S. 3183

At the request of Mr. MORAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3183, a bill to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Nevada (Mr. HELLER), the Senator from Vermont (Mr. SANDERS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3227

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3227, a bill to direct the President to establish an interagency mechanism to coordinate United States development programs and private sector investment activities, and for other purposes.

S. 3256

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3256, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

S. 3269

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 3269, a bill to require the Attorney General to make a determination as to whether cannabidiol should be a controlled substance and listed in a schedule under the Controlled Substances Act and to expand research on the potential medical benefits of cannabidiol and other marijuana components.

S. 3281

At the request of Mr. REID, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3284

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3284, a bill to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

S. 3288

At the request of Ms. KLOBUCHAR, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 3288, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 3292

At the request of Mr. PORTMAN, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3292, a bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, and for other purposes.

S. 3304

At the request of Mr. THUNE, the names of the Senator from Utah (Mr. HATCH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Texas (Mr. CORNYN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3304, a bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line.

S. 3308

At the request of Mrs. CAPITO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 3308, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA–PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 3311

At the request of Mr. SASSE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3311, a bill to amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty.

S. 3355

At the request of Mr. COTTON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3355, a bill to prohibit funding for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in the event the United Nations Security Council adopts a resolution that obligates the United States or affirms a purported obligation of the United States to refrain from actions that would run counter to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.

S. 3391

At the request of Mr. REED, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3391, a bill to reauthorize the Museum and Library Services Act.

S. 3392

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3392, a bill to amend title XVIII of the Social Security Act in order to improve the process whereby Medicare Administrative Contractors issue local coverage determinations under the Medicare Program, and for other purposes.

S. 3405

At the request of Mr. DAINES, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mrs. FISCHER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), the Senator from Arkansas (Mr. COTTON) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3405, a bill to transfer certain items from the United States Munitions List to the Commerce Control List.

S. CON. RES. 51

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Con. Res. 51, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have been exposed to the toxin Agent Orange and should be eligible for all related Federal benefits that come with such presumption under the Agent Orange Act of 1991.

S. RES. 536

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 536, a resolution proclaiming the week of October 30 through November 5, 2016, as ''National Obesity Care Week''.

S. RES. 570

At the request of Mr. MURPHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 570, a resolution recognizing the importance of substance abuse disorder treatment and recovery in the United States.

S. RES. 581

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 581, a resolution prohibiting the Senate from adjourning, recessing, or convening in a pro forma session unless the Senate has provided a hearing and a vote on the pending nomination to the position of justice of the Supreme Court of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 3428. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3428

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 ''Protection of Military Airfields from Wind Turbine Encroachment Act''.

SEC. 2. NEW WIND TURBINES LOCATED NEAR CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking ''Such term'' and all that follows through the period and inserting the following: ''Such term shall not include—

''(A) any facility with respect to which any qualified small wind energy property expenditure (as defined in subsection (d)(4) of section 25D) is taken into account in determining the credit under such section, or

''(B) any facility which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of—

''(i) an airfield or airbase under the jurisdiction of a military department which is in active use, or

''(ii) an air traffic control radar site, weather radar site, or aircraft navigation aid which is—

''(I) owned or operated by the Department of Defense, and

''(II) a permanent land-based structure at a fixed location.''.

(b) QUALIFIED SMALL WIND ENERGY PROPERTY.—Paragraph (4) of section 48(c) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by inserting after subparagraph (B) the following:

''(C) EXCEPTION.—The term 'qualifying small wind energy property' shall not include any property which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of any property described in clause (i) or (ii) of section 45(d)(1)(B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. DURBIN (for himself, Mr. COONS, Mr. LEAHY, Mr. BOOKER, and Mr. FRANKEN):

S. 3432. A bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I come to the floor today to introduce the Solitary Confinement Reform Act, a bill that would make significant reforms to the use of solitary confinement in federal prisons and encourage states to implement similar reforms. Before I discuss what this legislation would do, let me explain why I am introducing it.

Several years ago, I read an article in the New Yorker magazine entitled ''Hellhole.'' This article was written by Dr. Atul Gawande, a medical doctor who examined the human impact of long-term solitary confinement in American prisons. In this article, Dr. Gawande asked:

> If prolonged isolation is—as research and experience have confirmed for decades—so objectively horrifying, so intrinsically cruel, how did we end up with a prison system that may subject more of our own citizens to it than any other country in history has?

At the time, I was serving as Chairman of the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, and I decided to hold a hearing on solitary confinement—the first-ever congressional hearing on the topic. It turned out to be a hearing that I will never forget.

One of our witnesses at the hearing was Anthony Graves. I will never forget Mr. Graves' testimony. He spent 18 years in prison, including 16 years in solitary confinement. In 2010, he became the 12th death row inmate to be exonerated in Texas. Think about that—Mr. Graves spent 16 years in solitary for a crime he didn't commit. At the hearing, Mr. Graves testified about his experience, and here is what he said:

> I lived under some of the worst conditions imaginable with the filth, the food, the total disrespect of human dignity. I lived under the rules of a system that is literally driving men out of their minds.

He went on to say:

> Solitary confinement does one thing, it breaks a man's will to live and he ends up deteriorating. He's never the same person again. . . . I have been free for almost two years and I still cry at night, because no one out here can relate to what I have gone through. I battle with feelings of loneliness. I've tried therapy but it didn't work. The therapist was crying more than me. She couldn't believe that our system was putting men through this sort of inhumane treatment.

I think that sentiment echoed through the minds of everyone in the hearing room as Mr. Graves gave his testimony. We couldn't believe that our system was putting inmates through this sort of inhumane treatment.

Mr. Graves' story shed light on the damaging impact of holding tens of thousands of men, women, and children in small windowless cells 23 hours a day—for weeks, months, years—with very little, if any, contact with the outside world. Clearly, such extreme isolation can have serious psychological effects on inmates.

At the hearing, we also examined the serious fiscal impact of solitary confinement. We learned that in a federal high security facility, the cost of housing an inmate in segregation is about 1.3 times the cost of housing an inmate in a general population unit. At the Federal supermax prison in Florence, CO, the cost of housing an inmate in segregation is more than 2.5 times the cost of housing an inmate in the general population. Is this a wise use of taxpayer dollars when the money we spend on our Federal prisons already consumes one quarter of the Department of Justice's budget every year? So every dollar that we spend holding a prisoner in solitary confinement is a dollar that we don't spend on community policing, crime prevention, and drug treatment.

We also discussed the significant public safety consequences of widespread solitary confinement. Some people might ask, ''What happens in our prisons doesn't affect me, so why should I care?'' But consider this—the vast majority of inmates held in segregation will be released into our communities someday. So if solitary confinement destabilizes prisoners and makes them more likely to engage in violence or other criminal conduct, then that affects all of us.

Two years after my first hearing, I held a follow-up hearing. At that hearing, we heard from Damon Thibodeaux, who spent 15 years in solitary confinement at the Louisiana State Penitentiary before he was exonerated in 2012. Mr. Thibodeaux testified:

> I do not condone what those who have killed and committed other serious offenses have done. But I also don't condone what we do to them, when we put them in solitary for years on end and treat them as sub-human. We are better than that. As a civilized society, we should be better than that.

Mr. Thibodeaux was right. We should be better than that. Thankfully, our society is beginning to recognize that the widespread use of solitary confinement in our prison system must change.

In 2014, Supreme Court Justice Anthony Kennedy testified to Congress that, quote, ''solitary confinement literally drives men mad.'' Last year, Justice Kennedy again brought up the issue in a powerful concurring opinion. He wrote, quote, ''research still confirms what this Court suggested over a century ago: Years on end of near-total isolation exacts a terrible price.'' He went on to note that, quote, ''the judiciary may be required . . . to determine whether workable alternative systems for long-term confinement exist, and, if so, whether a correctional system should be required to adopt them.''

Pope Francis has also criticized solitary confinement. In a 2014 speech at the Vatican, he referred to the practice of extreme isolation as ''torture'' and ''a genuine surplus of pain added to the actual suffering of imprisonment.'' He went on to say:

> The lack of sensory stimuli, the total impossibility of communication and the lack of contact with other human beings induce mental and physical suffering such as paranoia, anxiety, depression, weight loss, and significantly increase the suicidal tendency.

I still don't fully understand how our society reached a point at which the overuse of solitary confinement became acceptable, or normal. But I know that we need to do something about it.

In light of the mounting evidence of the harmful, even dangerous, impacts of solitary confinement, states around the country have led the way in reassessing the practice. Take Colorado, for example, which has implemented a number of critical reforms. Colorado no longer releases offenders directly

from solitary to the community and no longer places inmates with serious mental illness in solitary. Have these reforms made Colorado's prisons less safe? No, in fact since Colorado changed its solitary confinement practices, inmate-on-staff assaults are at their lowest levels since 2006, incidents of self-harm have decreased, and most inmates released from solitary are not returning.

Progress has been made at the Federal level as well. After my 2014 hearing I called for an end to solitary confinement for juveniles, pregnant women, and inmates with serious mental illness in our federal prisons. I also asked the Federal Bureau of Prisons to submit for the first time to an outside independent assessment of its solitary confinement practices. The assessment, released last year, noted that some improvements have been made since the hearing, most importantly in the declining number of inmates in solitary confinement. The assessment also made a number of recommendations for additional reforms, such as improving mental health care for inmates in segregation and establishing alternatives to segregation for inmates in protective custody. BOP began taking steps to address these issues following the release of the assessment.

Last year, building upon this independent assessment, the Department of Justice undertook a review of the Bureau of Prisons' use of solitary confinement. This January, President Obama announced that he had accepted a number of DOJ's recommendations to reform and reduce the practice of solitary confinement in the Federal prison system—including implementing the ban on juvenile solitary confinement that I called for in 2014.

I welcome the reforms that the President announced, and I am glad to see that the Bureau of Prisons is making some progress in implementing these reforms. However, our Federal prison system is still housing more than 10,000 inmates in segregation as I speak. The number of inmates in solitary confinement since my first hearing has decreased from about 13,600 to about 10,400. But the number of total Federal prisoners has also dropped significantly since 2012. So the percentage of Federal prisoners in solitary has only gone down from 7.8 percent to 6.7 percent. Clearly, there is much more work to be done.

That is why Senator COONS and I are joining together to introduce the Solitary Confinement Reform Act. This legislation will build on the Justice Department's recommendations to further reform and reduce the use of solitary confinement in Federal prisons.

