

115TH CONGRESS  
1ST SESSION

# S. 1994

To reduce recidivism and increase public safety, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 19, 2017

Mr. CORNYN (for himself, Mr. WHITEHOUSE, and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To reduce recidivism and increase public safety, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Corrections Oversight, Recidivism Reduction, and Eliminating Costs for Taxpayers In Our National System Act  
6 of 2017” or the “CORRECTIONS Act”.

8 (b) **TABLE OF CONTENTS.**—The table of contents for  
9 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CORRECTIONS ACT

- Sec. 101. Recidivism reduction programming and productive activities.
- Sec. 102. Post-sentencing risk and needs assessment system.
- Sec. 103. Prerelease custody.
- Sec. 104. Reports.
- Sec. 105. Additional tools to promote recovery and prevent drug and alcohol abuse and dependence.
- Sec. 106. Promoting successful reentry.
- Sec. 107. Parole for juveniles.
- Sec. 108. Compassionate release initiative.

#### TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

- Sec. 201. Short title.
- Sec. 202. Findings.
- Sec. 203. Secure firearms storage.

#### TITLE III—NATIONAL CRIMINAL JUSTICE COMMISSION

- Sec. 301. Short title.
- Sec. 302. Findings.
- Sec. 303. Establishment of commission.
- Sec. 304. Purpose of the commission.
- Sec. 305. Review, recommendations, and report.
- Sec. 306. Membership.
- Sec. 307. Administration.
- Sec. 308. Authorization for use of funds.
- Sec. 309. Sunset.

## 1       **TITLE I—CORRECTIONS ACT**

### 2   **SEC. 101. RECIDIVISM REDUCTION PROGRAMMING AND** 3                                   **PRODUCTIVE ACTIVITIES.**

4       (a) IN GENERAL.—Not later than 1 year after the  
 5 date of enactment of this Act, the Attorney General  
 6 shall—

7               (1) conduct a review of recidivism reduction  
 8               programming and productive activities, including  
 9               prison jobs, offered in correctional institutions, in-  
 10              cluding programming and activities offered in State  
 11              correctional institutions, which shall include a review  
 12              of research on the effectiveness of such programs;

1           (2) conduct a survey to identify products, in-  
2           cluding products purchased by Federal agencies,  
3           that are currently manufactured overseas and could  
4           be manufactured by prisoners participating in a  
5           prison work program without reducing job opportu-  
6           nities for other workers in the United States; and

7           (3) submit to the Committee on the Judiciary  
8           and the Committee on Appropriations of the Senate  
9           and the Committee on the Judiciary and the Com-  
10          mittee on Appropriations of the House of Represent-  
11          atives a strategic plan for the expansion of recidi-  
12          vism reduction programming and productive activi-  
13          ties, including prison jobs, in Bureau of Prisons fa-  
14          cilities required by section 3621(h)(1) of title 18,  
15          United States Code, as added by subsection (b).

16          (b) AMENDMENT.—Section 3621 of title 18, United  
17          States Code, is amended by adding at the end the fol-  
18          lowing:

19           “(h) RECIDIVISM REDUCTION PROGRAMMING AND  
20          PRODUCTIVE ACTIVITIES.—

21           “(1) IN GENERAL.—The Director of the Bureau  
22          of Prisons, shall, subject to the availability of appro-  
23          priations, make available to all eligible prisoners ap-  
24          propriate recidivism reduction programming or pro-

1 ductive activities, including prison jobs, in accord-  
2 ance with paragraph (2).

3 “(2) EXPANSION PERIOD.—

4 “(A) IN GENERAL.—In carrying out this  
5 subsection, the Director of the Bureau of Pris-  
6 ons shall, not later than 5 years after the date  
7 of enactment of this subsection, ensure appro-  
8 priate recidivism reduction programming and  
9 productive activities, including prison jobs, are  
10 available for all eligible prisoners.

11 “(B) CERTIFICATION.—

12 “(i) IN GENERAL.—The National In-  
13 stitute of Corrections shall evaluate all re-  
14 cidivism reduction programming or produc-  
15 tive activities that are made available to el-  
16 igible prisoners and determine whether  
17 such programming or activities may be cer-  
18 tified as evidence-based and effective at re-  
19 ducing or mitigating offender risk and re-  
20 cidivism.

21 “(ii) CONSIDERATIONS.—In deter-  
22 mining whether or not to issue a certifi-  
23 cation under clause (i), the National Insti-  
24 tute of Corrections shall consult with inter-  
25 nal or external program evaluation experts,

1 including the Office of Management and  
2 Budget and the Comptroller General of the  
3 United States to identify appropriate eval-  
4 uation methodologies for each type of pro-  
5 gram offered, and may use analyses of  
6 similar programs conducted in other cor-  
7 rectional settings.

8 “(3) RECIDIVISM REDUCTION PARTNERSHIPS.—  
9 Not later than 18 months after the date of enact-  
10 ment of this subsection, the Attorney General shall  
11 issue regulations requiring the official in charge of  
12 each correctional facility to ensure, subject to the  
13 availability of appropriations, that appropriate re-  
14 cidivism reduction programming and productive ac-  
15 tivities, including prison jobs, are available for all el-  
16 igible prisoners within the time period specified in  
17 paragraph (2), by entering into partnerships with  
18 the following:

19 “(A) Nonprofit and other private organiza-  
20 tions, including faith-based and community-  
21 based organizations, that provide recidivism re-  
22 duction programming, on a paid or volunteer  
23 basis.

1           “(B) Educational institutions that will de-  
2           liver academic classes in Bureau of Prisons fa-  
3           cilities, on a paid or volunteer basis.

4           “(C) Nonprofit or other private organiza-  
5           tions, including faith-based and community-  
6           based organizations, that will—

7                   “(i) deliver occupational and voca-  
8                   tional training and certifications in Bureau  
9                   of Prisons facilities;

10                   “(ii) provide equipment to facilitate  
11                   occupational and vocational training or em-  
12                   ployment opportunities for prisoners;

13                   “(iii) employ prisoners; or

14                   “(iv) assist prisoners in prerelease  
15                   custody or supervised release in finding  
16                   employment.

17           “(D) Industry-sponsored organizations  
18           that deliver workforce development and training  
19           that lead to recognized certification and employ-  
20           ment.

21           “(4) ASSIGNMENTS.—In assigning prisoners to  
22           recidivism reduction programming and productive  
23           activities, the Director of the Bureau of Prisons  
24           shall use the Post-Sentencing Risk and Needs As-

1        assessment System described in section 3621A and  
2        shall ensure that—

3                “(A) to the extent practicable, prisoners  
4                are separated from prisoners of other risk clas-  
5                sifications in accordance with best practices for  
6                effective recidivism reduction;

7                “(B) a prisoner who has been classified as  
8                low risk and without need for recidivism reduc-  
9                tion programming shall participate in and suc-  
10               cessfully complete productive activities, includ-  
11               ing prison jobs, in order to maintain a low-risk  
12               classification;

13               “(C) a prisoner who has successfully com-  
14               pleted all recidivism reduction programming to  
15               which the prisoner was assigned shall partici-  
16               pate in productive activities, including a prison  
17               job; and

18               “(D) to the extent practicable, each eligible  
19               prisoner shall participate in and successfully  
20               complete recidivism reduction programming or  
21               productive activities, including prison jobs,  
22               throughout the entire term of incarceration of  
23               the prisoner.

24               “(5) MENTORING SERVICES.—Any person who  
25               provided mentoring services to a prisoner while the

1 prisoner was in a penal or correctional facility of the  
2 Bureau of Prisons shall be permitted to continue  
3 such services after the prisoner has been transferred  
4 into prerelease custody, unless the person in charge  
5 of the penal or correctional facility of the Bureau of  
6 Prisons demonstrates, in a written document sub-  
7 mitted to the person, that such services would be a  
8 significant security risk to the prisoner, persons who  
9 provide such services, or any other person.

10 “(6) RECIDIVISM REDUCTION PROGRAM INCEN-  
11 TIVES AND REWARDS.—Prisoners who have success-  
12 fully completed recidivism reduction programs and  
13 productive activities shall be eligible for the fol-  
14 lowing:

15 “(A) TIME CREDITS.—

16 “(i) IN GENERAL.—Subject to clauses  
17 (ii) and (iii), a prisoner who has success-  
18 fully completed a recidivism reduction pro-  
19 gram or productive activity that has been  
20 certified under paragraph (2)(B) shall re-  
21 ceive time credits of 5 days for each period  
22 of 30 days of successful completion of such  
23 program or activity. A prisoner who is  
24 classified as low risk shall receive addi-  
25 tional time credits of 5 days for each pe-



1           riod of 30 days of successful completion of  
2           such program or activity.

3           “(ii) AVAILABILITY.—A prisoner may  
4           not receive time credits under this sub-  
5           paragraph for successfully completing a re-  
6           cidivism reduction program or productive  
7           activity—

8                   “(I) before the date of enactment  
9                   of this subsection; or

10                   “(II) during official detention be-  
11                   fore the date on which the prisoner’s  
12                   sentence commences under section  
13                   3585(a).

