

(5) expresses appreciation for and honors the courageous, heroic, valiant, and virtuous actions of Elisjsha Dicken, known as the “Good Samaritan”.

SENATE RESOLUTION 741—TO EXPRESS THE SENSE OF THE SENATE REGARDING THE CONSTITUTIONAL RIGHT OF STATE GOVERNORS TO REPEL THE DANGEROUS ONGOING INVASION ACROSS THE UNITED STATES SOUTHERN BORDER

Mr. MARSHALL submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 741

Whereas, during a 2019 Democratic presidential primary debate, President Biden called for “all those people seeking asylum” to “immediately surge to the border”;

Whereas, during a 2019 Democratic presidential primary debate, President Biden raised his hand when candidates were asked if their health plans will provide coverage for illegal immigrants;

Whereas, during a 2020 Democratic presidential primary debate, President Biden pledged support for “sanctuary cities” when he stated that illegal immigrants arrested by local police should not be turned over to Federal immigration authorities;

Whereas, on January 20, 2021, one of President Biden’s first actions as President was sending proposed legislation, the U.S. Citizenship Act, to Congress, which would provide a path to citizenship for an estimated 10,000,000 to 12,000,000 illegal immigrants who are currently residing in the United States;

Whereas, on January 20, 2021, President Biden also issued a “Proclamation on the Termination Of Emergency With Respect To The Southern Border Of The United States And Redirection Of Funds Diverted To Border Wall Construction”, which halted construction of physical barriers along the international border between the United States and Mexico, and he later terminated existing border wall construction contracts and failed to obligate more than \$1,000,000,000 that Congress had lawfully appropriated for border wall construction;

Whereas, on January 20, 2021, President Biden also halted enrollments in the Migrant Protection Protocols policy, which is also known as the “remain in Mexico” program;

Whereas on February 6, 2021, U.S. Secretary of State Antony Blinken suspended and terminated the Asylum Cooperative Agreements with the Governments of El Salvador, of Guatemala, and of Honduras;

Whereas in March 2022, the Department of Homeland Security began implementing the interim final rule titled “Procedures for Credible Fear Screening and Consideration of Asylum, Withholding of Removal, and CAT Protection Claims by Asylum Officers” which authorizes U.S. Citizenship and Immigration Services to consider the asylum applications of individuals subject to expedited removal and violates the law enacted by Congress that requires asylum seekers to offer evidence to persuade a judge in an immigration court;

Whereas, during fiscal year 2021, U.S. Immigration and Customs Enforcement executed 59,000 deportations, which represents the lowest number of deportations since fiscal year 2008, and fewer than 1/3 as many deportations as the number of people who were deported during fiscal year 2020, and is significantly lower than the 226,000 to 410,000 removals that occurred every fiscal year since 2008;

Whereas, during fiscal year 2021, U.S. Immigration and Customs Enforcement—

(1) arrested 48 percent fewer convicted criminals than had been arrested during the prior fiscal year;

(2) deported 63 percent fewer criminals than had been deported in the prior fiscal year; and

(3) issued 56 percent fewer “detainer requests” to local authorities than had been issued in the prior fiscal year;

Whereas, during fiscal year 2021, U.S. Customs and Border Protection made more than 1,700,000 arrests of illegal immigrants along the international border between the United States and Mexico, which is the highest level ever recorded, and is on pace to arrest more than 2,000,000 illegal immigrants along such border during fiscal year 2022;

Whereas, on April 1, 2022, President Biden announced the termination of a public health policy used to expel potentially infected illegal immigrants during the COVID-19 pandemic (commonly known as “title 42”);

Whereas, on September 30, 2021, Department of Homeland Security Secretary Alejandro Mayorkas issued a memorandum titled “Guidelines for the Enforcement of Civil Immigration Law”, which stated that an alien’s illegal status in the United States should not be the sole basis of an enforcement action and prioritized for apprehension and removal aliens who are a threat to national security, public safety, or border security;

Whereas, on October 12, 2021, Secretary Mayorkas issued a memorandum titled “Worksite Enforcement: The Strategy to Protect the American Labor Market, the Conditions of the American Worksite, and the Dignity of the Individual”, which included Department-wide guidance to cease mass worksite operations, among other instructions;

