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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Lord, our God, You rule the raging of the sea. You are the giver of our lives, and we belong to You. Sustain our lawmakers with Your everlasting arms. Direct their actions as they seek to glorify You. Lord, surround them with Your gracious favor so they may more fully serve You faithfully. Deliver them from discord and disunity through the power of Your prevailing providence.

And, Lord, we thank You for the life, contributions, and legacy of our Assistant Parliamentarian, Michael Phillip Beaver. Sustain his loved ones and friends during this season of grief.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to a member of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. BLUNT). The majority leader is recognized.

REMEMBERING MICHAEL BEAVER

Mr. MCCONNELL. Mr. President, I wish to pay respects to a member of the Senate family who tragically passed away last week. Michael Beaver was a talented attorney who served as the Senate's Assistant Parliamentarian.

That followed service as deputy legislative counsel for the State of California.

Michael was just 39 years old. He leaves behind his wife, Gilda, his two beloved sons, Bradley and Connor, his parents, and an extended family that mourns his loss. They are joined by Michael's colleagues here on the Senate staff, in the Secretary's office, and with the floor staff on both sides of the aisle and throughout our whole institution. The Senate's prayers are with all of Michael's family and friends at this immensely difficult hour.

NOMINATION OF KURT ENGELHARDT

Mr. MCCONNELL. Mr. President, on a totally different matter, this week the Senate will consider another slate of extremely well-qualified nominees for seats on the Federal bench. A thoughtful, independent, and expert judiciary is a cornerstone of our constitutional order. It has been the case since the very beginning of our country.

Accordingly, the six circuit court nominees we will now consider have excellent reputations in the legal field and have demonstrated they understand the proper role of Federal judges in our government.

First up is Kurt Engelhardt, of Louisiana, the President's choice to serve on the Fifth Circuit Court of Appeals. The Senate previously confirmed Judge Engelhardt by voice vote to the Federal trial bench in the Eastern District of Louisiana. Since then, he has only strengthened his reputation for fairness and thoughtfulness.

In the latest edition of the Almanac of the Federal Judiciary, his legal peers describe him as "very conscientious" and "fair and independent minded." The American Bar Association agrees. It awarded Judge Engelhardt its highest possible rating of "unanimously well qualified." I urge every

one of our colleagues to join me in voting to advance Judge Engelhardt's nomination later this afternoon.

TAX REFORM

Mr. MCCONNELL. Mr. President, on one final matter, in storefront windows across America, new signs are going up—signs that many communities haven't seen literally in years. Here is what the signs say: "Now Hiring." Just 16 months into the Trump administration and this Republican Congress, the percentage of American workers who are unemployed, underemployed, or have given up finding a job is already smaller than it ever was in any of the Obama years. In fact, it hasn't been this low since 2001. Let me say that again. Less unemployment, underemployment, and discouragement today than at any point in the last 17 years. Or we can look at how many Americans are receiving unemployment benefits. The answer is this: fewer today than at any time since—listen to this—1973.

We all know that these economic indicators can be noisy, but the big overall shift from the Obama era is impossible to deny. Republican policies have taken Washington's foot off the brake of the U.S. economy. We have rolled back a host of job-killing regulations. We have passed historic tax reform for middle-class families and job creators. These Republican policies have helped to unleash a dynamic, growing economy that is producing many more new jobs. It is putting the stagnation of the last decade literally to shame. That means sidelined workers get the chance to check back into the game. It means renewal is coming to so many small towns, small cities, and rural areas that had to sit and watch as Democratic policies funneled nearly all of the new wealth and new jobs into our Nation's biggest and bluest urban areas. It means higher wages, as local businesses are forced to compete again for the best workers.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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I recently read about a man named Chandler Steffy. He owns a roofing company in Iowa. Three years ago, in the Obama economy, his laborers earned less than \$15 an hour. Today is a different story. The unemployment rate in Iowa is under 3 percent, and Mr. Steffy pays \$25 per hour to attract the best talent. American small businesses are doing well and outbidding each other for American workers. It feels good; doesn't it?

After 10 years of Democratic policies, this had practically become a foreign concept. Not anymore—it is a new day. There is more business for job creators, which means good jobs that need filling, which leads to higher pay for workers. This is happening all over our country.

Rich Obermark owns a small contracting business in Paducah, KY. They retrofit electrical systems, A/V equipment, and gas piping. He wrote me to explain: "For our small company, the tax cuts will mean [we'll] be able to afford more trucks and tools." Tax reform, he said, "will allow us to invest back into our company, which will in turn allow us to hire more people."

There is more business, more investment, more job openings, and higher pay for workers as a consequence. After 8 years of Democratic policies, this sure is a sight for sore eyes, and this is only the beginning. These are only the early returns from Republicans' pro-opportunity, pro-worker agenda.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

REMEMBERING MICHAEL BEAVER

Mr. SCHUMER. Mr. President, we recently received some terribly bad news. Michael Beaver, the Assistant Parliamentarian of the Senate, passed away unexpectedly last week. His death at the young age of 39 is shocking in its suddenness and tragic for the family, friends, and coworkers he left behind.

Michael was incredibly bright, unfailingly honest, had a quick wit and a dry sense of humor. I know that as an Assistant Parliamentarian he was a member of a small but crucial team of behind-the-scenes staffers without whom the Senate couldn't function.

Our thoughts are with his family today, especially his wife, Gilda, and his two young boys, who will remember him as a loving and devoted father. In

the words of Scripture, "Blessed are those who mourn, for they shall be comforted."

JUDICIAL NOMINATIONS

Mr. SCHUMER. Mr. President, on another matter, as the Senate returns to work after the recess, we are scheduled to process six circuit court judges over the next few weeks. Some of these judges are noncontroversial and have received support from their home State Democratic Senators, and we will work with the majority to confirm them. But Michael Brennan, second in line this week, will receive a cloture vote on the floor of the Senate even though one of his home State Senators, Ms. BALDWIN, has not returned a blue slip for his nomination.

When hearing the facts, they are appalling—not just his ideology, although Mr. Brennan is a very conservative nominee who failed to earn the recommendation of a functioning bipartisan commission that was set up by both Senator BALDWIN, a Democrat, and Senator JOHNSON, a Republican, to recommend Federal judicial nominees. That is how people want us to do things, in a bipartisan way. I was able to work out judge nominations in a bipartisan way in the Senate when we had a Republican President, a Republican Governor, but that was overrun. This is now the second time that Chairman GRASSLEY has ignored the blue-slip tradition in this Congress, but the part that really burns me and I think many others who are fair-minded in the Senate and this country is the fact that the seat that Mr. Brennan would fill on the Seventh Circuit was held open for 6 years—6 years—via blue slips. Senator JOHNSON did not turn in a blue slip, and the seat stayed vacant.

Now that we have a Republican President, Senator BALDWIN's blue slip is being ignored. What a double standard; what hypocrisy. When people ask whether we are being obstructionist, let the shoe fit as to what happened to this seat on the Seventh Circuit. It was historic obstruction, yet Senator LEAHY faithfully observed the blue-slip tradition and kept the circuit seat vacant for 6 years.

Listen to this. During those 6 years, none other than Mr. Brennan himself, the nominee, wrote an op-ed defending Senator JOHNSON's right to refuse to return a blue slip to the Seventh Circuit vacancy. Of course, irony of ironies, it is now Mr. Brennan who is up for confirmation over the objection of one of his home State Senators. Where is the defense of senatorial courtesy today?

Making matters worse is the fact that the far right is pushing very conservative nominees, way out of the mainstream, and the pressure on my friend—and he is my friend, the Republican leader—to ignore all of the traditions, the blue slip above all, and create this double standard is really galling.

On Wednesday of this week, the Judiciary Committee will hold a hearing on Ryan Bounds. He is also a nominee for a circuit court, this one the Ninth Circuit in Oregon. He has not received a blue slip from either Senator WYDEN or Senator MERKLEY. This will be the first time the Judiciary Chairman has allowed a nominee who lacks the support of both home State Senators to proceed, and it will be the third time this Congress that Chairman GRASSLEY—who showed himself to be a statesman when he moved the bipartisan bill on the special counsel last week, but in this case, there is no statesmanship showing—has ignored the century-old blue-slip tradition.

When Democrats held the majority, we respected the blue-slip tradition, not because it was some esoteric custom but because blue slips are a way to force consultation and consensus on judicial nominees. You don't get many nominees with a blue slip, far right or far left. Those judges tend to want to make the law, not interpret it. We want all our nominees, whether they are nominated by a Republican or Democratic President, to be qualified and to have demonstrated excellence in their careers. Blue slips were a way to encourage the Senate to come together around qualified nominees. I assume that is why 41 Republican Senators a few years back, in 2009, wrote to President Obama to say that "we, as a Conference, expect [senatorial courtesy to the blue slip tradition] to be observed, even-handedly and regardless of party affiliation."

Let me read that again. This is what Senator MCCONNELL and Senator GRASSLEY signed: "[W]e, as a Conference, expect [senatorial courtesy to the blue slip tradition] to be observed, even-handedly and regardless of party affiliation."

Majority Leader MCCONNELL and Chairman GRASSLEY both signed that letter. Today they are singing a different tune. So while we want to work with our Republican colleagues to confirm nominees expeditiously, we are very disappointed in the way they have trampled the blue-slip tradition.

When my colleagues come to me and say: What about comity and what about working together? It goes both ways. It goes both ways. This is appalling. It is unfair, it is wrong, and it is another degradation of how the Senate has always functioned.

HEALTHCARE

Mr. SCHUMER. Mr. President, on the subject of healthcare, last week, insurance companies in the State of Virginia announced that health insurance premiums would be much higher this coming year. More than 100,000 Virginians who rely on these plans are staring at a proposed 2019 premium that will be 15 percent or 27 percent or 64 percent higher, depending on which insurer they use. In filing their rates, the health insurers are pointing to the

actions of the Trump administration and congressional Republicans as major reasons for the premium increases. The Trump administration and our Republican friends in Congress are the reason these premiums are going up, according to insurers. They suggest that is one of the reasons.

Remember, President Trump canceled payments for the cost-sharing program, which reduces premiums and out-of-pocket expenses for low-income Americans. Republicans in Congress repealed the healthcare coverage requirement, which the CBO itself predicted would raise premiums by 10 percent more each year than they would otherwise be and result in millions more people without insurance.

Sometimes our Republican colleagues make a mistake and speak the truth and admit that they are to blame in good part for these premium increases. Former HHS Secretary Tom Price said he “believes that [repealing the individual mandate] actually will harm the pool in the exchange market, and consequently, that drives up the cost for other folks.”

This is not CHUCK SCHUMER, a Democrat; this is the Republican former Congressman, the Republican-appointed HHS Secretary saying that Republican acts are causing premiums to go up.

The sabotage doesn't end there. As we speak, the Trump administration is finalizing a rule that would expand the availability of junk insurance plans that would force higher premiums on people with preexisting conditions, impose an “age tax” on older Americans, and once again could subject Americans to the devastating effects of medical bankruptcy.

Make no mistake, all of this sabotage by Republicans has consequences. TrumpCare is already heralding double-digit premium increases in States across the country. The rates in Virginia are bad, and the rates in Maryland may be worse. Maryland insurance companies are announcing 2019 rates today, and one PPO plan is asking for a 91-percent increase—91 percent.

For the sake of a political vendetta—again, the hard right: Repeal ObamaCare; show it doesn't work—Republicans are taking it out on millions of American families by making the rates higher to prove a political point so that Donald Trump can do a few more tweets. It is not going to stick. It is not going to work. The American people know who is in charge. The Republicans have the Presidency, the House, and the Senate. The buck stops there when the rates go up.

President Trump and Republicans promised Americans a better, cheaper healthcare system. Remember, President Trump said that he is going to “take care of everybody”—those are his words—and deliver “healthcare that is far less expensive and far better.” President Trump simply has not delivered. President Trump talked and talked and talked about making

healthcare better and cheaper as he ran and while he has been President, but in every respect he has failed to deliver. In every respect he has made the problem worse.

Simply put, President Trump has dropped the ball on healthcare, and the public knows it.

REPUBLICAN TAX BILL

Mr. SCHUMER. Mr. President, finally, a word on the Republican tax bill. From the very beginning of our debate on taxes, Republicans insisted that their bill was about helping the American worker, even though the GOP tax bill directs 83 percent of its benefits to the top 1 percent. President Trump and the Republicans said it would be “a middle class miracle.”

Their theory was to give the big corporations and the wealthy a massive tax cut, and the benefits would trickle down to everyone else, even though that theory has been debunked over and over and over again. Still, President Trump repeatedly promised that workers would see a raise of \$4,000 or more as a result of the Republican tax bill.

I would like to ask most Americans if they have gotten the \$4,000 raise as the White House promised because, according to the April jobs report, hourly earnings have not increased significantly and are actually up just 2.6 percent over the past 12 months. Last month, average hourly earnings increased by just 4 cents—hardly \$4,000. No matter how you look at it, the Republican tax bill has failed to deliver anywhere close to the wage growth that was promised.

The harsh fact is that corporations aren't using the bulk of their tax savings to boost worker pay or provide additional benefits or hire more workers or buy more equipment. They are using the predominance of tax savings on something called stock buybacks. The CEO says: Let's buy back the stock. His shares go up. The shareholders' shares go up. The American worker is left holding the bag.

According to a recent analysis by JUST Capital, only 6 percent of the capital allocated by companies on the tax bill savings has gone to employees, while nearly 60 percent—10 times as much—has gone to shareholders. More than \$390 billion has been authorized this year on corporate buybacks, something we used to prohibit or make very difficult, while only \$6.7 billion has been spent on one-time bonuses and wage hikes.

There is another Republican truth teller who is now getting pommeeled a little, but I respect him—Senator MARCO RUBIO. Here is what he had to say last week:

There is still a lot of thinking on the right that if big corporations are happy, they're going to take the money they're saving and reinvest it in American workers. In fact—

These are his words. They sound like mine.

In fact they bought back shares, a few gave out bonuses; there's no evidence whatsoever that the money's been massively poured back into the American worker.

Let me repeat that. This is MARCO RUBIO, a Republican from Florida, who said: “[T]here's no evidence whatsoever that the money's been massively poured back into the American worker.”

I couldn't have said it better myself. President Trump and the Republicans promised a middle-class miracle, with tremendous raises for workers, but they once again haven't delivered. Instead, the American people have been saddled with higher deficits and a larger debt, while corporations reward wealthy executives and shareholders. Even Republican Senators are starting to admit it.

So I have heard some commentators say: Well, maybe the public says that we don't like the President's tweeting, we don't like that he changes his story, we don't like prevaricating, but at least he is delivering.

Not with the tax bill, where so much of the wealth is going to the top; not on healthcare, where premiums are going up. The American people will have the right to protest come November, which I believe they will.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Madam President, one of the items on our to-do list is continuing to confirm the President's nominees, which have faced an unprecedented level of obstruction and downright foot-dragging. It is maddening to

see our Democratic colleagues insisting that we go through all the motions and the time limits set out in the rules, when nominees are confirmed 99 to 1 or 100 to 0. In other words, these are not controversial nominees, in many cases, and there is simply no reason to drag their feet and to prevent the Senate from doing other important work, including confirming more nominees.

NOMINATION OF GINA HASPEL

We will certainly be revisiting that issue more in the coming days, but one of the important positions we are going to be taking up this week is Gina Haspel, who has been nominated to be Director of the Central Intelligence Agency. Her confirmation hearing will be before the Senate Intelligence Committee this Wednesday. I will proudly support her to be the first female CIA Director in our Nation's history—certainly not for that reason alone but because she is an outstanding nominee.

I hope our colleagues and their ideological soulmates across the aisle will cease and desist from untruthful attacks on this talented, well-respected woman who is much revered by her fellow professionals in the intelligence community.

I still have a hard time accepting the treatment that Dr. Jackson received before he was even allowed to defend himself against the accusations made against him during his nomination process for head of the Veterans' Administration. I think, when people realize their reputation that they worked all their lives to achieve is subject to being torn down by reckless and untruthful attacks, it discourages good people from wanting to serve in the U.S. Government. That is our loss and not just theirs.

I think it is important for the country's women to see someone like Ms. Haspel leading an agency as vital to our national security as the CIA. Women everywhere will be watching this week, and Democrats should show them that ambition, good character, and hard work are always welcome and rewarded in the upper echelons of the U.S. Government.

The CIA is not a partisan agency, but some partisans are endangering our national security to treat it as such when they oppose Ms. Haspel's nomination largely on ideological grounds, with scant attention being paid to the circumstances and the difficult decisions that had to be made immediately following the terrorist attacks of September 11, 2001.

In Ms. Haspel's case, we have the benefit of the fact that she served not just for a short period of time—not just in the post-9/11 world—but, literally, for 33 years. We also have the challenge of knowing that a lot of her activities on behalf of the U.S. Government and in defense of our national security were classified. They cannot be publicly disclosed without risking lives, and, certainly, they cannot disclose the methods and the sources by which that in-

formation is obtained for the intelligence community so they can then present it to the policymakers here in Washington.

We do know Ms. Haspel joined the CIA in 1985, during the final years of the Cold War. She is a career intelligence officer and has served more than 30 years, both overseas and here in Washington. She has held various leadership roles, including Deputy Director of the National Clandestine Service. She has worked in the Counterterrorism Center, where her first day of work was—you guessed it—September 11, 2001, the day the Twin Towers fell, the Pentagon was attacked, and approximately 3,000 Americans lost their lives.

Throughout her career, Ms. Haspel has held some of the most demanding assignments in far-off reaches of the globe—places like Africa and the Middle East, which she did not seek out but which she took because she saw them as her duty. That is exactly the kind of person we need leading the Central Intelligence Agency—someone who sees that as their duty.

She has received numerous awards which lend credence to her reputation and illustrate that other accomplished professionals hold her in high regard. These awards include the Presidential Rank Award, the most prestigious award in the Federal civil service. She also received the Intelligence Medal of Merit, and several others.

Her integrity and professionalism are beyond question. Those who know her best, including high-ranking Obama-era officials, are behind her 100 percent. For example, former Director of National Intelligence James Clapper said he “think[s] the world of [Ms. Haspel]. She is capable, smart, very experienced, well respected by the Agency rank and file, and is a great person.”

Leon Panetta, who was former Chief of Staff to Bill Clinton when he was President, served as CIA Director and then Secretary of Defense, says that he is “glad that [we’ll] have a first woman as [the] head of [the] CIA” and that Ms. Haspel “knows the CIA inside out.”

Former CIA Director John Brennan, who also worked under President Obama, has cited her ability to “provide unvarnished, apolitical, objective intelligence to [President] Trump and to others.”

Earlier this spring, 53 former senior U.S. officials sent the Senate Select Committee on Intelligence a letter in which they expressed their wholehearted support of Ms. Haspel. This group includes people like Secretaries of State Henry Kissinger and George Shultz, former Attorney General Michael Mukasey, and many other distinguished Americans.

Now we know, because of what has been reported in the paper by the so-called nameless, faceless sources, that some have sought to distort and twist the historical record regarding the decisions that she and other intelligence officials had to make in the post-9/11

world. I just happened to pick up an account. This is called “Manhunt” by Peter Bergen. It is a New York Times best seller. He talks about the 10-year search for Osama bin Laden from 9/11 to Abbottabad. I think he provides useful context, talking about what the environment was here in Washington and in this country after the terrible attacks of 9/11. He says:

The urgency of finding bin Laden was underlined when the CIA discovered that he had met with retired Pakistani nuclear scientists during the summer of 2001 to discuss the possibility of al Qaeda developing a nuclear device. General Richard Myers, the chairman of the Joint Chiefs, says that six weeks after 9/11, Bush told a meeting of his National Security Council that bin Laden “may have a nuclear device” big enough to destroy half of Washington. In fact, al Qaeda had nothing of the sort, but in the panicked aftermath of 9/11, such a threat could not be easily discounted.

Thankfully, while there did not prove to be any credence to the allegation that al-Qaida had potentially acquired a nuclear device that could destroy half of Washington, DC, it just helps us to think back about what the environment was and why it was so important to have professionals like Gina Haspel and others doing their job in accordance with the rule of law and trying their best to keep our country safe.

One of the most ironic complaints by opponents of this nomination is that they don't have enough information about Ms. Haspel and say she has hidden behind a wall of secrecy. Well, for somebody who has been involved as an intelligence officer in some of the most sensitive, secret, classified work on behalf of the U.S. Government for the last 33 years or so, what do they expect? The Agency has done a number of things to try to declassify some information through the Office of the Director of National Intelligence in order to give us some flavor and context to her background and her history, but it is ridiculous to expect somebody who has served their whole professional life in the clandestine service to have a public record that we could talk about in an unclassified setting.

At least organizations like the New York Times believe that “Ms. Haspel . . . is a known quantity in the CIA,” who “knows how to run intelligence operations.” She is seen in the Agency “as having loyally followed lawful orders” during the relevant period of time.

The other thing you hear are questions that have been repeated ad nauseam about some interrogation tactics used in the early days in the War on Terror, when our Nation was bracing itself for additional mass casualty terrorist attacks like the one I mentioned that President Bush feared if al-Qaida had gotten its hands on a nuclear device. The fact is, these questions have already been asked and answered and this is another rehash.

