

in prison. At his hearing, Betts apologized. He apologized, first and foremost, to his mother and his family and the man he had terrorized. He expressed genuine remorse for his actions. His apology was heartfelt. He knew he had broken the law. He knew he had to face the consequences, and he owned that responsibility.

For the very real crimes he committed as a 16-year-old, he was sentenced to 9 years in an adult prison. That is hard time. Like so many children, he was tried as an adult and he was imprisoned with grown men.

During that time in prison, Betts read every book he could, he completed a paralegal course, and he learned Spanish. He demonstrated an initiative and willingness to learn which was extraordinary. He embodied the principle of rehabilitation and redemption that our criminal justice system treasures as a vital principle, but the system never gave him an opportunity to reenter society as a productive citizen.

His reading was not part of an education program that gave him college credits or degrees. The paralegal course he took did not produce any certification. The Spanish he learned was not formally recognized by anyone. None of the skills he taught himself would qualify him in the eyes of an employer when he was released from prison as a 24-year-old. Most employers wouldn't even look past the box that he was forced to check identifying himself as an ex-felon.

Fortunately for Betts, and very unusually for him, the literary knowledge he acquired during his time in prison was enough to impress the owner of a bookstore who gave him a job. He enrolled in a community college and graduated with honors. He went to the University of Maryland on a scholarship. He earned a bachelor's degree and a master's in fine arts in poetry, and, eventually, he went to Harvard for a Radcliffe fellowship and published a book of poetry.

Mr. Betts had a criminal record, and it was an ongoing punishment, as it is for every ex-felon and every former convict in America. It follows him everywhere, as it does everyone convicted of a felony, regardless of how much time he served or where he did it. Despite his stellar academic record, the fact that he was an active member of his community and a loving husband and father, he couldn't get a single interview for a job.

Betts tried again. He applied to law school and was accepted at one of the finest institutions of the country. He chose to go to Yale Law School and become an attorney, which he is today.

Betts will be the first to tell you that his extraordinary story is unusual among people who have been convicted of a felony. He has spoken with eloquence and passion about the struggles people like him face, both in prison and once they enter society again.

Most of my life has been spent in law enforcement. Most of my career has

been devoted to pursuing cases against people who break the law. I know that justice involves both punishment and redemption. It is supposed to be penance and rehabilitation. We do not discard the people who have committed crimes. We do not abandon them in our country. In principle—but in action, all too often—yes, they are discarded and abandoned, and so they become recidivists, a polite euphemism for people who commit crimes again and again because they are given no constructive alternative.

Some are dangerous and need to be locked away for life or for long periods of time that are necessary to rehabilitate, but we also know that many non-dangerous convicts could be released with rehabilitation, skilled training, and education—the kind of training that Mr. Betts had.

We are debating a bill now, the FIRST STEP Act, which tries to bring balance back to our criminal justice system. The current system throws away and discards people like Dwayne Betts—a loss to us and to society. These draconian prison terms provide few incentives for prisoners to prepare for reentry, and that is the gap the FIRST STEP Act seeks to address. It is an injustice it seeks to correct. The bill will allow judges to sentence below the mandatory minimum sentences for low-level nonviolent drug offenders who cooperate with the government.

That is a first step to a more humane and effective system. This bill would make the Fair Sentencing Act retroactive, making it possible for nearly 2,600 Federal prisoners sentenced on racially discriminatory drug laws to petition for a reduced sentence.

That is also a first step toward a fairer, more humane system.

The bill includes prison reform. Under this legislation, prisoners can earn 10 days off their time behind bars for every 30 days of recidivism reduction programming. That is the kind of program that would make reentry into society for people like Dwayne Betts just a little bit easier, and it gives prisoners incentives to earn skills in prison so that they can be productive members of society after they have paid their debt. That is another first step toward a more humane and just system.

The bill includes commonsense reforms—measures like prohibiting the shackling of pregnant prisoners and providing feminine healthcare products to incarcerated women.

It ends the horror of Federal juvenile solitary confinement. It helps tackle the drug epidemic that America faces by expanding opioid and heroine abuse treatment behind bars.

There are other crucial, fiercely negotiated reforms in this bill, all of which seek to take that kind of first step toward a better criminal justice system, and one day, it will be cited as an exemplar of American ideals of liberty and justice.

I urge my colleagues to support this measure. It is a good first step, and it

is one we can be proud of supporting on a bipartisan basis in the best spirit of that letter from 44 of our former colleagues, urging us to come together and support common ground where we can improve the greatest Nation in the history of the world.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Iowa.

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

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

TRAUMATIC BRAIN INJURY PROGRAM REAUTHORIZATION ACT OF 2018

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 730, H.R. 6615.

The PRESIDING OFFICER. The clerk will report the title.

The legislative clerk read as follows:

A bill (H.R. 6615) to reauthorize the Traumatic Brain Injury program.

The PRESIDING OFFICER. Is there objection to proceeding?

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the Alexander amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 4155) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Traumatic Brain Injury Program Reauthorization Act of 2018”.

SEC. 2. PREVENTION AND CONTROL OF INJURIES.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) in section 393C (42 U.S.C. 280b-1d) by adding at the end the following:

“(c) NATIONAL CONCUSSION DATA COLLECTION AND ANALYSIS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may implement concussion data collection and analysis to determine the prevalence and incidence of concussion.”;

(2) in section 394A(b)(42 U.S.C. 280b-3(b)), by striking “\$6,564,000 for each of fiscal years 2015 through 2019” and inserting “\$11,750,000 for each of fiscal years 2020 through 2024”; and

(3) by striking section 393C-1 (42 U.S.C. 280b-1e).

SEC. 3. STATE GRANTS FOR PROJECTS REGARDING TRAUMATIC BRAIN INJURY.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d-52) is amended—

(1) in subsection (a), by inserting “, acting through the Administrator for the Administration for Community Living,” after “The Secretary”;

(2) by striking subsection (e);

(3) by redesignating subsections (f) through (j) as subsections (e) through (i), respectively; and

(4) in subsection (i), as so redesignated, by striking “\$5,500,000 for each of the fiscal years 2015 through 2019” and inserting “\$7,321,000 for each of fiscal years 2020 through 2024”.

