

Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Cell and Gene Therapy Access Model: Request for Applications from Applicable Manufacturers" received in the Office of the President of the Senate on March 19, 2024; to the Committee on Finance.

EC-4020. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's Annual Performance Report for fiscal year 2023 and Annual Performance Plan for fiscal year 2024-2025 received in the Office of the President pro tempore; to the Committee on Finance.

EC-4021. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Streamlining the Medicaid, Children's Health Insurance Program, and Basic Health Program Application, Eligibility, Determination, Enrollment, and Renewal Processes" (RIN0938-AU00) received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2024; to the Committee on Finance.

EC-4022. A communication from the Senior Attorney, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Regulations Improving and Strengthening the Enforcement of Trade Remedies Through the Administration of the Anti-dumping and Countervailing Duty Laws" (RIN0625-AB23) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2024; to the Committee on Finance.

EC-4023. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 911(d)(4)—2023 Update" (Rev. Proc. 2024-17) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2024; to the Committee on Finance.

EC-4024. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Program for Contract Year 2024—Remaining Provisions and Contract Year 2025 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, Medicare Cost Plan Program, and Programs of All-Inclusive Care for the Elderly" (RIN0938-AV24) (RIN0938-AU96) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2024; to the Committee on Finance.

EC-4025. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the Office of the Inspector General, Department of Treasury received in the Office of the President of the Senate on March 21, 2024; to the Committee on Finance.

EC-4026. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant General Counsel (Treasury)/Chief Counsel, Department of Treasury received in the Office of the President of the Senate on March 21, 2024; to the Committee on Finance.

EC-4027. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury,

transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant General Counsel (Treasury)/Chief Counsel, Department of Treasury received in the Office of the President of the Senate on March 21, 2024; to the Committee on Finance.

EC-4028. A communication from the Regulations Writer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Omitting Food From In-Kind Support and Maintenance Calculations" (RIN0960-AI60) received during adjournment of the Senate in the Office of the President of the Senate on April 4, 2024; to the Committee on Finance.

EC-4029. A communication from the Senior Legal Advisor for Regulatory Affairs, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of Civil Monetary Penalties" received in the Office of the President of the Senate on February 28, 2024; to the Committee on Finance.

EC-4030. A communication from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled "March 2024 Report to Congress on Medicaid and CHIP"; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DURBIN (for himself and Mr. SCHATZ):

S. 4119. A bill to limit the use of solitary confinement and other forms of restrictive housing in immigration detention, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. Kaine, Mr. Baldwin, Mr. Wyden, Mr. King, Mrs. Gillibrand, Mr. Fetterman, Mrs. Duckworth, Mr. Heinrich, Mr. Welch, Mr. Blumenthal, Ms. Stabenow, Ms. Smith, Mr. Van Hollen, Mrs. Murray, Mr. Sanders, Ms. Klobuchar, Mr. Brown, Ms. Butler, Mr. Merkley, Mr. Markey, Mr. Booker, Mr. Peters, Ms. Warren, and Ms. Cantwell):

S. 4120. A bill to support the direct care professional workforce, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. Coons, and Mr. Schatz):

S. 4121. A bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons and the United States Marshals Service, and for other purposes; to the Committee on the Judiciary.

By Mr. VANCE (for himself and Ms. HASSAN):

S. 4122. A bill to amend title XIX of the Social Security Act to develop national quality standards for continuous skilled nursing services provided through Medicaid, and for other purposes; to the Committee on Finance.