The program was investigated twice by career lawyers at the Justice Department—one under President Bush

and the other under President Obama. Those career lawyers, who have no partisan gain to make one way or the other, concluded both times that criminal charges were not warranted. Furthermore, the Justice Department, under President Obama, and multiple Federal courts have credited the work done overseas and the intelligence gained there as keeping our country safer.

I know we often talk about connecting the dots, but that is what intelligence operations do frequently. They get discrete pieces of information and try to put it together to paint a picture in order to understand what our adversaries around the world are trying to do. She was part of collecting those dots to create a picture to help inform the policy decisions being made by the President and Members of the Congress.

Finally, you will hear people talk about the destruction of videotapes of detainees, but the fact is, the so-called Morrell memo that was recently declassified provided the sort of transparency I think we would all want. It essentially exonerated Ms. Haspel of any wrongdoing regarding her supervisor's decision in 2005—not her decision—to destroy videotapes of interrogations. In it, Mr. Morrell says:

I have found no fault with the performance of Ms. Haspel. I have concluded that she acted appropriately in her role.

You can't get much clearer than that.

As our colleague, the junior Senator from Arkansas, has said, Haspel did not go rogue or make these policies on the fly. She dutifully executed the approved policy as determined by the Department of Justice, and she did so at one of the most dangerous moments in our history. That is precisely what our Nation asked of her, and that is exactly what she did.

Former CIA National Clandestine Service Director John Bennett has gone further, calling her "one of the most accomplished officers of her generation," which is high praise indeed.

Maybe former Secretary of State Condoleezza Rice said it best. She said:

If you were not in a position of authority on September 11th, you have no idea the pressures that we faced to try to make sure that this country wasn't attacked again. Walk a mile in our shoes and you'll understand some of the things that we've dealt with.

I would ask our colleagues to do just that. Walk a mile in Ms. Haspel's shoes as an intelligence officer who was sworn to defend the country, to use every lawful means in order to keep our country safe, and to remember 9/11 and the terrifying aftermath was the environment she and other people in the U.S. Government had to operate in with advice from the highest levels of legal advice provided by the Office of Legal Counsel at the Department of Justice.

Finally, let me just say what a horrible message it would send to other

patriots who feel the call to serve to not swiftly confirm Gina Haspel. What a horrible message it would send to other intelligence officers who follow lawful orders and protect our country on a daily basis. It would likely make the CIA more risk averse and, in turn, put more American lives in danger.

Based on recent news reports, we know this past week Ms. Haspel even considered withdrawing her name from consideration because she feels such fierce loyalty to the CIA that she doesn't want any political theater staged during the confirmation hearing to tarnish the Agency's reputation. That is exactly the type of person she is—putting our Nation's security and her fellow intelligence officers before her own career advancement. I am glad she has reconsidered, and she is willing to fight the fight and stay to the end and be nominated and confirmed as Director of the CIA. I, for one, am glad Ms. Haspel decided to not back down based on intimidation tactics and unsubstantiated rumors and hearsay.

We have seen one Trump nominee get unfairly smeared by half-truths and innuendo and hearsay, and we can't let that happen again.

Ms. Haspel didn't ask for this fight, but if that is what it takes to get America the best and most well-qualified person to lead the CIA, we are more than willing to wage—and to win—that fight for her and the rest of the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

PUERTO RICO RECOVERY

Mr. NELSON. Madam President, I have just returned from Puerto Rico. I went there at the invitation of Governor Rossello. I spent time with his Secretary of Housing. I spent time with members of his executive staff.

I went up into the mountains to a city named "Las Piedras," a city of some 30,000 people. According to the mayor, who took me around and showed me a number of the residential neighborhoods, 30 percent of that city does not have electricity.

It has been 8 months since the two hurricanes—first Maria and then Irma—hit the island of Puerto Rico, our fellow U.S. citizens. There are still major parts of the island that do not have electricity.

In this town of 30,000 people, you go to different locations, and in one particular location farther up in the mountains, there is no electricity.

I asked the residents: How are you coping? What do you do?

They had a generator, but because of the shortage of fuel and the cost of fuel, they can't run the generator all the time. Basically, they use it for necessities, such as cooking and other chores during the day. Therefore, they have no refrigeration.

I asked: What do you do?

They showed me. A fellow had just come from the grocery store down the mountain. Every day, they have to go

get their groceries that are perishable and cook them and consume them that day because they do not have refrigeration. This is 8 months after the hurricane. Can you imagine that happening in any of our States on the mainland? Can you imagine the degree of anger and insistence that there be a full recovery? Yet this is happening to fellow U.S. citizens on the island of Puerto Rico.

They are coping. They are a very industrious and inventive people. As they recover, they are looking at new ways instead of just relying on what in the past has been a dilapidated electrical grid. Tesla has come in. I inspected this pilot project up on top of the mountain. It is an array of solar cells—the most efficient that have been produced—and that array of solar panels is supplying electricity full time to 12 houses up on the mountain. We need more of that. We need more of that as a backup to the electrical grid and in some cases a replacement for the electrical grid since it has been so unreliable in the past.

I wanted to bring this report to the Senate. Puerto Rico will make it. Although jobs are scarce, although many thousands have fled to the mainland to stay with relatives, although many of those I met—thank goodness FEMA extended the temporary housing assistance to get those families through the end of the school year, as their children would have been uprooted in the middle of final exams and their graduations would have been disrupted had that temporary assistance not been extended through the end of June. Many of them want to go back, but there is no job to go back to, and there is a home that is now completely filled with mold and mildew. So what do they have to return to? I think we will see some number of them make their new life on the mainland. Many of those, of course, have come to my State of Florida.

My report to the Senate is that we have to do more. The Army Corps of Engineers has to keep pressing on with rebuilding the electrical grid. We must also go out and try to set up as many alternate electricity projects—like Tesla—as we can, and hopefully we will see some return to normalcy. You would have thought that 8 months after a hurricane, that would have already occurred. It has not, and I am sad to report this to the Senate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, in a few minutes we are going to be voting on President Trump's nomination of

Mr. Kurt Engelhardt to be a judge for the U.S. Court of Appeals for the Fifth Circuit, and I can't think of a nominee who is more deserving and more qualified for this job.

Judge Engelhardt is the chief judge of the U.S. District Court for the Eastern District of Louisiana. He has been on the Federal district court bench for 17 years. If you add up all of the cases he has actually tried to verdict or to judgment, I think it is somewhere in the neighborhood of 75 to 100. That is on top of hundreds—undoubtedly, thousands—of motions that he has heard. He is eminently qualified. Yet, rather than recite his resume, I wish to share a personal experience that I had in Judge Engelhardt's court.

A number of years ago, the city of New Orleans sued a major Wall Street investment bank in a dispute over a \$171 million bond issue. The bonds are called pension obligation bonds, and it is an extraordinarily complex transaction. I was called as a witness because, at that point in my life, I was the State treasurer of Louisiana and the chairman of the State bond commission, and we had jurisdiction over the bonds when they were issued.

I was not exactly sure whether I was a fact witness or an expert witness, and the lawyers fought over that for a while. My point is that I was on the stand for, maybe, 5 hours, 6 hours, and I got to observe a little bit about the case and about Judge Engelhardt.

The plaintiffs' counsel, who represented the city of New Orleans and the firefighters' pension system, were a handful of the finest lawyers in the State of Louisiana—indeed, I would say, in the country. A partner and number of associates from a major Wall Street law firm represented the Wall Street investment bank. In addition to their lawyers, there were dozens of clerks and associates and paralegals, who made it look like Bourbon Street on Saturday night because there were so many people. I remember thinking how many thousands and thousands and thousands of hours these lawyers and paralegals and clerks had spent in understanding this case. One could tell very quickly that both sides—both sets of lawyers—knew this case backward and forward and had almost memorized the depositions.

As a lawyer, it was fun for me to watch as they were going at it hammer and tongs. I mean, they could recite chapter and verse from the legal briefs, from the law books, from the depositions. Yet there was one person in that courtroom, among all of these accomplished professionals, who knew more about the case than anybody else. He was the presiding judge—Kurt Engelhardt. He had total command of the subject matter. That was not easy, as this was a very complex municipal securities offering. He had total command of the courtroom.

With both sets of lawyers being aggressive, accomplished litigators, they tested him quite often. That is what

good lawyers do. They will push the envelope. He maintained firm control without ever raising his voice, and I got to watch him in operation for 5 or 6 hours. I had never been in his courtroom before, but after watching Judge Engelhardt in operation, I understood why just about every lawyer in Louisiana who files a lawsuit in the U.S. District Court for the Eastern District of Louisiana hopes that he or she will get Judge Engelhardt for the judge, because he is that good. The only group of lawyers I know who hopes it doesn't get Judge Engelhardt for a judge in the U.S. District Court for the Eastern District of Louisiana is made up of those who are unprepared or who don't know their cases, because he is not going to tolerate the court's time being wasted.

For that reason, I am proud to stand here today, along with my colleague, the senior Senator from Louisiana, BILL CASSIDY, and recommend categorically and unequivocally—unconditionally—to my colleagues the nomination of Judge Kurt Engelhardt to be a member of the U.S. Court of Appeals for the Fifth Circuit. He will serve us proudly and well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative 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 Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

Mitch McConnell, Jerry Moran, John Cornyn, John Hoeven, John Kennedy, Johnny Isakson, Chuck Grassley, Cory Gardner, James E. Risch, Thom Tillis, Pat Roberts, David Perdue, Mike Rounds, Roy Blunt, Richard Burr, John Thune, Tom Cotton.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Georgia (Mr. ISAKSON), and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 64, nays 31, as follows:

[Rollcall Vote No. 86 Ex.]

YEAS—64

Alexander	Flake	Murphy
Barrasso	Gardner	Nelson
Bennet	Grassley	Paul
Blunt	Hatch	Perdue
Boozman	Heitkamp	Portman
Burr	Heller	Risch
Capito	Hoeven	Roberts
Carper	Hyde-Smith	Rounds
Cassidy	Inhofe	Rubio
Collins	Johnson	Sasse
Coons	Kennedy	Scott
Corker	King	Shelby
Cornyn	Klobuchar	Sullivan
Cotton	Lankford	Tester
Crapo	Leahy	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Donnelly	McCaskill	Warner
Enzi	McConnell	Wicker
Ernst	Moran	Young
Feinstein	Murkowski	
Fischer		

NAYS—31

Baldwin	Hassan	Schumer
Blumenthal	Heinrich	Shaheen
Booker	Hirono	Smith
Brown	Kaine	Stabenow
Cantwell	Markey	Udall
Cardin	Menendez	Van Hollen
Casey	Murray	Warren
Cortez Masto	Peters	Whitehouse
Durbin	Reed	Wyden
Gillibrand	Sanders	
Harris	Schatz	

NOT VOTING—5

Duckworth	Isakson	Merkley
Graham	McCain	

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 31.

The motion is agreed to.

The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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 SAM GRANATO

Mr. HATCH. Mr. President, today I wish to pay tribute to a remarkable man who was a giant in our community and who had an immeasurable impact on the lives of many, many people. Sadly, Sam Granato passed away peacefully at his home after a 2-year battle with cancer. He fought his personal medical battle the same way he approached life: with grit, determination, and perseverance.

Sam spent most of his life as a resident of Millcreek, UT, where he learned from his father, Frank, the value of

hard work. Frank taught his son the elements of the food industry, imparting to Sam invaluable lessons that he would later implement as he established and operated several Italian delis and distributed food to Utah stores and restaurants. Lunch at Granato's was a mainstay for people from all walks of life. Some of the most interesting political discussions, for people on both sides of the aisle, have taken place in the "boardrooms" of Sam's beloved restaurant.

To Sam, everyone was his best friend. Sam enthusiastically greeted every person who walked in the door of Granato's, whether he had known you for decades or had just met you. His mantra was always, "How can I help you?" Time after time, I watched Sam put his arm around someone, lean in, and offer a word of encouragement or help.

Sam contributed to so many areas of Utah life. He was a successful businessowner, an effective Salt Lake councilman, an advocate for the needy, and a loving husband and father. He often brought people together—Mormon and Catholic, Republican and Democrat—and would bridge the gaps that confronted us. He represented a better era in politics in which we focused more on where we agree than where we disagree.

With Sam's passing, Utah has lost an important member of its community. Sam was a man whose small stature belied his huge impact. Elaine and I extend our deepest sympathy and love to his wife, Ann, and to their four children. May our Heavenly Father's loving arms encircle them as they mourn his loss and celebrate his life. I will miss my friend and his kindness and support, but I know that the contributions he made will continue to bless our State for generations to come.

HONORING OFFICER PHILLIP MEACHAM

Mr. McCONNELL. Mr. President, I rise to honor the service and sacrifice of Officer Phillip Meacham, of the Hopkinsville Police Department, who lost his life in faithful service to his community.

Like all members of law enforcement, Officer Meacham put his safety at risk each and every day for those he was sworn to protect. However, on March 29, 2018, tragedy struck in a targeted act of violence when an individual impersonating a police officer fatally shot him.

For a small community like Hopkinsville, KY, Officer Meacham's killing appalled everyone to their core. This type of senseless violence had no place in their or any community, and Officer Meacham's loss sent shockwaves throughout western Kentucky. During his funeral procession, hundreds of people—both friends and total strangers—lined the streets to honor him.

Officer Meacham joined the Hopkinsville Police Department last May after

more than a decade at the Christian County Sheriff's Department. His honorable service to this community will be remembered for years to come by the men and women who served with him in uniform and by the wife and young daughter he left behind.

As the community mourns Officer Meacham, we are all reminded of the ever-present danger that the brave members of law enforcement face. Officer Meacham's courage and heroism were hallmarks of his service, and his community is safer because of him.

I would like to express my deepest condolences to Officer Meacham's family, to the Hopkinsville Police Department, and to all those who knew him. I ask my Senate colleagues to join me in honoring this Kentucky hero.

TRIBUTE TO KAY ADKINS

Mr. McCONNELL. Mr. President, I would like to take this opportunity to congratulate Dr. Kay Adkins, the president and CEO of Ashland Community and Technical College, ACTC, on her upcoming retirement after more than 5 years of leadership to this Kentucky institution. A western Kentucky native, Dr. Adkins knew this would be her last post before a well-deserved retirement that will begin at the end of June.

After earning her doctorate in educational administration from Illinois State University, Dr. Adkins held leadership positions at community colleges around the country. Just before coming back to the Commonwealth, she served as the president of Yuba College in Marysville, CA, where she found success in diversity, strategic planning, and the establishment of the Yuba College Foundation.

During her time at ACTC, Dr. Adkins helped the organization fulfill its mission to provide accessible, affordable, and quality education to its students. A member of the school's board of directors said, "She's the total package." A former chairman of the board credits her leadership with making ACTC a leader of Kentucky's community colleges.

One of her many accomplishments in Ashland was the establishment of the Holy Family Community Collegiate High School, which helps students earn 2-year degrees while they pursue a high school diploma. Dr. Adkins also strengthened the relationship between ACTC and many of Kentucky's colleges and universities, so students could transfer their credits to a 4-year program. In the face of economic hardships in the region, she helped develop second-career retraining programs to help displaced or out-of-work Kentuckians.

Dr. Adkins' efforts have already shown impressive results. Under her guidance, ACTC awarded a record number of credentials to its graduates each of the last 3 years. She has also built close ties with the employer community in an effort to increase the num-

ber of scholarships available to students and help them begin meaningful careers after graduation. Her leadership has benefited students and the community.

Now, she plans to spend retirement in her native western Kentucky with her husband, playing golf and traveling. I would like to congratulate Dr. Adkins on her successful career and thank her for years of dedication to Kentucky's students, and I urge my colleagues to join me.

TRIBUTE TO ALBERT HALE

Mr. McCONNELL. Mr. President, today it is my privilege to congratulate Albert Hale, of Laurel County, KY, on his recent retirement after more than four decades of public service to his community. Hale left his position as emergency management director for the county earlier this year, and I would like to take this opportunity to join with the men and women of Laurel County in thanking him for his diligent service.

After graduating from high school, Hale began working for the Kentucky Department of Transportation as a heavy equipment operator. Then in 1994, he added second career working on a part-time basis for the county's sheriff's department. Since he took on that new responsibility more than 20 years ago, Hale had been ready to answer any call 24 hours a day, 7 days a week.

Almost a decade later, Hale retired from the transportation department and began working full time for the sheriff's department. In that role, Hale coordinated with the U.S. Forest Service to assist in its efforts to patrol the area surrounding the Laurel Lake. In 2008, Hale left the sheriff's department for a position in the Laurel County jail's work-release program where he worked with inmates to help them find employment opportunities.

Two years later, Hale heard about a vacancy at the Laurel County Emergency Management Department. He applied and joined the department in 2010 as its director. In this role, Hale leads the support organization to help his community prepare for, respond to, and recover from a wide range of emergency situations. In this position, Hale had the opportunity to collaborate with emergency management professionals from across Kentucky.

As director, Hale remembered one particular event with great satisfaction. After a powerful tornado in Laurel County, a number of organizations and individuals came together to protect the community and to help it rebuild. In the face of a disaster, the citizens of Laurel County worked collaboratively to help their neighbors in need.

Throughout his long career, Hale has dedicated himself time and again to the service of his community. As he fondly looks back on his career, he also remembers the many family holidays

and occasions that he missed because of that service. So now, in his retirement, Hale looks forward to spending time with his wife, son, and grandchildren. However, if an unfortunate disaster were to strike the Laurel County community, Albert is ready to volunteer to serve the public once again.

I would like to join with Albert Hale's family and community in thanking him for his lifetime of service, and I ask my colleagues in the Senate to join me.

BICENTENNIAL OF WHITLEY COUNTY

Mr. MCCONNELL. Mr. President, I rise today to help Whitley County, KY, mark an impressive milestone. Founded in 1818, the county is commemorating its 200 years of heritage and success with a year full of events and celebrations. I would like to take a brief moment to join them in remembering the unique history of Whitley County.

Although the first meeting of the Whitley County Court was held on April 20, 1818, in the home of one of its earliest residents, Samuel Cox, the area's history extends back to its first exploration as early as 1750. The county was named for Colonel William Whitley, famous for fighting many battles within the area, safeguarding the Wilderness Road, and for his service in the War of 1812. The county seat, Williamsburg, was also named in his honor.

At its founding, the county was home to only 500 residents. Whitley County saw only tepid population growth during its first decades, but after the Civil War, the number of residents quickly increased. With the arrival of the L&N Railroad in 1883, the area flourished with the influx of lumber and coal jobs. Now, Whitley County is home to more than 35,000 Kentuckians.

Among the most remarkable aspects of the area is its picturesque geography. In the Cumberland Mountains, much of the county is included in the Daniel Boone National Forest. A portion of Whitley County's western border also follows the path of the Cumberland River and includes Cumberland Falls, known as the Niagara of the South. As the only place in the Western Hemisphere with regularly visible moonbows, the falls are a major source of tourism.

To celebrate its bicentennial, the county is hosting a wide range of events, focused around the official founding in April, which included a birthday party and the decorating of the downtown Williamsburg in red, white, and blue. The county will also dedicate a historical marker at the site of Samuel Cox's residence. Later in the year, Whitley County will collect items for a time capsule and host a barbeque cook-off.

I would like to join everyone in Whitley County, including Judge/Executive Pat White, Jr., in marking this occa-

sion, and I would like to ask my Senate colleagues to help me commemorate the bicentennial anniversary.

REMEMBERING PETER G. PETERSON

Mr. DURBIN. Mr. President, last month, Peter G. Peterson passed away in his home in Manhattan at the age of 91. He was a rare figure in modern American politics as a true public citizen asking politicians to be fiscally responsible.

Peter George Peterson was born Peter Petropoulos in Kearney, NE, to a Greek family. His parents came from southern Greece without any money. George, his father, took a job as a dishwasher for the Union Pacific Railroad. His mother made wine in his basement, which she sold to people. George eventually opened a Greek restaurant in Kearney and changed the family name to Peterson. At age eight, Peter would work the register at this place. The family never had much wealth.

Almost everyone knew him as Pete. His family was so frugal that Pete and his brother took turns using the same bath water on Saturday nights. The Great Depression taught him lessons that he would message to the country for the rest of his life: Never spend more than one earns, even in the worst of times.

Pete developed into a business wonder. He finished top in his class in high school, attended Massachusetts Institute of Technology, and Northwestern University. In the 1950s, Pete was an advertising executive for the legendary McCann Erickson agency before he was 30. Within a decade, he became chief executive for Bell and Howell electronics.

Pete answered the call for service in 1971, becoming the White House Assistant for International Economic Affairs and, eventually, Commerce Secretary for a brief period of time for President Nixon, but he was never a White House insider. Partisans distrusted him because he was too comfortable with Democrats. He left a year into the post before scandal engulfed the White House.

He was nearsighted and colorblind, but he had a clear vision of where he thought the country should go. Pete built a career that made him one of the few captains of business stretching into public life. He was chairman of the Council on Foreign Relations for 22 years and led government commissions and advisory bodies. Pete also helped found the incredibly successful Blackstone Group and became chairman of the Federal Reserve Bank of New York. He was a member of President Bill Clinton's Bipartisan Commission on Entitlement and Tax Reform as well.

