

As a result of these problems, some of the country's leading sentencing experts have called for the repeal of all Federal mandatory minimums. The Smarter Sentencing Act takes more modest but important steps in modernizing drug sentencing policy.

First, it modestly expands the existing Federal safety valve, which allows Federal judges to sentence certain non-violent drug offenders below existing mandatory minimum sentences. This change will only apply to certain non-violent drug offenses that do not involve weapons. It is supported by nearly 70 percent of Federal district court judges.

Second, the bill will permit those serving sentences that Congress has determined are unjust and racially disparate to petition for a reduction in their sentence. I authored the bipartisan Fair Sentencing Act in 2009 to help reduce the sentencing disparity between crack and powder cocaine offenses and to eliminate the mandatory minimum sentence for simple possession of crack cocaine. While African Americans were approximately 30 percent of crack users, they comprised more than 80 percent of those convicted of Federal crack offenses.

The bill passed the Senate unanimously. As one Judiciary Committee Republican stated, "[W]e are not able to defend" the unfair sentences that existed before the Fair Sentencing Act—sentences that disproportionately affected African Americans. Another stated that these changes were "long overdue" and that "Congress should act without any more delay to start to reduce the sentencing disparity." A third Republican member of the Judiciary Committee stated, "The law created inequities. . . . We are working and will continue to work to roll back the injustice that was done."

Because of the timing of their sentences, some individuals are still in jail serving lengthy, pre-Fair Sentencing Act sentences that Congress has determined are unfair. To be clear, the Smarter Sentencing Act does not automatically reduce a single sentence in this respect. But it allows individuals sentenced under the old crack-powder sentencing disparity to petition courts and prosecutors for a review of their case, consistent with changes in the law made by the Fair Sentencing Act. Considering all of the circumstances, including public safety and the nature of the offense, a judge can grant or deny any petition. Federal courts successfully and efficiently conducted similar crack-related sentence reviews after 2007 and 2011 changes to the Sentencing Guidelines. Based on recent U.S. Sentencing Commission data, this change in the law alone could significantly reduce prison overcrowding and save taxpayers more than \$1 billion.

Third, the bill lowers mandatory penalties for certain nonviolent drug offenses. These modifications do not apply to, for example, statutory penalties involving firearms or bodily in-

jury. And this bill does not repeal any mandatory minimum sentences. Rather, it reduces certain nonviolent drug mandatory sentences so that judges can determine, based on individual circumstances, when the harshest penalties should apply. Let's allow these judges to do their jobs.

This bill crosses party lines it is a bipartisan compromise from a Republican from Utah and a Democrat from Illinois. This bill is the right thing to do, which is why it is endorsed by faith leaders from the National Association of Evangelicals to the United Methodist Church. This bill would improve public safety, which is why it is endorsed by the National Organization of Black Law Enforcement Executives. And this bill is good policy, which is why it is endorsed by groups on the right and left, ranging from Heritage Action to the ACLU. It is endorsed by Justice Fellowship of Prison Fellowship Ministries, Grover Norquist, the Leadership Conference on Civil and Human Rights, the NAACP, the Sentencing Project, Open Society Policy Center, the ABA, the Constitution Project, the National Association of Criminal Defense Lawyers, NAACP Legal Defense and Educational Fund, Families Against Mandatory Minimums, the Lawyers' Committee for Civil Rights Under Law, Drug Policy Alliance, and Brennan Center for Justice, among others.

I thank my partner in this effort, Senator LEE. We have taken many months to study this problem and work together on a bipartisan solution.

I am grateful to Senator LEAHY, the chairman of the Judiciary Committee, for joining this effort and, as always, for his leadership on criminal justice reform.

I urge my colleagues to support the Smarter Sentencing Act.

