal offenses listed in subparagraphs (A) through (F), whether in violation of Federal, State, or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of this paragraph, and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses, or that has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting such criteria.

''(A) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(B) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(C) A crime of violence (as defined in section 16 of title 18, United States Code).

''(D) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(E) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery, and trafficking in persons), section 1951 of such title (relating to interference with commerce by threats or violence), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(F) Any aggravated felony.

''(G) Any criminal offense described in section 212(a) or 237(a).

''(H) Any offense under Federal, State, or tribal law that has, as an element of the offense, the use or attempted use of physical force or the threatened use of physical force or a deadly weapon.

''(I) Any offense that has, as an element of the offense, the use, attempted use, or threatened use of any physical object to inflict or cause (either directly or indirectly) serious bodily injury, including an injury that may ultimately result in the death of a person.

''(J) A conspiracy to commit an offense described in subparagraphs (A) through (E).''.

(2) INADMISSIBILITY.—Section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)) is amended by adding at the end the following:

''(J) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible if a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe that the alien—

''(i) is or has been a member of a criminal gang; or

''(ii) has participated in the activities of a criminal gang, knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(3) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who—

''(i) is or has been a member of a criminal gang); or

''(ii) has participated in the activities of a criminal gang, knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DESIGNATION OF CRIMINAL GANG.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by inserting after section 219 the following:

''SEC. 220. DESIGNATION OF CRIMINAL GANG.

''(a) DESIGNATION.—

''(1) IN GENERAL.—The Secretary, in consultation with the Attorney General, may designate a group, club, organization, or association of 2 or more persons as a criminal gang if the Secretary finds that their conduct is described in section 101(a)(53).

''(2) PROCEDURE.—

''(A) NOTIFICATION.—Not later than 7 days before making a designation under this subsection, the Secretary, by classified communication, shall submit written notification to the Speaker and Minority Leader of the House of Representatives, the President pro tempore, Majority Leader, and Minority Leader of the Senate, and the members of the relevant committees of the House of Representatives and the Senate of the intent to designate a group, club, organization, or association of 2 or more persons under this subsection and the factual basis for such designation.

''(B) PUBLICATION IN THE FEDERAL REGISTER.—Not later than 7 days after submitting the notification under subparagraph (A), the Secretary shall publish each designation under this subsection in the Federal Register.

''(3) RECORD.—

''(A) IN GENERAL.—In making a designation under this subsection, the Secretary shall create an administrative record.

''(B) CLASSIFIED INFORMATION.—The Secretary may consider classified information in making a designation under this subsection. Classified information may not be subject to disclosure while it remains classified, except that such information may be disclosed to a court ex parte and in camera for purposes of judicial review under subsection (c).

''(4) PERIOD OF DESIGNATION.—

''(A) IN GENERAL.—A designation under this subsection shall be effective for all purposes until revoked under paragraph (5) or (6) or set aside pursuant to subsection (c).

''(B) REVIEW OF DESIGNATION UPON PETITION.—

''(i) IN GENERAL.—The Secretary shall review the designation of a criminal gang under the procedures set forth in clauses (iii) and (iv) if the designated group, club, organization, or association of 2 or more persons files a petition for revocation within the petition period described in clause (ii).

''(ii) PETITION PERIOD.—For purposes of clause (i)—

''(I) if the designated group, club, organization, or association of 2 or more persons has not previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date on which the designation was made; or

''(II) if the designated group, club, organization, or association of 2 or more persons has previously filed a petition for revocation under this subparagraph, the petition period begins 2 years after the date of the determination made under clause (iv) on that petition.

''(iii) PROCEDURES.—Any group, club, organization, or association of 2 or more persons that submits a petition for revocation under this subparagraph of its designation as a criminal gang must provide evidence in that petition that the group, club, organization, or association is not described in section 101(a)(53).

''(iv) DETERMINATION.—

''(I) IN GENERAL.—Not later than 180 days after receiving a petition for revocation submitted under this subparagraph, the Secretary shall make a determination regarding such revocation.

''(II) CLASSIFIED INFORMATION.—The Secretary may consider classified information in making a determination in response to a petition for revocation. Classified information shall not be subject to disclosure for such time as it remains classified, except that such information may be disclosed to a court ex parte and in camera for purposes of judicial review under subsection (c).

''(III) PUBLICATION OF DETERMINATION.—A determination made by the Secretary under this clause shall be published in the Federal Register.

''(IV) PROCEDURES.—Any revocation by the Secretary shall be made in accordance with paragraph (6).

''(C) OTHER REVIEW OF DESIGNATION.—

''(i) IN GENERAL.—If no review has taken place under subparagraph (B) during a 5-year period, the Secretary shall review the designation of the criminal gang in order to determine whether such designation should be revoked pursuant to paragraph (6).

''(ii) PROCEDURES.—If a review does not take place pursuant to subparagraph (B) in response to a petition for revocation that is filed in accordance with that subparagraph, a review shall be conducted pursuant to procedures established by the Secretary. The results of such review and the applicable procedures are not reviewable by any court.

''(iii) PUBLICATION OF RESULTS OF REVIEW.—The Secretary shall publish any determination made under this subparagraph in the Federal Register.

''(5) REVOCATION BY ACT OF CONGRESS.—The Congress, by an Act of Congress, may block or revoke a designation made under paragraph (1).

''(6) REVOCATION BASED ON CHANGE IN CIRCUMSTANCES.—

''(A) IN GENERAL.—The Secretary may revoke a designation made under paragraph (1) at any time, and shall revoke a designation upon completion of a review conducted under subparagraphs (B) and (C) of paragraph (4) if the Secretary determines that—

''(i) the group, club, organization, or association of 2 or more persons that has been designated as a criminal gang is no longer described in section 101(a)(53); or

''(ii) the national security or the law enforcement interests of the United States warrants a revocation.

''(B) PROCEDURE.—The procedural requirements of paragraphs (2) and (3) shall apply to a revocation under this paragraph. Any revocation shall take effect on the date specified in the revocation or upon publication in the Federal Register if no effective date is specified.

''(7) EFFECT OF REVOCATION.—The revocation of a designation under paragraph (5) or (6) shall not affect any action or proceeding based on conduct committed prior to the effective date of such revocation.

''(8) USE OF DESIGNATION IN TRIAL OR HEARING.—If a designation under this subsection has become effective under paragraph (2), an alien in a removal proceeding may not raise any question concerning the validity of the issuance of such designation as a defense or an objection.

''(b) AMENDMENTS TO A DESIGNATION.—

''(1) IN GENERAL.—The Secretary may amend a designation under this subsection if the Secretary determines that the group, club, organization, or association of 2 or more persons has changed its name, adopted a new alias, dissolved and then reconstituted itself under a different name or names, or merged with another group, club, organization, or association of 2 or more persons.

''(2) PROCEDURE.—Amendments made to a designation under paragraph (1) shall be effective upon publication in the Federal Register. Paragraphs (2), (4), (5), (6), (7), and (8) of subsection (a) shall also apply to an amended designation.

''(3) ADMINISTRATIVE RECORD.—The administrative record shall be corrected to include the amendments and any additional relevant information that supports such amendments.

''(4) CLASSIFIED INFORMATION.—The Secretary may consider classified information in amending a designation in accordance with this subsection. Classified information shall not be subject to disclosure while it remains classified, except that such information may be disclosed to a court ex parte and in camera for purposes of judicial review under subsection (c).

''(c) JUDICIAL REVIEW OF DESIGNATION.—

''(1) IN GENERAL.—Not later than 30 days after publication in the Federal Register of a designation, an amended designation, or a determination in response to a petition for revocation, the designated group, club, organization, or association of 2 or more persons may seek judicial review in the United States Court of Appeals for the District of Columbia Circuit.

''(2) BASIS OF REVIEW.—Review under this subsection shall be based solely upon the administrative record, except that the Government may submit, for ex parte and in camera review, classified information used in making the designation, amended designation, or determination in response to a petition for revocation.

''(3) SCOPE OF REVIEW.—The Court shall hold unlawful and set aside a designation, amended designation, or determination in response to a petition for revocation the court finds to be—

''(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

''(B) contrary to constitutional right, power, privilege, or immunity;

''(C) in excess of statutory jurisdiction, authority, or limitation, or short of statutory right;

''(D) lacking substantial support in the administrative record taken as a whole or in classified information submitted to the court under paragraph (2); or

''(E) not in accord with the procedures required by law.

''(4) JUDICIAL REVIEW INVOKED.—The pendency of an action for judicial review of a designation, amended designation, or determination in response to a petition for revocation shall not affect the application of this section, unless the court issues a final order setting aside the designation, amended designation, or determination in response to a petition for revocation.

''(d) DEFINITIONS.—As used in this section—

''(1) the term 'classified information' has the meaning given that term in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.);

''(2) the term 'national security' means the national defense, foreign relations, or economic interests of the United States;

''(3) the term 'relevant committees' means the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

''(4) the term 'Secretary' means the Secretary of Homeland Security, in consultation with the Attorney General.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 219 the following:

''Sec. 220. Designation of criminal gang.''.

(d) MANDATORY DETENTION OF CRIMINAL GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)) is amended—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(C) in subparagraph (C), by striking '', or'' at the end and inserting a semicolon;

(D) in subparagraph (D), by striking the comma at the end and inserting ''; or''; and

(E) by inserting after subparagraph (D) the following:

''(E) is inadmissible under section 212(a)(2)(J) or deportable under section 217(a)(2)(G),''.

(2) ANNUAL REPORT.—Not later than March 1 of the first year beginning after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that identifies the number of aliens detained as a result of the amendment made by paragraph (1)(E).

(e) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1251(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(J)(i) or section 237(a)(2)(G)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(J)(i) or 237(a)(2)(G)(i); or''.

(f) TEMPORARY PROTECTED STATUS.—Section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subsection (c)(2)(B)—

(A) in clause (i), by striking '', or'' at the end and inserting a semicolon;

(B) in clause (ii), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(iii) the alien is, or at any time has been, described in section 212(a)(2)(J) or 237(a)(2)(G).''; and

(3) in subsection (d)—

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(g) SPECIAL IMMIGRANT JUVENILE VISAS.—Section 101(a)(27)(J)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)(iii)) is amended—

(1) in subclause (I), by striking ''and'' at the end;

(2) in subclause (II), by adding ''and'' at the end; and

(3) by adding at the end the following:

''(III) no alien who is, or at any time has been, described in section 212(a)(2)(J) or 237(a)(2)(G) shall be eligible for any immigration benefit under this subparagraph;''.