Pete's leadership as a fiscal watchdog might be his greatest achievement. Since the 1970s, Pete has challenged leaders of both parties to address the country's dangerous fiscal path. He launched the Institute for Inter-

national Economics in 1981, which became the Peterson Institute for International Economics in 2006. Pete was the founding president of the bipartisan Concord Coalition, which included former Democratic Senator Paul Tsongas and former Republican Senator Warren Rudman in 1992 to advocate for generationally responsible fiscal policy.

The national debt is not a partisan problem; it is an American problem. Pete wrote several books challenging both parties to come together and fix it. The Peter G. Peterson Foundation, which he founded in 2006, has kept the conversation alive and pushed put the country on a sustainable fiscal path. Members of both parties and all walks of life have come to foundation events to participate in providing solutions to long-term fiscal challenges. I was at a few of them.

Pete's life is a reminder that we need to work together to serve future generations. He is survived by his wife, Joan Ganz Cooney; and five children, John, Jim, David, Holly, and Michael Peterson; a brother, John; and nine grandchildren.

ENFORCING BUDGETARY LEVELS FOR FISCAL YEAR 2019

Mr. ENZI. Mr. President, the Bipartisan Budget Act of 2018, P.L.115-123, included an instruction to the chairman of the Senate Committee on the Budget to file allocations, aggregates, and budgetary levels in the Senate before May 15, 2018. Today I rise to submit the required filing found in that act.

Specifically, section 30103 of the Bipartisan Budget Act of 2018 requires the chairman to file: No. 1, an allocation for fiscal year 2019 for the Committee on Appropriations; No. 2, an allocation for fiscal years 2019, 2019 through 2023, and 2019 through 2028 for committees other than the Committee on Appropriations; No. 3, aggregate spending levels for fiscal year 2019; No. 4, aggregate revenue levels for fiscal years 2019, 2019 through 2023, and 2019 through 2028; and, No. 5, aggregate levels of outlays and revenue for fiscal years 2019, 2019 through 2023, and 2019 through 2028 for Social Security.

The figures included in this filing are consistent with the discretionary spending limits set forth in the Bipartisan Budget Act of 2018 and the most recent baseline from the Congressional Budget Office, CBO. CBO's most recent baseline was released in April 2018.

In addition to the update for enforceable limits above, section 30103(c) of the act allows for the deficit-neutral reserve funds included in title III of H.Con.Res. 71, the fiscal year 2018 congressional budget resolution, to be updated by 1 fiscal year. Pursuant to this authority, all deficit-neutral reserve funds in the aforementioned title of last year's budget resolution are updated and available for use.

For purposes of enforcing the Senate's pay-as-you-go rule, which is found

in section 4106 of H.Con.Res. 71, I am resetting the Senate's scorecard to zero for all fiscal years.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that this statement and the accompanying tables detailing enforcement in the Senate be printed in the RECORD.

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

ALLOCATION OF SPENDING AUTHORITY TO SENATE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2019

[Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 30103 of the Bipartisan Budget Act of 2018 (\$ Billions)]

	Budget Authority	Outlays
Appropriations:		
Revised Security Category Discretionary Budget Authority ¹	647,000	n/a
Revised Nonsecurity Category Discretionary Budget Authority ¹	597,000	n/a
General Purpose Outlays ¹	n/a	1,314,141
Memo:		
Subtotal	1,244,000	1,314,141
on-budget	1,238,509	1,308,546
off-budget	5,491	5,595
Mandatory	1,025,059	1,015,953

¹ The allocation will be adjusted following the reporting of bills, offering of amendments, or submission of conference reports that qualify for adjustments to the discretionary spending limits as outlined in section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ALLOCATION OF SPENDING AUTHORITY TO SENATE COMMITTEES OTHER THAN APPROPRIATIONS

[Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 30103 of the Bipartisan Budget Act of 2018 (\$ Billions)]

	2019	2019-2023	2019-2028
Agriculture, Nutrition, and Forestry			
Budget Authority	120,487	610,644	1,270,959
Outlays	111,225	565,380	1,179,227
Armed Services			
Budget Authority	174,387	932,753	1,797,086
Outlays	174,120	936,662	1,801,597
Banking, Housing and Urban Affairs			
Budget Authority	21,497	101,241	200,535
Outlays	0,922	-6,734	-19,771
Commerce, Science, and Transportation			
Budget Authority	19,002	94,633	194,318
Outlays	16,648	78,888	150,453
Energy and Natural Resources			
Budget Authority	5,437	27,198	51,136
Outlays	4,887	27,199	51,401
Environment and Public Works			
Budget Authority	47,830	213,726	421,066
Outlays	2,284	12,868	28,203
Finance			
Budget Authority	2,456,050	14,465,750	33,836,595
Outlays	2,441,636	14,383,691	33,732,193
Foreign Relations			
Budget Authority	43,543	198,037	381,640
Outlays	36,371	182,008	364,448
Homeland Security and Government Affairs			
Budget Authority	145,915	777,522	1,684,096
Outlays	143,776	762,681	1,645,280
Judiciary			
Budget Authority	26,608	95,665	183,573
Outlays	19,527	105,584	194,967
Health, Education, Labor, and Pensions			
Budget Authority	30,549	146,753	267,753
Outlays	22,350	117,630	231,285
Rules and Administration			
Budget Authority	0,050	0,248	0,495
Outlays	0,023	0,128	0,284
Intelligence			
Budget Authority	0,514	2,570	5,140
Outlays	0,514	2,570	5,140
Veterans' Affairs			
Budget Authority	110,111	598,112	1,317,406
Outlays	111,584	608,154	1,327,833
Indian Affairs			
Budget Authority	0,484	2,376	4,908
Outlays	0,657	2,435	4,907
Small Business			
Budget Authority	0,000	0,000	0,000
Outlays	0,000	0,000	0,000
Unassigned to Committee			
Budget Authority	-893,879	-5,031,456	-11,287,433
Outlays	-887,018	-4,993,302	-11,212,109

ALLOCATION OF SPENDING AUTHORITY TO SENATE COMMITTEES OTHER THAN APPROPRIATIONS—Continued

[Pursuant to Section 302 of the Congressional Budget Act of 1974 and Section 30103 of the Bipartisan Budget Act of 2018 (\$ Billions)]

	2019	2019-2023	2019-2028
TOTAL			
Budget Authority	2,308,585	13,235,772	30,329,273
Outlays	2,199,506	12,785,842	29,485,338

Includes entitlements funded in annual appropriations acts.

BUDGET AGGREGATES

[Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 30103 of the Bipartisan Budget Act of 2018 (\$ Billions)]

	2019	2019-2023	2019-2028
Spending:			
Budget Authority	3,547,094	N.A.	N.A.
Outlays	3,508,052	N.A.	N.A.
Revenue	2,590,496	14,326,733	33,273,213

N.A.= Not Applicable.

SOCIAL SECURITY LEVELS

[Pursuant to Section 311 of the Congressional Budget Act of 1974 and Section 30103 of the Bipartisan Budget Act of 2018 (\$ Billions)]

	2019	2019-2023	2019-2028
Outlays	908,755	5,220,380	12,412,247
Revenue	899,194	4,907,020	10,888,530

PAY-AS-YOU-GO SCORECARD FOR THE SENATE

[\$ Billions]

	Balances
Fiscal Year 2018	0
Fiscal Year 2019	0
Fiscal Years 2018 through 2023	0
Fiscal Years 2018 through 2028	0

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

Hon. BOB CORKER, Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-36, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Bahrain for defense articles and services estimated to cost \$911.4 million. After this letter is delivered to your office, we plan to issue a news

release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER,
(For Charles W. Hooper, Lieutenant General, USA, Director).

Enclosures.

TRANSMITTAL NO. 16-36

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: The Government of Bahrain

(ii) Total Estimated Value: Major Defense Equipment * \$490.9 million. Other \$420.5 million.

TOTAL \$911.4 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twelve (12) AH-1Z Attack Helicopters

Twenty-six (26) T-700 GE 401C Engines (twenty-four (24) installed and two (2) spares)

Fourteen (14) AGM-114 Hellfire Missiles

Fifty-six (56) Advance Precision Kill Weapon System II (APKWS-II) WGU-59B

Non-MDE:

Also includes fifteen (15) Honeywell Embedded Global Positioning System (GPS) Inertial Navigation System (INS) (EGI) w/ Standard Positioning Service (SPS) (including three (3) spares), twelve (12) Joint Mission Planning Systems, twelve (12) M197 20mm gun systems, thirty (30) Tech Refresh Mission Computers, fourteen (14) AN/AAQ-30 Target Sight Systems, twenty six (26) Helmet Mounted Display/Optimized Top Owl, communication equipment, electronic warfare systems, fifteen (15) APX-117 Identification Friend or Foe (IFF), fifteen (15) AN/AAR-47 Missile Warning Systems, fifteen (15) AN/ALE-47 Countermeasure Dispenser Sets, fifteen (15) APR-39C(V)2 Radar Warning Receivers, support equipment, spare engine containers, spare and repair parts, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support.

(iv) Military Department: Navy

(v) Prior Related Cases, if any: None

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex

(viii) Date Report Delivered to Congress: April 27, 2018

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Bahrain—AH-1Z Attack Helicopters

The Government of Bahrain has requested twelve (12) AH-1Z attack helicopters, twenty-six (26) T-700 GE 401C engines (twenty-four (24) installed and two (2) spares), fourteen (14) AGM-114 Hellfire Missiles, and fifty-six (56) Advance Precision Kill Weapon System II (APKWS-II) WGU-59Bs. This request also includes fifteen (15) Honeywell Embedded Global Positioning System (GPS) Inertial Navigation System (INS) (EGI) w/ Standard Positioning Service (SPS) (including three (3) spares), twelve (12) Joint Mission Planning Systems, twelve (12) M197 20mm gun systems, thirty (30) Tech Refresh Mission Computers, fourteen (14) AN/AAQ-30 Target Sight Systems, twenty six (26) Helmet Mounted Display/Optimized Top Owl,

communication equipment, electronic warfare systems, fifteen (15) APX-117 Identification Friend or Foe (IFF), fifteen (15) AN/AAR-47 Missile Warning Systems, fifteen (15) AN/ALE-47 Countermeasure Dispenser Sets, fifteen (15) APR-39C(V)2 Radar Warning Receivers, support equipment, spare engine containers, spare and repair parts, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The total estimated cost is \$911.4 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a major Non-NATO ally which is an important security partner in the region. Our mutual defense interests anchor our relationship and the Royal Bahraini Air Force plays a significant role in Bahrain's defense.

The proposed sale improves Bahrain's capability to meet current and future threats. Bahrain will use this capability as a deterrent to regional threats and to strengthen its homeland defense. This sale will improve interoperability with U.S. forces. Bahrain will have no difficulty absorbing these helicopters into its armed forces.

This proposed sale of equipment and support will not alter the basic military balance in the region.

The principal contractors will be Bell Helicopter, Textron, Fort Worth, Texas; and General Electric Company, Lynn, Massachusetts. There are no known offset agreements proposed in conjunction with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus training and maintenance support in country, on a temporary basis, for a period of sixty (60) months. It will also require three (3) contractor representatives to reside in country for a period of two (2) years to support this program.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-36

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The following components and technical documentation for the program are classified as listed below:

a. The AH-1 Z-model has an Integrated Avionics System (IAS) which includes two (2) mission computers and an automatic flight control system. Each crew station has two (2) 8x6-inch multifunction liquid crystal displays (LCD) and one (1) 4.2 x 4.2-inch dual function LCD display. The communications suite will have NON-COMSEC ARC 210 Ultra High Frequency Very High Frequency (UHF/VHF) radios with associated communications equipment (antennas, mounts). The navigation suite includes Honeywell Embedded Global Positioning System (GPS) Inertial Navigation System (INS) (EGI) w/ Standard Positioning Service (SPS), a digital map system, a low-air-speed air data subsystem, which allows weapons delivery when hovering, and a AN/APX-117/A(V) IFF Transponder.

b. The crew is equipped with the Optimized Top Owl (OTO) helmet-mounted sight and display system. The OTO has a Day Display Module (DDM) and a Night Display Module (NDM). The AH-1Z has survivability equipment including the AN/AAR-47 Missile Warn-

ing and Laser Detection System, AN/ALE-47 Counter Measure Dispensing System (CMDS) and the AN/APR-39 Radar Warning Receiver (RWR) to cover countermeasure dispensers, radar warning, incoming/on-way missile warning and on-fuselage laser-spot warning systems.

c. The following performance data and technical characteristics are classified as follows for the AH-1Z Airframe: countermeasure capability—SECRET, counter-countermeasures capability—SECRET, vulnerability to countermeasures—SECRET, vulnerability to electromagnetic pulse from nuclear environmental effects—SECRET, radar signature—SECRET, infrared signature—SECRET, acoustic signature—CONFIDENTIAL, ultraviolet signature—SECRET, mission effectiveness against threats—CONFIDENTIAL, target sight system—up to SECRET, Tactical Air Moving Map Capability (TAMMAC)—up to SECRET, Honeywell Embedded GPS INS (EGI) w/SPS—UNCLASSIFIED, AN/ARC-210 RT 629F-23—UNCLASSIFIED, AN/APX-117/A(V) IFF Transponder—UNCLASSIFIED, VCR or DVR—up to SECRET, APR-39 Radar Warning System (RWS)—up to SECRET, AN/AAR-47 Missile/Laser Warning System (MLWS)—up to SECRET, AN/ALE-47 Countermeasures Dispenser Set (CMDS)—up to SECRET.

d. The APKWS is a low-cost semi-active laser guidance kit developed by BAE Systems which converts unguided 2.75 inch (70 mm) rockets into precision laser-guided rockets. The classification is up to SECRET.

e. The AGM-114 Hellfire II Semi-Active Laser (SAL) Missiles are rail-launched guided missiles developed and produced by Lockheed Martin. The guidance system employs a SAL seeker. The SAL missile homes in on the laser energy reflected off a target that has been illuminated by a laser designator. The laser can be on either the launch platform or another platform that can be separated from it by several kilometers. The target sets are armor, bunkers, caves, enclosures, boats, and enemy personnel. The weapon system hardware, as an "All Up Round," is UNCLASSIFIED. The highest level of classified information to be disclosed regarding the AGM-114 Hellfire II missile software is SECRET. The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is SECRET and the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness.

3. The consequences of the loss of this technology to a technologically advanced or competent adversary could result in the compromise of equivalent systems, which in turn could reduce those weapons system's effectiveness, or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that the Government of Bahrain can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale of the AH-1 Z Helicopter and associated weapons will further U.S. foreign policy and national security objectives.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Bahrain.

HONORING FIRST LIEUTENANT
ROBERT FRANK NIEMANN

Ms. KLOBUCHAR. Mr. President, today I rise to recognize 1st Lt. Robert

Frank Niemann, an American hero from New Ulm, MN, who served honorably in the U.S. Air Force as a member of the 334th Fighter Interceptor Squadron, 4th Fighter Interceptor Wing, South Korea.

North Korean forces shot down First Lieutenant Niemann's plane on April 12, 1953, and 1 year later, he was still missing and declared killed in action. Forty years later, new information revealed that First Lieutenant Niemann was captured by North Korean forces and was questioned by Soviet intelligence officers. He refused to answer their questions, emphasizing that it was a violation of international laws to interrogate a wounded prisoner of war.

First Lieutenant Niemann's strength of character in the face of enemy soldiers was truly heroic. While he is still listed as missing in action and his status is still unknown, his family and loved ones are seeking closure. First Lieutenant Niemann made the ultimate sacrifice defending our country. His daughter, Ann, has planned a memorial tribute in his honor on May 12, 2018.

Occasions like this one are a powerful reminder of the contributions of the brave men and women who have donned the uniform in generations past. We must never forget their sacrifice. Please join me in honoring the service and sacrifice of 1st Lt. Robert Frank Niemann.

NATIONAL SEERSUCKER DAY

Mr. CASSIDY. Mr. President, today I rise in recognition of seersucker manufacturers and enthusiasts across the United States. I wish everyone a Happy National Seersucker Day. This uniquely American fashion has a storied history dating back to 1909. The first seersucker suit was designed by Joseph Haspel at his Broad Street facility in New Orleans, LA. Louisiana is proud to have played an important part in introducing the country to seersucker apparel.

This lightweight cotton fabric, known for its signature pucker, has been worn and enjoyed by Americans across the country during the hot summer months. Mr. Haspel said it best: "Hot is hot, no matter what you do for a living."

In the 1990s, Seersucker Day was established by Members of this Chamber to honor this unique American fashion. I proudly resumed this tradition in 2014 in the U.S. House of Representatives and continued this tradition in the U.S. Senate. This year, I wish to designate Thursday, June 7, as the fifth annual National Seersucker Day. I encourage everyone to wear seersucker on this day to commemorate this traditionally American clothing.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

REMEMBERING LARRY LEONG
HONG

• Ms. DUCKWORTH. Mr. President, I rise today to pay tribute to the remarkable life of Larry Leong Hong, who passed away peacefully on April 20, 2018, surrounded by his loving family.

Born in China in 1922, his family immigrated to Burma when he was an infant, to seek better fortune. Larry was the oldest son of six children; he had three sisters and two brothers. His family sent him back to China to get his schooling and to learn about his heritage and his culture. At age 13, shortly after he returned home to Burma, he left to seek a better future for himself and for his family. He came by himself to America, to the Golden Mountain, where it was believed the streets were paved with gold.

In 1935, when he arrived in America, he found no streets paved in gold bricks. Instead, he found a country in the grips of the Great Depression, and life was hard. But that did not deter him. He worked hard at the family restaurant. Larry learned the value of hard work, determination, and self-sufficiency. He worked in the restaurant until the clarion call of World War II. In 1942 Larry joined the war effort, working at a factory as an engine lathe operator and was promoted to be an inspector until he was called to serve. Larry—also known as Wing Q. Hong—was inducted into the Army of the United States on March 2, 1943. He was an infantryman and rose to TEC 4 as a cook. He served in the European theater, landing with his regiment in Normandy and went on to serve in Ardennes-Rhineland, Northern France, and Central Europe, serving as the acting mess sergeant for the officers. He was honorably discharged on October 19, 1945. He was awarded the Good Conduct Medal AR 600-68 and the EAMETO Medal with one Silver Service Star. This patriotic and hard-working immigrant started a tradition of service to his country. All of his descendants and their spouses served this Nation, either in Active Duty as members of the military or as civilians. Upon discharge, Larry returned to civilian life and went back to the restaurant business. Two years after his discharge from the Army, his only son, Kenneth, was born.

He met the love of his life, Annette Moy, at the restaurant in which they both worked, and they were married in 1942. This was a love affair that lasted for almost 62 years, until his beloved wife passed in January of 2000. Even though Larry came to America by himself, as a young teen, when he married Annette, he married into the Moy Clan—very large, very tight-knit, and very loving family. He learned through Annette the value and the strong bonds of family. Larry was devoted to his immediate and extended family. He was generous, strong, dependable, and stable. He and his wife were the anchor for their very large family.

The family took every opportunity to gather together, whether it was to cel-

brate a holiday, to celebrate a special milestone or just to get together for a picnic. They were fun, and of course these gatherings always featured good food. Each weekend the extended family came together at one of the sisters' house to play mah-jongg, while the young children went to sleep to the sound of the click-clicking of the mah-jongg game. Larry loved good Chinese food; he especially loved lobster and Chinese-style chicken.

Larry was a fighter. He met several challenges throughout his life, and each time he fought it—and he won. His love of family, his love of food, his strength, and his fighting spirit will be missed.

Larry is survived by his son, Kenneth Leong Hong—wife Belkis—of Gaithersburg, MD, and his only granddaughter, Denise Williams—husband Dan—of National Harbor, MD.●

ADDITIONAL STATEMENTS

TRIBUTE TO ROHAN RAJEEV

• Mr. INHOFE. Mr. President, today I would like to recognize Rohan Rajeev, of Edmond, OK, a young man of exemplary character and talent. Rohan made history as the runner-up at the 2017 Scripps National Spelling Bee. In his first appearance at the bee, Rohan earned his position by qualifying from a pool of over 11 million students from around the world. In 2016, Rohan earned the distinction as the first speller from Oklahoma to win the Association of Christian Schools International Spelling Bee.

Rohan has used his skills to help and teach others. He has served as the first grand marshal of the Eastern Oklahoma State Spelling Bee, a nonprofit competition whose mission is to help students develop spelling and vocabulary skills. He has contributed to the community by volunteering and taking leadership positions in programs and organizations, including Oklahoma Student Voices and Youth and Government.

While his honors are many, I am most impressed by Rohan's humility and courage. He attributes his success to his faith in Jesus Christ, knowing that He has brought him thus far in life. Despite enduring the loss of his sister, Raina, to a severe neurological condition, Rohan continues to honor her memory by dedicating his performances to Raina, and she continues to inspire Rohan to pursue his dreams.