Whereas, on October 27, 2021, Secretary Mayorkas issued a memorandum titled “Guidelines for Enforcement Actions in or Near Protected Areas”, which listed numerous protected areas where the enforcement of Federal immigration law should not occur;

Whereas, in May 2022, U.S. Customs and Border Protection arrested 239,416 illegal immigrants along the international border between the United States and Mexico, which is the highest number of arrests ever recorded in a single month;

Whereas President Biden’s fiscal year 2023 budget request aims to shift the Department of Homeland Security’s border management away from enforcement and toward “effectively managing irregular migration along the Southwest border”;

Whereas U.S. Customs and Border Protection has apprehended illegal immigrants from Mexico, Guatemala, El Salvador, Nicaragua, Cuba, Haiti, Brazil, other Central and Latin American nations, Turkey, India, Russia, and other nations outside of the Western Hemisphere;

Whereas U.S. Customs and Border Patrol has apprehended 50 people since October 1, 2021 along the international border between the United States and Mexico who are listed on the Federal Bureau of Investigations’ terrorist screening database;

Whereas, U.S. Customs and Border Protection arrested more than 7,000 illegal aliens in fiscal year 2022 who have been convicted of 1 or more crimes in the United States or abroad, including—

(1) 219 convicted sexual criminals;

(2) 45 who were convicted of homicide or manslaughter;

(3) 195 who were convicted of illegal weapons possession, transport, or trafficking;

(4) 561 who were convicted of burglary, robbery, larceny, theft, or fraud; and

(5) 711 who were convicted of assault, battery, or domestic violence;

Whereas, during fiscal year 2021, U.S. Customs and Border Protection seized—

(1) 11,203 pounds of fentanyl;

(2) 5,400 pounds of heroin;

(3) 191, 824 pounds of methamphetamine;

(4) 97,638 pounds of cocaine; and

(5) 10,848 pounds of ketamine;

Whereas, provisional data from the National Center for Health Statistics of the Centers for Disease Control and Prevention estimates that there were 107,622 drug overdose deaths in the United States during 2021, an increase of nearly 15 percent from the estimated 93,655 deaths in 2020, with overdose deaths involving opioids increasing from an estimated 70,029 in 2020 to an estimated 80,816 in 2021, and overdose deaths from synthetic opioids (primarily fentanyl), psychostimulants (such as methamphetamine), and cocaine also increasing during 2021.

Whereas clause 1 of section 10 of article I of the United States Constitution states, in part, “No State shall, without the Consent of Congress . . . engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.”;

Whereas section 4 of article IV of the United States Constitution states, in part, “The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion”;

Whereas, in the context of known security concerns due to a lack of proper vetting processes and systems, and in conjunction with how the mass unlawful movement of people across the border of the United States directly empowers and enriches cartels and transnational gangs, the totality of such activity constitutes an invasion;

Whereas, on October 26, 2021, Arizona State Representative Jake Hoffman sent a letter to Arizona Attorney General Mark Brnovich requesting a formal legal opinion determining whether President Biden has violated his obligations to protect Arizona from invasion under section 4 of article IV of the United States Constitution; and

Whereas, on February 7, 2022, Arizona Attorney General Mark Brnovich issued a formal legal opinion, which states, in part—

(1) “The on-the-ground violence and lawlessness at Arizona’s border caused by cartels and gangs is extensive, well-documented, and persistent. It can satisfy the definition of ‘actually invaded’ and ‘invasion’ under the U.S. Constitution.”; and

(2) “Arizona retains the independent authority under the State Self-Defense Clause to defend itself when actually invaded.”; Now, therefore, be it

Resolved, That the Senate finds that—

(1) President Biden’s dereliction of duty and failure to take care that the laws be faithfully executed at our southern border has directly put the citizens of all 50 States in danger and has resulted in loss of life;

(2) the violent activity and smuggling of drugs, humans, guns, and other illicit goods carried out by drug cartels and transnational criminal organizations, and the crossing of the international border between legal ports of entry by significant numbers of individuals contrary to the laws of the United States, meet the definitions of—

(A) “actually invaded” under clause 3 of section 10 of article I of the United States Constitution; and

(B) “invasion” under section 4 of article IV of the United States Constitution; and

(3) Governors of all 50 States possess the authority and power as Commander-in-Chief of their respective States to repel the invasion described in paragraph (2).

