In the coming days, I will put forth a legislative package that accomplishes the goals of the Major Richard Star Act, and I will do so in a way that addresses the policy and cost concerns that have prevented this bill from passing the House or Senate despite widespread bipartisan support.

I ask my colleagues on both sides of the aisle to work with me on this path forward that restores benefits to retirees with combat-related disabilities, offsets the costs of those benefits, earns the support of veterans and advocates, and can feasibly pass the Senate and the House and be signed into law by the President. That would be a great day for us as a Congress, as a legislature, to make certain we do our work. More importantly, it would be a great accomplishment for the veterans who deserve the full benefits of what they have earned.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 742.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Justin D. Smith, of Missouri, to be United States Circuit Judge for the Eighth Circuit.

CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 742, Justin D. Smith, of Missouri, to be United States Circuit Judge for the Eighth Circuit.

John Thune, Tim Sheehy, Pete Ricketts, Mike Rounds, John Barrasso, Ted Budd, Jim Banks, Rick Scott of Florida, Todd Young, David McCormick, Shelley Moore Capito, Jon A. Husted, John Boozman, Mike Crapo, Katie Boyd Britt, Eric Schmitt, John R. Curtis.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate resume legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING JIM WHITTAKER

Mrs. MURRAY. Mr. President, today I come to the floor to honor a true American legend, Jim Whittaker. Jim passed away at his home in Port Townsend on April 7, 2026, at the age of 97. A memorial in his honor will be held at the Mountaineers in Seattle on Sunday, June 14.

Jim was born and raised, along with his twin Lou, in West Seattle. A towering figure, Jim was nicknamed ''Big Jim,'' and he more than lived up to the moniker.

Born February 10, 1929, as a young boy, the mountains called to him, and by the 1940s he was exploring with the Boy Scouts and the Mountaineers. In 1948, he and his brother began running guiding services on Mount Rainier, eventually taking over management of that operation.

In 1953, Jim answered the call to serve during the Korean war. He served at the Army's Mountain and Cold Weather command in Colorado, providing training to the 10th Mountain Division in skiing, climbing, mountain maneuvers, and bivouacs.

Following an honorable discharge, Jim began another adventure: heading the first retail store for the fledging REI Co-op. Over 25 years, he helped build REI, eventually becoming CEO and president. Under his leadership, it became a national brand focused on providing quality outdoor gear and fulfilling environmental conservation goals.

Throughout this time, Jim's passion for big mountains never faded and led to one of the greatest achievements in American mountaineering history. In 1963, Jim and his Sherpa partner Nawang Gombu summitted Mount Everest. Jim was the first American to accomplish this feat. He was awarded the Hubbard Medal by President John F. Kennedy, who became a family friend.

Building on this incredible achievement, in 1978, Jim led the American expedition to K2, largely considered one of the most difficult and dangerous peaks in the world. The expedition achieved the first ascent of K2, and Jim's leadership was crucial during harrowing times on the mountain.

The word legend can become overused and diminished—not in ''Big Jim's'' case. Jim's life and legacy inspired generations of Americans to pursue heights they could only previously dream of.

Beyond the mountains, Jim had a passion for sailing, conserving pristine landscapes in the Pacific Northwest, and for his family. I had the opportunity to meet Jim personally a few years ago and was honored to stand side by side with him in the fight to conserve our majestic State and protect the Wild Olympics.

His legacy will live on for generations to come in his daring adventures, his efforts to pass on protected landscapes for future generations, and through the incredible family and friends who shared in his adventures.

We should all look to the passion with which Jim lived his life day in and day out as an example to follow on our own journeys and adventures.

SECURE AMERICA ACT

Mr. MERKLEY. Mr. President, I submit this statement on behalf of Senator DURBIN, Ranking Member of the Judiciary Committee; Senator PETERS, Ranking Member of the Committee on Homeland Security and Governmental Affairs; and myself.

