SA 1393. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1394. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1395. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1396. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1397. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1398. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1399. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1400. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1401. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1402. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1403. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1404. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1405. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1406. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1407. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1408. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1409. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1410. Mr. LEAHY (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1411. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1412. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1413. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1414. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1415. Ms. HIRONO (for herself, Mr. FRANKEN, Mr. SCHATZ, Mrs. MURRAY, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1416. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1417. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1418. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1419. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1420. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1421. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1422. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1423. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1424. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1425. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1426. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1427. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1343. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1465, strike lines 3 through 5, and insert the following:

(2) REQUIREMENT FOR DATA COLLECTION.—

(A) IN GENERAL.—A law enforcement official who makes contact with an individual with the purpose or effect of enforcing an immigration law shall collect the following data:

(i) The law enforcement official's basis for, or circumstances surrounding, such contact, including if such individual's perceived race or ethnicity contributed to such basis.

(ii) The identifying characteristics of such individual, including the individual's race, gender, ethnicity, and approximate age.

(iii) If such contact resulted in a stop or search, how long such a stop or search lasted, whether consent was requested and obtained for such stop or search, and the name of the person who provided such consent.

(iv) A description of any articulable facts and behavior by the individual that demonstrate reasonable suspicion to justify such stop or probable cause to justify such search or attempt to enforce the immigration laws.

(v) A description of any items seized during such search, including contraband or money, and a specification of the type of search conducted.

(vi) Whether any warning or citation was issued as a result of such contact and the basis for such warning or citation.

(vii) Whether an arrest or detention was made as a result of such contact, the justification for such arrest or detention, and the ultimate disposition of such arrest or detention.

(viii) Whether the affected individual is undergoing immigration proceedings as of the date of the annual report.

(ix) If a warning, citation, arrest, or detention is involved, the surname of the affected individual.

(x) The immigration status of the individual involved and whether removal proceedings were subsequently initiated against that individual.

(xi) Whether any complaint was made by the individual stopped or searched.

(B) DEFINITIONS.—In this paragraph:

(i) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(ii) LAW ENFORCEMENT OFFICIAL.—The term ''law enforcement official'' means—

(I) an officer of U.S. Customs and Border Protection;

(II) an officer of U.S. Immigration and Customs Enforcement; or

(III) an officer or employee of a State or a political subdivision of a State who is carrying out the functions of an immigration officer pursuant to an agreement entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) or pursuant to any other agreement with the Department.

(3) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(4) COMPILATION OF DATA.—

(A) DEPARTMENT OF HOMELAND SECURITY LAW ENFORCEMENT OFFICIALS.—The Secretary shall compile the data collected under paragraph (2) by officers of U.S. Customs and Border Protection and officers of U.S. Immigration and Customs Enforcement.

(B) OTHER LAW ENFORCEMENT OFFICIALS.—The head of each agency, department, or other entity that employs law enforcement officials other than officers referred to in subparagraph (A) shall—

(i) compile the data collected by such law enforcement officials pursuant to paragraph (2); and

(ii) submit the compiled data to the Secretary.

(5) USE OF DATA.—The Secretary shall consider the data compiled under paragraph (4) in making policy and program decisions related to enforcement of the immigration laws.

(6) ANNUAL REPORT.—

(A) REQUIREMENT.—Not later than one year after the effective date of this section, and annually thereafter, the Secretary shall submit to Congress the data compiled under paragraph (3) and a report on the data.

(B) AVAILABILITY.—Each report submitted under subparagraph (A) shall be made available to the public.

SA 1344. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BETTER ENFORCEMENT THROUGH TRANSPARENCY AND ENHANCED REPORTING ON THE BORDER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Better Enforcement Through Transparency and Enhanced Reporting on the Border Act'' or the ''BETTER Border Act''.

(b) OFFICE OF HOMELAND SECURITY STATISTICS.—

(1) ESTABLISHMENT.—There is established within the Department an Office of Homeland Security Statistics (referred to in this section as the ''Office''), which shall be headed by a Director.

(2) TRANSFER OF FUNCTIONS.—

(A) ABOLISHMENT OF OFFICE OF IMMIGRATION STATISTICS.—The Office of Immigration Statistics of the Department is abolished.

(B) TRANSFER OF FUNCTIONS.—All functions and responsibilities of the Office of Immigration Statistics as of the day before the date of the enactment of this Act, including all of the personnel, assets, components, authorities, programs, and liabilities of the Office of Immigration Statistics, are transferred to the Office of Homeland Security Statistics.

(3) DUTIES.—The Director of the Office shall—

(A) collect information from agencies of the Department, including internal databases used to—

(i) undertake border inspections;

(ii) identify visa overstays;

(iii) undertake immigration enforcement actions; and

(iv) grant immigration benefits;

(B) produce the annual report required to be submitted to Congress under subsection (c); and

(C) collect the information described in section 103(d) of the Immigration and Nationality Act (8 U.S.C. 1103(d)) and disseminate such information to Congress and to the public;

(D) produce any other reports and conduct any other work that the Office of Immigration Statistics was required to produce or conduct before the date of the enactment of this Act; and

(E) produce such other reports or conduct such other work as the Secretary determines to be necessary.

(4) INTRADEPARTMENTAL DATA SHARING.—Agencies and offices of the Department shall share any data that is required to comply with this section.

(5) CONSULTATION.—In carrying out this subsection, the Director of the Office shall consult with the Ombudsman for Immigration Related Concerns to the greatest extent practicable.

(6) PLACEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify Congress where the Office has been established within the Department.

(7) CONFORMING AMENDMENT.—Section 103(d) (8 U.S.C. 1103(d)) is amended by striking ''Commissioner'' and inserting ''Director of the Office of Homeland Security Statistics''.

(c) REPORT ON PERFORMANCE METRICS.—

(1) IN GENERAL.—In addition to any reports required to be produced by the Office of Immigration Statistics before the date of enactment of this Act, the Director, on an annual basis, shall submit to Congress a report on performance metrics that will enable—

(A) the Department to develop an understanding of—

(i) the security of the border;

(ii) efforts to enforce immigration laws within the United States; and

(iii) the overall working of the immigration system; and

(B) policy makers, including Congress—

(i) to make more effective investments in order to secure the border;

(ii) to enforce the immigration laws of the United States; and

(iii) to ensure that the Federal immigration system is working efficiently at every level.

(2) CONTENTS.—The report required under paragraph (1) shall contain outcome performance measures, for the year covered by the report, including—

(A) for the areas between ports of entry—

(i) the estimated number of attempted illegal entries, the estimated number of successful entries, and the number of apprehensions, categorized by sector;

(ii) the number of individuals that attempted to cross the border and information concerning how many times individuals attempted to cross, categorized by sector;

(iii) the number of individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector; and

(iv) the recidivism rates for all classes of individuals apprehended, including individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector;

(B) for ports of entry—

(i) the estimated number of attempted illegal entries, the number of apprehensions, and the estimated number of successful entries, categorized by field office; and

(ii) information compiled based on random samples of secondary inspections, including estimates of the effectiveness of inspectors in identifying civil and criminal immigration and customs violations, categorized by field office; and

(iii) enforcement outcomes for individuals denied admission, including the number of—

(I) individuals allowed to withdraw their application for admission or voluntarily return to their country of origin;

(II) individuals referred for criminal prosecution; and

(III) individuals receiving any other form of administrative sanction;

(C) for visa overstays—

(i) the number of people that overstay the terms of their admission into the United States, categorized by—

(I) nationality;

(II) type of visa or entry; and

(III) length of time an individual overstayed, including—

(aa) the number of individuals who overstayed less than 180 days;

(bb) the number of individuals who overstayed less than 1 year; and

(cc) the number of individuals who overstayed for 1 year or longer; and

(ii) estimates of the total number of unauthorized aliens in the United States that entered legally and overstayed the terms of their admission;

(D) for interior enforcement—

(i) the number of arrests made by U.S. Immigration and Customs Enforcement for civil violations of immigration laws and the number of arrests made for criminal violations, categorized by Special Agent in Charge field office;

(ii) the legal basis for the arrests pursuant to criminal statutes described in clause (i);

(iii) the ultimate disposition of the arrests described in clause (i);

(iv) the overall number of removals and the number of removals, by nationality;

(v) the overall average length of detention and the length of detention, by nationality; and

(vi) the number of referrals from U.S. Citizenship and Immigration Services to Immigration and Customs Enforcement, and the ultimate outcome of these referrals, including how many resulted in removal proceedings;

(E) for immigration benefits—

(i) the number of applications processed, rejected, and accepted each year for all categories of immigration benefits, categorized by visa type;

(ii) the mean and median processing times for all categories of immigration benefits, categorized by visa type; and

(iii) data relating to fraud uncovered in applications for all categories of immigration benefits, categorized by visa type; and

(F) for the Employment Verification System established under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)—

(i) the total number of tentative nonconfirmations (further action notices);

(ii) the number of tentative nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(iii) the total number of final nonconfirmations;

(iv) the number of final nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(v) the total number of confirmations; and

(vi) the estimated number of confirmations issued to unauthorized workers.

(d) EARLY WARNING SYSTEM.—Using the data collected by the Office under this section, the Secretary shall establish an early warning system to estimate future illegal immigration, which shall monitor the outcome performance measures described in subsection (c)(2), along with political, economic, demographic, law enforcement, and other trends that may affect such outcomes.

(e) SYSTEMATIC MODELING OF ILLEGAL IMMIGRATION TRENDS.—The Secretary shall provide for the systematic modeling of illegal immigration trends to develop forecast models of illegal immigration flows and estimates for the undocumented population residing within the United States.

(f) EXTERNAL REVIEW OF HOMELAND SECURITY DATA.—

(1) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall make raw data collected by the Department, including individual-level data subject to the requirements in paragraph (3), on border security, immigration enforcement, and immigration benefits available for research on immigration trends, to—

(A) appropriate academic institutions and centers of excellence;

(B) the Congressional Research Service; and

(C) the Government Accountability Office.

(2) PUBLIC RELEASE OF DATA.—The Secretary shall ensure that data of the Department on border security, immigration enforcement, and immigration benefits is released to the public to the maximum degree permissible under Federal law to increase the confidence of the public in the credibility and objectivity of measurements related to the management and outcomes of immigration and border control processes.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary, in consultation with the National Academy of Sciences—

(A) shall ensure that the data described in paragraphs (1) and (2) is anonymized to safeguard individual privacy;

(B) may mask location data below the sector, district field office, or special agent in charge office level to protect national security; and

(C) shall not be required to provided classified information to individuals other than to those individuals who have appropriate security clearances.

(g) AVAILABILITY OF FUNDS.—The Secretary may use such sums as may be necessary from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1)—

(1) to establish the Office; and

(2) to produce reports related to securing the border and enforcing the immigration laws of the United States.

SA 1345. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 889, between lines 19 and 20, insert the following:

(d) LIMIT ON FUTURE SPENDING.—

(1) ANNUAL COST REPORTS.—Beginning on September 1, 2015, and annually thereafter, the Director of the Congressional Budget Office shall issue an annual report that—

(A) certifies whether all of the projected Federal costs starting with the next fiscal year and for the following 9 fiscal years, are fully offset by projected savings, during the applicable 10-year period; and

(B) provides detailed estimates of the costs and savings, year by year, program by program, and provision by provision.

(2) FUTURE FEES.—If a report required by paragraph (1) provides that the projected costs are not fully offset by the projected savings, the Secretary shall increase the fees authorized by this Act, and by the amendment made by this Act, in an amount equal to the amount of such costs that are not offset by the amount of such savings.

(3) DEFINITIONS.—In this subsection:

(A) COSTS.—The term ''costs'' means the increased spending and revenue reductions resulting from this Act and the amendments made by this Act.

(B) SAVINGS.—The term ''savings'' means the revenue increases and decreased expenditures resulting from this Act and the amendments made by this Act.

SA 1346. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1319, between lines 17 and 18, insert the following:

''(G) VOLUNTARY PROGRAM ON IDENTITY AUTHENTICATION.—

''(i) IN GENERAL.—Not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall establish by regulation, as part of an optional electronic platform for accessing the System, an identity authentication program that is made available to individuals and entities on a voluntary basis and that contains additional mechanisms for authenticating an individual's identity and using the authenticated identity information for employment eligibility verification purposes.

''(ii) DESIGN AND OPERATION OF PROGRAM.—The voluntary program required by clause (i) shall be designed and operated to include an identity verification platform that—

''(I) uses state-of-the-art multidimensional knowledge-based authentication technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to the extent helpful in acquiring the best technology to implement the program, is operated pursuant to a contract or other agreement with a nongovernmental entity or entities, but that remains under the control of the Secretary as to the use of all determinations communicated by the platform, regardless of the entity operating the platform;

''(III) communicates tentative and final nonconfirmations of identity;

''(IV) is integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(V) is designed to make risk-based assessments regarding the reliability of a claim of a identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) is designed to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity-proofing;

''(VII) generates queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) uses publicly available databases as well as databases under the jurisdiction of the Commissioner of Social Security, the Secretary of Homeland Security (including the U.S.-VISIT data base), and the Secretary of State (including passport and visa databases) to formulate queries to be presented to individuals whose identities are being verified;

''(IX) will not retain data collected by the platform within any database separate from the one in which the platform is located and will limit access to the existing databases to a reference process that shields the operator of the platform from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) does not permit individuals or entities using the System access to any data related to the individuals whose identities are being verified beyond confirmations and tentative and final nonconfirmations of identity;

''(XI) provides online assistance to individuals receiving tentative nonconfirmations of identity to correct errors in records and achieve appropriate confirmations to the greatest extent and as rapidly as possible;

''(XII) is subject to a review and appeals process by administratively responsible personnel to correct errors in the capabilities of the platform;

''(XIII) may include, if feasible, a capability for permitting document and biometric inputs that can be offered to individuals and entities using the System and may be used at the option of employees to facilitate identity verification (but which would not be required of either employers or employees); and

''(XIV) is developed, to the greatest extent possible, in accordance with the timeframes specified in this Act.

''(iii) IDENTITY AUTHENTICATION AND SELF-VERIFICATION.—During the period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and ending on the date on which the identity authentication program established under clause (i) is available for use by employers, an employer may use a verification system, service, or method in addition to those provided for in this section to confirm the identity of an individual without incurring liability under section 274B if—

''(I) the employer imposes the same requirement in a uniform manner on all individuals undergoing employment eligibility verification; and

''(II) the employer does not impose such a requirement for any purpose other than identity authentication with respect to newly hired employees.

SA 1347. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1700, between lines 6 and 7, insert the following:

SEC. 4225. SMALL BUSINESS EXPRESS LANE.

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by section 4231, is amended by adding at the end the following:

''(8)(A) The Secretary shall establish a small business express lane for the H-1B visa application process, under which the Secretary—

''(i) may waive the fee for premium processing under section 286(u) for a business that—

''(I) is considered a small business with not more than 25 employees;

''(II) is not considered an H-1B dependent employer; and

''(III) reports a business income on the tax filings for the previous year of not more than $250,000; and

''(ii) shall, to the extent practicable, create or modify an online interface capable of providing real time feedback and error mitigation technology that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(B) The total amount of fees waived during a fiscal year by the Secretary under subparagraph (A)(i) shall be added to the projected cost for the service in the following fiscal year and a revised fee shall be established based on the projected cost.

''(C) The Secretary shall, to the extent practicable, create an online interface and mobile application that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(D)(i) The Secretary, in coordination with the Administrator of the Small Business Administration, shall set a goal of not less than 30 percent of H-1B visas being awarded to small businesses.

''(ii) Of the goal amount described in clause (i)—

''(I) ⅓ of the goal shall be reserved for businesses with not more than 25 employees; and

''(II) ⅔ of the goal may be used by businesses with not more than 500 employees.

''(iii) The goal described in clause (i) may be modified by the Secretary, in consultation with the Administrator of the Small Business Administration, based on any feedback provided by the Office of Advocacy of the Small Business Administration.

''(E) The Bureau of Immigration and Labor Market Research shall submit a report, on an annual basis, to the Committee on the Judiciary of the Senate, the Small Business

and Entrepreneurship Committee of the Senate, the Committee on the Judiciary of the House of Representatives, and the Small Business and Entrepreneurship Committee of the House of Representatives that contains—

''(i) the total number of H-1B visa applications broken down by business size category and expressed as a percentage of the total—

''(I) 0–25 employees;

''(II) 26–50 employees;

''(III) 50–100 employees;

''(IV) 100–500 employees; or

''(V) more than 500 employees;

''(ii) the total number of H-1B visa applications broken down by North American Industry Classification System (NAICS) Code and expressed as a percentage of the total; and

''(iii) the percentage and number of—

''(I) small businesses to apply for H-1B visas;

''(II) small businesses awarded H-1B visas;

''(III) small businesses that used the premium processing service;

''(IV) all businesses that used the premium processing service and were awarded H-1B visas; and

''(V) all businesses that did not use the premium processing service and were awarded H-1B visas; and

''(iv) a longitudinal and graphical view of the small business percentages described in subparagraph (D) and this subparagraph.

''(F) Beginning 4 years after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 4 years thereafter, as part of the report submitted under subparagraph (E), the Bureau of Immigration and Labor Market Research shall include description of the impact of the application process on the on small business, which shall take into consideration—

''(i) the cost to apply for the visas;

''(ii) the impact of the fee waiver under subparagraph (A)(i) on small businesses; and

''(iii) recommendations for streamlining the application process, including recommended modifications and updates to the online user interface and mobile application.''.

SA 1348. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 949, between lines 21 and 22, insert the following:

''(4) ENGLISH SKILLS.—An alien is not eligible for registered provisional immigrant status unless the alien establishes that the alien meets the requirements of section 245C(b)(4).''.

SA 1349. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 955, strike line 21 and all that follows through page 961, line 13, and insert the following:

(6) ELIGIBILITY AFTER DEPARTURE.—An alien who departed from the United States, while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure, who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary's consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

SA 1350. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 8 and all that follows through page 1496, line 25, and insert the following:

SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.

(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.

(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting ''(a)'' before ''In any'';

(2) by striking ''he shall'' and inserting ''the person shall''; and

(3) by adding at the end the following:

''(b) The Government is not required to provide counsel to aliens under subsection (a).''.

SA 1351. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 8 and all that follows through page 1496, line 25, and insert the following:

SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.

(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.

(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting ''(a)'' before ''In any'';

(2) by striking ''he shall'' and inserting ''the person shall''; and

(3) by adding at the end the following:

''(b) The Government is not required to provide counsel to aliens under subsection (a).''.

(c) REPEAL.—Subsections (b), (c), and (d) of section 2104 of this Act and the amendments to section 242 of the Immigration and Nationality Act, which were made by section 2104(b) of this Act, are repealed.

SA 1352. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through page 948, line 23, and insert the following:

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

SA 1353. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 946, strike line 15 and all that follows through ''(5)'' on page 950, line 1, and insert the following:

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—The Secretary may waive the application of subparagraph (A)(i)(III) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(5)

SA 1354. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through ''(5)'' on page 950, line 1, and insert the following:

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(5)

SA 1355. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REMOVAL OF CRIMINAL ALIENS.

(a) SHORT TITLE.—This section may be cited as the ''Criminal Alien Removal Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) CRIMINAL ALIEN.—Except as otherwise provided, the term ''criminal alien'' means an alien who—

(A) is inadmissible by reason of having committed any offense covered in section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 182(a)(2));

(B) is deportable by reason of having committed any offense covered in subparagraph (A)(ii), (A)(iii), (B), (C), or (D) of section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2));

(C) is deportable under section 237(a)(2)(A)(i) of such Act (8 U.S.C. 1227(a)(2)(A)(i)) on the basis of an offense for which the alien has been sentenced to a term of imprisonment of at least 1 year; or

(D) is inadmissible under section 212(a)(3)(B) (8 U.S.C. 1182(a)(3)(B)) or deportable under section 237(a)(4)(B) (8 U.S.C. 1227 (a)(4)(B)).

(2) CRIMINAL ALIEN PROGRAM.—The term ''Criminal Alien Program'' means the Criminal Alien Program required by subsection (c).

(c) CRIMINAL ALIEN PROGRAM.—

(1) REQUIREMENT FOR CRIMINAL ALIEN PROGRAM.—The Secretary shall carry out a program known as the ''Criminal Alien Program'' for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes of the Criminal Alien Program are to—

(A) identify criminal aliens who are incarcerated in a Federal, State, or local correctional facility;

(B) ensure that such aliens are not released into the community upon the alien's release from such incarceration, without regard to whether the alien is released on parole, supervised release, or probation; and

(C) remove such aliens from the United States upon such release.

(3) TECHNOLOGY USAGE.—To carry out the Criminal Alien Program in remote locations, the Secretary shall, to the maximum extent practicable—

(A) employ technology, such as videoconferencing in such locations if necessary;

(B) utilize mobile access to Federal databases of aliens, including existing systems and new integrated data system required by this Act; and

(C) utilize electronic Livescan fingerprinting technology in order to make such resources available to State and local law enforcement agencies in such locations.

(4) PARTICIPATION BY STATES AND LOCALITIES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a State or locality shall not be eligible to receive funds pursuant to a program described in subparagraph (B) unless the appropriate officials of such State or locality—

(i) cooperate with the Secretary to carry out the Criminal Alien Program;

(ii) expeditiously and systematically identify criminal aliens who are incarcerated in a prison or jail located in such State or locality; and

(iii) promptly convey the information collected under clause (ii) to the Secretary to carry out the Criminal Alien Program.

(B) PROGRAMS.—The programs described in this subparagraph are any law enforcement grant program carried out by personnel of any element of the Department of Justice, including the program described in section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

(C) OTHER AUTHORITIES.—To assist States and localities in participating in the Criminal Alien Program, appropriate officials of a State or locality—

(i) are authorized to hold an illegal alien for a period of up to 14 days after the date such alien completes a term of incarceration within the State or locality in order to effectuate the transfer of such alien to Federal custody if the alien is removable or not lawfully present in the United States; and

(ii) are authorized to issue a detainer that would allow an alien who completes a term of incarceration within the State or locality to be detained by the State or local prison until personnel from U.S. Immigration and Customs Enforcement is able to take the alien into custody.