14           “(iii) EXCLUSIONS.—No credit shall  
15           be awarded under this subparagraph to a  
16           prisoner serving a sentence for a second or  
17           subsequent conviction for a Federal offense  
18           imposed after the date on which the pris-  
19           oner’s first such conviction became final,  
20           which shall not include any offense under  
21           section 1152 or section 1153 for which the  
22           prisoner was sentenced to less than 13  
23           months. No credit shall be awarded under  
24           this subparagraph to a prisoner with 13 or  
25           more criminal history points, as deter-

1           mined under the sentencing guidelines, at  
2           the time of sentencing, unless the court de-  
3           termines in writing at sentencing that the  
4           defendant’s criminal history category sub-  
5           stantially overrepresents the seriousness of  
6           the defendant’s criminal history or the  
7           likelihood that the defendant will commit  
8           other crimes and exercises its authority to  
9           lower the defendant’s criminal history cat-  
10          egory. No credit shall be awarded under  
11          this subparagraph to any prisoner serving  
12          a sentence of imprisonment for conviction  
13          for any of the following offenses:

14                   “(I) A Federal crime of ter-  
15                   rorism, as defined in section  
16                   2332b(g)(5).

17                   “(II) A Federal crime of violence,  
18                   as defined in section 16.

19                   “(III) A Federal sex offense, as  
20                   described in section 111 of the Sex  
21                   Offender Registration and Notifica-  
22                   tion Act (34 U.S.C. 20911).

23                   “(IV) Engaging in a continuing  
24                   criminal enterprise, as defined in sec-

1           tion 408 of the Controlled Substances  
2           Act (21 U.S.C. 848).

3           “(V) A Federal crime involving  
4           child exploitation, as defined in sec-  
5           tion 2 of the PROTECT Our Children  
6           Act of 2008 (34 U.S.C. 21101).

7           “(VI) A violation of—

8           “(aa) chapter 11 (relating to  
9           bribery, graft, and conflicts of in-  
10          terest);

11          “(bb) chapter 29 (relating to  
12          elections and political activities);

13          “(cc) section 1028A, 1031,  
14          or 1040 (relating to fraud);

15          “(dd) chapter 63 involving a  
16          scheme or artifice to deprive an-  
17          other of the intangible right of  
18          honest services;

19          “(ee) chapter 73 (relating to  
20          obstruction of justice);

21          “(ff) chapter 95 or 96 (re-  
22          lating to racketeering and rack-  
23          eteer influenced and corrupt or-  
24          ganizations); or

1                   “(gg) chapter 110 (relating  
2                   to sexual exploitation and other  
3                   abuse of children).

4                   “(iv) IDENTIFICATION OF COVERED  
5                   OFFENSES.—Not later than 1 year after  
6                   the date of enactment of this subsection,  
7                   the United States Sentencing Commission  
8                   shall prepare and submit to the Director of  
9                   the Bureau of Prisons a list of all Federal  
10                  offenses described in subclauses (I)  
11                  through (VI) of clause (iii), and shall up-  
12                  date such list on an annual basis.

13                  “(B) OTHER INCENTIVES.—The Bureau of  
14                  Prisons shall develop policies to provide appro-  
15                  priate incentives for successful completion of re-  
16                  cidivism reduction programming and productive  
17                  activities, other than time credit pursuant to  
18                  subparagraph (A), including incentives for pris-  
19                  oners who are precluded from earning credit  
20                  under subparagraph (A)(iii). Such incentives  
21                  may include additional telephone or visitation  
22                  privileges for use with family, close friends,  
23                  mentors, and religious leaders.

24                  “(C) PENALTIES.—The Bureau of Prisons  
25                  may reduce rewards a prisoner has previously

1 earned under subparagraph (A) for prisoners  
2 who violate the rules of the penal or correc-  
3 tional facility in which the prisoner is impris-  
4 oned, a recidivism reduction program, or a pro-  
5 ductive activity.

6 “(D) RELATION TO OTHER INCENTIVE  
7 PROGRAMS.—The incentives described in this  
8 paragraph shall be in addition to any other re-  
9 wards or incentives for which a prisoner may be  
10 eligible, except that a prisoner shall not be eligi-  
11 ble for the time credits described in subpara-  
12 graph (A) if the prisoner has accrued time cred-  
13 its under another provision of law based solely  
14 upon participation in, or successful completion  
15 of, such program.

16 “(7) SUCCESSFUL COMPLETION.—For purposes  
17 of this subsection, a prisoner—

18 “(A) shall be considered to have success-  
19 fully completed a recidivism reduction program  
20 or productive activity, if the Bureau of Prisons  
21 determines that the prisoner—

22 “(i) regularly attended and partici-  
23 pated in the recidivism reduction program  
24 or productive activity;

1           “(ii) regularly completed assignments  
2           or tasks in a manner that allowed the pris-  
3           oner to realize the criminogenic benefits of  
4           the recidivism reduction program or pro-  
5           ductive activity;

6           “(iii) did not regularly engage in dis-  
7           ruptive behavior that seriously undermined  
8           the administration of the recidivism reduc-  
9           tion program or productive activity; and

10          “(iv) satisfied the requirements of  
11          clauses (i) through (iii) for a time period  
12          that is not less than 30 days and allowed  
13          the prisoner to realize the criminogenic  
14          benefits of the recidivism reduction pro-  
15          gram or productive activity; and

16          “(B) for purposes of paragraph (6)(A),  
17          may be given credit for successful completion of  
18          a recidivism reduction program or productive  
19          activity for the time period during which the  
20          prisoner participated in such program or activ-  
21          ity if the prisoner satisfied the requirements of  
22          subparagraph (A) during such time period, not-  
23          withstanding that the prisoner continues to par-  
24          ticipate in such program or activity.

25          “(8) DEFINITIONS.—In this subsection:

1           “(A) ELIGIBLE PRISONER.—The term ‘eli-  
2           gible prisoner’ means—

3                   “(i) an individual who has been sen-  
4                   tenced to a term of imprisonment pursuant  
5                   to a conviction for a Federal criminal of-  
6                   fense; or

7                   “(ii) an individual within the custody  
8                   of the Bureau of Prisons, including an in-  
9                   dividual in a Bureau of Prisons contracted  
10                  facility.

11           “(B) PRODUCTIVE ACTIVITY.—The term  
12           ‘productive activity’—

13                   “(i) means a group or individual ac-  
14                   tivity, including holding a job as part of a  
15                   prison work program, that is designed to  
16                   allow prisoners classified as having a lower  
17                   risk of recidivism to maintain such classi-  
18                   fication, when offered to such prisoners;  
19                   and

20                   “(ii) may include the delivery of the  
21                   activities described in subparagraph  
22                   (C)(i)(II) to other prisoners.

23           “(C) RECIDIVISM REDUCTION PROGRAM.—  
24           The term ‘recidivism reduction program’  
25           means—

1                   “(i) a group or individual activity  
2                   that—

3                   “(I) has been certified to reduce  
4                   recidivism or promote successful re-  
5                   entry; and

6                   “(II) may include—

7                   “(aa) classes on social learn-  
8                   ing and life skills;

9                   “(bb) classes on morals or  
10                  ethics;

11                  “(cc) academic classes;

12                  “(dd) cognitive behavioral  
13                  treatment;

14                  “(ee) mentoring;

15                  “(ff) occupational and voca-  
16                  tional training;

17                  “(gg) faith-based classes or  
18                  services;

19                  “(hh) domestic violence edu-  
20                  cation and deterrence program-  
21                  ming;

22                  “(ii) victim-impact classes or  
23                  other restorative justice pro-  
24                  grams;



1                   “(jj) industry-sponsored  
2 workforce development, edu-  
3 cation, or training; and

4                   “(kk) a prison job; and

5                   “(ii) shall include—

6                   “(I) a productive activity; and

7                   “(II) recovery programming.

8                   “(D) RECOVERY PROGRAMMING.—The  
9 term ‘recovery programming’ means a course of  
10 instruction or activities, other than a course de-  
11 scribed in subsection (e), that has been dem-  
12 onstrated to reduce drug or alcohol abuse or de-  
13 pendence among participants, or to promote re-  
14 covery among individuals who have previously  
15 abused alcohol or drugs, to include appropriate  
16 medication-assisted treatment.”.

17                   (c) NO CONSIDERATION OF EARNED TIME CREDIT  
18 ELIGIBILITY DURING SENTENCING.—

19                   (1) IN GENERAL.—Section 3553 of title 18,  
20 United States Code, is amended—

21                   (A) by redesignating subsections (b)  
22 through (f) as subsections (e) through (g), re-  
23 spectively;

1 (B) in subsection (e)(3), as so redesignated,  
2 nated, by striking “subsection (c)” and insert-  
3 ing “subsection (d)”; and

4 (C) by inserting after subsection (a) the  
5 following:

6 “(b) In imposing a sentence, the court shall not con-  
7 sider the defendant’s eligibility or potential eligibility for  
8 credit under section 3621(e), 3621(h), or 3624(b) or any  
9 similar provision of law, but shall not be prohibited from  
10 informing the defendant of the existence of such credits  
11 or related programs.”.