#### REMEMBERING EDDY SIZEMORE, HERMAN 'LEE' DOBBS, AND JESSE JONES

Mr. MCCONNELL. Madam President, I rise today to commemorate the victims of a tragic accident that occurred recently in Clay County, KY. Three heroes were lost when a medical helicopter came down in the parking lot of Paces Creek Elementary School outside the town of Manchester on June 6 of this year. Crewmembers Eddy Sizemore, the pilot, Herman "Lee" Dobbs, the flight paramedic, and Jesse Jones, the flight nurse, sadly died in this crash.

The crew of this medical helicopter was returning back to their Manchester base after transporting a patient in urgent need of care to a hospital in London, KY. Medical helicopters help transport patients in remote areas to hospitals where they can receive all necessary medical attention. Sadly, these three crewmembers who worked to save others' lives lost their own.

Pilot Eddy Sizemore was 61 years old and a native of Laurel County, KY. He

was a former chief deputy in the Laurel County Sheriff's Office. He worked most of his life in law enforcement, and was a veteran of the U.S. Army; he served his country in Vietnam and was awarded the Bronze Star Medal and the Purple Heart. He is remembered by his three daughters, Stacey Johnson, Kacey Bolton, and Jessica Sizemore; his son, Justin Sizemore; his father, Frank Sizemore; his brother, Jerry Sizemore; the mother and stepmother of his children, Pam Brock Sizemore; 10 grandchildren; and many other family members and friends.

Flight paramedic Herman "Lee" Dobbs, of London, KY, was 40 years old. He had worked for Knox County EMS and had a love of horses that led to his being put in charge of a horseback search unit for the Knox County Special Operations Response Team. He is remembered by his wife, Emilee Dobbs; his parents, Herman Dobbs and Patsy Light Dobbs; his children, Jordan, Hayden, and Walker Dobbs; his sister, Lori Crawford; his brother, Chad Dobbs; his aunt, Sherri Blakely; his uncle, Dale Light; his mother-in-law, Candace Hutton; and many other family members and friends.

Flight nurse Jesse Jones was 28 and from Bell County, KY. He graduated from Southeast Kentucky Community and Technical College as a registered nurse in 2007 and then pursued his dream of becoming a flight nurse. He is remembered by his grandparents, Mac and Ruby Jones; his son, Tyson Lee Jones; his father, Eddie Gene Jones; his stepmother, Patricia Maye Jones; his brother, Wiley Gene Jones; and many other family members and friends.

Madam President, I ask unanimous consent that an article that was published recently in a southeastern Kentucky publication describing the very moving memorial service held for the three crewmembers of the tragic Air Evac 109 flight be printed in the RECORD.

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

[From the Whitley County Times-Tribune, June 17, 2013]

"GOD SPEED AND BLUE SKIES"  
AIR EVAC 109 CREW REMEMBERED  
(By Jeff Noble)

CORBIN.—After the funerals of three of their crew members last week, it was time for Air Evac Lifeteam to remember Eddy Sizemore, Jesse Jones and Lee Dobbs.

On Saturday morning the company did just that, during an emotional and moving memorial service in London.

Outside the North Laurel High School Gymnasium, the weather was sunny and the skies blue, when an estimated 300 persons—including the families of the three who died, as well as Air Evac crews and first responders from Kentucky and other states as far away as Missouri, Illinois, Minnesota and North Carolina—came to say goodbye to their brothers who paid the ultimate price while doing their duty.

For all of them, the memory of what happened on that late Thursday night, June 6, will forever be seared in their hearts and minds.

Sizemore was the pilot. Jones was the flight nurse. Dobbs was the flight paramedic. All three died when their medical helicopter crashed in the parking lot of Paces Creek Elementary School in Clay County, just about 150 yards from the helipad where the crew is based in Manchester.

For the crews, it was their time to mourn. To persevere. And to have closure.

It was Pastor Donald Sims, of the City of Hope Community Fellowship in Manchester, whose opening prayer began the memorial service.

"Lord, be with the families, their friends, and bring hope, healing and comfort to all who are here," he prayed.

