

Its main focus was on antirecidivism measures and reserving prison space for the truly dangerous criminals while showing leniency for certain “low-risk offenders,” just as the FIRST STEP Act does.

In some States, it has worked well, and I hope that the FIRST STEP Act works as those who supported it believe it will, but I am not convinced because, in my State, it hasn’t.

Our criminal reform law hit Alaska right as we were going through a recession caused by low oil prices and the fact that the Obama administration locked up Alaska lands which hurt thousands of working men and women and their families.

It was also during this time that the opioid and drug crisis hit our State. Like many States across our country, my State has been hit hard, and we have been laser focused on it here in this body.

This trifecta—the passage of the State’s criminal reform bill, a persistent recession, and the drug crisis—have resulted in mayhem in some of our communities in Alaska.

In Alaska, all crime is up 6 percent from last year and up 26 percent from 5 years ago. Let me give you some troubling statistics from Alaska’s Uniform Crime Report: violent crime; up 6 percent from last year and up 35 percent from 5 years ago; property crime; up 5 percent from last year and up 23 percent from 5 years ago; and vehicle theft up 39 percent from 2016 to 2017.

According Kyle Hopkins from the Anchorage Daily News, who has done a great job reporting on this; car thieves, burglars, and shoplifters stole a staggering \$45.3 million worth of property across Anchorage in 2017. Remember, Anchorage is a city of a population of less than 300,000—the number of cars stolen in Anchorage: 3,104 in 2017; the number of vehicle break-ins: 3,837 in 2017.

Much of this crime is fueled by the drug epidemic.

Like many States across the country, Alaska has been reeling from the opioid crisis and drug epidemic. Tragically, lives are being lost because of this epidemic. Opioid-related deaths doubled in Alaska in 2017. Fentanyl related deaths rose by 450 percent.

The amount of heroin seized in Alaska more than doubled in 2017, while the number of arrests actually decreased.

Law enforcement has been tracking lower 48 traffickers who continue to import increasing amounts of these drugs to take advantage of our unique enforcement challenges, especially in our rural communities.

Given the crime wave in my State, in many cases fueled by addictions, and our high rates of sexual assault and domestic violence, many of the provisions in this bill are deeply troublesome.

In the FIRST STEP Act, certain sexual and drug criminals could be eligible for expanded good time credits, meaning that they can get out of prison

early. Criminals who are serving prison time for trafficking cocaine, heroin, or meth could get out early, so could those who assaulted a law enforcement officer and those who have committed certain violent assaults.

Perhaps most troubling, this bill would reduce enhanced sentencing for repeat drug offenders, including for methamphetamine, heroin, and fentanyl, three drugs that are more prevalent in my State.

The recent statistics in Alaska on drug seizures paint a grim picture about our drug crisis in my State. I cannot risk allowing these perpetrators, some of whom might make their way to Alaska, such leniency.

As I have said, we have been laser-focused on this drug issue here in the Senate. We have passed numerous bills to bring more resources to our States, billions of dollars of resources.

Back home, I have held numerous summits relating to this issue.

In August 2016, I convened the Alaska Wellness Summit: Conquering the Opioid Crisis, an important gathering of Federal, State, and local community leaders dedicated to tackling the many challenges associated with the growing opioid and heroin epidemic. That summit, which largely focused on issues of addiction, recovery, and community, was very productive, with hundreds of Alaskans gathering to listen, gain inspiration, learn and exchange ideas. Federal officials from several different agencies attended to hear the many obstacles Alaskans face when in recovery, as well as witness the indomitable spirit of Alaskans who have overcome those obstacles.

In August 2018, I held another wellness summit, this time focused not only on Alaska’s addiction epidemic, but on drug trafficking and the associated crime wave that is victimizing so many Alaskans. The summit once again feature a prominent group of Federal, State, and local leaders and stakeholders to build public awareness, identify opportunities for coordination and cooperation, and highlight Alaska’s unique public safety challenges with Federal officials.

We have grassroots, peer-to-peer networks across the State that are really beginning to make a difference.

We also have very active community members who are banding together to try to fight crime in their neighborhoods.

But we need a strong criminal justice system that continues to mete out punishments that fit the crime. We need, fair, strong deterrence.