By Ms. BALDWIN (for herself, Mr. Manchin, Mr. Brown, Mr. Whitehouse, Mr. Van Hollen, Mr. Markey, Ms. Warren, Ms. Klobuchar, Mr. Sanders, Mr. Reed, Mr. Kaine, Mr. Welch, Mr. Booker, Ms. Hirono, and Mr. Schatz):

S. 4123. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities; to the Committee on Finance.

By Ms. HASSAN (for herself and Mr. TILLIS):

S. 4124. A bill to authorize the Secretary of the Interior to conduct a study to assess the suitability and feasibility of designating the Canterbury Shaker Village Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. Warnock, Mrs. Blackburn, Mr. Coons, Mr. Hickenlooper, and Mr. Scott of Florida):

S. 4125. A bill to establish the Jackie Robinson Ballpark National Commemorative Site in the State of Florida, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. YOUNG (for himself, Ms. Hassan, Mrs. Blackburn, and Ms. Cantwell):

S. Res. 640. A resolution commemorating and supporting the goals of "World Quantum Day"; considered and agreed to.

By Mr. SULLIVAN (for himself, Mr. Padilla, Ms. Lummis, Mr. Cramer, Mr. Warnock, Mr. Ricketts, Mr. Carper, and Mr. Whitehouse):

S. Res. 641. A resolution designating the week of April 7 through April 13, 2024, as "National Water Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 133

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 133, a bill to extend the National Alzheimer's Project.

S. 134

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. Coons) was added as a cosponsor of S. 134, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 138

At the request of Mr. MERKLEY, the names of the Senator from Idaho (Mr. Risch) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 138, a bill to amend the Tibetan Policy Act of 2002 to modify certain provisions of that Act.

S. 502

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 502, a bill to amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

S. 815

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 895

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 895, a bill to provide for further comprehensive research at the National Institute of Neurological Disorders and Stroke on unruptured intracranial aneurysms.

S. 1053

At the request of Mr. BRAUN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1053, a bill to amend title 5, United States Code, to limit the use of taxpayer funded union time for employees of the Internal Revenue Service, and for other purposes.

S. 1418

At the request of Mr. CASSIDY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1418, a bill to amend the Children's Online Privacy Protection Act of 1998 to strengthen protections relating to the online collection, use, and disclosure of personal information of children and teens, and for other purposes.

S. 1573

At the request of Mr. BENNET, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1573, a bill to reauthorize the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act.

S. 2048

At the request of Mr. BLUMENTHAL, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 2048, a bill to repeal the Protection of Lawful Commerce in Arms Act, and provide for the discoverability and admissibility of gun trace information in civil proceedings.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2278

At the request of Mr. LANKFORD, the names of the Senator from Georgia (Mr. OSSOFF) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2278, a bill to establish Image Adjudicator and Supervisory Image Adjudicator positions in the U.S. Customs and Border Protection Office of Field Operations.

S. 2477

At the request of Mr. THUNE, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 2477, a bill to amend title XVIII of the Social Security Act to provide pharmacy payment of certain services.

S. 2626

At the request of Mr. RUBIO, the name of the Senator from Colorado

(Mr. HICKENLOOPER) was added as a cosponsor of S. 2626, a bill to impose sanctions with respect to the Supreme Leader of Iran and the President of Iran and their respective offices for human rights abuses and support for terrorism.

S. 3197

At the request of Ms. ERNST, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Missouri (Mr. HAWLEY) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 3197, a bill to establish and authorize funding for an Iranian Sanctions Enforcement Fund to enforce United States sanctions with respect to Iran and its proxies and pay off the United States public debt and to codify the Export Enforcement Coordination Center.

S. 3300

At the request of Mr. WYDEN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 3300, a bill to require a report on the competitiveness of United States exports of specialty crops.

S. 3356

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3356, a bill to amend title 18, United States Code, to modify the role and duties of United States Postal Service police officers, and for other purposes.

S. 3376

At the request of Mr. BROWN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3376, a bill to provide for the liquidation or reliquidation of certain entries of steel and aluminum products retroactively approved for exclusion from certain duties during the COVID-19 pandemic.

S. 3426

At the request of Mr. MARKEY, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 3426, a bill to reauthorize the YouthBuild program, and for other purposes.

S. 3452

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3452, a bill to authorize the Secretary of Veterans Affairs to determine the eligibility or entitlement of a member or former member of the Armed Forces described in subsection (a) to a benefit under a law administered by the Secretary solely based on alternative sources of evidence when the military service records or medical treatment records of the member or former member are incomplete because of damage or loss of records after being in the possession of the Federal Government, and for other purposes.