From the St. Louis suburb of O'Fallon, Missouri, came Air Evac Lifeteam's president, Seth Myers. He was the first speaker at the service, and told the audience and his employees, "It with a heavy heart that I stand here. To honor the life of Eddy Sizemore, Lee Dobbs and Jesse Jones."

He spoke of the three who perished, and spoke of the many first responders who came to pay their respects.

"I see uniforms of all colors. They all represent one thing. That's the dedication to serve others. The attendance today is a testament of these three people who served. They loved doing what they did, and the crews working with them. They helped to save lives and make a difference in peoples' lives. They're gone from us today, but they'll never be forgotten," Myers said.

He then read a letter from a woman, thanking the crews for their service.

"I can't imagine the emotions at this time, but you will work as a team and persevere . . . For Eddy, Lee and Jesse, their impact lives on in the life of every person they saved . . . I challenge you to move forward. A Japanese proverb said, 'Fall down seven times, stand up eight.' Signed, Mandy Curley," the letter said.

Eulogies were given for all three members of the helicopter crew by friends and family. Eddy Sizemore was remembered first.

"My definition of a hero is someone laying down their life helping someone they don't know. All three of those men did. I'm alive and able to stand on this stage today, because of Eddy's experience as a helicopter pilot. Eddy saved my life," said Officer Chuck Johnson of the Laurel County Sheriff's Department.

Johnson recalled riding with Sizemore as a spotter during a marijuana search in 2005 when both worked together with the sheriff's office. They were in the air when the chopper hit guy wires, then plunged to earth, hit the ground and skidded 96 feet on the blacktop. Johnson said it was Sizemore's skills, and cool in the hot seat, that brought the chopper down safely.

"I believe that God has a plan of a mission of all of us here on Earth. On that day, our mission wasn't finished. On June 6th, Eddy's mission was complete, and he was called home," he pointed out.

There was another side to Sizemore. A lighter side that permeated the workplace, and gave Johnson and his co-workers a wealth of what he affectionately called "Eddy Stories."

"He loved to sit and laugh and loved to cut up with us. Eddy loved to keep people entertained. He also liked to cheat at playing Rook during our times we worked the night shift years ago with the Sheriff's Office . . . Eddy always had our back. All of us who worked with him will continue to mourn. There was only one Eddy Sizemore," Johnson said.

Kathy Guyn spoke next. She remembered when Jesse Jones was in her nursing classes at the Pineville campus of Southeast Community and Technical College.

"He was the type of student everyone liked. Fun-loving, and had a good time. Jesse was very intelligent. He wanted to be a nurse. He made his patients feel very important, and that they were the most important person in the hospital. He loved to hunt. On more than one occasion he would remind me and the other teachers that it was the beginning of deer season. And he loved his family, especially his grandparents. When he graduated, he told me he wanted to be a flight nurse. He was meant to be in the skies. If I needed a flight nurse, I would want Jesse Jones, because I know he was the best," she stated.

Eliza Brooks started her nursing career with Jones at Pineville Community Hospital. She also spoke on behalf of Jesse's family.

"He had an eagerness to learn more. My husband also worked at the hospital, and he and Jesse became friends . . . We would serve lasagna for Jesse every deer season, and on Christmas, our family had a camouflage stocking for Jesse. To the family, we want to thank you for sharing Jesse with us. He loved all of you. He lived life every day to the fullest. He was always loving, kind and compassionate. He knew what to do, and never looked back. The sky was not the limit for Jesse," she said, holding back tears.

Letch Day, of Air Methods Corporation, gave the first of two eulogies for Lee Dobbs, the last of the crew of three that Day called "Our fallen heroes, our fallen brothers."

"To know Lee was an honor. He was a strong-willed person. EMS was his job. It was his life. It was his passion. The one letter to describe Lee was 'C' character, caring, compassion, commitment, companion, and childhood hero. His character was what propelled him to excellence. He loved and cared for his family. And he cared for his family and others with compassion and commitment. He was to others a companion, and to his children, a childhood hero to them," he said.

Day then looked at Dobbs's three sons and told them, "Your Dad. He is a hero. Don't ever forget that."