(h) PAROLE.—An alien described in section 212(a)(2)(J) of the Immigration and Nationality Act, as added by subsection (b)(2), shall not be eligible for parole under section 212(d)(5)(A) of such Act unless—

(1) the alien is assisting or has assisted the United States Government in a law enforcement matter, including a criminal investigation; and

(2) the alien's presence in the United States is required by the Government with respect to such assistance.

(i) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SA 1955. Mr. COONS (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—UNITING AND SECURING AMERICA

SEC. __01. SHORT TITLES.

This title may be cited as the ''Uniting and Securing America Act of 2018'' or as the ''USA Act of 2018''.

Subtitle A—Adjustment of Status for Certain Individuals Who Entered the United States as Children

SEC. __11. DEFINITIONS.

In this subtitle:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this subtitle that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) DACA.—The term ''DACA'' means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals program announced by the Secretary of Homeland Security through a memorandum issued on June 15, 2012.

(3) DISABILITY.—The term ''disability'' has the meaning given such term in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(4) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ''early childhood education program'' has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) ELEMENTARY SCHOOL; HIGH SCHOOL; SECONDARY SCHOOL.—The terms ''elementary school'', ''high school'', and ''secondary school'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(7) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education''—

(A) except as provided in subparagraph (B), has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

(B) does not include an institution of higher education outside of the United States.

(8) PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.—The term ''permanent resident status on a conditional basis'' means status as an alien lawfully admitted for permanent residence on a conditional basis under this subtitle.

(9) POVERTY LINE.—The term ''poverty line'' has the meaning given such term in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

(10) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Homeland Security.

(11) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 101(a) of title 10, United States Code.

SEC. __12. PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, and except as provided in section __14(c)(2), an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions under this subtitle.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, or without such conditional basis as provided in section __14(c)(2), an alien who is inadmissible or deportable from the United States or is in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) if—

(A) the alien has been continuously physically present in the United States since December 31, 2013;

(B) the alien was younger than 18 years of age on the date on which the alien initially entered the United States;

(C) subject to paragraphs (2) and (3), the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iii) other than an offense under State or local law for which an essential element was the alien's immigration status, a minor traffic offense, or a violation of this subtitle, has not been convicted of—

(I) any offense under Federal or State law punishable by a maximum term of imprisonment of more than 1 year;

(II) any combination of offenses under Federal or State law, for which the alien was sentenced to imprisonment for a total of more than 1 year; or

(III) a crime of domestic violence (as such term is defined in section 237(a)(2)(E)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(E)(i))), unless the alien—

(aa) has filed an application under section 101(a)(15)(T), 101(a)(15)(U), 106, or 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(T), 1101(a)(15)(U), 1105a, and 1229b(b)(2)) or section 244(a)(3) of such Act (as in effect on March 31, 1997);

(bb) is a VAWA self-petitioner (as defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51));

(cc) provides evidence that the alien's crime of domestic violence is related to her or his having been a victim herself or himself of domestic violence, sexual assault, stalking, child abuse or neglect, elder abuse or neglect, human trafficking, having been battered or subjected to extreme cruelty, having been a victim of criminal activity described in section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)); or

(dd) is a witness involved in a pending criminal or government agency investigation or prosecution related to the crime of domestic violence; and

(D) the alien—

(i) has been admitted to an institution of higher education;

(ii) has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general education development certificate recognized under State law or a high school equivalency diploma in the United States; or

(iii) is enrolled in secondary school or in an education program assisting students in—

(I) obtaining a regular high school diploma or its recognized equivalent under State law; or

(II) in passing a general educational development exam, a high school equivalence diploma examination, or other similar State-authorized exam.

(2) WAIVER.—With respect to any benefit under this subtitle, the Secretary may waive subclauses (I), (II), and (III) of subsection (b)(1)(C)(iii) and the grounds of inadmissibility under paragraph (2), (6)(E), (6)(G), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes, family unity, or if the waiver is otherwise in the public interest.

(3) TREATMENT OF EXPUNGED CONVICTIONS.—For purposes of cancellation of removal, adjustment to permanent resident status on a conditional basis, or other adjustment of status, the term ''conviction'' does not include an adjudication or judgment of guilt that has been dismissed, expunged, deferred, annulled, invalidated, withheld, sealed, vacated, pardoned, an order of probation without entry of judgment, or any similar rehabilitative disposition.

(4) DACA RECIPIENTS.—The Secretary shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who was granted DACA unless the alien has engaged in conduct since the alien was granted DACA that would make the alien ineligible for DACA.

(5) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary shall require an alien applying for permanent resident status on a conditional basis under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

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

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

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

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

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

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

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

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

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

(6) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant an alien permanent resident status on a conditional basis under this section unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for aliens who are unable to provide such biometric or biographic data because of a physical impairment.

(7) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien seeking permanent resident status on a conditional basis under this section; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary grants such alien permanent resident status on a conditional basis under this section.

(8) MEDICAL EXAMINATION.—

(A) REQUIREMENT.—An alien applying for permanent resident status on a conditional basis under this section shall undergo a medical examination.

(B) POLICIES AND PROCEDURES.—The Secretary, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of the examination required under subparagraph (A).

(9) MILITARY SELECTIVE SERVICE.—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.

(c) DETERMINATION OF CONTINUOUS PRESENCE.—

(1) TERMINATION OF CONTINUOUS PERIOD.—Any period of continuous physical presence in the United States of an alien who applies for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), an alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (b)(1)(A) if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(B) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in subparagraph (A) for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(C) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under subparagraph (A).

(d) LIMITATION ON REMOVAL OF CERTAIN ALIENS.—

(1) IN GENERAL.—The Secretary or the Attorney General may not remove an alien who appears prima facie eligible for relief under this section.

(2) ALIENS SUBJECT TO REMOVAL.—The Secretary shall provide an alien with a reasonable opportunity to apply for relief under this section if the alien—

(A) requests such an opportunity or appears prima facie eligible for relief under this section; and

(B) is in removal proceedings, is the subject of a final removal order, or is the subject of a voluntary departure order.

(3) CERTAIN ALIENS ENROLLED IN ELEMENTARY OR SECONDARY SCHOOL.—

(A) STAY OF REMOVAL.—The Attorney General shall stay the removal proceedings of an alien who—

(i) meets all of the requirements under subparagraphs (A), (B), and (C) of subsection (b)(1), subject to paragraphs (2) and (3) of subsection (b);

(ii) is at least 5 years of age; and

(iii) is enrolled in an elementary school, a secondary school, or an early childhood education program.

(B) COMMENCEMENT OF REMOVAL PROCEEDINGS.—The Secretary may not commence removal proceedings for an alien described in subparagraph (A).

(C) EMPLOYMENT.—An alien whose removal is stayed pursuant to subparagraph (A) or who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) LIFT OF STAY.—The Secretary or the Attorney General may not lift the stay granted to an alien under subparagraph (A) unless the alien ceases to meet the requirements under such subparagraph.

(e) EXEMPTION FROM NUMERICAL LIMITATIONS.—Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status, on a conditional basis or otherwise, under this subtitle.

SEC. __13. TERMS OF PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.

(a) PERIOD OF STATUS.—Permanent resident status on a conditional basis is—

(1) valid for a period of 8 years, unless such period is extended by the Secretary; and

(2) subject to termination under subsection (c).

(b) NOTICE OF REQUIREMENTS.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this subtitle and the requirements to have the conditional basis of such status removed.

(c) TERMINATION OF STATUS.—The Secretary may terminate the permanent resident status on a conditional basis of an alien only if the Secretary—

(1) determines that the alien ceases to meet the requirements under section __12(b)(1)(C), subject to paragraphs (2) and (3) of section __12(b); and

(2) before the termination, provides the alien with—

(A) notice of the proposed termination; and

(B) the opportunity for a hearing to provide evidence that the alien meets such requirements or otherwise contest the termination.

(d) RETURN TO PREVIOUS IMMIGRATION STATUS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied shall return to the immigration status that the alien had immediately before receiving permanent resident status on a conditional basis or applying for such status, as appropriate.

(2) SPECIAL RULE FOR TEMPORARY PROTECTED STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who had temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a) immediately before receiving or applying for such permanent resident status on a conditional basis, as appropriate, may not return to such temporary protected status if—

(A) the relevant designation under section 244(b) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) has been terminated; or

(B) the Secretary determines that the reason for terminating the permanent resident status on a conditional basis renders the alien ineligible for such temporary protected status.

SEC. __14. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional basis of an alien's permanent resident status granted under this subtitle and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) is described in section __12(b)(1)(C), subject to paragraphs (2) and (3) of section __12(b);

(B) has not abandoned the alien's residence in the United States; and

(C)(i) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a post-secondary vocational program or in a program for a bachelor's degree or higher degree in the United States;

(ii) has served in the Uniformed Services for at least the period for which the alien was obligated to serve on active duty and, if discharged, received an honorable discharge; or

(iii) has been employed for periods totaling at least 3 years and at least 80 percent of the time that the alien has had a valid employment authorization, except that any period during which the alien is not employed while having a valid employment authorization and is enrolled in an institution of higher education, a secondary school, or an education program described in section __12(b)(1)(D)(iii), shall not count toward the time requirements under this clause.

(2) HARDSHIP EXCEPTION.—The Secretary shall remove the conditional basis of an alien's permanent resident status and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) satisfies the requirements under subparagraphs (A) and (B) of paragraph (1);

(B) demonstrates compelling circumstances for the inability to satisfy the requirements under paragraph (1)(C); and

(C) demonstrates that—

(i) the alien has a disability;

(ii) the alien is a full-time caregiver of a minor child; or

(iii) the removal of the alien from the United States would result in extreme hardship to the alien or the alien's spouse, parent, or child who is a national of the United States or is lawfully admitted for permanent residence.

(3) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien's permanent resident status granted under this subtitle may not be removed unless the alien demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable to meet the requirements under such section 312(a) due to disability.

(4) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary shall require aliens applying for lawful permanent resident status under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

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

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

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

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

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

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

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

(iv)(I) during the 12-month period immediately preceding the date on which the alien files an application under this section, the alien accumulated $10,000 or more in debt as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien; and

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

(5) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not remove the conditional basis of an alien's permanent resident status unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric data because of a physical impairment.

(6) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien applying for removal of the conditional basis of the alien's permanent resident status; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for removal of such conditional basis.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks of an alien required under subparagraph (A) shall be completed, to the satisfaction of the Secretary, before the date on which the Secretary removes the conditional basis of the alien's permanent resident status.

(b) TREATMENT FOR PURPOSES OF NATURALIZATION.—

(1) IN GENERAL.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis shall be considered to have been admitted to the United States, and be present in the United States, as an alien lawfully admitted for permanent residence.

(2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

(c) TIMING OF APPROVAL OF LAWFUL PERMANENT RESIDENCE STATUS.—

(1) IN GENERAL.—An alien granted lawful permanent residence on a conditional basis under this subtitle may apply to have such conditional basis removed at any time after such alien has met the eligibility requirements set forth in subsection (a).