We need the full strength of both the Federal and the State governments, working in tandem, to get drug dealers off the streets and punish violent re-offenders who are wreaking havoc in our communities.

Although I respect that motives of my colleagues—and I do believe that some reform is necessary—this bill goes too far.

When evaluating this bill, I could not ignore the realities of my State’s cur-

rent situation: spiking crime rates and an ongoing opioid and drug crisis. Voting to lessen prison time for any contributing offenders could compound the problem. I could not take that risk.

#### AGRICULTURE IMPROVEMENT ACT OF 2018

Ms. STABENOW. Mr. President, the 2018 farm bill was a true bipartisan victory, and I am very proud of the historic vote Senator ROBERTS and I were able to achieve on this bill. It serves as an example of how Congress, on a bipartisan basis, can produce important legislation through debate and compromise. On the Agriculture, Nutrition, and Forestry Committee, we have a long history of working together to ensure a strong safety net for farmers and for families. This bill continues that long-standing, bipartisan tradition. I know that the chairman did not get everything he wanted in this bill, and neither did I. I would have preferred to make more progress on reforming farm payments, a cause championed by my friend, Senator GRASSLEY, and on improving the adequacy of benefits in the Supplemental Nutrition Assistance Program, known as SNAP, and our other food assistance programs, but, overall, this is a good bill that protects and advances many critical food and farm policies that deserves the strong bipartisan support it received.

The nutrition title of this bill is no exception. We know that SNAP is largely working, and spending has been declining as more people get back to work and get off SNAP the right way. We also know that it is our job to make sure the program is working as intended and that we address any integrity issues that arise. That is why we included important improvements to SNAP program operations, oversight, and employment and training in this bill. In this conference report, we have protected SNAP, made modest, but important improvements, and excluded the very harmful House provisions that would have cut SNAP by more than \$20 billion over 10 years, taken food assistance away from at least 2 million people, and imposed new, unworkable mandates on States.

I wish we also could have made more progress in expanding SNAP eligibility, benefits, and access in ways that would address food insecurity and help low-income Americans who are struggling to make ends meet. That said, we were able to include an important benefit improvement that will provide additional SNAP benefit to certain homeless households that, despite lacking a permanent nighttime address, may still incur expenses for shelter for temporary accommodations or to stay with friends or family. The program’s \$143 homeless shelter deduction will now be available in all States, including in my home State of Michigan, and will keep pace with inflation each year. If a

household could get more SNAP benefits by claiming the regular shelter deduction, it must continue to be able to do so, but for the many households that have had difficulty proving the amount of their shelter expenses, this change will enhance their SNAP benefits and reduce paperwork for both the household and for State agencies. Specifically, the conference report allows, for example, when a homeless household incurs a cost for shelter, but does not have paperwork available to prove the expense, an eligibility worker to provide the standard homeless shelter deduction based on her or his assessment of the households' claims about the expense. The worker can examine the totality of the household's circumstances and provide an appropriate deduction based on the information that is available.

Another improvement we include in this conference agreement is a requirement that USDA reassess the adequacy of SNAP's Thrifty Food Plan, TFP, by 2022 and every 5 years subsequently. The TFP is the foundation for SNAP benefit levels and is meant to reflect the actual food costs that households face in obtaining a nutritionally adequate diet. In recent years, mounting research evidence has found that the TFP is out of step with actual food purchasing practices and nutritional recommendations and that, for the vast majority of households, SNAP benefits are inadequate when considered in tandem with income that the household is assumed to have available for food. In part, the low SNAP benefits are a result of USDA in the past requiring that revisions not increase the cost of the TFP. Over many years, the factors behind food costs have evolved, i.e., purchasing and consumption patterns, dietary guidelines, women's work patterns, and transportation costs. Our intention for the future is that USDA not be compelled to achieve a cost-neutral revision to the TFP, but that it bring to bear the best scientific evidence about the appropriate cost of a "thrifty," but nutritionally adequate food basket. We recognize that this may mean that SNAP benefits need to be adjusted as a result of the reassessment.