(5) EVALUATION OF INCARCERATED ALIEN POPULATIONS.—The Secretary, acting in conjunction with the Attorney General and the appropriate officials of the States and localities, as appropriate, shall carry out the Criminal Alien Program as follows:

(A) Not later than 1 year after the date of the enactment of this Act, identify each criminal aliens who—

(i) is incarcerated in a Federal correctional facility; and

(ii) will be deportable or removable upon release from such incarceration.

(B) Not later than 3 years after such date of enactment, identify each criminal alien who—

(i) is incarcerated in State or local correctional facility;

(ii) is serving a term of 3 or more years; and

(iii) will be deportable or removable upon release from such incarceration.

(d) REMOVAL OF IDENTIFIED CRIMINAL ALIENS.—Criminal aliens who are incarcerated and identified as deportable or removable under subsection (c)(5) shall be ordered removed and deported within 90 days.

(e) REDESIGNATION.—

(1) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is—

(A) redesignated as section 295 of the Immigration and Nationality Act; and

(B) inserted into such Act after section 294 of such Act.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by adding after the item related to section 294 the following:

''Sec. 295. Communication between government agencies and the Immigration and Naturalization Service.''.

(f) REPORTS TO CONGRESS.—The Secretary shall submit to Congress reports on the implementation of the Criminal Alien Program and the other provisions of this section, including the Secretary's progress in meeting the deadlines set out in subsection (c)(5) as follows:

(1) An initial report not later than 60 days after the deadline described in subsection (c)(5)(A).

(2) A second report not later than 60 days after the deadline described in subsection (c)(5)(B).

(3) An annual report thereafter.

SA 1356. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, unless, during the first 120-calendar day period of continuous session of Congress after the receipt of the submissions required by paragraph (2), Congress passes a Joint Resolution of Approval of the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy in accordance with this subsection, and such Joint Resolution is enacted into law.

(2) SUBMISSION OF COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY AND THE SOUTHERN BORDER FENCING STRATEGY.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to Congress and the Comptroller General, and make the available to the public through a website of the Department—

(A) the Comprehensive Southern Border Security Strategy;

(B) the Southern Border Fencing Strategy; and

(C)(i) an assessment of the laws the Secretary is required to enforce under the Immigration and Nationality Act and other immigration laws;

(ii) the progress of the Secretary in implementing such laws; and

(iii) a plan for required additional enforcement of such laws.

(3) GAO REVIEW.—Not later than 90 days after the date of the submissions under paragraph (2), the Comptroller General shall submit to Congress a report analyzing the submission made under paragraph (2).

(4) CONGRESSIONAL REVIEW.—Congress shall seek the input of the American people on the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy and hold any hearings Congress determines are necessary for reviewing such Strategies.

(5) JOINT RESOLUTION OF APPROVAL.—

(A) RESOLUTION OF APPROVAL.—In this paragraph, the term ''Resolution of Approval'' means a Joint Resolution of the Congress entitled ''Joint Resolution Approving the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy'', the sole matter after the resolving clause of which is as follows:

''That Congress approves the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy submitted to Congress on _____, in accordance with the provisions of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(B) PROCEDURES APPLICABLE TO THE SENATE.—

(i) RULEMAKING AUTHORITY.—The provisions under this subparagraph are enacted by Congress—

(I) as an exercise of the rulemaking power of the Senate, and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of a Resolution of Approval, and such provisions supersede other rules of the Senate only to the extent that they are inconsistent with such other rules; and

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

(ii) INTRODUCTION; REFERRAL.—

(I) IN GENERAL.—Not later than the third day on which the Senate is in session following the day on which the submissions required by paragraph (2) are received by the Congress, a Resolution of Approval shall be introduced (by request) in the Senate by either the Majority Leader or Minority Leader. If the Resolution of Approval is not introduced as provided in the preceding sentence, any Senator may introduce a Resolution of Approval on the fourth day on which the Senate is in session after the date of the receipt of the submissions required by paragraph (2).

(II) REFERRAL.—Upon introduction, the Resolution of Approval shall be referred jointly to each of the committees having jurisdiction over the subject matter in the submissions required by paragraph (2) by the President of the Senate. Upon the expiration of 60 days of continuous session after the introduction of the Resolution of Approval, each committee to which the Resolution of Approval was referred shall make its recommendations to the Senate.

(III) DISCHARGE.—If any committee to which a Resolution of Approval is referred has not reported the Resolution of Approval at the end of 60 days of continuous session of the Congress after introduction of the Resolution of Approval, such committee shall be discharged from further consideration of the Resolution of Approval, and the Resolution of Approval shall be placed on the legislative calendar of the Senate.

(iii) CONSIDERATION.—

(I) IN GENERAL.—When each committee to which a Resolution of Approval has been referred has reported, or has been discharged from further consideration of, the Resolution of Approval it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the Resolution of Approval. Such motion shall not be debatable. If a motion to proceed to the consideration of the Resolution of Approval is agreed to, the Resolution of Approval shall remain the unfinished business of the Senate until the disposition of the Resolution of Approval.

(II) DEBATE.—Debate on the Resolution of Approval, and on all debatable motions and appeals in connection with the Resolution of Approval, shall be limited to not more than 30 hours, which shall be divided equally between Members favoring and Members opposing the Resolution of Approval. A motion to further limit debate shall be in order and shall not be debatable. The Resolution of Approval shall not be subject to amendment, to a motion to postpone, or to a motion to proceed to the consideration of other business.

A motion to recommit the Resolution of Approval shall not be in order.

(III) FINAL VOTE.—Immediately following the conclusion of the debate on the Resolution of Approval, and a single quorum call at the conclusion of such debate if requested in accordance with the rules of the Senate, the vote on the Resolution of Approval shall occur.

(IV) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to the Resolution of Approval shall be limited to 1 hour of debate.

(iv) RECEIPT OF A RESOLUTION FROM THE HOUSE.—If the Senate receives from the House of Representatives a Resolution of Approval, the following procedures shall apply:

(I) A Resolution of Approval of the House of Representatives received in the Senate shall not be referred to a committee and shall be placed on the Senate calendar, except that it shall not be in order to consider the Resolution of Approval received from the House of Representatives until such time as each committee to which the Resolution of Approval introduced in the Senate was referred under clause (ii)(II) reports the Resolution of Approval or is discharged from further consideration of the Resolution of Approval, pursuant to this subparagraph.

(II) With respect to the disposition by the Senate of a Resolution of Approval, on any vote on final passage of a Resolution of Approval of the Senate, a Resolution of Approval received from the House of Representatives shall be automatically substituted for the resolution of the Senate.

(C) PROCEDURES APPLICABLE TO THE HOUSE OF REPRESENTATIVES.—

(i) RULEMAKING AUTHORITY.—The provisions of this subparagraph are enacted by Congress—

(I) as an exercise of the rulemaking power of the House of Representatives, and as such they are deemed a part of the rules of the House of Representatives, but applicable only with respect to the procedure to be followed in the House of Representatives in the case of a Resolution of Approval, and such provisions supersede other rules of the House of Representatives only to the extent that they are inconsistent with such other rules; and

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

(ii) INTRODUCTION; REFERRAL.—

(I) IN GENERAL.—Not later than the third day on which the House of Representatives is in session following the day on which the submissions required by paragraph (2) are received by the Congress, a Resolution of Approval shall be introduced (by request) in the House of Representatives by either the Speaker of the House of Representatives or the Minority Leader. If the Resolution of Approval is not introduced as provided in the preceding sentence, any Member may introduce a Resolution of Approval on the fourth day on which the House of Representatives is in session after the date of the receipt of the submissions required by paragraph (2).

(II) REFERRAL.—A Resolution of Approval shall upon introduction be immediately referred to the appropriate committee or committees of the House of Representatives. Any Resolution of Approval received from the Senate shall be held at the Speaker's table.

(III) DISCHARGE.—Upon the expiration of 60 days of continuous session after the introduction of a Resolution of Approval, each committee to which the Resolution of Approval was referred shall be discharged from further consideration of the Resolution of Approval, and the Resolution of Approval shall be referred to the appropriate calendar, unless the Resolution of Approval or an identical resolution was previously reported by each committee to which it was referred.

(iii) CONSIDERATION.—It shall be in order for the Speaker to recognize a Member favoring the Resolution of Approval to call up the Resolution of Approval after it has been on the appropriate calendar for 5 legislative days. When a Resolution of Approval is called up, the House of Representatives shall proceed to its immediate consideration and the Speaker shall recognize the Member calling up the Resolution of Approval and a Member opposed to the Resolution of Approval for 10 hours of debate in the House of Representatives, to be equally divided and controlled by such Members. When such time has expired, the previous question shall be considered as ordered on the Resolution of Approval to adoption without intervening motion. No amendment to the Resolution of Approval shall be in order, nor shall it be in order to move to reconsider the vote by which the Resolution of Approval is agreed to or disagreed to.

(iv) RECEIPT OF RESOLUTION FROM SENATE.—If the House of Representatives receives from the Senate a Resolution of Approval:

(I) The Resolution of Approval shall not be referred to a committee.

(II) With respect to the disposition of the House of Representatives of the Resolution of Approval—

(aa) the procedure with respect to the Resolution of Approval introduced in the House of Representatives shall be the same as if no Resolution of Approval had been received from the Senate; but

(bb) the vote on final passage in the House of Representatives shall be on the Resolution of Approval received from the Senate.

SA 1357. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 955, strike lines 1 through 5, and insert the following:

(C) INTERVIEWS.—

(i) MANDATORY INTERVIEWS.—Before granting a waiver of ineligibility for registered provisional immigrant status under this section, the Secretary, through U.S. Citizenship and Immigration Services, shall conduct an in-person interview if the applicant is present in the United States and is described in paragraph (2) or (6)(B) of section 212(a) (relating to criminal aliens and aliens who failed to appear at prior removal hearings).

(ii) PERMITTED INTERVIEWS.—The Secretary, through U.S. Citizenship and Immigration Services, may interview applicants for registered provisional immigrant status not described in clause (i) to determine whether they meet the eligibility requirements set forth in subsection (b).

SA 1358. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 922, strike line 1 and all that follows through page 927, line 7, and insert the following:

SEC. 1113. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the DHS Task Force).

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the international borders between the United States and Mexico and between the United States and Canada protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1112.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 35 members, appointed by the President, who have expertise in enforcing Federal immigration laws, migration, local crime indices, civil and human rights, community relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 15 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement officials;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services; and

(ii) 20 members shall be from the Southern border region and shall include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community;

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services.

(B) TERM OF SERVICE.—Members of the DHS Task Force described in subclauses (VIII) through (XI) of clause (i) and subclauses (VIII) through (XI) of clause (ii) shall be selected by a vote of their peers. All members of the DHS Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving the findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit a final report to the President, Congress, and the Secretary that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties for which the DHS Task Force should be responsible after the termination date described in subsection (e).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2014 through 2017.

(e) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

SA 1359. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 861, strike line 23 and all that follows through page 864, line 7, and insert the following:

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—If the Secretary certifies that the Department has not achieved effective control in all border sectors during any fiscal year beginning before the date that is 5 years after the date of the enactment of this Act, not later than 60 days after such certification, there shall be established a commission to be known as the Southern Border Security Commission (referred to in this section as the Commission).

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of—

(A) 2 members who shall be appointed by the President;

(B) 2 members who shall be appointed by the President pro tempore of the Senate, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the Senate of the other political party;

(C) 2 members who shall be appointed by the Speaker of the House of Representatives, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the other political party;

(D) 4 members, consisting of 1 member from each of the States along the Southern border, who shall be—

(i) the Governor of such State; or

(ii) appointed by the Governor of each such State; and

(E) 5 members, consisting of front line personnel with experience securing the borders of the United States and enforcing customs and immigration laws selected by a vote of their peers, including—

(i) 2 U.S. Border Patrol agents;

(ii) 1 U.S. Customs and Border Protection employee;

(iii) 1 U.S. Citizenship and Immigration Services employee; and

(iv) 1 U.S. Immigration and Customs Enforcement employee.

(2) QUALIFICATION FOR APPOINTMENT.—Appointed members of the Commission shall be distinguished individuals noted for their knowledge and experience in the field of border security at the Federal, State, or local level.

(3) TIME OF APPOINTMENT.—The appointments required by paragraph (1) shall be made not later than 60 days after the Secretary makes a certification described in subsection (a).

(4) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(5) VACANCIES.—Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(6) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of at least 6 members of the Commission.

(c) DUTIES.—The Commission's primary responsibility shall be to make recommendations to the President, the Secretary, and Congress on policies to achieve and maintain the border security goal specified in section 3(b) by achieving and maintaining—

(1) the capability to engage in, and engaging in, persistent surveillance in border sectors along the Southern border; and

(2) an effectiveness rate of 90 percent or higher in all border sectors along the Southern border.

(d) REPORT.—Not later than 180 days after the end of the 5-year period described in subsection (a), the Commission shall submit to the President, the Secretary, and Congress a report setting forth specific recommendations for policies for achieving and maintaining the border security goals specified in subsection (c). The report shall include, at a minimum, recommendations for the personnel, infrastructure, technology, and other resources required to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(e) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the Commission such staff and administrative services as may be necessary and appropriate for the Commission to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service or status or privilege.

(g) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall review the recommendations in the report submitted under subsection (d) in order to determine—

(1) whether any of the recommendations are likely to achieve effective control in all border sectors;

(2) which recommendations are most likely to achieve effective control; and

(3) whether such recommendations are feasible within existing budget constraints.

(h) TERMINATION.—The Commission shall terminate 30 days after the date on which the report is submitted under subsection (d).

SA 1360. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 861, strike line 8.

On page 861, line 14, strike the period at the end and insert the following: ''; and

(E) 5 members, consisting of front line personnel with experience securing the borders of the United States and enforcing customs and immigration laws selected by a vote of their peers, including—

(i) 2 U.S. Border Patrol agents;

(ii) 1 U.S. Customs and Border Protection employee;

(iii) 1 U.S. Citizenship and Immigration Services employee; and

(iv) 1 U.S. Immigration and Customs Enforcement employee.

On page 923, line 9, strike ''29'' and insert ''35''.

On page 923, line 10, insert ''enforcing Federal immigration laws,'' after ''expertise in''.

On page 923, line 15, strike ''12 members'' and insert ''15 members''.

On page 924, beginning on line 4, strike ''and'' and all that follows through ''17 members'' on line 7, and insert the following:

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services; and

(ii) 20 members

On page 924, beginning on line 20, strike ''and'' and all that follows through line 22, and insert the following:

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services.

On page 924, line 24, insert ''described in subclauses (VIII) through (XI) of clause (i) and subclauses (VIII) through (XI) of clause (ii) shall be selected by a vote of their peers. All members of the Task Force''.

SA 1361. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1105 and insert the following:

SEC. 1105. PROHIBITION ON ACTIONS THAT IMPEDE BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—The waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private land; and

(2) not provide authority on or access to State or private land.

SA 1362. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. REMOVAL OF NONIMMIGRANTS WHO OVERSTAY THEIR VISAS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall immediately initiate removal proceedings, in accordance with chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), against not fewer than 90 percent of the aliens who—

(1) were admitted as nonimmigrants after such date of enactment; and

(2) have exceeded their authorized period of admission.

(b) REPORT.—At the end of each calendar quarter, the Secretary shall submit a report to Congress that identifies—

(1) the total number of aliens who exceeded their authorized period of stay as nonimmigrants during that quarter;

(2) the total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings; and

(3) statistics about aliens who lawfully entered the United States and exceeded their authorized period of admission, categorized by visa type and nation of origin.

SA 1363. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1014, strike line 1 and all that follows through ''(e)'' on page 1020, line 3, and insert ''(b)''.

SA 1364. Mr. WARNER (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1852, line 1, strike ''$250,000'' and insert ''an additional $150,000''.

On page 1854, strike lines 4 through 20, and insert the following:

''(ii) QUALIFIED ENTREPRENEUR.—

''(I) IN GENERAL.—The term ''qualified entrepreneur'' means an individual who—

''(aa) has a significant ownership interest, which need not constitute a majority interest, in a United States business entity;

''(bb) is employed in a senior executive position of such United States business entity; and

''(cc) had a substantial role in the founding or early-stage growth and development of such United States business entity.

''(II) WAIVER OF SIGNIFICANT OWNER INTEREST REQUIREMENT.—Notwithstanding subclause (I)(aa), the Secretary may determine that an individual that does not have a significant ownership interest in a United States business entity but that otherwise meets the requirements of subclause (I) is a qualified entrepreneur if the business entity was acquired in a bona fide arm's length transaction by another United States business entity.

On page 1856, strike lines 19 through 21, and insert the following:

''(III)(aa) pays a wage that is not less than 250 percent of the Federal minimum wage; or

''(bb) provides to the holder of the position equity compensation in an amount equal to 1 percent of the equity of the United States business entity on an 'as-converted' basis.

On page 1861, strike lines 16 through 25, and insert the following:

''(cc) has been advising such entity or other similar funds or a series of funds for at least 2 years; and

''(dd) has advised such entity or a similar fund or a series of funds with respect to at least 2 investments of not less than $500,000 made by such entity or similar fund or series of funds during at least 2 of the most recent 3 years.

On page 1863, strike lines 13 through 17, and insert the following:

''(B) AVAILABILITY OF VISAS.—

''(i) IN GENERAL.—Visas shall be available, in a number not to exceed 10,000 for each fiscal year, to qualified immigrants seeking to enter the United States for the purpose of creating new businesses, as described in this paragraph.

''(ii) ADDITIONAL VISAS.—

''(I) IN GENERAL.—An additional 5,000 visas for each fiscal year shall be reallocated from unused visas if the Secretary determines, after receiving the report required by subclause (II), that the provision of visas under this paragraph has been effective in creating new businesses and that there would be additional economic benefit derived from the provision of additional visas under this paragraph.

''(II) GAO REPORT.—Not later than 30 days after the end of each fiscal year, the Comptroller General of the United States shall submit to Congress and the Secretary a report on the effectiveness of providing visas under this section in creating new businesses and recommendations with respect to the provision of such visas. The Secretary shall provide any necessary data to Comptroller General upon request.

On page 1864, line 1, strike ''3-year period'' and insert ''6-year period''.

On page 1865, line 1, strike ''2-year period'' and insert ''3-year period''.

On page 1865, line 3, insert after ''revenue'' the following: '', in any 12-month period during that 3-year period,''.

On page 1865, line 8, strike the semicolon and insert ''; or''.

SA 1365. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1298, strike line 18 and all that follows through page 1299, line 11, and insert the following:

SEC. 2552. FILING OF APPLICATIONS NOT REQUIRING REGULAR INTERNET ACCESS.

(a) ELECTRONIC FILING NOT REQUIRED.—

(1) IN GENERAL.—The Secretary may not require that an applicant or petitioner for permanent residence or United States citizenship use an electronic method to file any application, or to access a customer account as the sole means of applying for such status.

(2) SUNSET DATE.—This subsection shall cease to be effective on October 1, 2020.

(b) NOTIFICATION REQUIREMENT.—Beginning on October 1, 2020, the Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application or to access a customer account unless the Secretary notifies the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of such requirement not later than 30 days before the effective date of such requirement.

(c) ENABLING DIGITAL PAPERWORK PROCESSING.—In order to improve efficiency and to discourage fraud, the Secretary may provide incentives to encourage digital filing, including expedited processing, modified filing fees, or discounted membership in trusted traveler programs, if the Secretary provides electronic access to a digital application process in application support centers, district offices, or other ubiquitous, commercial, and nongovernmental organization locations designated by the Secretary.

On page 1418, strike lines 12 through 19 and insert the following:

SEC. 3103. INCREASING SECURITY AND INTEGRITY OF GOVERNMENT-ISSUED CREDENTIALS AND SYSTEMS.

(a) ASSESSMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in coordination with the National Institute of Standards and Technology, shall submit an assessment, with recommendations to Congress on—

(1) the feasibility of automated biometric comparison to verify that the person presenting the employment authorization document is the rightful holder;

(2) how best to enable United States citizens and aliens lawfully present in the United States to better secure the accuracy and privacy of their digital interactions with Federal information systems; and

(3) a timetable for the actions described in paragraphs (1) and (2).

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to support a public-private, multi-stakeholder process that includes relevant Federal agencies and groups representing the State governors, motor vehicle administrators, civil liberties groups, public safety organizations, representatives of the technology, financial services and healthcare sectors, and such other public or private entities as the Secretary considers appropriate.

(2) FUNCTIONS.—The advisory committee established pursuant to paragraph (1) shall—

(A) collect and analyze recommendations from the stakeholders described in paragraph (1) with respect to the assessment conducted under subsection (a); and

(B) provide Congress with any ongoing recommendations for legislative and administrative action regarding improvements to the security, integrity, and privacy of government issued credentials and systems.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to enter into agreements with the National Academy of Sciences to provide reviews and intellectual support for the mission of the advisory committee established pursuant to subsection (b)(1).

SA 1366. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1465, strike lines 6 through 12 and insert the following:

(3) REGULATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(B) COMPLIANCE.—The Secretary shall establish mandatory training courses for covered Department of Homeland Security officers on compliance with the regulations issued under subparagraph (A).

(C) INSPECTOR GENERAL REPORT.—Beginning not later than 1 year after the date on which the Secretary establishes the mandatory training courses under subparagraph (B), and every year thereafter, the Inspector General for the Department shall submit to Congress a report on the compliance by covered Department of Homeland Security officers with the regulations issued under subparagraph (A).

SA 1367. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1464, strike line 22 and all that follows through page 1466, line 8, and insert the following:

(c) STUDY AND REGULATIONS.—

(1) DATA COLLECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department of Homeland Security officers.

(2) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, and every year thereafter, the Secretary shall complete a study analyzing the data.

(3) REGULATIONS.—Not later than 90 days after the date the first study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(4) REPORTS.—Not later than 30 days after completion of each study required by paragraph (2), the Secretary shall submit the study to—

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

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) DEFINED TERM.—In this subsection, the term ''covered Department of Homeland Security officer'' means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration and Customs Enforcement, or the Transportation Security Administration.

SA 1368. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON RESTRAINTS ON PREGNANT DETAINEES.