(2) APPROVAL WITH REGARD TO INITIAL APPLICATIONS.—The Secretary shall provide lawful permanent residence status without conditional basis to any alien who demonstrates eligibility for lawful permanent residence status on a conditional basis under section __12, if such alien has already fulfilled the requirements of subsection (a) at the time such alien first submits an application for benefits under this subtitle.

SEC. __15. DOCUMENTATION REQUIREMENTS.

(a) DOCUMENTS ESTABLISHING IDENTITY.—An alien's application for permanent resident status on a conditional basis may include, as proof of identity—

(1) a passport or national identity document from the alien's country of origin that includes the alien's name and the alien's photograph or fingerprint;

(2) the alien's birth certificate and an identity card that includes the alien's name and photograph;

(3) a school identification card that includes the alien's name and photograph, and school records showing the alien's name and that the alien is or was enrolled at the school;

(4) a Uniformed Services identification card issued by the Department of Defense;

(5) any immigration or other document issued by the United States Government bearing the alien's name and photograph; or

(6) a State-issued identification card bearing the alien's name and photograph.

(b) DOCUMENTS ESTABLISHING CONTINUOUS PHYSICAL PRESENCE IN THE UNITED STATES.—To establish that an alien has been continuously physically present in the United States, as required under section __12(b)(1)(A), or to establish that an alien has not abandoned residence in the United States, as required under section __14(a)(1)(B), the alien may submit documents to the Secretary, including—

(1) employment records that include the employer's name and contact information;

(2) records from any educational institution the alien has attended in the United States;

(3) records of service from the Uniformed Services;

(4) official records from a religious entity confirming the alien's participation in a religious ceremony;

(5) passport entries;

(6) a birth certificate for a child who was born in the United States;

(7) automobile license receipts or registration;

(8) deeds, mortgages, or rental agreement contracts;

(9) tax receipts;
(10) insurance policies;
(11) remittance records;
(12) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;
(13) copies of money order receipts for money sent in or out of the United States;
(14) dated bank transactions; or
(15) 2 or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien's continuous physical presence in the United States, that contain—
(A) the name, address, and telephone number of the affiant; and
(B) the nature and duration of the relationship between the affiant and the alien.

(c) DOCUMENTS ESTABLISHING INITIAL ENTRY INTO THE UNITED STATES.—To establish under section __12(b)(1)(B) that an alien was younger than 18 years of age on the date on which the alien initially entered the United States, an alien may submit documents to the Secretary, including—
(1) an admission stamp on the alien's passport;
(2) records from any educational institution the alien has attended in the United States;
(3) any document from the Department of Justice or the Department of Homeland Security stating the alien's date of entry into the United States;
(4) hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization;
(5) rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address;
(6) employment records that include the employer's name and contact information;
(7) official records from a religious entity confirming the alien's participation in a religious ceremony;
(8) a birth certificate for a child who was born in the United States;
(9) automobile license receipts or registration;
(10) deeds, mortgages, or rental agreement contracts;
(11) tax receipts;
(12) travel records;
(13) copies of money order receipts sent in or out of the country;
(14) dated bank transactions;
(15) remittance records; or
(16) insurance policies.

(d) DOCUMENTS ESTABLISHING ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has been admitted to an institution of higher education, the alien shall submit to the Secretary a document from the institution of higher education certifying that the alien—
(1) has been admitted to the institution; or
(2) is currently enrolled in the institution as a student.

(e) DOCUMENTS ESTABLISHING RECEIPT OF A DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien shall submit to the Secretary a diploma or other document from the institution stating that the alien has received such a degree.

(f) DOCUMENTS ESTABLISHING RECEIPT OF HIGH SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE, OR A RECOGNIZED EQUIVALENT.—To establish that an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, or has obtained a general educational development certificate recognized under State law or a high school equivalency diploma in the United States, the alien shall submit to the Secretary—
(1) a high school diploma, certificate of completion, or other alternate award;
(2) a high school equivalency diploma or certificate recognized under State law; or
(3) evidence that the alien passed a State-authorized exam, including the general educational development exam, in the United States.

(g) DOCUMENTS ESTABLISHING ENROLLMENT IN AN EDUCATIONAL PROGRAM.—To establish that an alien is enrolled in any school or education program described in section __12(b)(1)(D)(iii), __12(d)(3)(A)(iii), or __14(a)(1)(C), the alien shall submit school records from the United States school that the alien is currently attending that include—
(1) the name of the school; and
(2) the alien's name, periods of attendance, and current grade or educational level.

(h) DOCUMENTS ESTABLISHING EXEMPTION FROM APPLICATION FEES.—To establish that an alien is exempt from an application fee under section __12(b)(5)(B) or __14(a)(4)(B), the alien shall submit to the Secretary the following relevant documents:
(1) DOCUMENTS TO ESTABLISH AGE.—To establish that an alien meets an age requirement, the alien shall provide proof of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.
(2) DOCUMENTS TO ESTABLISH INCOME.—To establish the alien's income, the alien shall provide—
(A) employment records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;
(B) bank records; or
(C) at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work and income that contain—
(i) the name, address, and telephone number of the affiant; and
(ii) the nature and duration of the relationship between the affiant and the alien.
(3) DOCUMENTS TO ESTABLISH FOSTER CARE, LACK OF FAMILIAL SUPPORT, HOMELESSNESS, OR SERIOUS, CHRONIC DISABILITY.—To establish that the alien was in foster care, lacks parental or familial support, is homeless, or has a serious, chronic disability, the alien shall provide at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—
(A) a statement that the alien is in foster care, otherwise lacks any parental or other familiar support, is homeless, or has a serious, chronic disability, as appropriate;
(B) the name, address, and telephone number of the affiant; and
(C) the nature and duration of the relationship between the affiant and the alien.
(4) DOCUMENTS TO ESTABLISH UNPAID MEDICAL EXPENSE.—To establish that the alien has debt as a result of unreimbursed medical expenses, the alien shall provide receipts or other documentation from a medical provider that—
(A) bear the provider's name and address;
(B) bear the name of the individual receiving treatment; and
(C) document that the alien has accumulated $10,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses incurred by the alien or an immediate family member of the alien.

(i) DOCUMENTS ESTABLISHING QUALIFICATION FOR HARDSHIP EXEMPTION.—To establish that an alien satisfies 1 of the criteria for the hardship exemption set forth in section __14(a)(2)(A)(iii), the alien shall submit to the Secretary at least 2 sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—
(1) the name, address, and telephone number of the affiant; and
(2) the nature and duration of the relationship between the affiant and the alien.

(j) DOCUMENTS ESTABLISHING SERVICE IN THE UNIFORMED SERVICES.—To establish that an alien has served in the Uniformed Services for at least the period for which the alien was obligated to serve on active duty and, if discharged, received an honorable discharge, the alien shall submit to the Secretary—
(1) a Department of Defense Form DD–214;
(2) a National Guard Report of Separation and Record of Service Form NGB–22;
(3) personnel records for such service from the appropriate Uniformed Service; or
(4) health records from the appropriate Uniformed Service.

(k) DOCUMENTS ESTABLISHING EMPLOYMENT.—
(1) IN GENERAL.—An alien may satisfy the employment requirement under section __14(a)(1)(C)(iii) by submitting records that—
(A) establish compliance with such employment requirement; and
(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.
(2) OTHER DOCUMENTS.—An alien who is unable to submit the records described in paragraph (1) may satisfy the employment requirement by submitting at least 2 types of reliable documents that provide evidence of employment, including—
(A) bank records;
(B) business records;
(C) employer records;
(D) records of a labor union, day labor center, or organization that assists workers in employment;
(E) sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work, that contain—
(i) the name, address, and telephone number of the affiant; and
(ii) the nature and duration of the relationship between the affiant and the alien; and
(F) remittance records.

(l) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status on a conditional basis is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.

SEC. __16. RULEMAKING.

(a) INITIAL PUBLICATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this subtitle in the Federal Register. Such regulations shall allow eligible individuals to immediately apply affirmatively for the relief available under section __12 without being placed in removal proceedings.

(b) INTERIM REGULATIONS.—Notwithstanding section 553 of title 5, United States Code, the regulations published pursuant to subsection (a) shall be effective, on an interim basis, immediately upon publication in the Federal Register, but may be subject to change and revision after public notice and opportunity for a period of public comment.

(c) FINAL REGULATIONS.—Not later than 180 days after the date on which interim regulations are published under this section, the Secretary shall publish final regulations implementing this subtitle.

(d) PAPERWORK REDUCTION ACT.—The requirements under chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), shall not apply to any action to implement this subtitle.

SEC. __17. CONFIDENTIALITY OF INFORMATION.

(a) IN GENERAL.—The Secretary may not disclose or use information provided in applications filed under this subtitle or in requests for DACA for the purpose of immigration enforcement.

(b) REFERRALS PROHIBITED.—The Secretary may not refer any individual who has been granted permanent resident status on a conditional basis under this subtitle or who was granted DACA to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.

(c) LIMITED EXCEPTION.—Notwithstanding subsections (a) and (b), information provided in an application for permanent resident status on a conditional basis or a request for DACA may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for permanent resident status on a conditional basis;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

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

(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. __18. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

(a) IN GENERAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) EFFECTIVE DATE.—The repeal under subsection (a) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 110 Stat. 3009–546).

Subtitle B—Secure Miles With All Resources and Technology

SEC. __21. DEFINITIONS.

In this subtitle:

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

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

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

(4) SOUTHERN BORDER.—The term ''southern border'' means the international border between the United States and Mexico.

CHAPTER 1—INFRASTRUCTURE AND EQUIPMENT

SEC. __22. STRENGTHENING THE REQUIREMENTS FOR BORDER SECURITY TECHNOLOGY ALONG THE SOUTHERN BORDER.

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

(1) in subsection (a)—

(A) by inserting ''and border technology'' before ''in the vicinity of''; and

(B) by striking ''illegal crossings in areas of high illegal entry into the United Sates'' and inserting '', impede, and detect illegal activity in high traffic areas'';

(2) in subsection (c)(1), by inserting ''and, pursuant to subsection (d), the installation, operation, and maintenance of technology'' after ''barriers and roads''; and

(3) by adding at the end the following:

''(d) INSTALLATION, OPERATION, AND MAINTENANCE OF TECHNOLOGY.—Not later than January 20, 2021, the Secretary of Homeland Security, in carrying out subsection (a), shall deploy the most practical and effective technology available along the United States border for achieving situational awareness and operational control of the border.

