

117TH CONGRESS
1ST SESSION

S. 3202

To terminate the Interagency Task Force on the Reunification of Families and to require the transfer of the salaries of certain Federal officials and Task Force members to the Judgment Fund to reimburse the Federal Government for settlements paid to aliens.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 2021

Mr. LANKFORD introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To terminate the Interagency Task Force on the Reunification of Families and to require the transfer of the salaries of certain Federal officials and Task Force members to the Judgment Fund to reimburse the Federal Government for settlements paid to aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TERMINATION OF INTERAGENCY TASK FORCE**

4 **ON THE REUNIFICATION OF FAMILIES.**

5 (a) RESCISSION OF EXECUTIVE ORDER 14011.—The
6 provisions of Executive Order 14011 (86 Fed. Reg. 8273;
7 relating to the establishment of Interagency Task Force

1 on the Reunification of Families) are hereby rescinded and
2 shall have no force or effect.

3 (b) EFFECT OF RESCISSION.—Notwithstanding any
4 other provision of law, all policy decisions, legal decisions,
5 settlement agreements, and consent decrees between the
6 United States Government and private individuals or non-
7 governmental entities, and decisions regarding the use of
8 the Secretary of Homeland Security’s parole authority
9 under section 212(d)(5) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1182(d)(5)) or any other immigration
11 benefit that was provided or entered into pursuant to Ex-
12 ecutive Order 14011 are rescinded and terminated.

13 **SEC. 2. REPORTING AND NOTIFICATION REQUIREMENTS.**

14 (a) IN GENERAL.—The Director of the Office of
15 Management and Budget shall—

16 (1) submit a report to the appropriate congres-
17 sional committees regarding the operations of the
18 Interagency Task Force on the Reunification of
19 Families (referred to in this section as the “Task
20 Force”); and

21 (2) publish such report on a publicly accessible
22 website.

23 (b) CONTENTS.—The report required under sub-
24 section (a) shall include—

1 (1) an accounting of all costs incurred by the
2 Task Force that were paid by the Federal Govern-
3 ment;

4 (2) a list of all of the meetings between the
5 Task Force and any nongovernmental entity, includ-
6 ing—

7 (A) the list of participants of such meet-
8 ings; and

9 (B) the agendas of such meetings;

10 (3) all communications between Task Force
11 members and nongovernmental entities;

12 (4) a description of all of the settlement agree-
13 ments or consent decrees between the Federal Gov-
14 ernment and any nongovernmental entity that were
15 facilitated by the Task Force;

16 (5) all legal opinions, memoranda, and other
17 policy guidance developed pursuant to Executive
18 Order 14011 relating to granting parole to migrants
19 in accordance with section 212(d)(5) of the Immi-
20 gration and Nationality Act (8 U.S.C. 1182(d)(5));

21 (6) the number of migrants who were granted
22 parole under such section as a result of the activities
23 of the Task Force and, for each migrant receiving
24 such parole, the nongovernmental organization who

1 referred the migrant for consideration for parole or
2 other immigration benefits; and

3 (7) the date on which each migrant described in
4 paragraph (6) was separated from a family member
5 by U.S. Customs and Border Protection.

6 (c) CONSENT DECREES AND SETTLEMENT AGREE-
7 MENTS.—

8 (1) IN GENERAL.—The Director of the Office of
9 Management and Budget and the Attorney General
10 shall post copies of all consent decrees and settle-
11 ment agreements entered into pursuant to Executive
12 Order 14011 on a publicly accessible website.

13 (2) FUTURE CONSENT DECREES AND SETTLE-
14 MENT AGREEMENTS.—

15 (A) GAO REVIEW.—The Attorney General
16 shall ensure that the terms and conditions of all
17 future consent decrees and settlement agree-
18 ments between the Federal Government and
19 any nongovernmental entity relating to the ap-
20 plication of the policy described in the memo-
21 randum of the Attorney General entitled “Zero-
22 Tolerance for Offenses under 8 U.S.C.
23 § 1325(a)”, issued on April 6, 2018, the imple-
24 mentation of Executive Order 14011, or the
25 separation of family members by U.S. Customs

1 and Border Protection comply with section
2 3711 of title 31, United States Code, and chap-
3 ter IX of subtitle B of title 31, Code of Federal
4 Regulations (commonly known as the “Federal
5 Claims Collections Standards”), by seeking an
6 opinion from the Comptroller General of the
7 United States regarding each such consent de-
8 cree and settlement agreement.

9 (B) PROHIBITION.—A consent decree or
10 settlement agreement described in subpara-
11 graph (A) may not be entered into until after
12 the Comptroller General of the United States,
13 after reviewing the terms of such decree or
14 agreement, has certified that it fully complies
15 with section 3711 of title 31, United States
16 Code, and the Federal Claims Collections
17 Standards.

18 (C) PUBLICATION.—All consent decrees
19 and settlement agreements described in sub-
20 paragraph (A) shall be posted on the publicly
21 accessible website described in paragraph (1).

22 **SEC. 3. TRANSFER OF FUNDS.**

23 (a) TASK FORCE MEMBER SALARIES.—Notwith-
24 standing any other provision of law, the Director of the
25 Office of Personnel Management shall withhold the sala-

1 ries of all Federal employees who serve on the Task Force
2 and deposit an amount equal to all such salaries to the
3 permanent judgment appropriation established pursuant
4 to section 1304 of title 31, United States Code (commonly
5 known as the “Judgment Fund”), until the amount so de-
6 posited is equal to the total amount paid (or obligated to
7 be paid) to aliens as a result of all consent decrees and
8 settlement agreements entered into pursuant to Executive
9 Order 14011 in which an alien is awarded \$1 or more.

10 (b) CERTAIN DEPARTMENT HEADS AND EXECUTIVE
11 OFFICE OF THE PRESIDENT SALARIES.—Notwith-
12 standing any other provision of law, the Director of the
13 Office of Personnel Management shall withhold the sala-
14 ries of the Attorney General, the Secretary of Health and
15 Human Services, the Secretary of Homeland Security, the
16 Secretary of State, and all employees of the Executive Of-
17 fice of the President and deposit an amount equal to all
18 such salaries to the permanent judgment appropriation es-
19 tablished pursuant to section 1304 of title 31, United
20 States Code (commonly known as the “Judgment Fund”),
21 until the amount so deposited is equal to the total amount
22 paid (or obligated to be paid) to aliens as a result of all
23 consent decrees and settlement agreements entered into

- 1 pursuant to Executive Order 14011 in which an alien is
- 2 awarded \$1 or more.