SEC. 4. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

Section 1253 of the Public Health Service Act (42 U.S.C. 300d-53) is amended—

(1) in subsection (a), by inserting “, acting through the Administrator for the Administration for Community Living,” after “The Secretary”; and

(2) in subsection (l), by striking “\$3,100,000 for each of the fiscal years 2015 through 2019” and inserting “\$4,000,000 for each of fiscal years 2020 through 2024”.

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 (H.R. 6615), as amended, was passed.

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

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

FIRST STEP ACT

Mr. CORNYN. Mr. President, the Senate has before it a bill called the FIRST STEP Act. The name is significant because it shows that this is not a comprehensive fix for the problems of our criminal justice system but, rather, a first, critical step in the right direction.

A study by the U.S. Sentencing Commission found that nearly half of the people released from Federal prison in 2005 were arrested again in the next 8 years—half of the people released from Federal prison since 2005 were re-arrested within 8 years.

Considering that 95 percent of State and Federal prisoners at some point will be released, those odds are pretty bleak, but here is the reality: Almost everybody in prison will serve their time and get out of prison. The question for us is, Will they be better prepared to live life on the outside in a productive way or will they simply re-engage in a turnstile—or as one gentleman referred to himself in Houston, TX, a few years ago when we were talking about this issue—he called himself a frequent flyer in the criminal justice system.

Unfortunately, we see that in the Federal system, according to the U.S. Sentencing Commission, half of the people repeat their mistakes within 8 years. This is bleak but not hopeless because we know there are reforms that will work that help improve the

chances that more people will be able to live a lawful life productively outside a prison system and will not re-offend.

We have seen these changes implemented across the country at the State level, including my home State of Texas, which has yielded incredible results. This might cause some people a little bit of a shock because Texas, of course, has a reputation for being tough on crime. People don't run for public office saying: I am going to be soft on crime in Texas and get elected. But what we have seen is that people have said: I think we can be smarter about crime and produce better results at a lower cost. That message and those things that have followed have been enormously successful. So let me talk about that a little bit.

In Texas, the initial interest in criminal justice reform was first cost-driven. In other words, people were wondering: How are we going to continue to pay for 17,000 more prison beds that we think we are going to need because of our growing population? The growing prison population was simply outpacing the corrections budget, so State legislators were faced with a very difficult financial choice. But as it turned out, the reforms that we adopted did a lot more than alleviate the budget strain on the criminal justice system.

Using recidivism reduction programs, including job training and vocational education, we reduced our incarceration rate and our crime rate by double digits at the same time.

So using the sorts of recidivism reduction programs that are included in the FIRST STEP Act at the State level, we were able to reduce our incarceration rate and our crime rate by double digits at the same time.

I remember a few years ago, when former Attorney General Michael Mukasey testified in front of the Senate Judiciary Committee, he said that the single most important measurement of whether the sentencing practices are working is the crime rate—the crime rate. This was at a time when people were talking about “Well, we put too many people in prison, so we have to let some out,” but they weren't paying attention to how that impacted the crime rate.

That stuck with me over these many years because I think he is exactly right. If these programs do not protect the public safety, then we shouldn't be doing them. If they don't lower the crime rate, they are not worth the effort. But our experience in Texas, Georgia, North Carolina, Rhode Island—in places that have implemented these programs, they have seen their incarceration rate and their crime rate drop at the same time. So we are trying to replicate those successes at the Federal level through the FIRST STEP Act.

In so doing, we hope to allow people to transform their lives as we allow low-risk offenders to lead productive

lives in their communities once they leave prison, assuming they comply with all of the rules and regulations. I believe this legislation will lead the way for additional steps that we will take afterward, but this is an important first step.

This bill will provide funding for the Federal Bureau of Prisons to develop risk assessment tools to pair individuals with programs proven to reduce the risk of recidivism.

This isn't just social engineering or some hope that we have. This is based on proven examples of programs that will help people, for example, deal with their drug or their alcohol addiction.

Senator CASSIDY from Louisiana has put in this bill some very important provisions relating to the diagnosis and treatment of people with dyslexia.

I am convinced that there are people in prison who were told as they were growing up that they were too stupid to go to school because they couldn't read, and they simply dropped out, and their dyslexia, which was holding them back, was not diagnosed and properly treated. So I am grateful to Senator CASSIDY for some of the provisions in the bill relating to the identification of people with dyslexia and providing them access to programs that will help them learn and succeed and improve their lives and, at the same time, reduce the likelihood that they will end up back in prison after having been arrested again.

By spending time in prison, completing evidence-based programming, as I have mentioned—education, job training, drug treatment, life skills, faith-based programs—we can give people an opportunity to prepare themselves for their transition to life after prison.

This is because the incentives in this program are really important. I think we, as human beings, all operate based on incentives, and the incentive for prisoners is to go through the program, gain the earned credit so that they can be released—not to shorten their sentence but in less confining conditions, for example, a halfway house.

I want to remind our colleagues that not all offenders, of course, are eligible for these credits. The bill specifically lists 48 offenses that disqualify offenders from earning time credits, including crimes like murder, assault, carjacking that results in injury and death, and the unlawful possession or use of a firearm by violent criminals and drug traffickers.

In other words, by focusing our efforts on low-risk offenders and by giving them the opportunity to access these programs—these education programs, these addiction treatment programs—we can focus our attention and our money on the truly violent and high-risk offenders, which I think is also an important feature of this legislation.

But it is important to remember that just because a specific crime is not included in the exclusion list of 48 offenses, it doesn't mean that the offender is automatically entitled to the earned-time credit.

The person must first be determined to be low risk; in other words, that is the failsafe. But notwithstanding whether the offense is listed, if you are not a low-risk offender, as determined by the testing that is done by the Bureau of Prisons, you will not be eligible for these less confining conditions.

This is not a determination made by Washington bureaucrats or even politicians. It is left to experienced law enforcement officers and wardens who work with these individuals on a daily basis.