We also recognize that food insecurity is an ongoing issue amongst military families. While the conference report did not include a critical change I support related to the treatment of the Base Allowance for Housing in SNAP, I want to encourage USDA to look for ways to address military hunger. Specifically, I ask that USDA designate an office or liaison within the Office of the Secretary of Agriculture to coordinate with Department of Defense to gather data about currently serving military families experiencing food insecurity. I would ask USDA to gather key information such as estimates of SNAP participation by currently serving military families; estimates of currently serving military families experiencing food insecurity, but not able to qualify

for SNAP benefits because the inclusion of their Basic Allowance for Housing allowance as counted income; estimates of currently serving military households with low household incomes—below 200 percent of federal poverty line; below 185 percent; below 130 percent; and estimates of participation in WIC by military households in comparison to SNAP.

Food consumption and buying behaviors are not the only changes affecting SNAP. Technology, both in administration and in the retail landscape, also continue to evolve. The conference report makes several important changes to help USDA to modernize to address consumer preferences and to help States to continue to strengthen their stewardship of SNAP.

First, we expand a pilot from the last farm bill, known as the National Accuracy Clearinghouse, NAC, to be a nationwide program within a few years. The NAC gives States tools to ensure that individuals do not simultaneously receive SNAP benefits in two or more States by conducting cross-State matches of SNAP applicants and participating households and setting up a process for States to resolve instances of apparent dual participation. An evaluation of the NAC pilot found that, although duplicate participation is small—less than 0.02 percent of SNAP participants—it is feasible for States to conduct a match to identify and prevent duplicate participation.

We know that duplicate participation, when it does occur, is rarely intentional fraud, but rather is a result of a household or household member simply moving from one State to another and not successfully disenrolling in their previous home State. This could be caused by households not being able to get through to a call center to report the move or a State not taking the proper subsequent action to close the case or remove the household member. The NAC helps States to address this issue more effectively using technology, saving money within SNAP in the process. As with any error, without evidence of a client's intent to defraud the program, States should assume that dual enrollment discovered through the NAC is unintentional.

Because duplicate participation is so rare and a household's need for food assistance may be urgent, the conference committee expects that USDA's Food and Nutrition Service, FNS, and States will establish procedures for the NAC that will not interfere with current application and enrollment procedures, particularly the speedy processing of applications. Some States are able to process matches in "real time" or provide same-day or other fast service to SNAP applicants. Given that only a tiny fraction of applications are expected to result in a positive match via the NAC, we expect that States will often run the match after approving SNAP.

In developing the NAC provision, the members were sensitive to recent prob-

lems with data security breaches and the risk that any large data set may be a target for hacking, identity theft, or other "big data" goals that are not associated with the administration of SNAP. The Conference Committee intended that the NAC have state-of-the-art privacy and security protections and that the information shared across States as part of the NAC be used only for the purpose of identifying and preventing dual participation in SNAP. We expect FNS to exercise strong oversight of any contractors that are engaged in the operation of the NAC to ensure that contractor is not using information about SNAP participants for any other purposes.

Finally, as part of the NAC, we expect that FNS will be developing procedures for standardizing, streamlining, and in some cases automating cross-State communications. We urge FNS to ensure that these processes provide SNAP recipients with services that take into account the difficulty they may have in navigating cross-State communications. For example, we expect FNS's policies to include procedures to help households appeal and resolve decisions across State boundaries. If a noncustodial parent applies for benefits on behalf of a child who lives with the other parent, it may be difficult for the custodial parent to know how to navigate an eligibility decision made in another State where the individual does not reside.

Similarly, when overpayments occur because of duplicate participation, we expect the cross-State claims process to take into account difficulties households may have had in closing their case in their prior State of residence. For example, if a State was delinquent in closing the case after the household reported the change, or the household could not get through on the telephone to report the change because of a major problem in call center operations, this should be considered an agency error, and households should be given consideration in the claims establishment and collection process. If the household did not use the benefits in the State in which they previously resided because they were receiving SNAP where they live now and simply could not close their old case because of a problem with the States' reporting procedures we assume they will not be held responsible for repaying an overpayment.