SENATE RESOLUTION 742—DESIGNATING SEPTEMBER 25, 2022, AS “NATIONAL LOBSTER DAY”

Mr. KING (for himself, Ms. COLLINS, Mr. WHITEHOUSE, Mr. MURPHY, Ms. WARREN, Ms. HASSAN, Mr. REED, Mr. MARKEY, Mrs. SHAHEEN, and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 742

Whereas lobstering has served as an economic engine and family tradition in the United States for centuries;

Whereas thousands of families in the United States make their livelihoods from catching, processing, or serving lobsters;

Whereas the lobster industry employs people of all ages year-round, and many harvesters begin fishing as children and stay in the industry for their entire working lives;

Whereas the lobster industry has spearheaded sustainability measures for more than 150 years, ensuring the health of the lobster stock and the marine environment;

Whereas consumers are looking to add more sustainable seafood to their diets, and more people are enjoying lobster at home;

Whereas historical lore notes that lobster likely joined turkey on the table at the very first Thanksgiving feast in 1621, and lobster continues to be a mainstay during many other holiday traditions;

Whereas lobster harvesters are evolving and diversifying their businesses to help maintain the health of the ocean, including through kelp farming, which absorbs carbon dioxide from seawater;

Whereas throughout history, Presidents of the United States have served lobster at their inaugural celebrations and state dinners with international leaders;

Whereas lobster is a versatile source of lean protein that is low in saturated fat and high in vitamin B12;

Whereas lobster is continually incorporated into foods such as pho, gnocchi, doughnuts, cocktails, ice cream, and butter;

Whereas the peak of the lobstering season in the United States occurs in late summer;

Whereas the Unicode Consortium added a lobster to its emoji set in 2018 in recognition of the popularity of the species around the world;

Whereas lobsters have inspired artists in the United States and throughout the world for hundreds of years;

Whereas lobsters have been, and continue to be, used as mascots for sports teams;

Whereas lobster inspires innovation of all kinds beyond the culinary realm, including skincare, fertilizers, and biodegradable golf balls;

Whereas countless people in the United States enjoy lobster rolls to celebrate summer, from beaches to backyards and from fine-dining restaurants to lobster shacks; and

Whereas lobster is a staple on the menus of beloved restaurants across the United States and in kitchens across the United States as well, bringing families and friends together: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 25, 2022, as “National Lobster Day”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 743—CONGRATULATING THE COLORADO AVALANCHE ON WINNING THE 2022 STANLEY CUP FINAL

Mr. HICKENLOOPER (for himself and Mr. BENNETT) submitted the following resolution; which was considered and agreed to:

S. RES. 743

Whereas, on June 26, 2022, the Colorado Avalanche (referred to in this preamble as the “Avs”) won the 2022 National Hockey League (referred to in this preamble as the “NHL”) Stanley Cup Final;

Whereas the 2022 Stanley Cup Final is the third Stanley Cup Final won by the Avs in the 27 years in which the franchise has competed in the NHL;

Whereas, on the way to winning the 2022 Stanley Cup Final, the Avs defeated—

(1) the Nashville Predators in the first round;

(2) the St. Louis Blues in the second round;

(3) the Edmonton Oilers in the Western Conference Finals; and

(4) the Tampa Bay Lightning in the Stanley Cup Final;

Whereas Avs defenseman Cale Makar won the 2022 Conn Smythe Trophy, which is awarded to the most valuable player in the Stanley Cup playoffs;

Whereas, during the 2021–2022 NHL season—

(1) Avs defenseman Cale Makar won the James Norris Memorial Trophy, which is awarded to the best defenseman during the regular season;

(2) Avs General Manager Joe Sakic won the Jim Gregory General Manager of the Year Award;