''(e) DEFINITIONS.—In this section:

''(1) HIGH TRAFFIC AREAS.—The term 'high traffic areas' means sectors along the northern, southern, or coastal border that—

''(A) are within the responsibility of U.S. Customs and Border Protection; and

''(B) have significant unlawful cross-border activity.

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

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

''(4) TECHNOLOGY.—The term 'technology' includes border surveillance and detection technology, including—

''(A) radar surveillance systems;

''(B) Vehicle and Dismount Exploitation Radars (VADER);

''(C) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology;

''(D) sensors;

''(E) unmanned cameras;

''(F) man-portable and mobile vehicle-mounted unmanned aerial vehicles; and

''(G) any other devices, tools, or systems found to be more effective or advanced than those specified in subparagraphs (A) through (F).''.

SEC. __23. COMPREHENSIVE SOUTHERN BORDER STRATEGY.

(a) REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a comprehensive southern border strategy to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(b) CONTENTS.—The strategy submitted under subsection (a) shall include—

(1) a list of known physical barriers, levees, technologies, tools, and other devices that can be used to achieve and maintain situational awareness and operational control along the southern border;

(2) a projected per mile cost estimate for each physical barrier, levee, technology, tool, and other device included on the list required under paragraph (1);

(3) a detailed account of which type of physical barrier, levee, technology, tool, or other device the Secretary believes is necessary to achieve and maintain situational awareness and operational control for each linear mile of the southern border;

(4) an explanation for why such physical barrier, levee, technology, tool, or other device was chosen to achieve and maintain situational awareness and operational control for each linear mile of the southern border, including—

(A) the methodology used to determine which type of physical barrier, levee, technology, tool, or other device was chosen for such linear mile;

(B) an examination of existing manmade and natural barriers for each linear mile of the southern border;

(C) the information collected and evaluated from—

(i) the appropriate U.S. Customs and Border Protection Sector Chief;

(ii) the Joint Task Force Commander;

(iii) the appropriate State Governor;

(iv) tribal government officials;

(v) border county and city elected officials;

(vi) local law enforcement officials;

(vii) private property owners;

(viii) local community groups, including human rights organizations; and

(ix) other affected stakeholders; and

(D) a privacy evaluation conducted by the Privacy Officer of the Department of Homeland Security, in accordance with the responsibilities and authorities under section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142), for each such physical barrier, levee, technology, tool, or other device;

(5) a per mile cost calculation for each linear mile of the southern border given the type of physical barrier, levee, technology, tool, or other device chosen to achieve and maintain situational awareness and operational control for each linear mile; and

(6) a cost justification for each time a more expensive physical barrier, levee, technology, tool, or other device is chosen over a less expensive option, as established by the per mile cost estimates required in paragraph (2).

SEC. __24. CONTROL OR ERADICATION OF CARRIZO CANE AND SALT CEDAR.

Not later than January 20, 2019, the Secretary, after coordinating with the heads of relevant Federal, State, and local agencies, shall begin controlling or eradicating, as appropriate, the carrizo cane plant and any salt cedar along the Rio Grande River and the Lower Colorado River.

SEC. __25. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) INCREASED FLIGHT HOURS.—The Secretary shall ensure that not fewer than 95,000 annual flight hours are executed by Air and Marine Operations of U.S. Customs and Border Protection, with adequate accountability and oversight, including strong privacy protections.

(b) UNMANNED AERIAL SYSTEM.—The Secretary shall ensure that Air and Marine Operations operate unmanned aerial systems for not less than 24 hours per day for not fewer than 5 days per week.

(c) STUDY AND REPORT.—

(1) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall commence a comprehensive study—

(A) to identify deficiencies and opportunities for improvement in the capability of Air and Marine Operations to fulfill air and marine support requirements for the U.S. Border Patrol and other components of the Department of Homeland Security, including support in critical source and transit zones;

(B) to assess whether such requirements could better be fulfilled through the realignment of Air and Marine Operations as a directorate of the U.S. Border Patrol; and

(C) to identify deficiencies and opportunities for improvement in the capabilities of the U.S. Border Patrol and other departmental components to develop rigorous estimates of such requirements.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the

Secretary shall submit 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 contains the results of the study required under paragraph (1), including recommendations and time frames for implementing the recommendations contained in such study.

SEC. _26. PORTS OF ENTRY INFRASTRUCTURE.

(a) ADDITIONAL PORTS OF ENTRY.—

(1) AUTHORITY.—The Secretary may construct new ports of entry along the northern border and the southern border and determine the location of any such new ports of entry.

(2) CONSULTATION.—

(A) REQUIREMENT TO CONSULT.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Administrator of General Services, and appropriate representatives of State and local governments, tribal governments, community groups, and property owners in the United States before selecting a location for any new port constructed pursuant to paragraph (1).

(B) CONSIDERATIONS.—The purpose of the consultations required under subparagraph (A) shall be to minimize any negative impacts of any proposed new port on the environment, culture, commerce, and quality of life of the communities and residents located near such new port.

(b) EXPANSION AND MODERNIZATION OF HIGH-VOLUME SOUTHERN BORDER PORTS OF ENTRY.—Not later than September 30, 2018, the Secretary shall submit a plan to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives for expanding the primary and secondary inspection lanes for vehicle, cargo, and pedestrian inbound and outbound inspection lanes at the top 10 high-volume ports of entry on the southern border, as determined by the Secretary.

(c) ESTIMATES OF INSPECTION PROCESSING GOALS AND WAIT-TIME STANDARDS.—The plan required under subsection (b) shall be based on estimates by the Secretary of the number of such inspection lanes required to meet inspection processing goals and wait-time standards established by the Secretary.

(d) PORT OF ENTRY PRIORITIZATION.—The Secretary shall complete the expansion and modernization of ports of entry pursuant to subsection (b), to the extent practicable, before constructing any new ports of entry pursuant to subsection (a).

CHAPTER 2—GRANTS

SEC. _27. OPERATION STONEGARDEN.

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

"SEC. 2009. OPERATION STONEGARDEN.

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

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

''(1) shall be located in—

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

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

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

''(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for—

''(1) equipment, including maintenance and sustainment costs;

''(2) any cost or activity permitted for Operation Stonegarden under the Department of Homeland Security's Fiscal Year 2017 Homeland Security Grant Program Notice of Funding Opportunity; and

''(3) any other appropriate border security activity, as determined by the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not less than 3 years.

''(e) REPORT.—The Administrator shall submit an annual report, for each of the fiscal years 2018 through 2022, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that contains information on the expenditure of grants made under this section by each grant recipient.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of the fiscal years 2018 through 2022 for grants under this section.''.

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

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

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following:

''Sec. 2009. Operation Stonegarden.''.

SEC. _28. SOUTHERN BORDER REGION EMERGENCY COMMUNICATIONS GRANT.

(a) IN GENERAL.—The Secretary, in consultation with the Governors of the States that are adjacent to the southern border, shall establish a 2-year grant program to improve emergency communications in the southern border region.

(b) ELIGIBILITY FOR GRANTS.—An individual is eligible for a grant under this section if the individual—

(1) regularly resides or works in a State that is adjacent to the southern border; and

(2) is at greater risk of border violence due to a lack of cellular and LTE network service at the individual's residence or business and the individual's proximity to the southern border.

(c) USE OF GRANTS.—Grants awarded under this section may be used to purchase satellite telephone communications systems and services that—

(1) can provide access to 9–1–1 service; and

(2) are equipped with receivers for the Global Positioning System.

Subtitle C—Reducing Significant Delays in Immigration Court

SEC. _31. ELIMINATE IMMIGRATION COURT BACKLOGS.

(a) ANNUAL INCREASES IN IMMIGRATION JUDGES.—The Attorney General of the United States shall increase the total number of immigration judges to adjudicate pending cases and efficiently process future cases by not fewer than—

(1) 55 judges during fiscal year 2018;

(2) an additional 55 judges during fiscal year 2019; and

(3) an additional 55 judges during fiscal year 2020.

(b) QUALIFICATIONS OF IMMIGRATION JUDGES.—The Attorney General shall ensure that all newly hired immigration judges—

(1) are highly qualified and trained to conduct fair, impartial hearings consistent with due process; and

(2) represent a diverse pool of individuals that includes a balance of individuals with nongovernmental, private bar, or academic experience in addition to government experience.

(c) NECESSARY SUPPORT STAFF FOR IMMIGRATION JUDGES.—To address the shortage of support staff for immigration judges, the Attorney General shall ensure that each immigration judge has sufficient support staff, adequate technological and security resources, and appropriate courtroom facilities.

(d) ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.—The Attorney General shall increase the number of Board of Immigration Appeals staff attorneys (including necessary additional support staff) to efficiently process cases by at least—

(1) 23 attorneys during fiscal year 2018;

(2) an additional 23 attorneys during fiscal year 2019; and

(3) an additional 23 attorneys during fiscal year 2020.

(e) GAO REPORT.—The Comptroller General of the United States shall—

(1) conduct a study of the hurdles to efficient hiring of immigration court judges within the Department of Justice; and

(2) propose solutions to Congress for improving the efficiency of the hiring process.

SEC. _32. IMPROVED TRAINING FOR IMMIGRATION JUDGES AND MEMBERS OF THE BOARD OF IMMIGRATION APPEALS.

(a) IN GENERAL.—To ensure efficient and fair proceedings, the Director of the Executive Office for Immigration Review shall facilitate robust training programs for immigration judges and members of the Board of Immigration Appeals.

(b) MANDATORY TRAINING.—Training facilitated under subsection (a) shall include—

(1) an expansion of the training program for new immigration judges and Board members;

(2) continuing education regarding current developments in immigration law through regularly available training resources and an annual conference;

(3) methods to ensure that immigration judges are trained on properly crafting and dictating decisions and standards of review, including improved on-bench reference materials and decision templates;

(4) specialized training to handle cases involving other vulnerable populations including survivors of domestic violence, sexual assault, or trafficking and individuals with mental disabilities in partnership with the National Council of Juvenile and Family Court Judges; and

(5) specialized training in child interviewing, child psychology, and child trauma in partnership with the National Council of Juvenile and Family Court Judges for Immigration Judges.

SEC. _33. NEW TECHNOLOGY TO IMPROVE COURT EFFICIENCY.

The Director of the Executive Office for Immigration Review shall modernize its case management and related electronic systems, including allowing for electronic filing, to improve efficiency in the processing of immigration proceedings.

Subtitle D—Advancing Reforms in Central America to Address the Factors Driving Migration

SEC. _41. DEFINITIONS.

In this subtitle:

(1) NORTHERN TRIANGLE.—The term ''Northern Triangle'' means the countries of El Salvador, Guatemala, and Honduras.