Our bill ensures that inmates are only placed in solitary confinement when absolutely necessary—such as to control a substantial and immediate threat to the safety of other inmates or corrections staff, or to punish an inmate for a significant and serious disciplinary violation.

Our bill also improves the conditions of confinement for prisoners in solitary and establishes firm time limits on segregation, in order to combat long-term isolation. However, we recognize that some extremely dangerous inmates require long-term separation from the general population. That's why our bill ensures that BOP can continue to separate those inmates who pose the greatest risk to other inmates, staff, and the general public.

Among the most important provisions in our bill are the strict limits on the use of solitary confinement for inmates nearing their release date, inmates in protective custody, LGBT inmates, and inmates who are minors, have a serious mental illness, have an intellectual or physical disability, or are pregnant or in the first eight weeks of postpartum recovery after birth.

For inmates who are placed in segregated housing, our bill improves access to mental health care and ensures that a robust review process is in place. Additionally, our bill increases transparency and accountability by requiring the Attorney General to establish a Civil Rights Ombudsman within the Bureau of Prisons to review inmate complaints, and directing BOP to submit an annual assessment to Congress detailing their solitary confinement policies, regulations, and data. Finally, our bill establishes a National Resource Center on Solitary Confinement Reform that would provide vital resources to state and local jurisdictions as corrections systems around the country pursue reductions in solitary confinement.

I want to thank Senator COONS for working with me on this legislation, and Senators BOOKER, LEAHY, and FRANKEN for joining as original cosponsors of the bill.

I also want to thank the ACLU, The Leadership Conference on Civil and Human Rights, Human Rights Watch, Just Detention International, Campaign for Youth Justice, Center for Children's Law and Policy, Human Rights Campaign, National Alliance on Mental Illness, National Religious Campaign Against Torture, Bend the Arc Jewish Action, Interfaith Action for Human Rights, T'ruah: The Rabbinic Call for Human Rights, and Washington Lawyers' Committee for Civil Rights and Urban Affairs for endorsing the Solitary Confinement Reform Act.

This legislation is one of many steps we should take to reform our criminal justice system and make our country safer, more just, and more fiscally responsible. I urge my colleagues to support the Solitary Confinement Reform Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3432

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 ''Solitary Confinement Reform Act''.

SEC. 2. SOLITARY CONFINEMENT REFORMS.

(a) AMENDMENT.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

''§ 4050. Solitary confinement

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE MAXIMUM FACILITY.—The term 'administrative maximum facility' means a maximum-security facility, including the Administrative Maximum facility in Florence, Colorado, designed to house inmates who present an ongoing significant and serious threat to other inmates, staff, and the public.

''(2) ADMINISTRATIVE SEGREGATION.—The term 'administrative segregation' means a non-punitive form of solitary confinement that removes an individual from the general population of a correctional facility for—

''(A) investigative, protective, or preventative reasons resulting in a substantial and immediate threat; or

''(B) transitional reasons, including a pending transfer, pending classification, or other temporary administrative matter.

''(3) APPROPRIATE LEVEL OF CARE.—The term 'appropriate level of care' means the appropriate treatment setting for mental health care that an inmate with mental illness requires, which may include outpatient care, emergency or crisis services, day treatment, supported residential housing, infirmary care, or inpatient psychiatric hospitalization services.

''(4) DIRECTOR.—The term 'Director' means the Director of the Bureau of Prisons.

''(5) DISCIPLINARY HEARING OFFICER.—The term 'disciplinary hearing officer' means an employee of the Bureau of Prisons who is responsible for conducting disciplinary hearings for which solitary confinement may be a sanction, as described in section 541.8 of title 28, Code of Federal Regulations, or any successor thereto.

''(6) DISCIPLINARY SEGREGATION.—The term 'disciplinary segregation' means a punitive form of solitary confinement imposed only by a Disciplinary Hearing Officer as a sanction for committing a significant and serious disciplinary infraction.

''(7) INTELLECTUAL DISABILITY.—The term 'intellectual disability' means a significant mental impairment characterized by significant limitations in both intellectual functioning and in adaptive behavior.

''(8) MULTIDISCIPLINARY STAFF COMMITTEE.—The term 'multidisciplinary staff committee' means a committee—

''(A) made up of staff at the facility where an inmate resides who are responsible for reviewing the initial placement of the inmate in solitary confinement and any extensions of time in solitary confinement; and

''(B) which shall include—

''(i) not less than 1 licensed mental health professional;

''(ii) not less than 1 medical professional; and

''(iii) not less than 1 member of the leadership of the facility.

''(9) ONGOING SIGNIFICANT AND SERIOUS THREAT.—The term 'ongoing significant and serious threat' means an ongoing set of circumstances that require the highest level of security and staff supervision for an inmate who, by the behavior of the inmate—

''(A) has been identified as assaultive, predacious, riotous, or a serious escape risk; and

''(B) poses a great risk to other inmates, staff, and the public.

''(10) PROTECTION CASE.—The term 'protection case' means an inmate who, by the request of the inmate or through a staff determination, requires protection, as described

by section 541.23(c)(3) of title 28, Code of Federal Regulations, or any successor thereto.

''(11) SERIOUS MENTAL ILLNESS.—The term 'serious mental illness' means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

''(12) SIGNIFICANT AND SERIOUS DISCIPLINARY INFRACTION.—The term 'significant and serious disciplinary infraction' means—

''(A) an act of violence that either—

''(i) resulted in or was likely to result in serious injury or death to another; or

''(ii) occurred in connection with any act of non-consensual sex; or

''(B) an escape, attempted escape, or conspiracy to escape from within a security perimeter or custody, or both; or

''(C) possession of weapons, possession of illegal narcotics with intent to distribute, or other similar, severe threats to the safety of the inmate, other inmates, staff, or the public.

''(13) SOLITARY CONFINEMENT.—The term 'solitary confinement' means confinement characterized by substantial isolation in a cell, alone or with other inmates, including administrative segregation, disciplinary segregation, and confinement in any facility designated by the Bureau of Prisons as a special housing unit, special management unit, or administrative maximum facility.

''(14) SPECIAL ADMINISTRATIVE MEASURES.—The term 'special administrative measures' means reasonably necessary measures used to—

''(A) prevent disclosure of classified information upon written certification to the Attorney General by the head of an element of the intelligence community (as specified or designated under section 3(4) of the National Security act of 1947 (50 U.S.C. 3003(4))) that the unauthorized disclosure of such information would pose a threat to the national security and that there is a danger that the inmate will disclose such information, as described by section 501.2 of title 28, Code of Federal Regulations, or any successor thereto; or

''(B) protect persons against the risk of death or serious bodily injury, upon written notification to the Director by the Attorney General or, at the Attorney General's direction, by the head of a Federal law enforcement agency, or the head of an element of the intelligence community (as specified or designated under section 3(4) of the National Security act of 1947 (50 U.S.C. 3003(4))), that there is a substantial risk that the communications of an inmate or contacts by the inmate with other persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons, as described by section 501.3 of title 28, Code of Federal Regulations, or any successor thereto.

''(15) SPECIAL HOUSING UNIT.—The term 'special housing unit' means a housing unit in an institution of the Bureau of Prisons in which inmates are securely separated from the general inmate population for disciplinary or administrative reasons, as described in section 541.21 of title 28, Code of Federal Regulations, or any successor thereto.

''(16) SPECIAL MANAGEMENT UNIT.—The term 'special management unit' means a non-punitive housing program with multiple, step-down phases for inmates whose history, behavior, or situation requires enhanced management approaches in order to ensure the safety of other inmates, the staff, and the public.

''(17) SUBSTANTIAL AND IMMEDIATE THREAT.—The term 'substantial and immediate threat' means any set of temporary and unforeseen circumstances that require immediate action in order to combat a threat to the safety of an inmate, other inmates, staff, or the public.

''(b) USE OF SOLITARY CONFINEMENT.—

''(1) IN GENERAL.—The placement of a Federal inmate in solitary confinement within the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody shall be limited to situations in which such confinement—

''(A) is limited to the briefest term and the least restrictive conditions practicable, including not less than 4 hours of out-of-cell time every day, unless the inmate poses a substantial and immediate threat;

''(B) is consistent with the rationale for placement and with the progress achieved by the inmate;

''(C) allows the inmate to participate in meaningful programming opportunities and privileges as consistent with those available in the general population as practicable, either individually or in a classroom setting;

''(D) allows the inmate to have as much meaningful interaction with others, such as other inmates, visitors, clergy, or licensed mental health professionals, as practicable; and

''(E) complies with the provisions of this section.

''(2) TRANSITIONAL PROCESS FOR INMATES IN SOLITARY CONFINEMENT.—

''(A) INMATES WITH UPCOMING RELEASE DATES.—The Director shall establish—

''(i) policies to ensure that an inmate with an anticipated release date of 180 days or less is not housed in solitary confinement, unless—

''(I) such confinement is limited to not more than 5 days of administrative segregation relating to the upcoming release of the inmate; or

''(II) the inmate poses a substantial and immediate threat; and

''(ii) a transitional process for each inmate with an anticipated release date of 180 days or less who is held in solitary confinement under clause (i)(II), which shall include—

''(I) substantial re-socialization programming in a group setting;

''(II) regular mental health counseling to assist with the transition; and

''(III) re-entry planning services offered to inmates in a general population setting.

''(B) INMATES IN LONG-TERM SOLITARY CONFINEMENT.—The Director shall establish a transitional process for each inmate who has been held in solitary confinement for more than 30 days and who will transition into a general population unit, which shall include—

''(i) substantial re-socialization programming in a group setting; and

''(ii) regular mental health counseling to assist with the transition.

''(3) PROTECTIVE CUSTODY UNITS.—The Director—

''(A) shall establish within the Federal prison system additional general population protective custody units that provide sheltered general population housing to protect inmates from harm that they may otherwise be exposed to in a typical general population housing unit;

''(B) shall establish policies to ensure that an inmate who is considered a protection case shall, upon request of the inmate, be placed in a general population protective custody unit;

''(C) shall create an adequate number of general population protective custody units to—

''(i) accommodate the requests of inmates who are considered to be protection cases; and

''(ii) ensure that inmates who are considered to be protection cases are placed in facilities as close to their homes as practicable; and

''(D) may not place an inmate who is considered to be a protection case in solitary confinement due to the status of the inmate as a protection case unless—

''(i) the inmate requests to be placed in solitary confinement, in which case, at the request of the inmate the inmate shall be transferred to a general population protective custody unit or, if appropriate, a different general population unit; or

''(ii) such confinement is limited to—

''(I) not more than 5 days of administrative segregation; and

''(II) is necessary to protect the inmate during preparation for transfer to a general population protective custody unit or a different general population unit.

