

sentenced to a term of imprisonment of not less than 10 years and not more than life." before "Notwithstanding section 3583"; and

(2) in paragraph (2), in the flush text following subparagraph (H)—

(A) by inserting ", other than a person who is a courier," after "such violation";

(B) by striking "person commits" and inserting "person, other than a courier, commits"; and

(C) by inserting "If a person who is a courier commits such a violation, the person shall be sentenced to a term of imprisonment of not less than 2 years and not more than life. If a person who is a courier commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final, the person shall be sentenced to a term of imprisonment of not less than 5 years and not more than life." before "Notwithstanding section 3583".

(C) APPLICABILITY TO PENDING AND PAST CASES.—

(1) DEFINITION.—In this subsection, the term "covered offense" means a violation of a Federal criminal statute, the statutory penalties for which were modified by this section.

(2) PENDING CASES.—This section, and the amendments made by this section, shall apply to any sentence imposed after the date of enactment of this Act, regardless of when the offense was committed.

(3) PAST CASES.—In the case of a defendant who, before the date of enactment of this Act, was convicted or sentenced for a covered offense, the sentencing court may, on motion of the defendant, the Bureau of Prisons, the attorney for the Government, or on its own motion, impose a reduced sentence after considering the factors set forth in section 3553(a) of title 18, United States Code.

SEC. 3. DIRECTIVE TO THE SENTENCING COMMISSION.

(A) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and amend, if appropriate, its guidelines and its policy statements applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to ensure that the guidelines and policy statements are consistent with the amendments made by section 2 of this Act.

(b) CONSIDERATIONS.—In carrying out this section, the United States Sentencing Commission shall consider—

(1) the mandate of the United States Sentencing Commission, under section 994(g) of title 28, United States Code, to formulate the sentencing guidelines in such a way as to "minimize the likelihood that the Federal prison population will exceed the capacity of the Federal prisons";

(2) the findings and conclusions of the United States Sentencing Commission in its October 2011 report to Congress entitled, Mandatory Minimum Penalties in the Federal Criminal Justice System;

(3) the fiscal implications of any amendments or revisions to the sentencing guidelines or policy statements made by the United States Sentencing Commission;

(4) the relevant public safety concerns involved in the considerations before the United States Sentencing Commission;

(5) the intent of Congress that penalties for violent, repeat, and serious drug traffickers who present public safety risks remain appropriately severe; and

(6) the need to reduce and prevent racial disparities in Federal sentencing.

(c) EMERGENCY AUTHORITY.—The United States Sentencing Commission shall—

(1) promulgate the guidelines, policy statements, or amendments provided for in this Act as soon as practicable, and in any event not later than 120 days after the date of enactment of this Act, in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired; and

(2) pursuant to the emergency authority provided under paragraph (1), make such conforming amendments to the Federal sentencing guidelines as the Commission determines necessary to achieve consistency with other guideline provisions and applicable law.

SEC. 4. REPORT BY ATTORNEY GENERAL.

Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report outlining how the reduced expenditures on Federal corrections and the cost savings resulting from this Act will be used to help reduce overcrowding in the Federal Bureau of Prisons, help increase proper investment in law enforcement and crime prevention, and help reduce criminal recidivism, thereby increasing the effectiveness of Federal criminal justice spending.

SEC. 5. REPORT ON FEDERAL CRIMINAL OFFENSES.

(a) DEFINITIONS.—In this section—

(1) the term "criminal regulatory offense" means a Federal regulation that is enforceable by a criminal penalty; and

(2) the term "criminal statutory offense" means a criminal offense under a Federal statute.

(b) REPORT ON CRIMINAL STATUTORY OFFENSES.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report, which shall include—

(1) a list of all criminal statutory offenses, including a list of the elements for each criminal statutory offense; and

(2) for each criminal statutory offense listed under paragraph (1)—

(A) the potential criminal penalty for the criminal statutory offense;

(B) the number of prosecutions for the criminal statutory offense brought by the Department of Justice each year for the 15-year period preceding the date of enactment of this Act; and

(C) the mens rea requirement for the criminal statutory offense.

(c) REPORT ON CRIMINAL REGULATORY OFFENSES.—

(1) REPORTS.—Not later than 1 year after the date of enactment of this Act, the head of each Federal agency described in paragraph (2) shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report, which shall include—

(A) a list of all criminal regulatory offenses enforceable by the agency; and

(B) for each criminal regulatory offense listed under subparagraph (A)—

(i) the potential criminal penalty for a violation of the criminal regulatory offense;

(ii) the number of violations of the criminal regulatory offense referred to the Department of Justice for prosecution in each of the years during the 15-year period preceding the date of enactment of this Act; and

(iii) the mens rea requirement for the criminal regulatory offense.