Congratulations, Rohan. I wish you well in your future endeavors, and I know your future is bright.●

VERMONT FEDERAL EXECUTIVE
ASSOCIATION 2018 AWARDS

• Mr. SANDERS. Mr. President, on April 27, 2018, the Vermont Federal Executive Association recognized several Federal employees in the State of Vermont with Excellence in Govern-

ment awards. At a time when many Federal agencies are being asked to do more work with fewer resources, it is important to recognize examples of exceptionally good work by members of the Federal workforce.

Vermont is fortunate to have close to 5,000 Federal employees working across the State, and I am proud of their commitment to public service. I would like to congratulate the 2018 Excellence in Government award winners who were chosen for this recognition by their peers in VTFEA.

The awards are as follows: Supervisor of the Year, Amanda Duquette, Office of Contracting, U.S. Citizenship and Immigration Services; Employee of the Year, Caitlin Moynihan, Homeland Security Investigations, Burlington Field Office, U.S. Immigration and Customs Enforcement; Excellence in Mission Support, Staffing Management Team, Northeast Regional Office, U.S. Citizenship and Immigration Services; Excellence in Operational Execution, Targeted Enforcement Unit/Sensor Team, U.S. Border Patrol, Newport Station, U.S. Customs and Border Protection and the FEMA Adjudication Team, Personnel Security, Operations, U.S. Citizenship and Immigration Services; Safety/Valor Award, Laurent Giroux, U.S. Customs and Border Protection and John Zavala, U.S. Border Patrol; and Unit Excellence, Operations Unit Mentoring Team, Law Enforcement Support Center, U.S. Immigration and Customs Enforcement.

Once again, I congratulate these Vermont Federal employees for receiving these awards.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE PRESIDENT

TEXT OF AN AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION IN PEACEFUL USES OF NUCLEAR ENERGY—PM 33

The PRESIDING OFFICER laid before the Senate the following message

from the President of the United States, together with accompanying reports and papers, which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to subsections 123b. and 123d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of an Agreement between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation in Peaceful Uses of Nuclear Energy (the "Agreement"). I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, a classified annex to the NPAS, prepared by the Acting Secretary of State, in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately. A joint memorandum submitted to me by the Acting Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed. An addendum to the NPAS containing a comprehensive analysis of the export control system of the United Kingdom with respect to nuclear-related matters, including interactions with other countries of proliferation concern and the actual or suspected nuclear, dual-use, or missile-related transfers to such countries, pursuant to section 102A(w) of the National Security Act of 1947 (50 U.S.C. 3024(w)), is being submitted separately by the Director of National Intelligence. Although not required by the Act, I am also transmitting an analysis and a determination and judgment from the Secretary of Energy concerning the advance, long-term approvals contained in the proposed Agreement.

The Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The Agreement contains all of the provisions required by subsection 123a. of the Act. It provides a comprehensive framework for peaceful nuclear cooperation with the United Kingdom based on a mutual commitment to nuclear nonproliferation. It would permit the transfer of material, equipment (including reactors), components, sensitive nuclear facilities, major critical components, and information for nuclear research and nuclear power production. It also would allow for the transfer of sensitive nuclear technology if the parties later agree on conditions in writing.

The Agreement has a term of 30 years, although it can be terminated by either party on one year's advance written notice. In the event of termination or expiration of the Agreement, key nonproliferation conditions and controls will continue in effect as long as any material, equipment, component, sensitive nuclear facility, or major critical component subject to the Agreement remains in the territory or under the jurisdiction or control of either party, or until such time as the parties agree in writing that such nuclear material or non-nuclear material is no longer usable for any nuclear activity relevant from the point of view of international safeguards or have been practically irrecoverable, or that such equipment, components, sensitive nuclear facilities, or major critical components is no longer usable for nuclear purposes.

As one of the five nuclear weapon states under the Treaty on the Non-Proliferation of Nuclear Weapons, including one of the Treaty's three Depository States, and one of the five permanent members of the United Nations Security Council, the United Kingdom holds an important leadership role in the global nonproliferation regime and the larger international security architecture. The United Kingdom is a member of the four major multilateral export control regimes: the Nuclear Suppliers Group, the Australia Group, the Missile Technology Control Regime, and the Wassenaar Arrangement. In addition, the United Kingdom has provided financial, technical, and leadership support to key nonproliferation mechanisms such as the Global Threat Reduction Program, the Global Initiative to Combat Nuclear Terrorism, the Elimination of Weapons-Grade Plutonium Production Program, the International Atomic Energy Agency (IAEA) Technical Cooperation Program, the IAEA Department of Safeguards, the G7 Global Partnership against the Spread of Weapons of Mass Destruction, and the Proliferation Security Initiative. A more detailed discussion of the United Kingdom's civil nuclear activities and its nonproliferation policies and practices is in the NPAS and its classified annex.

I have considered the views and recommendations of the interested departments and agencies in reviewing the Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both subsections 123b. and 123d. of the Act. My Administration is prepared to begin immediately consultations with the Senate Foreign Relations Committee and the House Foreign Affairs Committee, as provided in subsection 123b. Upon completion of the 30 days of con-

tinuous session review provided for in subsection 123b., the 60 days of continuous session review provided for in subsection 123d. shall commence.

DONALD J. TRUMP,
THE WHITE HOUSE, May 7, 2018.

MESSAGE FROM THE HOUSE

At 3:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4. An act to reauthorize programs of the Federal Aviation Administration, and for other purposes.

H.R. 4744. An act to impose additional sanctions with respect to serious human rights abuses of the Government of Iran, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 118. Concurrent resolution authorizing the printing of "United States Capitol Grounds: Landscape Architect Frederick Law Olmstead's Design for Democracy" as a House document.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4744. An act to impose additional sanctions with respect to serious human rights abuses of the Government of Iran, and for other purposes; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 118. Concurrent resolution authorizing the printing of "United States Capitol Grounds: Landscape Architect Frederick Law Olmstead's Design for Democracy" as a House document; to the Committee on Rules and Administration.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 4. An act to reauthorize programs of the Federal Aviation Administration, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 27, 2018, she had presented to the President of the United States the following enrolled bill:

S. 447. An act to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2349. A bill to direct the Director of the Office of Management and Budget to establish an interagency working group to study

Federal efforts to collect data on sexual violence and to make recommendations on the harmonization of such efforts, and for other purposes (Rept. No. 115-238).

S. 2400. A bill to eliminate or modify certain audit mandates of the Government Accountability Office (Rept. No. 115-239).

By Mr. HOEVEN, from the Committee on Indian Affairs, with amendments:

S. 995. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes (Rept. No. 115-240).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2680. A bill to address the opioid crisis.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Robert M. Duncan, of Kentucky, to be a Governor of the United States Postal Service for a term expiring December 8, 2018.

*Robert M. Duncan, of Kentucky, to be a Governor of the United States Postal Service for a term expiring December 8, 2025.

*David Williams, of Illinois, to be a Governor of the United States Postal Service for a term expiring December 8, 2019.

*Christopher Krebs, of Virginia, to be Under Secretary for National Protection and Programs, Department of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. TESTER (for himself and Ms. HASSAN):

S. 2791. A bill to amend the Higher Education Act of 1965 to provide grants for institutions of higher education to prevent substance abuse, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Ms. CANTWELL, Mr. BLUMENTHAL, and Mr. INHOFE):

S. 2792. A bill to modernize training programs at aviation maintenance technician schools; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. REED, Mr. WICKER, Mr. BLUMENTHAL, Mr. GARDNER, and Mr. KAINE):

S. 2793. A bill to amend the Afghan Allies Protection Act of 2009; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Ms. HEITKAMP):

S. 2794. A bill to make a deliberate, targeted attack on a law enforcement officer a crime, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Mr. WHITEHOUSE):

S. 2795. A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. SULLIVAN):

S. 2796. A bill to authorize the Secretary of Veterans Affairs to use the authority of the Secretary to conduct and support research on the efficacy and safety of medicinal cannabis, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HEINRICH (for himself and Mr. UDALL):

S. 2797. A bill to establish the White Sands National Park in the State of New Mexico as unit of the National Park System, and for other purposes; to the Committee on Armed Services.

S. 486

At the request of Mr. CASEY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 486, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 783

At the request of Ms. BALDWIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 783, a bill to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

S. 1343

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 1343, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 1358

At the request of Mr. CASSIDY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1358, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of certain direct primary care service arrangements and periodic provider fees.

S. 1580

At the request of Mr. RUBIO, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1580, a bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 2076

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2076, a bill to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2098

At the request of Mr. CORNYN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2098, a bill to modernize and strengthen the Committee on Foreign Investment in the United States to more effectively guard against the risk to the national security of the United States posed by certain types of foreign investment, and for other purposes.

S. 2143

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2143, a bill to amend the National Labor Relations Act to strengthen protections for employees wishing to advocate for improved wages, hours, or

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CASEY (for himself, Mr. RUBIO, and Mr. WYDEN):

S. Res. 501. A resolution recognizing threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in efforts of the Government of the United States to promote democracy and good governance; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. CRAPO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 132, a bill to amend title 54, United States Code, to provide for congressional and State approval of national monuments and restrictions on the use of national monuments.

S. 339

At the request of Mr. NELSON, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 389

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 389, a bill to amend the Internal Revenue Code of 1986 to ensure that kombucha is exempt from any excise taxes and regulations imposed on alcoholic beverages.

S. 428

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

other terms or conditions of employment, to expand coverage under such Act, to provide a process for achieving initial collective bargaining agreements, and to provide for stronger remedies for interference with these rights, and for other purposes.

S. 2317

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2317, a bill to amend the Controlled Substances Act to provide for additional flexibility with respect to medication-assisted treatment for opioid use disorders, and for other purposes.

S. 2334

At the request of Mr. HATCH, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 2334, a bill to amend title 17, United States Code, to provide clarity with respect to, and to modernize, the licensing system for musical works under section 115 of that title, to ensure fairness in the establishment of certain rates and fees under sections 114 and 115 of that title, and for other purposes.

S. 2415

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2415, a bill to amend title XIX of the Social Security Act to streamline enrollment of certain Medicaid providers and suppliers across State lines, and for other purposes.

S. 2465

At the request of Mr. SCOTT, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2465, a bill to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

S. 2497

At the request of Mr. RUBIO, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 2506

At the request of Mr. INHOFE, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2506, a bill to establish an aviation maintenance workforce development pilot program.

S. 2524

At the request of Mr. DONNELLY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2524, a bill to amend the Public Health Service Act to authorize

a loan repayment program for substance use disorder treatment employees, and for other purposes.

S. 2652

At the request of Mr. CASSIDY, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from Kansas (Mr. ROBERTS), the Senator from Delaware (Mr. COONS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Maryland (Mr. CARDIN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2652, a bill to award a Congressional Gold Medal to Stephen Michael Gleason.

S. 2659

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2659, a bill to amend the Controlled Substances Act to authorize employees of hospice programs to handle controlled substances in the residences of certain hospice patients to assist in disposal of those controlled substances.

S. 2667

At the request of Mr. MCCONNELL, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 2667, a bill to amend the Agricultural Marketing Act of 1946 to provide for State and Tribal regulation of hemp production, and for other purposes.

S. 2684

At the request of Mr. UDALL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2684, a bill to establish a Federal student loan restructured repayment schedule for certain borrowers who are agricultural producers.

S. 2685

At the request of Mr. UDALL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2685, a bill to modify certain requirements for farm ownership loan eligibility.

S. 2749

At the request of Mr. BROWN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2749, a bill to provide for the reform and continuation of agricultural commodity programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

S. 2774

At the request of Ms. KLOBUCHAR, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 2774, a bill to reauthorize the COPS ON THE BEAT grant program.

S. 2775

At the request of Ms. SMITH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2775, a bill to award ca-

reer pathways innovation grants to local educational agencies and consortia of local educational agencies, to provide technical assistance within the Office of Career, Technical, and Adult Education to administer the grants and support the local educational agencies with the preparation of grant applications and management of grant funds, to amend the Higher Education Act of 1965 to support community college and industry partnerships, and for other purposes.

S. RES. 483

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 483, a resolution recognizing the contributions of senior volunteers and designating the week of April 29 through May 5, 2018, as "National Senior Corps Week".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. CORNYN. Mr. 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:

By Mr. CORNYN (for himself and Mr. WHITEHOUSE):

S. 2795. A bill to provide for programs to help reduce the risk that prisoners will recidivate upon release from prison, and for other purposes; to the Committee on the Judiciary.

S. 2795

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 "Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person Act" or the "FIRST STEP Act".

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

Sec. 1. Short title; table of contents.

TITLE I—RECIDIVISM REDUCTION

Sec. 101. Risk and needs assessment system.
Sec. 102. Implementation of system and recommendations by Bureau of Prisons.

Sec. 103. GAO Report.

Sec. 104. Authorization of appropriations.

Sec. 105. Rule of construction.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

Sec. 201. Short title.

Sec. 202. Secure firearms storage.

TITLE III—RESTRAINTS ON PREGNANT PRISONERS PROHIBITED

Sec. 301. Use of restraints on prisoners during the period of pregnancy and postpartum recovery prohibited.

TITLE IV—MISCELLANEOUS CRIMINAL JUSTICE

Sec. 401. Placement of prisoners close to families.

Sec. 402. Home confinement for low risk prisoners.

Sec. 403. Federal prisoner reentry initiative reauthorization; modification of imposed term of imprisonment.

Sec. 404. Identification for returning citizens.

Sec. 405. Miscellaneous.

Sec. 406. Expanding inmate employment through Federal prison industries.

Sec. 407. De-escalation training.

Sec. 408. Evidence-based treatment for opioid and heroin abuse.

Sec. 409. Pilot programs.

Sec. 410. Ensuring supervision of released sexually dangerous persons.

Sec. 411. Data collection.

Sec. 412. Healthcare products.

Sec. 413. Prison rape elimination standards auditors.

Sec. 414. Adult and juvenile collaboration programs.

TITLE I—RECIDIVISM REDUCTION

SEC. 101. RISK AND NEEDS ASSESSMENT SYSTEM.

(a) IN GENERAL.—Chapter 229 of title 18, United States Code, is amended by inserting after subchapter C the following:

“SUBCHAPTER D—RISK AND NEEDS ASSESSMENT SYSTEM

“§ 3631. Duties of the Attorney General

“(a) IN GENERAL.—The Attorney General shall carry out this subchapter in consultation with—

“(1) the Director of the Bureau of Prisons;

“(2) the Director of the Administrative Office of the United States Courts;

“(3) the Director of the Office of Probation and Pretrial Services;

“(4) the Director of the National Institute of Justice; and

“(5) the Director of the National Institute of Corrections.

“(b) DUTIES.—The Attorney General shall—

“(1) conduct a review of the existing prisoner risk and needs assessment systems in operation on the date of the enactment of the FIRST STEP Act;

“(2) develop recommendations regarding evidence-based recidivism reduction programs and productive activities in accordance with section 3633;

“(3) conduct ongoing research and data analysis on—

“(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

“(B) the most effective and efficient uses of such programs;

“(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

“(D) products purchased by Federal agencies that are manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States;

“(4) on an annual basis, review and validate the risk and needs assessment system, which review shall include—

“(A) any subsequent changes to the risk and needs assessment system made after the date of the enactment of this subchapter;

“(B) the recommendations developed under paragraph (2), using the research conducted under paragraph (3);

“(C) an evaluation to ensure that the risk and needs assessment system bases the assessment of each prisoner’s risk of recidivism on indicators of progress, and of regression that are dynamic and that can reasonably be expected to change while in prison;

“(D) statistical validation of any tools that the risk and needs assessment system uses; and

“(E) an evaluation of the rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, includ-

ing disparities among similarly classified prisoners of different demographic groups, in such rates;

“(5) make any revisions or updates to the risk and needs assessment system that the Attorney General determines appropriate pursuant to the review under paragraph (4), including updates to ensure that any disparities identified in paragraph (4)(E) are reduced to the greatest extent possible; and

“(6) report to Congress in accordance with section 3634.

“§ 3632. Development of risk and needs assessment system

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the FIRST STEP Act, the Attorney General shall develop and release a risk and needs assessment system (referred to in this subchapter as the ‘System’), which shall be used to—

“(1) determine the recidivism risk of each prisoner as part of the intake process, and classify each prisoner as having minimum, low, medium, or high risk for recidivism;

“(2) assess and determine, to the extent practicable, the risk of violent or serious misconduct of each prisoner;

“(3) determine the type, amount, and intensity of evidence-based recidivism reduction programs that are appropriate for each prisoner and assign each prisoner to such programs accordingly, and based on the prisoner’s specific criminogenic needs, and in accordance with subsection (b);

“(4) reassess the recidivism risk of each prisoner periodically and reassign the prisoner to appropriate evidence-based recidivism reduction programs or productive activities based on the revised determination to ensure that—

“(A) all prisoners at each risk level have a meaningful opportunity to reduce their classification during the period of incarceration;

“(B) to address the specific criminogenic needs of the prisoner; and

“(C) all prisoners are able to successfully participate in such programs;

“(5) determine when to provide incentives and rewards for successful participation in evidence-based recidivism reduction programs or productive activities in accordance with subsection (e); and

“(6) determine when a prisoner is ready to transfer into prerelease custody in accordance with section 3624(c).

In carrying out this subsection, the Attorney General may use existing risk and needs assessment tools, as appropriate.

“(b) ASSIGNMENT OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS.—The System shall provide guidance on the type, amount, and intensity of evidence-based recidivism reduction programming and productive activities that shall be assigned for each prisoner, including—

“(1) programs in which the Bureau of Prisons shall assign the prisoner to participate, according to the prisoner’s specific criminogenic needs; and

“(2) information on the best ways that the Bureau of Prisons can tailor the programs to the specific criminogenic needs of each prisoner so as to most effectively lower each prisoner’s risk of recidivism.

“(c) HOUSING AND ASSIGNMENT DECISIONS.—The System shall provide guidance on program grouping and housing assignment determinations and, after accounting for the safety of each prisoner and other individuals at the prison, provide that prisoners with a similar risk level be grouped together in housing and assignment decisions to the extent practicable.

“(d) EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM INCENTIVES AND PRODUCTIVE ACTIVITIES REWARDS.—The System shall provide incentives and rewards for prisoners to

participate in and complete evidence-based recidivism reduction programs as follows:

“(1) PHONE AND VISITATION PRIVILEGES.—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall receive—

“(A) phone privileges, or, if available, video conferencing privileges, for up to 30 minutes per day, and up to 510 minutes per month; and

“(B) additional time for visitation at the prison, as determined by the warden of the prison.

“(2) TRANSFER TO INSTITUTION CLOSER TO RELEASE RESIDENCE.—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall be considered by the Bureau of Prisons for placement in a facility closer to the prisoner’s release residence upon request from the prisoner and subject to—

“(A) bed availability at the transfer facility;

“(B) the prisoner’s security designation; and

“(C) the recommendation from the warden of the prison at which the prisoner is incarcerated at the time of making the request.

“(3) ADDITIONAL POLICIES.—The Director of the Bureau of Prisons shall develop additional policies to provide appropriate incentives for successful participation and completion of evidence-based recidivism reduction programming. Such incentives shall include not less than two of the following:

“(A) Increased commissary spending limits and product offerings.

“(B) Extended opportunities to access the email system.

“(C) Consideration of transfer to preferred housing units (including transfer to different prison facilities).

“(D) Other incentives solicited from prisoners and determined appropriate by the Director.

“(4) TIME CREDITS.—

“(A) IN GENERAL.—A prisoner, except for an ineligible prisoner under subparagraph (D), who successfully completes evidence-based recidivism reduction programming or productive activities, shall earn time credits as follows:

“(i) A prisoner shall earn 10 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

“(ii) A prisoner determined by the Bureau of Prisons to be at a minimum or low risk for recidivating, who, over two consecutive assessments, has not increased their risk of recidivism, shall earn an additional 5 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

“(B) AVAILABILITY.—A prisoner may not earn time credits under this paragraph for an evidence-based recidivism reduction program that the prisoner successfully completed—

“(i) prior to the date of the enactment of this Act;

“(ii) during official detention prior to the date that the prisoner’s sentence commences under section 3585(a); or

“(iii) if that prisoner is an inadmissible or deportable alien under the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)).

“(C) APPLICATION OF TIME CREDITS TOWARD PRE-RELEASE CUSTODY.—Time credits earned under this paragraph by prisoners who successfully participate in recidivism reduction programs or productive activities and who have been determined to be at minimum risk or low risk for recidivating pursuant to their

last two reassessments shall be applied toward time in pre-release custody. The Director of the Bureau of Prisons shall transfer prisoners described in this subparagraph into prerelease custody, except that the Director of the Bureau of Prisons may deny such a transfer if the warden of the prison finds by clear and convincing evidence that the prisoner should not be transferred into prerelease custody based only on evidence of the prisoner's actions after the conviction of such prisoner and not based on evidence from the underlying conviction, and submits a detailed written statement regarding such finding to the Director of the Bureau of Prisons.

“(D) INELIGIBLE PRISONERS.—A prisoner is ineligible to receive time credits under this paragraph if the prisoner is service a sentence for a conviction under any of the following provisions of law:

“(i) Section 113(a)(1), relating to assault with intent to commit murder.

“(ii) Section 115, relating to influencing, impeding, or retaliating against a Federal official by injuring a family member, except for a threat made in violation of that section.