(a) PROHIBITION ON RESTRAINT OF PREGNANT DETAINEES.—

(1) PROHIBITION.—A detention facility shall not use restraints on a detainee known to be pregnant, including during labor, transport to a medical facility or birthing center, delivery, and postpartum recovery, unless the facility administrator makes an individualized determination that the detainee presents an extraordinary circumstance as described in paragraph (2).

(2) EXTRAORDINARY CIRCUMSTANCE.—Restraints for an extraordinary circumstance are only permitted if a medical officer has directed the use of restraints for medical reasons or if the facility administrator makes an individualized determination that—

(A) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others; or

(B) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

(3) REQUIREMENT FOR LEAST RESTRICTIVE RESTRAINTS.—In the rare event that one of the extraordinary circumstances in paragraph (2) applies, medical staff shall determine the safest method and duration for the use of restraints and the least restrictive restraints necessary shall be used for a pregnant detainee, except that—

(A) if a doctor, nurse, or other health professional treating the detainee requests that restraints not be used, the detention officer accompanying the detainee shall immediately remove all restraints;

(B) under no circumstance shall leg or waist restraints be used;

(C) under no circumstance shall wrist restraints be used to bind the detainee's hands behind her back; and

(D) under no circumstances shall any restraints be used on any detainee in labor or childbirth.

(4) RECORD OF EXTRAORDINARY CIRCUMSTANCES.—

(A) REQUIREMENT.—If restraints are used on a detainee pursuant to paragraph (2), the facility administrator shall make a written finding within 10 days as to the extraordinary circumstance that dictated the use of the restraints.

(B) RETENTION.—A written find made under subparagraph (A) shall be kept on file by the detention facility for at least 5 years and be made available for public inspection, except that no individually identifying information

of any detainee shall be made public without the detainee's prior written consent.

(b) PROHIBITION ON PRESENCE OF DETENTION OFFICERS DURING LABOR OR CHILDBIRTH.—Upon a detainee's admission to a medical facility or birthing center for labor or childbirth, no detention officer shall be present in the room during labor or childbirth, unless specifically requested by medical personnel. If a detention officer's presence is requested by medical personnel, the detention officer shall be female, if practicable. If restraints are used on a detainee pursuant to subsection (a)(2), a detention officer shall remain immediately outside the room at all times so that the officer may promptly remove the restraints if requested by medical personnel, as required by subsection (a)(3)(A).

(c) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' includes any adult or juvenile person detained under the Immigration and Nationality Act (8 U.S.C. 1101) or held by any Federal, State, or local law enforcement agency under an immigration detainer.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement or the Commissioner of U.S. Customs and Border Protection, including facilities that hold such individuals under a contract or agreement with the Director or Commissioner, or that is used, in whole or in part, to hold individuals pursuant to an immigration detainer.

(3) FACILITY ADMINISTRATOR.—The term ''facility administrator'' means the official that is responsible for oversight of a detention facility or the designee of such official.

(4) LABOR.—The term ''labor'' means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) POSTPARTUM RECOVERY.—The term ''postpartum recovery'' mean, as determined by her physician, the period immediately following delivery, including the entire period a woman is in the hospital or infirmary after birth.

(6) RESTRAINT.—The term ''restraint'' means any physical restraint or mechanical device used to control the movement of a detainee's body or limbs, including flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security (tether) chain, or a convex shield.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 30 days before the end of each fiscal year, the facility administrator of each detention facility in whose custody a pregnant detainee had been subject to the use of restraints during the previous fiscal year shall submit to the Secretary a written report that includes an account of every instance of such a use of restraints. No such report may contain any individually identifying information of any detainee.

(2) PUBLIC INSPECTION.—Each report submitted under paragraph (1) shall be made available for public inspection.

(e) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out this section at every detention facility.

SA 1369. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1796, lines 9 and 10, strike ''U.S. Citizenship and Immigration Services'' and insert ''Department of Labor''.

On page 1799, lines 19 and 20, strike ''Director of U.S. Citizenship and Immigration Services'' and insert ''Secretary of Labor''.

On page 1800, line 1, strike ''Director'' and insert ''Secretary of Labor''.

SA 1370. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, line 2, insert ''and aliens with an advanced degree in science, technology, engineering, or mathematics from an institution of higher education in the United States who are residing in the United States'' after ''workers''.

SA 1371. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1082, strike line 7 and all that follows through page 1087, line 17.

SA 1372. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1496, line 1, insert '', in consultation with the Department of Health and Human Services or U.S. Immigration and Customs Enforcement,'' after ''shall''.

SA 1373. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 879, line 12, insert '', the Director of the Administrative Office of the United States Courts, the Secretary of Agriculture, the Secretary of Labor,'' after ''Attorney General''.

SA 1374. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 864, line 14, strike ''Secretary'' and insert ''Secretary, after consultation with the Attorney General, the Secretary of the Interior, the Director of the Administrative Office of the United States Courts, and the heads of other appropriate Federal agencies,''.

SA 1375. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 918, between lines 12 and 13, insert the following:

(3) ELIGIBILITY REQUIREMENTS FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDING.—Section 241(i) (8 U.S.C. 1231(i)), as amended by this section, is further amended by adding at the end the following:

''(8) A State, or a political subdivision of a State, shall not be eligible to enter into a contractual arrangement under paragraph (1) if the State or political subdivision—

''(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, whether lawful or unlawful, of any individual.''.

SA 1376. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1584, strike lines 11 through 18.

SA 1377. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 911, beginning on line 6, strike '', working through U.S. Border Patrol,''.

SA 1378. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 866, line 3, before ''and successfully'' insert ''through programs in existence on the date of enactment of this Act or programs established thereafter''.

SA 1379. Mr. GRASSLEY (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. LIMITATION ON CERTAIN ALIENS CLAIMING EARNED INCOME TAX CREDIT IN PRIOR YEARS.

(a) IN GENERAL.—Paragraph (1) of section 32(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(G) PROHIBITION ON RETROACTIVE CREDIT FOR CERTAIN IMMIGRANTS.—

''(i) IN GENERAL.—In the case of an individual who is granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year prior to the year such individual was granted such status unless such individual —

''(I) was an eligible individual for such prior taxable year, and

''(II) was authorized to engage in employment in the United States for such prior taxable year.

''(ii) MARRIED INDIVIDUALS.—In the case of an eligible individual who is married (within the meaning of section 7703) to an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year—

''(I) in which such individual was married (within the meaning of section 7703) to the eligible individual, and

''(II) which is prior to the year the spouse of such individual was granted such status,

unless such spouse was authorized to engage in employment in the United States for such prior taxable year.''.

(b) QUALIFYING CHILDREN.—Subparagraph (D) of section 32(c)(3) of such Code is amended by redesignating clause (ii) as clause (iii) and by inserting after clause (i) the following new clause:

''(ii) PRIOR YEARS.—In the case of an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, such individual shall not be taken into account as a qualifying child under subsection (b) for any taxable year prior the year such individual was granted such status unless such individual was authorized to engage in employment in the United States for such prior taxable year.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1380. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 952, strike line 22 and all that follows through page 953, line 12, and insert the following:

''(3) APPLICATION PERIOD.—The Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

SA 1381. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. DISALLOWANCE OF EARNED INCOME TAX CREDIT FOR REGISTERED PROVISIONAL IMMIGRANTS.

(a) IN GENERAL.—Subparagraph (D) of section 32(c)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(D) LIMITATION ON ELIGIBILITY OF CERTAIN ALIENS.—

''(i) REGISTERED PROVISIONAL IMMIGRANT STATUS.—The term 'eligible individual' shall not include an individual who is in registered provisional immigrant status under section 245B of the Immigration and Nationality Act during any portion of the taxable year.

''(ii) NONRESIDENT ALIENS.—The term 'eligible individual' shall not include any individual who is a nonresident alien individual for any portion of the taxable year unless such individual is treated for such taxable year as a resident of the United States for purposes of this chapter by reason of an election under subsection (g) or (h) of section 6013.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1382. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 905, line 10, strike ''(d)'' and insert the following:

(d) DONATIONS FOR LAND PORTS OF ENTRY FACILITIES.—

(1) DONATIONS PERMITTED.—Notwithstanding any other provision of law, including chapter 33 of title 40, United States Code, the Secretary, for purposes of constructing, altering, operating, or maintaining a new or existing land port of entry facility, may accept donations of real and personal property (including monetary donations) and nonpersonal services from private parties and State and local government entities.

(2) ALLOWABLE USES OF DONATIONS.—The Secretary, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such property or services for necessary activities related to the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator of General Services for necessary activities described in paragraph (1) related to a new or existing land port of entry facility under the custody and control of the Administrator.

(3) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by any person described in paragraph (1) to make a donation of real or personal property (including monetary donations) or nonpersonal services to facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary.

(4) CONSIDERATIONS.—In determining whether or not to approve a proposal described in paragraph (3), the Secretary or the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity;

(C) the potential of the proposal to enhance the security of the port of entry; and

(D) other factors that the Secretary determines to be relevant.

(5) CONSULTATION.—

(A) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary is encouraged to consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(i) to determine locations for new ports of entry; and

(ii) to minimize the adverse impacts from such ports on the environment, historic and cultural resources, commerce, and the quality of life for the communities and residents located near such ports.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed—

(i) to create any right or liability of the parties described in subparagraph (A); and

(ii) to affect any consultation requirement under any other law.

(6) SUPPLEMENTAL FUNDING.—Property (including monetary donations) and services provided pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or services made available for the same purpose.

(7) UNCONDITIONAL DONATIONS.—A donation provided pursuant to paragraph (1) shall be made unconditionally, although the donor may specify—

(A) the land port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which the donated property or services shall be used.

(8) RETURN OF DONATIONS.—If the Secretary or the Administrator does not use the property or services donated pursuant to paragraph (1) for the specific land port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated property or services shall be returned to the entity that made the donation. No interest shall be owed to the donor with respect to any donation of funding provided under paragraph (1) that is returned pursuant to this paragraph.

(9) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Administrator, shall submit a report to the congressional committees listed in subparagraph (B) that describes—

(i) the accepted donations received under this subsection;

(ii) the ports of entry that received such donations; and

(iii) how each donation helped facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry.

(B) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this subparagraph are—

(i) the Committee on Appropriations of the Senate;

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

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

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

(vi) the Committee on Ways and Means of the House of Representatives.

(10) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Secretary or the Administrator of General Services to construct, alter, operate, and maintain land port of entry facilities.

(e)

SA 1383. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 4806, add the following:

(j) REPORTS.—

(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the EB-5 program carried out pursuant to section 203(b)(5) of the Immigration and Nationality (8 U.S.C. 1153(b)(5)), as amended by this section.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) The number of applications pending for an immigrant visa described in section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)) disaggregated by State.

(B) The period of time each such application has been pending.

(C) The average length of time required to conduct an economic evaluation of a project and suitability of a petitioner for such a visa and the Secretary's goals for these timeframes.

(D) A description of any additional resources necessary to efficiently administer the EB-5 program carried out pursuant to such section 203(b)(5).

(E) The number of applications that have been approved or denied for such a visa in the most recent reporting period with an accompanying explanation of reasons for such approval or denial disaggregated by State.

(F) The number of jobs created by such EB-5 program in each 180-day period, disaggregated by State.

(G) The types of projects proposed and the number of aliens granted such a visa in each 180-day period, disaggregated by State and by North American Industry Classification System (NAICS) code.

SA 1384. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. INTERNATIONAL COOPERATION WITH RESPECT TO BORDER SECURITY AND TRADE FACILITATION.

(a) AUTHORITY TO ENTER INTO CUSTOMS PARTNERSHIPS WITH FOREIGN GOVERNMENTS.—Section 629(g) of the Tariff Act of 1930 (19 U.S.C. 1629(g)) is amended to read as follows:

''(g) PRIVILEGES AND IMMUNITIES.—

''(1) IN GENERAL.—Except as provided in subparagraph (B), any person designated to perform the duties of an officer of the Customs Service pursuant to section 401(i) shall be entitled to the same privileges and immunities as an officer of the Customs Service with respect to any actions taken by the person in the performance of those duties.

''(2) FOREIGN LAW ENFORCEMENT OFFICERS.—A law enforcement officer of a foreign government designated to perform the duties of an officer of the Customs Service pursuant to section 401(i) shall be entitled to such of the privileges and immunities described in paragraph (1) as are afforded to the officer pursuant to the law of the United States or an agreement between the United States and the foreign government authorized under paragraph (3).

''(3) AUTHORIZATION OF AGREEMENTS WITH FOREIGN GOVERNMENTS.—The Secretary of State, in coordination with the Secretary of Homeland Security, may enter into an agreement with the government of a foreign country to extend to law enforcement officers of that government that are designated to perform the duties of an officer of the Customs Service under section 401(i) such of the privileges and immunities described in paragraph (1) as are necessary for those law enforcement officers to carry out those duties.''.

(b) AUTHORITY OF FOREIGN CUSTOMS OFFICERS WITH RESPECT TO PRECLEARANCE ACTIVITIES IN THE UNITED STATES.—Section 629(e) of the Tariff Act of 1930 (19 U.S.C. 1629(e)) is amended by adding at the end the following: ''Notwithstanding any other provision of Federal, State, or local law, a foreign customs officer stationed at a facility in the United States under this subsection may possess, use, and transport to and from the facility inspectional aids, personal protective equipment, and such other items as are necessary to carry out the officer's official duties to the same extent as a United States official acting in the official's official capacity in the United States.''.

(c) STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS IN THE UNITED STATES.—

(1) IN GENERAL.—Subtitle H of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890A. STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS AND ASSOCIATED PERSONNEL.

''(a) IN GENERAL.—The Secretary or the Attorney General may authorize the stationing of law enforcement officers and associated personnel of a foreign government in the United States for the purpose of enhancing law enforcement cooperation and operations with the foreign government.

''(b) EXTENSION OF PRIVILEGES AND IMMUNITIES.—The Secretary of State, in coordination with the Secretary or the Attorney General, or both, may extend privileges and immunities, as negotiated pursuant to an international agreement or treaty with a particular foreign government, to law enforcement officers and associated personnel of the foreign government stationed in the United States in accordance with subsection (a) as may be necessary for those law enforcement officers and associated personnel to carry out the functions authorized under subsection (a).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 890 the following:

''Sec. 890A. Stationing of foreign law enforcement officers and associated personnel.''.

(d) FEDERAL JURISDICTION OVER PERSONNEL WORKING AS PART OF BORDER SECURITY INITIATIVES.—

(1) IN GENERAL.—Chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''§ 1925. Offenses committed by personnel working in furtherance of border security initiatives outside the United States

''(a) OFFENSE.—It shall be unlawful for any individual who is employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in a foreign country in furtherance of a border security initiative pursuant to a treaty, agreement, or other arrangement to engage in conduct that would constitute an offense under Federal law if the conduct had been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States.

''(b) PENALTY.—Any individual who violates subsection (a) shall be punished as provided for that offense.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''1925. Offenses committee by personnel working in furtherance of border security initiatives outside the United States.''.

SA 1385. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1147, strike lines 16 through 19, and insert the following:

''(1) FISCAL YEARS 2015 THROUGH 2017.—During each of the fiscal years 2015 through 2017, the worldwide level

Beginning on page 1147, line 24, strike ''Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act,'' and insert ''During fiscal year 2018 and each subsequent fiscal year,''

On page 1154, strike line 21, and insert the following:

''(6) APPLICATION PROCEDURES.—

''(A) SUBMISSION.—During the 30-day period beginning on the first October 1 occurring at least 3 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and during each 30-day period beginning on October 1 in subsequent years, eligible aliens may submit, to U.S. Citizenship and Immigration Services, an application for a merit-based immigrant visa that contains such information as the Secretary may reasonably require.

''(B) ADJUDICATION.—Before the last day of each fiscal year in which applications are filed pursuant to subparagraph (A), the Director, U.S. Citizenship and Immigration Services, shall—

''(i) review the applications to determine which aliens will be granted a merit-based immigrant visa in the following fiscal year in accordance with this subsection; and

''(ii) in coordination with the Secretary of State, provide such visas to all successful applicants.

''(C) FEE.—An alien who is allocated a visa

On page 1160, strike lines 11 through 13 and insert the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

On page 1164, line 23, strike ''(f)'' and insert the following:

(f) APPLICABILITY OF CERTAIN GROUNDS OF INADMISSIBILITY.—In determining an alien's inadmissibility under this section, section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)) shall not apply.

(g)

On page 1206, line 8, strike ''203(b)(2)(B).'' and insert ''203(b)(2)(B) or 201(b)(1)(N).''.

On page 1630, strike lines 3 through 5, and insert the following:

''(C) An allocation adjustment under clause (i), (ii), (iii), or (iv) of subparagraph (B)—

''(i) may not increase the total number of nonimmigrant visas available for any fiscal year under section 101(a)(15)(H)(i)(b) above 180,000; and

''(ii) may not take place to make additional nonimmigrant visas available for any fiscal year in which

On page 1677, line 13, insert '', other than a public institution of higher education,'' after ''entity''.

On page 1680, line 25, insert ''(other than nonprofit education and research institutions)'' after ''employer''.

On page 1681, line 25, strike ''employer who'' and insert ''employer (other than nonprofit education and research institutions) that''.

On page 1735, strike lines 4 through 8 and insert the following:

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

''(B) The applicable numerical limitation referred to in subparagraph (A) for each fiscal year is—

''(i) 10,500 for each of the nationalities identified in clause (iii) of section 101(a)(15)(E); and

''(ii) 10,500 for all aliens described in clause (vi) of such section.''.

Beginning on page 1791, strike line 24 and all that follows through page 1792, line 4, and insert the following:

''(2) PROHIBITION ON DIRECT PAYMENTS FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive direct payments from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.''.

SA 1386. Mrs. HAGAN (for herself, Mr. COONS, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013''.

(b) REAUTHORIZATION.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2012'' and inserting ''2018''.

(c) SENSE OF CONGRESS ON 5-YEAR LIMITATION ON FUNDS.—It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll et seq.) should be made available through the end of the 4th fiscal year following the fiscal year for which amounts are awarded and should not be made available until expended.

(d) UNIQUELY FITTED ARMOR VESTS.—Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

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

(2) in paragraph (3) by striking ''; or'' and inserting ''; and'';

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following:

''(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including armor vests uniquely fitted to individual female law enforcement officers; or''.

SEC. 1123. BORDER CRIME PREVENTION PROGRAM.

(a) GRANTS AUTHORIZED.—The Secretary shall establish a Border Crime Prevention Program to assist units of local governments and tribal governments—

(1) to better prevent crime and promote public safety and criminal justice in border areas; and

(2) to enhance coordination between Federal and local law enforcement agencies.

(b) APPLICATION.—Each eligible entity may apply for a grant under this section by submitting an application containing such information as the Secretary may reasonably require.

(c) ELIGIBILITY.—For purposes of this section, an ''eligible entity'' includes—

(1) any State or unit of local government in the United States, including cities, towns, and counties, that—

(A) touches the Southern border or the Northern border; or

(B) is located within 100 miles of the Southern border or the Northern border; and

(2) tribal governments in the United States that own land that is located within 100 miles of the Southern border or the Northern border.

(d) DIRECT FUNDING.—Each grant awarded under this section shall be provided directly to the eligible entity that applied for such grant.

(e) USES OF GRANT FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), grant funds under this section may be expended—

(A) to hire and train additional career law enforcement officers for deployment to the border;

(B) to procure equipment, technology, or support systems;

(C) to pay for overtime, mileage reimbursements, fuel, and similar costs;

(D) to provide specialized training to law enforcement officers;

(E) to build or sustain law enforcement facilities or equipment;

(F) to provide for first responders and emergency response services;

(G) to provide support for local prosecutors and probation officers; and

(H) for any other purpose authorized by the Secretary.

(2) LIMITATION.—Grants awarded under this section may not be used to enforce Federal immigration laws.

(3) FEDERAL SHARE.—The Federal share of the cost of any activity described in paragraph (1) for which grant funds are expended under this section—

(A) shall be 100 percent; and

(B) may be used to cover indirect costs.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, from the Comprehensive Immigration Trust Fund established under section 6(a)(1), $50,000,000 for each of the fiscal years 2014 through 2018 to carry out this section.

SA 1387. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1544, line 19, insert after ''the alien'' the following: ''has shown, by clear and convincing evidence, that the alien''.

SA 1388. Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, insert the following:

TITLE V—AMERICA WORKS

SEC. 5001. SHORT TITLE.

This title may be cited as the ''American Manufacturing Efficiency and Retraining Investment Collaboration Achievement Works Act'' or ''AMERICA Works Act''.

SEC. 5002. FINDINGS.

Congress finds the following:

(1) Recent data show that United States manufacturing companies cannot fill as many as 600,000 skilled positions, even as unemployment numbers hover at historically high levels.

(2) The unfilled positions are mainly in the skilled production category, and in occupations such as machinist, operator, craft worker, distributor, or technician.

(3) in less than 20 years, an overall loss of expertise and management skill is expected to result from the gradual departure from the workplace of 77,200,000 workers.

(4) Postsecondary success and workforce readiness can be achieved through attainment of a recognized postsecondary credential.

(5) According to the January 2011 Computing Technology Industry Association report entitled ''Employer Perceptions of Information Technology Training and Certification'', 64 percent of hiring information technology managers rate information technology certifications as having extremely high or high value in validating information technology skills and expertise. The value of those certifications is rated highest among senior information technology managers, such as Chief Information Officers, and managers of medium-size firms.

SEC. 5003. INDUSTRY-RECOGNIZED AND NATIONALLY PORTABLE CREDENTIALS FOR JOB TRAINING PROGRAMS.

(a) WORKFORCE INVESTMENT ACT OF 1998.—

(1) YOUTH ACTIVITIES.—Section 129(c)(1)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2854(c)(1)(C)) is amended—

(A) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively; and

(B) inserting after clause (i) the following:

''(ii) training (which may include priority consideration for training programs that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123);''.