(2) PLAN.—The term ''Plan'' means the Plan of the Alliance for Prosperity in the Northern Triangle, developed by the Governments of El Salvador, Guatemala, and Honduras, with the technical assistance of the Inter-American Development Bank, and representing a comprehensive approach to address the complex situation in the Northern Triangle.

CHAPTER 1—EFFECTIVELY COORDINATING UNITED STATES ENGAGEMENT IN CENTRAL AMERICA

SEC. __42. UNITED STATES COORDINATOR FOR ENGAGEMENT IN CENTRAL AMERICA.

(a) DESIGNATION.—Not later than 30 days after the date of the enactment of this Act, the President shall designate a senior official (referred to in this section as the ''Coordinator'')—

(1) to coordinate the efforts of the Federal Government under this subtitle; and

(2) to coordinate the efforts of international partners—

(A) to strengthen citizen security, the rule of law, and economic prosperity in Central America; and

(B) to protect vulnerable populations in the region.

(b) SUPERVISION.—The Coordinator shall report directly to the President.

(c) DUTIES.—The Coordinator shall coordinate the efforts, activities, and programs related to United States engagement in Central America under this subtitle, including—

(1) coordinating with the Department of State, the Department of Justice (including the Federal Bureau of Investigation), the Department of Homeland Security, the intelligence community, and international partners regarding United States efforts to confront armed criminal gangs, illicit trafficking networks, and organized crime responsible for high levels of violence, extortion, and corruption in Central America;

(2) coordinating with the Department of State, the United States Agency for International Development, and international partners regarding United States efforts to prevent and mitigate the effects of violent criminal gangs and transnational criminal organizations on vulnerable Central American populations, including women and children;

(3) coordinating with the Department of State, the Department of Homeland Security, and international partners regarding United States efforts to counter human smugglers illegally transporting Central American migrants to the United States;

(4) coordinating with the Department of State, the Department of Homeland Security, the United States Agency for International Development, and international partners, including the United Nations High Commissioner for Refugees, to increase protections for vulnerable Central American populations, improve refugee processing, and strengthen asylum systems throughout the region;

(5) coordinating with the Department of State, the Department of Defense, the Department of Justice (including the Drug Enforcement Administration), the Department of the Treasury, the intelligence community, and international partners regarding United States efforts to combat illicit narcotics traffickers, interdict transshipments of illicit narcotics, and disrupt the financing of the illicit narcotics trade;

(6) coordinating with the Department of State, the Department of the Treasury, the Department of Justice, the intelligence community, the United States Agency for International Development, and international partners regarding United States efforts to combat corruption, money laundering, and illicit financial networks;

(7) coordinating with the Department of State, the Department of Justice, the United States Agency for International Development, and international partners regarding United States efforts to strengthen the rule of law, democratic governance, and human rights protections; and

(8) coordinating with the Department of State, the Department of Agriculture, the United States Agency for International Development, the Overseas Private Investment Corporation, the United States Trade and Development Agency, the Department of Labor, and international partners, including the Inter-American Development Bank, to strengthen the foundation for inclusive economic growth and improve food security, investment climate, and protections for labor rights.

(d) CONSULTATION.—The Coordinator shall consult with Congress, multilateral organizations and institutions, foreign governments, and domestic and international civil society organizations in carrying out this section.

CHAPTER 2—TARGETING ASSISTANCE TO APPROPRIATE COMMUNITIES IN THE NORTHERN TRIANGLE

SEC. __43. TARGETING ASSISTANCE TO APPROPRIATE COMMUNITIES.

Not later than 1 year after the date of the enactment of this Act and annually thereafter for each of the 5 succeeding years, the Comptroller General of the United States shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that contains—

(1) raw data on the number of children migrating to the United States from each community or geographic area in the Northern Triangle;

(2) an assessment of whether United States foreign assistance to the Northern Triangle is effectively reaching the communities and geographic areas from which children are migrating; and

(3) an assessment of the extent to which the Department of State and the United States Agency for International Development are adjusting programming in the Northern Triangle as migration patterns shift.

CHAPTER 3—REGIONAL MILLENNIUM CHALLENGE CORPORATION COMPACTS

SEC. __44. MILLENNIUM CHALLENGE CORPORATION COMPACTS.

(a) CONCURRENT COMPACTS.—Section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) is amended—

(1) in subsection (a), by adding at the end the following: ''The Board may enter into a Compact with more than 1 eligible country in a region if the Board determines that a regional development strategy would further regional development objectives.'';

(2) in subsection (k)—

(A) by striking the first sentence; and

(B) by striking ''the existing'' and inserting ''an existing''; and

(3) by adding at the end the following:

''(l) CONCURRENT COMPACTS.—In accordance with the requirements under this Act, an eligible country and the United States may enter into and have in effect more than 1 Compact at any given time, including a concurrent Compact for purposes of regional economic integration or cross-border collaborations, only if the Board determines that such country is making considerable and demonstrable progress in implementing the terms of the existing Compact and any supplementary agreements to such Compact.''.

(b) CONFORMING AMENDMENTS.—The Millennium Challenge Act of 2003 (22 U.S.C. 7701 et seq.; title VI of Public Law 108–199) is amended—

(1) in section 609(b) (22 U.S.C. 7708(b))—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''the national development strategy of the eligible country'' and inserting ''the national or regional development strategy of the country or countries''; and

(ii) in subparagraphs (A), (B), (E), and (J), by inserting ''or countries'' after ''country'' each place such term appears; and

(B) in paragraph (3)—

(i) by inserting ''or regional development strategy'' after ''national development strategy''; and

(ii) by inserting ''or governments of the countries in the case of regional investments'' after ''government of the country''; and

(2) in section 613(b)(2)(A) (22 U.S.C. 7712(b)(2)(A)) by striking ''the Compact'' and inserting ''any Compact''.

CHAPTER 4—UNITED STATES LEADERSHIP FOR ENGAGING INTERNATIONAL DONORS AND PARTNERS

SEC. __45. REQUIREMENT FOR STRATEGY TO SECURE SUPPORT OF INTERNATIONAL DONORS AND PARTNERS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a 3-year strategy to the appropriate congressional committees that—

(1) describes how the United States will secure support from international donors and regional partners (including Colombia and Mexico) for the implementation of the Plan;

(2) identifies governments that are willing to provide financial and technical assistance for the implementation of the Plan and a description of such assistance; and

(3) identifies the financial and technical assistance to be provided by multilateral institutions, including the Inter-American Development Bank, the World Bank, the International Monetary Fund, the Andean Development Corporation–Development Bank of Latin America, and the Organization of American States, and a description of such assistance.

(b) DIPLOMATIC ENGAGEMENT AND COORDINATION.—The Secretary of State, in coordination with the Secretary of the Treasury, as appropriate, shall—

(1) carry out diplomatic engagement to secure contributions of financial and technical assistance from international donors and partners in support of the Plan; and

(2) take all necessary steps to ensure effective cooperation among international donors and partners supporting the Plan.

(c) REPORT.—Not later than 1 year after submitting the strategy required under subsection (a), the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) the progress made in implementing the strategy; and

(2) the financial and technical assistance provided by international donors and partners, including the multilateral institutions specified in subsection (a)(3).

(d) BRIEFINGS.—Upon a request from any of the appropriate congressional committees, the Secretary of State shall provide a briefing to such committee that describes the progress made in implementing the strategy required under subsection (a).

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

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

SA 1956. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2579, to amend the Internal Revenue Code of 1986 to allow the premium tax credit with respect to unsubsidized COBRA continuation coverage; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION ___. STATE-SPONSORED VISA PILOT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''State Sponsored Visa Pilot Program Act of 2018''.

(b) STATE-SPONSORED NONIMMIGRANT PROGRAM.—Section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) is amended—

(1) in subparagraph (U)(iii), by striking the ''or'' at the end;

(2) in subparagraph (V), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(W)(i) an alien who is sponsored by a State and who is coming temporarily to the United States to reside in the State to perform services, provide capital investment, direct the operations of an enterprise, or otherwise contribute to the economic development agenda of the State in a manner determined by the State; and

''(ii) the alien spouse and minor children of any alien described in clause (i).''.

(c) ADMISSION OF STATE-SPONSORED NONIMMIGRANTS.—

(1) REQUIREMENTS FOR STATE-SPONSORED NONIMMIGRANTS.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(A) in subsection (h), by striking ''(H)(i)(b) or (c), (L), or (V)'' and inserting ''(H)(i)(b), (H)(i)(c), (L), (V), or (W)''; and

(B) by adding at the end the following:

''(s) REQUIREMENTS APPLICABLE TO STATE-SPONSORED NONIMMIGRANT VISAS.—

''(1) DEFINITIONS.—In this subsection:

''(A) RESIDE.—The term 'reside' means to live and establish a residence in a State for a consecutive period of more than 14 days (not including any period after the approval of the resident's petition for immigrant status).

''(B) SECRETARY.—Except as otherwise specifically provided in this subsection, the term 'Secretary' means the Secretary of Homeland Security.

''(C) STATE.—Notwithstanding section 101(a)(36), the term 'State' means a State of the United States and the District of Columbia.

''(D) STATE-SPONSORED NONIMMIGRANT.—The term 'State-sponsored nonimmigrant' means an alien who has been sponsored by a State for admission under section 101(a)(15)(W).

''(E) STATE-SPONSORED NONIMMIGRANT PROGRAM.—The term 'State-sponsored nonimmigrant program' means a nonimmigrant program to regulate the employment, investment, and residence of State-sponsored nonimmigrants.

''(F) STATE-SPONSORED NONIMMIGRANT STATUS.—The term 'State-sponsored nonimmigrant status' means status granted to an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(W).

''(2) STATE-SPONSORED NONIMMIGRANT PROGRAM.—Any State may submit an application to the Secretary to participate in the State-sponsored nonimmigrant program by sponsoring aliens for admission to the United States.

''(3) STATE-SPONSORED NONIMMIGRANT PROGRAM APPROVAL.—The Secretary shall approve any application submitted by a State (or compact of States) under paragraph (2) for a State-sponsored nonimmigrant program that—

''(A) was approved by the legislature of the State;

''(B) regulates, in a manner determined by the State, the employment and residence of State-sponsored nonimmigrants;

''(C) implements procedures, in a manner determined by the Secretary, to inform the Secretary of the failure of a nonimmigrant to comply with the terms of State-sponsored nonimmigrant status when the State is made aware of such failure;

''(D) allows, in a manner determined by the State, a State-sponsored nonimmigrant who has been admitted to seek employment with an employer other than the employer with which the nonimmigrant was initially employed; and

''(E) implements procedures, in a manner determined by the Secretary, to annually inform the Secretary of the address and employment of all State-sponsored nonimmigrants residing in the State.

''(4) STATE PETITION.—

''(A) IN GENERAL.—A State that participates in the State-sponsored nonimmigrant program shall submit a petition in such form and containing such information as the Secretary shall specify to sponsor an alien under this subsection.