S. 3531

At the request of Mr. LEE, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S.

3531, a bill to prohibit actions to carry out the Department of Commerce's pause in the issuance of new export licenses for certain exports under the Commerce Control List.

S. 3560

At the request of Mr. KING, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 3560, a bill to amend title 38, United States Code, to authorize pre-enrollment of certain combat service members of the Armed Forces in the system of annual patient enrollment of the Department of Veterans Affairs.

S. 3770

At the request of Mr. MERKLEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3770, a bill to amend the Public Health Service Act to authorize grants to support schools of nursing in increasing the number of nursing students and faculty and in program enhancement and infrastructure modernization, and for other purposes.

S. 3775

At the request of Ms. COLLINS, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 3775, a bill to amend the Public Health Service Act to reauthorize the BOLD Infrastructure for Alzheimer's Act, and for other purposes.

S. 3791

At the request of Mr. CARPER, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3791, a bill to reauthorize the America's Conservation Enhancement Act, and for other purposes.

S. 3812

At the request of Ms. ERNST, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 3812, a bill to provide firearm licensees an opportunity to correct statutory and regulatory violations, and for other purposes.

S. 3940

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 3940, a bill to amend the Internal Revenue Code of 1986 to provide for a first-time homebuyer credit, and for other purposes.

S. 3943

At the request of Mr. PADILLA, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3943, a bill to require a plan to improve the cybersecurity and telecommunications of the U.S. Academic Research Fleet, and for other purposes.

S. 3984

At the request of Mr. CORNYN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3984, a bill to amend the State Justice Institute Act of 1984 to authorize the State Justice Institute to provide awards to certain organizations to

establish a State judicial threat intelligence and resource center.

S. 4004

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 4004, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 4046

At the request of Mr. BROWN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 4046, a bill to amend title 38, United States Code, to modify authorities relating to the collective bargaining of employees in the Veterans Health Administration, and for other purposes.

S. 4051

At the request of Mr. LEE, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 4051, a bill to prohibit transportation of any alien using certain methods of identification, and for other purposes.

S. RES. 628

At the request of Mr. SCHATZ, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from Oregon (Mr. MERKLEY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Hawaii (Ms. HIRONO), the Senator from Massachusetts (Ms. WARREN), the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. MURPHY) and the Senator from California (Ms. BUTLER) were added as cosponsors of S. Res. 628, a resolution supporting the goals and ideals of the Rise Up for LGBTQI+ Youth in Schools Initiative, a call to action to communities across the country to demand equal educational opportunity, basic civil rights protections, and freedom from erasure for all students, particularly LGBTQI+ young people, in K-12 schools.

S. RES. 638

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. Res. 638, a resolution calling for the immediate release of Ryan Corbett, a United States citizen who was wrongfully detained by the Taliban on August 10, 2022, and condemning the wrongful detention of Americans by the Taliban.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. SCHATZ):

S. 4119. A bill to limit the use of solitary confinement and other forms of restrictive housing in immigration detention, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4119

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Restricting Solitary Confinement in Immigration Detention Act of 2024”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Solitary confinement reforms.
- Sec. 4. Reassessment of detained noncitizens’ mental health.
- Sec. 5. Oversight responsibilities.
- Sec. 6. Private cause of action.
- Sec. 7. Rulemaking.
- Sec. 8. Authorization of appropriations.
- Sec. 9. Effective date.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE LEVEL OF CARE.—The term “appropriate level of care” means the appropriate treatment setting for mental health care that a detained noncitizen with mental illness requires, which may include outpatient care, emergency or crisis services, day treatment, supported residential housing, infirmary care, or inpatient psychiatric hospitalization services.

(2) INTELLECTUAL DISABILITY.—The term “intellectual disability” means a significant mental impairment characterized by significant limitations in intellectual functioning and adaptive behavior.

(3) LONGER-TERM SEPARATION.—The term “longer-term separation” means a nonpunitive form of separation that removes a detained noncitizen from the general population of a detention center or other facility in which the noncitizen is being detained for—

(A) investigative, protective, or preventative reasons because of a substantial and immediate threat to the safety or security of the detained noncitizen, other detained noncitizens, staff, or the public; or

(B) temporary administrative reasons.