(2) AGENCIES DESCRIBED.—The Federal agencies described in this paragraph are the Department of Agriculture, the Department of Commerce, the Department of Education,

the Department of Energy, the Department of Health and Human Services, the Department of Homeland Security, the Department of Housing and Urban Development, the Department of the Interior, the Department of Labor, the Department of Transportation, the Department of the Treasury, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Equal Employment Opportunity Commission, the Export-Import Bank of the United States, the Farm Credit Administration, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Election Commission, the Federal Labor Relations Authority, the Federal Maritime Commission, the Federal Mine Safety and Health Review Commission, the Federal Trade Commission, the National Labor Relations Board, the National Transportation Safety Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Office of Congressional Workplace Rights, the Postal Regulatory Commission, the Securities and Exchange Commission, the Securities Investor Protection Corporation, the Environmental Protection Agency, the Small Business Administration, the Federal Housing Finance Agency, and the Office of Government Ethics.

(d) INDEX.—Not later than 2 years after the date of enactment of this Act—

(1) the Attorney General shall establish a publicly accessible index of each criminal statutory offense listed in the report required under subsection (b) and make the index available and freely accessible on the website of the Department of Justice; and

(2) the head of each agency described in subsection (c)(2) shall establish a publicly accessible index of each criminal regulatory offense listed in the report required under subsection (c)(1) and make the index available and freely accessible on the website of the agency.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require or authorize appropriations.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 624—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF MARCH 2 THROUGH MARCH 6, 2026, AS "NATIONAL SOCIAL AND EMOTIONAL LEARNING WEEK" TO RECOGNIZE THE CRITICAL ROLE SOCIAL AND EMOTIONAL LEARNING PLAYS IN SUPPORTING THE ACADEMIC SUCCESS AND OVERALL WELL-BEING OF STUDENTS, EDUCATORS, AND FAMILIES

Mr. DURBIN (for himself, Mr. KAINE, Mr. VAN HOLLEN, Mr. KING, Mr. BLUMENTHAL, Mr. LUJÁN, Ms. DUCKWORTH, Mr. BOOKER, and Mr. KIM) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 624

Whereas decades of research demonstrate how social and emotional learning (referred to in this preamble as "SEL") promotes academic achievement, mental wellness, healthy behaviors, and long-term success;

Whereas, according to a study by researchers at the University of Southern California and Yale University, students participating

in an SEL intervention demonstrate, on average, a 4.2 percentile point increase in academic achievement (with a 3.8 percentile point increase in math and 6.3 percentile point increase in literacy), with longer interventions showing an 8.4 percentile point increase in academic achievement;

Whereas, according to a longitudinal National Institute of Child Health and Human Development study by researchers at the University of Washington, the University of Minnesota, the University of California San Francisco, the University of Virginia, and Rush University Medical Center, individuals with greater social skills aggregated from kindergarten through sixth grade had lower cardiometabolic risk in adulthood;

Whereas, according to a study by researchers at the Collaborative for Academic, Social, and Emotional Learning, Loyola University Chicago, and the University of Illinois Chicago, SEL programs that addressed the 5 core social and emotional competencies (self-awareness, self-management, social awareness, relationship skills, and responsible decision-making) increased academic performance by 11 percentile points, improved the ability of students to manage stress, and improved the attitudes of students about themselves, others, and school;

Whereas, according to a study by researchers at Yale University, the University of Rochester, the University of Maryland, and Loyola University Chicago, students participating in SEL at school had higher “school functioning,” including grades, test scores, attendance, homework completion, and engagement;

Whereas a study in the Journal of Benefit-Cost Analysis found that, on average, for every dollar spent on the evidence-based SEL programs examined, there was an \$11 return on investment;

Whereas, according to a study published by the American Public Health Association, the development of social and emotional skills in kindergarten has been associated with improved outcomes for young adults later in life, resulting in reduced societal costs for public assistance, public housing, police involvement, and detention;

Whereas, in response to a Pew Research Center survey of parents of K–12 students, 93 percent of the parents said that schools teaching children to develop social and emotional skills was important;

Whereas research from Yale University, the University of Cantabria, Jagiellonian University, and Pennsylvania State University indicates that educators who demonstrate greater social and emotional competence are frequently more capable of protecting themselves from burnout; and

Whereas the week of March 2 through March 6, 2026, would be an appropriate period to designate as “National Social and Emotional Learning Week”: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of “National Social and Emotional Learning Week”;

(2) recognizes the role that social and emotional learning plays in promoting academic achievement, mental and behavioral health, and future career success for students;

(3) expresses support for expanding access to social and emotional learning for each student and teacher; and

(4) encourages the people of the United States to identify opportunities among Federal agencies to advance social and emotional learning to support the academic success and overall well-being of students, parents, educators, and their communities.

By Mr. DURBIN (for himself, Mr. LEE, Mr. COONS, and Mr. WICKER):

S. 3960. A bill to give Federal courts additional discretion to determine whether pretrial detention is appropriate for defendants charged with non-violent drug offenses in Federal criminal cases; to the Committee on the Judiciary.