Another provision of the bill offers States an opportunity to collaborate with FNS to establish longitudinal data sets about SNAP participation. The goal of this provision is in some ways the opposite of the NAC. Where the NAC aims to share very specific identifying information about SNAP applicants and participants to prevent dual participation, the conference agreement specifically prohibits the longitudinal database from collecting or sharing any personal identifying information. Instead, the information in these data sets will be used only for research purposes to study the characteristics of SNAP participants over time

and improve SNAP program operations. Because most data that is available about SNAP participants looks just at 1 particular month, these data sets will fill in a gap in our understanding of SNAP and allow States, FNS, and other researchers to learn about patterns of participation and other factors such as work experience and income volatility.

The SNAP quality control, QC, system, which measures SNAP payment accuracy, has recently been the subject of oversight by USDA's Office of Inspector General. The Senate Agriculture Committee also held a hearing to review problems with the quality control system. This led FNS to conduct a subsequent investigation and revise its guidance and processes. We acknowledge that FNS and States have made substantial progress in addressing the problems these investigations exposed. The conference agreement requires FNS to issue regulations to codify the quality control improvements and other changes in order to ensure the statistical validity of the measures the QC system produces. The conferees are not expecting any major changes in how the QC system measures payment error. We expect that the basic tenets of the quality control measures will remain. For example, a payment error will be determined based on the outcome of the eligibility decision, rather than on the State's procedural compliance, and that the certification and reporting rules under State and Federal policy will be taken into account in assessing payment errors.

The QC system needs to balance the twin goals of payment accuracy and program access. We urge FNS to not include changes to the QC system that would make it harder for individuals to participate in SNAP if they live in unstable conditions as a result of them moving more often, do not have a permanent address, or if they are likely to be more "error prone" because they have variable earnings that are more difficult for States to track.

The conferees are aware that the OIG and USDA both identified uneven Federal application and enforcement of quality control rules, as well as State practices, as an underlying cause of the problems identified in the investigations and reviews. We expect that improving quality control reviews will involve a more rigorous Federal rereview and more consistent practices across FNS regions.

The conferees chose not to include a House provision that would eliminate the quality control error tolerance threshold. Currently set at \$37, this is the threshold below which error amounts do not count toward the State's error rate. The threshold encourages States to focus their efforts on larger, costlier errors. Minor mistakes in calculating benefit amounts are not a threat to SNAP integrity and are understandable, given the volatility in the lives of many low-income households. If States were encouraged

to increase their efforts to drive SNAP errors in every case to zero, some States experience shows they likely would respond by requiring more paperwork, which would be burdensome and inefficient.

Finally, the conference report eliminated SNAP bonus payments to States out of concern that that they may have contributed to State practices that introduced bias into the quality control process. The conferees continue to think that customer service measures, such as measures of timeliness and program access, are important indicators of SNAP's success, and we expect FNS to continue to measure and publish these data for all States and to emphasize their importance in conducting program oversight. The same is true for enforcing clear standards. We are concerned that FNS is not following its own guidance with respect to how it will follow up with states whose timeliness has fallen below established Federal standards. This is important for the agency to address.

Another provision involving program integrity involves when States may follow up with households to seek additional information based on a data match. The provision identifies the circumstances under which such follow up is allowed and when it is prohibited. The conferees intend this provision to codify FNS's recent regulation of January 6, 2017, at 7 C.F.R. 273.12(c)(3). We do not intend for USDA to issue any new regulation beyond simply the addition of the new National Accuracy Clearinghouse to the list of matches that might require action.

Another provision in the program integrity area changes how SNAP benefits are treated when households have not accessed them recently. The provision allows States to move SNAP benefits "offline" after 3 months of inactivity instead of 6 months and requires benefits be "expunged" or completely taken away after 9 months instead of 12 months. Because inactivity in households' SNAP accounts is often the result of a misunderstanding, the provision requires that households be notified 30 days before benefits are scheduled to be expunged and offer an opportunity for the household to request that any benefits that have been moved offline be swiftly restored. On balance, my expectation is that this provision will improve households' access to benefits because households will be better informed.