''(4) VULNERABLE POPULATIONS.—The Bureau of Prisons or any facility that contracts with the Bureau of Prisons shall not place an inmate in solitary confinement if—

''(A) the inmate is younger than 18 years of age, unless—

''(i) such confinement is a temporary response to the behavior of the inmate, which poses a substantial and immediate threat;

''(ii) all other options to de-escalate the situation have been exhausted, including less restrictive techniques such as—

''(I) penalizing the inmate through loss of privileges;

''(II) speaking with the inmate in an attempt to de-escalate the situation; and

''(III) a licensed mental health professional providing an appropriate level of care;

''(iii) such confinement is limited to—

''(I) 3 hours after the inmate is placed in solitary confinement, if the inmate poses a substantial and immediate threat to others; or

''(II) 30 minutes after the inmate is placed in solitary confinement, if the inmate poses a substantial and immediate threat only to himself or herself; and

''(iv) if, after the applicable maximum period of confinement under subclause (I) or (II) of clause (iii) has expired, the inmate continues to pose a substantial and immediate threat described in that subclause—

''(I) the inmate shall be transferred to another facility or internal location where services can be provided to the inmate without relying on solitary confinement; or

''(II) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the facility shall initiate a referral to a location that can meet the needs of the inmate;

''(B) the inmate has a serious mental illness, has an intellectual disability, has a physical disability that a licensed medical professional finds is likely to be exacerbated by placement in solitary confinement, is pregnant or in the first 8 weeks of the postpartum recovery period after giving birth, or has been determined by a licensed mental health professional to likely be significantly adversely affected by placement in solitary confinement, unless—

''(i) the inmate poses a substantial and immediate threat;

''(ii) all other options to de-escalate the situation have been exhausted, including less restrictive techniques such as—

''(I) penalizing the inmate through loss of privileges;

''(II) speaking with the inmate in an attempt to de-escalate the situation; and

''(III) a licensed mental health professional providing an appropriate level of care;

''(iii) such confinement is limited to the briefest term and the least restrictive conditions practicable, including access to medical and mental health treatment;

''(iv) such confinement is reviewed by a multidisciplinary staff committee for appropriateness every 24 hours; and

''(v) as soon as practicable, but not later than 5 days after such confinement begins, the inmate is diverted, upon release from solitary confinement, to—

''(I) a general population unit;

''(II) a protective custody unit described in paragraph (3); or

''(III) a mental health treatment program as described in subsection (c)(2); or

''(C) the inmate is lesbian, gay, bisexual, transgender (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), intersex (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), or gender nonconforming (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), when such placement is solely on the basis of such identification or status.

''(5) SPECIAL HOUSING UNITS.—The Director shall—

''(A) limit administrative segregation—

''(i) to situations in which such segregation is necessary to—

''(I) control a substantial and immediate threat that cannot be addressed through alternative housing; or

''(II) temporarily house an inmate pending transfer, pending classification, or pending resolution of another temporary administrative matter; and

''(ii) to a duration of not more than 15 consecutive days, and not more than 20 days in a 60-day period, unless—

''(I) the inmate requests to remain in administrative segregation under paragraph (3)(D)(i); or

''(II) in order to address the continued existence of a substantial and immediate threat, a multidisciplinary staff committee approves a temporary extension, which—

''(aa) may not be longer than 15 days; and

''(bb) shall be reviewed by the multidisciplinary staff committee every 3 days during the period of the extension, in order to confirm the continued existence of the substantial and immediate threat;

''(B) limit disciplinary segregation—

''(i) to situations in which such segregation is necessary to punish an inmate who has been found to have committed a significant and serious disciplinary infraction by a Disciplinary Hearing Officer and alternative sanctions would not adequately regulate the behavior of the inmate; and

''(ii) to a duration of not more than 30 consecutive days, and not more than 40 days in a 60-day period, unless a multidisciplinary staff committee, in consultation with the Disciplinary Hearing Officer who presided over the inmate's disciplinary hearing, determines that the significant and serious disciplinary infraction of which the inmate was found guilty is of such an egregious and violent nature that a longer sanction is appropriate and approves a longer sanction, which—

''(I) may be not more than 60 days in a special housing unit if the inmate has never before been found guilty of a similar significant and serious disciplinary infraction; or

''(II) may be not more than 90 days in a special housing unit if the inmate has previously been found guilty of a similar significant and serious disciplinary infraction;

''(C) ensure that any time spent in administrative segregation during an investigation into an alleged offense is credited as time served for a disciplinary segregation sentence;

''(D) ensure that concurrent sentences are imposed for disciplinary violations arising from the same episode; and

''(E) ensure that an inmate may be released from disciplinary segregation for good behavior before completing the term of the inmate, unless the inmate poses a substantial and immediate threat to the safety of other inmates, staff, or the public.

''(6) SPECIAL MANAGEMENT UNITS.—The Director shall—

''(A) limit segregation in a special management unit to situations in which such segregation is necessary to temporarily house an inmate whose history, behavior, or circumstances require enhanced management approaches that cannot be addressed through alternative housing;

''(B) evaluate whether further reductions to the minimum and maximum number of months an inmate may spend in a special management unit are appropriate on an annual basis;

''(C) ensure that each inmate understands the status of the inmate in the special management unit program and how the inmate may progress through the program; and

''(D) further reduce the minimum and maximum number of months an inmate may spend in a special management unit if the Director determines such reductions are appropriate after evaluations are performed under subparagraph (B).

''(7) ADMINISTRATIVE MAXIMUM FACILITIES.—The Director shall—

''(A) limit segregation in an administrative maximum facility to situations in which such segregation is necessary to—

''(i) implement special administrative measures, as directed by the Attorney General; or

''(ii) house an inmate who poses an ongoing significant and serious threat to the safety of other inmates, staff, or the public that cannot be addressed through alternative housing; and

''(B) issue final approval of referral of any inmate who poses an ongoing significant and serious threat for placement in an Administrative Maximum facility, including the United States Penitentiary Administrative Maximum in Florence, Colorado.

''(8) RIGHT TO REVIEW PLACEMENT IN SOLITARY CONFINEMENT.—The Director shall ensure that each inmate placed in solitary confinement has access to—

''(A) written notice thoroughly detailing the basis for placement or continued placement in solitary confinement not later than 6 hours after the beginning of such placement, including—

''(i) thorough documentation explaining why such confinement is permissible and necessary under paragraph (1); and

''(ii) if an exception under paragraph (2)(A), (3)(D), (4)(A), (4)(B), (4)(C), (5)(A), or (5)(B) is used to justify placement in solitary confinement or under paragraph (1) to justify increased restrictive conditions in solitary confinement, thorough documentation explaining why such an exception applied;

''(B) a timely, thorough, and continuous review process that—

''(i) occurs within not less than 3 days of placement in solitary confinement, and thereafter at least—

''(I) on a weekly basis for inmates in special housing units;

''(II) on a monthly basis for inmates in special management units; and

''(III) on a monthly basis for inmates at an administrative maximum facility;

''(ii) includes private, face-to-face interviews with a multidisciplinary staff committee; and

''(iii) examines whether—

''(I) placement in solitary confinement was and remains necessary;

''(II) the conditions of confinement comply with this section; and

''(III) whether any exception under paragraph (2)(A), (3)(D), (4)(A), (4)(B), (4)(C), (5)(A), or (5)(B) used to justify placement in solitary confinement or under paragraph (1) used to justify increased restrictive conditions in solitary confinement was and remains warranted;

''(C) a process to appeal the initial placement or continued placement of the inmate in solitary confinement;

''(D) prompt and timely written notice of the appeal procedures; and

''(E) copies of all documents, files, and records relating to the inmate's placement in solitary confinement, unless such documents contain contraband, classified information, or sensitive security-related information.

''(c) MENTAL HEALTH CARE FOR INMATES IN SOLITARY CONFINEMENT.—

''(1) MENTAL HEALTH SCREENING.—Not later than 6 hours after an inmate in the custody of the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody is placed in solitary confinement, the inmate shall receive a comprehensive, face-to-face mental health evaluation by a licensed mental health professional in a confidential setting.

''(2) MENTAL HEALTH TREATMENT PROGRAM.—An inmate diagnosed with a serious mental illness after an evaluation required under paragraph (1)—

''(A) shall not be placed in solitary confinement in accordance with subsection (b)(4); and

''(B) may be diverted to a mental health treatment program within the Bureau of Prisons that provides an appropriate level of care to address the inmate's mental health needs.

''(3) CONTINUING EVALUATIONS.—After each 14-calendar-day period an inmate is held in continuous placement in solitary confinement—

''(A) a licensed mental health professional shall conduct a comprehensive, face-to-face, out-of-cell mental health evaluation of the inmate in a confidential setting; and

''(B) the Director shall adjust the placement of the inmate in accordance with this subsection.

''(4) REQUIREMENT.—The Director shall operate mental health treatment programs in order to ensure that inmates of all security levels with serious mental illness have access to an appropriate level of care.

''(d) TRAINING FOR BUREAU OF PRISONS STAFF.—

''(1) TRAINING.—All employees of the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody who interact with inmates on a regular basis shall be required to complete training in—

''(A) the recognition of symptoms of mental illness;

''(B) the potential risks and side effects of psychiatric medications;

''(C) de-escalation techniques for safely managing individuals with mental illness;

''(D) consequences of untreated mental illness;

''(E) the long- and short-term psychological effects of solitary confinement; and

''(F) de-escalation and communication techniques to divert inmates from situations that may lead to the inmate being placed in solitary confinement.

''(2) NOTIFICATION TO MEDICAL STAFF.—An employee of the Bureau of Prisons shall immediately notify a member of the medical or mental health staff if the employee—

''(A) observes an inmate with signs of mental illness, unless such employee has knowledge that the inmate's signs of mental illness have previously been reported; or

''(B) observes an inmate with signs of mental health crisis.

''(e) CIVIL RIGHTS OMBUDSMAN.—

''(1) IN GENERAL.—Within the Bureau of Prisons, there shall be a position of the Civil Rights Ombudsman (referred to in this subsection as the 'Ombudsman') and an Office of the Civil Rights Ombudsman.

''(2) APPOINTMENT.—The Ombudsman shall be appointed by the Attorney General and shall report directly to the Director. The Ombudsman shall have a background in corrections and civil rights and shall have expertise on the effects of prolonged solitary confinement.

