

118TH CONGRESS
1ST SESSION

S. 3187

To require the Department of Homeland Security to publish various publications and reports regarding the number of aliens seeking entry along the southern border of the United States.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1, 2023

Mr. CORNYN (for himself, Mr. TILLIS, Mr. COTTON, Mr. TUBERVILLE, Ms. COLLINS, Mr. HAGERTY, Mr. VANCE, Ms. LUMMIS, Mr. LANKFORD, Mr. RICKETTS, Mr. BUDD, Mr. YOUNG, Mr. DAINES, Mr. LEE, Mr. GRASSLEY, Mr. CRAMER, Mrs. HYDE-SMITH, Mr. MARSHALL, Mr. HOEVEN, Mr. KENNEDY, Mr. CRUZ, Mr. HAWLEY, Mrs. BRITT, Mrs. BLACKBURN, Mr. CASSIDY, and Mr. GRAHAM) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Department of Homeland Security to publish various publications and reports regarding the number of aliens seeking entry along the southern border of the United States.

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. SHORT TITLE.**

4 This Act may be cited as the “Southern Border
5 Transparency Act of 2023”.

1 **SEC. 2. MONTHLY PUBLICATION OF PAROLE AT PORTS OF**
2 **ENTRY.**

3 Not later than 30 days after the date of the enact-
4 ment of this Act, and monthly thereafter, the Commis-
5 sioner of U.S. Customs and Border Protection shall pub-
6 lish on the U.S. Customs and Border Protection website,
7 with respect to the applicable reporting period—

8 (1) the number of aliens granted parole under
9 section 212(d)(5) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1182(d)(5)) at each United
11 States port of entry;

12 (2) the number of aliens encountered between
13 land ports of entry who were subsequently granted
14 parole, disaggregated by the U.S. Border Patrol sec-
15 tor;

16 (3) the citizenship or nationality of the aliens
17 described in paragraphs (1) and (2); and

18 (4) the demographic category of the aliens de-
19 scribed in paragraphs (1) and (2), including—

20 (A) accompanied minors;

21 (B) aliens granted parole as part of a fam-
22 ily unit;

23 (C) single adults; and

24 (D) unaccompanied alien children.

1 **SEC. 3. QUARTERLY REPORT ON PROCESSING ALIENS AT**
2 **SOUTHERN BORDER PORTS OF ENTRY.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of the enactment of this Act, and quarterly there-
5 after, the Secretary of Homeland Security shall—

6 (1) submit a report containing the information
7 described in subsection (b) to—

8 (A) the Committee on the Judiciary of the
9 Senate;

10 (B) the Committee on Homeland Security
11 and Governmental Affairs of the Senate;

12 (C) the Committee on the Judiciary of the
13 House of Representatives; and

14 (D) the Committee on Homeland Security
15 of the House of Representatives; and

16 (2) post such report on the Department of
17 Homeland Security website.

18 (b) CONTENTS.—The report required under sub-
19 section (a) shall include, with respect to the applicable re-
20 porting period—

21 (1) the number of aliens apprehended or other-
22 wise encountered—

23 (A) at each port of entry along the south-
24 ern border of the United States; and

25 (B) within each U.S. Border Patrol sector
26 along the southern border of the United States;

1 (2) the number of aliens described in paragraph
2 (1), disaggregated by—

3 (A) citizenship or nationality;

4 (B) demographic categories, including ac-
5 companied minors, aliens granted parole as part
6 of a family unit, single adults, and unaccom-
7 panied alien children;

8 (C) those who were granted voluntary de-
9 parture;

10 (D) those who were placed into expedited
11 removal proceedings; and

12 (E) those who entered into a process or
13 outcome not described in subparagraph (C) or
14 (D), including a description of such process or
15 outcome;

16 (3) the number of aliens described in paragraph
17 (2)(D), disaggregated by the number of such aliens
18 who received a credible fear screening interview pur-
19 suant to section 235(b)(1)(B) of the Immigration
20 and Nationality Act (8 U.S.C. 1225(b)(1)(B)) or a
21 reasonable fear screening interview;

22 (4) the number of aliens described in paragraph
23 (3), disaggregated by—

1 (A) the number of aliens determined to
2 have a credible fear of persecution or a reason-
3 able fear of persecution; and

4 (B) the number of aliens determined not to
5 have a credible fear of persecution or a reason-
6 able fear of persecution;

