

the Administrator may waive the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'), with respect to the voluntary collection of information specific to the declared major disaster or emergency needed to carry out the purposes of a disaster assistance program.

“(B) DURATION.—A waiver described in subparagraph (A) shall be in effect for the entire period of performance for any assistance provided under a disaster assistance program with respect to a declared major disaster or emergency.

“(C) TRANSPARENCY.—If the Administrator waives the requirements described in subparagraph (A), the Administrator shall—

“(i) promptly post on a public website—

“(I) a brief justification for the waiver; and

“(II) the agencies and offices to which the waiver shall apply;

“(ii) update the information posted under clause (i), as applicable; and

“(iii) comply with the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') upon the expiration of the period of performance of any assistance provided under a disaster assistance program if the collection of information may be utilized for the purposes of supporting the disaster assistance program in future major disaster or emergency declarations.

“(D) EFFECTIVENESS OF WAIVER.—Any waiver under subparagraph (A) shall take effect on the date on which the Administrator posts information on the internet website as provided for under subparagraph (C).

“(e) DATA SECURITY.—The Administrator shall facilitate the collection of disaster assistance information into a unified application only after—

“(1) the Administrator certifies that the unified application substantially complies with the data security standards established pursuant to subchapter II of chapter 35 of title 44, United States Code, and any other applicable Federal information security policy;

“(2) the Secretary of Homeland Security publishes a privacy impact assessment for the unified application that is similar to the privacy assessment conducted under section 208(b)(1)(B) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

“(3) the Administrator, in consultation with disaster assistance agencies, publishes standard rules of behavior for disaster assistance agencies and personnel granted access to disaster assistance information to protect such information from improper disclosure.

“(f) CERTIFICATION OF DISASTER ASSISTANCE AGENCIES.—

“(1) IN GENERAL.—The Administrator may certify a Federal agency as a disaster assistance agency after posting an agreement between the Administrator and the Federal agency on a public website that contains the detailed terms of the agreement.

“(2) CONTENTS OF AGREEMENT.—An agreement between the Administrator and a Federal agency described in paragraph (1) shall state that the Federal Emergency Management Agency and the Federal agency will—

“(A) collect, disclose, maintain, and use disaster assistance information in accordance with—

“(i) this section; and

“(ii) subject to subsection (i)(2), any existing policies of the Federal Emergency Management Agency and the Federal agency for information protection and use;

“(B) train any personnel granted access to disaster assistance information on the rules of behavior established by the Administrator under subsection (e)(3);

“(C) in the event of any unauthorized disclosure of disaster assistance information—

“(i) not later than 24 hours after discovering the unauthorized disclosure—

“(I) in the case of an unauthorized disclosure by the Federal agency, notify the Administrator of the disclosure; and

“(II) in the case of an unauthorized disclosure by the Federal Emergency Management Agency, notify disaster assistance agencies of the disclosure;

“(i) cooperate fully with the Administrator and disaster assistance agencies in the investigation and remediation of the disclosure; and

“(iii) cooperate fully in the prosecution of a person responsible for the disclosure; and

“(D) assume responsibility for any compensation, civil liability, or other remediation measure awarded by a judgment of a court or agreed upon as a compromise of any potential claim by or on behalf of an applicant, including by obtaining credit monitoring and remediation services, for an improper disclosure of disaster assistance information that is—

“(i) caused, directly or indirectly, by the acts or omissions of an officer, employee, or contractor of the Federal agency; or

“(ii) from any electronic system of records that was created or maintained by the Federal agency pursuant to section 552a(e) of title 5, United States Code.

“(g) REPORTS.—

“(1) FEMA.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 2 years, the Administrator, in coordination with the heads of disaster assistance agencies, shall submit to Congress a report on the implementation of this section, including—

“(A) how disaster assistance agencies are working together to implement the requirements under this section;

“(B) the effect of this section on disaster survivor burden and the speed and efficiency of delivering disaster assistance; and

“(C) a description of any other challenges that require further legislative action.

“(2) GAO.—Not later than 3 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report on how the implementation of this section has affected the disaster survivor experience, and any recommendations for improvements to the requirements under this section.

“(h) BRIEFINGS.—Not later than 90 days after the date of enactment of this section, and again not later than 180 days after the date of enactment of this section, the Administrator shall brief Congress on—

“(1) the status of the implementation of the requirements under this section; and

“(2) how disaster assistance agencies are working together to implement the requirements under this section.

“(i) RULES OF CONSTRUCTION.—

“(1) INAPPLICABILITY OF MATCHING PROGRAM PROVISIONS.—The disclosure and use of disaster assistance information subject to the requirements of section 552a of title 5, United States Code, among disaster assistance agencies or with State, local, or Tribal governments carrying out disaster assistance programs shall not—

“(A) be construed as a matching program for the purpose of section 552a(a)(8) of title 5, United States Code; or

“(B) be subject to subsection (e)(12), (o), (p)(1)(A)(ii), (q), (r), or (u) of section 552a of title 5, United States Code.