We want to give the opportunity to those who would take advantage of it to turn their own lives around, but we will not do so at the cost of public safety. That is exactly what these risk assessment tools are designed to do, to tell us who is at highest risk of re-offending.

I believe this legislation is an investment with the potential for astronomical returns. We are not just talking about money, we are talking about human potential. We are investing in the men and women who want to turn their lives around once they are released from prisons, and we are investing in so doing for stronger and more viable communities. We are investing tax dollars in a system that helps produce stronger citizens.

When it comes to positive results, don't take my word for it. There is plenty of research that shows how valuable these programs can be. For example, in 2013, a study by RAND Corporation found that prisoners who participated in education programs were 43 percent less likely to return to prison than those who did not. Employment after release was 13 percent higher among prisoners who participated in these programs, and those who participated in vocational training were 28 percent more likely to be employed after they were released.

Our prisons should be more than just a warehouse for human beings. They should also serve as places where rehabilitation takes place, and hopefully people can take advantage of the opportunity once they have made a mistake and served their time to transform their own lives into productive citizens. That is what this legislation tries to do, and that is why it has gained such broad support on both sides of the aisle.

By investing in these education and training programs and these recidivism reduction programs, we can ensure that of the people who get out of prison, more will actually stay out of prison.

This bill is our opportunity to make meaningful changes in our criminal justice system, our opportunity to begin fixing a problem that plagues our country, and an opportunity to take a

model that has been working in the States for more than a decade and use it to benefit all Americans. The odds of these individuals leaving prison and becoming more productive members of society should be higher than the odds of a coin flip.

I am proud to be a cosponsor of this legislation, and I look forward to voting yes when it comes up for a vote later today or tomorrow.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. KLOBUCHAR. Mr. President, I come to the floor to urge my colleagues to join us in supporting the FIRST STEP Act, a bipartisan legislation that will make needed changes to Federal sentencing rules and prison reforms. A number of us have been working on this issue for years, but I do want to thank Chairman GRASSLEY, who is here with us today, and Senator FEINSTEIN for their leadership in getting it through the Judiciary Committee as well as Senator DURBIN, who has been a longtime leader on this issue, and Senator BOOKER, who has worked so hard on this, as well as Senator WHITEHOUSE and Senator CORNYN, who is here with us today, and many others. Senator LEE took on this cause at a time when it wasn't as easy as it is right now at the end of the year. I also want to thank the administration for working with us on this bill as well.

As a former chief prosecutor in Minnesota's largest county, I understand the need to use our resources to target the most serious offenders to maintain public safety. You have to make decisions in those kinds of jobs every day: decisions about your priorities, where you are going to put your criminal justice money, what is the safest thing to do for the community, knowing that a number of our offenders do reenter into society, what is the best way to make sure that if they do come back into society, they are going to be functioning members of society; that they are not going to go back to drugs or they are not going to commit additional crimes.

It is fine to pretend that it is not happening and people are going away forever, and some people rightfully do. Violent criminals and murderers don't come out again, but a number of offenders do come out again. So the question is, What do we do to make it the most safe for our community but also to allow them to become functioning members of our society? That is what this bill is about at its core.

We need a justice system that both protects the victims of crime and punishes those who break the law. Someone once said that prosecutors—my old job—were ministers of justice. That is

what we are doing with this bill. We are acknowledging that there are issues with our criminal justice system that we have to deal with. We are not just closing our eyes and pretending it is fine to pretend everyone goes away forever when we know they don't. Some people are coming out, and they should come back out again, and the FIRST STEP Act gets at those hard issues.

Our criminal justice system must administer justice fairly. The sentencing laws on low-level drug offenders were implemented decades ago, and in a number of cases they have diverted limited law enforcement resources away from important public safety initiatives that would allow us to actually go after violent criminals. This has resulted in prison sentences that actually don't fit the crime. Today our country has over 20 percent of the world's incarcerated people, even though we have less than 5 percent of the world's population. We need a criminal justice system that works for our communities. That is why I fought for bipartisan criminal justice reform for years.

As a former prosecutor, I have long supported important policies, including more law enforcement resources. I lead that bill with Senator MURKOWSKI and the COPS Program to get more law enforcement resources to our police. I think that is very important. I worked hand in hand with our police in Minnesota for 8 years. They have very hard jobs.

As a former prosecutor, I also supported important policies that make it better for the community and the police to work together. That includes better training for our law enforcement, that includes videotaped interrogations, that includes reforms with the eyewitness process. We were one of the first States to make changes there, including body cameras, diversity in hiring, and meaningful work between law enforcement and our citizens—fair jury selection processes. There are a number of things we have done but must continue to do to increase that trust between the community and our law enforcement.

As a member of the Senate Judiciary Committee, I supported the bipartisan Sentencing Reform and Corrections Act for years. My colleagues and I worked across party lines to pass that bill out of committee earlier in February and last Congress as well. Although the bill was never brought to the floor of the Senate until this week, today we finally have an opportunity to make meaningful progress.

The FIRST STEP Act represents a concerted bipartisan effort to strike an effective balance to improve the fair administration of justice while keeping our communities safe. Even though this bill is not perfect, it is the result of a compromise between two sides and people with a lot of different views and many groups that are here to advocate for citizens. It is a compromise that

has the endorsement of a range of groups that you don't usually see, such as from the Fraternal Order of Police to the ACLU. This bill represents a critical opportunity that shouldn't be lost.

One of the most important reforms in this bill are the changes to mandatory minimums. We all know people who have been caught up in a criminal justice system that can be unfair. I believe strongly in enforcing our laws on the books and putting criminal offenders behind bars to protect public safety, but for nonviolent, low-level drug offenders, there are more creative and evidence-based ways to deal with them than longer prison sentences.

The FIRST STEP Act allows judges to sentence below the mandatory minimum for low-level, nonviolent drug offenders who work with the government.

It also reduces some of the longest sentences now on the books, including decreasing the second-strike mandatory minimum of 20 years to 15 years and reduces the third-strike mandatory minimum of life in prison to 25 years.