Lee's own father, Herman Dobbs, took the stage next. His voice cracked as he began to weep, while talking about the son he lost almost two weeks ago.

"Knowing Lee as my son, he would have said, Dad, did you tell the Jones family, and the Sizemore family, I'm sorry for their loss? They were my partners. That's what he'd want me to say. He was my son. We tried to bring him up that way. I'm just so thankful the Lord gave me a son like that," Dobbs said, his voice choked with emotion.

In the place where the North Laurel High Jaguars held court, there were three wreaths on the stage—one each for the three fallen crew members. In the middle of each wreath was a picture of each of them. On each side of the stage was a large video screen, which showed pictures and moments of the lives of Lee, Eddy and Jesse. The seats on the gym floor were reserved for family members and Air Evac employees. When the doors opened at 10 a.m. for the service, the seats quickly filled, with other Air Evac crews and first responders joining the general public on the home side of the bleacher seats.

Two Air Methods Corporation employees from Missouri—Ray Haven and his wife, Veronica—sang the inspirational song "I Will Rise." Ray played acoustic guitar, while he and Veronica sang the duet.

Towards the end of the service, three recorded songs were played over the speakers while the audience watched the visual montage of the three men they called "their family."

One was the song "You Never Let Go," followed by "Shine Your Light," a tribute to first responders by Robbie Robertson, a former member of The Band. The set ended with an encore of "You Never Let Go."

When that ended, Brian Jackson, the program director of Air Evac 109 in Manchester, came to the stage, accompanied by nine crew members. Some of the crew shared stories and lighthearted moments about their work with Lee, Jesse and Eddy.

Several in the audience got some good laughs from the stories, which a nearby person in the bleacher seats said they needed.

Jackson told the crews and first responders, "Thank you for your prayers and your support during this time. It really means a lot. We agree. They were brothers to us. They would want me to tell you, Crawl back on that ambulance. Crawl back on that truck. Crawl back on that airplane. Do what you do best."

When the Manchester crew finished their final thoughts, they pinned the wings on the wreaths of Dobbs, Sizemore and Jones.

Letch Day returned, and presented a framed print in memory of the three crewmen to the Air Evac 109 base in Manchester.

"We're asking them to be our 'Guardian Angels' in memory of the job they did so well," he said.

Jackson and the base crew proudly accepted the print.

Kentucky state flags were presented to the families of the three crewmen by Mike Poynter, the state EMS director. Air Evac Lifeteam flags were also given to the three families, as were three fire helmets brought to them in memory of their fathers, by the Manchester Fire Department.

The tones were heard over the speakers, and the Last Call was given by a dispatcher. When that ended, a piper played "Amazing Grace" on the bagpipes as the color guard left the gymnasium. And the service ended.

Nearly everyone who attended went outside to wait for an aircraft flyover. Six helicopters and one airplane hovered overhead for the next five minutes, each one's pilot and crew showing in their own way their own respect and honor for their fallen comrades.

For those up in the air, and on the ground, this past Saturday was their time to remember.

It's a good bet that many of them will forever remember those final words when they heard the crew's last call inside the gymnasium.

"November One-One-Nine Alpha Echo is out of service. God speed and blue skies."

## IMMIGRATION REFORM

Mrs. MURRAY. Madam President, I would like to speak briefly about how the immigration reform bill affects access to health insurance coverage. In particular, I am pleased that the Senate-passed legislation preserves the ability for States to cover lawfully residing pregnant women and children under Medicaid and the Children's Health Insurance Program CHIP. Importantly, States may extend full benefits under these programs to individuals who gain legal status as a result of the bill, including those granted Registered Provisional Immigrant RPI, Blue Card, and V-visa status.

My home State of Washington is one of 27 that have decided to exercise the option to extend these health care benefits to children or pregnant women. We do this because we know that when women have access to prenatal care, children are born healthier. We all benefit when children receive the immunizations they need and are able to see a doctor when they are sick.