(2) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(d)(4)(F) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F)) is amended by adding at the end the following:

''(iv) PROGRAMS THAT LEAD TO AN INDUSTRY-RECOGNIZED AND NATIONALLY PORTABLE CREDENTIAL.—In assisting individuals in selecting programs of training services under this section, a one-stop operator and employees of a one-stop center referred to in subsection (c) may give priority consideration to programs (approved in conjunction with eligibility decisions made under section 122) that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area involved.''.

(3) CRITERIA.—

(A) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 122(b)(2)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(b)(2)(D)) is amended—

(i) in clause (ii), by striking ''and'' at the end;

(ii) in clause (iii), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) in the case of a provider of a program of training services that leads to a recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act), that the program leading to the credential meets such quality criteria as the Governor shall establish.''.

(B) YOUTH ACTIVITIES.—Section 123 of the Workforce Investment Act of 1998 (29 U.S.C. 2843) by inserting ''(including such quality criteria as the Governor shall establish for a training program that leads to a recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act))'' after ''plan''.

(b) CAREER AND TECHNICAL EDUCATION.—

(1) STATE PLAN.—Section 122(c)(1)(B) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amended—

(A) by striking ''(B) how'' and inserting ''(B)(i) how'';

(B) by inserting ''and'' after the semicolon; and

(C) by adding at the end the following

''(ii) in the case of an eligible entity that, in developing and implementing programs of study leading to recognized postsecondary credentials, desires to give a priority to such programs that are aligned with in-demand occupations or industries in the area served (as determined by the eligible agency) and that may provide a basis for additional credentials, certificates, or degree, how the entity will do so;''.

(2) USE OF LOCAL FUNDS.—Section 134(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2354(b)) is amended—

(A) in paragraph (11), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (12)(B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(13) describe the career and technical education activities supporting the attainment of recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act), and, in the case of an eligible recipient that desires to provide priority consideration to certain programs of study in accordance with the State plan under section 122(c)(1)(B), how the eligible recipient will give priority consideration to such activities.''.

(3) TECH-PREP PROGRAMS.—Section 203(c)(2)(E) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2373(c)(2)(E)) is amended by striking ''industry-recognized credential, a certificate,'' and inserting ''recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act and approved by the eligible agency),''.

(c) TRAINING PROGRAMS UNDER TAA.—Section 236(a) of the Trade Act of 1974 (19 U.S.C. 2296(a)) is amended by adding at the end the following:

''(12) In approving training programs for adversely affected workers and adversely affected incumbent workers under paragraph (1), the Secretary may give priority consideration to workers seeking training through programs that are approved in conjunction with eligibility decisions made under section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842), and that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area (defined for purposes of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)) involved.''.

SEC. 5004. DEFINITIONS.

In this title:

(1) INDUSTRY-RECOGNIZED.—The term ''industry-recognized'', used with respect to a credential, means a credential that—

(A) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(B) is endorsed by a recognized trade or professional association or organization, representing a significant part of the industry sector; and

(C) is a nationally portable credential, meaning a credential that is sought or accepted, across multiple States, as described in subparagraph (A).

(2) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' means a credential consisting of an industry-recognized credential for postsecondary training, a certificate that meets the requirements of subparagraphs (A) and (C) of paragraph (1) for postsecondary training, a certificate of completion of a postsecondary apprenticeship through a program described in section 122(a)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or an associate degree or baccalaureate degree awarded by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SEC. 5005. EFFECTIVE DATE.

This title, and the amendments made by this title, take effect 120 days after the date of enactment of this Act.

SA 1389. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1234, between lines 16 and 17, insert the following:

(d) NO DISCRETION FOR CRIMES INVOLVING MORAL TURPITUDE THAT ARE CERTAIN CRIMES AGAINST CHILDREN.—

(1) IMMIGRATION JUDGES.—Subparagraph (D)(ii) of section 240(c)(4) (8 U.S.C. 1229a(c)(4)), as added by subsection (a) of this section, is amended—

(A) in subclause (I), by striking ''or'' at the end;

(B) by redesignating subclause (II) as subclause (III); and

(C) by inserting after subclause (I) the following:

''(II) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

(2) SECRETARY.—Subsection (w)(2) of section 212 (8 U.S.C. 1182), as added by subsection (b) of this section, is amended—

(A) in subparagraph (A), by striking ''or'' at the end;

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

(C) by inserting after subparagraph (A) the following:

''(B) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

SA 1390. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1572, beginning on line 23, strike ''the alien served at least 1 year imprisonment'' and insert ''a sentence of 1 year imprisonment or more may be imposed''.

SA 1391. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3409 and insert the following:

SEC. 3409. LAW ENFORCEMENT AND NATIONAL SECURITY CHECKS.

(a) REFUGEES.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended by adding at the end the following: ''No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.''.

(b) ASYLEES.—Section 208(d)(5)(A) (8 U.S.C. 1158(d)(5)(A)) is amended—

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

''(i) asylum shall not be granted—

''(I) until the identity of the applicant, using biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted asylum; and

''(II) any information related to the applicant in such a record or database supports the applicant's eligibility for asylum;'';

(2) in clause (iv), by striking ''and'' at the end;

(3) in clause (v), by striking the period at the end and inserting a semicolon and ''and''; and

(4) by adding at the end the following:

''(vi) asylum shall not be granted unless, notwithstanding any derogatory information, the applicant has met the burden of proof contained in subsection (b)(1)(B).''.

SA 1392. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1079, line 18, strike the period at the end and insert ''and includes logging employment, as described in section 655.103(c) of title 20, Code of Federal Regulations, as in effect on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

SA 1393. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1471, between lines 2 and 3, insert the following:

(b) ADJUDICATION.—Section 208(d)(6) (8 U.S.C. 1158(d)(6)) is amended to read as follows:

''(6) FRIVOLOUS APPLICATIONS.—

''(A) KNOWINGLY FRIVOLOUS APPLICATIONS.—If the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(A), the alien may, at the discretion of the Attorney General, be permanently ineligible for any benefits under this Act, effective as of the date of a final determination on such application.

''(B) DETERMINATIONS BY ASYLUM OFFICERS.—

''(i) IN GENERAL.—If an asylum officer, as defined in section 235(b)(1)(E), determines that an alien has made a frivolous application for asylum, the asylum officer may dismiss the application.

''(ii) RECONSIDERATION.—The Board of Immigration Appeals or an immigration judge may review and reverse the determination of an asylum officer under clause (i) if the Board or judge determines that the asylum claim involved is plausible.''.

(c) INFORMATION.—Section 208 (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) INFORMATION.—With respect to an application for asylum that comes before an immigration judge or asylum officer (as defined in section 235(b)(1)(E)), the judge or officer involved shall obtain detailed country conditions information relevant to eligibility for asylum or the withholding of removal from the Department of State. Such information shall include—

''(1) an assessment of the accuracy of the applicant's assertions about conditions in his or her country of nationality or habitual residence and his or her particular situation;

''(2) information about whether individuals who are similarly situated to the applicant are persecuted or tortured in his or her country of nationality or habitual residence and the frequency of such persecution or torture; and

''(3) other information determined by the judge or officer to be relevant to prevent fraud.''.

(d) INCREASE IN STAFFING.—The Secretary of Homeland Security shall provide for an increase in the staff of the U.S. Citizenship and Immigration Services and the Fraud Detection and National Security Directorate at Asylum Offices to oversee, detect, and increase the anti-fraud operations and prosecutions relating to fraudulent asylum activities.

(e) FUNDING.—The Secretary of Homeland Security shall use amounts derived through fees provided for in this Act (or an amendment made by this Act) to carry out subsections (b) through (d) (and the amendments made by such subsections)).

SA 1394. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2 and all that follows through the end of title I inserting the following:

SEC. 2. STATEMENT OF CONGRESSIONAL FINDINGS.

Congress makes the following findings:

(1) Every sovereign nation has an unconditional right and duty to secure its territory and people, which right depends on control of its international borders. The sovereign people and several states of the United States have delegated these sovereign functions to the Federal Government (United States Constitution, article I, section 8, clause 4). The liberty and prosperity of the people depends on the execution of this duty.

(2) The passage of this Act recognizes that the Federal Government must secure the sovereignty of the United States of America and establish a coherent and just system for those who seek to join American society to assimilate.

(3) The United States has failed to control its borders. The porousness of the Southern border has contributed to the proliferation of the narcotics trade and its attendant violent crime. The trafficking and smuggling of persons across the border is an ongoing human rights scandal.

(4) We have always welcomed immigrants to the United States and will continue to do so, but in order to qualify for the honor and privilege of eventual citizenship, our laws must be followed. The world depends on America to be strong economically, militarily, and ethically. The establishment of a stable, just, and efficient immigration system only supports those goals. As a Nation, we have the right and responsibility to make our borders safe, to establish clear and just rules for seeking citizenship, to control the flow of legal immigration, and to eliminate illegal immigration, which has become a threat to our national security.

(5) Throughout our long history, many lawful immigrants have assimilated into American society and contributed to our strength and prosperity. Our immigration policy strives to welcome those who share the values of the United States Constitution and seek to contribute to our nation's greatness. But no person has a right to enter the United States unless by its express permission and in accordance with the procedures established by law.

(6) This Act is premised on the right and need of the United States to achieve these goals, and to protect its borders and maintain its sovereignty.

SEC. 3. EFFECTIVE DATE TRIGGERS.

(a) DEFINITIONS.—In this section and sections 4 through 8 of this Act:

(1) COMMISSION.—The term ''Commission'' means the Southern Border Security Commission established pursuant to section 4.

(2) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—The term ''Comprehensive Southern Border Security Strategy'' means the strategy established by the Secretary pursuant to section 5(a) to achieve and maintain operational control and full situational awareness of the Southern border.

(3) CONSEQUENCE DELIVERY SYSTEM.—The term ''Consequence Delivery System'' means the series of consequences applied to persons illegally entering the United States by U.S. Border Patrol to prevent illegal border crossing recidivism.

(4) EFFECTIVENESS RATE.—The term ''effectiveness rate'' means a metric, informed by situational awareness, that measures the percentage calculated by dividing—

(A) the number of illegal border crossers who are apprehended or turned back during a fiscal year (excluding those who are believed to have turned back for the purpose of engaging in criminal activity), by

(B) the total number of illegal entries in the sector during such fiscal year.

(5) FULL SITUATIONAL AWARENESS.—The term ''full situational awareness'' means situational awareness of the entire Southern border, including the functioning and operational capability to conduct continuous and integrated manned or unmanned, monitoring, sensing, or surveillance of 100 percent of Southern border mileage or the immediate vicinity of the Southern border .

(6) MAJOR VIOLATOR.—The term ''major violator'' means a person or entity that has engaged in serious criminal activities at any port of entry along the Southern border, including possession of narcotics, smuggling of prohibited products, human smuggling, human trafficking, weapons possession, use of fraudulent United States documents, or other offenses serious enough to result in arrest.

(7) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(8) OPERATIONAL CONTROL.—The term ''operational control'' means the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

(9) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(b) BORDER SECURITY GOALS.—The border security goals of the Department shall be—

(1) to achieve and maintain operational control of the Southern border within 5 years of the date of the enactment of this Act;

(2) to achieve and maintain full situational awareness of the Southern border within 5 years of the date of the enactment of this Act;

(3) to fully implement a biometric entry and exit system at all land, air, and sea ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) within 5 years of the date of the enactment of this Act; and

(4) to implement a mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, within 5 years of the date of the enactment of this Act.

(c) TRIGGERS.—

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until—

(A) the Secretary and the Commissioner of United States Customs and Border Protection jointly submit to the President and Congress a written certification, including a comprehensive report detailing the data, methodologies, and reasoning justifying such certification, that certifies, under penalty of perjury, that—

(i) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

(ii) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(iv) the Secretary has implemented an integrated biometric entry and exit data system at all land, sea, and air ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b);

(B) not earlier than 60 days after the submission of a certification under paragraph (A), the Inspector General of the Department of Homeland Security, who has been appointed by the President, by and with the advice and consent of the Senate, in consultation with the Comptroller General of the United States, reviews the reliability of the data, methodologies, and conclusions of a certification under subparagraph (A) and submits to the President and Congress a written certification and report attesting that each of the requirements of clauses (i), (ii), (iii), and (iv) of subparagraph (A) have been achieved; and

(C) a joint resolution of approval is enacted into law pursuant to paragraph (2).

(2) JOINT RESOLUTION OF APPROVAL.—

(A) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary may not exercise any authority to grant temporary legal status to individuals who are unlawfully present in the United States unless, not later than 15 calendar days after the date on which Congress receives written certification from the Secretary pursuant to paragraph (1)(A), there is enacted into law a joint resolution approving the certification of the Secretary.

(B) CONTENTS OF JOINT RESOLUTION.—In this paragraph, the term ''joint resolution'' means a joint resolution—

(i) that is introduced not later than 3 calendar days after the date on which the written certification of the Secretary under paragraph (1)(A) is received by Congress;

(ii) that does not have a preamble;

(iii) the title of which is as follows: ''Joint resolution relating to the approval of the certification of the Secretary of Homeland Security obligations under the Border Security, Economic Opportunity, and Immigration Modernization Act''; and

(iv) the matter after the resolving clause of which is as follows: ''That Congress approves the certification of the Secretary of Homeland Security that—

''(I) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

''(II) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

''(III) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

''(IV) the Secretary has implemented an integrated biometric entry and exit data system at all land, sea, and air ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).''.

(3) FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) RECONVENING.—Upon the receipt of a written certification from the Secretary under paragraph (1)(A), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this paragraph, the House shall convene not later than the second calendar day after receipt of such certification;

(B) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House not later than 5 calendar days after the date of receipt of the certification described in paragraph (1)(A). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after Congress receives the certification described in paragraph (1)(A), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(D) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) FAST TRACK CONSIDERATION IN SENATE.—

(A) RECONVENING.—Upon receipt of a certification under paragraph (1)(A), if the Senate has adjourned or recessed for more than 2 days, the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate that, pursuant to this paragraph, the Senate shall convene not later than the second calendar day after receipt of such message.

(B) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(C) FLOOR CONSIDERATION.—

(i) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the 4th day after the date on which Congress receives a certification described in paragraph (1)(A) and ending on the 6th day after the date on which Congress receives such certification (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(ii) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the Majority Leader and Minority Leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

(iii) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

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

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(i) The joint resolution of the other House shall not be referred to a committee.

(ii) With respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

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

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—

(i) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (2)(A).

(ii) VETOES.—If the President vetoes the joint resolution—

(I) the period beginning on the date the President vetoes the joint resolution and ending on the date the Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (2)(A); and

(II) debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(E) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph and paragraphs (2), (3), and (4) are enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively;

(ii) as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

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

(d) PROTECTING CONSTITUTIONAL SEPARATION OF POWERS AGAINST ABUSES OF DISCRETION.—Not later than 30 days after the submission of a certification by the Secretary under subsection (c)(1)(A), the Comptroller General of the United States shall review such certification and provide Congress with a written report reviewing the reliability of such certification, and expressing the conclusion of the Comptroller General as to whether or not the requirements of clauses (i), (ii), (iii), and (iv) of subsection (c)(1)(A) have been achieved.

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, there shall be established a commission to be known as the ''Southern Border Security Commission'' (in this section referred to as the ''Commission'').

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of up to 8 members as follows:

(A) The Governor of the State of Arizona, or the designee of the Governor.

(B) The Governor of the State of California, or the designee of the Governor.

(C) The Governor of the State of New Mexico, or the designee of the Governor.

(D) The Governor of the State of Texas, or the designee of the Governor.

(E) One designee of the Governor of the State of Arizona who is not such official or such official's designee under subparagraph (A).

(F) One designee of the Governor of the State of California who is not such official or such official's designee under subparagraph (B).

(G) One designee of the Governor of the State of New Mexico who is not such official or such official's designee under subparagraph (C).

(H) One designee of the Governor of the State of Texas who is not such official or such official's designee under subparagraph (D).

(2) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(3) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of a majority of members of the Commission.

(4) MEETINGS.—Members of the Commission shall meet at the times and places of their choosing.

(5) NATURE OF REQUIREMENTS.—The tenure and terms of participation as a member of the Commission of any Governor or designee of a Governor under this subsection shall be subject to the sole discretion of such Governor.

(c) CONSULTATION; FEDERALISM PROTECTIONS.—

(1) CONSULTATION.—The Secretary shall consult not less frequently than every 90 days with members of the Commission as to the substance and contents of any strategy, plan, or report required by section 5 of this Act.

(2) FEDERALISM PROTECTIONS.—The Secretary may make no rules, regulations, or conditions regarding the operation of the Commission, or the terms of service of members of the Commission.

(d) TRANSITION.—The Secretary shall no longer be required to consult with the Commission under subsection (d)(1) on the date which is the earlier of—

(1) 30 days after the date on which a certification is made by the Secretary and Comptroller General of the United States under section 3(c)(2)(A) of this Act; or

(2) 10 years after the date of the enactment of this Act.

SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.

(a) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a strategy, to be known as the ''Comprehensive Southern Border Security Strategy'' (in this section referred to as the ''Strategy)'', for achieving and maintaining operational control and full situational awareness of the Southern border, to—

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

(B) the Committee on Homeland Security of the House of Representatives;

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

(D) the Committee on the Judiciary of the House;

(E) the Committee on Appropriations of the Senate;

(F) the Committee on Appropriations of the House of Representatives; and

(G) the Comptroller General of the United States.

(2) ELEMENTS.—The Strategy shall include, at a minimum, a consideration of the following:

(A) The state of operational control and situational awareness of the Southern border, including a sector-by-sector analysis.

(B) An assessment of principal Southern border security threats.

(C) Efforts to analyze and disseminate Southern border security and Southern border threat information between Department border security components.

(D) Efforts to increase situational awareness of the Southern border in accordance with privacy, civil liberties, and civil rights protections, including—

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

(ii) use of manned aircraft and unmanned aerial systems, including the camera and sensor technology deployed on such assets.

(E) A Southern border fencing strategy that identifies where fencing, including double-layer fencing, infrastructure, and technology should be deployed along the Southern border.

(F) A comprehensive Southern border security technology plan for detection technology capabilities, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment.

(G) Technology required to both enhance security and facilitate trade at Southern border ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric technology, and other sensors and technology that the Secretary determines necessary.

(H) Operational coordination of Department Southern border security components, including efforts to ensure that a new border security technology can be operationally integrated with existing technologies in use by the Department.

(I) Cooperative agreements other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or in the maritime environment.

(J) Information received from consultation with other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or the maritime environment, and from Southern border community stakeholders, including representatives from border agricultural and ranching organizations and representatives from business organizations within close proximity of the Southern border.

(K) Agreements with foreign governments that support the border security efforts of the United States.

(L) Efforts to detect and prevent terrorists and instruments of terrorism from entering the United States.

(M) Staffing requirements for all Southern border security functions.

(N) Metrics required by section 6 of this Act.

(O) An assessment of existing efforts and technologies used for border security and the effect of the use of such efforts and technologies on civil rights, private property rights, privacy rights, and civil liberties.

(P) Resources and other measures that are necessary to achieve a 50 percent reduction in the average wait times of commercial and passenger vehicles at international land ports of entry along the Southern border and the Northern border.

(Q) A prioritized list of research and development objectives to enhance the security of the Southern border.

(R) A strategy to reduce passenger wait times and cargo screening times at airports that serve as ports of entry.

(3) IMPLEMENTATION PLAN.—Not later than 60 days after the submission of the Strategy under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1) an implementation plan for each of the border security components of the Department to carry out the Strategy. The plan shall include, at a minimum—

(A) a comprehensive border security technology plan for continuous and systematic surveillance of the Southern border, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment;

(B) the resources, including personnel, infrastructure, and technologies that must be developed, procured, and successfully deployed, to achieve and maintain operational control and full situational awareness of the Southern border; and

(C) a set of interim goals and supporting milestones necessary for the Department to achieve and maintain operational control and full situational awareness of the Southern border.

(4) SEMIANNUAL REPORTS.—

(A) IN GENERAL.—After the Strategy is submitted under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1), not later than May 15 and November 15 each year, a report on the status of the implementation of the Strategy by the Department, including a report on the state of operational control of the Southern border, the metrics required by section 6 of this Act, and the funding used to achieve stated goals.

(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include—

(i) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy;

(ii) a detailed description of—

(I) any impediments identified in the Department's efforts to execute the strategy;

(II) the actions the Department has taken, or plans to take, to address such impediments; and

(III) any additional measures developed by the Department to measure the state of security along the Southern border;

(iii) for each U.S. Border Patrol sector along the Southern border—

(I) the effectiveness rate for such sector;

(II) the number of recidivist apprehensions; and

(III) the recidivism rate for all unique subjects that received a criminal consequence through the Consequence Delivery System process;

(iv) the aggregate effectiveness rate of all U.S. Border Patrol sectors along the Southern border;

(v) a resource allocation model for current and future year staffing requirements that includes optimal staffing levels at Southern border land, air, and sea ports of entry, and an explanation of U.S. Customs and Border Protection methodology for aligning staffing levels and workload to threats and vulnerabilities across all mission areas;

(vi) detailed information on the level of manpower available at all Southern border land, air, and sea ports of entry and between Southern border ports of entry, including the number of canine and agricultural officers assigned to each such port of entry;

(vii) detailed information that describes the difference between the staffing the model suggests and the actual staffing at each Southern border port of entry and between the ports of entry; and

(viii) monthly per passenger wait times, including data on peaks, for crossing the Southern border and the Northern border, per passenger processing wait times at air and sea ports of entry, and the staffing levels at all ports of entry.

SEC. 6. BORDER SECURITY METRICS.

(a) METRICS FOR SECURING THE SOUTHERN BORDER BETWEEN PORTS OF ENTRY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security between ports of entry along the Southern border. The metrics shall address, at a minimum, the following:

(1) The effectiveness rate for the areas covered.

(2) Estimates, using alternate methodologies, including recidivism and survey data, of total attempted illegal border crossings, the rate of apprehension of attempted illegal border crossings, and the inflow into the United States of illegal border crossers who evade apprehension.

(3) Estimates of the impacts of the Consequence Delivery System of U.S. Border Patrol on the rate of recidivism of illegal border crossers.

(4) The current level of situational awareness.

(5) Amount of narcotics seized between ports of entry.

(6) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Border Patrol fails to seize.