12 (2) TECHNICAL AND CONFORMING AMEND-  
13 MENTS.—Section 3742 of title 18, United States  
14 Code, is amended—

15 (A) in subsection (e)(3)—

16 (i) in subparagraph (A), by striking  
17 “section 3553(c)” and inserting “section  
18 3553(d)”;

19 (ii) in subparagraph (B)(ii), by strik-  
20 ing “section 3553(b)” and inserting “sec-  
21 tion 3553(c)”;

22 (iii) in subparagraph (C), by striking  
23 “section 3553(c)” and inserting “section  
24 3553(d)”;

1 (B) in subsection (g)(2), by striking “sec-  
 2 tion 3553(c)” and inserting “section 3553(d”;  
 3 and

4 (C) in subsection (j)(1)(B), by striking  
 5 “section 3553(b)” and inserting “section  
 6 3553(c)”.

7 **SEC. 102. POST-SENTENCING RISK AND NEEDS ASSESS-**  
 8 **MENT SYSTEM.**

9 (a) IN GENERAL.—Subchapter C of chapter 229 of  
 10 title 18, United States Code, is amended by inserting after  
 11 section 3621 the following:

12 **“§ 3621A. Post-sentencing risk and needs assessment**  
 13 **system**

14 “(a) IN GENERAL.—Not later than 6 months after  
 15 the date of the enactment of this section, the Attorney  
 16 General shall develop for use by the Bureau of Prisons  
 17 an offender risk and needs assessment system, to be  
 18 known as the ‘Post-Sentencing Risk and Needs Assess-  
 19 ment System’ or the ‘Assessment System’, which shall—

20 “(1) assess and determine the recidivism risk  
 21 level of all prisoners and classify each prisoner as  
 22 having a low, moderate, or high risk of recidivism;

23 “(2) to the extent practicable, assess and deter-  
 24 mine the risk of violence of all prisoners;

1           “(3) ensure that, to the extent practicable, low-  
2 risk prisoners are grouped together in housing and  
3 assignment decisions;

4           “(4) assign each prisoner to appropriate recidi-  
5 vism reduction programs or productive activities  
6 based on the prisoner’s risk level and the specific  
7 criminogenic needs of the prisoner, and in accord-  
8 ance with section 3621(h)(4);

9           “(5) reassess and update the recidivism risk  
10 level and programmatic needs of each prisoner pur-  
11 suant to the schedule set forth in subsection (c)(2),  
12 and assess changes in the prisoner’s recidivism risk  
13 within a particular risk level; and

14           “(6) provide information on best practices con-  
15 cerning the tailoring of recidivism reduction pro-  
16 grams to the specific criminogenic needs of each  
17 prisoner so as to effectively lower the prisoner’s risk  
18 of recidivating.

19           “(b) DEVELOPMENT OF SYSTEM.—

20           “(1) IN GENERAL.—In designing the Assess-  
21 ment System, the Attorney General shall—

22           “(A) use available research and best prac-  
23 tices in the field and consult with academic and  
24 other criminal justice experts as appropriate;

1           “(B) ensure that the Assessment System  
2           measures indicators of progress and improve-  
3           ment, and of regression, including newly ac-  
4           quired skills, attitude, and behavior changes  
5           over time, through meaningful consideration of  
6           dynamic risk factors, such that—

7                   “(i) all prisoners at each risk level  
8                   other than low risk have a meaningful op-  
9                   portunity to progress to a lower risk classi-  
10                  fication during the period of the incarcer-  
11                  ation of the prisoner through changes in  
12                  dynamic risk factors; and

13                   “(ii) all prisoners on prerelease cus-  
14                   tody, other than prisoners classified as low  
15                   risk, have a meaningful opportunity to  
16                   progress to a lower risk classification dur-  
17                   ing such custody through changes in dy-  
18                   namic risk factors;

19           “(C) ensure that the Assessment System is  
20           adjusted on a regular basis, but not less fre-  
21           quently than every 3 years, to take account of  
22           the best statistical evidence of effectiveness in  
23           reducing recidivism rates; and

1           “(D) ensure that the Assessment System  
2 does not result in unwarranted disparities, in-  
3 cluding by—

4                   “(i) regularly evaluating rates of re-  
5 cidivism among similarly classified pris-  
6 oners to identify any unwarranted dispari-  
7 ties in such rates, including disparities  
8 among similarly classified prisoners of dif-  
9 ferent racial groups; and

10                   “(ii) adjusting the Assessment System  
11 to reduce such disparities to the greatest  
12 extent possible.

13           “(2) RISK AND NEEDS ASSESSMENT TOOLS.—  
14 In carrying out this subsection, the Attorney Gen-  
15 eral shall—

16                   “(A) develop a suitable intake assessment  
17 tool to perform the initial assessments and de-  
18 terminations described in subsection (a)(1), and  
19 to make the assignments described in para-  
20 graphs (3) and (4) of subsection (a);

21                   “(B) develop a suitable reassessment tool  
22 to perform the reassessments and updates de-  
23 scribed in subsection (a)(5); and

1           “(C) develop a suitable tool to assess the  
2           recidivism risk level of prisoners in prerelease  
3           custody.

4           “(3) USE OF EXISTING RISK AND NEEDS AS-  
5           SESSMENT TOOLS PERMITTED.—In carrying out this  
6           subsection, the Attorney General may use existing  
7           risk and needs assessment tools, as appropriate, for  
8           the assessment tools required under paragraph (2).

9           “(4) USE OF PRESENTENCE REPORT.—In car-  
10          rying out this subsection, the Attorney General shall  
11          coordinate with the United States Probation and  
12          Pretrial Services to ensure that the findings of the  
13          Presentence Report of each offender are available  
14          and considered in the Assessment System.

15          “(5) VALIDATION.—In carrying out this sub-  
16          section, the Attorney General shall statistically vali-  
17          date the risk and needs assessment tools on the Fed-  
18          eral prison population, or ensure that the tools have  
19          been so validated. To the extent such validation can-  
20          not be completed with the time period specified in  
21          subsection (a), the Attorney General shall ensure  
22          that such validation is completed as soon as is prac-  
23          ticable.

24          “(6) RELATIONSHIP WITH EXISTING CLASSI-  
25          FICATION SYSTEMS.—The Bureau of Prisons may

1 incorporate its existing Inmate Classification System  
2 into the Assessment System if the Assessment Sys-  
3 tem assesses the risk level and criminogenic needs of  
4 each prisoner and determines the appropriate secu-  
5 rity level institution for each prisoner. Before the de-  
6 velopment of the Assessment System, the Bureau of  
7 Prisons may use the existing Inmate Classification  
8 System, or a pre-existing risk and needs assessment  
9 tool that can be used to classify prisoners consistent  
10 with subsection (a)(1), or can be reasonably adapted  
11 for such purpose, for purposes of this section, sec-  
12 tion 3621(h), and section 3624(c).

13 “(c) RISK ASSESSMENT.—

14 “(1) INITIAL ASSESSMENTS.—Not later than 12  
15 months after the date on which the Attorney Gen-  
16 eral develops the Assessment System, the Bureau of  
17 Prisons shall determine the risk level and  
18 criminogenic needs of each prisoner using the As-  
19 sessment System.

20 “(2) REASSESSMENTS AND UPDATES.—The Bu-  
21 reau of Prisons shall update the assessment of each  
22 prisoner required under paragraph (1)—

23 “(A) not less frequently than once each  
24 year for any prisoner whose anticipated release  
25 date is within 3 years;



1           “(B) not less frequently than once every 2  
2           years for any prisoner whose anticipated release  
3           date is within 10 years; and

4           “(C) not less frequently than once every 3  
5           years for any other prisoner.

6           “(d) ASSIGNMENT OF RECIDIVISM REDUCTION PRO-  
7 GRAMS OR PRODUCTIVE ACTIVITIES.—The Assessment  
8 System shall provide guidance on the kind and amount  
9 of recidivism reduction programming or productive activi-  
10 ties appropriate for each prisoner.

11          “(e) BUREAU OF PRISONS TRAINING.—The Attorney  
12 General shall develop training protocols and programs for  
13 Bureau of Prisons officials and employees responsible for  
14 administering the Assessment System. Such training pro-  
15 tocols shall include a requirement that personnel of the  
16 Bureau of Prisons demonstrate competence in using the  
17 methodology and procedure developed under this section  
18 on a regular basis.

19          “(f) INFORMATION FROM PRESENTENCE REPORT.—  
20 The Attorney General shall ensure that the Bureau of  
21 Prisons uses relevant information from the Presentence  
22 Report of each offenders when conducting an assessment  
23 under this section.

