

access for aliens granted deferred action pursuant to the final rule submitted by the Department of Homeland Security titled "Deferred Action for Childhood Arrivals" (87 Fed. Reg. 53152 (August 30, 2022)), further encouraging illegal aliens to enter the United States;

Whereas on May 3 2023, the Office of the Inspector General of the Department of Homeland Security issued a report titled "Intensifying Conditions at the Southwest Border Are Negatively Impacting CBP and ICE Employees' Health and Morale";

Whereas in June 2023, the Committee on Homeland Security of the House of Representatives opened an investigation into Secretary of Homeland Security Mayorkas for dereliction of duty;

Whereas in June 2023, an estimated 16,800,000 illegal aliens resided in the United States, which represents an increase of an estimated 16 percent during the first 2 years of the Biden presidency;

Whereas on June 30, 2023, U.S. Customs and Border Protection announced the expansion of available CBP One appointments to 1,450 per day;

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 10,800 illegal aliens during fiscal year 2023 who have been convicted of 1 or more crimes in the United States or abroad, including—

- (1) 225 convicted sexual criminals;
- (2) 24 who were convicted of homicide or manslaughter;
- (3) 232 who were convicted of illegal weapons possession, transport, or trafficking;
- (4) 644 who were convicted of burglary, robbery, larceny, theft, or fraud; and
- (5) 924 who were convicted of assault, battery, or domestic violence;

Whereas, during fiscal year 2022, U.S. Customs and Border Protection seized—

- (1) 14,599 pounds of fentanyl;
- (2) 1,871 pounds of heroin;
- (3) 175,410 pounds of methamphetamine;
- (4) 70,293 pounds of cocaine; and
- (5) 13,755 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 363—SUPPORTING CONTINUED UNITED STATES AND TAIWAN COOPERATION IN EDUCATION

Mrs. BLACKBURN (for herself and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 363

Whereas Mandarin is the second most spoken language in the world with more than 1,000,000,000 speakers;

Whereas Mandarin is a critical language that is essential to United States national security and prosperity, as identified by the Department of State Critical Language Scholarship Program;

Whereas learning a foreign language benefits students academically and improves critical thinking, communication, and knowledge of different cultures;

Whereas the internet has made it easier for companies to serve a global market and employers report favoring candidates who can speak a foreign language;

Whereas, in December 2020, the U.S.-Taiwan Education Initiative, a two-way educational exchange between the two countries, was created—

- (1) to expand opportunities for students from the United States to learn Mandarin from Taiwanese teachers;
- (2) to promote United States educators choosing Taiwan as a destination to teach English; and

(3) to deepen educational cooperation between the United States and Taiwan;

Whereas the U.S.-Taiwan Education Initiative coincides with widespread closures of Confucius Institutes in the United States and around the world;

Whereas there continues to be high student demand for studies relating to Mandarin language, culture, and history delivered in a censorship and coercion-free environment; and

Whereas, due to continuing political, economic, and security challenges, there is a need for continued access to the Mandarin language and expertise in Taiwan affairs: Now, therefore, be it

Resolved, That the Senate—

- (1) supports the U.S.-Taiwan Education Initiative; and
- (2) encourages—

(A) institutions of higher education to continue partnering with Taiwan in order to meet the demand for Mandarin instruction and learning programs;

(B) schools, school districts, and State and local educational agencies to host teacher exchange programs, such as those offered by the Department of State Teachers of Critical Language Program; and

(C) United States teachers to choose Taiwan as a destination to learn Mandarin and to teach English, particularly through the J. William Fulbright Educational Exchange Program.

SENATE RESOLUTION 364—RELATING TO PROCEEDINGS OF THE SENATE IN THE EVENT OF A PARTIAL OR FULL SHUTDOWN OF THE FEDERAL GOVERNMENT

Mr. BENNET (for himself and Ms. ERNST) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 364

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "Shutdown Accountability Resolution".

SEC. 2. PROCEEDINGS OF THE SENATE DURING A FULL OR PARTIAL GOVERNMENT SHUTDOWN.

(a) DEFINITIONS.—In this section—

(1) the term "Government shutdown" means a lapse in appropriations for 1 or more agencies of the Federal Government; and

(2) the term "Sergeant at Arms" means the Sergeant at Arms and Doorkeeper of the Senate.