(b) METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security at Southern border ports of entry. The metrics shall address, at a minimum, the following:

(A) The effectiveness rate for such ports of entry.

(B) Estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and randomized secondary screening data, of total attempted inadmissible border crossers, the rate of apprehension of attempted inadmissible border crossers, and the inflow into the United States of inadmissible border crossers who evade apprehension.

(C) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Customs and Border Protection fails to seize.

(D) The number of infractions related to personnel and cargo committed by major violators who are apprehended by U.S. Customs and Border Protection at such ports of entry, and the estimated number of such infractions committed by major violators who are not so apprehended.

(E) The effect of the border security apparatus on crossing times.

(2) COVERT TESTING.—The Inspector General of the Department of Homeland Security shall carry out covert testing at ports of entry along the Southern border and submit to the Secretary and the committees of Congress specified in section 5(a)(1) of this Act a report that contains the results of such tests. The Secretary shall use such results to assess activities under this subsection.

(c) INDEPENDENT ASSESSMENT BY NATIONAL LABORATORY WITHIN DEPARTMENT OF HOMELAND SECURITY LABORATORY NETWORK.—The Secretary shall request the head of a national laboratory within the Department laboratory network with prior expertise in border security to—

(1) provide an independent assessment of the metrics implemented in accordance with subsections (a) and (b) to ensure each such metric's suitability and statistical validity; and

(2) make recommendations for other suitable metrics that may be used to measure the effectiveness of border security along the Southern border.

(d) EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) IN GENERAL.—The Secretary shall make available to the Government Accountability Office the data and methodology used to develop the metrics implemented under subsections (a) and (b) and the independent assessment described under subsection (c).

(2) REPORT.—Not later than 270 days after receiving the data and methodology described in paragraph (1), the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report on the suitability and statistical validity of such data and methodology.

(e) GAO REPORT ON BORDER SECURITY DUPLICATION.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report addressing areas of overlap in responsibilities within the border security functions of the Department.

SEC. 7. COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.

(a) COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the Comprehensive Immigration Reform Trust Fund (referred to in this section as the ''Trust Fund''), consisting of—

(A) amounts transferred from the general fund of the Treasury under paragraph (2)(A); and

(B) proceeds from the fees described in paragraph (2)(B).

(2) DEPOSITS.—

(A) INITIAL FUNDING.—On the later of the date of the enactment of this Act or October 1, 2013, $8,300,000,000 shall be transferred from the general fund of the Treasury to the Trust Fund.

(B) ONGOING FUNDING.—Notwithstanding section 3302 of title 31, United States Code, in addition to the funding described in subparagraph (A), and subject to paragraphs (3)(B) and (4), the following amounts shall be deposited in the Trust Fund:

(i) ELECTRONIC TRAVEL AUTHORIZATION SYSTEM FEES.—Fees collected under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by section 1102(c).

(ii) REGISTERED PROVISIONAL IMMIGRANT PENALTIES.—Penalties collected under section 245B(c)(10)(C) of the Immigration and Nationality Act, as added by section 2101.

(iii) BLUE CARD PENALTY.—Penalties collected under section 2211(b)(9)(C).

(iv) FINES FOR ADJUSTMENT FROM BLUE CARD STATUS.—Fines collected under section 245F(a)(5) of the Immigration and Nationality Act, as added by section 2212(a).

(v) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.—Fines collected under section 245F(f) of the Immigration and Nationality Act, as added by section 2212(a).

(vi) MERIT SYSTEM GREEN CARD FEES.—Fees collected under section 203(c)(6) of the Immigration and Nationality Act, as amended by section 2301(a)(2).

(vii) H–1B AND L VISA FEES.—Fees collected under section 281(d) of the Immigration and Nationality Act, as added by section 4105.

(viii) H–1B OUTPLACEMENT FEE.—Fees collected under section 212(n)(1)(F)(ii) of the Immigration and Nationality Act, as amended by section 4211(d).

(ix) H–1B NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4233(a)(2).

(x) L NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4305(a)(2).

(xi) J–1 VISA MITIGATION FEES.—Fees collected under section 281(e) of the Immigration and Nationality Act, as added by section 4407.

(xii) F–1 VISA FEES.—Fees collected under section 281(f) of the Immigration and Nationality Act, as added by section 4408.

(xiii) RETIREE VISA FEES.—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by section 4504(b).

(xiv) VISITOR VISA FEES.—Fees collected under section 281(g) of the Immigration and Nationality Act, as added by section 4509.

(xv) H–2B VISA FEES.—Fees collected under section 214(x)(5)(A) of the Immigration and Nationality Act, as added by section 4602(a).

(xvi) NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.—Fees collected under section 214(z) of the Immigration and Nationality Act, as added by section 4604.

(xvii) X–1 VISA FEES.—Fees collected under section 214(s)(6) of the Immigration and Nationality Act, as added by section 4801.

(xviii) PENALTIES FOR ADJUSTMENT FROM REGISTERED PROVISIONAL IMMIGRANT STATUS.—Penalties collected under section 245C(c)(5)(B) of the Immigration and Nationality Act, as added by section 2102.

(C) AUTHORITY TO ADJUST FEES.—As necessary to carry out the purposes of this Act, the Secretary may adjust the amounts of the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph.

(3) USE OF FUNDS.—

(A) INITIAL FUNDING.—Of the amounts transferred to the Trust Fund pursuant to paragraph (2)(A)—

(i) $6,500,000,000 shall be made available to the Secretary for carrying out the Comprehensive Southern Border Security Strategy, including the Southern border fencing strategy;

(ii) $750,000,000 shall remain available for the 6-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to expand and implement the mandatory employment verification system, which shall be used as required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(iii) $900,000,000 shall remain available for the 8-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary of State to pay for one-time and startup costs necessary to implement this Act; and

(iv) $150,000,000 shall remain available for the 2-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary for transfer to the Secretary of Labor, the Secretary of Agriculture, or the Attorney General, for initial costs of implementing this Act.

(B) REPAYMENT OF TRUST FUND EXPENSES.—The first $8,300,000,000 collected pursuant to the fees, penalties, and fines referred to in clauses (ii), (iii), (iv), (vi), (xiii), (xvii), and (xviii) of paragraph (2)(B) shall be collected, deposited in the general fund of the Treasury, and used for Federal budget deficit reduction. Collections in excess of $8,300,000,000 shall be deposited into the Trust Fund, as specified in paragraph (2)(B).

(C) PROGRAM IMPLEMENTATION.—Amounts deposited into the Trust Fund pursuant to paragraph (2)(B) shall be available during each of fiscal years 2014 through 2018 as follows:

(i) $50,000,000 to carry out the activities referenced in section 1104(a)(1).

(ii) $50,000,000 to carry out the activities referenced in section 1104(b).

(D) ONGOING FUNDING.—Subject to the availability of appropriations, amounts deposited in the Trust Fund pursuant to paragraph (2)(B) are authorized to be appropriated as follows:

(i) Such sums as may be necessary to carry out the authorizations included in this Act.

(ii) Such sums as may be necessary to carry out the operations and maintenance of border security and immigration enforcement investments described in subparagraph (A).

(E) EXPENDITURE PLAN.—The Secretary, in consultation with the Attorney General and

the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, in conjunction with the Comprehensive Southern Border Strategy, a plan for expenditure that describes—

(i) the types and planned deployment of fixed, mobile, video, and agent and officer portable surveillance and detection equipment, including those recommended or provided by the Department of Defense;

(ii) the number of Border Patrol agents and U.S. Customs and Border Protection officers to be hired, including a detailed description of which Border Patrol sectors and which land border ports of entry such agents and officers will be stationed;

(iii) the numbers and types of unarmed, unmanned aerial systems and unarmed, fixed-wing and rotary aircraft, including pilots, air interdiction agents, and support staff to fly or otherwise operate and maintain the equipment;

(iv) the numbers, types, and planned deployment of marine and riverine vessels, if any, including marine interdiction agents and support staff to operate and maintain the vessels;

(v) the locations, mileage, and planned deployment of fencing, including double layer fencing, tactical and other infrastructure, and technology, including fixed towers, sensors, cameras, and other detection technology;

(vi) the numbers, types, and planned deployment of ground-based mobile surveillance systems;

(vii) the numbers, types, and planned deployment of tactical and other interoperable law enforcement communications systems and equipment;

(viii) required construction, including repairs, expansion, and maintenance, and location of additional checkpoints, Border Patrol stations, and forward operating bases;

(ix) the number of additional attorneys and support staff for the Office of the United States Attorney for Tucson;

(x) the number of additional support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(xi) the number of additional personnel, including Marshals and Deputy Marshals for the United States Marshals Office for Tucson;

(xii) the number of additional magistrate judges for the southern border United States district courts;

(xiii) activities to be funded by the Homeland Security Border Oversight Task Force;

(xiv) funding amounts and types of grants to States and other entities;

(xv) funding amounts and activities necessary to hire additional personnel and for start-up costs related to upgrading software and information technology necessary to transition from a voluntary E-Verify system to the mandatory employment verification system under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) within 5 years;

(xvi) the number of additional personnel and other costs associated with implementing the immigration courts and removal proceedings mandated in subtitle E of title III;

(xvii) the steps the Commissioner of Social Security plans to take to create a fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant Social Security card, including—

(I) the types of equipment needed to create the card;

(II) the total estimated costs for completion that clearly delineates costs associated with the acquisition of equipment and transition to operation, subdivided by fiscal year and including a description of the purpose by fiscal year for design, pre-acquisition activities, production, and transition to operation;

(III) the number and type of personnel, including contract personnel, required to research, design, test, and produce the card; and

(IV) a detailed schedule for production of the card, including an estimated completion date at the projected funding level provided in this Act; and

(xviii) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

(F) ANNUAL REVISION.—The expenditure plan required in (E) shall be revised and submitted with the President's budget proposals for fiscal year 2016, 2017, 2018, and 2019 pursuant to the requirements of section 1105(a) of title 31, United States Code.

(4) LIMITATION ON COLLECTION.—

(A) IN GENERAL.—No fee deposited in the Trust Fund may be collected except to the extent that the expenditure of the fee is provided for in advance in an appropriations Act only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(B) RECEIPTS COLLECTED AS OFFSETTING RECEIPTS.—Until the date of the enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2014, the fees authorized by paragraph (2)(B) that are not deposited into the general fund pursuant to paragraph (3)(B) may be collected and shall be credited as to the Trust Fund to remain available until expended only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(b) COMPREHENSIVE IMMIGRATION REFORM STARTUP ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the ''Comprehensive Immigration Reform Startup Account,'' (referred to in this section as the ''Startup Account''), consisting of amounts transferred from the general fund of the Treasury under paragraph (2).

(2) DEPOSITS.—There is appropriated to the Startup Account, out of any funds in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until expended on the later of the date that is—

(A) the date of the enactment of this Act; or

(B) October 1, 2013.

(3) REPAYMENT OF STARTUP COSTS.—

(A) IN GENERAL.—Notwithstanding section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), 50 percent of fees collected under section 245B(c)(10)(A) of the Immigration and Nationality Act, as added by section 2101 of this Act, shall be deposited monthly in the general fund of the Treasury and used for Federal budget deficit reduction until the funding provided by paragraph (2) has been repaid.

(B) DEPOSIT IN THE IMMIGRATION EXAMINATIONS FEE ACCOUNT.—Fees collected in excess of the amount referenced in subparagraph (A) shall be deposited in the Immigration Examinations Fee Account, pursuant to subsection (m) of section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), and shall remain available until expended pursuant to subsection (n) of such section.

(4) USE OF FUNDS.—The Secretary shall use the amounts transferred to the Startup Account to pay for one-time and startup costs necessary to implement this Act, including—

(A) equipment, information technology systems, infrastructure, and human resources;

(B) outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) grants to community and faith-based organizations; and

(D) anti-fraud programs and actions related to implementation of this Act.

(5) EXPENDITURE PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, a plan for expenditure of the one-time and startup funds in the Startup Account that provides details on—

(A) the types of equipment, information technology systems, infrastructure, and human resources for which funds will be allocated;

(B) the plans for outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) the types and amounts of grants to community and faith-based organizations; and

(D) the anti-fraud programs and actions related to implementation of this Act.

(c) ANNUAL AUDITS.—

(1) AUDITS REQUIRED.—Not later than October 1 each year beginning on or after the date of the enactment of this Act, the Chief Financial Officer of the Department shall, in conjunction with the Inspector General of the Department, conduct an audit of the Trust Fund.

(2) REPORTS.—Upon completion of each audit of the Trust Fund under paragraph (1), the Chief Financial Officer shall, in conjunction with the Inspector General, submit to Congress, and make available to the public on an Internet website of the Department, a jointly audited financial statement concerning the Trust Fund.

(3) ELEMENTS.—Each audited financial statement under paragraph (2) shall include, at a minimum, the following:

(A) The report of an independent certified public accountant.

(B) A balance sheet reporting admitted assets, liabilities, capital and surplus.

(C) A statement of cash flow.

(D) Such other information on the Trust Fund as the Chief Financial Officer, the Inspector General, or the independent certified public accountant considers appropriate to facilitate a comprehensive understanding of the Trust Fund during the year covered by the financial statement.

SEC. 8. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) AWARDING ENTITY.—The term ''awarding entity'' means the Secretary, the Director of the Federal Emergency Management Agency, the Chief of the Office of Citizenship and New Americans, as designated by this Act, or the Director of the National Science Foundation.

(2) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) UNRESOLVED AUDIT FINDING.—The term ''unresolved audit finding'' means a finding in a final audit report conducted by the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise

unallowable cost that is not closed or resolved within 1 year from the date when the final audit report is issued.

(b) ACCOUNTABILITY.—All grants awarded by an awarding entity pursuant to this Act shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) AUDITS.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. Such Inspectors General shall determine the appropriate number of grantees to be audited each year.

(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the end of the 1-year period described in subsection (a)(3).

(C) PRIORITY.—In awarding a grant under this Act, the awarding entity shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years prior to the date the entity submitted the application for such grant.

(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the period of 2 fiscal years in which the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to such entity into the general fund of the Treasury; and

(ii) seek to recover the costs of the repayment under clause (i) from such entity.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) PROHIBITION.—An awarding entity may not award a grant under this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax imposed by section 511(a) of the Internal Revenue Code of 1986.

(B) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department or the National Science Foundation for grant programs under this Act may be used by an awarding entity or by any individual or entity awarded discretionary funds through a cooperative agreement under this Act to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit to Congress an annual report on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, each awarding entity shall submit to Congress a report—

(A) indicating whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

SEC. 9. REFERENCE TO THE IMMIGRATION AND NATIONALITY ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 10. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—Except as otherwise provided, the term ''Department'' means the Department of Homeland Security.

(2) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Homeland Security.

TITLE I—BORDER SECURITY

SEC. 1101. DEFINITIONS.

In this title:

(1) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(2) RURAL, HIGH-TRAFFICKED AREAS.—The term ''rural, high-trafficked areas'' means rural areas through which drugs and undocumented aliens are routinely smuggled, as designated by the Commissioner of U.S. Customs and Border Protection.

(3) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(4) SOUTHWEST BORDER REGION.—The term ''Southwest border region'' means the area in the United States that is within 100 miles of the Southern border.

SEC. 1102. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.

(a) IN GENERAL.—Not later than September 30, 2017, the Secretary shall increase the number of trained full-time active duty U.S. Border Patrol agents deployed to the Southern border by 5,000, compared to the number of such officers as of the date of the enactment of this Act. The Secretary shall make progress in increasing such number of officers during each of fiscal years 2014 through 2017.

(b) CONSTRUCTION.—Nothing in subsection (a) may be construed to preclude the Secretary from reassigning or stationing U.S. Customs and Border Protection officers and U.S. Border Patrol agents from the Northern border to the Southern border.

(c) FUNDING.—Section 217(h)(3)(B) (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i)—

(A) by striking ''No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the'' and inserting ''The'';

(B) in subclause (I), by striking ''and'' at the end;

(C) by redesignating subclause (II) as subclause (III); and

(D) by inserting after subclause (I) the following:

''(II) $16 for border processing; and'';

(2) in clause (ii), by striking ''Amounts collected under clause (i)(II)'' and inserting ''Amounts collected under clause (i)(II) shall be deposited into the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act. Amounts collected under clause (i)(III)''; and

(3) by striking clause (iii).

SEC. 1103. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER.

(a) IN GENERAL.—With the approval of the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, in the Southwest border region for the purposes of assisting U.S. Customs and Border Protection in securing the Southern border.

(b) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(1) IN GENERAL.—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the Southern border.

(2) NATURE OF DUTY.—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under subsection (b) shall include the temporary authority—

(1) to construct fencing, including double-layer and triple-layer fencing;

(2) to increase ground-based mobile surveillance systems;

(3) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the Southern border;

(4) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) to construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

SEC. 1104. ENHANCEMENT OF EXISTING BORDER SECURITY OPERATIONS.

(a) BORDER CROSSING PROSECUTIONS.—

(1) IN GENERAL.—From the amounts available pursuant to the authorization of appropriations in paragraph (3), funds shall be available—

(A) to increase the number of border crossing prosecutions in every sector of the Southwest border region by at least 50 percent per day, as calculated by the previous annual average on the date of the enactment of this Act, through increasing the funding available for—

(i) attorneys and administrative support staff in offices of United States attorneys;

(ii) support staff and interpreters in Court Clerks' Offices;

(iii) pre-trial services;

(iv) activities of the Federal Public Defenders Office; and

(v) additional personnel, including Deputy U.S. Marshals in United States Marshals Offices to perform intake, coordination, transportation, and court security; and

(B) to reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the border crossing prosecutions carried out pursuant to subparagraph (A).

(2) ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.—The chief judge of the United States district courts within sectors of the Southwest border region are authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the respective judges are appointed.

(3) FUNDING.—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of this Act such sums as may be necessary to carry out this subsection.

(b) OPERATION STONEGARDEN.—

(1) IN GENERAL.—The Federal Emergency Management Agency shall enhance law enforcement preparedness and operational readiness along the borders of the United States through Operation Stonegarden.

(2) GRANTS AND REIMBURSEMENTS.—

(A) IN GENERAL.—For purposes of paragraph (1), not less than 90 percent of the amounts made available pursuant to the authorization of appropriations in paragraph (3) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration and drug smuggling in the Southwest border region.

(B) GRANTS TO LAW ENFORCEMENT AGENCIES.—Allocations for grants and reimbursements to law enforcement agencies under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(3) FUNDING.—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund pursuant to section 7(a)(3)(C)(ii) of this Act such sums as may be necessary to carry out this subsection.

(c) PHYSICAL AND TACTICAL INFRASTRUCTURE IMPROVEMENTS.—

(1) CONSTRUCTION, UPGRADE, AND ACQUISITION OF BORDER CONTROL FACILITIES.—The Secretary shall, consistent with the Southern Border Security Strategy required by section 5 of this Act, upgrade existing physical and tactical infrastructure of the Department, and construct and acquire additional physical and tactical infrastructure, including the following:

(A) U.S. Border Patrol stations.

(B) U.S. Border Patrol checkpoints.

(C) Forward operating bases.

(D) Monitoring stations.

(E) Mobile command centers.

(F) Field offices.

(G) All-weather roads.

(H) Lighting.

(I) Real property.

(J) Land border port of entry improvements.

(K) Other necessary facilities, structures, and properties.

(2) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall do the following:

(A) U.S. BORDER PATROL STATIONS.—

(i) Construct additional U.S. Border Patrol stations in the Southwest border region that U.S. Customs and Border Protection determines are needed to provide full operational support in rural, high-trafficked areas.

(ii) Analyze the feasibility of creating additional U.S. Border Patrol sectors along the Southern border to interrupt drug and human trafficking operations.

(B) U.S. BORDER PATROL CHECKPOINTS.—Operate and maintain additional temporary or permanent checkpoints on roadways in the Southwest border region in order to deter, interdict, and apprehend terrorists, human traffickers, drug traffickers, weapons traffickers, and other criminals before they enter the interior of the United States.

(C) U.S. BORDER PATROL FORWARD OPERATING BASES.—

(i) Establish additional permanent forward operating bases for U.S. Border Patrol, as needed.

(ii) Upgrade existing forward operating bases to include modular buildings, electricity, and potable water.

(iii) Ensure that forward operating bases surveil and interdict individuals entering the United States unlawfully immediately after such individuals cross the Southern border.

(3) SAFE AND SECURE BORDER INFRASTRUCTURE.—The Secretary and the Secretary of Transportation, in consultation with the Governors of the States in the Southwest border region or the region along the Northern border, shall establish a grant program, which shall be administered by the Secretary of Transportation and the Administrator of the General Services Administration, to construct transportation and supporting infrastructure improvements at existing and new international border crossings necessary to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018, such sums as may be necessary to carry out this subsection.

(d) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHWEST BORDER STATES.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 2 additional district judges for the district of Arizona;

(B) 3 additional district judges for the eastern district of California;

(C) 2 additional district judges for the western district of Texas; and

(D) 1 additional district judge for the southern district of Texas.

(2) CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107–273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

''Arizona	15'';

(B) by striking the items relating to California and inserting the following:

''California:	
Northern	14
Eastern	9
Central	28
Southern	13''; and

(C) by striking the items relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	20
Eastern	7
Western	15''.

(4) INCREASE IN FILING FEES.—

(A) IN GENERAL.—Section 1914(a) of title 28, United States Code, is amended by striking ''$350'' and inserting ''$360''.

(B) EXPENDITURE LIMITATION.—Incremental amounts collected by reason of the enactment of this paragraph shall be deposited as offsetting receipts in the special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(5) WHISTLEBLOWER PROTECTION.—

(A) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(B) CIVIL ACTION.—An employee injured by a violation of subparagraph (A) may, in a civil action, obtain appropriate relief.

SEC. 1105. BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the Southern border.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that

the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in subsection (b).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

SEC. 1106. EQUIPMENT AND TECHNOLOGY.

(a) ENHANCEMENTS.—The Secretary, in consultation with the Commissioner of U.S. Customs and Border Protection and consistent with the Southern Border Security Strategy required by section 5 of this Act, shall upgrade existing technological assets and equipment, and procure and deploy additional technological assets and equipment, including the following:

(1) Unarmed, unmanned aerial vehicles.