24          “(g) QUALITY ASSURANCE.—In order to ensure that  
25 the Bureau of Prisons is using the Assessment System in

1 an appropriate and consistent manner, the Attorney Gen-  
2 eral shall monitor and assess the use of the Assessment  
3 System and shall conduct periodic audits of the use of the  
4 Assessment System at facilities of the Bureau of Prisons.

5 “(h) DETERMINATIONS AND CLASSIFICATIONS  
6 UNREVIEWABLE.—Subject to any constitutional limita-  
7 tions, there shall be no right of review, right of appeal,  
8 cognizable property interest, or cause of action, either ad-  
9 ministrative or judicial, arising from any determination or  
10 classification made by any Federal agency or employee  
11 while implementing or administering the Assessment Sys-  
12 tem, or any rules or regulations promulgated under this  
13 section.

14 “(i) DEFINITIONS.—In this section:

15 “(1) DYNAMIC RISK FACTOR.—The term ‘dy-  
16 namic risk factor’ means a characteristic or at-  
17 tribute that has been shown to be relevant to assess-  
18 ing risk of recidivism and that can be modified  
19 based on a prisoner’s actions, behaviors, or atti-  
20 tudes, including through completion of appropriate  
21 programming or other means, in a prison setting.

22 “(2) RECIDIVISM RISK.—The term ‘recidivism  
23 risk’ means the likelihood that a prisoner will com-  
24 mit additional crimes for which the prisoner could be

1 prosecuted in a Federal, State, or local court in the  
2 United States.

3 “(3) RECIDIVISM REDUCTION PROGRAM; PRO-  
4 DUCTIVE ACTIVITY; RECOVERY PROGRAMMING.—The  
5 terms ‘recidivism reduction program’, ‘productive ac-  
6 tivity’, and ‘recovery programming’ shall have the  
7 meaning given such terms in section 3621(h)(8).”.

8 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
9 The table of sections for subchapter C of chapter 229 of  
10 title 18, United States Code, is amended by inserting after  
11 the item relating to section 3621 the following:

“3621A. Post-sentencing risk and needs assessment system.”.

12 **SEC. 103. PRERELEASE CUSTODY.**

13 (a) IN GENERAL.—Section 3624(c) of title 18,  
14 United States Code, is amended—

15 (1) in paragraph (1), by striking the period at  
16 the end of the second sentence and inserting “or  
17 home confinement, subject to the limitation that no  
18 prisoner may serve more than 10 percent of the pris-  
19 oner’s imposed sentence in home confinement pursu-  
20 ant to this paragraph.”;

21 (2) by striking paragraphs (2) and (3) and in-  
22 serting the following:

23 “(2) CREDIT FOR RECIDIVISM REDUCTION.—  
24 Notwithstanding the 10 percent limit described in  
25 paragraph (1) and in addition to any time spent in

1 prerelease custody pursuant to paragraph (1), a  
2 prisoner shall spend an additional portion of the  
3 final months of the prisoner's sentence, equivalent to  
4 the amount of time credit the prisoner has earned  
5 pursuant to section 3621(h)(6)(A), in prerelease cus-  
6 tody, if—

7 “(A) the prisoner's most recent risk and  
8 needs assessment, conducted within 1 year of  
9 the date on which the prisoner would first be el-  
10 igible for transfer to prerelease custody pursu-  
11 ant to paragraph (1) and this paragraph, re-  
12 flects that the prisoner is classified as low or  
13 moderate risk; and

14 “(B) for a prisoner classified as moderate  
15 risk, the prisoner's most recent risk and needs  
16 assessment reflects that the prisoner's risk of  
17 recidivism has declined during the period of the  
18 prisoner's incarceration.

19 “(3) TYPES OF PRERELEASE CUSTODY.—A  
20 prisoner eligible to serve a portion of the prisoner's  
21 sentence in prerelease custody pursuant to para-  
22 graph (2) may serve such portion in a residential re-  
23 entry center, on home confinement, or, subject to  
24 paragraph (5), on community supervision, in accord-  
25 ance with the following guidelines:

1           “(A) Lower-risk, lower-need prisoners shall  
2 be placed directly into home confinement or  
3 community supervision.

4           “(B) Residential reentry center placements  
5 shall be reserved for the higher-risk, higher-  
6 need prisoners.”;

7           (3) by redesignating paragraphs (4) through  
8 (6) as paragraphs (9) through (11), respectively;  
9           (4) by inserting the following after paragraph  
10 (3):

11           “(4) HOME CONFINEMENT.—

12           “(A) IN GENERAL.—Upon placement in  
13 home confinement pursuant to paragraph (2), a  
14 prisoner shall—

15           “(i) be subject to 24-hour electronic  
16 monitoring that enables the prompt identi-  
17 fication of any violation of clause (ii);

18           “(ii) remain in the prisoner’s resi-  
19 dence, with the exception of the following  
20 activities, subject to approval by the Direc-  
21 tor of the Bureau of Prisons—

22           “(I) participation in a job, job-  
23 seeking activities, or job-related activi-  
24 ties, including an apprenticeship;

1                   “(II) participation in recidivism  
2                   reduction programming or productive  
3                   activities assigned by the Post-Sen-  
4                   tencing Risk and Needs Assessment  
5                   System, or similar activities approved  
6                   in advance by the Director of the Bu-  
7                   reau of Prisons;

8                   “(III) participation in community  
9                   service;

10                   “(IV) crime victim restoration ac-  
11                   tivities;

12                   “(V) medical treatment; or

13                   “(VI) religious activities; and

14                   “(iii) comply with such other condi-  
15                   tions as the Director of the Bureau of  
16                   Prisons deems appropriate.

17                   “(B) ALTERNATIVE MEANS OF MONI-  
18                   TORING.—If compliance with subparagraph  
19                   (A)(i) is infeasible due to technical limitations  
20                   or religious considerations, the Director of the  
21                   Bureau of Prisons may employ alternative  
22                   means of monitoring that are determined to be  
23                   as effective or more effective than electronic  
24                   monitoring.

1           “(C) MODIFICATIONS.—The Director of  
2 the Bureau of Prisons may modify the condi-  
3 tions of the prisoner’s home confinement for  
4 compelling reasons, if the prisoner’s record  
5 demonstrates exemplary compliance with such  
6 conditions.

7           “(5) COMMUNITY SUPERVISION.—

8           “(A) TIME CREDIT LESS THAN 36  
9 MONTHS.—Any prisoner described in subpara-  
10 graph (D) who has earned time credit of less  
11 than 36 months pursuant to section  
12 3621(h)(6)(A) shall be eligible to serve no more  
13 than one-half of the amount of such credit on  
14 community supervision, if the prisoner satisfies  
15 the conditions set forth in subparagraph (C).

16           “(B) TIME CREDIT OF 36 MONTHS OR  
17 MORE.—Any prisoner described in subpara-  
18 graph (D) who has earned time credit of 36  
19 months or more pursuant to section  
20 3621(h)(6)(A) shall be eligible to serve the  
21 amount of such credit exceeding 18 months on  
22 community supervision, if the prisoner satisfies  
23 the conditions set forth in subparagraph (C).

24           “(C) CONDITIONS OF COMMUNITY SUPER-  
25 VISION.—A prisoner placed on community su-

1           pervision shall be subject to such conditions as  
2           the Director of the Bureau of Prisons deems  
3           appropriate. A prisoner on community super-  
4           vision may remain on community supervision  
5           until the conclusion of the prisoner's sentence  
6           of incarceration if the prisoner—

7                   “(i) complies with all conditions of  
8                   prerelease custody;

9                   “(ii) remains current on any financial  
10                  obligations imposed as part of the pris-  
11                  oner's sentence, including payments of  
12                  court-ordered restitution arising from the  
13                  offense of conviction; and

14                  “(iii) refrains from committing any  
15                  State, local, or Federal offense.

16           “(D) COVERED PRISONERS.—A prisoner  
17           described in this subparagraph is a prisoner  
18           who—

19                   “(i) is classified as low risk by the  
20                   Post-Sentencing Risk and Needs Assess-  
21                   ment System in the assessment conducted  
22                   for purposes of paragraph (2); or

23                   “(ii) is subsequently classified as low  
24                   risk by the Post-Sentencing Risk and  
25                   Needs Assessment System.



1           “(6) VIOLATIONS.—If a prisoner violates a con-  
2           dition of the prisoner’s prerelease custody, the Di-  
3           rector of the Bureau of Prisons may revoke the pris-  
4           oner’s prerelease custody and require the prisoner to  
5           serve the remainder of the prisoner’s term of incar-  
6           ceration, or any portion thereof, in prison, or impose  
7           additional conditions on the prisoner’s prerelease  
8           custody as the Director of the Bureau of Prisons  
9           deems appropriate. If the violation is nontechnical in  
10          nature, the Director of the Bureau of Prisons shall  
11          revoke the prisoner’s prerelease custody.