''(3) REPORTING.—The Director shall ensure that each Bureau of Prisons facility or any facility that contracts with the Bureau of Prisons provides multiple internal ways for inmates and others to promptly report civil rights violations and violations of this section to the Ombudsman, including—

''(A) not less than 2 procedures for inmates and others to report civil rights violations and violations of this section to an entity or office that is not part of the facility, and that is able to receive and immediately forward inmate reports to the Ombudsman, allowing the inmate to remain anonymous upon request; and

''(B) not less than 2 procedures for inmates and others to report civil rights abuses and violations of this section to the Ombudsman in a confidential manner, allowing the inmate to remain anonymous upon request.

''(4) NOTICE.—The Director shall ensure that each Bureau of Prisons facility or any facility that contracts with the Bureau of Prisons provides inmates with—

''(A) notice of how to report civil rights violations and violations of this section in accordance with paragraph (3), including—

''(i) notice prominently posted in the living and common areas of each such facility;

''(ii) individual notice to inmates at initial intake into the Bureau of Prisons, when transferred to a new facility, and when placed in solitary confinement;

''(iii) notice to inmates with disabilities in accessible formats; and

''(iv) written or verbal notice in a language the inmate understands; and

''(B) notice of permissible practices related to solitary confinement in the Bureau of Prisons, including the requirements of this section.

''(5) FUNCTIONS.—The Ombudsman shall—

''(A) review all complaints the Ombudsman receives;

''(B) investigate all complaints that allege a civil rights violation or violation of this section;

''(C) refer all possible violations of law to the Department of Justice;

''(D) refer to the Director allegations of misconduct involving Bureau of Prisons staff;

''(E) identify areas in which the Bureau of Prisons can improve the Bureau's policies and practices to ensure that the civil rights of inmates are protected;

''(F) identify areas in which the Bureau of Prisons can improve the solitary confinement policies and practices of the Bureau and reduce the use of solitary confinement; and

''(G) propose changes to the policies and practices of the Bureau of Prisons to mitigate problems and address issues the Ombudsman identifies.

''(6) ACCESS.—The Ombudsman shall have unrestricted access to Bureau of Prisons facilities and any facility that contracts with the Bureau of Prisons and shall be able to speak privately with inmates and staff.

''(7) ANNUAL REPORTS.—

''(A) OBJECTIVES.—Not later than December 31 of each year, the Ombudsman shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the activities of the Office of the Ombudsman for the fiscal year ending in such calendar year.

''(B) CONTENTS.—Each report submitted under subparagraph (A)—

''(i) contain full and substantive analysis, in addition to statistical information;

''(ii) identify the recommendations the Office of the Ombudsman has made on addressing reported civil rights violations and violations of this section and reducing the use and improving the practices of solitary confinement in the Bureau of Prisons;

''(iii) contain a summary of problems relating to reported civil rights violations and violations of this section, including a detailed description of the nature of such problems and a breakdown of where the problems occur among Bureau of Prisons facilities and facilities that contract with the Bureau of Prisons;

''(iv) contain an inventory of the items described in clauses (ii) and (iii) for which action has been taken and the result of such action;

''(v) contain an inventory of the items described in clauses (ii) and (iii) for which action remains to be completed and the period during which each item has remained on such inventory;

''(vi) contain an inventory of the items described in clauses (ii) and (iii) for which no action has been taken, the period during which each item has remained on such inventory, the reasons for the inaction, and shall identify any official of the Bureau of Prisons who is responsible for such inaction;

''(vii) contain recommendations for such legislative or administrative action as may be appropriate to resolve problems identified in clause (iii); and

''(viii) include such other information as the Ombudsman determines necessary.

''(C) SUBMISSION OF REPORTS.—Each report required under this paragraph shall be provided directly to the Committees described in subparagraph (A) without any prior review, comment, or amendment from the Director or any other officer or employee of the Department of Justice or Bureau of Prisons.

''(8) REGULAR MEETINGS WITH THE DIRECTOR OF THE BUREAU OF PRISONS.—The Ombudsman shall meet regularly with the Director to identify problems with reported civil rights violations and the solitary confinement policies and practices of the Bureau of Prisons, including overuse of solitary confinement, and to present recommendations for such administrative action as may be appropriate to resolve problems relating to reported civil rights violations and the solitary confinement policies and practices of the Bureau of Prisons.

''(9) RESPONSIBILITIES OF BUREAU OF PRISONS.—The Director shall establish procedures requiring that, not later than 3 months after the date on which a recommendation is submitted to the Director by the Ombudsman, the Director or other appropriate employee of the Bureau of Prisons issue a formal response to the recommendation.

''(10) NON-APPLICATION OF THE PRISON LITIGATION REFORM ACT.—Inmate reports sent to the Ombudsman shall not be considered an administrative remedy under section 7(a) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(a)).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, is amended by inserting after the item relating to section 4049 the following:

''4050. Solitary confinement.''.

SEC. 3. REASSESSMENT OF INMATE MENTAL HEALTH.

Not later than 180 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall—

(1) assemble a team of licensed mental health professionals, which may include licensed mental health professionals who are not employed by the Bureau of Prisons, to conduct a comprehensive mental health reevaluation for each inmate held in solitary confinement for more than 30 days as of the date of enactment of this Act, including a confidential, face-to-face, out-of-cell interview by a licensed mental health professional; and

(2) adjust the placement of each inmate in accordance with section 4050(c) of title 18, United States Code, as added by section 2.

SEC. 4. DIRECTOR OF BUREAU OF PRISONS.

Section 4041 of title 18, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before the ''The Bureau of Prisons shall be''; and

(2) by adding at the end the following:

''(b) OMBUDSMAN.—The Director of the Bureau of Prisons shall—

''(1) meet regularly with the Ombudsman appointed under section 4050(e) to identify how the Bureau of Prisons can address reported civil rights violations and reduce the use of solitary confinement and correct problems in the solitary confinement policies and practices of the Bureau;

''(2) conduct a prompt and thorough investigation of each referral from the Ombudsman under section 4050(e)(5)(D), after each such investigation take appropriate disciplinary action against any Bureau of Prisons employee who is found to have engaged in misconduct or to have violated Bureau of Prisons policy, and notify the Ombudsman of the outcome of each such investigation; and

''(3) establish procedures requiring a formal response by the Bureau of Prisons to any recommendation of the Ombudsman in the annual report submitted under section 4050(e)(6) not later than 90 days after the date on which the report is submitted to Congress.''.

SEC. 5. DATA TRACKING OF USE OF SOLITARY CONFINEMENT.

Section 4047 of title 18, United States Code, is amended by adding at the end the following:

''(d) PRISON SOLITARY CONFINEMENT ASSESSMENTS.—

''(1) IN GENERAL.—Not later than March 31 of each year, the Director of the Bureau of Prisons shall prepare and transmit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual assessment of the use of solitary confinement by the Bureau of Prisons, as defined in section 4050(a).

''(2) CONTENTS.—Each assessment submitted under paragraph (1) shall include—

''(A) the policies and regulations of the Bureau of Prisons, including any changes in policies and regulations, for determining which inmates are placed in each form of solitary confinement, or housing in which an inmate is separated from the general population in use during the reporting period, and a detailed description of each form of solitary confinement in use, including all maximum and high security facilities, all special housing units, all special management units, all Administrative Maximum facilities, including the United States Penitentiary Administrative Maximum in Florence, Colorado, and all Communication Management Units;

''(B) the number of inmates in the custody of the Bureau of Prisons who are housed in each type of solitary confinement for any period and the percentage of all inmates who

have spent at least some time in each form of solitary confinement during the reporting period;

''(C) the demographics of all inmates housed in each type of solitary confinement described in subparagraph (A), including race, ethnicity, religion, age, and gender;

''(D) the policies and regulations of the Bureau of Prisons, including any updates in policies and regulations, for subsequent reviews or appeals of the placement of an inmate into or out of solitary confinement;

''(E) the number of reviews of and challenges to each type of solitary confinement placement described in subparagraph (A) conducted during the reporting period and the number of reviews or appeals that directly resulted in a change of placement;

''(F) the general conditions and restrictions for each type of solitary confinement described in subparagraph (A), including the number of hours spent in 'isolation,' or restraint, for each, and the percentage of time these conditions involve single-inmate housing;

''(G) the mean and median length of stay in each form of solitary confinement described in subparagraph (A), based on all individuals released from solitary confinement during the reporting period, including maximum and high security facilities, special housing units, special management units, the Administrative Maximum facilities, including the United States Penitentiary Administrative Maximum in Florence, Colorado, Communication Management Units, and any maximum length of stay during the reporting period;

''(H) the number of inmates who, after a stay of 5 or more days in solitary confinement, were released directly from solitary confinement to the public during the reporting period;

''(I) the cost for each form of solitary confinement described in subparagraph (A) in use during the reporting period, including as compared with the average daily cost of housing an inmate in the general population;

''(J) statistics for inmate assaults on correctional officers and staff of the Bureau of Prisons, inmate-on-inmate assaults, and staff-on-inmate use of force incidents in the various forms of solitary confinement described in subparagraph (A) and statistics for such assaults in the general population;

''(K) the policies for mental health screening, mental health treatment, and subsequent mental health reviews for all inmates, including any update to the policies, and any additional screening, treatment, and monitoring for inmates in solitary confinement;

''(L) a statement of the types of mental health staff that conducted mental health assessments for the Bureau of Prisons during the reporting period, a description of the different positions in the mental health staff of the Bureau of Prisons, and the number of part- and full-time psychologists and psychiatrists employed by the Bureau of Prisons during the reporting period;

''(M) data on mental health and medical indicators for all inmates in solitary confinement, including—

''(i) the number of inmates requiring medication for mental health conditions;

''(ii) the number diagnosed with an intellectual disability;

''(iii) the number diagnosed with serious mental illness;

''(iv) the number of suicides;

''(v) the number of attempted suicides and number of inmates placed on suicide watch;

''(vi) the number of instances of self-harm committed by inmates;

''(vii) the number of inmates with physical disabilities, including blind, deaf, and mobility-impaired inmates; and

''(viii) the number of instances of forced feeding of inmates; and

''(N) any other relevant data.''.

SEC. 6. NATIONAL RESOURCE CENTER ON SOLITARY CONFINEMENT REDUCTION AND REFORM.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—

(1) solitary confinement, including the reduction and reform of its use; and

(2) providing technical assistance to corrections agencies on how to reduce and reform solitary confinement.