Federal law prohibits bills enacted through the budget reconciliation process from effectuating primarily substantive changes to law that are not related to fiscal policy. The budget reconciliation process is reserved for changes to the Federal budget and specifically precludes the inclusion of ''extraneous'' matters, including any provision whose budgetary effect is ''merely incidental'' to its nonbudgetary policy components. These limitations on the reconciliation process are commonly referred to as the ''Byrd rule'' after Senator Robert Byrd, who championed their enactment. So long as these limitations, among several others, are adhered to, a budget reconciliation bill can pass the Senate with only simple majority votes; but any language that does not comply with the Byrd rule is subject to a point of order that requires 60 votes to waive. In practice, the minority scrutinizes every provision of a reconciliation bill and challenges those it believes violate the Byrd rule in litigation before the Senate Parliamentarian, which occurs before the Senate considers the bill on the floor. In response to successful challenges, the majority often strikes or revises text ahead of floor consideration.

This statement highlights sections of S. 2, the Secure America Act, the fiscal year 2026 reconciliation bill passed by the Senate on June 5, 2026, to further demonstrate that provisions passed through the reconciliation process must be read in accordance with the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110–457; 122 Stat. 5044), hereinafter the TVPRA, the Flores Settlement Agreement, and other applicable laws.

On May 4, 2026, Homeland Security and Governmental Affairs Committee—or HSGAC—Chair PAUL released the

proposed Senate HSGAC title of what became S. 2, the Secure America Act. This proposed text included language concerning screenings of unaccompanied children in Section 3(a)(6) that was identical to Section 90004(a)(6) of Public Law 119–21, the fiscal year 2025 reconciliation bill commonly known as the ''One Big Beautiful Bill Act.'' The May 4, 2026, HSGAC title also included language to provide funding for the purposes under title IX of Public Law 119–21, therefore carrying forward section 90003 regarding detention capacity and section 90004(a)(6) of that law.

The Trump administration is currently relying on provisions of Public Law 119–21, which are identical to section 3(a)(6) and referenced by section 4 in the proposed May 4, 2026, HSGAC title, to contravene legislative provisions for the identification and screening of unaccompanied children and to override a settlement agreement governing the care and custody of children detained in U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection—or CBP—custody. For instance, the Department of Justice cited section 90003 of Public Law 119–21 in district and appellate briefs where they assert the authority to detain families indefinitely in family residential centers. In its implementation of section 90004(a)(6) of Public Law 119–21, CBP has changed its screening of unaccompanied children. Under this new processing mechanism, CBP claims it is now permitted to ask unaccompanied children from noncontiguous countries to withdraw applications for admission to the United States. Such substantive policy overrides would not comply with the Byrd rule.

Given the administration's position on the fiscal year 2025 reconciliation bill, the minority challenged section 3(a)(6) and section 4 of the May 4, 2026, HSGAC text as violating the Byrd rule because the administration would again incorrectly claim that this language constitutes congressional authorization of their new policies related to unaccompanied children and family detention. The Parliamentarian sustained the Democrats' challenges to section 3(a)(6) and section 4, as indicated by a May 14, 2026, press release published by the U.S. Senate Committee on the Budget. Senate Republicans then released a subsequent version of the HSGAC title, specifically the text reported out of HSGAC on May 19, 2026, and the Budget Committee on May 20, 2026, which removed the offending language regarding unaccompanied children in section 3 and the reference to Public Law 119–21 in section 4. These changes reinforce that neither congressional intent nor statutory authorization should be read into, or inferred from, either Public Law 119–21 or the Secure America Act, to change the implementation of immigration law or override settlement agreements, including the TVPRA and the Flores Settlement Agreement.

On May 4, 2026, U.S. Senate Judiciary Committee Chair GRASSLEY released the proposed Senate Judiciary Committee title of what became S. 2, the Secure America Act. This proposed text allocated funds to the U.S. Departments of Justice and Homeland Security through fiscal year 2029. It included language in section 3 to provide $2.5 billion for the purposes provided in the title as well as in part II of subtitle A of title X of Public Law 119–21.

