

EXHIBIT B

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March 7, 2019

Nazie Eftekhari
20 Merilane Avenue
Edina, MN 55436

Dear Nazie:

Thank you for enquiring into the Congressional intent behind the enactment of the *First Step Act* (Pub. L. 115-391) on December 21, 2018. As you know, I studied this legislation carefully and voted in support of it when it came to the floor of the U.S. House of Representatives on July 25, 2018. It is my understanding that you have made this inquiry of me on behalf of Hassan Nemazee, an inmate at the Satellite Camp at Cumberland, Maryland. I further understand that Mr. Nemazee has requested to be moved to home confinement pursuant to the reentry program amendments in Section 603 of the *First Step Act*, that the Bureau of Prisons (BOP) has not acted, and that he has filed a motion with the District Court which sentenced him. Obviously, I cannot express a view on the merits of his particular situation, but I am able to articulate the Congressional intent in enacting this important legislation. Finally, you have advised me that Mr. Nemazee is represented by counsel and that this letter may be used by counsel in the District Court proceedings on Mr. Nemazee's request.

Section 603 of the *First Step Act* contains two key parts. The first expanded several prior programs, particularly the reentry program for older, nonviolent prisoners. Congress reduced the age threshold from 65 to 60 and shortened the amount of time served from the greater of 10 years or 75% of the sentence to simply 2/3 of the sentence. These changes were made so that more prisoners would qualify for release. While most other qualifications of this program remained the same, this key component of the *First Step Act* was effective immediately. Congress intended to move qualifying inmates out of the federal prison system quickly to home confinement where the costs of housing, feeding and caring for these inmates would be borne by them, not by the government. The BOP already has a well-developed home confinement program, which Congress bolstered in other sections of the law. Congress did not expect any delay in implementing the releases to home confinement since the qualifications for the program are clear.

The second key component of Section 603 created a new judicial remedy for inmates to address the persistent problem of BOP inaction or delay in implementing Congressional direction. This right to go to court after either exhaustion of BOP internal remedies or 30 days, whichever is less, was intended to apply to any inmate request for release under existing laws or under the *First Step Act*.

It is my belief that the text of this law clearly shows the Congressional intent. However, I hope this letter is helpful to you and others in trying to implement the *First Step Act* as it was intended.

Sincerely,

A handwritten signature in blue ink, appearing to read "Betty McCollum". The signature is stylized and cursive.

Betty McCollum
Member of Congress