(b) REQUIREMENTS.—Not later than 180 days after the date of enactment of this Act, the Bureau of Justice Assistance shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing a coordinating center for State, local, and Federal corrections systems, which shall conduct activities such as—

(1) provide on-site technical assistance and consultation to Federal, State, and local corrections agencies to safely reduce the use of solitary confinement;

(2) act as a clearinghouse for research, data, and information on the safe reduction of solitary confinement in prisons and other custodial settings, including facilitating the exchange of information between Federal, State, and local practitioners, national experts, and researchers;

(3) create a minimum of 10 learning sites in Federal, State, and local jurisdictions that have already reduced their use of solitary confinement and work with other Federal, State, and local agencies to participate in training, consultation, and other forms of assistance and partnership with these learning sites;

(4) conduct evaluations of jurisdictions that have decreased their use of solitary confinement to determine best practices;

(5) conduct research on the effectiveness of alternatives to solitary confinement, such as step-down or transitional programs, strategies to reintegrate inmates into general population, the role of officers and staff culture in reform efforts, and other research relevant to the safe reduction of solitary confinement;

(6) develop and disseminate a toolkit for systems to reduce the excessive use of solitary confinement;

(7) develop and disseminate an online self-assessment tool for State and local jurisdictions to assess their own use of solitary confinement and identify strategies to reduce its use; and

(8) conduct public webinars to highlight new and promising practices.

(c) ADMINISTRATION.—The program under this section shall be administered by the Bureau of Justice Assistance.

(d) REPORT.—On an annual basis, the coordinating center shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on its activities and any changes in solitary confinement policy at the Federal, State, or local level that have resulted from its activities.

(e) DURATION.—The Bureau of Justice Assistance shall enter into a cooperative agreement under this section for 5 years.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated—

(1) to the Director of the Bureau of Prisons such sums as may be necessary to carry out sections 2, 3, 4, and 5, and the amendments made by such sections; and

(2) to the Bureau of Justice Assistance such sums as may be necessary to carry out section 6.

SEC. 8. NOTICE AND COMMENT REQUIREMENT.

The Director of the Bureau of Prisons shall prescribe rules, in accordance with section 553 of title 5, United States Code, to carry out this Act and the amendments made by this Act.

SEC. 9. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall take effect 18 months after the date of enactment of this Act.

S. 342

Mr. COONS. Mr. President, I rise to speak about an urgent and long overdue reform to address how the United States houses and treats prison inmates in our Federal criminal justice system.

We are losing millions of Americans—disproportionately African-American men—to a criminal justice system that robs them of any meaningful opportunity to find gainful employment or participate in our democracy after they served their time.

Fortunately, Americans across the country have come to recognize that our so-called criminal justice system is broken. Here in the Senate, I am encouraged that many of my colleagues, including Senator DURBIN, Senator BOOKER, and many others have joined together in support of a broad bipartisan bill entitled the Sentencing Reform and Corrections Act. Our criminal justice system should be about justice and rehabilitation, not just punishment. Passing this Sentencing Reform and Corrections Act would be a significant step in that direction. Today I have come to talk about a specific and targeted bill that Senators DURBIN, BOOKER, LEAHY, FRANKEN, and I are introducing.

Far too often Federal inmates find themselves placed in 6-by-8-foot cells for 23 hours a day in solitary confinement, colloquially called restrictive housing units. These units are intended to segregate dangerous prisoners from the rest of the prison population or to punish individuals for crimes or misdeeds committed behind bars, but when one looks at the actual evidence surrounding the use of solitary confinement, they find it doesn't actually stop or reduce crime or bad behavior and it doesn't keep us safer. What it does cause is lasting, often irreparable, harm to those inmates subjected to it, and oftentimes it makes it harder for them to later successfully reenter society after they served their time.

Senator DURBIN, who was to join me and Senator BOOKER on the floor this afternoon but for a change of schedule, first held hearings on this topic when he was Chair of the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights.

He held a hearing on solitary confinement—the first-ever congressional hearing on the topic—back in 2012. In fact, he held two hearings. He left a note for me that says at one of his first hearings on solitary confinement, one of the witnesses was a man named Anthony Graves, whose testimony forever

affected the Senator from Illinois. Anthony spent 18 years in prison, including 16 years in solitary confinement. In 2010, he became the 12th death row inmate to be exonerated in the State of Texas. Think about that. Mr. Graves spent 16 years in solitary confinement for a crime he was later proved never to have committed.

At that hearing, Mr. Graves testified about his experience, and here is what he said:

I lived under some of the worst conditions imaginable, with the filth, the food, the total disrespect of dignity. I lived under the rules of a system that literally drives men out of their minds.

He later said:

Solitary confinement does one thing—it breaks a man's will and he ends up deteriorating. He is never the same person again.

In those hearings, Senator DURBIN asked: How big is the impact of solitary confinement in our prison system? It is difficult to determine exactly how many inmates are housed in these so-called restrictive settings. One recent study estimated as many as 80,000 State and Federal inmates in total. In my home State of Delaware, 453 inmates, about 8 percent of our State prison population, were held in restrictive housing units in 2015. Nearly one-third of them were receiving mental health treatment.

To fully understand the extent to which our prisons utilize solitary confinement, we need to look at not just the total number of inmates being placed in restrictive housing but the duration of time they spend there. One recent report by the nonpartisan Vera Institute of Justice found that inmates, even those not overly disruptive or violent, stay for long periods of time—months or years.

In Washington State, in 2011, the average length of stay in solitary confinement was 11 months. In the State of Texas, in 2013, the average stay was 4 years.

The overwhelming majority of individuals sentenced to prison will return to our communities. Rehabilitating those who have paid their debt to society is a key goal of our criminal justice system, and that is why we shouldn't subject inmates to practices like solitary confinement which lessens their ability to successfully reenter society. Mounting evidence shows that solitary confinement physically and mentally harms and destabilizes inmates in ways that then threatens the very communities—our communities—to which they will later return.

Over a year ago, President Obama asked Attorney General Loretta Lynch to review the overuse of solitary confinement in our Federal prisons. Earlier this year, the Department of Justice released a report recommending reforms, which the Bureau of Prisons is now implementing. Today Senator DURBIN, Senator BOOKER, Senator LEAHY, Senator FRANKEN, and I are introducing a bill, the Solitary Confinement and Reform Act, to codify into law many of the recommendations the Bureau of Prisons is working to put in place and to lay the groundwork for broader reform.

This bill is grounded in two key observations: First, that our prison system has grown in population beyond any reasonable scope. Second, restrictive housing or solitary confinement is employed far too frequently for minor behavioral infractions, not as a sanction of last resort.

This act will establish limits on the use of solitary and require that it be limited to the briefest amount of time and under the least restrictive conditions that make sense in the setting.

The bill requires the Bureau of Prisons to limit the use of solitary confinement for inmates nearing their release date and to establish a transitional process for inmates who must remain housed in solitary confinement up to their release.

Most importantly, the bill mandates that the Federal Bureau of Prisons may not place an inmate in solitary confinement if the inmate is a minor, has a serious mental illness, has intellectual or physical disabilities, is pregnant or in the first eight weeks after delivery, except—in all of those cases, except—under limited and temporary circumstances.

Finally, the bill requires an annual report to Congress from the Bureau of Prisons about their assessment of their progress in improving solitary confinement practices and regulations.

The time to reform our criminal justice system is now, and this bill would mark an important step forward.

Some might ask why this is a passion of mine. When I was a young man, my father volunteered through our church and prison ministry, and I was a young man exposed to the impact that prison conditions can have on those who are serving time. But, more importantly, few individuals have captured the urgency of this issue as powerfully as a fellow Delawarean and friend, Bryan Stevenson. Bryan Stevenson is the author of a book entitled ''Just Mercy'' that chronicles his efforts founding and leading the Equal Justice Initiative in Montgomery, AL. Since long before sensible reforms to our criminal justice system seemed possible, Bryan has been fighting to improve this badly broken system. In his book he tells the powerful and painful story of a 13-year-old child, Ian, incarcerated as an adult in an adult prison and who spent 18 years in solitary. As Bryan Stevenson recounts, ''Ian's mental health unraveled, and he attempted suicide several times. Each time he hurt himself, his time in solitary was extended.''

I remember being brought to tears by a number of passages in Bryan's book, and I profoundly agree with his concluding assessment that ''the true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned.'' When it comes to fairly distributing justice in America, Congress has long failed this central test of character. With this bill, this Senate has a rare opportunity to right some of the wrongs that have too long plagued every step of our criminal justice system.

We also need to step up and take up and move forward the Sentencing Reform and Corrections Act as well, an important and broad bill which would reduce mandatory minimums and give judges more discretion in sentencing. In this effort, we have a broad coalition of Democrats and Republicans and a diverse group of faith and reform and advocacy groups, and in President Obama we have a leader who has acted to end solitary confinement for juveniles in Federal prison and who is ready and willing to sign a broader package of criminal justice reforms into law. Now it is up to Congress.

I would like to transition, if I might, to a man who, from his very first days here in the Senate of the United States, has been a powerful, passionate, and engaged advocate for criminal justice reform broadly and for a change to our solitary confinement practices in particular. Far too many Americans have grown up in a society where they are defined by the worst thing they have ever done. When an inmate leaves prison with his sentence complete and time served, with his mind and spirit broken because of solitary, we are all less safe and our world is less just.

I wish to thank Senator DURBIN for his efforts on this bill, but in particular I want to thank Senator BOOKER for his passion, for his engagement, for his effectiveness. He is my colleague who has been most engaged in the changes of solitary confinement from his first days here, and he is the deserving partner of Senator DURBIN's long record going back to the hearings he first held in 2012.

With that, I yield the floor to my colleague from the great State of New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I wish to thank my Senate colleague from Delaware, Senator COONS, for his extraordinarily eloquent and, frankly, urgently passionate voice on issues of solitary confinement, as well as for all the work he is doing on criminal justice reform as a whole.

This bill that he and Senator DURBIN have worked so hard on and that I am so proud to cosponsor, along with Senators LEAHY and FRANKEN, is a critically important bill when it comes to the overall reforming of our criminal justice system. Please understand, as the Senator from Delaware has said, this is currently a practice in our Federal system as well as in State prisons. It is an archaic, damaging, ineffective, and inefficient practice that actually works against the public interests—not just their financial interests but even the safety and well-being of our communities.