This bill includes a crucial provision to allow people who were sentenced under discriminatory drug laws, which required a longer mandatory minimum sentence for the possession of crack than for the possession of the same amount of cocaine, to petition to be resentenced under the reform guidelines we passed in 2010.

Significantly, this bill will not automatically reduce any one person's prison sentence. Instead, the bill simply allows people to petition courts and prosecutors for an individualized review based on the particular facts of their case.

That is what justice is supposed to be about. It is not always a one-size-fits-all. It is giving the people who work in the justice system knowing you have mandatory minimums still in place, knowing you want fairness across the system, but it allows judges and prosecutors to look at an individualized case and decide what is best for public safety and what is best for the community. By giving prosecutors and judges this discretion, we will give them the tools to better see that justice is done.

The FIRST STEP Act also incorporates much needed reforms to our Federal prisons to treat people more humanely and to encourage participation in programs intended to help people from committing another crime after they are released.

In my old job as Hennepin County attorney, I always said we would try as much as possible to run our operation as a business. We would be efficient, we would keep track of what we were doing and be accountable to the public and show them what the results were with regard to our prosecutions and the numbers and what the sentences would be. We did all that, but one of the things I also knew is, while you want to run government as much as possible as efficiently as a business,

there was one way we were not like a business in the criminal justice system: We did not want to see repeat customers at our doors. That is not what you want when you are running the prosecutor's office. We wanted to make sure people could get their lives back and their acts together so they didn't keep cycling through the criminal justice system.

This bill, the FIRST STEP Act, includes a provision to require that Federal prisoners be placed in a facility as close to their primary residence as possible. That makes sure families aren't separated, and they can continue to have visitors. One of the things we know is, it is very important for them to make that transition when they get back in the community. This straightforward change is an important step toward reducing recidivism because research suggests that people who maintain contact with their families while they serve time are less likely to commit crimes after they are released. Other key provisions in this legislation expand access to treatment and education.

I look at this two ways. One, when I first became a lawyer at a private law firm in the Twin Cities, I actually got involved in a program called Amicus, where we went to visit people in prisons. I visited a woman for a number of years until I became chief CA—that became a little awkward—but she went on to serve her sentence and got back out into the community. That program was really the community saying: We want to keep the thought out there that there is hope, that these people are going to get out at some point, and they need role models and people who are willing to work with them. I saw that work with my own eyes.

The other reason I care so much about this bill is that I am a child of an alcoholic—someone who went through treatment and who, after a number of DWIs, was finally pushed into treatment and was, in his own words, “pursued by grace.” I think other people, whether they are in the prison system or not, should be able to have that same opportunity for themselves and for their kids.

I was able to see my dad literally climb the highest mountain as an adventurer, a mountain climber, and a columnist but sink to the lowest valley because of the disease of alcoholism.

You see that all the time in our prison system. Whether it is drugs or whether it is alcohol, that is one of the reasons people get involved in crime, to feed their addiction or because they are not functioning normally and making decisions they would make if they weren't addicted.

This bill encourages the use of evidence-based treatment for opioid and heroin abuse and will help to address the addiction that is the root cause of so many crimes.

I come from a State that believes in treatment. We are known as the “Land of 10,000 Lakes,” and every so often

people jokingly call it the “Land of 10,000 Treatment Centers.” That includes, of course, Hazelden Betty Ford. We are very proud of their work, but there are also multiple other treatment centers in our State. It is a major part of our criminal justice system and our drug courts. We had one of the first major drug courts in the country, and I continue to carry on that work as a Senator.

Taken together, the prison reforms in this bill and the recidivism reforms and reentry reforms are an important step that will help us to make progress toward reducing the number of repeat offenders.

As a prosecutor, I have always believed that our job was to serve the cause of justice, and that was to convict the guilty but protect the innocent. Sometimes the innocent are, of course, victims of crime. That is the first thing that comes to mind. But the innocent are also people who are unfairly accused of crimes. That is why it is so important to have all of these measures in place, whether it is videotaped interrogations or jury selection that is fair—to make sure our process is fair.

At some point, when someone has served a sentence and turned their life around, they go from guilty, which they once were, to having a chance to go out there as an innocent person who is just trying to lead a life. That is what our job is as Senators—to do justice, to make sure we have rules in place that make sure the guilty go behind bars if they have committed a serious crime but also to protect the innocent. That includes the families of victims and the families of offenders.

There is still much work for us to do to improve our criminal justice system, and I am committed with my colleagues, many of whom I mentioned earlier, who have been leaders on this bill—I see Senator LEAHY here from the State of Vermont, former chair of the Judiciary Committee, who worked so hard on this as well. So many people have contributed to the effort from the left and from the right, from the Democratic Party and from the Republican Party.

This is a victory for justice today as we consider this bill. I urge my colleagues to support it.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

TRIBUTE TO JON KYL

Mr. LEAHY. Mr. President, before I begin, I would note my long friendship with the Presiding Officer. I was delighted to see him come back to the Senate. I wish him well now as he leaves the Senate. He is always welcome, by both Democrats and Republicans, when he comes back.

I realize the Presiding Officer is constrained and cannot respond to whatever I say about him, but I assure him that I will stay within the Senate rules and say only nice things because that is all I know about him.

FIRST STEP ACT

Mr. President, I want to thank the Senator from Minnesota who has just spoken. She, like me, is a former prosecutor. I have often said that is the best job I ever had. My wife, Marcelle, reminded me of some of those times at 3 a.m., when I was going to murder scenes, and that maybe it is easier to be in the Senate where you can sleep all night.

A lot of us who have been prosecutors, both Republicans and Democrats, or those who have been defense attorneys, Republicans and Democrats, have come together. Because of that, the Senate is considering passing probably the most significant bill to reform our criminal justice system in nearly a decade.

The First Step Act takes modest but important steps to remedy some of the most troubling injustices within our sentencing laws and our prison system. It is my hope that this bill represents not just a single piece of legislation, but a turning point in how Congress views its role in advancing criminal justice because there will be a lot of advances we must look at.