“(2) AUTHORITIES IN OTHER LAWS.—Nothing in this section shall be construed to affect the authority of an entity to share disaster assistance information regarding programs funded or facilitated by the entity in accordance with any other law or agency policy.

“(3) APPLYING TO MULTIPLE PROGRAMS.—Nothing in this section shall be construed to

require an applicant to apply to more than 1 disaster assistance program.

“(4) PROGRAM AUTHORIZATION.—Nothing in this section shall be construed to authorize a program that is not authorized by law as of the date of enactment of this section.”.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, notwithstanding the passage of Calendar Nos. 252 and 253, I ask unanimous consent that the committee-reported substitute amendments be agreed to; that the bills as amended be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The bills considered and passed are as follows:

HELPING ELIMINATE LIMITATIONS FOR PROMPT RESPONSE AND RECOVERY ACT

The Senate proceeded to consider the bill (S. 594) to amend the Post-Katrina Management Reform Act of 2006 to repeal certain obsolete requirements, and for other purposes, which had been reported from the Committee on Homeland Security and Governmental Affairs with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Helping Eliminate Limitations for Prompt Response and Recovery Act” or the “HELP Response and Recovery Act”.

SEC. 2. REPEAL OF OBSOLETE DHS CONTRACTING REQUIREMENTS.

The Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1394) is amended by striking section 695 (6 U.S.C. 794).

SEC. 3. REPORTS.

(a) COVERED PERIOD DEFINED.—*In this section, the term “covered period” means—*

(1) *with respect to an initial report required under subsection (b), the period between the date of enactment of this Act and the date of the report; and*

(2) *with respect to any succeeding report required under subsection (b), the period between the date of the most recent report and the succeeding report.*

(b) REQUIREMENT.—*Not later than 2 years after the date of enactment of this Act, and annually thereafter until the date that is 5 years thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—*

(1) *reviews how the repeal under section 2*

has—

(A) *prevented waste, fraud, and abuse; and*

(B) *promoted taxpayer savings; and*

(2) *includes, with respect to a contract entered into or extended by the Administrator of the Federal Emergency Management Agency under urgent and compelling circumstances during the covered period for which the Administrator did not solicit bids—*

(A) *the number of those contracts;*

(B) *the subject of each contract;*

(C) *the amounts obligated by the Administrator for each contract;*

(D) *if applicable, the State benefitted by each contract; and*

(E) if applicable, the name of the major disaster or emergency for which each contract was entered into or extended.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 594), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

U.S. CUSTOMS AND BORDER PROTECTION OFFICER RETIREMENT TECHNICAL CORRECTIONS ACT

The Senate proceeded to consider the bill (S. 727) to correct the inequitable denial of enhanced retirement and annuity benefits to certain U.S. Customs and Border Protection Officers, which had been reported from the Committee on Homeland Security and Governmental Affairs with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “U.S. Customs and Border Protection Officer Retirement Technical Corrections Act”.

SEC. 2. ADJUSTMENT RELATED TO TRANSITION RULES.

(a) DEFINED TERM.—In this section the term “Eligible Individual” means any individual who—

(1) received a tentative offer of employment as a U.S. Customs and Border Protection Officer before July 6, 2008; and

(2) entered into duty as a U.S. Customs and Border Protection officer on or after July 6, 2008, as a result of an offer described in paragraph (1).

(b) TREATMENT OF ELIGIBLE INDIVIDUALS.—Eligible Individuals—

(1) are considered to be individuals serving as U.S. Customs and Border Protection Officers on July 6, 2008, for purposes of section 535(e) of the Department of Homeland Security Appropriations Act, 2008 (division E of Public Law 110-161; 121 Stat. 1844); and

(2) are entitled to—

(A) the minimum annuity amount required under section 535(e)(2)(C) of such Act; and

(B) an exemption from mandatory retirement otherwise required under section 8425(b)(1) of title 5, United States Code.

(c) IMPLEMENTATION.—

(1) SUBMISSION OF INFORMATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall—

(A) create a list of all Eligible Individuals;

(B) notify each Eligible Individual of the annuity correction described in subsection (b); and

(C) provide the Director of the Office of Personnel Management with all of the information that is necessary for making annuity corrections with respect to Eligible Individuals.

(2) COMPLETION OF ANNUITY CORRECTION.—After receiving the information described in paragraph (1)(C), the Director of the Office of Personnel Management shall make the annuity correction described in subsection (b) with respect to each Eligible Individual, including a retroactive annuity adjustment for Eligible Individuals who retired before the date of the enactment of this Act.