Now, solitary confinement—many people don't know exactly what we are talking about. As Senator COONS said, it is people being kept in a prison cell for 22 to 24 hours a day with little to no outside human interactions. Senator COONS said it is a fact that on any given day, we now have 80,000 to 100,000 incarcerated people in State and Federal prisons who are being held in rooms often no bigger than a parking spot.

We know that inmates placed in solitary confinement can be put there for the most minor of infractions—for literally just filing papers with the court to try to assert their constitutional rights. We also know that solitary confinement is extraordinarily expensive—more expensive than nonsolitary confinement. In fact, on average, it costs about $75,000 each year for an individual to be housed in solitary confinement. Yet it is increasingly clear that this overuse, especially for low-level offenders—not people who have done violent crime, not people who have assaulted a correctional officer, but people who are there for low-level, nonviolent crimes—we know that this is providing little benefit to no benefit for the public good, but what is extraordinary is it is creating conditions which could harm the public.

Solitary confinement has irreversible effects on the human brain, which may lead inmates to harm themselves or others. It does psychological damage. It can do serious psychological damage, making a person more dangerous.

So here we have a correctional system that doesn't correct but actually is doing more harm and putting people in a position where they can be more dangerous to themselves, to their fellow inmates, and to society as a whole. It makes no sense.

International bodies understand this. Other nations have referred to it as torture. The United Nations considers long-term isolation to be cruel and degrading treatment. Here we are in the United States of America, which I firmly believe is a symbol to the Nation—to the globe—of justice, righteousness, and decency, yet we are engaging in tactics that many of our peer nations consider cruel and degrading.

We know the data. It is clear that isolation actually worsens mental illness and can actually create issues in those who were previously seen as psychologically healthy. Researchers estimate that at least 30 percent of inmates held in solitary confinement already have a mental disorder. So this is how we are treating mental illness. We incarcerate not just the poor, but we incarcerate the addicted and the mentally ill. In prison we should seek to make those populations better, healthier, to deal with their disease or their mental disorder, yet we are using practices that aggravate these conditions.

We know data has shown that holding inmates in isolation not only makes mental illness worse for the individual, but it has truly negative impacts on their lives, the lives of their families, and their communities when they are released.

We know that while confinement for short periods of time may be necessary for safety—and please understand that the security of our correctional officers is critical in prison environments, but to allow these practices to go on actually doesn't make our correctional officers safer; it makes their job more dangerous and puts them at greater risk. This is why correctional officers across the country are speaking out. The very people who have to conduct the work in our prisons are speaking out against solitary confinement. One Texas correctional officer said: ''When you cut out social interaction, you are dealing with a person who has nothing to lose, and that is extremely dangerous.''

Kevin Kempf, the director of the Idaho Department of Corrections, remarked that reforming the practice of solitary confinement ''is not a soft-on-inmates approach; this is a public safety approach.'' He refers to a time in 2014 when 44 inmates were released directly from isolation in a maximum security prison and out to the public. That means that they were released, as in the case that Senator COONS explained, from solitary confinement—from these conditions of no social interaction, from an environment that researchers deem aggravating to mental illness—and they go right from that solitary confinement environment out into the public. He remarked about this case:

> Those 44 inmates, we took belly chains and leg irons off of them and walked into your community. That is irresponsible of me as a director. Frankly our taxpayers should expect more of me, should expect more of our staff, to do things differently.

It should come as no surprise to any of us that the use of solitary confinement has received criticism both from law enforcement folks—folks who have sworn oaths to protect the public—as well as the civil rights community, civil libertarians, the medical community, and the legal community.

Just last year, in a Supreme Court case, Davis v. Ayala, Justice Kennedy denounced the widespread use of solitary confinement in prisons. Justice Kennedy cited a litany of the possible side effects from prolonged isolation, including anxiety, panic, withdrawal, hallucinations, and self-mutilation. After examining the evidence, Justice Kennedy concluded that ample ''research still confirms what the Court suggested a century ago; years on end of near-total isolation exacts a terrible price . . . [t]he penal system has a solitary confinement regime that will bring you to the edge of madness, perhaps into madness itself.''

This is not a criminal justice system that reflects our highest values. It doesn't stand for moral rights when we are exacting such cruel punishment that doesn't just do punitive damage but also puts an inmate in a situation where they can cause more harm and damage to themselves and others.

So the bill that Senator COONS talks about—the bill that we are introducing with Senator DURBIN—would substantially limit the ability of the Bureau of Prisons to use solitary confinement in Federal facilities. The bill would mandate that solitary confinement be limited to the briefest terms under the least restrictive conditions practicable, and it would preclude the BOP from placing vulnerable populations in solitary confinement, like minors—like children—as well as people with serious mental illnesses, physical disabilities, and pregnant women.

Critically, this legislation wants to promote more data collection. The bill would require the BOP to collect data on the use of solitary confinement, and it would create a national resource center on solitary confinement reform under the Bureau of Justice Assistance.

This is an issue—the issue of solitary confinement—that has been a priority for me here in the Senate from my beginning months. In fact, over a year ago, in August of 2015, I worked with members of the Senate Committee on Homeland Security and Governmental Affairs on an oversight hearing to explore current practices at the Federal Bureau of Prisons. I requested this hearing because of the urgent need to shine a spotlight on our broken criminal justice system, including what occurs within the walls of Federal prisons that the general public does not see that is being done in the name of the public. The hearing was a good first start to improve transparency on solitary confinement. At the hearing, we heard testimony from a wide range of stakeholders, including the head of the Bureau of Prisons and advocates. Udi Offer, from the New Jersey ACLU, testified that ''our nation has seen a dramatic increase in the use or reliance on solitary confinement over the last couple of decades.''

I also introduced the MERCY Act, a bill that would prohibit the use of solitary confinement of youth adjudicated delinquent in the Federal system unless it is a temporary response to a serious risk of harm to the juvenile or others.

Our justice system must ensure justice in the deepest, richest meaning of that word. That is what we swear an oath to, that we will be a nation of liberty and justice for all—not just some but for all. It means that we need to begin to expose the practices that are happening in our prisons and understand the consequences to all of this—increased financial expenditures, increased risk to our security and our safety, increased risks of recidivism.

Our justice system should not be engaged in practices that people across the spectrum in America—political, medical leaders, and others—really do view as harmful, inefficient, and ineffective.

I am proud to cosponsor the Solitary Confinement Reform Act. I urge my

colleagues to support this bill and advance it in the Senate. I thank Senators DURBIN and COONS for their leadership.

This is a time where we need national urgency on this issue. It is unfortunate that what happens in our prisons is seen as something that we as a public wash our hands of—throw them away, throw away the key. That kind of logic doesn't solve problems, it perpetuates them. It doesn't make us safe, it makes us less safe. It doesn't save us money, it costs us more. These kinds of practices undermine the foundation of common sense as well as moral rectitude. We stand for more than this as a country. We should set an example that ultimately as a nation we are not about retribution, we are not about disproportionate punishment, we are about restorative justice. Solitary confinement as a practice being done now is an assault on justice. It is an offense to our moral values as a nation. It calls for reform.

I am proud to stand with my colleagues today to introduce legislation that will begin to take us down that important road to justice for all.

By Mr. DAINES:

S. 3453. A bill to amend provisions in the securities laws relating to regulation crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such Act; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DAINES. Mr. President, entrepreneurship is a bedrock of Montana, a relationship well understood by the Small Business Administration, SBA. In fact, the SBA recognizes over 115,000 small businesses in the state, making up 97.4 percent of all businesses. These organizations employ nearly 236,000 Montanans, or 67.4 percent of the state workforce.

While there are many harmful regulations coming out of Washington these days, the Securities and Exchange Commission, SEC, issued a rule last October to give entrepreneurs an important tool in their belt to get their/dreams up and running. This rule was the crowdfunding rule, which allows entrepreneurs to raise up to $1 million annually without having to incur the costs of expensive SEC registration.

With this rule, entrepreneurs can now raise capital to grow their business and create jobs without incurring expenses ordinarily reserved for established companies able to become publicly traded. In fact, Treasure State Internet & Telegraph is one startup in my home town of Bozeman, Montana that has been able to use this important new rule.

I am pleased today to support Montana's entrepreneurs by introducing the Crowdfunding Enhancement Act. This bill will make it easier for startups using crowdfunding to grow by creating a ''longer runway'' for costly filings. In this way, startups won't be penalized with costly paperwork by growing too fast growth. This bill also makes it easier to attract more capital once it reaches the current crowdfunding limits. With passage, this bill is a win for Montana and all our entrepreneurs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3453

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 ''Crowdfunding Enhancement Act''.

SEC. 2. CROWDFUNDING VEHICLES.

(a) AMENDMENTS TO THE SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 4A(f)(3), by inserting ''by any of paragraphs (1) through (14) of'' before ''section 3(c)''; and

(2) in section 4(a)(6)(B), by inserting after ''any investor'' the following: '', other than a crowdfunding vehicle (as defined in section 2(a) of the Investment Company Act of 1940),''.

(b) AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) is amended—

(1) in section 2(a), by adding at the end the following:

''(55) The term 'crowdfunding vehicle' means a company—

''(A) whose purpose (as set forth in its organizational documents) is limited to acquiring, holding, and disposing securities issued by a single company in one or more transactions and made pursuant to section 4(a)(6) of the Securities Act of 1933;

''(B) which issues only one class of securities;

''(C) which receives no compensation in connection with such acquisition, holding, or disposition of securities;

''(D) no associated person of which receives any compensation in connection with such acquisition, holding or disposition of securities unless such person is acting as or on behalf of an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business;

''(E) the securities of which have been issued in a transaction made pursuant to section 4(a)(6) of the Securities Act of 1933, where both the crowdfunding vehicle and the company whose securities it holds are co-issuers;

''(F) which is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 CFR 227.202);

''(G) the company whose securities it holds is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 CFR 227.202); and

''(H) is advised by an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business.''; and

(2) in section 3(c), by adding at the end the following:

''(15) Any crowdfunding vehicle.''.

SEC. 3. CROWDFUNDING EXEMPTION FROM REGISTRATION.

Section 12(g)(6) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(g)(6)) is amended—

(1) by striking ''The Commission'' and inserting the following:

''(A) IN GENERAL.—The Commission'';

(2) by striking ''section 4(6)'' and inserting ''section 4(a)(6)''; and

(3) by adding at the end the following:

''(B) TREATMENT OF SECURITIES ISSUED BY CERTAIN ISSUERS.—An exemption under subparagraph (A) shall be unconditional for securities offered by an issuer that had a public float of less than $75,000,000 as of the last business day of the issuer's most recently completed semiannual period, computed by multiplying the aggregate worldwide number of shares of the issuer's common equity securities held by non-affiliates by the price at which such securities were last sold (or the average bid and asked prices of such securities) in the principal market for such securities or, in the event the result of such public float calculation is zero, had annual revenues of less than $50,000,000 as of the issuer's most recently completed fiscal year.''.