12           “(7) CREDIT FOR PRERELEASE CUSTODY.—  
13          Upon completion of a prisoner’s sentence, any term  
14          of supervised release imposed on the prisoner shall  
15          be reduced by the amount of time the prisoner  
16          served in prerelease custody pursuant to paragraph  
17          (2).

18           “(8) AGREEMENTS WITH UNITED STATES PRO-  
19          BATION AND PRETRIAL SERVICES.—The Director of  
20          the Bureau of Prisons shall, to the greatest extent  
21          practicable, enter into agreements with the United  
22          States Probation and Pretrial Services to supervise  
23          prisoners placed in home confinement or community  
24          supervision under this subsection. Such agreements  
25          shall authorize United States Probation and Pretrial

1 Services to exercise the authority granted to the Di-  
2 rector of the Bureau of Prisons pursuant to para-  
3 graphs (4), (5), and (12). Such agreements shall  
4 take into account the resource requirements of  
5 United States Probation and Pretrial Services as a  
6 result of the transfer of Bureau of Prisons inmates  
7 to prerelease custody and shall provide for the trans-  
8 fer of monetary sums necessary to comply with such  
9 requirements. United States Probation and Pretrial  
10 Services shall, to the greatest extent practicable,  
11 offer assistance to any prisoner not under its super-  
12 vision during prerelease custody under this sub-  
13 section.”; and

14 (5) by inserting at the end the following:

15 “(12) DETERMINATION OF APPROPRIATE CON-  
16 DITIONS FOR PRERELEASE CUSTODY.—In deter-  
17 mining appropriate conditions for prerelease custody  
18 pursuant to this subsection, and in accordance with  
19 paragraph (5), the Director of the Bureau of Pris-  
20 ons shall, to the extent practicable, subject prisoners  
21 who demonstrate continued compliance with the re-  
22 quirements of such prerelease custody to increas-  
23 ingly less restrictive conditions, so as to most effec-  
24 tively prepare such prisoners for reentry. No pris-  
25 oner shall be transferred to community supervision

1 unless the length of the prisoner's eligibility for com-  
2 munity supervision pursuant to paragraph (5) is  
3 equivalent to or greater than the length of the pris-  
4 oner's remaining period of prerelease custody.

5 “(13) ALIENS SUBJECT TO DEPORTATION.—If  
6 the prisoner is an alien whose deportation was or-  
7 dered as a condition of supervised release or who is  
8 subject to a detainer filed by Immigration and Cus-  
9 toms Enforcement for the purposes of determining  
10 the alien's deportability, the Director of the Bureau  
11 of Prisons shall, upon the prisoner's transfer to  
12 prerelease custody pursuant to paragraphs (1) and  
13 (2), deliver the prisoner to United States Immigra-  
14 tion and Customs Enforcement for the purpose of  
15 conducting proceedings relating to the alien's depor-  
16 tation.

17 “(14) NOTICE OF TRANSFER TO PRERELEASE  
18 CUSTODY.—

19 “(A) IN GENERAL.—The Director of the  
20 Bureau of Prisons may not transfer a prisoner  
21 to prerelease custody pursuant to paragraph (2)  
22 if the prisoner has been sentenced to a term of  
23 incarceration of more than 3 years, unless the  
24 Director of the Bureau of Prisons provides  
25 prior notice to the sentencing court and the

1 United States Attorney's Office for the district  
2 in which the prisoner was sentenced.

3 “(B) TIME REQUIREMENT.—The notice re-  
4 quired under subparagraph (A) shall be pro-  
5 vided not later than 6 months before the date  
6 on which the prisoner is to be transferred.

7 “(C) CONTENTS OF NOTICE.—The notice  
8 required under subparagraph (A) shall include  
9 the following information:

10 “(i) The amount of credit earned pur-  
11 suant to paragraph (2).

12 “(ii) The anticipated date of the pris-  
13 oner's transfer.

14 “(iii) The nature of the prisoner's  
15 planned prerelease custody.

16 “(iv) The prisoner's behavioral record.

17 “(v) The most recent risk assessment  
18 of the prisoner.

19 “(D) HEARING.—

20 “(i) IN GENERAL.—On motion of the  
21 Government, the sentencing court may  
22 conduct a hearing on the prisoner's trans-  
23 fer to prerelease custody.

24 “(ii) PRISONER'S PRESENCE.—The  
25 prisoner shall have the right to be present

1 at a hearing described in clause (i), unless  
2 the prisoner waives such right. The re-  
3 quirement under this clause may be satis-  
4 fied by the defendant appearing by video  
5 teleconference.

6 “(iii) MOTION.—A motion filed by the  
7 Government seeking a hearing—

8 “(I) shall set forth the basis for  
9 the Government’s request that the  
10 prisoner’s transfer be denied or modi-  
11 fied pursuant to subparagraph (E)  
12 and include input from local law en-  
13 forcement authorities regarding prior  
14 conduct or any other relevant infor-  
15 mation; and

16 “(II) shall not require the Court  
17 to conduct a hearing described in  
18 clause (i).

19 “(iv) JUSTICE DEPARTMENT REVIEW  
20 OF TRANSFERS TO PRERELEASE CUS-  
21 TODY.—If the Department of Justice does  
22 not seek a hearing under this subpara-  
23 graph to deny or modify a prisoner’s trans-  
24 fer to prerelease custody, the Department  
25 of Justice prior to such transfer shall

1           make a determination to that effect in  
2           writing, including the reasons for that de-  
3           termination.

4           “(E) DETERMINATION OF THE COURT.—  
5           The court may deny the transfer of the prisoner  
6           to prerelease custody or modify the terms of  
7           such transfer, if, after conducting a hearing  
8           pursuant to subparagraph (D), the court finds  
9           in writing, by a preponderance of the evidence,  
10          that the transfer of the prisoner is inconsistent  
11          with the factors specified in paragraphs (2),  
12          (6), and (7) of section 3553(a).”.

13          (b) EFFECTIVE DATE.—The amendments made by  
14 this section shall take effect 1 year after the date of enact-  
15 ment of this Act.

16 **SEC. 104. REPORTS.**

17          (a) ANNUAL REPORTS.—

18               (1) REPORTS.—Not later than 1 year after the  
19 date of enactment of this Act, and every year there-  
20 after, the Attorney General, in coordination with the  
21 Comptroller General of the United States, shall sub-  
22 mit to the appropriate committees of Congress a re-  
23 port that contains the following:

24                       (A) A summary of the activities and ac-  
25                       complishments of the Attorney General in car-

1           rying out this title and the amendments made  
2           by this title.

3           (B) An assessment of the status and use  
4           of the Post-Sentencing Risk and Needs Assess-  
5           ment System by the Bureau of Prisons, includ-  
6           ing the number of prisoners classified at each  
7           risk level under the Post-Sentencing Risk and  
8           Needs Assessment System at each facility of  
9           the Bureau of Prisons.

10          (C) A summary and assessment of the  
11          types and effectiveness of the recidivism reduc-  
12          tion programs and productive activities in facili-  
13          ties operated by the Bureau of Prisons, includ-  
14          ing—

15               (i) evidence about which programs  
16               and activities have been shown to reduce  
17               recidivism;

18               (ii) the capacity of each program and  
19               activity at each facility, including the num-  
20               ber of prisoners along with the risk level of  
21               each prisoner enrolled in each program and  
22               activity; and

23               (iii) identification of any problems or  
24               shortages in capacity of such programs

1 and activities, and how these should be  
2 remedied.

3 (D) An assessment of budgetary savings  
4 resulting from this title and the amendments  
5 made by this title, to include—

6 (i) a summary of the amount of sav-  
7 ings resulting from the transfer of pris-  
8 oners into prerelease custody under this  
9 title and the amendments made by this  
10 title, including savings resulting from the  
11 avoidance or deferral of future construc-  
12 tion, acquisition, or operations costs;

13 (ii) a summary of the amount of sav-  
14 ings resulting from any decrease in recidi-  
15 vism that may be attributed to the imple-  
16 mentation of the Post-Sentencing Risk and  
17 Needs Assessment System or the increase  
18 in recidivism reduction programs and pro-  
19 ductive activities required by this title and  
20 the amendments made by this title;

21 (iii) a strategy to reinvest such sav-  
22 ings into other Federal, State, and local  
23 law enforcement activities and expansions  
24 of recidivism reduction programs and pro-



1 ductive activities in the Bureau of Prisons;  
2 and

3 (iv) a description of how the reduced  
4 expenditures on Federal corrections and  
5 the budgetary savings resulting from this  
6 title, and the amendments made by this  
7 title, are currently being used and will be  
8 used to—

9 (I) increase investment in law en-  
10 forcement and crime prevention to  
11 combat gangs of national significance  
12 and high-level drug traffickers  
13 through the High Intensity Drug  
14 Trafficking Areas program and other  
15 task forces;

16 (II) hire, train, and equip law en-  
17 forcement officers and prosecutors;  
18 and

19 (III) promote crime reduction  
20 programs using evidence-based prac-  
21 tices and strategic planning to help  
22 reduce crime and criminal recidivism.