(2) Fixed-wing aircraft.

(3) Helicopters.

(4) Remote video surveillance camera systems.

(5) Mobile surveillance systems.

(6) Agent portable surveillance systems.

(7) Radar technology.

(8) Satellite technology.

(9) Fiber optics.

(10) Integrated fixed towers.

(11) Relay towers.

(12) Poles.

(13) Night vision equipment.

(14) Sensors, including imaging sensors and unattended ground sensors.

(15) Biometric entry-exit systems.

(16) Contraband detection equipment.

(17) Digital imaging equipment.

(18) Document fraud detection equipment.

(19) Land vehicles.

(20) Officer and personnel safety equipment.

(21) Other technologies and equipment.

(b) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall—

(1) deploy additional mobile, video, and agent-portable surveillance systems, and unarmed, unmanned aerial vehicles in the Southwest border region as necessary to provide 24-hour operation and surveillance;

(2) operate unarmed unmanned aerial vehicles along the Southern border for 24 hours per day and for 7 days per week;

(3) deploy unarmed additional fixed-wing aircraft and helicopters along the Southern border;

(4) acquire new rotary and make upgrades to the existing helicopter fleet;

(5) increase horse patrols in the Southwest border region; and

(6) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(c) LIMITATION.—

(1) IN GENERAL.—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (2), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) EXCEPTION.—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated for each of fiscal years 2014 through 2018 for U.S. Customs and Border Protection such sums as may be necessary to carry out this section.

SEC. 1107. ACCESS TO EMERGENCY PERSONNEL.

(a) SOUTHWEST BORDER REGION EMERGENCY COMMUNICATIONS GRANTS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governors of the States in the Southwest border region, shall establish a 2-year grant program, to be administered by the Secretary, to improve emergency communications in the Southwest border region.

(2) ELIGIBILITY FOR GRANTS.—An individual is eligible to receive a grant under this subsection if the individual demonstrates that he or she—

(A) regularly resides or works in the Southwest border region; and

(B) is at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to the Southern border.

(3) USE OF GRANTS.—Grants awarded under this subsection may be used to purchase satellite telephone communications systems and service that—

(A) can provide access to 9–1–1 service; and

(B) are equipped with global positioning systems.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the grant program established under this subsection.

(b) INTEROPERABLE COMMUNICATIONS FOR LAW ENFORCEMENT.—

(1) FEDERAL LAW ENFORCEMENT.—There are authorized to be appropriated to the Department, the Department of Justice, and the Department of the Interior, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary—

(A) to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for Federal law enforcement agents working in the Southwest border region in support of the activities of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, including law enforcement agents of the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Department of the Interior, and the Forest Service; and

(B) to upgrade, through a competitive procurement process, the communications network of the Department of Justice to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, in the Southwest border region for appropriate law enforcement personnel of the Department of Justice (including the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms, and Explosives), the Department (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection), the United States Marshals Service, other Federal agencies, the State of Arizona, tribes, and local governments.

(2) STATE AND LOCAL LAW ENFORCEMENT.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Justice, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for State and local law enforcement agents working in the Southwest border region.

(B) ACCESS TO FEDERAL SPECTRUM.—If a State, tribal, or local law enforcement agency in the Southwest border region experiences an emergency situation that necessitates immediate communication with the Department of Justice, the Department, the Department of the Interior, or any of their respective subagencies, such law enforcement agency shall have access to the spectrum assigned to such Federal agency for the duration of such emergency situation.

SEC. 1108. SOUTHWEST BORDER REGION PROSECUTION INITIATIVE.

(a) REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED IMMIGRATION-RELATED CRIMINAL CASES.—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution, pre-trial services and detention, clerical support, and public defenders' services associated with the prosecution of federally initiated criminal cases declined by local offices of the United States attorneys.

(b) EXCEPTION.—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018 such sums as may be necessary to carry out this section.

SEC. 1109. INTERAGENCY COLLABORATION.

The Assistant Secretary of Defense for Research and Engineering shall collaborate with the Under Secretary of Homeland Security for Science and Technology to identify equipment and technology used by the Department of Defense that could be used by U.S. Customs and Border Protection to improve the security of the Southern border by—

(1) detecting border tunnels;

(2) detecting the use of ultralight aircraft;

(3) enhancing wide aerial surveillance; and

(4) otherwise improving the enforcement of such border.

SEC. 1110. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) SCAAP REAUTHORIZATION.—Section 241(i)(5)(C) (8 U.S.C. 1231(i)(5)) is amended by striking ''2011.'' and inserting ''2016.''.

(b) SCAAP ASSISTANCE FOR STATES.—

(1) ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN

CRIMES.—Section 241(i)(3)(A) (8 U.S.C. 1231(i)(3)(A)) is amended by inserting ''charged with or'' before ''convicted''.

(2) ASSISTANCE FOR STATES INCARCERATING UNVERIFIED ALIENS.—Section 241(i) (8 U.S.C. 1231(i)) is amended—

(A) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively;

(B) in paragraph (7), as so redesignated, by striking ''(5)'' and inserting ''(6)''; and

(C) by adding after paragraph (3) the following:

''(4) In the case of an alien whose immigration status is unable to be verified by the Secretary of Homeland Security, and who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States, the Attorney General shall compensate the State or political subdivision of the State for incarceration of the alien, consistent with subsection (i)(2).''.

(3) TIMELY REIMBURSEMENT.—Section 241(i) (8 U.S.C. 1231(i)), as amended by paragraph (2), is further amended by adding at the end the following:

''(8) Any funds awarded to a State or a political subdivision of a State, including a municipality, for a fiscal year under this subsection shall be distributed to such State or political subdivision not later than 120 days after the last day of the application period for assistance under this subsection for that fiscal year.''.

SEC. 1111. SOUTHERN BORDER SECURITY ASSISTANCE GRANTS.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary, in consultation with State and local law enforcement agencies, may award border security assistance grants to law enforcement agencies located in the Southwest border region for the purposes described in subsection (b).

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to law enforcement agencies located in a county that is located within 25 miles of the Southern border.

(b) PURPOSES.—Each grant awarded under subsection (a) shall be used to address drug trafficking, smuggling, and border violence—

(1) by obtaining law enforcement equipment and tools, including secure 2-way communication devices, portable laptops and office computers, license plate readers, unmanned aerial vehicles, unmanned aircraft systems, manned aircraft, cameras with night viewing capabilities, and any other appropriate law enforcement equipment;

(2) by hiring additional personnel, including administrative support personnel, dispatchers, and jailers, and to provide overtime pay for such personnel;

(3) by purchasing law enforcement vehicles;

(4) by providing high performance aircraft and helicopters for border surveillance and other critical mission applications and paying for the operational and maintenance costs associated with such craft;

(5) by providing critical power generation systems, infrastructure, and technological upgrades to support State and local data management systems and fusion centers; or

(6) by providing specialized training and paying for the direct operating expenses associated with detecting and prosecuting drug trafficking, human smuggling, and other illegal activity or violence that occurs at or near the Southern border.

(c) APPLICATION.—

(1) REQUIREMENT.—A law enforcement agency seeking a grant under subsection (a), or a nonprofit organization or coalition acting as an agent for 1 or more such law enforcement entities, shall submit an application to the Secretary that includes the information described in paragraph (2) at such time and in such manner as the Secretary may require.

(2) CONTENT.—Each application submitted under paragraph (1) shall include—

(A) a description of the activities to be carried out with a grant awarded under subsection (a);

(B) if equipment will be purchased with the grant, a detailed description of—

(i) the type and quantity of such equipment; and

(ii) the personnel who will be using such equipment; and

(C) a description of the need of the law enforcement agency or agencies for the grant, including a description of the inability of the agency or agencies to carry out the proposed activities without the grant.

(d) REVIEW AND AWARD.—

(1) REVIEW.—Not later than 90 days after receiving an application submitted under subsection (c), the Secretary shall review and approve or reject the application.

(2) AWARD OF FUNDS.—Subject to the availability of appropriations, not later than 45 days after the date an application is approved under paragraph (1), the Secretary shall transmit the grant funds to the applicant.

(3) PRIORITY.—In distributing grant funds under this subsection, priority shall be given to high-intensity areas for drug trafficking, smuggling, and border violence.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 and 2015, $300,000,000 for grants authorized under this section.

SEC. 1112. USE OF FORCE.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, shall issue policies governing the use of force by all Department personnel that—

(1) require all Department personnel to report each use of force; and

(2) establish procedures for—

(A) accepting and investigating complaints regarding the use of force by Department personnel;

(B) disciplining Department personnel who violate any law or Department policy relating to the use of force; and

(C) reviewing all uses of force by Department personnel to determine whether the use of force—

(i) complied with Department policy; or

(ii) demonstrated the need for changes in policy, training, or equipment.

SEC. 1113. TRAINING FOR BORDER SECURITY AND IMMIGRATION ENFORCEMENT OFFICERS.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, agriculture specialists, and, in consultation with the Secretary of Defense, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6)) of this Act, stationed within 100 miles of any land or marine border of the United States or at any United States port of entry receive appropriate training, which shall be prepared in collaboration with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, in—

(1) identifying and detecting fraudulent travel documents;

(2) civil, constitutional, human, and privacy rights of individuals;

(3) the scope of enforcement authorities, including interrogations, stops, searches, seizures, arrests, and detentions;

(4) the use of force policies issued by the Secretary pursuant to section 1112 of this Act;

(5) immigration laws, including screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture;

(6) social and cultural sensitivity toward border communities;

(7) the impact of border operations on communities; and

(8) any particular environmental concerns in a particular area.

(b) TRAINING FOR BORDER COMMUNITY LIAISON OFFICERS.—The Secretary shall ensure that border communities liaison officers in U.S. Border Patrol sectors along the Southern border and the Northern border receive training to better—

(1) act as a liaison between border communities and the Office for Civil Rights and Civil Liberties of the Department and the Civil Rights Division of the Department of Justice;

(2) foster and institutionalize consultation with border communities;

(3) consult with border communities on Department programs, policies, strategies, and directives; and

(4) receive Department performance assessments from border communities.

(c) HUMANE CONDITIONS OF CONFINEMENT FOR CHILDREN IN U.S. CUSTOMS AND BORDER PROTECTION CUSTODY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish standards to ensure that children in the custody of U.S. Customs and Border Protection—

(1) are afforded adequate medical and mental health care, including emergency medical and mental health care, if necessary;

(2) receive adequate nutrition;

(3) are provided with climate-appropriate clothing, footwear, and bedding;

(4) have basic personal hygiene and sanitary products; and

(5) are permitted to make supervised phone calls to family members.

SEC. 1114. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the ''DHS Task Force'').

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the Southern border and the Northern border protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1113 of this Act.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 29 members, appointed by the President, who have expertise in migration, local crime indices, civil and human rights, community relations, cross-border

trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 12 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement official;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol; and

(ii) 17 members shall be from the Southern border region and include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol.

(B) TERM OF SERVICE.—Members of the Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed, subject to prior approval of expense estimates by the Secretary, for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit to the President, the Secretary, and Congress a final report that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties the DHS Task Force should be responsible for after the termination date described in subsection (e).

(d) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2014 through 2017 such sums as may be necessary to carry out this section.

SEC. 1115. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) ESTABLISHMENT.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

"SEC. 104. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.

''(a) IN GENERAL.—There shall be within the Department an Ombudsman for Immigration Related Concerns (in this section referred to as the 'Ombudsman'). The individual appointed as Ombudsman shall have a background in immigration law as well as civil and human rights law. The Ombudsman shall report directly to the Deputy Secretary.

''(b) FUNCTIONS.—The functions of the Ombudsman shall be as follows:

''(1) To receive and resolve complaints from individuals and employers and assist in resolving problems with the immigration components of the Department.

''(2) To conduct inspections of the facilities or contract facilities of the immigration components of the Department.

''(3) To assist individuals and families who have been the victims of crimes committed by aliens or violence near the United States border.

''(4) To identify areas in which individuals and employers have problems in dealing with the immigration components of the Department.

''(5) To the extent practicable, to propose changes in the administrative practices of the immigration components of the Department to mitigate problems identified under paragraph (4).

''(6) To review, examine, and make recommendations regarding the immigration and enforcement policies, strategies, and programs of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services.

''(c) OTHER RESPONSIBILITIES.—In addition to the functions specified in subsection (b), the Ombudsman shall—

''(1) monitor the coverage and geographic allocation of local offices of the Ombudsman, including appointing a local ombudsman for immigration related concerns; and

''(2) evaluate and take personnel actions (including dismissal) with respect to any employee of the Ombudsman.

''(d) REQUEST FOR INVESTIGATIONS.—The Ombudsman shall have the authority to request the Inspector General of the Department of Homeland Security to conduct inspections, investigations, and audits.

''(e) COORDINATION WITH DEPARTMENT COMPONENTS.—The Director of U.S. Citizenship and Immigration Services, the Assistant Secretary of Immigration and Customs Enforcement, and the Commissioner of Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such official by the Ombudsman.

''(f) ANNUAL REPORTS.—Not later than June 30 of each year, the Ombudsman shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall contain full and substantive analysis, in addition to statistical information, and shall set forth any recommendations the Ombudsman has made on improving the services and responsiveness of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection and any responses received from the Department regarding such recommendations.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 452 of the Homeland Security Act of 2002 (6 U.S.C. 272) is repealed.

(c) CLERICAL AMENDMENTS.—The table of contents for the Homeland Security Act of 2002 is amended—

(1) by inserting after the item relating to section 103 the following new item:

''Sec. 104. Ombudsman for immigration related concerns.''; and

(2) by striking the item relating to section 452.

SEC. 1116. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, subject to the availability of appropriations for such purpose, hire, train, and assign to duty, by not later than September 30, 2018—

(1) 5,000 full-time officers of U.S. Customs and Border Protection to serve—

(A) on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at United States land ports of entry on the Northern border and the Southern border; and

(B) at airports to implement the biometric entry-exit system in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b); and

(2) 350 full-time support staff distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

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

(B) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner of U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

(g) CONSULTATION.—

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, $1,000,000,000, of which $5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FEDERAL FUNDS.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

SEC. 1117. CROSS-BORDER TRADE ENHANCEMENT.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) PERSON.—The term ''person'' means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

(c) EVALUATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

SEC. 1118. HUMAN TRAFFICKING REPORTING.

(a) SHORT TITLE.—This section may be cited as the ''Human Trafficking Reporting Act of 2013''.

(b) FINDINGS.—Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 ''severe forms of trafficking in persons'' means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department's 2012 Trafficking in Persons report found that—

(A) the United States is a ''source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking,''; and

(B) the United States needs to ''improve data collection on human trafficking cases at the Federal, state and local levels''.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments world wide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that ''the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time''.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation's Uniform Crime Report.

(c) HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.—Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

''(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term 'part 1 violent crimes' shall include severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).''.

SEC. 1119. PROHIBITION ON LAND BORDER CROSSING FEES.

The Secretary shall not establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, nor conduct any study relating to the imposition of such a fee.

SEC. 1120. DELEGATION.

The Secretary may delegate any authority provided to the Secretary under this Act or an amendment made by this Act to the Secretary of Agriculture, the Attorney General, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of State, or the Commissioner of Social Security.

SEC. 1121. SEVERABILITY.

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

SEC. 1122. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to authorize the deployment, procurement, or construction of fencing along the Northern border.

On page 1008, strike line 18 and all that follows through page 1009, line 22, and insert the following:

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

''(i) a criminal investigation or prosecution;

''(ii) a national security investigation or prosecution; or

''(iii) a duly authorized investigation of a civil violation; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

''(A) shall apply only until—

''(i) an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

''(ii) all opportunities for administrative appeal of the denial have been exhausted; and

''(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

''(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

''(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien's status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or 245F to make a determination on any petition or application.

''(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.

Beginning on page 945, strike line 21 and all that follows through page 946, line 12 and insert the following:

''(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

''(aa) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(bb) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(cc) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(dd) the violation of a protection order (as defined in section 2266 of title 18, United States Code); or

''(ee) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or a violation of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

On page 948, beginning on line 14, strike ''subparagraph (A)(i)(III) or''.

On page 955, strike lines 1 through 5 and insert the following:

''(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary shall interview each such applicant.

Beginning on page 956 strike line 7 and all that follows through page 961, line 13.

Beginning on page 1014, strike line 1 and all that follows through page 1020, line 2.

After section 2009 insert the following:

SEC. 2110. VISA INFORMATION SHARING.

Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''discretion and on the basis of reciprocity,'' and inserting ''discretion,'';

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

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

''(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including, but not limited to, terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(ii) determining a person's removability or eligibility for a visa, admission, or other immigration benefit;''; and

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

On page 1579, line 11, insert ''less than 5 years nor'' after ''not''.

On page 1579, line 15, by inserting ''not less than 10'' after ''years''; and

On page 1579, between lines 15 and 16, insert the following:

''(8) in the case of a violation that is the third or more subsequent offense committed by such person under this section or section 1324, shall be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both; or

''(9) in the case of a violation that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall

be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both.

On page 1582, between lines 14 and 15 insert the following:

(d) TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.—Section 1956(c)(7) of title 18, United States Code is amended—

(1) in subparagraph (E), by striking ''or'' after the semicolon;

(2) in subparagraph (F), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following—

''(G) any act which is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of such Act (relating to importation of an alien for immoral purpose);''.

SEC. 3713. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

''(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

''(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or(v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not less than 5 years, nor more than 25 years, or both;'' and

(C) in clause (vi), as redesignated, by striking inserting ''and not less than 10'' before ''years''; and

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a) of this section, the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.''.

SEC. 3714. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner's office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term ''covered area'' means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

SEC. 3715. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Putting the Brakes on Human Smuggling Act''.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following:

''(F) using a commercial motor vehicle in willfully and knowingly aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.''.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking ''(E)'' and inserting ''(F)''; and

(4) by inserting after subparagraph (E) the following:

''(F) using a commercial motor vehicle on more than one occasion in willfully and knowingly aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, and attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or''.

(d) LIFETIME DISQUALIFICATION.—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

''(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

''(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

''(2) in committing an act for which the individual is convicted under—

''(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(B) section 277 of such Act (8 U.S.C. 1327).''.

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.''.

(2) NOTIFICATION BY THE STATE.—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting ''including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,'' after ''60 days,''.

SEC. 3716. DRUG TRAFFICKING AND CRIMES OF VIOLENCE.

(1) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 51 the following:

''CHAPTER 52—DRUG TRAFFICKING AND CRIMES OF VIOLENCE COMMITTED BY ILLEGAL ALIENS

''Sec.
''1131. Enhanced penalties for drug trafficking and crimes committed by illegal aliens.

''§ 1131 Enhanced penalties for drug trafficking and crimes committed by illegal aliens

''(a) IN GENERAL.—Any alien unlawfully present in the United States, who commits, or conspires or attempts to commit, a crime of violence or a drug trafficking crime (as defined in section 924), shall be fined under this title and sentenced to not less than 5 years in prison.

''(b) ENHANCE PENALTIES FOR ALIENS ORDERED REMOVED.—If an alien who violates subsection (a) was previously ordered removed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the grounds of having committed a crime, the alien shall be sentenced to not less than 15 years in prison.

''(c) REQUIREMENT FOR CONSECUTIVE SENTENCES.—A sentence of imprisonment imposed under this section shall run consecutively to any other sentence of imprisonment imposed for any other crime.''.

(2) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 51 the following:

''52. Drug Trafficking and Crimes of Violence Committed by Illegal Aliens ..... 1131''.

SEC. 3717. ILLEGAL BORDER CROSSING FOR THE PURPOSE OF TERRORISM.

Section 275(a) (8 U.S.C. 1325(a)) is amended to read as follows:

''(a) IMPROPER TIME OR PLACE; AVOIDANCE OF EXAMINATION OR INSPECTION; MISREPRESENTATION AND CONCEALMENT OF FACTS.—

''(1) IN GENERAL.—Except as provided under paragraph (2), any alien who—

''(A) enters or attempts to enter the United States at any time or place other than as designated by immigration officers;

''(B) eludes examination or inspection by immigration officers; or

''(C) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18, United States Code, imprisoned for not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under such title 18, imprisoned for not more than 2 years, or both.

''(2) ENHANCED PENALTIES.—Any alien who commits an offense described in paragraph

(1) with the intent to aid, abet, or engage in any Federal crime of terrorism (as defined in section 2332b(f) of title 18, United States Code) shall be imprisoned for not less than 15 years and not more than 30 years.''.

SEC. 3718. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

''(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

''(B) The application for the restraining order referred to in subparagraph (A) shall—

''(i) identify the offense for which the person has been arrested or charged;

''(ii) identify the location and description of the accounts to be restrained; and

''(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

''(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(D) For purposes of this section—

''(i) the term 'account' includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

''(ii) the term 'account held by the person arrested or charged' includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

''(E) Restraint pursuant to this paragraph shall not be deemed a 'seizure' for purposes of subsection 983(a) of this title.

''(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.''.

SEC. 3719. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

''(K) an issuer, redeemer, or cashier or travelers' checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;'';

(2) in paragraph (3)(B), by inserting ''prepaid access devices,'' after ''delivery,'';

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

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

''(6) 'prepaid access device' means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.''.

(b) GAO REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Commission of the U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

SEC. 3720. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

''(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value in excess of $10,000 if the instrument was drawn on an account that contained or was intended to contain more than $10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated.''.

SEC. 3721. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting '', and regardless of whether or not the person knew that the activity constituted a felony'' before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3722. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

At the appropriate place, insert the following:

SEC. ___. PROSECUTING VISA OVERSTAYS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall immediately initiate removal proceedings against not less than 90 percent of aliens admitted as nonimmigrants after such date of enactment who the Secretary has determined have exceeded their authorized period of admission.

(b) REPORT.—The Secretary shall submit to Congress a report on a quarterly basis that sets out the following:

(1) The total number of aliens who the Secretary has determined in that quarter have exceeded their authorized period of stay as nonimmigrants.

(2) The total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings during that quarter.

SA 1395. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3412 and insert the following:

SEC. 3412. EMPLOYMENT AUTHORIZATION FOR ASYLEES.