By Mr. HEINRICH (for himself and Ms. COLLINS):

S. 3458. A bill to establish programs to improve family economic security by breaking the cycle of multigenerational poverty, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HEINRICH. Mr. President, I rise to introduce the Two-Generation Economic Empowerment Act, alongside my colleague and friend from Maine, Senator SUSAN COLLINS. We are going to hear from her in a few minutes. I want to say a few words about an issue that is all too familiar to many of our States from coast to coast—those represented by Democrats, those represented by Republicans.

Earlier this month, we saw positive economic data from the Census Bureau that showed that over the last year, American middle-class and low-income families saw the largest growth in their income in generations.

I thank my colleague from Maine for her incredible work on the legislation we are going to be introducing today. There are simply far too many families in my home State of New Mexico and across this Nation who are still struggling to make ends meet, even to put food on the table and certainly to escape multigenerational poverty.

Last year, nearly one in five New Mexicans lived below the federally defined poverty rate. Think about that, one in five. These are mothers, fathers, and grandparents trying to support themselves and their families. They are young adults trying to get ahead and lay the groundwork for the future they have envisioned for themselves, but often the dreams we have of going to school and getting a job are cut short by the reality that these once rites of passage on the way to the American dream are further and further out of reach.

I believe all of us have a responsibility not to accept this status quo. Without critical programs such as Medicaid or the National School Lunch

Program, even more families in New Mexico would be struggling to overcome poverty in the wake of the great recession. It is time to recognize that the Federal Government's current approach to poverty is far too disconnected. It is too fragmented and too disjointed to truly address the needs of these working families, and too often it simply ignores the very nature of the family itself.

I will tell you what I mean by that. I grew up on a small farm and ranch operation. In addition to attending our cattle, both of my parents worked full time, often more than full time. My dad was a utility lineman. My mother worked in a factory inspecting wheels on an assembly line. Like a lot of Americans, I learned the dignity of hard work long before I ever held my first job. I learned it at home.

As a father of two children, I understand the challenges of parenthood today, especially when both parents work. In many cases in New Mexico, that means both parents may work more than one job. Much of our time is centered on our jobs and our children. For many of us, this leaves very little time for ourselves or our own educational pursuits.

If parents are able to find time to attend school and better themselves, they have to fit their class schedule around those times. They have to fit their class schedule around their child's school and their childcare hours. All of this limits parents' access to a full and rigorous class schedule and it extends the number of semesters a parent is in school and it increases their student loan debt. The way the Federal Government tries to help increased opportunities for working families isn't working well enough to address these daily challenges these families face.

When multiple programs exist to help low-income parents and children, they have individual streaming causing silos and fragmentation. Low-income families trying to access these benefits often have trouble navigating the multiple eligibility requirements and the multiple service providers. Families get discouraged and lose out on benefits because each one has its own set of requirements.

Even the local service providers who are trying to help families get ahead are finding this disjointed Federal landscape difficult to navigate. Addressing the needs of children and parents separately and without a comprehensive strategy is leaving too many children and parents behind and diminishing the whole family's chances of reaching economic security.

That is why I have teamed up with my Republican colleague from Maine, Senator SUSAN COLLINS, to introduce the bipartisan Two-Generation Economic Empowerment Act. Our legislation will increase opportunities for working families through programs targeting parents and children together with support aimed at increasing economic security, educational success, social, capital, and health and well-being.

By aligning and linking existing systems and funding streams, our legislation will lead to improved outcomes for parents and children while improving the effectiveness of service delivery. Our legislation will make Federal agencies coordinate more effectively through a new Interagency Council on Multigenerational Poverty. The council will align and link departments that are already working to address poverty in order to reduce the redundancy and the redtape we see and to make sure programs across different agencies are actually working in a complementary fashion.

We are also looking for new ways to incentivize investments in comprehensive two-generation programs. Our bill will encourage Federal, State, tribal, and local governments to test innovative ways to using Federal resources by allowing increased flexibility and blending discretionary grant funds across multiple Federal programs in exchange for a greater accountability. We will create a social impact bond pilot project to encourage private foundations and investors to fund new two-generation programs.

Over the last year, I visited programs in my home State of New Mexico that are already using a two-generation approach. In Albuquerque, I met with participants of the CNM Connect Services Program at Central New Mexico Community College. This program assists students—many of whom are parents or children of parents attending CNM—with academic support, financial coaching, and career services, and it connects families with behavioral health services and childcare. By streamlining and coordinating all of these support services for students and their children, families are able to learn and grow together.

At CNM, I met Maricela Cormona, who was a full-time mother who couldn't focus on her own education until her two children started an Even Start and Head Start early childhood education program. Thanks to a two-generation program that connects parents to childcare and education, she earned her GED, and she started taking courses at CNM to become a social worker. She was working with other parents to help them raise healthy families and receive an education.

In Sante Fe, I toured the United Way Early Learning Center. This hub of early learning and family support can serve as a model for creating a path of opportunity for all hard-working Americans, using a comprehensive two-generation approach. At a state-of-the-art facility, the center offers year-round, full-day services for children and families, including hot meals, a health center, teaching and learning technology, employment and social service assistance for parents, and a home visitation program.

One mother I met there, Brenda Olivas, was connected with United Way when she was 4 months pregnant. The home visitation supported her as she and her husband raised their young son Angel. When I talked to her, Brenda had just started working at the early learning center, helping to care for the children. Brenda said that she hoped to enroll in classes at Santa Fe Community College and put herself on a path toward a successful career.

I also hosted an outreach session for families, education administrators, and representatives of nonprofit service providers at Dona Ana Head Start. I heard from working parents and service providers about the challenges and obstacles that stand in the way of their educational and career opportunities.

Just last month, I visited La Clinica de Familia's Early Head Start Child Care Partnership Center. The center cares for children while their parents work or further their education at New Mexico State University and Dona Ana Community College. I had a chance to read ''Brown Bear, Brown Bear,'' which is not only one of the children's favorite books, but it is also one of my favorite books. My kids loved that book when they were little.

I think it is time to build on the progress we have seen demonstrated through the data at programs like these. It is time to bring in more stakeholders and start actively changing the trajectory of these families and communities. This is the type of challenge that will have to be fought on the frontlines through public-private partnerships on college campuses and in community centers, on ball fields and in health clinics, and in our towns both large and small. No matter what your ZIP Code is, you should have an opportunity to use already existing Federal resources or attract private investment to implement the two-generation approach in your community because, as the data suggests, it works. That is exactly what the Two-Generation Economic Empowerment Act aims to achieve.

I wish once again to thank my colleague Senator COLLINS for her hard work to help create this legislation, and I also thank the great minds at places like Ascend at the Aspen Institute and great advocacy organizations in my home State of New Mexico, such as New Mexico Voices for Children, for working with me and my staff on these real, innovative solutions to create more economic mobility.

As we work to advance this bipartisan bill in the Senate, I hope the rest of my colleagues will see why this is an issue that should not only be bipartisan but should command our urgent attention because the status quo is not something any of us should accept.

It is important to note that our proposal doesn't add any new Federal spending or add to the deficit. Our legislation simply takes existing funding programs that we already have in place and makes sure we are investing more

wisely, more efficiently, and more effectively to meet the needs of our children and their families. This is a fiscally responsible way to proceed, and it is a moral imperative.

We all know that all the potential we could ever ask for sits in homes, churches, and classrooms across this great Nation. By helping parents, grandparents, and children overcome poverty and pursue their dreams together, we can put whole families on a path toward economic security and create a greater economic future for all of our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join my colleague from New Mexico, Senator HEINRICH, in introducing the Two-Generation Economic Empowerment Act of 2016. It has been a great pleasure to work together to craft this important legislation, and I commend him for his leadership.

Our bipartisan bill proposes a new approach to fighting poverty, one that focuses on addressing the needs of children and their parents together—two generations—in order to break the cycle of intergenerational poverty.

More than 50 years after President Lyndon Johnson declared a War on Poverty, poverty remains a troubling reality for millions of Americans who struggle to find the resources they need for the basic necessities of life. In the time since that worthy war was first declared, the Federal Government has spent trillions of dollars—taxpayer dollars—on programs to combat poverty. Yet the truth is that the poverty rate has barely budged. In 1966, the poverty rate was 14.7 percent. Just this month, the U.S. Census Bureau announced that the poverty rate for 2015 was 13.5 percent. I would note that is actually 1 percentage point higher than the year before the start of the 2008 recession. The point is that despite our good intentions and despite the expenditure of trillions of taxpayer dollars, we have made very little progress in lifting families out of poverty.

Every State in our Nation is impacted by poverty. In my State of Maine, the poverty rate stands at 13.4 percent, just slightly below the national rate. Poverty spans rural towns and urban centers, race and ethnicity, men and women, old and young. It diminishes the chances of a bright future for far too many of our children.

Just this weekend, the Maine Sunday Telegram reported a heartwrenching story of a 5-year-old girl named Arianna, who lived in a makeshift tent in the woods outside of Portland. This is a picture of Arianna, a darling little girl only 5 years of age, living outside in a very crude tent. Thanks to the involvement of a State social worker and the Maine Homeless Veterans Alliance, who were committed to keeping the family together, this story, fortunately, has a happy ending. Arianna and her mother now live in an apartment in Auburn, ME, and she has finally just started kindergarten.

We know that the well-being of children like Arianna is tightly linked to the well-being of their parents. Just last week, I chaired a hearing of the Senate Subcommittee on Housing and Transportation. We examined whether there is a better way to provide housing assistance to vulnerable families and individuals. Both OMB Director Shaun Donovan and HUD Secretary Julian Castro have often pointed out to our subcommittee that the single biggest predictor of a child's opportunities—and even that child's life expectancy—is the ZIP Code of the community where the child grows up.

Federal programs have certainly helped many of those living in poverty to manage the day-to-day hardships they face, but the fact is that these programs have failed to achieve their promise of breaking the cycle of poverty that has trapped too many families. We should not accept such outcomes here in the land of opportunity.