23 (2) REINVESTMENT OF SAVINGS TO FUND PUB-  
24 LIC SAFETY PROGRAMMING.—

1 (A) IN GENERAL.—Beginning in the first  
2 fiscal year after the first report is submitted  
3 under paragraph (1), and every fiscal year  
4 thereafter, the Attorney General shall—

5 (i) determine the covered amount for  
6 the previous fiscal year in accordance with  
7 subparagraph (B); and

8 (ii) use an amount of funds appro-  
9 priated to the Department of Justice that  
10 is not less than 90 percent of the covered  
11 amount for the purposes described in sub-  
12 paragraph (C).

13 (B) COVERED AMOUNT.—For purposes of  
14 this paragraph, the term “covered amount”  
15 means, using the most recent report submitted  
16 under paragraph (1), the amount equal to the  
17 sum of the amount described in paragraph  
18 (1)(D)(i) for the fiscal year and the amount de-  
19 scribed in paragraph (1)(D)(ii) for the fiscal  
20 year.

21 (C) USE OF FUNDS.—The funds described  
22 in subparagraph (A)(ii) shall be used, con-  
23 sistent with paragraph (1)(D)(iii), to achieve  
24 each of the following objectives:

1 (i) Ensure that, not later than 6 years  
2 after the date of enactment of this Act, re-  
3 cidivism reduction programs or productive  
4 activities are available to all eligible pris-  
5 oners.

6 (ii) Ensure compliance with the re-  
7 source needs of United States Probation  
8 and Pretrial Services resulting from an  
9 agreement under section 3624(c)(8) of title  
10 18, United States Code, as added by this  
11 title.

12 (iii) Supplement funding for programs  
13 that increase public safety by providing re-  
14 sources to State and local law enforcement  
15 officials, including for the adoption of in-  
16 novative technologies and information  
17 sharing capabilities.

18 (b) PRISON WORK PROGRAMS REPORT.—Not later  
19 than 180 days after the date of enactment of this Act,  
20 the Attorney General shall submit to the appropriate com-  
21 mittees of Congress a report on the status of prison work  
22 programs at facilities operated by the Bureau of Prisons,  
23 including—

24 (1) a strategy to expand the availability of such  
25 programs without reducing job opportunities for

1 workers in the United States who are not in the cus-  
2 tody of the Bureau of Prisons;

3 (2) an assessment of the feasibility of expand-  
4 ing such programs, consistent with the strategy re-  
5 quired under paragraph (1), so that, not later than  
6 5 years after the date of enactment of this Act, not  
7 less than 75 percent of eligible low-risk offenders  
8 have the opportunity to participate in a prison work  
9 program for not less than 20 hours per week; and

10 (3) a detailed discussion of legal authorities  
11 that would be useful or necessary to achieve the  
12 goals described in paragraphs (1) and (2).

13 (c) REPORTING ON RECIDIVISM RATES.—

14 (1) IN GENERAL.—Beginning 1 year after the  
15 date of enactment of this Act, and every year there-  
16 after, the Attorney General, in consultation with the  
17 Administrative Office of the United States Courts,  
18 shall report to the appropriate committees of Con-  
19 gress on rates of recidivism among individuals who  
20 have been released from Federal prison and who are  
21 under judicial supervision, including the rates of re-  
22 cidivism at regular annual intervals during the 10-  
23 year period after release from prison.

24 (2) CONTENTS.—The report required under  
25 paragraph (1) shall contain information on rates of

1       recidivism among former Federal prisoners, includ-  
2       ing information on rates of recidivism among former  
3       Federal prisoners based on the following criteria:

4               (A) Primary offense charged.

5               (B) Length of sentence imposed and  
6       served.

7               (C) Bureau of Prisons facility or facilities  
8       in which the prisoner's sentence was served.

9               (D) Recidivism reduction programming  
10       that the prisoner successfully completed, if any.

11              (E) The prisoner's assessed risk of recidi-  
12       vism.

13              (3) ASSISTANCE.—The Administrative Office of  
14       the United States Courts shall provide to the Attor-  
15       ney General any information in its possession that is  
16       necessary for the completion of the report required  
17       under paragraph (1).

18              (d) REPORTING ON EXCLUDED PRISONERS.—Not  
19       later than 8 years after the date of enactment of this Act,  
20       the Attorney General shall submit to the appropriate com-  
21       mittees of Congress a report on the effectiveness of recidi-  
22       vism reduction programs and productive activities offered  
23       to prisoners described in section 3621(h)(6)(A)(iii) of title  
24       18, United States Code, as added by this title, as well as  
25       those ineligible for credit toward prerelease custody under

1 section 3624(c)(2) of title 18, United States Code, as  
 2 added by this title, which shall review the effectiveness of  
 3 different categories of incentives in reducing recidivism.

4 (e) DEFINITION.—The term “appropriate committees  
 5 of Congress” means—

6 (1) the Committee on the Judiciary and the  
 7 Subcommittee on Commerce, Justice, Science, and  
 8 Related Agencies of the Committee on Appropria-  
 9 tions of the Senate; and

10 (2) the Committee on the Judiciary and the  
 11 Subcommittee on Commerce, Justice, Science, and  
 12 Related Agencies of the Committee on Appropria-  
 13 tions of the House of Representatives.

14 **SEC. 105. ADDITIONAL TOOLS TO PROMOTE RECOVERY**  
 15 **AND PREVENT DRUG AND ALCOHOL ABUSE**  
 16 **AND DEPENDENCE.**

17 (a) REENTRY AND RECOVERY PLANNING.—

18 (1) PRESENTENCE REPORTS.—Section 3552 of  
 19 title 18, United States Code, is amended—

20 (A) by redesignating subsections (b), (c),  
 21 and (d) as subsections (c), (d), and (e), respec-  
 22 tively;

23 (B) by inserting after subsection (a) the  
 24 following:

25 “(b) REENTRY AND RECOVERY PLANNING.—

1           “(1) IN GENERAL.—In addition to the informa-  
2           tion required by rule 32(d) of the Federal Rules of  
3           Criminal Procedure, the report submitted pursuant  
4           to subsection (a) shall contain the following informa-  
5           tion, unless such information is required to be ex-  
6           cluded pursuant to rule 32(d)(3) of the Federal  
7           Rules of Criminal Procedure or except as provided  
8           in paragraph (2):

9                   “(A) Information about the defendant’s  
10                  history of substance abuse and addiction, if ap-  
11                  plicable.

12                  “(B) Information about the defendant’s  
13                  service in the Armed Forces of the United  
14                  States and veteran status, if applicable.

15                  “(C) A detailed plan, which shall include  
16                  the identification of programming provided by  
17                  the Bureau of Prisons that is appropriate for  
18                  the defendant’s needs, that the probation officer  
19                  determines will—

20                          “(i) reduce the likelihood the defend-  
21                          ant will abuse drugs or alcohol if the de-  
22                          fendant has a history of substance abuse;

23                          “(ii) reduce the defendant’s likelihood  
24                          of recidivism by addressing the defendant’s  
25                          specific recidivism risk factors; and

1                   “(iii) assist the defendant preparing  
2                   for reentry into the community.

3                   “(2) EXCEPTIONS.—The information described  
4                   in paragraph (1)(C)(iii) shall not be required to be  
5                   included under paragraph (1), in the discretion of  
6                   the Probation Officer, if the applicable sentencing  
7                   range under the sentencing guidelines, as deter-  
8                   mined by the probation officer, includes a sentence  
9                   of life imprisonment or a sentence of probation.”;

10                   (C) in subsection (c), as redesignated, in  
11                   the first sentence, by striking “subsection (a) or  
12                   (c)” and inserting “subsection (a) or (d)”; and

13                   (D) in subsection (d), as redesignated, by  
14                   striking “subsection (a) or (b)” and inserting  
15                   “subsection (a) or (c)”.

16                   (2) TECHNICAL AND CONFORMING AMEND-  
17                   MENT.—Section 3672 of title 18, United States  
18                   Code, is amended in the eighth undesignated para-  
19                   graph by striking “subsection (b) or (c)” and insert-  
20                   ing “subsection (c) or (d)”.

21                   (b) PROMOTING FULL UTILIZATION OF RESIDEN-  
22                   TIAL DRUG TREATMENT.—Section 3621(e)(2) of title 18,  
23                   United States Code, is amended by adding at the end the  
24                   following:



1           “(C) COMMENCEMENT OF TREATMENT.—  
 2           Not later than 12 months after the date of en-  
 3           actment of this subparagraph, the Director of  
 4           the Bureau of Prisons shall ensure that each el-  
 5           igible prisoner has an opportunity to commence  
 6           participation in treatment under this subsection  
 7           by such date as is necessary to ensure that the  
 8           prisoner completes such treatment not later  
 9           than 1 year before the date on which the pris-  
 10          oner would otherwise be released from custody  
 11          prior to the application of any reduction in sen-  
 12          tence pursuant to this paragraph.