In our negotiations on the SNAP provisions of the farm bill, the conferees spent substantial time debating the SNAP employment and training program and proposals to add requirements in SNAP that would take food assistance away from households that fail to meet harsh work requirements. I am proud that this bill does not include the House's proposals to severely restrict waivers from the existing harsh 3-month time limit and the House bill's new requirements that would have taken food assistance away

from families with children and older adults who struggle to find work. This was no accident. The conferees rejected these proposals. In fact, the Senate resoundingly rejected on a bipartisan basis an amendment that included many of these harsh changes. The administration should take note of this and follow congressional intent and not attempt to advance an inconsistent agenda through rulemaking that is not supported by the law we just passed.

Rather than harsh new requirements, the conference agreement focused on helping families get back to work the right way. The conference agreement will strengthen State flexibility to design employment and training systems that meet local workforce needs and labor market conditions. We added workforce partnership arrangements, which could involve private employers, trade groups that represent such employers, or nonprofit organizations to the options available to States and individuals for meeting SNAP employment and training and work requirements. We also focus additional funding provided in the bill for employment and training on programs with a proven track record based on the pilots from the 2014 farm bill and on populations that face substantial barriers, such as individuals who were incarcerated in the past, workers age 50 and older, and those at risk of multigenerational poverty.

In order to help employment and training participants succeed in their placements, we now expect States to include case management as a component in all States' employment and training programs. We envision that States will continue to have wide latitude in what counts as case management, and we intend that case management be a resource to employment and training participants, not an extra hoop for participants to comply with to satisfy their employment and training obligation. Not every participant will need case management, and not every component of a State's employment and training program must offer case management. We also revise the job search component under employment and training to add a supervision requirement, but anticipate that States will be creative in developing innovative models for supervision that are not burdensome on participants, for example, by using technology to include online job search, or other automated and remote options. We recognize that States will need time to update their employment and training plans and build capacity to roll out new approaches, so we expect FNS will provide adequate time for States to transition to compliance with the new requirements. I should note that, while self-initiated job search may no longer be a standalone component within employment and training, it is not disallowed as a part of another component. For example, if a job training program offers 12 hours of job training and 8 hours of job search, this should

still be allowable under this change. The conference report also does not preclude self-initiated job search that is not specifically managed within the SNAP employment and training.

The Agriculture Committee has a long history of bipartisan oversight of SNAP, and every farm bill includes provisions that strengthen SNAP by taking advantage of new technologies and other advancements in other areas of the human services field. This farm bill is no exception. For example, we include provisions to adjust SNAP's electronic benefit transfer, EBT, program to account for new technologies like mobile and online payments and to add flexibility for farmers' markets. While we recognize the need for SNAP to evolve to survive in the modern marketplace, it is equally important that we continue to maintain program integrity. The Secretary must maintain the ability to monitor retailers and ensure they are not engaging in fraudulent activities. Retailers without a physical storefront may require new approaches to oversight, and FNS should continue to work with retailers and Congress to ensure appropriate controls are in place.

EBT is a critical link in the SNAP program for delivering benefits to eligible families and our retailers, and EBT contractors are important partners. The Senate-passed farm bill included requirements on USDA and GAO to conduct broad reviews of SNAP EBT, including transfer-related fees, equipment issues, data security, and customer service, especially the unfortunate increased frequency of systems outages. We also required USDA to issue regulations and guidance on these issues based on the findings from the studies. Although we were not able to include these provisions in the final conference agreement, both USDA and GAO have the authority to engage in these activities without specific statutory direction, and I urge them to do so.

Child support collections is another area where we determined that the proper course of action is for the Secretary to obtain more information. The House included a sweeping provision to require States to mandate cooperation with child support enforcement as a condition of SNAP eligibility. While we strongly support custodial and non-custodial parents financially supporting their children, we rejected the mandate out of concern that taking away food assistance would do more harm than good for children and that the mandate would be costly for States and the Federal Government. Instead, we direct the Secretary to collect evidence on the impact on families and children and the cost for States and the Federal Government. We also want information on the experiences in States that have adopted the mandate, those that rejected it, and on some of the practical issues such as how States guarantee a robust determination of good cause for noncompliance. It is key

that the Secretary in carrying out this study collect information on those who would be dissuaded from participating in SNAP as a result of the mandate. Research on those who do not receive SNAP as a result of a policy change can be difficult to obtain, but because our concern about the provision relates to the impact on children whose parents are afraid to participate in SNAP because of a fear of domestic violence or out of other concerns about their relationship with another parent—for example, when grandparents care for grandchildren—the Secretary must seek to paint a full picture of the impact such a change would have on children. We also instruct the Secretary to examine what alternative options are available in this area that would achieve similar goals but without putting food assistance for children at risk.