(b) CONVENING OF THE SENATE.—

(1) IN GENERAL.—Notwithstanding any rule or order of the Senate, during the period of a Government shutdown—

(A) the Senate shall convene at 8:00 a.m. each day, unless the body is in continuous session; and

(B) it shall not be in order to ask for, and the Presiding Officer shall not entertain a request for, unanimous consent to change the hour or day on which the Senate shall convene under subparagraph (A).

(2) SENATE NOT IN SESSION.—If the Senate is not in session on the first calendar day of a Government shutdown, the majority leader, after consultation with the minority leader, shall notify Members of the Senate that, pursuant to this standing order, the Senate shall convene at 8:00 a.m. on the next calendar day of the Government shutdown.

(c) PRESENCE OF A QUORUM.—

(1) IN GENERAL.—During the period of a Government shutdown, and notwithstanding any provision of the Standing Rules of the Senate—

(A) immediately after the Presiding Officer takes the chair in accordance with rule IV of the Standing Rules of the Senate, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum; and

(B) 1 hour after the presence of a quorum has last been demonstrated, the Presiding Officer shall direct the Clerk to call the roll to ascertain the presence of a quorum.

(2) LACK OF QUORUM.—

(A) IN GENERAL.—If, upon a calling of the roll under paragraph (1), it shall be ascertained that a quorum is not present—

(i) the Presiding Officer shall direct the Clerk to call the names of any absent Senators; and

(ii) following the calling of the names under clause (i), the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a ye-a-and-nay vote the question: “Shall the Sergeant at Arms and Doorkeeper of the Senate be directed to request the attendance of absent Senators?”.

(B) DIRECTION TO COMPEL ATTENDANCE.—If a quorum is not present 15 minutes after the time at which the vote on a question submitted under subparagraph (A)(ii) starts, the Presiding Officer shall, without intervening motion or debate, submit to the Senate by a ye-a-and-nay vote the question: “Shall the Sergeant at Arms and Doorkeeper of the Senate be directed to compel the attendance of absent Senators?”.

(C) ARREST OF ABSENT SENATORS.—Effective 1 hour after the Sergeant at Arms is directed to compel the attendance of absent Senators under subparagraph (B), if any Senator not excused under rule XII of the Standing Rules of the Senate is not in attendance, the Senate shall be deemed to have agreed an order that reads as follows: “Ordered, That the Sergeant at Arms and Doorkeeper of the Senate be directed to arrest absent Senators; that warrants for the arrests of all Senators not sick nor excused be issued under the signature of the Presiding Officer and attested by the Secretary, and that such warrants be executed without delay.”.

(D) REPORTS.—Not less frequently than once per hour during proceedings to compel the attendance of absent Senators, the Sergeant at Arms shall submit to the Senate a report on absent Senators, which shall—

(i) be laid before the Senate;

(ii) identify each Senator whose absence is excused;

(iii) identify each Senator who is absent without excuse; and

(iv) for each Senator identified under clause (iii), provide information on the current location of the Senator.

(3) REGAINING THE FLOOR.—If a Senator had been recognized to speak at the time a call of the roll to ascertain the presence of a quorum was initiated under paragraph (2)(A), and if the presence of a quorum is established, that Senator shall be entitled to be recognized to speak.

(d) ADJOURNING AND RECESSING.—During the period of a Government shutdown—

(1) a motion to adjourn or to recess the Senate shall be decided by a ye-a-or-nay vote;

(2) if a quorum is present, the Presiding Officer shall not entertain a request to adjourn or recess the Senate by unanimous consent or to vitiate the yeas and nays on such a motion by unanimous consent;

(3) a motion to adjourn or a motion to recess made during the period beginning at 8:00 a.m. and ending at 11:59 p.m., shall only be agreed to upon an affirmative vote of two-thirds of the Senators present and voting, a quorum being present; and

(4) if the Senate must adjourn due to the absence of a quorum, the Senate shall reconvene 2 hours after the time at which it ad-

journs and ascertain the presence of a quorum in accordance with subsection (c)(1).

(e) NO SUSPENSION OF REQUIREMENTS.—The Presiding Officer may not entertain a request to suspend the operation of this standing order by unanimous consent or motion.

(f) CONSISTENCY WITH SENATE EMERGENCY PROCEDURES AND PRACTICES.—Nothing in this standing order shall be construed in a manner that is inconsistent with S. Res. 296 (108th Congress) or any other emergency procedures or practices of the Senate.

(g) STANDING ORDER.—This section shall be a standing order of the Senate.