''(B) APPROVAL.—A visa may not be granted to an alien described in subparagraph (A) until the Secretary approves a petition submitted pursuant to subparagraph (A). Such approval does not, of itself, establish that the alien is a nonimmigrant.

''(C) FEE.—A State that submits a petition under subparagraph (A) shall pay a fee in amount determined by the Secretary to cover the cost of the adjudication of the application.

''(5) STATE-SPONSORED NONIMMIGRANTS.—The Secretary of State shall approve a nonimmigrant visa for an alien and the Secretary of Homeland Security shall admit the alien to the United States as a State-sponsored nonimmigrant or grant State-sponsored nonimmigrant status to the alien if the alien—

''(A) is otherwise admissible under this Act;

''(B) has not been convicted of a felony, any crime of violence (as defined in section 16 of title 18, United States Code), or any crime of reckless driving or of driving while intoxicated or under the influence of alcohol or of prohibited substances;

''(C) is petitioned for by a State that participates in the State-sponsored nonimmigrant program approved by the Secretary under paragraph (3);

''(D) has not previously violated any term or condition of State-sponsored nonimmigrant status; and

''(E) has paid any bond that the State may require under paragraph (13).

''(6) PERIOD OF AUTHORIZED STATUS.—

''(A) IN GENERAL.—The period of authorized status for a State-sponsored nonimmigrant shall be a period determined by the State, but may not exceed 3 years.

''(B) RENEWAL.—

''(i) LOCATION.—Subject to clause (ii), the period of authorized status under subparagraph (A) shall be renewable inside or outside of the United States.

''(ii) CONDITION.—Renewals under clause (i) may be granted only if—

''(I) the sponsoring State requests such renewal; and

''(II) the State-sponsored nonimmigrant has resided continuously in such sponsoring State, or States subject to an interstate compact (not including any period of residence after the approval of a petition for immigrant status of which the alien is a beneficiary).

''(C) TERMINATION.—The Secretary shall terminate the period of authorized status if—

''(i) the State-sponsored nonimmigrant resides or works outside of the State, or States subject to an interstate compact under paragraph (7), that sponsored the alien;

''(ii) the State-sponsored nonimmigrant fails to follow all rules and regulations required by the State, as determined by the State (following any appeals process the State may create); or

''(iii) the State that sponsored the nonimmigrant requests that the status of the nonimmigrant be terminated (following any appeals process the State may create) unless another State sponsors the nonimmigrant.

''(D) EMPLOYMENT AUTHORIZATION.—

''(i) IN GENERAL.—All aliens admitted as State-sponsored nonimmigrants under section 101(a)(15)(W)—

''(I) shall be authorized for employment for purposes of section 274A; and

''(II) shall be issued appropriate documentation evidencing such authorization.

''(ii) STATE REGULATION.—Notwithstanding clause (i), the employment of State-sponsored nonimmigrants may be regulated in a manner determined by each State that participates in the State-sponsored nonimmigrant program.

''(7) STATE COMPACTS.—

''(A) IN GENERAL.—States may enter into interstate compacts for the joint implementation or administration of the State-sponsored nonimmigrant program in such States.

''(B) CONSIDERATION.—A State-sponsored nonimmigrant shall be considered to be sponsored by a State if the State-sponsored nonimmigrant is sponsored by any State subject to an interstate compact under subparagraph (A) and resides in any such State.

''(8) APPEALS.—

''(A) FEDERAL APPEALS.—The denial of an application by a State to be a State-sponsored nonimmigrant or the request to terminate the period of authorized status by a State—

''(i) is not reviewable by any Federal department, agency, or court; and

''(ii) may not be grounds for an appeal of a termination of a visa or status for a State-sponsored nonimmigrant.

''(B) STATE APPEALS.—At the sole discretion of the State and in a manner determined by the State, a State that participates in the State-sponsored nonimmigrant program may create a process for a State-sponsored nonimmigrant or an alien that has applied for participation in the State-sponsored nonimmigrant program in the State to appeal an adjudication of an application by the State or determination by the State that the State-sponsored nonimmigrant violated the terms or conditions that were created by the State for the participation of the alien in the State-sponsored nonimmigrant program in the State.

''(9) WAIVER OF RIGHTS PROHIBITED.—

''(A) IN GENERAL.—Except as provided in subparagraph (C), a State-sponsored nonimmigrant may not be required to waive any substantive rights or protections under this Act.

''(B) CONSTRUCTION.—Nothing under this paragraph may be construed to affect the interpretation of any other law.

''(C) EXCEPTION.—Notwithstanding subparagraph (A) or any other provision of law, an alien may not be provided State-sponsored nonimmigrant status unless the alien has waived any right—

''(i) to review or appeal under this Act of an immigration officer's determination as to the admissibility of the alien at the port of entry into the United States; or

''(ii) to contest or appeal, other than on the basis of an application for asylum, any action for removal of the alien.

''(10) TAX RESPONSIBILITIES.—An employer shall comply with all applicable Federal, State, and local tax laws with respect to each State-sponsored nonimmigrant employed by the employer.

''(11) LABOR AND TAX LAWS.—State-sponsored nonimmigrants shall be subject to all Federal, State, and local laws regarding taxation, employment, or hiring of persons in the State.

''(12) FEDERAL PUBLIC BENEFITS.—

''(A) IN GENERAL.—State-sponsored nonimmigrants—

''(i) are not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986;

''(ii) shall be subject to the rules applicable to individuals who are not lawfully present set forth in subsection (e) of such section; and

''(iii)(I) shall not be allowed any credit under section 24 or 32 of the Internal Revenue Code of 1986; and

''(II) in the case of a joint return, no credit shall be allowed under either such section if both spouses are State-sponsored nonimmigrants.

''(B) EMPLOYER FEE.—For purposes of subsections (a)(2) and (b)(1)(B) of 4980H of the Internal Revenue Code of 1986, a State-sponsored nonimmigrant shall be treated as a full-time employee certified as having enrolled in a qualified health plan with respect to which an applicable premium tax credit or cost-sharing reduction is allowed or paid with respect to the employee.

''(C) OTHER BENEFITS.—Notwithstanding any other provision of law, a State-sponsored nonimmigrant shall not be eligible for—

''(i) any assistance or benefits provided under a State program funded under the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(ii) any medical assistance provided under a State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or under a waiver of such plan, other than emergency medical assistance provided under paragraphs (2) and (3) of section 1903(v), and any child health assistance provided under a State child health plan under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.) or under a waiver of such plan;

''(iii) any benefits or assistance provided under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

''(iv) supplemental security income benefits provided under title XVI of the Social Security Act (42 U.S.C. 1381);

''(v) Federal Pell Grants under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a);

''(vi) housing vouchers under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

''(vii) Federal old-age, survivors, and disability insurance benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.);

''(viii) health insurance benefits for the aged and disabled under the Medicare Program established under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

''(ix) assistance or benefits provided under the program of block grants to States for social services under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

''(D) EMPLOYER PAYMENTS.—An employer of a State-sponsored nonimmigrant shall pay into the general fund of the Treasury an amount equivalent to the Federal tax on the wages paid to the nonimmigrants that the employer would be obligated to pay under chapters 21 and 23 of the Internal Revenue Code of 1986 had the nonimmigrants been subject to such chapters, subject to the same penalties as provided for failure to pay such tax.

''(E) INCLUSION OF NONIMMIGRANTS IN SAVE.—Not later than 30 days after the date of the enactment of the State Sponsored Visa Pilot Program Act of 2018, the Secretary shall modify the Systematic Alien Verification for Entitlements Program of the United States Citizenship and Immigration Services to add any status under section 101(a)(15)(W) as an alien category that is ineligible for any benefit program listed in subparagraph (C).

''(13) BONDS.—

''(A) IN GENERAL.—States may require State-sponsored nonimmigrants to pay a bond in an amount determined by the State to incentivize voluntary compliance with the terms and conditions of the State-sponsored nonimmigrant program.

''(B) STUDY.—

''(i) IN GENERAL.—At the end of each fiscal year, the Inspector General of the Department of Homeland Security and the Comptroller General of the United States shall each independently submit a report to the congressional committees specified in clause (iii) that identifies, for each State that participates in the State-sponsored nonimmigrant program, the percentage of State-sponsored nonimmigrants that have resided or worked illegally in a State other than the State that sponsored them (not including any State-sponsored nonimmigrants who are beneficiaries of approved immigration petitions).

''(ii) ASSIGNMENT.—A State-sponsored nonimmigrant who resides or works illegally in a State other than the State that sponsored them shall be assigned to the percentage of the State that initially sponsored the alien if the State participates in an interstate compact.

''(iii) CONGRESSIONAL COMMITTEES.—The congressional committees specified in this clause are—

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

''(II) the Committee on the Judiciary of the Senate;

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

''(IV) the Committee on the Judiciary of the House of Representatives.

''(C) MANDATORY BONDS.—

''(i) IN GENERAL.—During the first fiscal year following a determination under subparagraph (B) by the Comptroller General or the Inspector General of the Department of Homeland Security that more than 3 percent of the State-sponsored nonimmigrants sponsored by a State violated the terms and conditions of State-sponsored nonimmigrant status in the most recently completed fiscal year, the State shall require each State-sponsored nonimmigrant in the State, as a condition of participation in the State-sponsored nonimmigrant program, to post a bond equal to not less than $4,000.

''(ii) SUBSEQUENT BONDS.—The bond amount under clause (i) shall be raised by $1,000 during each fiscal year following a subsequent determination under subparagraph (B) by the Comptroller General or the Inspector General of the Department of Homeland Security that more than 3 percent of the State-sponsored nonimmigrants sponsored by the State violated the terms and conditions of State-sponsored nonimmigrant status in the most recently completed fiscal year.

''(iii) INFLATION ADJUSTMENT.—Effective for the first fiscal year that begins more than 6 months after the date of the enactment of the State Sponsored Visa Pilot Program Act of 2018, and for each fiscal year thereafter, the amounts described in this subparagraph shall be increased by the percentage (if any) by which the Consumer Price Index for the month of June preceding the date on which such increase takes effect exceeds the Consumer Price Index for all urban consumers published by the Department of Labor for the same month of the preceding calendar year.

''(D) REIMBURSEMENT OF BONDS.—

''(i) IN GENERAL.—Bonds paid to a State under this paragraph shall be reimbursed to any State-sponsored nonimmigrant that has not worked or resided in a State other than the State that sponsored the nonimmigrant or otherwise resided in the United States without status under the immigration laws in accordance with this subparagraph.