S. 3960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Smarter Pretrial Detention for Drug Charges Act of 2026”.

SEC. 2. RELEASE CONDITIONS AND DETENTION IN FEDERAL CRIMINAL CASES.

Section 3142 of title 18, United States Code, is amended—

(1) by striking “(42 U.S.C. 14135a)” each place it appears and inserting “(34 U.S.C. 40702)”;

(2) in subsection (e)(3)—
(A) by striking subparagraph (A); and
(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (A), (B), (C), and (D), respectively.

SENATE RESOLUTION 625—DESIGNATING FEBRUARY 2026 AS “HAWAIIAN LANGUAGE MONTH” OR “OLELO HAWAI’I MONTH”

Mr. SCHATZ (for himself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 625

Whereas the Hawaiian language, or ‘Ōlelo Hawai’i—

(1) is the Native language of Native Hawaiians, the aboriginal, Indigenous people who—

(A) settled the Hawaiian archipelago as early as 2,000 years ago, over which they exercised sovereignty; and

(B) over time, founded the Kingdom of Hawai’i; and

(2) was once widely spoken by Native Hawaiians and non-Native Hawaiians throughout the Kingdom of Hawai’i, which held one of the highest literacy rates in the world prior to the illegal overthrow of the Kingdom of Hawai’i in 1893 and the establishment of the Republic of Hawai’i;

Whereas the Republic of Hawai’i enacted a law in 1896 effectively banning school instructional use of ‘Ōlelo Hawai’i, a law that continued in effect over the generations-long territorial period;

Whereas the Republic of Hawai’i banned the use of ‘Ōlelo Hawai’i to communicate and punished children for speaking ‘Ōlelo Hawai’i in schools and on the playground;

Whereas parallel to the Federal efforts to eliminate Native American languages spoken by Indian Tribes, the ban on the use of ‘Ōlelo Hawai’i led to the near extinction of the Hawaiian language by the 1980s, when fewer than 50 fluent speakers under 18 years old remained;

Whereas, since the 1960s, Native Hawaiians have led a grassroots revitalization of their Native language, launching a number of historic initiatives, including—

(1) the Hawaiian language course and degree programs through the University of Hawai’i system;

(2) the statewide Hawaiian language immersion preschools created by the Native Hawaiian nonprofit ‘Aha Pūnana Leo, combining speakers and non-speakers in language nests;

(3) the Hawai’i State Department of Education Hawaiian language immersion pro-

gram developed from a base of ‘Aha Pūnana Leo graduates; and

(4) the research conducted by the Hawaiian language college at the University of Hawai’i at Hilo relating to Indigenous language immersion teacher training, curriculum materials, and best practices, which allowed the State of Hawai’i to develop an integrated preschool through doctorate Hawaiian immersion program;

Whereas the Hawaiian language revitalization movement inspired systemic Native language policy reform, including—

(1) the State of Hawai’i recognizing ‘Ōlelo Hawai’i as an official language in the Constitution of the State of Hawai’i through a majority vote of its Hawaiian and non-Hawaiian citizenry in 1978;

(2) the State of Hawai’i removing the 90-year ban on teaching ‘Ōlelo Hawai’i in public and private schools in 1986;

(3) the bipartisan enactment of the Native American Languages Act (25 U.S.C. 2901 et seq.) in 1990, which established the policy of the United States to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages, including the Native Hawaiian language; and

(4) the State of Hawai’i designating the month of February as “‘Ōlelo Hawai’i Month” to celebrate and encourage the use of the Hawaiian language;

Whereas the enactment of the Native American Language Resource Center Act of 2022 (20 U.S.C. 7457) in 2023—

(1) reconfirmed a Federal commitment to revitalizing Native American languages, including the Hawaiian language; and

(2) resulted in the Department of Education awarding the Hawaiian language college at the University of Hawai’i at Hilo a 5-year grant to establish and lead the first National Native American Language Resource Center with State and Tribal college and university partners to support the revitalization of other Native American languages through expertise and best practices; and

Whereas the enactment of numerous laws by Congress over many decades to promote education, Native American language revitalization, and cultural preservation recognizes and implements the special political and trust relationship with the Native Hawaiian Community: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 2026 as “Hawaiian Language Month” or “‘Ōlelo Hawai’i Month”;

(2) commits to preserving, protecting, and promoting the use, practice, and development of ‘Ōlelo Hawai’i in alignment with the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(3) urges the people of the United States and interested groups to celebrate ‘Ōlelo Hawai’i Month with appropriate activities and programs to demonstrate support for ‘Ōlelo Hawai’i.

ORDERS FOR TUESDAY, MARCH 3, 2026

Mr. THUNE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Tuesday, March 3, 2026; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate resume consideration of the motion to