I have been working to bring fairness to our criminal justice system for decades, both before I was in the Senate and since I have been in the Senate. For far too long, the legislative response to any and all public safety concerns was as simple as it was flawed: No matter the perceived ill, we turned to arbitrary and inflexible mandatory minimums to cure it. That knee-jerk response, I believe, is changing. I truly believe the error of mandatory minimum sentencing is coming to an end.

Today is a glowing recognition that one-size-fits-all sentencing is neither just nor effective. It routinely results in low-level offenders spending far longer in prison than either public safety or common sense requires. It comes at a steep human cost, especially in communities of color. It also comes at a steep fiscal cost that leaves us less safe. The United States houses more prisoners and has higher incarceration rates than any other country in the world. This is not something for Americans to point to with pride. The cost of housing Federal offenders consumes nearly one-third of the Justice Department's budget. Because public safety dollars are finite, this strips critical resources away from law enforcement strategies that have been proven to make our communities safer.

By taking steps to responsibly reduce our prison population, we can save both money and reduce crime. That is a lesson states across the country have already learned. Prison rates and crime rates can fall together. It is past time for the Federal criminal justice system to catch up with the States.

Five years ago, as Chairman of the Judiciary Committee—and drawing on my own experiences as a prosecutor—I convened hearings and advanced the core pieces of legislation that now form the basis of the FIRST STEP Act.

Despite strong bipartisan votes in Committee at the time, some doubted we had the support needed to ensure passage on the Senate floor. Each year since then, an expanding group of dedicated Senators and advocates have methodically built support for these reforms. Today, that support is outstanding. It's not just bipartisan; it is nearly nonpartisan. And with the efforts of Senator DURBIN, who has been championing these efforts as long as anyone, along with Senators GRASSLEY, WHITEHOUSE, LEE, BOOKER, and others, we now stand poised to pass meaningful criminal justice reform for the first time in a decade.

It is true, this legislation doesn't go as far as I would like. Far from it. I support ending mandatory minimum sentences. I would prefer we do more to fix racially disparate treatment. I would like to see the full elimination of the existing crack-powder cocaine disparity—a glaring injustice we must eventually address. You can have a well-respected person on Wall Street or in a law firm or anywhere else spend a certain amount of money for powder cocaine. You can have somebody in the inner city spend exactly the same amount for crack cocaine. We have told the person who has the good social standing: What a terrible thing you have done. You may have to spend a few weekends volunteering at soup kitchens, and we hope you don't do it again. The person from the inner city, spending the exact same amount on crack cocaine, is going to have a mandatory sentence in prison.

I would like to see a broader judicial safety valve and additional retroactive activity. Any laws that we consider unjust today were just as unjust yesterday or a year ago or even a decade ago.

But this is the nature of compromise. You don't get everything you want. And when I look at the scope of reforms before us today—including a modest expansion of the safety valve, retroactive application of the Fair Sentencing Act, a reduction to some of the most indefensible mandatory minimums on the books, as well as reforms to add evidence-based practices to our prison system and reentry efforts—I believe this is a historic achievement.

The FIRST STEP Act also includes my Second Chance Reauthorization Act, which I introduced with Senator PORTMAN. Our bill both extends and improves Federal grant programs providing reentry service to ex-offenders. That includes employment assistance, housing, substance abuse treatment, victim support, and more. Almost every single offender in our justice system, someday, is going to be released. We owe it to both them and to the communities where they will live in to ensure they can lead productive lives.

In many ways, the FIRST STEP Act represents the best of the Senate. It represents what this institution is capable of when Senators listen to each other, and when they come together to solve complex and contentious issues,

instead of exploiting them for momentary political gain. When Senators are willing to be patient, to compromise, and to persist through inevitable setbacks, real progress is possible.

Senators, no matter what their political party, understand that each one of us is here to be part of the conscience of the Nation, and we should work together. For the remaining Members of the Senate who are not yet ready to support this legislation, I hope you will reconsider. I hope you will review the breadth of bipartisan support, both here in the Congress, in the White House and in the broader stakeholder community. I hope you will consider why even important law enforcement voices like the Fraternal Order of Police and the National District Attorneys Association support this bill.

For the Members who do support the FIRST STEP Act, I hope you will continue to work to reform our criminal justice system in the years ahead. Many of our lives are based on decades-old, misguided assumptions, and they don't reflect evidence-based practices. There is still so much work to be done, and injustices and racial disparities to address.

This week, we are showing what is possible. By working together, we can continue to enact meaningful legislation in the years to come that will keep us safe, save money, and prove America is a nation of fairness and second chances. This is a carefully negotiated compromise.

I hope all Members will vote no on amendments to this carefully negotiated compromise and vote yes on final passage. This former prosecutor would be very happy if we do.

There is a Senator seeking recognition.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Oklahoma.

NATIONAL DEFENSE STRATEGY

Mr. INHOFE. Mr. President, we have talked about this recently more than we have in quite some time: Defending America needs to be our No. 1 commitment. To many of us, it has always been. That is why we have been coming to the floor, talking about the national defense strategy, the Armed Services Committee, and we have had the honor and privilege of hearing from some really well-informed people—Members and people from the outside—and they look and see the threats that we are facing. Now, they don't always agree with each other, but I really believe we are in the most threatened position we have been in as a country in the years I have been here. That will come as a little surprise because people know we have had threats, that we have been at war for two decades, and that we still have the threat of terrorism. It is out there. They have seen dangerous behavior in rogue states.

I like the idea the administration came up with as we were looking at our peer competitors, which are China and Russia. These are countries that actually have passed us up in many areas. I

talk to the American people when I go back to my State of Oklahoma, and they find out we have countries that actually have things that are better than what we have. There are quotes we have heard from our various top people on the types of artillery our competition has. Not only do we have peer competition from China and Russia, but we also have the rogue countries that are out there—North Korea, Iran, and all of them. So the threat is there. It is a very real thing.

We need to have answers, so the Department of Defense has created a new defense strategy. This new defense strategy is one that, I think, has been done very well. It takes into consideration the problems of countries that are peer competition along with the rogue nations. I think it has really done a good job.