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

''(2) EMPLOYMENT.—An applicant for asylum shall be eligible for employment in the United States at the time the applicant's asylum application is submitted.''.

SA 1396. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. NATIONAL SECURITY INVESTIGATIONS.

(a) S NONIMMIGRANT STATUS.—Section 101(a) is amended—

(1) in paragraph (15)(S)(i)(III), by inserting ''or national security investigation'' after ''authorized criminal investigation''; and

(2) by redesignating paragraph (23) as paragraph (24); and

(3) by inserting after paragraph (22) the following:

''(23) The term 'national security investigation' includes investigations conducted

by appropriate personnel of the Department of Justice or an element of the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).''.

(b) REPORT ON S NONIMMIGRANTS.—Section 214(k)(4) (8 U.S.C. 1184(k)(4)) is amended—

(1) in subparagraph (B), by inserting ''or national security investigations'' after ''prosecutions or investigations'';

(2) in subparagraph (D), by striking ''successful criminal prosecution or investigation'' inserting ''successful criminal prosecution or investigation, successful national security investigation,''.

(c) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245(j)(1)(B) (8 U.S.C. 1255(j)(1)(B)) is amended by inserting ''national security investigation or'' after ''criminal investigation or''.

SA 1397. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ECONOMIC ESPIONAGE, TRADE SECRET THEFT, AND COMPUTER FRAUD.

Section of 801 the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–405; 8 U.S.C. 1182e) is amended by adding at the end the following:

''(d) ECONOMIC ESPIONAGE, TRADE SECRET THEFT, AND COMPUTER FRAUD.—

''(1) REQUIREMENT FOR ASSESSMENT.—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and annually thereafter, the Director of National Intelligence, in consultation with the Attorney General, shall identify and report to the President foreign entities, including entities owned or controlled by the government of a foreign country, that request, engage in, support, or knowingly facilitate or benefit from violations of section 1030, 1831, or 1832 of title 18, United States Code.

''(2) OTHER REQUIREMENTS.—Each report submitted under paragraph (1) shall be based on available intelligence and submitted to the President in an appropriate form.

''(3) DENIAL OR CONDITIONING OF VISAS.—

''(A) DESIGNATION OF ENTITIES.—The President may designate a foreign entity identified pursuant to paragraph (1) as an entity responsible for economic espionage, trade secret theft, or computer fraud.

''(B) DENIAL OR CONDITIONING OF VISAS OF ALIENS AFFILIATED WITH DESIGNATED ENTITIES.—The President may—

''(i) authorize the Secretary of State to deny or impose conditions on the issuance of visas to aliens who are, or during the past 10 years have been, affiliated with designated entities; and

''(ii) authorize the Secretary of Homeland Security to deny or impose conditions on admission to aliens who are, or during the past 10 years have been, affiliated with designated entities.

''(C) ALIENS AFFILIATED WITH DESIGNATED ENTITIES.—For the purpose of subparagraph (B) the term 'affiliated with designated entities', with respect to an alien, includes aliens who requested, engaged in, supported, or knowingly facilitated or benefitted from a violation of section 1830, 1831, or 1832 of title 18, United States Code, that was committed on behalf of an entity designated by the President under subparagraph (A).

''(4) WAIVER.—The Secretary of State or the Secretary of Homeland Security may, in consultation with the Director of National Intelligence, determine, in such Secretary's discretion, that because of an alien's cooperation with the United States government or other extenuating circumstances, it is not in the national interest to impose sanctions on an alien under paragraph (3).

''(5) EXCEPTION.—A sanction may not be imposed under paragraph (3) in the case of an alien who is a head of state, head of government, or cabinet-level minister, or if admitting the alien to the United States is necessary to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.''.

SA 1398. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (4) the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's social security number on the return of tax for such taxable year.

''(B) JOINT RETURN.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the social security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct social security number required to be included on a return under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN required to be included on a return under section 24(e) (relating to child tax credit),''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''With Respect to Qualifying Children'' after ''Identification Requirement'' in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3205. RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED REFUNDABLE PORTION OF THE CHILD TAX CREDIT IN PRIOR YEAR.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (5) the following new paragraph:

''(6) RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDIT IN PRIOR YEAR.—

''(A) TAXPAYERS MAKING PRIOR FRAUDULENT OR RECKLESS CLAIMS.—

''(i) IN GENERAL.—No credit shall be allowed under this subsection for any taxable year in the disallowance period.

''(ii) DISALLOWANCE PERIOD.—For purposes of clause (i), the disallowance period is—

''(I) the period of 10 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this subsection was due to fraud, and

''(II) the period of 2 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this subsection was due to reckless or intentional disregard of rules and regulations (but not due to fraud).

''(B) TAXPAYERS MAKING IMPROPER PRIOR CLAIMS.—In the case of a taxpayer who is denied credit under this subsection for any taxable year as a result of the deficiency procedures under subchapter B of chapter 63, no credit shall be allowed under this subsection for any subsequent taxable year unless the taxpayer provides such information as the Secretary may require to demonstrate eligibility for such credit.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3206. CHECKLIST FOR PAID PREPARERS TO VERIFY ELIGIBILITY FOR REFUNDABLE PORTION OF THE CHILD TAX CREDIT; PENALTY FOR FAILURE TO MEET DUE DILIGENCE REQUIREMENTS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall prescribe a form (similar to Form 8867) which is required to be completed by paid income tax return preparers in connection with claims for the refundable portion of the child tax credit under section 24(d) of the Internal Revenue Code of 1986.

(b) PENALTY.—Section 6695 of the Internal Revenue Code of 1986 (relating to other assessable penalties with respect to the preparation of tax returns for other persons) is amended by adding at the end the following new subsection:

''(h) FAILURE TO BE DILIGENT IN DETERMINING ELIGIBILITY FOR REFUNDABLE PORTION OF CHILD TAX CREDIT.—Any person who is a tax return preparer with respect to any return or claim for refund who fails to comply with due diligence requirements imposed by the Secretary by regulations with respect to determining eligibility for, or the amount of, the credit allowable by section 24(d) shall pay a penalty of $500 for each such failure.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 1399. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1471, strike line 15 and all that follows through page 1474, line 16.

SA 1400. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1475, strike line 3 and all that follows through the matter following line 10 on page 1482.

SA 1401. Mr. GRASSLEY submitted an amendment intended to be proposed

by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1469, strike line 5 and all that follows through page 1471, line 2.

SA 1402. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1474, strike line 17 and all that follows through page 1475, line 2.

SA 1403. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1145, line 20, strike ''120,000'' and insert ''150,000''.

On page 1148, line 6, insert ''of the visas remaining after the allocation under subparagraph (C)''after ''50 percent''.

On page 1148, line 9, insert ''of the visas remaining after the allocation under subparagraph (C)''after ''50 percent''.

On page 1148, between lines 11 and 12, insert the following:

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

On page 1148, line 13, strike ''to tier 1 or tier 2'' and insert ''under tier 1, tier 2, or tier 3''.

On page 1154, line 21, strike ''(6)'' and insert the following:

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is, has been, or will be a primary caregiver shall be allocated 10 points.

''(D) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(E) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(F) HUMANITARIAN CONCERNS.—An alien who is, has been, or will be the primary caregiver of a United States citizen suffering an extreme hardship or the last surviving sibling or last surviving son or daughter of a United States citizens shall be allocated 10 points.

''(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

''(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7)

On page 1155, line 5, strike ''(7)'' and insert ''(8)''.

On page 1155, line 10, strike ''(8)'' and insert ''(9)''.

On page 1155, line 15, strike ''(9)'' and insert ''(10)''.

SA 1404. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 954, beginning on line 3, strike ''and'' and all that follows through ''(III)'' on line 4, and insert the following:

''(III) an affidavit from aliens who are 18 years of age or older stating that the alien—

''(aa) unlawfully entered the United States on or before December 31, 2011; or

''(bb) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(IV)

On page 1044, line 23, strike the period at the end and insert the following: ″, including an affidavit from aliens who are 18 years of age or older stating that the alien—

(i) unlawfully entered the United States on or before December 31, 2012; or

(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of this Act.

SA 1405. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1469, between lines 4 and 5, insert the following:

CHAPTER 1—IMPROVEMENTS TO ASYLUM AND REFUGEE PROGRAMS

On page 1490, between lines 2 and 3, insert the following:

CHAPTER 2—DOMESTIC REFUGEE RESETTLEMENT

SEC. 3421. SHORT TITLE.

This chapter may be cited as the ''Domestic Refugee Resettlement Reform and Modernization Act of 2013''.

SEC. 3422. DEFINITIONS.

In this chapter:

(1) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a nonprofit organization providing a variety of social, health, educational and community services to a population that includes refugees resettled into the United States.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Refugee Resettlement.

(3) NATIONAL RESETTLEMENT AGENCY.—The term ''national resettlement agency'' means a voluntary agency contracting with the Department of State to provide sponsorship and initial resettlement services to refugees entering the United States.

SEC. 3423. ASSESSMENT OF THE REFUGEE DOMESTIC RESETTLEMENT PROGRAM.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(b) MATTERS TO BE STUDIED.—In the study required under subsection (a), the Comptroller General shall determine and analyze—

(1) how the Office of Refugee Resettlement defines self-sufficiency and if this definition is adequate in addressing refugee needs in the United States;

(2) the effectiveness of Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency and integration;

(3) the Office of Refugee Resettlement's budgetary resources and project the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency and integration;

(4) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(5) how community-based organizations can be better utilized and supported in the Federal domestic resettlement process; and

(6) recommended statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under paragraphs (1) through (5).

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit the results of the study required under subsection (a) to Congress.

SEC. 3424. REFUGEE ASSISTANCE.

(a) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

''(C) When providing assistance under this section, the Director shall ensure that such assistance is provided to refugees who are secondary migrants and meet all other eligibility requirements for such services.''.

(b) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) (8 U.S.C. 1522(a)(3)) is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by striking ''a periodic'' and inserting ''an annual''; and

(3) by adding at the end the following:

''(B) At the end of each fiscal year, the Director shall submit a report to Congress that includes—

''(i) States experiencing departures and arrivals due to secondary migration;

''(ii) likely reasons for such migration;

''(iii) the impact of secondary migration on States hosting secondary migrants;

''(iv) the availability of social services for secondary migrants in those States; and

''(v) the unmet needs of those secondary migrants.''.

(c) AMENDMENTS TO THE SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) (8 U.S.C. 1522(c)(1)(B)) is amended—

(1) by inserting ''a combination of—'' after ''based on''; and

(2) by striking ''the total number'' and inserting the following:

''(i) the total number''; and

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

''(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.''.

(d) NOTICE AND RULEMAKING.—Not later than 90 days after the date of the enactment of this Act nor later than 30 days before the effective date set forth in subsection (e), the Director shall—

(1) issue a proposed rule for a new formula by which grants and contracts are to be allocated pursuant to the amendments made by subsection (c); and

(2) solicit public comment with respect to such proposed rule.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 3425. RESETTLEMENT DATA.

(a) IN GENERAL.—The Director shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with the requirements set forth in subsections (b) through (e).

(b) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Director shall—

(1) coordinate with the Centers for Disease Control, national resettlement agencies, community based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs; and

(2) in collecting information under this subsection, utilize initial refugee health screening data, including—

(A) history of severe trauma, torture, mental health symptoms, depression, anxiety and posttraumatic stress disorder recorded during domestic and international health screenings; and

(B) Refugee Medical Assistance utilization rate data.

(c) DATA ON HOUSING NEEDS.—The Director shall partner with State refugee programs, community based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(1) the number of refugees who have become homeless; and

(2) the number of refugees who are at severe risk of becoming homeless.

(d) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Director shall gather longitudinal information relating to refugee self-sufficiency, integration, and employment status during the 2-year period beginning on the date that is 1 year after the refugees' arrival in the United States.

(e) AVAILABILITY OF DATA.—The Director shall—

(1) annually update the data collected under this section; and

(2) submit an annual report to Congress that contains the updated data.

SEC. 3426. GUIDANCE REGARDING REFUGEE PLACEMENT DECISIONS.

(a) CONSULTATION.—The Secretary of State shall provide guidance to national resettlement agencies and State refugee coordinators on consultation with local stakeholders pertaining to refugee resettlement.

(b) BEST PRACTICES.—The Secretary of Health and Human Services, in collaboration with the Secretary of State, shall collect best practices related to the implementation of the guidance on stakeholder consultation on refugee resettlement from voluntary agencies and State refugee coordinators and disseminate such best practices to such agencies and coordinators.

SEC. 3427. EFFECTIVE DATE.

This chapter, and the amendments made by this chapter, shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1406. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WAIVER OF SMALL BUSINESS PROCUREMENT PROVISIONS.

Part 19 of the Federal Acquisition Regulation, section 15 of the Small Business Act (15 U.S.C. 644), and any other applicable laws or regulations establishing procurement requirements relating to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) may not be waived with respect to any contract awarded under any program or other authority under this Act or an amendment made by this Act, other than as provided under subsection (a)(2) or (c) of section 2108 of this Act.

SA 1407. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 905, between lines 5 and 6, insert the following:

(4) LAND PORTS OF ENTRY.—The Secretary and the Administrator of the General Services Administration may upgrade, expand, or replace existing land ports of entry to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

SA 1408. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Homeland Security, shall develop and submit to Congress a strategy to address the unauthorized immigration of individuals who transit through Mexico to the United States.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in conjunction with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in coordination with the Secretary of Homeland Security, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed, as appropriate.

(d) AVAILABILITY OF FUNDS.—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1409. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 904, line 20, strike ''The Secretary'' and insert the following:

(A) GRANTS AUTHORIZED.—The Secretary

On page 905, between lines 5 and 6, insert the following:

(B) ELIGIBLE USE OF GRANT FUNDS.—In addition to the uses described in subparagraph (A), grants awarded under this paragraph may be used for maintenance of all public roads, including locally owned public roads and roads on tribal land—

(i) that are located within 100 miles of—

(I) the Northern border; or

(II) the Southern border; and

(ii) on which federally owned motor vehicles comprise more than 50 percent of the vehicular traffic.

SA 1410. Mr. LEAHY (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 934, after line 25, add the following:

SEC. 1116. OVERSIGHT OF POWER TO ENTER PRIVATE LAND AND STOP VEHICLES WITHOUT A WARRANT.

(a) IN GENERAL.—Section 287(a) (8 U.S.C. 1357(a)) is amended—

(1) in paragraph (5), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by redesignating paragraphs (4) and (5) as subparagraphs (E) and (F), respectively;

(4) in the matter preceding subparagraph (A), as so redesignated—

(A) by inserting ''(1)'' before ''Any officer'';

(B) by striking ''Service'' and inserting ''Department of Homeland Security''; and

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

(5) by striking paragraph (1)(C), as so redesignated and inserting the following:

''(C) within a distance of 25 air miles from any external boundary of the United States, or such distance as may be prescribed by the Secretary pursuant to paragraph (2) of this

subsection, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;

''(D) within a distance of 10 air miles from any such external boundary, or such distance as may be prescribed by the Secretary pursuant to paragraph (2) of this subsection, to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;'';

(6) by inserting after the flush text at the end of subparagraph (F), as so redesignated, the following:

''(2)(A)(i) The Secretary of Homeland Security may establish for a sector or district a distance less than or greater than 25 air miles, but in no case greater than 100 air miles, as the maximum distance from an external boundary of the United States in which the authority described in paragraph (1)(C) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(ii) The Secretary of Homeland Security may establish for a sector or district a distance less than or greater than 10 air miles, but in no case greater than 25 air miles, as the maximum distance from an external boundary of the United States in which the authority described in paragraph (1)(D) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(B) In making the certifications described in subparagraph (A), the Secretary shall consider, as appropriate, land topography, confluence of arteries of transportation leading from external boundaries, density of population, possible inconvenience to the traveling public, types of conveyances used, reliable information as to movements of persons effecting illegal entry into the United States, effects on private property and quality of life for relevant communities and residents, consultations with affected State, local, and tribal governments, including the governor of any relevant State, and other factors that the Secretary considers appropriate.

''(C) A certification made under subparagraph (A) shall be valid for a period of 5 years and may be renewed for additional 5-year periods. If the Secretary finds at any time that circumstances no longer justify a certification, the Secretary shall terminate the certification.

''(D) The Secretary shall report annually to the Committee on the Judiciary and Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and Committee on Homeland Security of the House of Representatives the number of certifications made under subparagraph (A), and for each such certification, the sector or district and reasonable distance prescribed, the period of time the certification has been in effect, and the factors justifying the certification.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AUTHORITIES WITHOUT A WARRANT.—In section 287(a) (8 U.S.C. 1357(a)), the undesignated matter following paragraph (2), as added by subsection (a)(5), is amended—

(A) by inserting ''(3)'' before ''Under regulations'';

(B) by striking ''paragraph (5)(B)'' both places that term appears and inserting ''subparagraph (F)(ii)'';

(C) by striking ''(i)'' and inserting ''(A)'';

(D) by striking ''(ii) establish'' and inserting ''(B) establish'';

(E) by striking ''(iii) require'' and inserting ''(C) require''; and

(F) by striking ''clause (ii), and (iv)'' and inserting ''subparagraph (B), and (D)''.

(2) CONFORMING AMENDMENT.—Section 287(e) (8 U.S.C. 1357(e)) is amended by striking ''paragraph (3) of subsection (a),'' and inserting ''subsection (a)(1)(D),''.

On page 937, strike lines 3 through 9 and insert the following:

SEC. 1118. PROHIBITION ON NEW LAND BORDER CROSSING FEES.

(a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SA 1411. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1490, between lines 2 and 3, insert the following:

SEC. 3413. SPECIFIC CONSIDERATION OF STATELESS GROUPS OF INDIVIDUALS.

Pursuant to section 3405, the Secretary, in consultation with the Secretary of State, may designate, as stateless persons, any specific group of individuals who are no longer considered nationals by any state as a result of sea level rise or other environmental changes that render such state uninhabitable for such group of individuals.

SEC. 3414. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON CLIMATE CHANGE-INDUCED INTERNAL MIGRATION.

(a) STUDY.—The Comptroller General of the United States shall carry out a study of the effects of climate change-induced migration on—

(1) United States immigration policies; and

(2) Federal, State, and local social services.

(b) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under subsection (a).

(2) CONTENTS.—The report specified in paragraph (1) shall include an analysis of—

(A) the expected extent of climate change-induced internal migration of—

(i) residents of Alaska, Hawaii, and other States; and

(ii) residents of United States territories and possessions;

(B) the expected impacts and additional costs on existing Federal, State, and local social services of various regions, States, and localities resulting from the climate change-induced migration of United States citizens;

(C) the status of individuals who are stateless as a result of climate change; and

(D) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the additional costs and social services required to address impacts associated with climate change-induced migration.

SA 1412. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, strike lines 11 through 18, and insert the following:

SEC. 1112. TRAINING FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT OFFICERS, AND OTHER FEDERAL AGENTS PERFORMING BORDER ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol officers and agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6)), Coast Guard officers and agents, and agriculture specialists stationed within 100 miles of any land or marine border of the United States.

At the appropriate place, insert the following:

SEC. _____. PROTECTIONS AND RELIEF FOR DOMESTIC VIOLENCE SURVIVORS.

(a) JUDICIAL REVIEW IN VAWA CASES.—

(1) REVIEW OF ORDERS OF REMOVAL OF DOMESTIC VIOLENCE SURVIVORS.—Section 242(a) (8 U.S.C. 1252(a)) is amended to read as follows:

''(1) GENERAL ORDERS OF REMOVAL.—

''(A) IN GENERAL.—Judicial review of a final order of removal (other than an order of removal without a hearing pursuant to section 235(b)(1)) is governed only by chapter 158 of title 28 of the United States Code, except as provided in subparagraph (B), subsection (b), and except that the court may not order the taking of additional evidence under section 2347(c) of such title.

''(B) DOMESTIC VIOLENCE SURVIVORS AND CRIME VICTIMS.—A final order for the removal of a nonimmigrant described in section 101(a)(15)(T) or section 101(a)(15)(U), a VAWA self-petitioner, an applicant for relief under section 240A(b)(2) or under any prior status provide comparable relief, notwithstanding any other provision of law, shall be subject to de novo review by the court at the request of the nonimmigrant, VAWA self-petitioner, or applicant for relief.''.

(2) CANCELLATION OF REMOVAL OF DOMESTIC VIOLENCE SURVIVORS.—Section 240A(b)(2) (8 U.S.C. 1229b(b)(2)) is amended by adding at the end the following:

''(E) JUDICIAL REVIEW OF DETERMINATION FOR DOMESTIC VIOLENCE SURVIVORS.—There shall be judicial review available of a determination of whether an individual is eligible for or entitled to relief under this paragraph or any prior statute providing comparable relief, notwithstanding any other provision of law.''.

(b) ELIGIBILITY FOR CANCELLATION OF REMOVAL FOR DOMESTIC VIOLENCE SURVIVORS.—Section 240A(b)(2)(A)(iv) (8 U.S.C. 1229b(b)(2)(A)(iv)) is amended to read as follows:

''(iv) the alien is not inadmissible under section 212(a)(2)(G), section 212(a)(2)(H), or section 212(a)(3) and is not deportable under section 237(a)(2)(A)(v) or section 237(a)(4); and''.