SENATE RESOLUTION 365—HONORING THE 50TH ANNIVERSARY OF THE NATIONAL CEMETERY ADMINISTRATION OF THE DEPARTMENT OF VETERANS AFFAIRS

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

S. RES. 365

Whereas, in 1973, Congress passed the National Cemeteries Act of 1973 (Public Law 93-43), creating an agency within the Veterans Administration to oversee the national cemetery system;

Whereas, in 2023, the National Cemetery Administration (NCA) celebrates 50 years of upholding a sacred duty to inter, honor, and memorialize those who have served in the United States Armed Forces;

Whereas the National Cemetery Administration operates and ensures perpetual care of 155 national cemeteries and 34 soldiers' lots and monument sites that honor and serve as the final resting places for 4,000,000 veterans representing every era throughout the history of the United States;

Whereas the National Cemetery Administration provides burial and memorial benefits for eligible veterans and family members, at no cost, including—

(1) a gravesite or niche in any national cemetery with available space;

(2) opening and closing of the grave and perpetual care; and

(3) a government headstone, marker, or medallion, burial flag, and Presidential memorial certificate;

Whereas the establishment of the Veterans Cemetery Grants Program (VCGP) has furthered the commitment of the United States to the proper burial and honoring of veterans by awarding more than \$1,000,000,000 to assist States, Territories, and Tribal governments in establishing, expanding, and operating veterans' cemeteries that complement and help expand burial access;

Whereas, through the VCGP, the National Cemetery Administration has provided grant funding to 122 veterans' cemeteries in 49 States, Tribal trust lands, and Territories including Guam, Saipan, and Puerto Rico;

Whereas, in fiscal year 2022, the National Cemetery Administration processed more than 350,000 requests for headstones, markers, and medallions to honor veterans and their loved ones in national, State, Tribal, and private cemeteries, and issued more than 463,000 Presidential memorial certificates to the family members of veterans;

Whereas the sacred landscapes in national cemeteries and grant-funded veterans' cemeteries serve as places of solemn remembrance to convey the stories of generations of veterans encompassing the entirety of United States history, including 529 recipients of the Medal of Honor and those honored by nearly 1,370 military memorial monuments;

Whereas the consistent commitment of the National Cemetery Administration to “national shrine” standards of care for 50 years has preserved the beauty of the sites that veterans and their families deserve, welcoming more than 1,700,000 visitors at national cemeteries in fiscal year 2022, and has immortalized those who lay at rest on those sacred grounds, ensuring that all visitors, past and present, are able to bear witness to the serene and historic shrines and leave with a sense of awe and gratitude for the sacrifices those heroes made for the United States;

Whereas the National Cemetery Administration has been awarded a score of 97, the highest achieved score on record, in the reputable American Customer Satisfaction Index, leading all organizations, public or private, for the seventh consecutive time, a testament to the exemplary service of National Cemetery Administration team members to veterans and their families;

Whereas the National Cemetery Administration established the Veterans Legacy Program (VLP), which has funded 35 programs that engage students and teachers in communities large and small to further educate themselves and their communities on the legacies and service of veterans by using the expansive resources within the Department of Veterans Affairs, resulting in the production of over 2,500 veteran biographies, 50 documentary videos, and over 100 lesson plans; and

Whereas the National Cemetery Administration continues to memorialize the stories and sacrifices of veterans through the Veterans Legacy Memorial (VLM), a digital interactive platform created to preserve the memories of nearly 5,000,000 veterans laid to rest in cemeteries managed and funded by the Department of Veterans Affairs, Department of Defense cemeteries, and National Park Service cemeteries: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the National Cemetery Administration, on its 50th anniversary, having stood firm in its mission of ensuring proper final resting places adhering to national shrine standards that commemorate the extraordinary commitment of veterans and their families to the United States;

(2) recognizes that the National Cemetery Administration has been a driving force in the preservation of, and passing down, the heroic heritage and stories of members of the United States Armed Forces of all backgrounds, from all corners of the United States, and in educating future generations on the importance of the service and sacrifice of veterans; and

(3) commends the individuals who work for the National Cemetery Administration for their continued excellence ensuring that the veterans of the United States are forever honored and remembered in the hallowed grounds of the national cemeteries of the Department of Veterans Affairs.

SENATE RESOLUTION 366—DESIGNATING SEPTEMBER 2023 AS “SCHOOL BUS SAFETY MONTH”

Mrs. FISCHER (for herself and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 366

Whereas, in an average year, on every school day in the United States, approximately 506,520 public and private school buses carry more than 26,000,000 K-12 students to and from school;