(d) WAIVERS AND GUIDANCE.—

(1) WAIVERS.—The Secretary of Homeland Security may retroactively waive the maximum entry age requirement under 3307(g) of title 5, United States Code, to the extent necessary, to ensure that each Eligible Individual is eligible for immediate retirement with the annuity correction described in subsection (b).

(2) GUIDANCE.—The Director of the Office of Personnel Management, in consultation with the Secretary of Homeland Security, shall issue appropriate guidance to assist in the implementation of the annuity correction described in subsection (b).

(e) GOVERNMENT ACCOUNTABILITY OFFICE.—The Comptroller General of the United States—

(1) shall review U.S. Customs and Border Protection (referred to in this subsection as “CBP”) hiring practices, policies, and procedures related to eligibility for enhanced retirement benefits referred to in this section by assessing—

(A) the process for determining whether an employee qualifies for such benefits, including considering any potential factors that would make an employee ineligible for such enhanced retirement benefits;

(B) the internal controls used by CBP to ensure that all eligible employees, and only eligible employees, receive such enhanced retirement benefits;

(C) the policies regarding the use of employees’ personnel files to ensure compliance with current laws governing retirement benefits; and

(D) the adequacy of the training provided to CBP senior executives regarding human resources and hiring practices at CBP; and

(2) not later than 18 months after the date of the enactment of this Act, shall submit a report that describes the results of the review conducted pursuant to paragraph (1) to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Oversight and Government Reform of the House of Representatives.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The bill (S. 727), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2026

The PRESIDING OFFICER. The minority whip.

FIRST STEP ACT

Mr. DURBIN. Mr. President, this December marks the seventh anniversary of the passage of the First Step Act, the most significant reform to our criminal justice system in a generation.

That victory was born out of years of bipartisan negotiations led by myself and my colleagues Senator CORY BOOKER of New Jersey, Senator CHUCK GRASSLEY of Iowa, and Senator MIKE LEE of Utah—Democrats and Republicans working together. The end result was and continues to be life-changing for the people who were impacted.

The First Step Act delivered much needed reforms to our outdated sentencing laws and provided real opportunities for incarcerated Americans to safely reenter their communities. Those reforms have reduced populations in overcrowded prisons, reunited families, and revitalized communities these men and women reenter as productive neighbors. The evidence backs it up. Just look at the numbers.

Of the more than 40,000 people released under the law through January 2024, just under 10 percent have been rearrested—40,000, under 10 percent.

Compare that to the Bureau of Prisons’ overall recidivism rate, which is 45 percent. The difference between 10 percent and 45 percent is striking, and it shows what we can achieve when we are smart on crime and follow the data.

I want to take a moment to highlight the story of one woman from Alton, IL. So often in my congressional career, things that have inspired me come from stories of real people and real lives. This is one of them.

Her name was Eugenia Jennings. As a teenager, she, sadly, experienced the injustice of our antiquated sentencing laws firsthand. She was terribly abused as a child, and by age 15, Eugenia Jennings was addicted to crack cocaine. At age 23, as a mother of three, Eugenia was sentenced to over 20 years in Federal prison for selling less than 14 grams of a drug.

In prison, she turned out to be a model for others. She took all of the courses available to her, overcame her addiction, and talked to students about the dangers of drug addiction. Sadly, while she was incarcerated, she developed leukemia.

I asked President Barack Obama, my former colleague in the Senate, to commute Eugenia’s sentence, and he did just that. It was the first commutation he issued. Eugenia was released just in time to see her oldest daughter graduate from high school. I cannot tell you the joy in her voice when she told me that.

She passed away 2 years later, but her story has lived on and served as a driving force behind my efforts to reform our Federal drug sentencing laws.

Eugenia’s story led me to meet more individuals whose lives were forever altered by unfair sentencing laws, including Matthew Charles. Matthew also had a difficult childhood, enduring both physical and verbal abuse. He joined the Army at age 18 but found himself still filled with anger and hurt. He eventually turned to what he called wayward living and selling drugs. He received a State conviction and then a Federal conviction. Because he had a prior conviction when he ended up in Federal court because he had been selling crack rather than powdered cocaine, Matthew received a sentence of 35 years—35 years.

While in prison, he worked as a GED tutor and law library clerk in addition to mentoring young people. He helped other incarcerated individuals who could not read to understand their letters and court documents, and he drafted filings for them. In 21 years in prison, Matthew did not receive a single disciplinary infraction.

After Matthew’s conviction and sentence, Congress passed a law I wrote called the Fair Sentencing Act, which reduced the disparity in sentencing between crack and powder cocaine offenses, but the law was not retroactive. When Eugenia and Matthew were sentenced, the hands of their sentencing judges were tied because Congress severely limited a judge’s discretion to