Our bipartisan legislation proposes a fresh approach that is aimed at equipping both parents and their children with the tools they need to succeed and become self-sufficient. It marks an important first step toward reevaluating our approach to poverty-reducing programs, encouraging innovative, more effective uses of tax dollars, and encouraging programs that allow us to tailor them to the needs of specific families—programs that will work.

Too often today our Federal programs address certain issues in silos, overlooking the fact that the needs of families in poverty are almost always interconnected. They shouldn't have to try to navigate the various programs that are available to put together the funding streams they need to lift themselves out of poverty. Our bill would change that. It encourages an integrated, personalized approach.

Let me give an example. Helping a mother secure safe, high-quality child care can have a positive impact not only on her ability to succeed in the workforce but also by improving her child's readiness for school. While that child is receiving care and an education, her mother can be connecting with a skills training program to help her improve her family's income. Connecting these various Federal programs has the potential to lift entire families out of poverty and break that vicious cycle of intergenerational or multigenerational poverty.

The Two-Generation Economic Empowerment Act would create an Interagency Council on Multigenerational Poverty to coordinate efforts across Federal agencies and departments aimed at supporting vulnerable families. The Council would also make recommendations to Congress on ways to improve coordination of anti-poverty programs and to identify best practices. Similarly, our legislation would instruct the Government Accountability Office, GAO, to study and report to Congress and the Council on the barriers that prevent grant recipients from collaborating and identify opportunities for improved coordination.

Our bill would also authorize a pilot program to provide additional flexibility for States and local governments to improve the administration of programs using two-generation models. It would authorize five States to participate in two-generation performance partnerships. This would allow, for example, States like Maine and New Mexico to blend together similarly purposed funds across multiple Federal programs in order to help poor families. It aims to reduce duplicative reporting and application requirements. This kind of redtape and bureaucracy often deters local agencies and organizations from making the most effective use of tax dollars to ensure accountability because that is what this is all about. This bill would also require that these pilot programs be targeted at specific programs designed to reduce poverty, and it would measure the outcomes and the effectiveness of these programs.

Finally, our bill would create a pilot program to incentivize public-private partnerships around poverty solutions through social impact bonds. These public-private partnerships harness philanthropic and private sector investments to implement proven social programs. This concept is based on legislation that has been introduced by two of our colleagues, Senator ORRIN HATCH and Senator MICHAEL BENNET. I would note that through these partnerships, government funds are only paid out when the desired outcomes are met.

With this bill, we have the chance to make a permanent difference in the lives of millions of families in this country who are struggling and living in poverty. We have the opportunity to finally break the multigenerational cycle of poverty. We have the chance—after 50 years of pouring trillions of dollars into well-intentioned programs that have had some good benefits but have not produced the kinds of lasting results we need, we have the opportunity to change that.

Just as a child's ZIP Code should not determine his or her future success, so should the bureaucratic, siloed approach to poverty not make it so difficult for families to get the help they need to escape lives of poverty. We don't want more cases where a 5-year-old girl is living in a makeshift tent outside of the largest city in my State.

The Federal Government can be an effective partner in providing funding, in providing opportunities for parents and their children, lifting up families, and, in turn, building stronger communities. State and local governments—the laboratories of experimentation in this country—can be at the forefront of these efforts. And the increased flexibility proposed by our bill would help reform practices across government.

Building public-private partnerships would also help to spur innovative approaches and would help generations to come to take part and be full participants in the American dream.

Again, let me thank my partner Senator HEINRICH for his leadership on this bill. I urge our colleagues to take a look at the fresh, innovative approach we have developed to moving families out of poverty by breaking down the silos in Federal programs, by encouraging local and State and private sector and nonprofit organizations collaboration, and by giving them the tools they need to succeed.

Mr. President, let's not be here 50 years from now noting that the poverty rate is the same as it was when Lyndon Johnson declared the War on Poverty 50 years ago, which would then be 100 years ago. Let's try a different approach.

Thank you, Mr. President.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 583—AMENDING THE STANDING RULES OF THE SENATE TO ENSURE THAT THE SENATE VOTES ON WHETHER TO CONFIRM JUDICIAL NOMINEES

Mr. UDALL submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 583

Resolved,

SECTION 1. VOTES ON JUDICIAL NOMINEES.

Rule XXXI of the Standing Rules of the Senate is amended by adding at the end the following:

''8. (a) Not later than 180 days after the date on which a judicial nomination made by the President is received, the Senate shall vote on—

''(1) whether the Senate will advise and consent to the judicial nomination; or

''(2) a motion to invoke cloture on the judicial nomination.

''(b) Except as provided in subparagraph (c), if the Senate does not vote on whether the Senate will advise and consent to a judicial nomination or a motion to invoke cloture on the judicial nomination during the period described in subparagraph (a), on the first day on which the Senate is in session after the end of the period described in subparagraph (a)—

''(1) if the judicial nomination was referred to a committee and has not been reported, the committee shall be discharged from further consideration of the judicial nomination and the judicial nomination shall be placed on the calendar without any intervening action or debate;

''(2) the Senate shall proceed to the judicial nomination without any intervening action or debate;

''(3) the Senate shall proceed to the question 'Is it the sense of the Senate that the debate shall be brought to a close?' with respect to the judicial nomination, in the same manner as if a motion to invoke cloture had been made under rule XXII, except that there shall be not more than 4 hours of debate on such question; and

''(4) it shall not be in order to move to proceed to the consideration of any other matter until such question is disposed of.

''(c) Subparagraph (b) shall not apply to a judicial nomination if, before the end of the period described in subparagraph (a), the committee to which the judicial nomination has been referred votes to report the judicial nomination unfavorably.

''(d) In this paragraph, the term 'judicial nomination' means the nomination of an individual to serve as a judge or justice appointed to hold office during good behavior.''.

SENATE RESOLUTION 584—ACKNOWLEDGING THE PEACEFUL HUNGER STRIKE OF GUILLERMO ''EL COCO'' FARINAS, A POLITICAL DISSIDENT IN CUBA, APPLAUDING HIS BRAVERY AND COMMITMENT TO HUMAN RIGHTS, AND EXPRESSING SOLIDARITY WITH HIM AND HIS CAUSE

Mr. CRUZ (for himself, Mr. RUBIO, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 584

Whereas Fidel Castro and Raul Castro have led an oppressive, totalitarian, 1-party Communist state in Cuba for 57 years;

Whereas the Castro regime has unyieldingly violated basic human rights and steadfastly suppressed peaceful dissent in Cuba, despite nonviolent calls for change in Cuba and internationally;

Whereas the unconditional reestablishment of diplomatic relations between the United States and Cuba has failed to meaningfully improve the predicament of the people of Cuba;

Whereas Guillermo ''El Coco'' Fariñas is an internationally renowned Cuban dissident dedicated to advocating for political freedoms and human rights in Cuba;

Whereas the Communist Party of Cuba has viewed political freedoms and human rights as antithetical to the totalitarian agenda, and a threat to the existence, of that party;

Whereas El Coco Fariñas has repeatedly stated his willingness to give up his own life for the cause of freedom and liberty in Cuba;

Whereas El Coco Fariñas held a 7-month hunger strike in 2006 to call attention to the Cuban Government's practice of Internet censorship in Cuba;

Whereas El Coco Fariñas held another hunger strike in 2010 to protest the Cuban Government's practices of making politically motivated arrests and maintaining prisoners of conscience;

Whereas the Government of Cuba denied El Coco Fariñas an exit visa in 2010 to travel to Strasbourg, France to receive the European Parliament's Sakharov Prize for Freedom of Thought, in recognition of the efforts of El Coco Fariñas to peacefully advocate for political freedoms in Cuba;

Whereas at the funeral of fellow activist Oswaldo Payá, who is widely believed to have been murdered by the Castro regime, El Coco Fariñas was among dozens of dissidents who were arbitrarily arrested;

Whereas El Coco Fariñas initiated another hunger strike in the summer of 2016 to call international attention to the continued brutality committed by the Cuban Government;

Whereas, on September 12, 2016, El Coco Fariñas ended that hunger strike following the release of a fabricated report that the European Union had conditioned relations with Cuba on improvements in the human rights situation in Cuba, which the European Parliament later confirmed was false and the Cuban American National Foundation denounced as a ''discrediting campaign to misinform the people of Cuba and the international community'';

Whereas in recognition of his unwavering efforts to peacefully push for reforms for the people of Cuba, El Coco Fariñas has been awarded—

(1) the 2006 Cyber-Freedom Prize by Reporters Without Borders;

(2) the Weimar International Human Rights Award; and

(3) the 2010 Sakharov Prize for Freedom of Thought by the European Parliament; and

Whereas recognition of the recent hunger strike of El Coco Fariñas and an expression of solidarity with him and his cause sends a positive signal of the enduring commitment of the people of the United States to the people of Cuba: Now, therefore, be it

Resolved, That the Senate—

(1) honors the courage of Guillermo ''El Coco'' Fariñas in standing up to the relentless repression of the Government of Cuba;

(2) recognizes El Coco Fariñas for his perseverance in seeking meaningful change for the people of Cuba through peaceful means;

(3) acknowledges that the efforts of the Government of Cuba to undermine the latest hunger strike of El Coco Fariñas, through the release of a fabricated report, failed to diminish the international attention that his hunger strike attracted to the human rights situation in Cuba; and

(4) expresses solidarity and support for El Coco Fariñas, his valiant efforts, and his commitment to basic human freedoms for the people of Cuba.

SENATE RESOLUTION 585—DESIGNATING OCTOBER 26, 2016, AS ''DAY OF THE DEPLOYED''

Mr. HOEVEN (for himself, Mr. ROBERTS, Ms. HEITKAMP, Mr. PETERS, and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 585

Whereas more than 2,000,000 individuals serve as members of the Armed Forces of the United States;

Whereas several hundred thousand members of the Armed Forces rotate each year through deployments to 150 countries in every region of the world;

Whereas more than 2,700,000 members of the Armed Forces have deployed to the area of operations of the United States Central Command since the September 11, 2001, terrorist attacks;

Whereas the United States is kept strong and free by the loyal military personnel from the total force (the regular components, the National Guard, and the Reserves), who protect the precious heritage of the United States through their declarations and actions;

Whereas members of the Armed Forces serving at home and abroad have courageously answered the call to duty to defend the ideals of the United States and to preserve peace and freedom around the world;

Whereas members of the Armed Forces personify the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States; and

Whereas the Senate designated October 26 as ''Day of the Deployed'' in 2011, 2012, 2013, 2014, and 2015: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 26, 2016, as ''Day of the Deployed'';