“(iii) Any section of chapter 10, relating to biological weapons.

“(iv) Any section of chapter 11B, relating to chemical weapons.

“(v) Section 351, relating to Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault.

“(vi) Section 793, relating to gathering, transmitting, or losing defense information.

“(vii) Section 794, relating to gathering or delivering defense information to aid a foreign government.

“(viii) Any section of chapter 39, relating to explosives and other dangerous articles, except for section 836 (relating to the transportation of fireworks into a State prohibiting sale or use).

“(ix) Section 842(p), relating to distribution of information relating to explosive, destructive devices, and weapons of mass destruction, but only if the conviction involved a weapon of mass destruction (as defined in section 2332a(c)(2) of such title).

“(x) Subsection (f)(3), (h), or (i) of section 844, relating to the use of fire or an explosive.

“(xi) Section 924(e), relating to unlawful possession of a firearm by a person with 3 or more convictions for a violent felony.

“(xii) Section 1030(a)(1), relating to fraud and related activity in connection with computers.

“(xiii) Any section of chapter 51, relating to homicide, except for section 1112 (relating to manslaughter), 1113 (relating to attempt to commit murder or manslaughter, but only if the conviction was for an attempt to commit manslaughter), 1115 (relating to misconduct or neglect of ship officers), or 1122 (relating to protection against the human immunodeficiency virus).

“(xiv) Any section of chapter 55, relating to kidnapping.

“(xv) Any offense under chapter 77, relating to peonage, slavery, and trafficking in persons, except for sections 1592 through 1596.

“(xvi) Section 1751, relating to Presidential and Presidential staff assassination, kidnapping, and assault.

“(xvii) Section 1841(a)(2)(C), relating to intentionally killing or attempting to kill an unborn child.

“(xviii) Section 1992, relating to terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air.

“(xix) Section 2113(e), relating to bank robbery resulting in death.

“(xx) Section 2118(c)(2), relating to robberies and burglaries involving controlled substances resulting in death.

“(xxi) Section 2119(3), relating to taking a motor vehicle (commonly referred to as ‘carjacking’) that results in death.

“(xxii) Any section of chapter 105, relating to sabotage, except for section 2152.

“(xxiii) Any section of chapter 109A, relating to sexual abuse, except that with regard to section 2244, only a conviction under subsection (c) of that section (relating to abusive sexual contact involving young children) shall make a prisoner ineligible under this subparagraph.

“(xxiv) Section 2251, relating to the sexual exploitation of children.

“(xxv) Section 2251A, relating to the selling or buying of children.

“(xxvi) Any of paragraphs (1) through (3) of section 2252(a), relating to certain activities relating to material involving the sexual exploitation of minors.

“(xxvii) A second or subsequent conviction under any of paragraphs (1) through (6) of section 2252A(a), relating to certain activities relating to material constituting or containing child pornography.

“(xxviii) Section 2260, relating to the production of sexually explicit depictions of a minor for importation into the United States.

“(xxix) Section 2283, relating to the transportation of explosive, biological, chemical, or radioactive or nuclear materials.

“(xxx) Section 2284, relating to the transportation of terrorists.

“(xxxi) Section 2291, relating to the destruction of a vessel or maritime facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

“(xxxii) Any section of chapter 113B, relating to terrorism.

“(xxxiii) Section 2340A, relating to torture.

“(xxxiv) Section 2381, relating to treason.

“(xxxv) Section 2442, relating to the recruitment or use of child soldiers.

“(xxxvi) Section 57(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)), relating to the engagement or participation in the development or production of special nuclear material.

“(xxxvii) Section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122), relating to prohibitions governing atomic weapons.

“(xxxviii) Section 101 of the Atomic Energy Act of 1954 (42 U.S.C. 2131), relating to the atomic energy license requirement.

“(xxxix) Section 224 or 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275), relating to the communication or receipt of restricted data.

“(xl) Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), relating to the sabotage of nuclear facilities or fuel.

“(xli) Section 60123(b) of title 49, United States Code, relating to damaging or destroying a pipeline facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

“(xlii) Section 401(a) of the Controlled Substances Act (21 U.S.C. 841), relating to manufacturing or distributing a controlled substance, but only in the case of a conviction for an offense described in subparagraph (A), (B), or (C) of subsection (b)(1) of that section for which death or serious bodily injury resulted from the use of such substance.

“(xliii) Section 276(a) of the Immigration and Nationality Act (8 U.S.C. 1326), relating to the reentry of a removed alien, but only if the alien is described in paragraph (1) or (2) of subsection (b) of that section.

“(xliv) Any section of the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.)

“(xlv) Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705).

“(xlvi) Section 601 of the National Security Act of 1947 (50 U.S.C. 3121), relating to the protection of identities of certain United States undercover intelligence officers, agents, informants, and sources.

“(xlvii) An offense described in section 3559(c)(2)(F), for which the offender was sentenced to a term of imprisonment of more than one year, if the offender has a previous conviction, for which the offender served a term of imprisonment of more than one year, for a Federal or State offense, by whatever designation and wherever committed, consisting of murder (as described in section 1111), voluntary manslaughter (as described in section 1112), assault with intent to commit murder (as described in section 113(a)), aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242), abusive sexual contact (as described in sections 2244(a)(1) and (a)(2)), kidnapping (as described in chapter 55), carjacking (as described in section 2119), arson (as described in section 844(f)(3), (h), or (i)), or terrorism (as described in chapter 113B).

“(5) RISK REASSESSMENTS AND LEVEL ADJUSTMENT.—A prisoner who successfully participates in evidence-based recidivism reduction programming or productive activities shall receive periodic risk reassessments not less often than annually, and a prisoner determined to be at a medium or high risk of recidivating and who has less than 5 years until his or her projected release date shall receive more frequent risk reassessments. If the reassessment shows that the prisoner's risk of recidivating or specific needs have changed, the Bureau of Prisons shall update the determination of the prisoner's risk of recidivating or information regarding the prisoner's specific needs and reassign the prisoner to appropriate evidence-based recidivism reduction programming or productive activities based on such changes.

“(6) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection shall be in addition to any other rewards or incentives for which a prisoner may be eligible.

“(xx) Section 2118(c)(2) of title 18, United States Code, relating to robberies and burglaries involving controlled substances resulting in death.

“(e) PENALTIES.—The Director of the Bureau of Prisons shall develop guidelines for the reduction of rewards and incentives earned under subsection (e) for prisoners who violate prison rules or evidence-based recidivism reduction program or productive activity rules, which shall provide—

“(1) general levels of violations and resulting reductions;

“(2) that any reduction that includes the loss of time credits shall require written notice to the prisoner, shall be limited to time credits that a prisoner earned as of the date of the prisoner's rule violation, and shall not include any future time credits that the prisoner may earn; and

“(3) for a procedure to restore time credits that a prisoner lost as a result of a rule violation based on the prisoner's individual progress after the date of the rule violation.

“(f) BUREAU OF PRISONS TRAINING.—The Attorney General shall develop and implement training programs for Bureau of Prisons officers and employees responsible for administering the System, which shall include—

“(1) initial training to educate officers and employees on how to use the System in an appropriate and consistent manner, as well as the reasons for using the System;

“(2) continuing education;

“(3) periodic training updates; and

“(4) a requirement that such officers and employees demonstrate competence in administering the System, including interrater reliability, on a biannual basis.

“(g) **QUALITY ASSURANCE.**—In order to ensure that the Bureau of Prisons is using the System in an appropriate and consistent manner, the Attorney General shall monitor and assess the use of the System, which shall include conducting annual audits of the Bureau of Prisons regarding the use of the System.

“**§ 3633. Evidence-based recidivism reduction program and recommendations**

“Prior to releasing the System, the Attorney General shall—

“(1) review the effectiveness of evidence-based recidivism reduction programs that exist as of the date of the enactment of this subchapter in prisons operated by the Bureau of Prisons;

“(2) review available information regarding the effectiveness of evidence-based recidivism reduction programs and productive activities that exist in State-operated prisons throughout the United States;

“(3) identify the most effective evidence-based recidivism reduction programs;

“(4) review the policies for entering into evidence-based recidivism reduction partnerships described in section 3621(h)(5); and

“(5) direct the Bureau of Prisons regarding—

“(A) evidence-based recidivism reduction programs;

“(B) the ability for faith-based organizations to function as a provider of educational evidence-based programs outside of the religious classes and services provided through the Chaplaincy; and

“(C) the addition of any new effective evidence-based recidivism reduction programs that the Attorney General finds.

“**§ 3634. Report**

“Beginning on the date that is two years after the date of the enactment of this subchapter, and annually thereafter for a period of 5 years, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives and the Subcommittees on Commerce, Justice, Science, and Related Agencies of the Committees on Appropriations of the Senate and the House of Representatives that contains the following:

“(1) A summary of the activities and accomplishments of the Attorney General in carrying out this Act.

“(2) A summary and assessment of the types and effectiveness of the evidence-based recidivism reduction programs and productive activities in prisons operated by the Bureau of Prisons, including—

“(A) evidence about which programs have been shown to reduce recidivism;

“(B) the capacity of each program and activity at each prison, including the number of prisoners along with the recidivism risk of each prisoner enrolled in each program; and

“(C) identification of any gaps or shortages in capacity of such programs and activities.

“(3) Rates of recidivism among individuals who have been released from Federal prison, based on the following criteria:

“(A) The primary offense of conviction.

“(B) The length of the sentence imposed and served.

“(C) The Bureau of Prisons facility or facilities in which the prisoner’s sentence was served.

“(D) The evidence-based recidivism reduction programming that the prisoner successfully completed, if any.

“(E) The prisoner’s assessed and reassessed risk of recidivism.

“(F) The productive activities that the prisoner successfully completed, if any.

“(4) The status of prison work programs at facilities operated by the Bureau of Prisons, including—

“(A) a strategy to expand the availability of such programs without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons, including the feasibility of prisoners manufacturing products purchased by Federal agencies that are manufactured overseas;

“(B) an assessment of the feasibility of expanding such programs, consistent with the strategy required under subparagraph (A), with the goal that 5 years after the date of enactment of this Act, not less than 75 percent of eligible minimum and low risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

“(C) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals described in subparagraphs (A) and (B).

“(5) An assessment of the Bureau of Prisons’ compliance with section 3621(h).

“(6) An assessment of progress made toward carrying out the purposes of this subchapter, including any savings associated with—

“(A) the transfer of prisoners into prerelease custody under section 3624(g) including savings resulting from the avoidance or deferral of future construction, acquisition, and operations costs; and

“(B) any decrease in recidivism that may be attributed to the System or the increase in evidence-based recidivism reduction programs required under chapter.

“(7) Recommendations for how to reinvest any savings into other Federal, State, and local law enforcement activities and evidence-based recidivism reduction programs in the Bureau of Prisons.

“**§ 3635. Definitions**

“In this subchapter the following definitions apply:

“(1) **EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.**—The term ‘evidence-based recidivism reduction program’ means either a group or individual activity that—

“(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

“(B) is designed to help prisoners succeed in their communities upon release from prison; and

“(C) may include—

“(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

“(ii) family relationship building, structured parent-child interaction, and parenting skills;

“(iii) classes on morals or ethics;

“(iv) academic classes;

“(v) cognitive behavioral treatment;

“(vi) mentoring;

“(vii) substance abuse treatment;

“(viii) vocational training;

“(ix) faith-based classes or services;

“(x) civic engagement and reintegrative community services;

“(xi) a prison job, including through a prison work program;

“(xii) victim impact classes or other restorative justice programs; and

“(xiii) trauma counseling and trauma-informed support programs.

“(2) **PRISONER.**—The term ‘prisoner’ means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

“(3) **RISK AND NEEDS ASSESSMENT TOOL.**—The term ‘risk and needs assessment tool’

means an objective and statistically validated method through which information is collected and evaluated to determine—

“(A) the risk that a prisoner will recidivate upon release from prison; and

“(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison.

“(4) **PRODUCTIVE ACTIVITY.**—The term ‘productive activity’ means either a group or individual activity that is designed to allow prisoners determined as having a low or no risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1) to other prisoners.”

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 229 of title 18, United States Code, is amended by adding at the end the following:

“SUBCHAPTER D— RISK AND NEEDS ASSESSMENT SYSTEM

“3631. Duties of the Attorney General.

“3632. Development of risk and needs assessment system.

“3633. Evidence-based recidivism reduction program and recommendations.

“3634. Report.

“3635. Definitions.”

SEC. 102. IMPLEMENTATION OF SYSTEM AND RECOMMENDATIONS BY BUREAU OF PRISONS.

(a) **IMPLEMENTATION OF SYSTEM GENERALLY.**—Section 3621 of title 18, United States Code, is amended by adding at the end the following:

“(h) **IMPLEMENTATION OF RISK AND NEEDS ASSESSMENT SYSTEM.**—

“(1) **IN GENERAL.**—Not later than 180 days after the Attorney General completes and releases the risk and needs assessment system (referred to in this subsection as the ‘System’) developed under subchapter D, the Director of the Bureau of Prisons shall, in accordance with that subchapter—

“(A) implement and complete the initial intake risk and needs assessment for each prisoner (including for each prisoner who was a prisoner prior the effective date of this subsection), regardless of the prisoner’s length of imposed term of imprisonment, and begin to assign prisoners to appropriate evidence-based recidivism reduction programs based on that determination;

“(B) begin to expand the effective evidence-based recidivism reduction programs and productive activities it offers and add any new evidence-based recidivism reduction programs and productive activities necessary to effectively implement the System; and

“(C) begin to implement the other risk and needs assessment tools necessary to effectively implement the System over time, while prisoners are participating in and completing the effective evidence-based recidivism reduction programs and productive activities.

“(2) **PHASE-IN.**—In order to carry out paragraph (1), so that every prisoner has the opportunity to participate in and complete the type, amount, and intensity of evidence-based recidivism reduction programs or productive activities they need, and be reassessed for recidivism risk as necessary to effectively implement the System, the Bureau of Prisons shall—

“(A) provide such evidence-based recidivism reduction programs and productive activities for all prisoners before the date that is 2 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (1)(A); and

“(B) develop and validate the risk and needs assessment tool to be used in the reassessments of risk of recidivism, while prisoners are participating in and completing evidence-based recidivism reduction programs and productive activities.

“(3) PRIORITY DURING PHASE-IN.—During the 2-year period described in paragraph (2)(A), the priority for such programs and activities shall be accorded based on a prisoner’s proximity to release date.

“(4) PRELIMINARY EXPANSION OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS AND AUTHORITY TO USE INCENTIVES.—Beginning on the date of the enactment of the Prison Reform and Redemption Act, the Bureau of Prisons may begin to expand any evidence-based recidivism reduction programs and productive activities that exist at a prison as of such date, and may offer to prisoners who successfully participate in such programs and activities the incentives and rewards described in subchapter D.

“(5) RECIDIVISM REDUCTION PARTNERSHIPS.—In order to expand evidence-based recidivism reduction programs and productive activities, the Attorney General shall develop policies for the warden of each prison of the Bureau of Prisons to enter into partnerships, subject to the availability of appropriations, with any of the following:

“(A) Nonprofit and other private organizations, including faith-based, art, and community-based organizations that will deliver recidivism reduction programming on a paid or volunteer basis.

“(B) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) that will deliver instruction on a paid or volunteer basis.

“(C) Private entities that will—

“(i) deliver vocational training and certifications;

“(ii) provide equipment to facilitate vocational training or employment opportunities for prisoners;

“(iii) employ prisoners; or

“(iv) assist prisoners in prerelease custody or supervised release in finding employment.

“(D) Industry-sponsored organizations that will deliver workforce development and training, on a paid or volunteer basis.

“(6) REQUIREMENT TO PROVIDE PROGRAMS TO ALL PRISONERS; PRIORITY.—The Director of the Bureau of Prisons shall provide all prisoners with the opportunity actively participate in evidence-based recidivism reduction programs or productive activities, according to their specific criminogenic needs, throughout their entire term of incarceration. Priority for participation in recidivism reduction programs shall be given to medium-risk and high-risk prisoners, with access to productive activities given to minimum-risk and low-risk prisoners.

“(7) DEFINITIONS.—The terms in this subsection have the meaning given those terms in section 3635.”

(b) PRERELEASE CUSTODY.—

(1) IN GENERAL.—Section 3624 of title 18, United States Code, is amended—

(A) in subsection (b)(1)—

(i) by striking “, beyond the time served, of up to 54 days at the end of each year of the prisoner’s term of imprisonment, beginning at the end of the first year of the term,” and inserting “of up to 54 days for each year of the prisoner’s sentence imposed by the court.”;

(ii) by striking “credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence” and inserting “credit for the last year of a term of imprisonment shall be credited on the first day of the last year of the term of imprisonment”; and

(B) by adding at the end the following:

“(g) PRERELEASE CUSTODY FOR RISK AND NEEDS ASSESSMENT SYSTEM PARTICIPANTS.—

“(1) ELIGIBLE PRISONERS.—This subsection applies in the case of a prisoner (as such term is defined in section 3635) who—

“(A) has earned time credits under the risk and needs assessment system developed under subchapter D (referred to in this subsection as the ‘System’) in an amount that is equal to the remainder of the prisoner’s imposed term of imprisonment;

“(B) has shown through the periodic risk reassessments a demonstrated recidivism risk reduction or has maintained a minimum or low recidivism risk, during the prisoner’s term of imprisonment;

“(C) has been classified by the warden of the prison as otherwise qualified to be transferred into prerelease custody; and

“(D)(i) has been determined under the System to be a minimum or low risk to recidivate; or

“(ii) has had a petition to be transferred to prerelease custody approved by the warden of the prison, after the warden’s determination that—

“(I) the prisoner would not be a danger to society if transferred to prerelease custody;

“(II) the prisoner has made a good faith effort to lower their recidivism risk through participation in recidivism reduction programs or productive activities;

“(III) the prisoner is unlikely to recidivate; and

“(IV) the transfer of the prisoner to prerelease custody is otherwise appropriate.

“(2) TYPES OF PRERELEASE CUSTODY.—A prisoner shall be placed in prerelease custody as follows:

“(A) HOME CONFINEMENT.—

“(i) IN GENERAL.—A prisoner placed in prerelease custody pursuant to this subsection who is placed in home confinement shall—

“(I) be subject to 24-hour electronic monitoring that enables the prompt identification of any violation of subclause (II);

“(II) remain in the prisoner’s residence, except that the prisoner may leave the prisoner’s home in order to, subject to the approval of the Director of the Bureau of Prisons—

“(aa) perform a job or job-related activities, including an apprenticeship, or participate in job-seeking activities;

“(bb) participate in evidence-based recidivism reduction programming or productive activities assigned by the System, or similar activities;

“(cc) perform community service;

“(dd) participate in crime victim restoration activities;

“(ee) receive medical treatment; or

“(ff) attend religious activities; and

“(III) comply with such other conditions as the Director determines appropriate.

“(ii) ALTERNATE MEANS OF MONITORING.—If the electronic monitoring of a prisoner described in clause (i)(I) is infeasible for technical or religious reasons, the Director of the Bureau of Prisons may use alternative means of monitoring a prisoner placed in home confinement that the Director determines are as effective or more effective than the electronic monitoring described in clause (i)(I).

“(iii) MODIFICATIONS.—The Director of the Bureau of Prisons may modify the conditions described in clause (i) if the Director determines that a compelling reason exists to do so, and that the prisoner has demonstrated exemplary compliance with such conditions.

“(iv) DURATION.—Except as provided in paragraph (4), a prisoner who is placed in home confinement shall remain in home confinement until the prisoner has served not

less than 85 percent of the prisoner’s imposed term of imprisonment.

“(B) RESIDENTIAL REENTRY CENTER.—A prisoner placed in prerelease custody pursuant to this subsection who is placed at a residential reentry center shall be subject to such conditions as the Director of the Bureau of Prisons determines appropriate.

“(3) DETERMINATION OF CONDITIONS.—In determining appropriate conditions for prisoners placed in prerelease custody pursuant to this subsection, the Director of the Bureau of Prisons shall, to the extent practicable, provide that increasingly less restrictive conditions shall be imposed on prisoners who demonstrate continued compliance with the conditions of such prerelease custody, so as to most effectively prepare such prisoners for reentry.

“(4) VIOLATIONS OF CONDITIONS.—If a prisoner violates a condition of the prisoner’s prerelease custody, the Director of the Bureau of Prisons may impose such additional conditions on the prisoner’s prerelease custody as the Director of the Bureau of Prisons determines appropriate, or revoke the prisoner’s prerelease custody and require the prisoner to serve the remainder of the term of imprisonment to which the prisoner was sentenced, or any portion thereof, in prison.

“(5) ISSUANCE OF GUIDELINES.—The Attorney General, in consultation with the Assistant Director for the Office of Probation and Pretrial Services, shall issue guidelines, for use by the Bureau of Prisons in determining—

“(A) the appropriate type of prerelease custody and level of supervision for a prisoner placed on prerelease custody pursuant to this subsection; and

“(B) consequences for a violation of a condition of such prerelease custody by such a prisoner, including a return to prison and a reassessment of evidence-based recidivism risk level under the System.