(c) DESIGNATING IMMIGRANTS ELIGIBLE FOR U VISAS AND SPECIAL IMMIGRANT JUVENILE STATUS, AND SELF-PETITIONING ELDER ABUSE VICTIMS, AS ALIENS ELIGIBLE TO RECEIVE CERTAIN ASSISTANCE.—

(1) RELIEF FROM CERTAIN SAFETY NET LIMITATION FOR DOMESTIC VIOLENCE SURVIVORS,

VICTIMS OF ABUSE, AND SPECIAL IMMIGRANT JUVENILES.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(A) in the subsection heading, by striking ''BATTERED ALIENS'' and inserting ''DOMESTIC VIOLENCE SURVIVORS, VICTIMS OF ABUSE, AND SPECIAL IMMIGRANT JUVENILES '';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''in the United States by a spouse or parent or by a member of the spouse or parent's family'' and inserting ''by a spouse, parent, son, or daughter or by a member of the spouse's, parent's, son's or daughter's family'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking the comma at the end and inserting a semicolon;

(II) in clause (ii), by striking the comma at the end and inserting a semicolon;

(III) clause (iii), by striking the period at the end and inserting a semicolon;

(IV) in clause (v), by inserting ''or'' after the semicolon; and

(V) by adding at the end the following:

''(vi) status as a VAWA self-petitioner;'';

(C) in paragraph (3)(B), by striking ''or'' at the end;

(D) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(5) an alien who has been granted nonimmigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) or who has a pending application for such nonimmigrant status;

''(6) an alien who has been granted immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 10 1101(a)(27)(J)) or who has a pending application for such immigrant status; or

''(7) an alien who has been granted status as a spouse or child of a registered provisional immigrant under section 245B the Immigration and Nationality Act or alien with blue card status granted under 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and who has been battered or subjected to extreme cruelty by a spouse or parent, or who has a pending application for such status.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(d) RELIEF FOR CERTAIN DOMESTIC VIOLENCE SURVIVORS FROM 5-YEAR BAR.—

(1) IN GENERAL.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)) is amended by adding at the end the following new paragraph:

''(3) BATTERED AND CRIME VICTIM ALIENS.—An alien who—

''(A) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, son, or daughter, or by a member of the spouse's, parent's, son's, or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(B) is described in section 431(c).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(e) ELIGIBILITY FOR SAFETY NET BENEFITS FOR CERTAIN DOMESTIC VIOLENCE SURVIVORS.—

(1) ELIGIBILITY FOR SSI AND FOOD ASSISTANCE SAFETY NET BENEFITS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612 (a)(2)) is amended by adding at the end the following:

''(N) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—With respect to eligibility for a specified Federal program (as defined in paragraph (3)), paragraph (1) shall not apply to an alien who—

''(i) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, or son or daughter, or by a member of the spouse or parent or son or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(ii) is described in section 431(c).''.

(2) RELIEF FOR DOMESTIC VIOLENCE SURVIVORS FROM TANF, SOCIAL SERVICE BLOCK GRANT, AND MEDICAID BAN.—Section 402(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at the end the following:

''(G) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—An alien who—

''(i) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, son, or daughter, or by a member of the spouse's, parent's, son's, or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(ii) is described in section 431(c).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

On page 1224, between lines 23 and 24, insert the following:

(d) RELIEF FROM CERTAIN RESTRICTION ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by subsection (c), is amended in paragraph (1) as so designated by subsection (c), in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

At the appropriate place, insert the following:

SEC. ___. RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.

(a) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2))is amended by inserting'', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

On page 1274, strike lines 5 through 11 and insert the following:

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), applicants approved for nonimmigrant status under section 101(a)(15)(T) of such Act, section 101(a)(15)(U) of such Act, and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

On page 1576, line 4, strike ''and (E)'', and insert ''(E), and (K)''.

SA 1413. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO FIREARMS FOR FOREIGN FELONS ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the ''No Firearms for Foreign Felons Act of 2013''.

(b) FELONIES.—Section 921(a) of title 18, United States Code, is amended—

(1) in paragraph (20)—

(A) in the matter preceding subparagraph (A), by inserting ''includes a covered foreign felony and'' before ''does not include'';

(B) subparagraph (A)—

(i) by striking ''any Federal or State offenses'' and inserting ''any Federal offense, State offense, or covered foreign felony''; and

(ii) by striking '', or'' at the end and inserting a semicolon;

(C) in subparagraph (B)—

(i) by striking ''any State offense classified by the laws of the State'' and inserting ''any State offense or covered foreign felony classified by the laws of that jurisdiction''; and

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

(D) by inserting after subparagraph (B) the following:

''(C) any offense under the law of another country that is not a covered foreign felony.''; and

(2) by adding at the end the following:

''(36) The term 'any court' includes any Federal, State, or foreign court.

''(37) The term 'covered foreign felony'—

''(A) means an offense under the law of another country that—

''(i) is punishable by a term of imprisonment of more than 1 year under the law of the other country; and

''(ii) involves conduct which, if committed in the United States, would constitute an offense under Federal or State law that is punishable by a term of imprisonment of more than 1 year; and

''(B) does not include any offense as to which the convicted person establishes that the conviction for the offense resulted from a denial of fundamental fairness that would violate due process if committed in the United States.''.

(c) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(B) in clause (i)—

(i) by inserting ''(I)'' after ''(i)'';

(ii) by striking ''and'' and inserting ''or''; and

(iii) by adding at the end the following:

''(II) is a crime under foreign law that is punishable by imprisonment for a term of not more than 1 year; and''; and

(2) in subparagraph (B)(ii), by striking ''if the conviction has'' and inserting the following: ''if the conviction—

''(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

''(II) has''.

(d) PENALTIES.—Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended by inserting ''or a covered foreign felony'' after ''an offense under State law''.

SA 1414. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1224, between lines 23 and 24, insert the following:

(d) RELIEF FROM CERTAIN RESTRICTION ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by subsection (c), is amended in paragraph (1) as so designated by subsection (c), in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

At the appropriate place, insert the following:

SEC. ____. RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.

(a) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2))is amended by inserting'', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

On page 1274, strike lines 5 through 11 and insert the following:

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), applicants approved for nonimmigrant status under section 101(a)(15)(T) of such Act, section 101(a)(15)(U) of such Act, and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

On page 1576, line 4, strike ''and (E)'', and insert ''(E), and (K)''.

SA 1415. Ms. HIRONO (for herself, Mr. FRANKEN, Mr. SCHATZ, Mrs. MURRAY, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1151, strike lines 16 through 21.

On page 1154, strike lines 3 through 8.

Beginning on page 1197, strike line 12 and all that follows through page 1198, line 24, and insert the following:

(a) PREFERENCE ALLOCATION OF FAMILY-SPONSORED IMMIGRANT VISAS.—

(1) IN GENERAL.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b), is further amended to read as follows:

''(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

''(1) UNMARRIED SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are the unmarried sons or daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (4).

''(2) UNMARRIED SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or daughters, but not a child (as defined in section 101(b)(1)), of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed the sum of—

''(A) 20 percent of the worldwide level of family-sponsored immigrants under section 201(c); and

''(B) any visas not required for the class specified in paragraph (1).

''(3) MARRIED SONS AND MARRIED DAUGHTERS OF CITIZENS.—Qualified immigrants who are the married sons or married daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) and (2).

''(4) BROTHERS AND SISTERS OF CITIZENS.—Qualified immigrants who are the brothers or sisters of citizens of the United States, if such citizens are at least 21 years of age, shall be allocated visas in a number not to exceed 40 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) through (3).''.

Beginning on page 1217, strike line 18 and all that follows through page 1220, line 9, and insert the following:

(a) NONIMMIGRANT ELIGIBILITY.—Section 101(a)(15)(V) (8 U.S.C. 1101(a)(15)(V)) is amended to read as follows:

''(V) subject to section 214(q) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

''(i) the unmarried son or unmarried daughter of a citizen of the United States;

''(ii) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence;

''(iii) the married son or married daughter of a citizen of the United States; or

''(iv) the sibling of a citizen of the United States.''.

(b) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

''(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

''(1) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

''(A) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V) to engage in employment in the United States during the period of such nonimmigrant's authorized admission; and

''(B) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

''(2) TERMINATION OF ADMISSION.—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

''(A) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

''(B) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.''.

SA 1416. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. REPORT ON PROCESSING OF VISAS FOR NONIMMIGRANTS AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the processing of visas for nonimmigrants at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its capacity for processing of visas for nonimmigrants in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to the processing of visas for nonimmigrants at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out operations relating to the processing of visas for nonimmigrants;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

SA 1417. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1021, line 15, insert ''Hispanic-serving institution (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)), or a'' after ''means a''.

On page 1288, lines 16 and 17, insert ''and Hispanic-serving institutions (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5))'' after ''organizations''.

On page 1293, line 2, insert ''Hispanic-serving institutions (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)),'' after ''municipalities,''.

SA 1418. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, between lines 10 and 11, insert the following:

(b) ANNUAL REPORT ON USE OF FORCE.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Inspector General of the Department shall submit to the appropriate committees of Congress a report on the use of force—

(A) by Federal employees performing enforcement of the immigration laws, including personnel of U.S. Customs and Border Protection, U.S. Border Patrol, U.S. Immigration and Customs Enforcement, the National Guard deployed to assist U.S. Customs and Border Protection under section 1103(c)(6), and the Coast Guard and agriculture specialists stationed within 100 miles of any land or marine border; or

(B) involving State or local law enforcement personnel operating as part of a task force involving Federal participation.

(2) CONTENTS.—Each report required by paragraph (1) shall include, with respect to the use of force in the enforcement of the immigration laws, the following:

(A) A description of the training requirements for use of force on issued equipment, non-force techniques, de-escalation techniques, the use of defensive equipment and a determination of the adequacy of the training requirements.

(B) A description of the type and frequency of the use of force on each of the following:

(i) Citizens of the United States.

(ii) Aliens lawfully present in the United States, including aliens in registered provisional immigrant status, blue card status, nonimmigrant status pursuant to section 101(a)(15)(W) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(W)), as amended by this Act, and those admitted under the amendments made by the DREAM Act 2013.

(iii) Persons not described in clause (i) or (ii).

(C) The gender, race, nationality, ethnicity, and age of the person upon whom force was used.

(D) The date, time, and location (including country, sector, or district, if applicable) of the use of force.

(E) A brief description of the circumstances surrounding the use of force.

(F) The number of officers who used force in the enforcement of immigration laws.

(G) A description of the administrative oversight that occurred following each such use of force.

(H) The number of complaints regarding the use of force and the number of resulting investigations.

(I) A description of the types of disciplinary actions resulting from such investigations and the frequency of such actions.

(J) A description of the policy recommendations, if any, of the Inspector General of the Department relating to use of force.

(K) Any such other information and statistics related to the use of force that the Inspector General of the Department determines to be appropriate.

(L) Results of inspections, investigations, and audits conducted pursuant to section 104(d) of the Homeland Security Act of 2002, as added by 1114 of this Act.

(M) A summary of the information and findings in described subparagraphs (A) through (L).

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(ii) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representative.

(B) USE OF FORCE.—The term ''use of force'' means physical effort to compel compliance by a subject that exceeds unresisted handcuffing, including pointing a firearm at the subject or employing canines.

(4) AVAILABILITY OF REPORTS.—Each report submitted under this subsection shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SA 1419. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1423, line 17, insert after ''by regulation'' the following: '', except that an employer may, but is not required to, use the System to verify authorization of an employee continuing in an employment from another employer in a case in which there is substantial continuity in the business operations between the predecessor and successor employers''.

SA 1420. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, line 25, insert ''investigating potential violations of laws by employers and employees, apprehending violators,'' after ''System,''.

On page 1449, beginning on line 7, strike ''Such personnel'' and all that follows through line 9, and insert ''A significant portion of such personnel shall perform enforcement, investigatory, apprehension, compliance, and monitoring functions, including the following:''.

SA 1421. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1389, line 5, strike ''$5,000 and not more than $15,000'' and insert ''$10,000 and not more than $25,000''.

On page 1389, line 12, ''$10,000 and not more than $25,000'' and insert ''$25,000 and not more than $50,000''.

On page 1390, line 18, strike ''$1,000 and not more than $4,000'' and insert ''$5,000 and not more than $15,000''.

On page 1390, lines 22 and 23, strike ''$2,000 and not more than $8,000'' and insert ''$6,000 and not more than $20,000''.

SA 1422. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1413, between lines 7 and 8, insert the following:

(g) ENHANCED PENALTIES FOR IMMIGRATION LAW VIOLATIONS.—

(1) CIVIL PENALTY.—

(A) IN GENERAL.—If an employer commits a civil violation of a Federal law relating to workplace rights (as defined in section 274A(b)(8) of the Immigration and Nationality Act), including a finding by the agency enforcing such law in the course of a final settlement of such violation, and such violation took place with respect to an unauthorized worker, the employer may be subject to an additional civil penalty of up to $5,000 per unauthorized worker.

(B) DEPOSIT OF FUNDS.—Amounts collected pursuant to subparagraph (A) shall be deposited into the Labor Law Enforcement Fund established under section 286(x) of the Immigration and Nationality Act, as added by paragraph (2).

(2) LABOR LAW ENFORCEMENT FUND.—Section 286 (8 U.S.C. 1356), as amended by section 4104, is further amended by adding at the end the following:

''(x) LABOR LAW ENFORCEMENT FUND.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury, a separate account, which shall be known as the 'Labor Law Enforcement Fund' (referred to in this subsection as the 'Fund').

''(2) DEPOSITS.—There shall be deposited, as offsetting receipts into the Fund, the civil penalties collected under section 3101(g)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(3) PURPOSE.—Amounts deposited in the Fund shall be made available to the Secretary of Labor to enforce employer compliance with Federal workplace laws, including by conducting random audits of employers in industries with a history of employing a significant number of unauthorized workers or nonimmigrants described in section 101(a)(15)(H)(ii).''.

SA 1423. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1390, line 24, strike ''(D)'' and insert the following:

''(D) CIVIL PENALTY.—Any employer that repeatedly fails to comply in a timely manner to requests from the Department for further or follow up information regarding the employer's use of the System, as determined by the Secretary, shall pay a civil penalty of not less than $100 and not more than $500 for each such violation.

''(E)

On page 1391, line 6, strike ''(E)'' and insert ''(F)''.

On page 1392, line 13, strike ''(F)'' and insert ''(G)''.

SA 1424. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1405, beginning on line 17, strike ''knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000'' and inserting ''knowing or negligent violations of paragraph (1)(A) or (2) of subsection (a) shall be fined not more than $30,000 under title 18, United States Code,''.

On page 1406, line 2, strike ''5 years'' and insert ''8 years''.

On page 1406, line 19, insert ''or negligently'' after ''knowingly''.

On page 1406, line 23, strike ''knowing'' and insert ''with knowledge of facts that would lead a reasonable person to conclude''.

On page 1407, line 14, strike ''10 years'' and insert ''12 years''.

SA 1425. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. COMPREHENSIVE INTERIOR IMMIGRATION ENFORCEMENT STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and biannually thereafter, the Secretary shall publish a strategy for achieving and maintaining effective interior immigration enforcement, which shall be known as the ''Comprehensive Interior Immigration Enforcement Strategy'' (referred to in this section as the ''Strategy'').

(b) CONTENTS.—The Strategy shall—

(1) set forth the interior immigration enforcement strategy of the Department;

(2) detail a strategy for addressing, at a minimum—

(A) visa overstays, including enforcement in each major visa category;

(B) fraudulent use of documents by undocumented immigrants to gain employment in the United States;

(C) knowing and negligent activities of employers to hire undocumented immigrants;

(D) knowing and negligent activities of employers regarding failure to comply with the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act; and

(E) shortfalls in entry and exit tracking activities;

(3) specify the priorities that shall be met for the Strategy to be considered successfully executed, which shall include, at a minimum—

(A) enforcement goals in each major category detailed in accordance with paragraph (2);

(B) speedy and fair administrative and judicial proceedings on matters relevant to enforcement activities; and

(C) target enforcement and success levels associated with priority areas of interior immigration enforcement;

(4) identify the resources necessary to carry out the Strategy, including any—

(A) improvements in technology and operational capacity required to implement the Strategy; and

(B) improvements in, or changes to, organizational structure required to implement the Strategy.

(c) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 180 days after the Strategy is published under subsection (a), the Secretary shall submit a report on the Department's plans to implement the Strategy to—

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

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

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

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

(G) the Comptroller General of the United States.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include—

(A) a detailed analysis of the Department's execution of the Strategy published 2 years before including discussions of successes and failures under the Strategy;

(B) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy submitted under subsection (a); and

(C) a detailed description of—

(i) any impediments identified in the Department's efforts to execute the Strategy;

(ii) the actions the Department has taken, or plans to take, to address such impediments;

(iii) any resources or authorities the Department needs to execute the Strategy; and

(iv) any additional measures developed by the Department to measure interior immigration enforcement efforts.

(3) BIANNUAL REVIEW.—The Comptroller General of the United States shall—

(A) conduct a biannual review of the information contained in the annual reports submitted by the Secretary under this subsection; and

(B) submit an assessment of the status and progress of interior immigration enforcement efforts to the congressional committees set forth in paragraph (1).

(d) DESIGNATION OF INTERIOR ENFORCEMENT LEADERSHIP.—

(1) IN GENERAL.—The Secretary shall designate an individual within the Department to oversee and coordinate the implementation of all interior immigration enforcement efforts that are carried out through activities and agencies under the jurisdiction of the Secretary.

(2) DUTIES.—The individual designated pursuant to paragraph (1) shall—

(A) coordinate with other agencies, including the Department of Justice, as necessary;

(B) collaborate with the Secretary on the creation and publication of the Strategy; and

(C) oversee the implementation of the Strategy, including the reporting requirements under subsection (c).

SA 1426. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties by employees and officials of the Department or that are related to Departmental activities (unless the Inspector General of the Department determines that

such a complaint or such information should be investigated by the Inspector General) and, using the information gained by such investigations, make recommendations to the Secretary and directorates, offices, and other components of the Department for improvements in policy, supervision, training, and practice related to civil rights or civil liberties, or for the relevant office to review the matter and take appropriate disciplinary or other action.'';

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after subsection (a) the following:

''(b) INVESTIGATION OF COMPLAINTS.—The head of each directorate, office, or component of the Department and the head of any other executive agency shall ensure that the directorate, office, or component provides the Officer for Civil Rights and Civil Liberties with speedy access, and in no event later than 30 days after the date on which the directorate, office, or component receives a request from the Officer, to any information determined by the Officer to be relevant to the exercise of the duties and responsibilities under subsection (a) or to any investigation carried out under this section, whether by providing relevant documents or access to facilities or personnel.

''(c) SUBPOENAS.—

''(1) IN GENERAL.—In carrying out the duties and responsibilities under subsection (a) or as part of an investigation carried out under this section, the Officer for Civil Rights and Civil Liberties may require by subpoena access to—

''(A) any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section; and

''(B) any individual, document, record, material, file, report, memorandum, policy, procedure, investigation, video or audio recording or other media, or quality assurance report relating to any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section.

''(2) ISSUANCE AND SERVICE.—A subpoena issued under this subsection shall—

''(A) bear the signature of the Officer for Civil Rights and Civil Liberties; and

''(B) be served by any person or class of persons designated by the Officer or an officer or employee designated for that purpose.

''(3) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the institution, entity, or individual is located may issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as contempt of that court.

''(4) USE OF INFORMATION.—Any material obtained under a subpoena issued under this subsection—

''(A) may not be used for any purpose other than a purpose set forth in subsection (a);

''(B) may not be transmitted by or within the Department for any purpose other than a purpose set forth in subsection (a); and

''(C) shall be redacted, obscured, or otherwise altered if used in any publicly available manner to the extent necessary to prevent the disclosure of any personally identifiable information.

''(d) RECOMMENDATIONS.—For any final recommendation or finding made under this section by the Officer for Civil Rights and Civil Liberties to the Secretary or a directorate, office, or other component of the Department—

''(1) the Secretary shall ensure that the Department—

''(A) responds to the recommendation or finding within 30 days after the date on which the Officer communicates the recommendation or finding; and

''(B) within 60 days after the date on which the Officer communicates the recommendation or finding, provides the Officer with a plan for implementation of the recommendation or finding;

''(2) within 30 days after the date on which the Officer receives an implementation plan under paragraph (1), the Officer shall assess the plan and determine whether the plan sufficiently addresses the underlying recommendation;

''(3) if the Officer determines under paragraph (2) that an implementation plan is insufficient, the Secretary shall ensure that the Department submits a revised implementation plan that complies with the underlying recommendation within 30 days after the date on which the Officer communicates the determination; and

''(4) absent any provision of law to the contrary, the Officer shall provide the complainant with a summary of any findings or recommendations made under this section by the Officer, which shall be redacted, obscured, or otherwise altered to protect the disclosure of any personally identifiable information, other than the complainant's.''; and

(4) in subsection (e), as so redesignated—

(A) by striking ''The Secretary shall'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(B) by striking ''and the appropriate committees and subcommittees of Congress'' and inserting ''the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee)'';

(C) by striking '', and detailing any allegations'' and all that follows through ''such allegations.'' and inserting ''and a compilation of the information provided in the quarterly reports under paragraph (2).''; and

(D) by adding at the end the following:

''(2) QUARTERLY REPORTS.—

''(A) IN GENERAL.—The Officer for Civil Rights and Civil Liberties shall submit to the President of the Senate, the Speaker of the House of Representatives, the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), on a quarterly basis, a report detailing—

''(i) each nonfrivolous allegation of abuse received by the Officer during the quarter covered by the report; and

''(ii) each final recommendation made or carried out under subsection (a) that was completed during the quarter covered by the report.

''(B) CONTENTS.—Each report under this paragraph shall detail—

''(i) for each allegation described in subparagraph (A)(i) subject to a completed investigation, any final recommendation made by the Officer for Civil Rights and Civil Liberties and any action or response taken by the Department in response; and

''(ii) any matter or investigation carried out under this section that has been open or pending for more than 2 years.

''(3) INFORMING THE PUBLIC.—The Officer for Civil Rights and Civil Liberties shall—

''(A) make each report submitted under this subsection available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

''(B) otherwise inform the public of the activities of the Officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.''.

SA 1427. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1405, beginning on line 17, strike ''knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000'' and inserting ''negligent violations of paragraph (1)(A) or (2) of subsection (a) shall be fined not more than $30,000 under title 18, United States Code,''.

On page 1406, line 2, strike ''5 years'' and insert ''8 years''.

On page 1406, line 19, strike ''knowingly'' and insert ''negligently''.

On page 1406, line 23, strike ''knowing'' and insert ''with knowledge of facts that would lead a reasonable person to conclude''.

On page 1407, line 14, strike ''10 years'' and insert ''12 years''.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 16, 2013, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to John Assini@energy .senate.gov.

For further information, please contact Sara Tucker at (202) 224–6224 or John Assini at (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 19, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Staying on Track: Next Steps in Improving Passenger and Freight Rail Safety''.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimus consent that the Committee