7 (5) the number of aliens described in paragraph
8 (4)(A), disaggregated by the number of aliens de-
9 tained pursuant to section 235(b)(1)(B)(iii)(IV) of
10 the Immigration and Nationality Act (8 U.S.C.
11 1225(b)(1)(B)(iii)(IV));

12 (6) the number of aliens described in paragraph
13 (4)(B), disaggregated by—

14 (A) those who were removed from the
15 United States;

16 (B) those who were detained pending re-
17 moval; and

18 (C) those who are not described in sub-
19 paragraph (A) or (B); and

20 (7) a description of any actions taken against
21 the aliens described in paragraph (6)(C).

1 **SEC. 4. QUARTERLY REPORT ON PAROLE REQUESTS PROC-**
2 **ESSED BY U.S. CITIZENSHIP AND IMMIGRA-**
3 **TION SERVICES.**

4 Not later than 30 days after the date of the enact-
5 ment of this Act, and quarterly thereafter, the Director
6 of U.S. Citizenship and Immigration Services shall pub-
7 lish, on the U.S. Citizenship and Immigrations Services
8 website—

9 (1) the number of petitions for parole submitted
10 to U.S. Citizenship and Immigration Services pursu-
11 ant to section 212(d)(5) of the Immigration and Na-
12 tionality Act (8 U.S.C. 1182(d)(5)); and

13 (2) the number of such petitions that were
14 granted by U.S. Citizenship and Immigration Serv-
15 ices, disaggregated by the nationality of the peti-
16 tioner.

17 **SEC. 5. ANNUAL REPORT ON ALIENS PAROLED INTO THE**
18 **UNITED STATES.**

19 Section 602(b) of the Illegal Immigration Reform and
20 Immigrant Responsibility Act of 1996 (8 U.S.C. 1182
21 note) is amended to read as follows:

22 “(b) ANNUAL REPORT TO CONGRESS.—

23 “(1) IN GENERAL.—Not later than 90 days
24 after the end of each fiscal year, the Secretary of
25 Homeland Security shall submit a report to the
26 Committee on the Judiciary of the Senate, the Com-

1 committee on Homeland Security and Governmental Af-
2 fairs of the Senate, the Committee on the Judiciary
3 of the House of Representatives, and the Committee
4 on Homeland Security of the House of Representa-
5 tives that identifies the number of aliens paroled
6 into the United States pursuant to section 212(d)(5)
7 of the Immigration and Nationality Act (8 U.S.C.
8 1182(d)(5)), disaggregated by those who are—

9 “(A) of a particular nationality;

10 “(B) single adults;

11 “(C) traveling in a family group;

12 “(D) children accompanied by an adult
13 family member; or

14 “(E) unaccompanied alien minors.

15 “(2) CONTENTS.—Each report required under
16 paragraph (1) shall include—

17 “(A) the total number of aliens paroled
18 into the United States during the fiscal year
19 immediately preceding the fiscal year in which
20 such report is submitted, disaggregated by—

21 “(i) citizenship or nationality; and

22 “(ii) demographic categories, includ-
23 ing accompanied minors, aliens granted pa-
24 role as part of a family unit, single adults,
25 and unaccompanied alien children;

1 “(B) for each fiscal year for which the De-
2 partment of Homeland Security reports the in-
3 formation described in subparagraph (A) re-
4 garding aliens described in such subpara-
5 graph—

6 “(i) the number of such aliens who
7 were granted employment authorization;

8 “(ii) the number of aliens described in
9 clause (i) who had valid employment au-
10 thorization at the end of the previous fiscal
11 year;

12 “(iii) the number of such aliens whose
13 parole has not ended, including those who
14 exited the United States during the pre-
15 vious fiscal year;

16 “(iv) the number of such aliens whose
17 status was adjusted, disaggregated by sta-
18 tus type;

19 “(v) the number of such aliens for
20 whom parole was extended, including those
21 who exited the United States;

22 “(vi) the number of such aliens for
23 whom the duration of parole expired, in-
24 cluding those who exited the United
25 States; and

1 “(vii) the number of aliens who re-
2 turned to Department of Homeland Secu-
3 rity custody from which they were paroled,
4 disaggregated by the categories listed in
5 subparagraphs (A) through (E) of para-
6 graph (1).”.

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