“(6) AGREEMENTS WITH UNITED STATES PROBATION AND PRETRIAL SERVICES.—The Director of the Bureau of Prisons shall, to the greatest extent practicable, enter into agreements with United States Probation and Pretrial Services to supervise prisoners placed in home confinement or community supervision under this subsection. Such agreements shall—

“(A) authorize United States Probation and Pretrial Services to exercise the authority granted to the Director pursuant to paragraphs (3) and (4); and

“(B) take into account the resource requirements of United States Probation and Pretrial Services as a result of the transfer of Bureau of Prisons prisoners to prerelease custody.

“(7) ASSISTANCE.—United States Probation and Pretrial Services shall, to the greatest extent practicable, offer assistance to any prisoner not under its supervision during prerelease custody under this subsection.

“(8) MENTORING SERVICES.—Any prerelease custody into which a prisoner is placed under this subsection may not include a condition prohibiting the prisoner from receiving mentoring services from a person who provided such services to the prisoner while the prisoner was incarcerated, except that the warden of the facility at which the prisoner was incarcerated may waive the requirement under this paragraph if the warden finds that the provision of such services would pose a significant security risk to the prisoner, persons who provide such services, or any other person. The warden shall provide written notice of any such waiver to the person providing mentoring services and to the prisoner.

“(9) TIME LIMITS INAPPLICABLE.—The time limits under subsections (b) and (c) shall not

apply to prerelease custody under this subsection.

“(h) ALIEN PRISONERS SUBJECT TO DEPORTATION.—If a prisoner who is placed in prerelease custody is an alien whose deportation was ordered as a condition of such prerelease custody or who is subject to a detainer filed by United States Immigration and Customs Enforcement for the purposes of determining the alien’s deportability, United States Immigration and Customs Enforcement shall take custody of the alien upon the alien’s transfer to prerelease custody.”

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect beginning on the date that the Attorney General completes and releases the risk and needs assessment system under subchapter D of chapter 229 of title 18, United States Code.

SEC. 103. GAO REPORT.

Not later than 2 years after the Director of the Bureau of Prisons implements the risk and needs assessment system under section 3621 of title 18, United States Code, and every 2 years thereafter, the Comptroller General of the United States shall conduct an audit of the use of the risk and needs assessment system at Bureau of Prisons facilities. The audit shall include analysis of the following:

(1) Whether inmates are being assessed under the risk and needs assessment system with the frequency required under such section 3621.

(2) Whether the Bureau of Prisons is able to offer recidivism reduction programs and productive activities (as such terms are defined in section 3635 of title 18, United States Code).

(3) Whether the Bureau of Prisons is offering the type, amount, and intensity of recidivism reduction programs and productive activities for prisoners to earn the maximum amount of time credits for which they are eligible.

(4) Whether the Attorney General is carrying out the duties under section 3631(b) of title 18, United States Code.

(5) Whether officers and employees of the Bureau of Prisons are receiving the training described in section 3236(f) of title 18, United States Code.

(6) Whether the Bureau of Prisons offers work assignments to all prisoners who might benefit from such an assignment.

(7) Whether the Bureau of Prisons transfers prisoners to prerelease custody as soon as they are eligible for such a transfer under section 3624(g) of title 18, United States Code.

(8) The rates of recidivism among similarly classified prisoners to identify any unwaranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$50,000,000 for each of fiscal years 2019 through 2023. Of the amount appropriated under this subsection, 80 percent shall be reserved for use by the Director of the Bureau of Prisons to implement the system under section 102 and the amendments made by that section.

(b) SAVINGS.—Any savings associated with reductions in recidivism that result from this title should be reinvested—

(1) into evidence-based recidivism reduction programs offered by the Bureau of Prisons; and

(2) ensuring eligible prisoners have access to such programs and productive activities offered by the Bureau of Prisons.

SEC. 105. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, may be construed to pro-

vide authority to place a prisoner in prerelease custody who is serving a term of imprisonment pursuant to a conviction for an offense under the laws of one of the 50 States, or of a territory or possession of the United States.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

SEC. 201. SHORT TITLE.

This title may be cited as the “Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2018”.

SEC. 202. SECURE FIREARMS STORAGE.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

“§ 4050. Secure firearms storage

“(a) DEFINITIONS.—In this section—

“(1) the term ‘employee’ means a qualified law enforcement officer employed by the Bureau of Prisons; and

“(2) the terms ‘firearm’ and ‘qualified law enforcement officer’ have the meanings given those terms under section 926B.

“(b) SECURE FIREARMS STORAGE.—The Director of the Bureau of Prisons shall ensure that each chief executive officer of a Federal penal or correctional institution—

“(1)(A) provides a secure storage area located outside of the secure perimeter of the institution for employees to store firearms; or

“(B) allows employees to store firearms in a vehicle lockbox approved by the Director of the Bureau of Prisons; and

“(2) notwithstanding any other provision of law, allows employees to carry concealed firearms on the premises outside of the secure perimeter of the institution.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, as amended by this Act, is further amended by adding at the end the following:

“4050. Secure firearms storage.”.

TITLE III—RESTRAINTS ON PREGNANT PRISONERS PROHIBITED

SEC. 301. USE OF RESTRAINTS ON PRISONERS DURING THE PERIOD OF PREGNANCY AND POSTPARTUM RECOVERY PROHIBITED.

(a) IN GENERAL.—Chapter 317 of title 18, United States Code, is amended by inserting after section 4321 the following:

“§ 4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited

“(a) PROHIBITION.—Except as provided in subsection (b), beginning on the date on which pregnancy is confirmed by a healthcare professional, and ending at the conclusion of postpartum recovery, a prisoner in the custody of the Bureau of Prisons, or in the custody of the United States Marshals Service pursuant to section 4086, shall not be placed in restraints.

“(b) EXCEPTIONS.—

“(1) IN GENERAL.—The prohibition under subsection (a) shall not apply if—

“(A) an appropriate corrections official, or a United States marshal, as applicable, makes a determination that the prisoner—

“(i) is an immediate and credible flight risk that cannot reasonably be prevented by other means; or

“(ii) poses an immediate and serious threat of harm to herself or others that cannot reasonably be prevented by other means; or

“(B) a health care professional responsible for the health and safety of the prisoner determines that the use of restraints is appropriate for the medical safety of the prisoner.

“(2) LEAST RESTRICTIVE RESTRAINTS.—In the case that restraints are used pursuant to an exception under paragraph (1), only the

least restrictive restraints necessary to prevent the harm or risk of escape described in paragraph (1) may be used.

“(3) APPLICATION.—

“(A) IN GENERAL.—The exceptions under paragraph (1) may not be applied—

“(i) to place restraints around the ankles, legs, or waist of a prisoner;

“(ii) to restrain a prisoner’s hands behind her back;

“(iii) to restrain a prisoner using four-point restraints; or

“(iv) to attach a prisoner to another prisoner.

“(B) MEDICAL REQUEST.—Notwithstanding paragraph (1), upon the request of a healthcare professional who is responsible for the health and safety of a prisoner, a corrections official or United States marshal, as applicable, shall refrain from using restraints on the prisoner or remove restraints used on the prisoner.

“(c) REPORTS.—

“(1) REPORT TO THE DIRECTOR AND HEALTHCARE PROFESSIONAL.—If a corrections official or United States marshal uses restraints on a prisoner under subsection (b)(1), that official or marshal shall submit, not later than 30 days after placing the prisoner in restraints, to the Director of the Bureau of Prisons or the Director of the United States Marshals Service, as applicable, and to the healthcare professional responsible for the health and safety of the prisoner, a written report which describes the facts and circumstances surrounding the use of restraints, and includes—

“(A) the reasoning upon which the determination to use restraints was made;

“(B) the details of the use of restraints, including the type of restraints used and length of time during which restraints were used; and

“(C) any resulting physical effects on the prisoner observed by or known to the corrections official or United States marshal, as applicable.

“(2) SUPPLEMENTAL REPORT TO THE DIRECTOR.—Upon receipt of a report under subsection (c)(1), the healthcare professional responsible for the health and safety of the prisoner may submit to the Director such information as the healthcare professional determines is relevant to the use of restraints on the prisoner.

“(3) REPORT TO JUDICIARY COMMITTEES.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each submit to the Judiciary Committee of the Senate and of the House of Representatives a report that certifies compliance with this section and includes the information required to be reported under paragraph (1).

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—The report under this paragraph shall not contain any personally identifiable information of any prisoner.

“(d) NOTICE.—Not later than 48 hours after the confirmation of a prisoner’s pregnancy by a health care professional, that prisoner shall be notified by an appropriate health care professional, corrections official, or United States marshal, as applicable, of the restrictions on the use of restraints under this section.

“(e) VIOLATION REPORTING PROCESS.—The Director of the Bureau of Prisons, in consultation with the Director of the United States Marshals Service, shall establish a process through which a prisoner may report a violation of this section.

“(f) TRAINING.—

“(1) IN GENERAL.—The Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each

develop training guidelines regarding the use of restraints on female prisoners during the period of pregnancy, labor, and postpartum recovery, and shall incorporate such guidelines into appropriate training programs. Such training guidelines shall include—

“(A) how to identify certain symptoms of pregnancy that require immediate referral to a health care professional;

“(B) circumstances under which the exceptions under subsection (b) would apply;

“(C) in the case that an exception under subsection (b) applies, how to apply restraints in a way that does not harm the prisoner, the fetus, or the neonate;

“(D) the information required to be reported under subsection (c); and

“(E) the right of a health care professional to request that restraints not be used, and the requirement under subsection (b)(3)(B) to comply with such a request.

“(2) DEVELOPMENT OF GUIDELINES.—In developing the guidelines required by paragraph (1), the Directors shall each consult with health care professionals with expertise in caring for women during the period of pregnancy and postpartum recovery.

“(g) DEFINITIONS.—For purposes of this section:

“(1) The term ‘postpartum recovery’ means the twelve-week period, or longer as determined by the healthcare professional responsible for the health and safety of the prisoner, following delivery, and shall include the entire period that the prisoner is in the hospital or infirmary.

“(2) The term ‘restraints’ means any physical or mechanical device used to control the movement of a prisoner’s body, limbs, or both.

“(3) The term ‘prisoner’ means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons, including a person in a Bureau of Prisons contracted facility.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 317 of title 18, United States Code, is amended by adding after the item relating to section 4321 the following:

“4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited.”

TITLE IV—MISCELLANEOUS CRIMINAL JUSTICE

SEC. 401. PLACEMENT OF PRISONERS CLOSE TO FAMILIES.

Subsection (b) of section 3621 of title 18, United States Code, is amended by striking “shall designate the place of the prisoner’s imprisonment.” and inserting “shall designate the place of the prisoner’s imprisonment, and shall, subject to bed availability, the prisoner’s security designation, the prisoner’s programmatic needs, and the prisoner’s mental and medical health needs, place the prisoner in a facility as close as practicable to the prisoner’s primary residence, but, in any case, not more than 500 driving miles from the prisoner’s primary residence. Subject to bed availability and the prisoner’s security designation, the Bureau shall transfer prisoners to facilities that are closer to the prisoner’s primary residence even if the prisoner is already in a facility within 500 driving miles of that residence, unless the prisoner chooses to remain at his or her current facility.”

SEC. 402. HOME CONFINEMENT FOR LOW RISK PRISONERS.

Section 3624(c)(2) of title 18, United States Code, is amended by adding at the end the following: “The Bureau of Prisons shall, to the extent practicable, place prisoners with

lower risk levels and lower needs on home confinement for the maximum amount of time permitted under this paragraph.”

SEC. 403. FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION; MODIFICATION OF IMPOSED TERM OF IMPRISONMENT.

(a) FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION.—Section 231(g) of the Second Chance Act of 2007 (34 U.S.C. 60541(g)) is amended—

(1) in paragraph (1)—

(A) by inserting “and eligible terminally ill offenders” after “elderly offenders” each place the term appears; and

(B) in subparagraph (B), by inserting “, upon written request from either the Bureau of Prisons or an eligible elderly offender or eligible terminally ill offender” after “to home detention”;

(2) in paragraph (2), by inserting “or eligible terminally ill offender” after “elderly offender”;

(3) in paragraph (3)—

(A) by striking “at least one Bureau of Prisons facility” and inserting “Bureau of Prisons facilities”; and

(B) by striking “and shall be carried out during fiscal years 2009 and 2010” and inserting “and shall be carried out during fiscal years 2019 through 2022”;

(4) in paragraph (4)—

(A) by inserting “or eligible terminally ill offender” after “each eligible elderly offender”;

(B) by inserting “and eligible terminally ill offenders” after “eligible elderly offenders”;

(5) in paragraph (5)—

(A) in subparagraph (A)—

(i) in clause (i), striking “65 years of age” and inserting “60 years of age”;

(ii) in clause (ii)—

(I) by striking “the greater of 10 years or”;

(II) by striking “75 percent” and inserting “%”;

(iii) in clause (vii), by inserting before the period at the end the following: “, and beginning on the date that is 2 years after the date on which the Bureau of Prisons has completed the initial intake risk and needs assessment for each prisoner under section 3621(h)(1)(A) of title 18, United States Code, has been determined to have a minimum or low risk of recidivism based on 2 consecutive assessments described in such section 3621”;

(B) by adding at the end the following:

“(D) ELIGIBLE TERMINALLY ILL OFFENDER.—The term ‘eligible terminally ill offender’ means an offender in the custody of the Bureau of Prisons who—

“(i) is serving a term of imprisonment based on conviction for an offense or offenses that do not include any crime of violence (as defined in section 16(a) of title 18, United States Code), sex offense (as defined in section 111(5) of the Sex Offender Registration and Notification Act (34 U.S.C. 20911(5))), offense described in section 2332b(g)(5)(B) of title 18, United States Code, or offense under chapter 37 of title 18, United States Code;

“(ii) satisfies the criteria specified in clauses (iii) through (vii) of subparagraph (A); and

“(iii) has been determined by a medical doctor approved by the Bureau of Prisons to be—

“(I) in need of care at a nursing home, intermediate care facility, or assisted living facility, as those terms are defined in section 232 of the National Housing Act (12 U.S.C. 1715w); or

“(II) diagnosed with a terminal illness.”

(b) INCREASING THE USE AND TRANSPARENCY OF COMPASSIONATE RELEASE.—Section 3582 of title 18, United States Code, is amended—

(1) in subsection (c)(1)(A), in the matter preceding clause (i), by inserting after “Bureau of Prisons,” the following: “or, upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier;”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

“(d) NOTIFICATION REQUIREMENTS.—

“(1) TERMINAL ILLNESS DEFINED.—In this subsection, the term ‘terminal illness’ means a disease or condition with an end-of-life trajectory.

“(2) NOTIFICATION.—The Bureau of Prisons shall, subject to any applicable confidentiality requirements—

“(A) in the case of a defendant diagnosed with a terminal illness—

“(i) not later than 72 hours after the diagnosis notify the defendant’s attorney, partner, and family members of the defendant’s condition and inform the defendant’s attorney, partner, and family members that they may prepare and submit on the defendant’s behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

“(ii) not later than 7 days after the date of the diagnosis, provide the defendant’s partner and family members (including extended family) with an opportunity to visit the defendant in person;

“(iii) upon request from the defendant or his attorney, partner, or a family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

“(iv) not later than 14 days of receipt of a request for a sentence reduction submitted on the defendant’s behalf by the defendant or the defendant’s attorney, partner, or family member, process the request;

“(B) in the case of a defendant who is physically or mentally unable to submit a request for a sentence reduction pursuant to subsection (c)(1)(A)—

“(i) inform the defendant’s attorney, partner, and family members that they may prepare and submit on the defendant’s behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

“(ii) accept and process a request for sentence reduction that has been prepared and submitted on the defendant’s behalf by the defendant’s attorney, partner, or family member under clause (i); and

“(iii) upon request from the defendant or his attorney, partner, or family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

“(C) ensure that all Bureau of Prisons facilities regularly and visibly post, including in prisoner handbooks, staff training materials, and facility law libraries and medical and hospice facilities, and make available to prisoners upon demand, notice of

“(D) a defendant’s ability to request a sentence reduction pursuant to subsection (c)(1)(A);

“(E) the procedures and timelines for initiating and resolving requests described in clause (i); and

“(F) the right to appeal a denial of a request described in clause (i) after all administrative rights to appeal within the Bureau of Prisons have been exhausted.

“(3) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this subsection, and once every year thereafter, the

Director of the Bureau of Prisons shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on requests for sentence reductions pursuant to subsection (c)(1)(A), which shall include a description of, for the previous year—

“(A) the number of prisoners granted and denied sentence reductions, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(B) the number of requests initiated by or on behalf of prisoners, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(C) the number of requests which Bureau of Prisons employees assisted prisoners in drafting, preparing, or submitting, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

“(D) the number of requests which attorneys, partners, or family members submitted on a defendant’s behalf, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

“(E) the number of requests approved by the Director of the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(F) the number of requests denied by the Director of the Bureau of Prisons and the reasons given for each denial, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(G) for each request, the time elapsed between the date the request was received by the warden and the final decision, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(H) for each request, the number of prisoners who died while their request was pending and, for each, the amount of time that had elapsed between the date the request was received by the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(I) the number of Bureau of Prisons notifications to attorneys, partners, and family members of their right to visit a terminally ill defendant as required under paragraph (2)(A)(i) and, for each, whether a visit occurred and how much time elapsed between the notification and the visit;

“(J) the number of visits to terminally ill prisoners that were denied by the Bureau of Prisons due to security or other concerns, and the reasons given for each denial; and

“(K) the number of motions filed by defendants with the court after all administrative rights to appeal a denial of a sentence reduction had been exhausted, the outcome of each motion, and the time that had elapsed between the date the request was first received by the Bureau of Prisons and the date the defendant filed the motion with the court.”

SEC. 404. IDENTIFICATION FOR RETURNING CITIZENS.

(a) IDENTIFICATION AND RELEASE ASSISTANCE FOR FEDERAL PRISONERS.—Section 231(b) of the Second Chance Act of 2007 (34 U.S.C. 60541(b)) is amended—

(1) in paragraph (1)—

(A) by striking “(including)” and inserting “‘prior to release from a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term in community confinement, including’”;

(B) by striking “(or a birth certificate) prior to release” and inserting “and a birth certificate”;

(2) by adding at the end the following:

“(4) DEFINITION.—In this subsection, the term ‘community confinement means’ resi-

dence in a community treatment center, halfway house, restitution center, mental health facility, alcohol or drug rehabilitation center, or other community facility”.

(b) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a) of title 18 of the United States Code, is amended—

(1) by redesignating paragraph (D) as paragraph (6);

(2) in paragraph (6) (as so redesignated)—

(A) in clause (1)—

(i) by striking “Social Security Cards,”; and

(ii) by striking “and” at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

“(ii) obtain identification, including a social security card, driver’s license or other official photo identification, and a birth certificate;”.

(D) in clause (iii) (as so redesignated), by inserting after “prior to release” the following: “from a sentence to a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term of community confinement”.

SEC. 405. MISCELLANEOUS.

(a) REPEAL.—Section 4351 of title 18, United States Code, is repealed.

(b) CONFORMING AMENDMENT.—Section 4352 of title 18, United States Code, is amended in subsection (a), by striking “National Institution of Corrections” and inserting “National Institute of Justice”.

(c) STRIKE RELATED TO FUNCTIONS OF THE NATIONAL INSTITUTE OF CORRECTIONS.—The Department of Justice Appropriations Act, 1997 (Title I, Div. A, Public Law 104-208, 110 Stat. 3009-11) is amended under the heading “Federal Prison System, Salaries and Expenses” by striking the eighth proviso (pertaining to the budget and functions of the National Institute of Corrections).

SEC. 406. EXPANDING INMATE EMPLOYMENT THROUGH FEDERAL PRISON INDUSTRIES.

(a) NEW MARKET AUTHORIZATIONS.—Chapter 307 of title 18, United States Code, is amended by inserting after section 4129 the following:

“§ 4130. Additional markets

“(a) IN GENERAL.—Notwithstanding any other provision of law, Federal Prison Industries may sell products to—

“(1) public entities for use in penal or correctional institutions;

“(2) public entities for use in disaster relief or emergency response;

“(3) the government of the District of Columbia;

“(4) any organization described in section 501(c)(3), (c)(4), or (d) of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of that code.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘public entity’ means a State, a subdivision of a State, an Indian tribe, and an agency or governmental corporation or business of any of the foregoing.

“(2) The term ‘State’ means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the United States Virgin Islands.”.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 307 of title 18, United States Code, is amended by inserting after the item related to section 4129 the following:

“4130. Additional markets.”.

(c) DEFERRED COMPENSATION.—Section 4126(c)(4) of title 18, United States Code, is amended by inserting after “operations,” the

following: “not less than 15 percent of such compensation for any inmate shall be reserved in the fund or a separate account and made available to assist the inmate with costs associated with release from prison.”.

SEC. 407. DE-ESCALATION TRAINING.