(4) MULTIDISCIPLINARY STAFF COMMITTEE.—The term “multidisciplinary staff committee” means a committee—

(A) composed of staff at the facility at which a detained noncitizen resides who are responsible for reviewing the initial placement of the noncitizen in longer-term separation and any extensions of time in longer-term separation; and

(B) that includes—

(i) not fewer than 2 licensed mental health professionals;

(ii) not fewer than 2 medical professionals; and

(iii) not fewer than 1 member of the leadership of the facility.

(5) NONCITIZEN.—The term “noncitizen” has the meaning given the term “alien” in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(6) PROTECTION CASE.—The term “protection case” means a detained noncitizen who, by the request of the noncitizen or through a staff determination, requires protection.

(7) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(8) SERIOUS MENTAL ILLNESS.—The term “serious mental illness” means—

(A) a finding by a qualified mental health professional that the detained noncitizen is at serious risk of substantially deteriorating mentally or emotionally while confined in solitary confinement or longer-term separation, or already has so deteriorated while confined in solitary confinement or longer-term separation, such that diversion or removal is deemed to be clinically appropriate by a qualified mental health professional; or

(B) a current or recent diagnosis by a qualified mental health professional of 1 or more of the following disorders and any comparable disorders described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders:

(i) Schizophrenia or another psychotic disorder.

(ii) Major depressive disorder.

(iii) Any type of bipolar disorder.

(iv) A neurodevelopmental disorder, dementia, or other cognitive disorder, including autism spectrum disorder.

(v) Any disorder commonly characterized by breaks with reality or perceptions of reality.

(vi) Any type of anxiety disorders.

(vii) Trauma or stressor related disorder.

(viii) Severe personality disorders.

(9) SOLITARY CONFINEMENT.—The term “solitary confinement” means confinement in a cell, other housing location, or other space that is not shared space conducive to meaningful group interaction, whether alone or with 1 or more other detained noncitizens.

(10) SUBSTANTIAL AND IMMEDIATE THREAT.—The term “substantial and immediate threat” means a set of circumstances that require immediate action in order to combat a significant threat to the safety of a detained noncitizen, other detained noncitizens, staff, or the public.

(11) U.S. CUSTOMS AND BORDER PROTECTION FACILITY.—The term “U.S. Customs and Border Protection facility” means—

(A) a detention facility owned and administered by U.S. Customs and Border Protection; or

(B) a Federal, State, local, or private facility that has contracted (directly or indirectly) with U.S. Customs and Border Protection to detain noncitizens in Federal custody, and regardless of any time limits that exist for the duration of the detention in such a facility.

(12) U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT FACILITY.—The term “U.S. Immigration and Customs Enforcement facility” means—

(A) a detention facility owned and administered by U.S. Immigration and Customs Enforcement; or

(B) a Federal, State, local, or private facility that has contracted (directly or indirectly) with U.S. Immigration and Customs Enforcement to detain noncitizens in Federal custody, including a facility of the United States Marshals Service that houses detained noncitizens, and regardless of any time limits that exist for the duration of the detention in such a facility.

SEC. 3. SOLITARY CONFINEMENT REFORMS.

(a) USE OF SOLITARY CONFINEMENT AND LONGER-TERM SEPARATION.—

(1) USE OF SOLITARY CONFINEMENT.—A detained noncitizen may not be placed in solitary confinement within a U.S. Immigration and Customs Enforcement or U.S. Customs and Border Protection facility unless such confinement—

(A) is necessary to address immediate circumstances that pose a substantial and immediate threat;

(B) is limited to the briefest term and the least restrictive conditions practicable, including—

(i) not more than 8 hours immediately following an incident precipitating placement in solitary confinement;

(ii) not more than 8 hours during any 24-hour period; and

(iii) not more than 16 hours during any 7-day period; and

(C) complies with the provisions of this section.

(2) USE OF LONGER-TERM SEPARATION.—A detained noncitizen may not be placed in