We had a hearing about 2 weeks ago on the National Defense Strategy Commission that was put together. I have been here for quite some time and have seen a lot of Commissions and a lot of reports come up. I have never seen one that—I wouldn't even call it bipartisan—was just nonpartisan. One of the individuals, Gary Roughead, who is an admiral and was a cochairman of the National Defense Strategy Commission, said he didn't have any idea who on that Commission was appointed by Democrats and who by Republicans. There were an equal number of Democrats and Republicans from the House and an equal number of Democrats and Republicans from the Senate. It did come out just with the very difficult truth that we had to deal with. I think one of the cochairmen was Ambassador Edelman, and he said it was so bipartisan that there was no way of telling who had appointed whom.

Anyway, this is something that has been put together, and the Commission report has a bunch of stuff that tells the whole ugly truth. It is an ugly truth to realize, particularly when you talk to people out there in the real world throughout America. They assume we have the best of everything. So to find out we have a real threat kind of makes you go back and remember the good old days of the Cold War, when we had two superpowers, because we knew what they had, and they knew what we had. Mutual assured destruction meant something. It doesn't mean anything anymore.

One of the significant individuals on this report was Senator KYL from Arizona. The reason I say that is, Senator KYL, in my opinion and in the opinions of many people, has been historically in the U.S. Senate and has been, perhaps, one of the most—if not the most—knowledgeable of individuals on the threats we face and on our capabilities we have in this country. It is unique that Senator KYL is on this Commission because, when he got on the Commission, he was not a member of the U.S. Senate. He came back after the death of Senator John McCain and is serving for what appears to be just a

short period of time. So he is in the unique position of serving on the Commission and of having been, for many years, in a position to help us meet something we have not met before that is a real challenge.

Senator KYL, why don't you kind of talk about, maybe, the Senate and its bipartisan nature and how this thing came together, which would be very similar as to how it was expressed when we had our meeting, I think, 2 or 3 weeks ago for this Commission. It has been very successful, and I applaud the Senator for his work on it.

Mr. KYL. Mr. President, I thank the chairman of the Senate Armed Services Committee for engaging in this brief colloquy and for specifically calling for a hearing a couple of weeks ago at which the two cochairmen of the National Defense Strategy Commission presented the findings of the Commission's report. I agree that the hearing, which was attended by, I believe, every member of the Senate Armed Services Committee, was a remarkable hearing because the members of the Commission, represented by the two cochairs, made it clear that their report—our report—was, indeed, a bipartisan document and nonpartisan, as cochairman Admiral Roughead said.

Perhaps it would be good to just dwell for a moment on how this Commission was created, and then we can talk a little bit more about the report itself because I think one of the biggest factors about the report is the credibility of the people who helped to design it.

A couple of years ago, the two Armed Services Committees in the House and Senate put a provision in the National Defense Authorization Act to create a commission that would be comprised of 12 members—6 of whom to be appointed by the Senate and 6 of whom to be appointed by the House. Three each would be appointed by the chairmen and the ranking members of the two Armed Services Committees so there would be a balance of six Democrats and six Republicans—I think. I say that because, like Admiral Roughead, I am not sure of the politics of everybody who served on the Commission. They all knew my politics, as I was a retired Republican Senator at the time, and I knew a couple of the other members of the Commission. Yet, frankly, the politics were left at the door. We went in and debated about the status of our national security and, in particular, about the Secretary of Defense's national strategy.

We concluded, first of all, that the Secretary was correct in that we had to reorient the priorities of our national defense to reflect the fact that China and Russia now both presented a challenge to the United States that had not existed in the prior several years but that the challenge was increasingly difficult to confront and important to confront because of the attitudes of those two countries and that the other threats from Iran, from

North Korea, and from terrorists, while still very significant, would be relegated, in effect, to a secondary position. We thought, in that regard, the Secretary's strategy was correct, and we commended him for that.

We also found the basic strategy he laid out for confronting the challenges was satisfactory but with a big caveat, and that was that unless the Defense Department was adequately reauthorized to confront these challenges, the strategy could not succeed. So much of what the Commission dwelt on was what we would need to do in the near and medium future in order to rebuild our military to successfully defend the United States against these emerging threats.

Mr. INHOFE. That is one of the things I was really impressed with on this report. You guys didn't hold any punches. You said exactly what it was. In fact, I have a list of the quotes that were in there that I actually used on the floor yesterday. I guess they were from the different members—the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, and the rest of them—that showed very clearly it was not adequately reauthorized and that we were going to have to do something about it.

I do want to ask what the Senator's recommendation was on the Commission to do it.

Where is that chart? That is not the one I want.

This is kind of a shocker for a lot of people. People don't realize this is just one element of it that shows that China is actually passing us up. By 2030, it is going to have a larger navy than we have. You and I have been on both the House Armed Services Committee and on the Senate Armed Services Committee and have watched. It is kind of hard to concede that the time we always feared was going to be there is there now, that we are now faced with that problem.

What kind of recommendation did the Commission come up with to get us out of this hole?

Mr. KYL. Mr. President, the chairman of the Armed Services Committee is exactly correct. You could illustrate the same things with charts relating to our Air Force, to our Army, to our Marine Corps—all elements of our services. It is not just in the number of ships but in the quality of the ships. Both the Russians and the Chinese, I would note, have made some significant advances in submarine technology, for example, that would pose a real threat to the U.S. Navy.

What the Commission concluded was, three major changes were necessary to the way we fund our military.

The first is, the top line, the total amount Congress appropriates each year, needs to be increased. We didn't specify a particular amount, but we noted that just to satisfy the 20-year budget projections of President Obama's Secretary of Defense, this would require a minimum of 3- to 5-percent increases annually above the rate

of inflation; in other words, real growth in the topline spending.

Secondly—and these are two faults of the U.S. Congress—the Commission pointed to the Congress and said: You have been funding government for far too long with continuing resolutions rather than your getting on with the job of passing appropriations bills that actually note each year's requirements and appropriate an amount of money to reflect those requirements. The continuing resolutions, or CRs, make it almost impossible for the planners at the Defense Department to plan more than just a couple of months in advance, and when we are talking about enormously long-term acquisitions that cost billions of dollars, this makes it a very inefficient way and ineffective way to fund defense.