13           “(D) OTHER CREDITS.—The Director of  
 14          the Bureau of Prisons may, in the Director’s  
 15          discretion, reduce the credit awarded under  
 16          subsection (h)(6)(A) to a prisoner who receives  
 17          a reduction under subparagraph (B), but such  
 18          reduction may not exceed one-half the amount  
 19          of the reduction awarded to the prisoner under  
 20          subparagraph (B).”.

21          (c) SUPERVISED RELEASE PILOT PROGRAM TO RE-  
 22          DUCE RECIDIVISM AND IMPROVE RECOVERY FROM ALCO-  
 23          HOL AND DRUG ABUSE.—

24           (1) IN GENERAL.—Not later than 1 year after  
 25          the date of enactment of this Act, the Administrative

1 Office of the United States Courts shall establish a  
2 recidivism reduction and recovery enhancement pilot  
3 program, premised on high-intensity supervision and  
4 the use of swift, predictable, and graduated sanc-  
5 tions for noncompliance with program rules, in Fed-  
6 eral judicial districts selected by the Administrative  
7 Office of the United States Courts in consultation  
8 with the Attorney General.

9 (2) REQUIREMENTS OF PROGRAM.—Participa-  
10 tion in the pilot program required under paragraph  
11 (1) shall be subject to the following requirements:

12 (A) Upon entry into the pilot program, the  
13 court shall notify program participants of the  
14 rules of the program and consequences for vio-  
15 lating such rules, including the penalties to be  
16 imposed as a result of such violations pursuant  
17 to subparagraph (E).

18 (B) Probation officers shall conduct reg-  
19 ular drug testing of all pilot program partici-  
20 pants with a history of substance abuse.

21 (C) In the event that a probation officer  
22 determines that a participant has violated a  
23 term of supervised release, the officer shall no-  
24 tify the court within 24 hours of such deter-  
25 mination, absent good cause.

1 (D) As soon as is practicable, and in no  
2 case more than 1 week after the violation was  
3 reported by the probation officer, absent good  
4 cause, the court shall conduct a hearing on the  
5 alleged violation.

6 (E) If the court determines that a program  
7 participant has violated a term of supervised re-  
8 lease, it shall impose an appropriate sanction,  
9 which may include the following, if appropriate:

10 (i) Modification of the terms of such  
11 participant's supervised release, which may  
12 include imposition of a period of home con-  
13 finement.

14 (ii) Referral to appropriate substance  
15 abuse treatment.

16 (iii) Revocation of the defendant's su-  
17 pervised release and the imposition of a  
18 sentence of incarceration that is no longer  
19 than necessary to punish the participant  
20 for such violation and deter the participant  
21 from committing future violations.

22 (iv) For participants who habitually  
23 fail to abide by program rules or pose a  
24 threat to public safety, termination from  
25 the program.

1           (3) STATUS OF PARTICIPANT IF INCARCER-  
2       ATED.—

3           (A) IN GENERAL.—In the event that a pro-  
4       gram participant is sentenced to incarceration  
5       as described in paragraph (2)(E)(iii), the par-  
6       ticipant shall remain in the program upon re-  
7       lease from incarceration unless terminated from  
8       the program in accordance with paragraph  
9       (2)(E)(iv).

10          (B) POLICIES FOR MAINTAINING EMPLOY-  
11       MENT.—The Bureau of Prisons, in consultation  
12       with the Chief Probation Officers of the Federal  
13       judicial districts selected for participation in the  
14       pilot program required under paragraph (1),  
15       shall develop policies to enable program partici-  
16       pants sentenced to terms of incarceration as de-  
17       scribed in paragraph (2)(E) to, where prac-  
18       ticable, serve the terms of incarceration while  
19       maintaining employment, including allowing the  
20       terms of incarceration to be served on week-  
21       ends.

22          (4) ADVISORY SENTENCING POLICIES.—

23          (A) IN GENERAL.—The United States Sen-  
24       tencing Commission, in consultation with the  
25       Chief Probation Officers, the United States At-

1           torneys, Federal Defenders, and Chief Judges  
2           of the districts selected for participation in the  
3           pilot program required under paragraph (1),  
4           shall establish advisory sentencing policies to be  
5           used by the district courts in imposing sen-  
6           tences of incarceration in accordance with para-  
7           graph (2)(E).

8           (B) REQUIREMENT.—The advisory sen-  
9           tencing policies established under subparagraph  
10          (A) shall be consistent with the stated goal of  
11          the pilot program to impose predictable and  
12          graduated sentences that are no longer than  
13          necessary for violations of program rules.

14          (5) DURATION OF PROGRAM.—The pilot pro-  
15          gram required under paragraph (1) shall continue  
16          for not less than 5 years and may be extended for  
17          not more than 5 years by the Administrative Office  
18          of the United States Courts.

19          (6) ASSESSMENT OF PROGRAM OUTCOMES AND  
20          REPORT TO CONGRESS.—

21          (A) IN GENERAL.—Not later than 2 years  
22          after the date of enactment of this Act, the Ad-  
23          ministrative Office of the United States Courts  
24          shall conduct an evaluation of the pilot program

1 and submit to Congress a report on the results  
2 of the evaluation.

3 (B) CONTENTS.—The report required  
4 under subparagraph (A) shall include—

5 (i) the rates of substance abuse  
6 among program participants;

7 (ii) the rates of violations of the terms  
8 of supervised release by program partici-  
9 pants, and sanctions imposed;

10 (iii) information about employment of  
11 program participants;

12 (iv) a comparison of outcomes among  
13 program participants with outcomes among  
14 similarly situated individuals under the su-  
15 pervision of United States Probation and  
16 Pretrial Services not participating in the  
17 program; and

18 (v) an assessment of the effectiveness  
19 of each of the relevant features of the pro-  
20 gram.

21 **SEC. 106. PROMOTING SUCCESSFUL REENTRY.**

22 (a) FEDERAL REENTRY DEMONSTRATION  
23 PROJECTS.—

24 (1) EVALUATION OF EXISTING BEST PRACTICES  
25 FOR REENTRY.—Not later than 1 year after the date

1 of enactment of this Act, the Attorney General, in  
2 consultation with the Administrative Office of the  
3 United States Courts, shall—

4 (A) evaluate best practices used for the re-  
5 entry into society of individuals released from  
6 the custody of the Bureau of Prisons, includ-  
7 ing—

8 (i) conducting examinations of reentry  
9 practices in Federal, State, and local jus-  
10 tice systems; and

11 (ii) consulting with Federal, State,  
12 and local prosecutors, Federal, State, and  
13 local public defenders, nonprofit organiza-  
14 tions that provide reentry services, and  
15 criminal justice experts; and

16 (B) submit to the Committee on the Judi-  
17 ciary of the Senate and the Committee on the  
18 Judiciary of the House of Representatives a re-  
19 port that details the evaluation conducted under  
20 subparagraph (A).

21 (2) CREATION OF REENTRY DEMONSTRATION  
22 PROJECTS.—Not later than 3 years after the date of  
23 enactment of this Act, the Attorney General, in con-  
24 sultation with the Administrative Office of the  
25 United States Courts, shall, subject to the avail-

1 ability of appropriations, select an appropriate num-  
2 ber of Federal judicial districts to conduct Federal  
3 reentry demonstration projects using the best prac-  
4 tices identified in the evaluation conducted under  
5 paragraph (1), which may include Federal judicial  
6 districts with existing reentry programs. The Attor-  
7 ney General shall determine the appropriate number  
8 of Federal judicial districts to conduct demonstra-  
9 tion projects under this paragraph.

10 (3) PROJECT DESIGN.—For each Federal judi-  
11 cial district selected under paragraph (2), the United  
12 States Attorney, in consultation with the Chief  
13 Judge, Chief Federal Defender, the Chief Probation  
14 Officer, the Bureau of Justice Assistance, the Na-  
15 tional Institute of Justice, and criminal justice ex-  
16 perts shall design a Federal reentry demonstration  
17 project for the Federal judicial district in accordance  
18 with paragraph (4).