''(ii) FULL REIMBURSEMENT.—The full amount of the bond shall be reimbursed in full immediately after—

''(I)(aa) the alien applies to the Secretary of State (or the designee of such Secretary) at a United States embassy, consulate, or, if specified by the Secretary, other locations outside the United States; and

''(bb) in connection with the application, the State-sponsored nonimmigrant confirms his or her identity, or verifies his or her departure at such time from the United States pursuant to a biometric entry and exit data system;

''(II) an approved petition for lawful permanent residency is approved on behalf of the State-sponsored nonimmigrant; or

''(III) the State-sponsored nonimmigrant dies.

''(iii) PAYEE.—

''(I) DEATH OF NONIMMIGRANT.—Upon the death of a State-sponsored nonimmigrant, payment shall be immediately paid to such State-sponsored nonimmigrant's next of kin, as designated by such State-sponsored nonimmigrant on the application to be a State-sponsored nonimmigrant.

''(II) BANK ACCOUNT.—A State-sponsored nonimmigrant may specify on the application to be a State-sponsored nonimmigrant a bank account to which such amount be sent after the satisfaction of a condition specified in clause (ii).

''(iv) DENIAL OF REIMBURSEMENT.—Funds of a State-sponsored nonimmigrant held under this paragraph may not be denied by a State to the nonimmigrant unless the State demonstrates, by clear and convincing evidence, that the nonimmigrant knowingly violated a term or condition of State-sponsored nonimmigrant status—

''(I) by failing to depart the United States at the end of the period of authorized status; or

''(II) working or residing in a State that did not sponsor the nonimmigrant.

''(v) NOTICE.—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall inform the State that the State-sponsored nonimmigrant has complied with clause (i).

''(14) PENALTIES.—If a State-sponsored nonimmigrant works or resides outside of the State, or any of the States under an interstate compact that sponsored the nonimmigrant or fails to comply with any term or condition of State-sponsored nonimmigrant status, the Secretary shall—

''(A) revoke the employment authorization of such nonimmigrant; and

''(B) initiate and expedited removal in accordance with section 235.

''(15) STATE ENFORCEMENT.—

''(A) IN GENERAL.—A State that participates in the State-sponsored nonimmigrant program may enforce all rules and regulations of the State-sponsored nonimmigrant program in the State against employers to the same extent as any other labor laws under State law.

''(B) APPREHENSION.—As a condition of participation in the State-sponsored nonimmigrant program, a State shall reimburse any other State and any Federal agency that has apprehended and detained a State-sponsored nonimmigrant sponsored by the State for the full costs of apprehension, detention, or removal of the nonimmigrant upon request of the apprehending State or Federal agency.

''(C) PROCESS.—The Secretary shall establish a process through which a State may seek reimbursement under subparagraph (B).

''(16) SUSPENSION OF PROGRAM APPROVAL.—The Secretary shall suspend admissions under the State-sponsored nonimmigrant program for any State that fails—

''(A) to reimburse another State or a Federal agency under paragraph (15)(B) not later than 1 year after a final judgment against the State; or

''(B) to reimburse, in accordance with paragraph (13)(D), a State-sponsored nonimmigrant who—

''(i) has departed the United States;

''(ii) did not seek employment without authorization in a State that did not sponsor the nonimmigrant; and

''(iii) did not otherwise reside in the United States without status under the immigration laws.

''(17) FEES.—

''(A) FEDERAL FEES.—A State shall pay a fee to the Secretary for each year in which the State participates in the State-sponsored nonimmigrant program in an amount determined by the Secretary to be necessary to cover the Federal costs of overseeing the State-sponsored nonimmigrant program in the State.

''(B) STATE FEES.—Nothing in this subsection may be construed to limit or regulate fees required by the State for State-sponsored nonimmigrants or employers of State-sponsored nonimmigrants.

''(18) NUMERICAL LIMITATIONS.—

''(A) IN GENERAL.—The total number of aliens who may be issued visas or otherwise provided State-sponsored nonimmigrant status under this subsection during any fiscal year may not exceed the total number of visas computed under subparagraph (B).

''(B) DISTRIBUTION.—Subject to subparagraphs (C), (D), and (E), the number of State-sponsored nonimmigrant visas made available in a fiscal year to a State that participates in the State-sponsored nonimmigrant program shall be the sum of—

''(i) 5,000;

''(ii) the sum of the amounts computed under subparagraphs (C) and (D) in the prior year; and

''(iii) the percentage of the total population in all States participating in the State-sponsored nonimmigrant program represented by the population of that State multiplied by the sum of—

''(I) 245,000;

''(II) the number of nonparticipating States multiplied by 5,000; and

''(III) the total number of visas available in the previous fiscal year that were revoked or not used.

''(C) ECONOMIC GROWTH.—The amounts computed under subparagraphs (A) and (B) for the prior fiscal year shall be adjusted annually in proportion to the percentage increase or decrease in the Gross Domestic Product of the United States in the prior year, as determined by the Bureau of Economic Analysis of the Department of Commerce.

''(D) COMPLIANCE.—

''(i) INCREASES.—The number of State-sponsored nonimmigrant visas made available to a State under subparagraph (C) shall be increased by 10 percent over the prior fiscal year in each fiscal year immediately following a fiscal year in which less than 3 percent of the State-sponsored nonimmigrants sponsored by the State violated the terms and conditions of State-sponsored nonimmigrant status, as determined by the Inspector General of the Department of Homeland Security or the Comptroller General of the United States in the reports required under paragraph (13)(B).

''(ii) DECREASES.—The number of State-sponsored nonimmigrant visas made available to a State under subparagraph (C) shall be decreased by 50 percent in each fiscal year immediately following a fiscal year in which more than 3 percent of the State-sponsored nonimmigrants sponsored by the State complied with the terms and conditions of State-sponsored nonimmigrant status, as determined by the Inspector General of the Department of Homeland Security or the Comptroller General of the United States in the reports required under paragraph (13)(B).

''(iii) SUSPENSION.—State-sponsored nonimmigrant visas shall not be made available for a State during the 5-year period following four consecutive fiscal years in which more than 3 percent of the State-sponsored nonimmigrants sponsored by the State violated the terms and conditions of State-sponsored nonimmigrant status, as determined by the Inspector General of the Department of Homeland Security or the Comptroller General of the United States in the reports required under paragraph (13)(B).

''(E) PRINCIPAL ALIENS.—

''(i) IN GENERAL.—The numerical limitations under this paragraph shall apply only to principal aliens being admitted to the United States from abroad and not to aliens accompanying or following to join the principal alien under section 101(a)(15)(W)(ii) or aliens previously admitted.

''(ii) STATE EXCLUSION.—The Secretary may not grant a visa or status to an alien who is not the principal alien sponsored by a State if the State request that no such aliens be admitted.

''(19) ADMISSIBILITY DETERMINATION.—

''(A) IN GENERAL.—At the request of a State that participates in the State-based nonimmigrant program, the Secretary shall waive the grounds of inadmissibility under subparagraphs (A), (B), (C), and (G) of section 212(a)(6), paragraphs (7) and (9) of section 212(a), and sections 240B(d)(1)(B) and 241(a)(5) and the grounds of deportability under subparagraphs (A) through (D) of section 237(a)(1) and section 237(a)(3) on behalf of an alien described in subparagraph (B).

''(B) ALIENS DESCRIBED.—An alien described in this subsection is an alien who—

''(i) was physically present in the United States on December 31, 2016;

''(ii) is sponsored by a State under the State-based nonimmigrant program;

''(iii) otherwise meets the requirements of State-based nonimmigrant status under paragraph (4); and

''(iv) fulfills the requirements under paragraph (20).

''(C) SAVINGS PROVISION.—Nothing in this paragraph may be construed to exempt an alien described in subparagraph (B) or the State from the numerical limitation under paragraph (18).

''(20) REQUIREMENTS.—

''(A) APPLICATION.—An alien may apply to the Secretary for a waiver of inadmissibility or deportability under paragraph (19) concurrently with an application for a visa or status under section 101(a)(15)(W).

''(B) EVIDENCE OF PRESENCE OR EMPLOYMENT.—

''(i) CONCLUSIVE DOCUMENTS.—An alien may conclusively demonstrate presence in the United States in compliance with paragraph (19)(B)(i) by submitting records demonstrating such presence that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency or educational institution.

''(ii) OTHER DOCUMENTS.—An alien who is unable to submit a document described in subparagraph (A) may satisfy the requirements under this section by submitting at least three other types of reliable documents that provide evidence of presence, employment or study in the United States, including—

''(I) bank or remittance records;

''(II) business or employer records;

''(III) records of any organization that assists workers in employment;

''(IV) education records; and

''(V) deeds, mortgages, or contracts to which the alien has been a party.

''(C) FEES.—

''(i) IN GENERAL.—An alien submitting an application under subparagraph (A) shall pay a fee in an amount determined by the Secretary to be necessary to cover the cost of adjudicating the application and reviewing the application for fraud.

''(ii) PENALTY.—In addition to the fee under clause (i), an alien seeking a waiver under paragraph (19) shall pay a penalty of not less than $1,000, which shall be deposited into the Treasury of the United States after the approval of the application under subparagraph (A).

''(D) CRIMINAL PENALTY.—

''(i) VIOLATION.—It shall be unlawful for any person to knowingly—

''(I) file, or assist in filing, an application under this paragraph if such application—

''(aa) falsifies, misrepresents, conceals, or covers up a material fact;

''(bb) makes any false, fictitious, or fraudulent statements or representations; or

''(cc) makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

''(II) create or supply a false writing or document for use in making such an application.

''(ii) PENALTY.—Any person who violates clause (i) shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

''(iii) INADMISSIBILITY.—An alien who is convicted of violating clause (i) shall be considered to be inadmissible to the United States on the ground described in section 212(a)(6)(C)(i) and subject to immediate removal from the United States.

''(E) FRAUD PREVENTION PROGRAM.—The Secretary and the Attorney General shall jointly develop an administrative program to prevent fraud with respect to applications submitted under this paragraph that provides for—

''(i) fraud prevention training for administrative adjudicators;

''(ii) the regular audit of pending and approved applications for examples and patterns of fraud or abuse;

''(iii) the receipt and evaluation of reports of fraud or abuse;

''(iv) the identification of deficiencies in administrative practice or procedure that encourage fraud or abuse;

''(v) the remedy of any identified deficiencies, and

''(vi) the referral of cases of identified or suspected fraud or other misconduct for investigation.

''(F) INELIGIBLE ALIENS.—

''(i) REMOVAL AUTHORIZED.—Except as provided in clause (ii), if the Secretary makes a final determination to deny an application under this section, the Secretary shall place the applicant in removal proceedings to which the alien would otherwise be subject.

''(ii) ALIENS WITH PRIOR ORDERS.—If the final determination to deny an application concerns an alien with an existing order of exclusion, deportation, removal, or voluntary departure from the United States, such order shall be enforced to the same extent as if the application had not been made.