Finally, we recommended that the Budget Control Act, which currently controls the way the Congress spends money, needs to have a change in it. The sequestration trigger in that bill has harmed defense spending more than anything else. It has resulted in about one-half trillion dollars, over 10 years, in lost appropriations for the Department of Defense. That law is still in effect, and it will govern the appropriations of the last 2 years of the decade of its being in effect unless Congress repeals it or modifies it. So the third recommendation is, the sequestration trigger in the Budget Control Act needs to be eliminated.

Mr. INHOFE. I think that has been something we have talked about for a long period of time.

I think we have to recognize the problem we had been in during the Obama years, during the last 5 years, which is a shocker. It kind of gives people an idea of how we got into this mess to start with. If you take and use the years 2010 to 2015—that would have been the last 5 years of the Obama administration—and use constant 2018 dollars, in 2010, the budget would have been \$794 billion. In 2015, it would have been \$586 billion dollars. That is a reduction of \$210 billion over a 5-year period. Nowhere else in government did we have any kind of a reduction in any program, but that is where it really got into trouble. I believe we will have to face this and recognize what the problem really is and tell everyone what the problem is.

Now, I say to my friend from Arizona that he has been active in nuclear deterrence, and we have not been so much. I can remember—and he can remember—back in the sixties when this was recognized as a problem. I think the last time we actually did any nuclear modernization was in the eighties. We had the triad system for a long period of time when China didn't have it and when Russia didn't have it, but they have it today, and they have actually done more.

We have a chart for this that shows what we have not done and what they have been doing.

So, in the area of a nuclear deterrent or of nuclear modernization, it might

be a good idea to see what the folks on this Commission were looking at it in terms of that threat we are facing.

Mr. KYL. Mr. President, I certainly appreciate this comment by the chairman of the Senate Armed Services Committee because the Secretaries of Defense and the Chairman of the Joint Chiefs have all said our strategic deterrent has to be our No. 1 priority. Why is that? It is because this is the one area in which the entire U.S. security is at risk. This is the existential threat—the threat that could destroy the entire United States. Obviously, a nuclear war between either the United States and China or Russia would be devastating to the entire world, but because it is a direct threat to the homeland, it has to be the No. 1 priority.

Yet, as the chairman notes, through our negligence, the administration's and Congress's past, we have allowed three things to deteriorate all at the same time, and the bill is now coming due on all three. Therefore, it is going to be a difficult proposition to get funded.

The first are the laboratories in which our nuclear weapons were designed. There was testing and, to some extent, they have been modified or refurbished and have had their life extended through a program operated at our National Labs.

The National Labs are in incredible need of modernization. We have a 1946-built facility in which our uranium is being produced, and the roof is literally falling in—I have been there—in Oak Ridge, TN. In Los Alamos, there is a great need to make changes, and we have to create a new facility for the production of plutonium pits. This is all highly technical, but the bottom line is, our laboratories are in dire need of refurbishment.

Secondly, the nuclear weapons themselves, designed in the 1950s and 1960s and some as late as the 1970s but built in the 1970s and 1980s, are in extreme need to be checked for their safety and their security and to have their life extended by the replacement of certain components, making certain everything else is in operating order. I was given as a souvenir a vacuum tube which was taken out of one of our nuclear weapons, having been replaced with a more modern circuit board. These are the kinds of things we are doing to extend the life of the nuclear weapons, and it is not inexpensive.

Third, our triad, our delivery systems—the bomber force, the intercontinental ballistic missiles, and our nuclear-powered submarines that carry the missiles that currently represent part of our triad and our strategic deterrent—have all been allowed to deteriorate and need replacement at the same time. Instead of doing this serially, we are faced with a bill that is going to come due for all three.

The good news is, through the good efforts of the chairman of the Armed Services Committee and others, provision has been made in the past NDAA

bills to begin this modernization. It has begun, but barely begun, and it is going to have to continue for a period of 13 to 15 years, something like that.

The other piece of good news is, while all three components of our nuclear deterrent are needed and are going to have to be paid for at roughly the same time, at no time in the budget does the combination of all three of these things represent more than 6.4 percent of the defense budget. In fact, in most years, it is 3 to 4 percent.

So for the most strategically important element or component of our national security, we are really spending a very small amount in proportion to what we have to spend on everything else. That is one of the reasons I think the committee has found it so important to ensure that all three of these things move forward, on time, and in the right way, so our strategic deterrent will, in fact, deter any potential adversary from miscalculating and thinking that the cost of aggression against the United States is worth whatever they might seek to achieve.

Mr. INHOFE. We have done a lot in recognition of what is coming up. I can't tell you how important it was to have this document. It is the first time I have seen everything written down so we understand it and the unvarnished truth about the threats out there.

Right now we have this as the blueprint we are using. We are also doing what we did this last year on the NDAA. The National Defense Authorization Act is one which has to be done and done in a timely manner. We were able to do it last year. We are going to do the same thing this year, but when we talk about rebuilding the readiness, the brigade combat teams, up until about 2 years ago, we were only at 35 percent of what could actually be used. Of course, the Marines and the Navy use the F-18s, and only 31 percent of those were actually flyable at the time. We have a lot of that type of thing that is going to be necessary.

You mentioned the triad. A lot of people don't know what that is, but now that both China and Russia know what it is, it is important we do the job we are supposed to do.

Acquisition reform. I can remember when the Senator from Arizona and I were both on the House Armed Services Committee. At that time, 30 years ago, we were talking about acquisition reform. We haven't been doing it. We have some really dedicated people who have background in that, and we are going to try to get something done, but I think the main thing right now is going to have to be funding.

The Senator mentioned the 3- to 5-percent increase in funding over and above the amount of inflation. When you stop and think about it, when we started out 2 years ago, in fiscal year 2018, we raised it to \$700 billion; in fiscal year 2019, we raised the budget for the military up to \$716 billion; then the first budget that came out from this President for fiscal year 2020 is \$733 billion. If you do the math, between fiscal

year 2016 and fiscal year 2033, it is only increasing it by 2.1 percent, which isn't even inflation.