Beginning not later than 1 year after the date of the enactment of this Act, the Director of the Bureau of Prisons shall incorporate into training programs provided to officers and employees of the Bureau of Prisons (including officers and employees of an organization with which the Bureau of Prisons has a contract to provide services relating to imprisonment) specialized and comprehensive training in procedures to—

(1) de-escalate encounters between a law enforcement officer or an officer or employee of the Bureau of Prisons, and a civilian or a prisoner (as such term is defined in section 106 of this Act); and

(2) identify and appropriately respond to incidents that involve the unique needs of individuals who have a mental illness or cognitive deficit.

SEC. 408. EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.

(a) REPORT ON EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.—Not later than 90 days after the date of the enactment of this Act, the Director of the Bureau of Prisons shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and the capacity of the Bureau of Prisons to treat heroin and opioid abuse through evidence-based programs, including medication-assisted treatment where appropriate. In preparing the report, the Director shall consider medication-assisted treatment as a strategy to assist in treatment where appropriate and not as a replacement for holistic and other drug-free approaches. The report shall include a description of plans to expand access to evidence-based treatment for heroin and opioid abuse for prisoners, including access to medication-assisted treatment in appropriate cases. Following submission, the Director shall take steps to implement these plans.

(b) REPORT ON THE AVAILABILITY OF MEDICATION-ASSISTED TREATMENT FOR OPIOID AND HEROIN ABUSE, AND IMPLEMENTATION THEREOF.—Not later than 120 days after the date of the enactment of this Act, the Director of the Administrative Office of the United States Courts shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and capacity for the provision of medication-assisted treatment for opioid and heroin abuse by treatment-service providers serving prisoners who are serving a term of supervised release, and including a description of plans to expand access to medication assisted treatment for heroin and opioid abuse whenever appropriate among prisoners under supervised release. Following submission, the Director will take steps to implement these plans.

SEC. 409. PILOT PROGRAMS.

(a) IN GENERAL.—The Bureau of Prisons shall establish each of the following pilot programs for 2 years, in at least 10 facilities:

(1) MENTORSHIP FOR YOUTH.—A program to pair youth with volunteers from faith-based or community organizations, which may include formerly incarcerated offenders, that have relevant experience or expertise in mentoring, and a willingness to serve as a mentor in such a capacity.

(2) SERVICE TO ABANDONED, RESCUED, OR OTHERWISE VULNERABLE ANIMALS.—A program to equip prisoners with the skills to provide training and therapy to animals

seized by Federal law enforcement under asset forfeiture authority and to organizations that provide shelter and similar services to abandoned, rescued, or otherwise vulnerable animals.

(b) **REPORTING REQUIREMENT.**—Not later than one year after the conclusion of the pilot programs, the Attorney General shall report to Congress on the results of the pilot programs under this section. Such report shall include cost savings, numbers of participants, and information about recidivism rates among participants.

(c) **DEFINITION.**—In this title, the term “youth” means a prisoner (as such term is defined in section 106) who was 21 years of age or younger at the time of the commission or alleged commission of the criminal offense for which the individual is being prosecuted or serving a term of imprisonment, as the case may be.

SEC. 410. ENSURING SUPERVISION OF RELEASED SEXUALLY DANGEROUS PERSONS.

(a) **PROBATION OFFICERS.**—Section 3603 of title 18, United States Code, is amended in paragraph (8)(A) by striking “or 4246” and inserting “, 4246, or 4248”.

(b) **PRETRIAL SERVICES OFFICERS.**—Section 3154 of title 18, United States Code, is amended in paragraph (12)(A) by striking “or 4246” and inserting “, 4246, or 4248”.

SEC. 411. DATA COLLECTION.

(a) **NATIONAL PRISONER STATISTICS PROGRAM.**—Beginning not later than one year after the date of the enactment of this Act, and annually thereafter, pursuant to the authority under section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732), the Director of the Bureau of Justice Statistics, with information that shall be provided by the Director of the Bureau of Prisons, shall include in the National Prisoner Statistics Program the following:

(1) The number of prisoners (as such term is defined in section 106 of this Act) who are veterans of the Armed Forces of the United States.

(2) The number of prisoners who have been placed in solitary confinement at any time during the previous year.

(3) The number of female prisoners known by the Bureau of Prisons to be pregnant, as well as the outcomes of such pregnancies, including information on pregnancies that result in live-birth, still-birth, miscarriage, abortion, ectopic pregnancy, maternal death, neonatal death, and preterm birth.

(4) The numbers of prisoners who volunteered to participate in a substance abuse treatment program, and the number of prisoners who have participated in such a program.

(5) The number of prisoners provided methadone or buprenorphine while in custody in order to manage withdrawal or to continually treat substance dependence and abuse.

(6) The number of prisoners who were receiving methadone or buprenorphine therapy prior to the commencement of their term of imprisonment.

(7) The number of prisoners who are the parent or guardian of a minor child.

(8) The numbers of prisoners who are single, married, or otherwise in a committed relationship.

(9) The number of prisoners who have not achieved a GED, high school diploma, or equivalent prior to entering prison.

(10) The number of prisoners who, during the previous year, received their GED or other equivalent certificate while incarcerated.

(11) The numbers of prisoners for whom English is a second language.

(12) The number of incidents, during the previous year, in which restraints were used on a female prisoner during pregnancy,

labor, or postpartum recovery, as well as information relating to the type of restraints used, and the circumstances under which each incident occurred.

(13) The vacancy rate for medical and health care staff positions, and average length of such a vacancy.

(14) The number of facilities that operated, at any time during the previous year, without at least one clinical nurse, certified paramedic, or licensed physician on-site.

(15) The number of facilities that during the previous year were accredited by the American Correctional Association.

(16) The number and type of recidivism reduction partnerships described in section 3621(h)(5) of title 18, United States Code, entered into by each facility.

(17) The number of facilities with remote learning capabilities.

(18) The number of facilities that offer prisoners video conferencing.

(19) Any changes in costs related to legal phone calls and visits following implementation of section 403 of this Act.

(20) The number of aliens in prison during the previous year.

(21) For each Bureau of Prisons facility, the total number of violations that resulted in reductions in rewards, incentives, or time credits, the number of such violations for each category of violation, and the demographic breakdown of the prisoners who have received such reductions.

(22) The number of assaults on Bureau of Prison staff by prisoners and the number of criminal prosecutions of prisoners for assaulting Bureau of Prison staff.

(23) The capacity of each recidivism reduction program and productive activity to accommodate eligible inmates at each Bureau of Prisons facility.

(24) The number of volunteers who were certified to volunteer in a Bureau of Prisons facility, broken down by level (level I and level II), and by each Bureau of Prisons facility.

(25) The number of prisoners enrolled in recidivism reduction programs and productive activities at each Bureau of Prisons facility, broken down by risk level and by program, and the number of those enrolled prisoners who successfully completed each program.

(26) The breakdown of prisoners classified at each risk level by demographic characteristics, including age, sex, race, and the length of the sentence imposed.

(b) **REPORT TO JUDICIARY COMMITTEES.**—Beginning not later than one year after the date of the enactment of this Act, and annually thereafter for a period of 7 years, the Director of the Bureau of Justice Statistics shall submit a report containing the information described in paragraphs (1) through (26) of subsection (a) to the Committees on the Judiciary of the House of Representatives and of the Senate.

SEC. 412. HEALTHCARE PRODUCTS.

(a) **AVAILABILITY.**—The Director of the Bureau of Prisons shall make the healthcare products described in subsection (c) available to prisoners for free, in a quantity that is appropriate to the healthcare needs of each prisoner.

(b) **QUALITY PRODUCTS.**—The Director shall ensure that the healthcare products provided under this section conform with applicable industry standards.

(c) **PRODUCTS.**—The healthcare products described in this subsection are tampons and sanitary napkins.

SEC. 413. PRISON RAPE ELIMINATION STANDARDS AUDITORS.

Section 8(e)(8) of the Prison Rape Elimination Act of 2003 (34 U.S.C. 30307(e)(8)) is amended to read as follows:

“(8) **STANDARDS FOR AUDITORS.**—

“(A) **IN GENERAL.**—

“(i) **BACKGROUND CHECKS FOR AUDITORS.**—An individual seeking certification by the Department of Justice to serve as an auditor of prison compliance with the national standards described in subsection (a) shall, upon request, submit fingerprints in the manner determined by the Attorney General for criminal history record checks of the applicable State and Federal Bureau of Investigation repositories.

“(ii) **CERTIFICATION AGREEMENTS.**—Each auditor certified under this paragraph shall sign a certification agreement that includes the provisions of, or provisions that are substantially similar to, the Bureau of Justice Assistance’s Auditor Certification Agreement in use in April 2018.

“(iii) **AUDITOR EVALUATION.**—The PREA Management Office of the Bureau of Justice Assistance shall evaluate all auditors based on the criteria contained in the certification agreement. In the case that an auditor fails to comply with a certification agreement or to conduct audits in accordance with the PREA Auditor Handbook, audit methodology, and instrument approved by the PREA Management Office, the Office may take remedial or disciplinary action, as appropriate, including decertifying the auditor in accordance with subparagraph (B).

“(B) **AUDITOR DECERTIFICATION.**—

“(i) **IN GENERAL.**—The PREA Management Office may suspend an auditor’s certification during an evaluation of an auditor’s performance under subparagraph (A)(iii). The PREA Management Office shall promptly publish the names of auditors who have been decertified, and the reason for decertification. Auditors who have been decertified or are on suspension may not participate in audits described in subsection (a), including as an agent of a certified auditor.

“(ii) **NOTIFICATION.**—In the case that an auditor is decertified, the PREA Management Office shall inform each facility or agency at which the auditor performed an audit during the relevant three-year audit cycle, and may recommend that the agency repeat any affected audits, if appropriate.

“(C) **AUDIT ASSIGNMENTS.**—The PREA Management Office shall establish a system, to be administered by the Office, for assigning certified auditors to Federal, State, and local facilities.

“(D) **DISCLOSURE OF DOCUMENTATION.**—The Director of the Bureau of Prisons shall comply with each request for documentation necessary to conduct an audit under subsection (a), which is made by a certified auditor in accordance with the provisions of the certification agreement described in subparagraph (A)(ii). The Director of the Bureau of Prisons may require an auditor to sign a confidentiality agreement or other agreement designed to address the auditor’s use of personally identifiable information, except that such an agreement may not limit an auditor’s ability to provide all such documentation to the Department of Justice, as required under section 115.401(j) of title 28, Code of Federal Regulations.”.

SEC. 414. ADULT AND JUVENILE COLLABORATION PROGRAMS.

Section 2991 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10651) is amended—

(1) by striking subsection (b)(4)(D);

(2) in subsection (e), by striking “may use up to 3 percent” and inserting “shall use not less than 6 percent”; and

(3) by amending subsection (g) to read as follows:

“(g) **COLLABORATION SET ASIDE.**—The Attorney General shall use not less than 8 percent of funds appropriated to provide technical assistance to State and local governments receiving grants under this part to

foster collaboration between such governments in furtherance of the purposes set forth in section 3 of the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 (34 U.S.C. 10651 note).”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 501—RECOGNIZING THREATS TO FREEDOM OF THE PRESS AND EXPRESSION AROUND THE WORLD AND RE-AFFIRMING FREEDOM OF THE PRESS AS A PRIORITY IN EFFORTS OF THE GOVERNMENT OF THE UNITED STATES TO PROMOTE DEMOCRACY AND GOOD GOVERNANCE

Mr. CASEY (for himself, Mr. RUBIO, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 501

Whereas Article 19 of the United Nations Universal Declaration of Human Rights, adopted in Paris, France, on December 10, 1948, states that “[e]veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”;

Whereas, in 1993, the United Nations General Assembly proclaimed May 3 of each year as “World Press Freedom Day” to—

(1) celebrate the fundamental principles of freedom of the press;

(2) evaluate freedom of the press around the world;

(3) defend against attacks on the independence of the media; and

(4) pay tribute to journalists who have lost their lives in the exercise of their profession;

Whereas, on December 18, 2013, the United Nations General Assembly adopted United Nations General Assembly Resolution 163 (2013) on the safety of journalists and the issue of impunity, which unequivocally condemns, in both conflict and nonconflict situations, all attacks on and violence against journalists and media workers, including torture, extrajudicial killing, enforced disappearance, arbitrary detention, and intimidation and harassment;

Whereas the theme for World Press Freedom Day 2018 is “Keeping Power in Check: Media, Justice and the Rule of Law”;

Whereas the Daniel Pearl Freedom of the Press Act of 2009 (22 U.S.C. 2151 note; Public Law 111-166), which was passed by unanimous consent in the Senate and signed into law by President Barack Obama in 2010, expanded the annual Human Rights Reports of the Department of State to include an examination of freedom of the press;

Whereas the 2017 World Press Freedom Index, published by Reporters Without Borders, warned that “media freedom has retreated wherever the authoritarian strongman model has triumphed”;

Whereas Freedom House noted in the report “Freedom of the Press 2017” that—

(1) global press freedom has declined to its lowest point in 13 years; and

(2) only 13 percent of the global population enjoys a free press, meaning a media environment in which “coverage of political news is robust, the safety of journalists is guaranteed, state intrusion in media affairs is minimal, and the press is not subject to onerous legal or economic pressures”;

Whereas, according to the Committee to Protect Journalists—

(1) in 2017—

(A) the 2 deadliest countries for journalists on assignment were Iraq and Syria;

(B) 46 journalists were killed in cases in which the motive for the killing was confirmed to be related to reporting by those journalists;

(C) 20 journalists were killed in cases in which the motive for the killing was unconfirmed;

(D) there were 21 cases in which journalists were jailed for “false news”, which represented more than double the number of cases in which journalists were jailed for “false news” in 2016; and

(E) the percentage of female journalists who were killed in a year was the highest on record;

(2) the most dangerous subject for a journalist to report is politics, followed only then by war; and

(3) as of December 1, 2017, 262 journalists worldwide were imprisoned for their work, marking the second consecutive year that the number of journalists imprisoned for their work hit a historic high;

Whereas freedom of the press is a key component of democratic governance, activism in civil society, and socioeconomic development; and

Whereas freedom of the press enhances public accountability, transparency, and participation in civil society and democratic governance: Now, therefore, be it

Resolved, That the Senate—

(1) expresses concern about the threats to freedom of the press and expression around the world;

(2) welcomes the celebration of World Press Freedom Day 2018 on May 3, 2018;

(3) commends journalists and media workers around the world for their essential role in promoting government accountability, defending democratic activity, and strengthening civil society, despite threats to the safety of those journalists and media workers;

(4) pays tribute to journalists who have lost their lives carrying out their work;

(5) calls on governments abroad to implement United Nations General Assembly Resolution 163 (2013) on the safety of journalists and the issue of impunity by thoroughly investigating and seeking to resolve outstanding cases of violence against journalists, including murders and kidnappings, while ensuring the protection of witnesses;

(6) condemns all actions around the world that suppress freedom of the press;

(7) reaffirms the centrality of freedom of the press to efforts of the Government of the United States to support democracy, mitigate conflict, and promote good governance domestically and around the world; and

(8) calls on the President and the Secretary of State to—

(A) on the basis of the protections afforded under the First Amendment to the Constitution of the United States, preserve and build upon the leadership of the United States on issues relating to freedom of the press;

(B) improve the means by which the Government of the United States rapidly identifies, publicizes, and responds to threats against freedom of the press around the world;

(C) urge foreign governments to conduct transparent investigations and adjudications of the perpetrators of attacks against journalists; and

(D) highlight the issue of threats against freedom of the press—

(i) in the annual Human Rights Reports of the Department of State; and

(ii) throughout the year.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2241. Mr. MCCONNELL (for Mr. WHITEHOUSE (for himself and Mr. PORTMAN)) proposed an amendment to the bill S. 1732, to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

TEXT OF AMENDMENTS

SA 2241. Mr. MCCONNELL (for Mr. WHITEHOUSE (for himself and Mr. PORTMAN)) proposed an amendment to the bill S. 1732, to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology; as follows:

Strike section 2 and insert the following:

SEC. 2. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.

Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)) is amended by adding at the end the following new clause:

“(xxv) Providing incentive payments to behavioral health providers for the adoption and use of certified electronic health record technology (as defined in section 1848(o)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information. Behavioral health providers may include—

“(I) psychiatric hospitals (as defined in section 1861(f));

“(II) community mental health centers (as defined in section 1861(ff)(3)(B));

“(III) clinical psychologists (as defined in section 1861(ii));

“(IV) clinical social workers (as defined in section 1861(hh)(1)); and

“(V) hospitals, treatment facilities, and mental health or substance use disorder providers that participate in a State plan under title XIX or a waiver of such plan.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. CASSIDY. Mr. President, I have a request for one committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate:

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Monday, May 7, 2018, at 5:30 p.m. to hold a hearing on the following nominations: Christopher Krebs, of Virginia, to be Under Secretary of Homeland Security for National Protection and Programs, and David Williams, of Illinois, and Robert M. Duncan, of Kentucky, both to be a Governor of the United States Postal Service.

MEASURE READ THE FIRST
TIME—H.R. 4

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The bill clerk read as follows:

A bill (H.R. 4) to reauthorize programs of the Federal Aviation Administration, and for other purposes.

Mr. MCCONNELL. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

IMPROVING ACCESS TO BEHAVIORAL HEALTH INFORMATION TECHNOLOGY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 1732 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (S. 1732) to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the Whitehouse amendment, which is at the desk, be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The amendment (No. 2241) was agreed to, as follows:

(Purpose: To improve the bill)

Strike section 2 and insert the following:

SEC. 2. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.

Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)) is amended by adding at the end the following new clause:

“(xxv) Providing incentive payments to behavioral health providers for the adoption and use of certified electronic health record technology (as defined in section 1848(o)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information. Behavioral health providers may include—

“(I) psychiatric hospitals (as defined in section 1861(f));

“(II) community mental health centers (as defined in section 1861(ff)(3)(B));

“(III) clinical psychologists (as defined in section 1861(ii));

“(IV) clinical social workers (as defined in section 1861(hh)(1)); and

“(V) hospitals, treatment facilities, and mental health or substance use disorder providers that participate in a State plan under title XIX or a waiver of such plan.”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (S. 1732), as amended, was passed, as follows:

S. 1732

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Access to Behavioral Health Information Technology Act”.

SEC. 2. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.

Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)) is amended by adding at the end the following new clause:

“(xxv) Providing incentive payments to behavioral health providers for the adoption and use of certified electronic health record technology (as defined in section 1848(o)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information. Behavioral health providers may include—

“(I) psychiatric hospitals (as defined in section 1861(f));

“(II) community mental health centers (as defined in section 1861(ff)(3)(B));

“(III) clinical psychologists (as defined in section 1861(ii));

“(IV) clinical social workers (as defined in section 1861(hh)(1)); and

“(V) hospitals, treatment facilities, and mental health or substance use disorder providers that participate in a State plan under title XIX or a waiver of such plan.”.

ORDERS FOR TUESDAY, MAY 8,
2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2:30 p.m., Tuesday, May 8; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. I further ask that following leader remarks, the Senate proceed to executive session and resume consideration of the Engelhardt nomination; finally, that all time during recess, adjournment, morning business, and leader remarks count postcloture on the Engelhardt nomination.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators CASSIDY and CANTWELL.

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

The Senator from Louisiana.

NOMINATION OF KURT
ENGELHARDT

Mr. CASSIDY. Mr. President, the nomination before us is for the U.S. Court of Appeals for the Fifth Circuit, specifically for Judge Kurt Engelhardt, and I rise today to voice my strong support.

Judge Engelhardt is a Louisiana native, earning both his bachelor's degree and law degree from Louisiana State University. I should note that Judge Engelhardt was a member of the Golden Band from Tigerland as a law student, one of the great college marching bands. He may have missed all of that marching because he took up marathon running a few years ago and has now completed 13 full marathons, including the Boston Marathon and the New York City Marathon. All of this is to say that the man has a personal life that is active and vigorous, but he also has a legal life.

After law school, Judge Engelhardt clerked for Judge Charles Grisbaum of the Louisiana Fifth Circuit Court of Appeals. He then practiced law at Little & Metzger in Metairie before becoming an associate and then partner at Hailey, McNamara, Hall, Larmann & Papale in Metairie.

In 2001, President George W. Bush nominated Judge Engelhardt for a seat on the U.S. District Court for the Eastern District of Louisiana. The Senate confirmed him by a voice vote in December 2001, demonstrating that this body gave him bipartisan support as the quality candidate he was. He has been the chief judge of the Eastern District of Louisiana since 2015.

Judge Engelhardt has been an active member of the New Orleans Chapter of the Federal Bar Association, serving on the board of directors for 10 years and as chapter president in 2011. He has active memberships in the Federal District Judges Association, the Louisiana State Bar Association, the New Orleans Bar Association, the Jefferson Bar Association, and the Fifth Circuit District Judges Association.

In 2004, Judge Engelhardt was appointed by the Supreme Court to serve on the Judicial Conference Committee on Federal-State Jurisdiction for two terms, and he has also served on the Louisiana Supreme Court's Judiciary Commission.

Judge Engelhardt was also very active in serving the New Orleans community, having served on the board of directors of the Cancer Association of Greater New Orleans for more than 20 years.

Judge Engelhardt was confirmed out of the Judiciary Committee on February 8, 2018, on a bipartisan basis. The committee recognizes that confirming good, qualified judges who uphold the Constitution is one of the Senate's top priorities.