In addition to these critical issues within SNAP, I also want to note that we made some critical improvements to programs to support beginning and socially disadvantaged farmers, organic producers and local food systems, including providing permanent mandatory baseline funding. This important step will ensure these programs continue to support the next generation of sustainable farmers. The conference report also directs Secretary to have the Agriculture Marketing Service and Rural Business Cooperative Service work together to implement the Local Agriculture Market Program, using the agencies' respective structures and expertise to deliver an effective program. One important aspect of the Local Agriculture Market Program is food safety assistance, an area where the primary expertise at USDA resides within the Agriculture Marketing Service. I would ask USDA to ensure food safety components of the Local Agriculture Market Program be coordinated between the agencies, but be led by Agriculture Marketing Service, who has the most expertise.

This farm bill was truly historic, both in its broad level of bipartisan support and also in its steps toward supporting the great diversity of American agriculture. I also believe it was noteworthy that we were able to overcome strong partisan attacks on food assistance to produce a bill in the bipartisan tradition this committee maintains continues to protect the family safety net in a bipartisan way. I hope the administration follows our lead and rejects harmful attacks on food assistance for families needing short term support.

#### TRIBUTE TO DAVID PETTI

Mr. CRAPO. Mr. President, with my colleagues Senator JAMES E. RISCH and Representative MIKE SIMPSON, I congratulate Dr. David Petti on his retirement from the Idaho National Laboratory, INL. Dave has had a long, distinguished career as an innovative nuclear engineer and leader at INL, where he

has made a significant impact in his field.

Presently, Dave is a Laboratory Fellow and Division Director for Nuclear Fuels and Materials. He is also a Fellow of the American Nuclear Society and the Senior Editor for the Journal of Nuclear Materials and an Editorial Member for Nuclear Engineering and Design.

During his tenure, Dave led a number of projects at INL, including overseeing all research and development for the Very High Temperature Reactor Technology Development Project, known previously as the Next Generation Nuclear Plant. Dave is an internationally recognized expert in the development of advanced reactor fuels and is the recipient of 19 awards, including the Lifetime Achievement Award for an INL Publisher, 2016, the Idaho National Engineering Laboratory Management Excellence Award, 2014, and the American Nuclear Society Materials Science and Technology Special Achievement Award for leadership in development of nuclear fuels for high temperature gas-cooled reactors, 2009.

A highly published and well-respected expert in his field, Dave has authored or coauthored more than 100 peer reviewed journal articles, contributed more than 50 papers to conferences, and authored 2 book chapters. He holds a patent for method for the production of <sup>99m</sup>Tc compositions from <sup>99</sup>Mo containing materials, 1998. Most recently, Dave coauthored the Massachusetts Institute of Technology, MIT, report "The Future of Nuclear Energy in a Carbon-Constrained World". This influential study has had great impact on the international nuclear community, and he has presented the findings of the report in Washington, DC, London, Paris, Tokyo, and other places around the world. Dave holds a Ph.D., an M.S., and a B.S. in nuclear engineering from Massachusetts Institute of Technology.

Dave has left a mark in his field and in Idaho during his 32 years at INL. We congratulate him on his many accomplishments and wish Dave and his wife, Becky, all the best as they enjoy retirement.

#### TRIBUTE TO DR. KATHLEEN HOGAN

Mr. BENNET. Mr. President, I wish to recognize the service of Dr. Kathleen Hogan, the former Deputy Assistant Secretary for Energy Efficiency at the U.S. Department of Energy.

Dr. Hogan's distinguished career is a testament to the power of one public servant to deliver progress for the entire country.

Over her years of Federal service, Dr. Hogan dedicated her considerable talent to helping our country use energy more efficiently. Dr. Hogan appreciated the promise of energy efficiency, not only to address the climate threat, but also to reduce waste and save money for households and businesses