At that level, we are not carrying out the recommendation that came from the Commission and all those individuals who agree with it—the Chairman of the Joint Chiefs of Staff, the Secretary of Defense, and everyone else knowledgeable in the field. So we have our work cut out for us.

Mr. KYL. I couldn't agree with the chairman more. I applaud the chairman and the chairman of the House Armed Services Committee for going to the President, along with Secretary of Defense Mattis, and talking about the need to continue with his defense modernization, noting the fact that the improvements the Senator has made in the last 2 years have not rebuilt the military or even begun to close the gap. It has stanchied the flow of blood. It has been like a tourniquet on the arm to prevent any more loss of blood for the military.

The Senator is absolutely right. What the President then said after his meeting with the Senator, that he thought a number somewhere around \$750 billion was a more accurate number, is exactly correct. In fact, I think it would be a little more than \$750 billion to represent the 5 percent or 3 percent above the rate of inflation. I will have to do the math when I sit down here.

The point is, some people think the last 2 years, because you all were very effective—this is before I came back to the Senate—in stanching that flow of blood, that, therefore, the fight is over. Nothing could be further from the truth. Really, a 13- to 15-year program to rebuild our military has just begun.

Mr. INHOFE. I have to say, the figure we are talking about right now came right out of this book. You guys did a great job. My hope is, you will continue to serve in some capacity because we desperately need you. It has been great to have you back, for however brief the time. We accomplished a lot during that brief time.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak for 10 minutes.

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

FIRST STEP ACT

Mr. MENENDEZ. Mr. President, I rise in support of the FIRST STEP Act. This legislation, as the title says, is an important first step toward desperately needed criminal justice reform.

I thank Senators DURBIN, GRASSLEY, and LEE, as well as my good friend and colleague, Senator CORY BOOKER, for advancing this bipartisan compromise. I want to particularly recognize the junior Senator from New Jersey, who has been relentless in his efforts to bring moral urgency to this issue, and I think we can thank Senator BOOKER for his passion and his devotion to justice.

The need for criminal justice reform was an issue constituents consistently and frequently raised with me as I crisscrossed New Jersey over the past year. From Woodbury to Paterson, to Newark, and everywhere in between, I heard from faith leaders calling for solutions to a mass incarceration crisis that has disproportionately torn apart communities of color. Indeed, the NAACP found that, nationally, African Americans and Hispanics make up approximately 32 percent of the U.S. population, but they represented 56 percent of all incarcerated people in 2015.

I also heard from young people pushing for drug policy reform so fewer students charged with marijuana offenses lose access to Federal financial aid.

I met with leaders like former New Jersey Governor Jim McGreevey, whose work with New Jersey Reentry Corporation helps formerly incarcerated individuals—especially those struggling with addiction—find jobs and avoid ending up back in prison.

I met with African-American law enforcement organizations, like the Bronze Shields, about their efforts to build positive relationships in their communities and address challenges like racial profiling and uneven enforcement.

The FIRST STEP Act will not solve all of these problems—far from it. I certainly would have liked to see more concrete reforms to Federal minimum mandatory sentences. However, I am pleased to support a bill that reverses some of the most detrimental effects of Federal mandatory minimum sentences.

As a longtime proponent of the Second Chance Act, I am also glad to see provisions reauthorized under this bill that will give nonviolent, low-risk offenders and their families greater hope for a brighter future. Under the FIRST STEP Act, more Americans in the Federal prison system will finally get their second chance.

While most offenders are incarcerated at the State level, we know Federal mandatory minimums for drug offenses are among the harshest in the Nation. According to The Sentencing Project, half of the U.S. Federal prison population is serving time for a drug offense, the vast majority of them non-violent.

Under this legislation, low-risk offenders will be able to earn credit by completing anti-recidivism programs that help better prepare them for life after prison. Inmates can then apply these credits for early placement in a halfway house, home confinement, or other types of early release. We know that when prisoners are equipped with the right tools and resources, they are better able to reintegrate into society and avoid old behaviors that could result in them winding up back behind bars. That is not only good for them, it is good for their families and good for their communities.

These provisions are important back-end reforms, but I will not stop calling

for greater reforms on the front end—the enforcement side of the equation. This is a serious problem in New Jersey. In July 2017, The Sentencing Project reported that racial disparities in New Jersey's marijuana arrests were at an alltime high. In 2013, African Americans were arrested for marijuana possession three times as often as their White counterparts, despite marijuana use being similar among racial groups.

The disparities extend far beyond arrest rates. Recently, a 6-month investigation by NJ Advance Media found “hard evidence of racial disparities in police use of force across New Jersey.” The data revealed African Americans are three times likelier to face some type of police force compared to Whites. Even more troubling, African-American children faced a disproportionate amount of force. From 2012 through 2016, of the more than 4,600 uses of force against people under the age of 18, slightly more than half were African American. Yet African-American children account for only 14.5 percent of New Jersey's child population.

I don't highlight these statistics to denigrate our police force because the men and women who serve in law enforcement put their lives on the line every day to protect our communities, and their bravery will always have my respect, support, and admiration. I do highlight these statistics because they reveal a larger need for greater front-end criminal justice, sentencing, and police reforms that ultimately share our goal of building safe and thriving communities.

Passing the FIRST STEP Act is just that—a first step. It cannot be the only step. We have so much more work to do to fix a broken criminal justice system that leaves too many Americans behind.

The FIRST STEP Act does not address structural racism and racial disparities in our criminal justice system, nor does it completely alleviate some of the draconian sentences still in place for drug offenses.

What this legislation will do is to make a positive difference in the lives of thousands of Federal inmates working to turn their lives around and earn a second chance. I urge my colleagues to support this bill. I have always believed that the Federal policies we set can have a ripple effect across the Nation. May the passage of the FIRST STEP Act by Congress spur States across America to take additional steps forward—steps that, together, may advance our Nation's long march for equality and justice under the law.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:46, recessed until 2:15 pm and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).