''(G) EMPLOYMENT RECORDS.—Copies of employment records or other evidence of employment provided by an alien or by an alien's employer in support of an alien's application under this subsection may not be used in a civil or criminal prosecution or investigation of that employer under section 247A or the tax laws of the United States for the prior unlawful employment of that alien, regardless of the adjudication of such application or reconsideration by the Secretary of such alien's prima facie eligibility determination. Employers that provide unauthorized aliens with copies of employment records or other evidence of employment pursuant to an application under this title shall not be subject to civil and criminal liability pursuant to such section 274A for employing such unauthorized aliens. The protections for employers and aliens shall not apply if the aliens or employers submit employment records that are deemed to be fraudulent.

''(H) CONSTRUCTION.—Nothing in this subsection may be construed to limit the authority of the State to require additional monetary penalties, other evidence of physical presence, or any other requirement for aliens described in paragraph (19)(B) to participate in the State-based nonimmigrant program in such State.''.

(2) JUDICIAL REVIEW.—Section 242(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1252(a)(2)) is amended by adding at the end the following:

''(E) JUDICIAL REVIEW OF CERTAIN ELIGIBILITY DETERMINATIONS.—If an alien's application under section 214(s)(20) is denied or revoked, judicial review shall be instituted in the United States District Court for the District of Columbia and shall be limited to determinations of the constitutionality of section 214(s), or any regulations implemented pursuant to such section.''.

(3) NONIMMIGRANTS WITH APPROVED IMMIGRANT PETITIONS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended—

(A) in subsection (a)—

(i) by striking ''if (1) the alien'' and inserting the following: ''if—

''(1) the alien'';

(ii) by striking ''adjustment, (2) the alien'' and inserting the following: ''adjustment;

''(2) the alien'';

(iii) by striking ''residence, and (3) an immigrant visa'' and inserting the following: ''residence; and

''(3) an immigrant visa''; and

(iv) in paragraph (3), by striking ''him at the time his application is filed'' and inserting ''the alien at the time the alien's application is adjudicated''; and

(B) by adding at the end the following:

''(n) ADJUSTMENT OF STATUS APPLICATION AFTER AN APPROVED IMMIGRANT PETITION.—

''(1) APPLICATION.—An alien who has an approved immigrant petition may file an adjustment of status application under subsection (a), which shall remain pending until a visa number becomes available.

''(2) STATUS.—An alien who has properly filed an adjustment of status application under subsection (a) shall, throughout the pendency of such application—

''(A) have a lawful status and be considered lawfully present for purposes of section 212; and

''(B) following a biometric background check, be eligible for employment and travel authorization incident to such status.''.

(d) 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.

AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 13, 2018, at 10 a.m., to conduct a closed hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, February 13, at 10 a.m. to conduct a hearing entitled ''Improving Animal Health: Reauthorization of FDA Animal Drug User Fees.''

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, February 13, 2018, at 9:30 a.m., to conduct a hearing entitled ''Worldwide Threats''.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, February 13, 2018, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON CYBERSECURITY

The Subcommittee on Cybersecurity of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 13, 2018, at 2:30 p.m., to conduct a hearing.

ORDERS FOR WEDNESDAY, FEBRUARY 14, 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, February 14; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; I further ask that following leader remarks, the Senate resume and vote on the motion to proceed to H.R. 2579.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator MORAN.

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

The Senator from Kansas.

TRIBAL LABOR SOVEREIGNTY ACT

Mr. MORAN. Mr. President, this week, the National Congress of American Indians is holding its Executive Council Winter Session here in the Nation's Capital, and Tribes and Tribal leaders throughout the Nation are here to meet and to confer and advocate on policies that are important to them and to their Tribal members. I welcome them to Washington, DC, and I encourage them to make known to us as Members of the Senate things that are important to them as Tribal leaders and things that matter directly to their Tribal members.

One of the priorities that I know exist is the issue of Tribal sovereignty. Throughout the conversations you have with Tribal leaders, there is the importance of maintaining the sovereignty of their Tribe.

Tonight, I want to highlight for my colleagues S. 140, a package of Tribal bills that includes the Tribal Labor Sovereignty Act, which I introduced here in the Senate some time ago.

By moving forward on this legislation, and with its passage, we would return to the days where the law was as it existed for 70 years after the passage of the National Labor Relations Act. That was true for 70 years until the National Labor Relations Board stripped the Tribes of their governmental status under NLRA. Passage of this legislation would correct this decade-old error made by the NRLB.

The National Labor Relations Act was passed in 1935. It exempted public sector employees of Federal, State, and local governments. Although it was not explicitly included, Tribal governments had their sovereign status respected by the NLRB for the next 70 years. This approach caused no problems and was what was expected.

Yet, in 2004, the National Labor Relations Board abruptly reversed its treatment of Tribal governments to enact right-to-work laws. Tribes have struggled to find economic success and provide for their people, and many of them still do, but the NLRB has now intruded on the gains that have been made.

The Tribal Labor Sovereignty Act that was introduced, and will be before

the Senate before long, is pretty straightforward. It is straightforward. It amends the National Labor Relations Act to exempt Tribal-owned entities operated on Tribal-owned lands—no more, no less. Businesses owned by individual Tribal members or any operations off the Tribal lands still remain subject to the scrutiny of the National Labor Relations Board.

In 2013, the U.S. Senate voted on the reauthorization of the Violence Against Women Act. It included new authorities for Tribal governments to protect Native American women, including when harmed by non-Indians. With VAWA's passage, Congress placed our trust in Tribes to exact justice. We rightly determined that Tribes should have the ability to punish Indian and non-Indian offenders, but today it is being argued we cannot trust Tribes or Tribal members to justly treat Indian and non-Indian employees.

Many Tribes have the highest wages and provide the best benefits in their region. Tribal jobs are coveted because prospective employees know they are good jobs.

In 2015, the Indian Affairs Committee, of which I am a member, held a legislative hearing on TLSA, the Tribal Labor Sovereignty Act. Testifying that day, among others, was Robert Welch, chairman of the Viejas Band of Kumeyaay Indians in California. That Tribe is a unionized Tribe, but Chairman Welch testified in support of the Tribal Labor Sovereignty Act. Many Tribes do welcome labor unions, and that is all fine. The point here is, the Tribal Labor Sovereignty Act says it is up to Tribes to decide, not the NLRB. More than 160 Tribes and Tribal organizations support this legislation.

In my view, the vote I seek shouldn't be seen as anything partisan. I have worked to pass this legislation without a recorded vote. I have taken it to the floor to do a live UC request but was met with objections. I have worked to get it included in appropriations bills, and yet, at the last minute, it was always forced to be withdrawn, which brings us close to a floor vote on this legislation.

Nearly two dozen Democrats, Members of the U.S. House of Representatives, including a Member from the Democratic leadership, supported this legislation in January, as it passed the House of Representatives in a strong bipartisan way. We also have strong bipartisan backing of this legislation in the U.S. Senate. In fact, the Indian Affairs Committee reported this legislation out by a voice vote last summer.

My point is, the bill is not about labor. This is about the ability of Tribal governments to provide vital services without intrusion. That was the point of the NLRA exemption.

Jefferson Keel, who is the President of the National Congress of American Indians, wrote this week:

Tribes make an array of public services available to their tribal citizens and other local residents: law enforcement, fire and EMS departments, schools and hospitals, and natural resource management. All tribal governments play critical roles in ensuring the safety, health, and stability of tribal and surrounding communities.

That is why cities and counties—local units of government, governmental entities—are excluded from NLRB, and that is why Tribes should also be excluded.

Eighty years later, why is it that every other form of government in this country is treated one way and Tribes are treated a different way? Why do Tribes have to accept this Federal intrusion? The answer is, they should not. This is a matter of sovereignty, and they should be treated just like every other governmental entity under this law.

Members of this Chamber should believe that Tribal governments, elected by their members, possess the right to make informed decisions on behalf of those they represent. I say they do. If their Tribal members believe they have made errors, then they, too, are subject to elections, just like we are.

I rise this evening to encourage my colleagues to reach that same conclusion; that sovereignty is an important component of the way we should treat Native Americans and that Tribes should have the ability to manage their affairs on Tribal lands with Tribal businesses.

I urge my colleagues to vote that way when this legislation reaches the Senate floor.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Mr. JOHNSON). Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:36 p.m., adjourned until Wednesday, February 14, 2018, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF ENERGY

BRENT K. PARK, OF TENNESSEE, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NONPROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE ANNE M. HARRINGTON.

DEPARTMENT OF COMMERCE

JEFFREY NADANER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE DAVID W. MILLS, RETIRED.

DEPARTMENT OF THE TREASURY

CHARLES P. RETTIG, OF CALIFORNIA, TO BE COMMISSIONER OF INTERNAL REVENUE FOR THE TERM EXPIRING NOVEMBER 12, 2022, VICE JOHN ANDREW KOSKINEN, TERM EXPIRED.

DEPARTMENT OF STATE

JONATHAN R. COHEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

JONATHAN R. COHEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS DEPUTY REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS.

HARRY B. HARRIS, JR., OF FLORIDA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF AUSTRALIA.

DEPARTMENT OF HOMELAND SECURITY

CHRISTOPHER KREBS, OF VIRGINIA, TO BE UNDER SECRETARY FOR NATIONAL PROTECTION AND PROGRAMS, DEPARTMENT OF HOMELAND SECURITY, VICE GEORGE W. FORESMAN, RESIGNED.

OFFICE OF GOVERNMENT ETHICS

EMORY A. ROUNDS III, OF MAINE, TO BE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS FOR A TERM OF FIVE YEARS, VICE WALTER M. SHAUB, JR., RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DAVID R. ADDAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

PANKAJ A. KSHEERSAGAR

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL P. SARGENT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

STEVEN M. HEMMANN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

NICHOLAS E. HURD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL C. AGBAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAY A. IANNACITO

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR MARINE CORPS UNDER TITLE 10, U.S.C. SECTION 531:

To be major

NATALIE E. MOORE
BROOKE J. SPEERS

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

KAREN S. SLITER, OF MICHIGAN
ELIA P. VANECHANOS, OF NEW HAMPSHIRE

CONFIRMATIONS

Executive nominations confirmed by the Senate February 13, 2018:

DEPARTMENT OF TRANSPORTATION

ADAM J. SULLIVAN, OF IOWA, TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION.

RONALD L. BATORY, OF NEW JERSEY, TO BE ADMINISTRATOR OF THE FEDERAL RAILROAD ADMINISTRATION.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

RAYMOND MARTINEZ, OF NEW JERSEY, TO BE ADMINISTRATOR OF THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION.