

Today, Congress will pass the Unaccompanied Alien Child Protection Act to remedy this by requiring that children who pose no danger to themselves or others be placed in the least restrictive setting possible; requiring the Office of Refugee Resettlement to do a suitability assessment before placing the child with any agency or person; and prohibiting placing children, who have committed no crimes, in a prison with hardened criminals.

This legislation also requires, whenever possible, family reunification or other appropriate placement in the best interest of the unaccompanied alien children. For example, the Office of Refugee Resettlement must do a home study before placing a child into a home or foster care.

The bill also provides for pro bono legal representation for unaccompanied alien children in their immigration matters, where possible, at no expense to the Government. And finally, the bill requires training for Department of Homeland Security personnel and others who come into contact with unaccompanied children.

I would also like to be clear about what this bill would not do.

This legislation does not expand the current immigration rights of any child. Instead, it presumes that children will be placed in removal proceedings—unless they qualify for immigration benefits under current law.

It does not remove the jurisdiction and responsibility for adjudicating im-

migration status from the Department of Homeland Security or the Executive Office for Immigration Review, where such jurisdiction and responsibilities currently reside.

It does not interfere with the custodial rights of a parent or guardian in situations where a parent or guardian seeks to establish custody.

Like the Trafficking bill, these provisions have received broad bipartisan support. Among the endorsers of this legislation are organizations representing mental health and child welfare professionals, as well as legal, human rights, immigration and religious organizations. It is a moderate, reasonable bill that by and large addresses issues of a child's care and custody, and not issues of substantive immigration relief.

I thank my House and Senate colleagues for passing this important bill. I also specifically thank Senators BIDEN, BROWNBACK, KENNEDY, and LEAHY, as well as Representatives BERMAN, LOFGREN, and CONYERS for their hard work and leadership in securing the passage of this bill.

I urge the President to sign this important legislation.

Mr. DURBIN. Madam President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 7311) was ordered to a third reading, was read the third time, and passed.

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ORDERS FOR THURSDAY,  
DECEMBER 11, 2008

Mr. DURBIN. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 a.m. tomorrow, Thursday, December 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 7005.

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

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RECESS UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order.

There being no objection, the Senate, at 6:45 p.m., recessed until Thursday, December 11, 2008, at 10 a.m.