Since its passage, the Trump administration has relied upon section 100051(8) of Public Law 119–21 to set aside legal protections enshrined in the TVPRA for unaccompanied children. The TVPRA limits voluntary withdrawal to children from contiguous countries, and it states that, absent ''exceptional circumstances,'' children from noncontiguous countries must be transferred to Office of Refugee Resettlement custody within 72 hours of entering CBP custody and placed in full removal proceedings. In a recent letter to Senator WYDEN, however, CBP Commissioner Scott wrote: ''The language in Section 100051(8) of [Public Law 119–21] makes it permissible to allow certain [unaccompanied children] who are screened and determined to be eligible—including those from noncontiguous countries—the opportunity to withdraw their application for admission and voluntarily return to their country of origin, if they choose to do so.'' In another telling example, the administration relied on section 100051(8) in attempting to overturn a 40-year-old permanent injunction requiring that unaccompanied children receive written notice of the right to a hearing in immigration court and access to a telephone to call a responsible adult or lawyer. As with the HSGAC title, however, such substantive policy changes would not comply with the Byrd rule.

Given the Parliamentarian's determinations with respect to the HSGAC title, and in light of the positions taken by the administration that provisions of Public Law 119–21 override the TVPRA, the minority then challenged the proposed text of section 3 in the Judiciary title. That text was also amended in the subsequent version released by Senate Republicans ahead of floor consideration. In order to meet the requirements of the Byrd rule, proposed section 3—which became section 203 of S. 2, the Secure America Act—was narrowed to remove references to provisions related to the treatment of unaccompanied children. The final language allocated $2.5 billion to the purposes provided in the Judiciary title or for paragraphs (3) or (7) of section 100051 of Public Law 119–21 only. Further still, to avoid future misapplications of funds issued through the budget reconciliation process, in section 202(9) of S. 2, the Secure America Act, provisions funding certain immigration enforcement actions emphasize that such funds must be utilized ''in accordance with existing laws.''

These changes reinforce that provisions in either Public Law 119–21 or the Secure America Act are not intended to change the implementation of immigration law or to override settlement agreements, including the TVPRA and the Flores Settlement Agreement.

GREAT APES

Mr. WELCH. Mr. President, my predecessor Senator Patrick Leahy is known for many groundbreaking pieces of legislation over the course of his 48 years in the Senate. But he was also responsible for many initiatives that are not so well known, and I want to speak briefly about one of them.

From 1989 until his retirement in 2023, Senator Leahy served as either chairman or ranking member of the Appropriations Subcommittee on the Department of State Foreign Operations, and Related Programs which among other things funds U.S. assistance around the world. During those years, he built a record of strong support for programs to protect tropical forests and endangered species, which are under siege from illegal logging, mining, industrial scale agriculture, urban encroachment, and wildlife poaching and trafficking. One of those programs established by Senator Leahy was to protect our closest ancestors, the four species of great apes: orangutans, gorillas, chimpanzees, and bonobos.

Each of these species faces the threat of extinction in the wild due to habitat loss and poaching. Some are killed for meat; others are captured and sold as pets. On the islands of Borneo and Sumatra, the only places where orangutans live, the rainforests are being cut down at a furious pace to make way for vast palm oil plantations. Habitat loss and poaching are similarly threatening the survival of the other three species of great apes in Africa.

By the end of President Trump's first term, funding to protect great apes had reached $45 million annually. The funds were administered by USAID and used by nongovernment organizations in Indonesia, Rwanda, Tanzania, and the Democratic Republic of the Congo for anti-poaching initiatives and strengthening law enforcement in local biological reserves and along international borders; promoting sustainable land use and forest management to safeguard areas critical to great apes; and working with local villagers to develop sustainable livelihoods and reduce reliance on poaching or destructive agricultural practices. USAID also partnered with the U.S. Fish and Wildlife Service through its Great Apes Conservation Fund, which provided grants for field projects in Africa and Indonesia.

In addition, the State Department's Bureau of International Narcotics and Law Enforcement Affairs has supported programs to strengthen the capacity of local law enforcement in Africa and Asia to combat wildlife trafficking and