(3) Avs right wing Mikko Rantanen led the team in both goals scored, with 36, and total points, with 92;

(4) Avs center Nazem Kadri led the team in total assists, with 59;

(5) Avs defenseman Devon Toews led the team in plus/minus points, with 52; and

(6) Avs goaltender Darcy Kuemper led the team in total wins, with 37; and

Whereas the entire Avs roster contributed to the 2022 Stanley Cup victory, including Hunter Miska, Trent Miner, Darcy Kuemper, Pavel Francouz, Justus Annunen, Devon Toews, Ryan Murray, Keaton Middleton, Roland McKeown, Josh Manson, Cale Makar, Jacob MacDonald, Kurtis MacDermid, Jack Johnson, Erik Johnson, Samuel Girard, Bowen Byram, Mikko Rantanen, Logan O'Connor, Valeri Nichushkin, Martin Kaut, Nicolas Aube-Kubel, Mikhail Maltsev, Artturi Lehkonen, Gabriel Landeskog, J.T. Compher, Andre Burakovsky, Nico Sturm, Dylan Sikura, Alex Newhook, Jayson Megna, Stefan Matteau, Nathan MacKinnon, Nazem Kadri, Darren Helm, Jean-Luc Foudy, and Andrew Coglianor: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Colorado Avalanche (referred to in this resolution as the “Avs”) and the loyal fan base of the Avs on becoming the 2022 National Hockey League Stanley Cup champions; and

(2) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to members of the Avs’ ownership, management, and coaching staff, namely—

(A) owners Stan Kroenke, Ann Walton Kroenke, Josh Kroenke, and Kroenke Sports & Entertainment;

(B) Executive Vice President and General Manager Joe Sakic; and

(C) Head Coach Jared Bednar.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5194. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table.

SA 5195. Mr. SCHUMER (for Mr. CORNYN (for himself and Ms. HASSAN)) proposed an amendment to the bill S. 734, to amend the Child Abuse Prevention and Treatment Act to provide for grants in support of training and education to teachers and other school employees, students, and the community about how to prevent, recognize, respond to, and report child sexual abuse among primary and secondary school students.

TEXT OF AMENDMENTS

SA 5194. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 5376, to provide for reconciliation pursuant to title II of S. Con. Res. 14; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Inflation Reduction Act of 2022”.

TITLE I—COMMITTEE ON FINANCE

Subtitle A—Deficit Reduction

SEC. 10001. AMENDMENT OF 1986 CODE.

Except as otherwise expressly provided, whenever in this subtitle 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 Internal Revenue Code of 1986.

PART 1—CORPORATE TAX REFORM

SEC. 10101. CORPORATE ALTERNATIVE MINIMUM TAX.

(a) IMPOSITION OF TAX.—

(1) IN GENERAL.—Paragraph (2) of section 55(b) is amended to read as follows:

“(2) CORPORATIONS.—

“(A) APPLICABLE CORPORATIONS.—In the case of an applicable corporation, the tentative minimum tax for the taxable year shall be the excess of—

“(i) 15 percent of the adjusted financial statement income for the taxable year (as determined under section 56A), over

“(ii) the corporate AMT foreign tax credit for the taxable year.

“(B) OTHER CORPORATIONS.—In the case of any corporation which is not an applicable corporation, the tentative minimum tax for the taxable year shall be zero.”.

(2) APPLICABLE CORPORATION.—Section 59 is amended by adding at the end the following new subsection:

“(k) APPLICABLE CORPORATION.—For purposes of this part—

“(1) APPLICABLE CORPORATION DEFINED.—

“(A) IN GENERAL.—The term ‘applicable corporation’ means, with respect to any taxable year, any corporation (other than an S corporation, a regulated investment company, or a real estate investment trust) which meets the average annual adjusted financial statement income test of subparagraph (B) for one or more taxable years which—

“(i) are prior to such taxable year, and

“(ii) end after December 31, 2021.

“(B) AVERAGE ANNUAL ADJUSTED FINANCIAL STATEMENT INCOME TEST.—For purposes of this subsection—

“(i) a corporation meets the average annual adjusted financial statement income test for a taxable year if the average annual