Judge Engelhardt is the kind of fair-minded and experienced person we need to serve on the bench. He has served the people of Louisiana well as an article III judge for the past 17 years, and I have no doubt he will continue to serve with the same high standards on the Fifth Circuit Court of Appeals.

I support the nomination of Judge Kurt Engelhardt and urge all of my colleagues to do so as well.

Thank you.

The PRESIDING OFFICER. The Senator from Washington.

REMEMBERING REV. DR. SAMUEL B. MCKINNEY

Ms. CANTWELL. Mr. President, I come to the floor to pay tribute to Rev. Dr. Samuel B. McKinney, a civil rights icon from the Pacific Northwest.

In August of 1963, Martin Luther King, Jr., inspired the Nation from the steps of the Lincoln Memorial here in Washington, DC, boldly proclaiming: "Now is the time to make justice a reality for all of God's children."

Meanwhile, in the basement of Mount Zion Baptist Church in Seattle, WA, Dr. Samuel McKinney was already taking up that cause. He stood before his fellow religious leaders—pastors, rabbis, and priests—and asked them to join him in the struggle for equality and justice for all.

For more than 40 years, he never gave up the fight, advocating for economic and social justice in Seattle, WA, and throughout our Nation. Refusing to yield to deep-seated prejudice and threats of violence, he became known as a visionary civil rights leader, a pillar of Seattle civic life, and a moral consciousness of our community.

Tomorrow, many Washingtonians will come together to celebrate Dr. McKinney's life—to remember his wisdom, his advocacy, his deep and unshakeable belief in justice, his steadfast commitment to his community and his church, his service to our Nation in the U.S. Air Force, and his devotion as a husband, father, and friend.

He was a third-generation Baptist minister. He took up the struggle for justice at an early age. He was inspired by the athletic prowess of Jesse Owens and Joe Louis and by civil rights leaders of our generation.

No influence was more profound than the sermons of his own father. The Rev. Dr. Wade McKinney never shrank from an opportunity to use his pulpit to fight back against racism and segregation, and decades later, from his own pulpit at Mount Zion Baptist Church in Seattle, Dr. Samuel McKinney continued his father's efforts. He repeatedly fought back against injustice in every form, leading civil rights marches in the sixties, protesting school segregation in the seventies, and demonstrating against apartheid in the eighties. He led boycotts against companies that refused to hire Black workers and developed and promoted workforce training programs for people

who were struggling to find employment. He protested unfair education policies and started an accredited preschool and kindergarten program that helped establish the first Black-owned bank in Seattle. He served as an original member of the Seattle Human Rights Commission, helping to pass our city's first Fair Housing Act.

Through his leadership, Dr. McKinney also brought to the national stage the only visit of Dr. Martin Luther King, Jr., to Seattle in 1961, featured in this historic photo. Dr. McKinney also participated in the Selma-to-Montgomery voting rights march in 1965. In 1980, he was arrested for speaking against apartheid at the South African consulate in Seattle. At 86 years old, Dr. McKinney was still fighting back against injustice, speaking at the prayer vigil in Seattle for Trayvon Martin. Dr. McKinney's legacy lives on through his courageous actions, his visionary leadership, and his quest for justice. But perhaps most of all, his legacy lives on through the extraordinary community that he built at Mount Zion Baptist Church.

It was at Mount Zion that he mentored fellow ministers and imparted inspirational guidance. It was where he baptized newborns, presided over weddings, helped families bury their loved ones, and maintained his steadfast commitment to his parishioners.

At Mount Zion, he raised his two daughters—Dr. Lora-Ellen McKinney and Rhoda McKinney-Jones—along with his wife. They made sacrifices for the community. She, too, was a savvy businesswoman and a strong supporter of education and the arts.

Under Dr. McKinney's leadership, Mount Zion flourished and tripled its membership. His church and its community stand as a true testament to Dr. McKinney's life and what it meant in Seattle. Today, it shows the enduring faith that drove him in all that he did. Dr. McKinney made the fight for justice and equality his lifelong mission.

Another picture shows him with Jesse Jackson, who I believe also came to Seattle at Dr. McKinney's request. Dr. McKinney fought for justice in Seattle and helped to impact our Nation. His leadership and dedication to the community will be sorely missed. As I said, tomorrow, many Washingtonians will be there to commemorate his life, along with his daughters and many of his parishioners—people from Mount Zion.

As we honor and remember Dr. McKinney's lifetime of advocacy, I am reminded of a fitting quote from Dr. Martin Luther King, Jr.: "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."

In good times and through difficult ones, Reverend McKinney stood on the side of justice, and for that, all of us in the Pacific Northwest are grateful.

Thank you.
I yield the floor.

ADJOURNMENT UNTIL 2:30 P.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 2:30 p.m. tomorrow.

Thereupon, the Senate, at 6:24 p.m., adjourned until Tuesday, May 8, 2018, at 2:30 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

ROY KALMAN ALTMAN, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE JOAN A. LENARD, RETIRED.
THOMAS P. BARBER, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE JAMES D. WHITTEMORE, RETIRED.

DEPARTMENT OF JUSTICE

KIM GAFFNEY, OF WISCONSIN, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS, VICE DALLAS STEPHEN NEVILLE, TERM EXPIRED.

THE JUDICIARY

RICHARD A. HERTLING, OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE GEORGE W. MILLER, DECEASED.

DEPARTMENT OF JUSTICE

DENNY WADE KING, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE LOUISE W. KELTON, TERM EXPIRED.

SUSAN LLEWELLYN PAMERLEAU, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE ROBERT R. ALMONTE, TERM EXPIRED.

THE JUDICIARY

A. MARVIN QUATTLEBAUM, JR., OF SOUTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE WILLIAM B. TRAXLER, JR., RETIRING.

DEPARTMENT OF JUSTICE

BARRETT W. RICH, OF TENNESSEE, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE JEFFREY THOMAS HOLT, TERM EXPIRED.

THE JUDICIARY

JULIUS NESS RICHARDSON, OF SOUTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE DENNIS W. SHEDD, RETIRED.

RODOLFO ARMANDO RUIZ II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE WILLIAM J. ZLOCH, RETIRED.

RODNEY SMITH, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE ROBIN S. ROSENBAUM, ELEVATED.

RICHARD J. SULLIVAN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE RICHARD C. WESLEY, RETIRED.

DEPARTMENT OF JUSTICE

RICHARD E. TAYLOR, JR., OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS, VICE RANDY PAUL ELY, RETIRED.

THE JUDICIARY

T. KENT WETHERELL II, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF FLORIDA, VICE JOHN RICHARD SMOAK, RETIRED.

DEPARTMENT OF JUSTICE

NICK WILLARD, OF NEW HAMPSHIRE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS, VICE DAVID LYLE CARGILL, JR., TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. SCOTT A. HOWELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE

AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WARREN D. BERRY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DONALD E. KIRKLAND

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. CLIFFORD N. JAMES

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. AUSTIN S. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DARSIE D. ROGERS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRADLEY A. BECKER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MICHAEL M. GILDAY

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. LEWIS A. CRAPAROTTA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ERIC M. SMITH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. DANIEL J. O'DONOHUE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

AARON J. OELRICH
DANIEL J. PATAK

To be major

DAVID A. BLEVINS
BITRUS B. COBONGS
NICOLE M. HANDY
GREGORY P. NORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

RYAN C. BOYLE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS A CHAPLAIN UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JAMES E. SMITH, JR.

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

ALLEN D. ALDENBERG
JERRY E. BAIRD, JR.
TOBIN R. CLIFTON
THOMAS G. COOK II
MICHAEL A. GILLIGAN
PAUL E. HESSLING
BRYAN V. HILL
NOEL A. HOBACK
MARC R. MCCREERY
GLEN A. MCELROY
CHRISTINA M. MCNEIL
BRENT A. ORR
RYAN J. ROBINSON
MICHAEL J. SIPPLES
TIMOTHY W. VANCE
DANIEL S. WILLIAMS
TERI D. WILLIAMS
TIMOTHY A. WOOD

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

WILLIAM J. GRIMES
JEREMY P. MOUNT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID W. EASTBURN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ZINA L. ROBERTS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be colonel

BRADFORD M. BURRIS
JOHN H. COCHRAN

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

GREGORY N. ANDERSON
GUILLERMO M. ARGUELLO
BRANDON W. BEAM
CORY L. BROWN
DANIEL R. DECKER
NATHANIEL L. DOANE
DEAN R. DOBRANSKY
ROBERT R. EASTMAN III
RYAN J. ELLWOOD
REHETT N. GILMAN
COLEMAN GONZALEZ
THOMAS D. GROARK
NEAL P. HUTSELL
KEVIN M. ISAAK
ADAM T. KULCZYCKY
EVAN S. LONG
WILLIAM P. LOONEY
MARK E. MALINIAK
CHRISTOPHER G. MARLEY
ROBERT J. MARTIN
ANDREW N. MAULDIN
TIMOTHY J. MENDOZA
BENJAMIN J. MILLS
ZACHARY J. PREFONTAINE
BENJAMIN J. REED
MAX J. RETTBLATT
DANTE A. ROSS
ELAN J. S. ROTKLEIN
DUSTIN P. SCHEINERT
AIMEE J. SMITH
JOHNNY L. STEVENSON, JR.
ADAM T. VIEUX
JACOB H. WEBB

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOHN R. BUSH
ALEXANDER C. DUTKO
MATTHEW W. FARR
RICHARD M. GENSLEY
WILLIAM E. HARGREAVES
MICHAEL P. KLINE
WALTER B. MASSENBERG, JR.
SAMUEL J. MESSER
DAVID S. MURRAY
MICHAEL J. SAVARESE
BRIAN J. SAWICKI
HOLLY B. SHOGER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ERIK E. ANDERSON
SCOTT P. BAILEY
CATHERINE W. BOEHME
MICHAEL A. BURKHARD
REMIL J. CAPILI
JOSHUA D. CRINKLAW
KEITH B. FAHLENKAMP
ANDREW J. GILLESPIE
JASON GRABELLE
BRIAN A. KAROSICH
DANIEL C. KIDD
JONATHAN J. H. KIM
JAMES A. KUHLMANN
PHILIP R. MLYNARSKI
DAVID L. MURRAY
MARK C. PARRELLA
MATTHEW K. SCHROEDER
MATTHEW L. TARDY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRADFORD W. BAKER
ARTHUR GIBB III
MICHAEL P. OHARA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DERRICK E. BLACKSTON
HOWARD B. FABACHER II
JOHN M. GRAF
LEON A. HIGGINS
RICHARD A. HUTH
MICHAEL P. MORAN
ROBERT T. STOCKTON, JR.
MICHAEL G. WHEELER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

DAVID J. ADAMS
WALTER H. ALLMAN III
GABRIEL A. ANSEEUW
KENNETH M. ATHANS
GILBERT AYAN
THOMAS B. AYDT
JOSEPH A. BAGGETT
KURT D. BALAGNA
RAYMOND F. BARNES, JR.
JOHN S. BARSANO
ANDREW D. BATES
BRANNON S. BICKEL
JENNIFER M. BLAKESLEE
R. W. BLIZZARD
THOMAS T. BODINE
TIMOTHY C. BOEHME
DANIEL A. BOMAN
ORLANDO S. BOWMAN
DEREK BRADY
KENDALL G. BRIDGEWATER
BOBBY E. BROWN, JR.
CHRISTOPHER A. BROWN
SAMUEL C. BRYANT
SCOTT J. BUCHAR
PAUL R. BURKHART
MARK C. BURNS
RUSSELL J. CALDWELL
LEWIS W. CALLAWAY
MARCOS D. CANTU
GABRIEL B. CAVAZOS
DEWON M. CHANEY
MATTHEW E. CHAPMAN
GARY M. CHASE
TONY CHAVEZ
ADAM G. CHEATHAM
JASON L. CHUDEREWICZ
MATTHEW W. CIESLUKOWSKI
THANE C. CLARE
TIMOTHY M. CLARK
DAVID J. COE
ERIC D. COLE
RYAN D. COLLINS
TODD F. COPELAND
ADAN J. COVARRUBIAS
DAVID S. COX
MARC D. CRAWFORD
RANDY C. CRUZ
SAMUEL J. DAVIS
MICHAEL P. DESMOND
STEVEN V. DUNAEDI
CHRISTOPHER J. DOMENCIC
KENNETH S. DOUGLAS
ERIC C. DOYLE
BRIAN M. DRECHSLER
BENJAMIN P. DUBBLEY
DARREN T. DUGAN
JENNIFER L. EATON
MICHAEL D. EBERLEIN
CHARLES B. ECKHART
DAVID L. EDGERTON
TERESA E. ELDERS
KATHLEEN M. ELLIS
FORD C. EWALDSEN, JR.
RAFAEL C. FACUNDO
STEVEN E. FAULK
JUSTIN T. FAUNTLEROY
TROY A. FENDRICK
ADAM L. FLEMING
PAUL N. FLORES

STEVEN M. FOLEY
 JACOB A. FORET
 DAVID S. FORMAN
 MATTHEW T. FRAUENZIMMER
 STEPHEN M. FROELICH
 WILLIAM D. GALLAGHER
 WILLIAM K. GANTT, JR.
 JEFFERY J. GAYDASH
 JASON M. GEDDES
 PATRICK E. GENDRON
 CHRISTOPHER J. GILBERTSON
 JAVIER GONZALEZOCASIO
 AMY E. GRAHAM
 CHAD W. GRAHAM
 DALE M. GREGORY, JR.
 SEAN T. GRUNWELL
 MICHAEL J. GUNTHER
 JOHN W. HALE
 MATTHEW H. HALL
 CHARLES E. HAMPTON
 ERIC M. HANKS
 GARY A. HARRINGTON II
 MARK R. HARRIS
 JUSTIN L. HARTS
 KATRINA L. HILL
 PAUL A. HOCKRAN
 KEVIN J. HOFFMAN
 BRIAN P. HOGAN
 CHRISTOPHER T. HORGAN
 PATRICK W. HOURIGAN
 ABIGAIL A. HUTCHINS
 TODD E. HUTCHISON
 MARCOS A. JASSO
 CEDRICK L. JESSUP
 EDWARD D. JOHNSON
 JEFFREY F. JOHNSON
 MICHAEL R. JOHNSON
 DAVID I. KAISER
 DANIEL J. KEELER
 JOHN C. KIEFABER
 KEN J. KLEINSCHNITTGER
 WILLIAM C. KLUTTZ
 RICHARD S. KRAMARIK
 JUDD A. KRIER
 HERBERT E. LACY
 TEAGUE R. LAGUENS
 JOEL B. LANG
 DOUGLAS M. LANGENBERG
 JADE L. LEPKE
 DENNIS S. LLOYD
 RYAN J. LOGAN
 WALTER C. MAINOR
 RONALD P. MALLOY
 NICOLAS V. MANTALVANOS
 ANDREW P. MARINER
 JAJA J. E. MARSHALL
 CHRISTOPHER E. MARVIN
 JOSEPH S. MATISON
 STEPHEN B. MAY
 GEOFFREY P. MCALWEE
 GINA L. MCCAIN
 GILL MCCARTHY
 STEVEN R. MCDOWELL
 SCOTT J. MCGINNIS
 AMY M. MCINNIS
 CHARLES A. I. MCLENITHAN
 JOSHUA M. MENZEL
 GARRETT H. MILLER
 JOHN M. MONTAGNET
 SHANNON L. MOORE
 TIMOTHY C. MOORE
 DAVID E. MURPHY
 JONATHAN R. MURPHY
 CHRISTOPHER S. MUSSELMAN
 MICHELLE L. NAKAMURA
 CHRISTOPHER J. NARDUCCI
 MICHAEL D. NORDEEN
 THOMAS M. OGDEN
 TERRANCE D. ONEILL
 MATTHEW H. ORT
 CHRISTOPHER M. OSBORN
 GONZALO PARTIDA
 NIRAV V. PATEL
 GEOFFREY W. PATTERSON
 BRYAN S. PEEPLES
 DOUGLAS J. PEGHER
 KENNETH S. PICKARD
 JEFFREY M. PLAISANCE
 CHRISTOPHER J. POLK
 COREY L. PRITCHARD
 JAMES A. QUARESIMO
 DANIEL T. QUINN
 MICHAEL J. RAK
 KEVIN W. RALSTON
 PAUL B. REINHARDT
 CHRISTOPHER A. RICHARD
 CHRISTOPHER J. RIERSON

ANDREW H. RING
 ROBERT P. ROBBINS
 MARTIN L. ROBERTSON
 HENRY M. ROENKE IV
 OSCAR E. ROJAS
 ARNOLD I. ROPER
 JOANNIS C. ROUSSAKIES
 ERIC J. ROZEK
 ETHAN M. RULE
 THOMAS A. RYNO
 ERIC M. SAGER
 GREGG S. SANDERS
 KARREY D. SANDERS
 BRANDON M. SCOTT
 RYAN P. SHANN
 WILLIAM H. SHIPP
 ERIC J. SINBALDI
 ROBERT G. SINRAM
 SEAN L. SLAPPY
 ROBERT G. SMALLWOOD III
 JANICE G. SMITH
 MELVIN R. SMITH, JR.
 GUY M. SNODGRASS
 WILLIAM S. SNYDER, JR.
 JEFFREY D. SOWERS
 JONATHAN E. SPORE
 JOHN W. STAFFORD
 JEFFREY W. STEBBINS
 THOMAS S. STEPHENS
 JAMES W. STEWART
 RYAN M. STODDARD
 RONALD L. STOWE
 EDWARD D. SUNDBERG
 DANIEL W. TESTA
 MILCIADES THEN
 MEGAN A. THOMAS
 JEREMY F. THOMPSON
 SHEA S. THOMPSON
 TIMOTHY M. THOMPSON
 JAMES T. THORP
 JOSEPH A. TORRES
 DARYL E. TRENT
 JEREMY T. VAUGHAN
 KEVIN J. VOLPE
 STEFAN L. WALCH
 KENNETH P. WARD
 JOHN W. WEIDNER, JR.
 EDWARD M. WEILER
 DAVID S. WELLS
 DONALD G. WETHERBEE
 MARTIN L. WEYENBERG
 SAMUEL S. WHITE
 PAUL D. WILL
 JASON J. WILLIAMSON
 MICHAEL D. WISECUP
 GREGORY R. WISEMAN
 KEITH C. WOODLEY
 ROY A. WYLIE
 RAFAEL K. WYSHAM
 TIMOTHY J. YANIK
 JASON P. YOUNG
 RICHARD A. ZASZEWSKI
 KEVIN P. ZAYAC
 DAVID M. ZIELINSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARK R. ALEXANDER
 ROBERT C. CADENA
 WILLIAM A. DANIELS
 CHRISTOPHER D. ENG
 BLAKE E. JACOBSON
 PAUL D. LASHMET
 ANDREW T. NEWSOME

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JILLENE M. BUSHNELL
 HARTWELL F. COKE
 SHANE STOUGHTON
 KENNETH A. WALLACE
 MICAH A. WELTMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ENID S. BRACKETT
 SAMUEL J. DALE
 MARK E. DENNISON
 KEITH J. HARNETTIAUX

COREY S. JOHNSTON
 STACEY A. PRESCOTT
 ERICH J. SCHUBERT
 PASIT SOMBOONPAKRON
 KARSTEN E. SPIES
 JOSHUA P. TAYLOR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

JOHN E. GAY
 TAMARA D. LAWRENCE
 JOHN P. PERKINS
 WILLIAM H. SPEAKS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

FRANKLIN W. BENNETT
 RAMIRO E. FLORES
 VINCENT W. LOGAN
 MATTHEW T. WILCOX

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CARVIN A. BROWN
 DANIEL J. CARIUS
 CLIFFORD COLLINS
 CHARLES C. COWART
 THOMAS A. DECKER
 RICARDO G. ENRIQUEZ
 JEFFREY D. GRISHAM
 CHRISTOPHER T. NICHOLS
 REYNALDO T. TANAP
 GEORGE G. VERGOS
 ERIC M. WILLIAMS
 MARK W. YATES

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CHRISTOPHER R. ANDERSON
 MICHAEL S. BERRY
 HEATH D. BOHLEN
 KENNETH W. BURKE, JR.
 JEFFREY P. BUSCHMANN
 JEANPAUL E. DUBE
 JASON C. ENGLISH
 JEFFERY M. KARGOL
 PETER M. KOPROWSKI
 BRYAN H. LEESE
 DOROTHY S. MILBRANDT
 THOMAS A. MURPHY, JR.
 JON A. OCONNOR
 JAMES M. PENDERGAST
 THOMAS A. PETERSEN
 MARCUS R. POLSON
 CHARLESE R. SAMPA
 MAXIMILLIAN L. WESTLAND
 JOSHUA B. WILSON
 DAVID P. WOLYNSKI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

MARC A. ARAGON
 MARK F. BIBEAU
 JESUS M. CORDEROVILA
 MATTHEW L. GHEN
 MICHAEL D. LEBU
 JAMES M. MAHER
 ANDRE N. ROBER
 ROBERT A. YEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

DAVID A. BESACHIO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

EVAN E. WERNER