19 (4) PROJECT ELEMENTS.—A project designed  
20 under paragraph (3) shall coordinate efforts by Fed-  
21 eral agencies to assist participating prisoners in pre-  
22 paring for and adjusting to reentry into the commu-  
23 nity and may include, as appropriate—



1 (A) the use of community correctional fa-  
2 cilities and home confinement, as determined to  
3 be appropriate by the Bureau of Prisons;

4 (B) a reentry review team for each pris-  
5 oner to develop a reentry plan specific to the  
6 needs of the prisoner, and to meet with the  
7 prisoner following transfer to monitor the re-  
8 entry plan;

9 (C) steps to assist the prisoner in obtain-  
10 ing health care, housing, and employment, be-  
11 fore the prisoner's release from a community  
12 correctional facility or home confinement;

13 (D) regular drug testing for participants  
14 with a history of substance abuse;

15 (E) substance abuse treatment, which may  
16 include addiction treatment medication, if ap-  
17 propriate, medical treatment, including mental  
18 health treatment, occupational, vocational and  
19 educational training, apprenticeships, life skills  
20 instruction, recovery support, conflict resolution  
21 training, and other programming to promote ef-  
22 fective reintegration into the community;

23 (F) the participation of volunteers to serve  
24 as advisors and mentors to prisoners being re-  
25 leased into the community;

1           (G) steps to ensure that the prisoner  
2 makes satisfactory progress toward satisfying  
3 any obligations to victims of the prisoner's of-  
4 fense, including any obligation to pay restitu-  
5 tion; and

6           (H) the appointment of a reentry coordi-  
7 nator in the United States Attorney's Office.

8           (5) REVIEW OF PROJECT OUTCOMES.—Not  
9 later than 3 years after the date of enactment of  
10 this Act, the Administrative Office of the United  
11 States Courts, in consultation with the Attorney  
12 General, shall—

13           (A) evaluate the results from each Federal  
14 judicial district selected under paragraph (2),  
15 including the extent to which participating pris-  
16 oners released from the custody of the Bureau  
17 of Prisons were successfully reintegrated into  
18 their communities, including whether the par-  
19 ticipating prisoners maintained employment,  
20 and refrained from committing further offenses;  
21 and

22           (B) submit to the Committee on the Judi-  
23 ciary of the Senate and the Committee on the  
24 Judiciary of the House of Representatives a re-  
25 port that contains—

1 (i) the evaluation of the best practices  
2 identified in the report required under  
3 paragraph (1); and

4 (ii) the results of the demonstration  
5 projects required under paragraph (2).

6 (b) STUDY ON THE IMPACT OF REENTRY ON CER-  
7 TAIN COMMUNITIES.—

8 (1) IN GENERAL.—Not later than 2 years after  
9 the date of enactment of this Act, the Attorney Gen-  
10 eral, in consultation with the Administrative Office  
11 of the United States Courts, shall submit to the  
12 Committee on the Judiciary of the Senate and the  
13 Committee on the Judiciary of the House of Rep-  
14 resentatives a report on the impact of reentry of  
15 prisoners on communities in which a dispropor-  
16 tionate number of individuals reside upon release  
17 from incarceration.

18 (2) CONTENTS.—The report required under  
19 paragraph (1) shall analyze the impact of reentry of  
20 individuals released from both State and Federal  
21 correctional systems as well as State and Federal ju-  
22 venile justice systems, and shall include—

23 (A) an assessment of the reentry burdens  
24 borne by local communities and local law en-  
25 forcement agencies;

1 (B) a review of the resources available in  
2 such communities to support successful reentry,  
3 including resources provided by State, local,  
4 and Federal governments, the extent to which  
5 those resources are used effectively; and

6 (C) recommendations to strengthen the re-  
7 sources in such communities available to sup-  
8 port successful reentry and to lessen the burden  
9 placed on such communities by the need to sup-  
10 port reentry.

11 (c) FACILITATING REENTRY ASSISTANCE TO VET-  
12 ERANS.—

13 (1) IN GENERAL.—Not later than 2 months  
14 after the date of the commencement of a prisoner's  
15 sentence pursuant to section 3585(a) of title 18,  
16 United States Code, the Director of the Bureau of  
17 Prisons shall notify the Secretary of Veterans Af-  
18 fairs and the Secretary of Labor if the prisoner's  
19 presentence report, prepared pursuant to section  
20 3552 of title 18, United States Code, indicates that  
21 the prisoner has previously served in the Armed  
22 Forces of the United States or if the prisoner has  
23 so notified the Bureau of Prisons.

24 (2) POST-COMMENCEMENT NOTICE.—If the  
25 prisoner informs the Bureau of Prisons of the pris-

1       oner's prior service in the Armed Forces of the  
2       United States after the commencement of the pris-  
3       oner's sentence, the Director of the Bureau of Pris-  
4       ons shall notify the Secretary of Veterans Affairs  
5       and the Secretary of Labor not later than 2 months  
6       after the date on which the prisoner provides such  
7       notice.

8               (3) CONTENTS OF NOTICE.—The notice pro-  
9       vided by the Director of the Bureau of Prisons to  
10       the Secretary of Veterans Affairs and the Secretary  
11       of Labor under this subsection shall include the  
12       identity of the prisoner, the facility in which the  
13       prisoner is located, the prisoner's offense of convic-  
14       tion, and the length of the prisoner's sentence.

15              (4) ACCESS TO VA AND DOL.—The Bureau of  
16       Prisons shall provide the Department of Veterans  
17       Affairs and the Department of Labor with reason-  
18       able access to any prisoner who has previously  
19       served in the Armed Forces of the United States for  
20       purposes of facilitating that prisoner's reentry.

21 **SEC. 107. PAROLE FOR JUVENILES.**

22       (a) IN GENERAL.—Chapter 403 of title 18, United  
23       States Code, is amended by inserting after section 5032  
24       the following:

1 **“§ 5032A. Modification of an imposed term of impris-**  
2 **onment for violations of law committed**  
3 **prior to age 18**

4 “(a) IN GENERAL.—Notwithstanding any other pro-  
5 vision of law, a court may reduce a term of life imprison-  
6 ment imposed upon a defendant convicted as an adult for  
7 an offense committed and completed before the defendant  
8 attained 18 years of age if—

9 “(1) the defendant has served 30 years in cus-  
10 tody for the offense; and

11 “(2) the court finds, after considering the fac-  
12 tors set forth in subsection (c), that the defendant  
13 is not a danger to the safety of any person or the  
14 community and that the interests of justice warrant  
15 a sentence modification.

16 “(b) SUPERVISED RELEASE.—Any defendant whose  
17 sentence is reduced pursuant to subsection (a) shall be or-  
18 dered to serve a period of supervised release of not less  
19 than 5 years following release from imprisonment. The  
20 conditions of supervised release and any modification or  
21 revocation of the term of supervise release shall be in ac-  
22 cordance with section 3583.

23 “(c) FACTORS AND INFORMATION TO BE CONSID-  
24 ERED IN DETERMINING WHETHER TO MODIFY A TERM  
25 OF IMPRISONMENT.—The court, in determining whether

1 to reduce a term of imprisonment pursuant to subsection  
2 (a), shall consider—

3 “(1) the factors described in section 3553(a),  
4 including the nature of the offense and the history  
5 and characteristics of the defendant;

6 “(2) the age of the defendant at the time of the  
7 offense;

8 “(3) a report and recommendation of the Bu-  
9 reau of Prisons, including information on whether  
10 the defendant has substantially complied with the  
11 rules of each institution to which the defendant has  
12 been confined and whether the defendant has com-  
13 pleted any educational, vocational, or other prison  
14 program, where available;

15 “(4) a report and recommendation of the  
16 United States attorney for any district in which an  
17 offense for which the defendant is imprisoned was  
18 prosecuted;

19 “(5) whether the defendant has demonstrated  
20 maturity, rehabilitation, and a fitness to reenter so-  
21 ciety sufficient to justify a sentence reduction;

22 “(6) any statement, which may be presented  
23 orally or otherwise, by any victim of an offense for  
24 which the defendant is imprisoned or by a family  
25 member of the victim if the victim is deceased;

1           “(7) any report of physical, mental, or psy-  
2           chiatric examination of the defendant conducted by  
3           a licensed health care professional;

4           “(8) the family and community circumstances  
5           of the defendant at the time of the offense, including  
6           any history of abuse, trauma, or involvement in the  
7           child welfare system;

8           “(9) the extent of the role of the defendant in  
9           the offense and whether, and to what extent, an  
10          adult was involved in the offense;

11          “(10) the diminished culpability of juveniles as  
12          compared to that of adults, and the hallmark fea-  
13          tures of youth, including immaturity, impetuosity,  
14          and failure to appreciate risks and consequences,  
15          which counsel against sentencing them to the other-  
16          wise applicable term of imprisonment;

17          “(11) input from local law enforcement authori-  
18          ties regarding prior conduct and any other relevant  
19          information; and

20          “(12) any other information the court deter-  
21          mines relevant to the decision of the court.

22          “(d) LIMITATION ON APPLICATIONS PURSUANT TO  
23          THIS SECTION.—

24                  “(1) SECOND APPLICATION.—Not earlier than  
25                  5 years after the date on which an order entered by



1 a court on an initial application under this section  
2 becomes final, a court shall entertain a second appli-  
3 cation by the same defendant under this section.

4 “(2) FINAL APPLICATION.—Not earlier than 5  
5 years after the date on which an order entered by  
6 a court on a second application under paragraph (1)  
7 becomes final, a court shall entertain a final applica-  
8 tion by the same defendant under this section.

9 “(3) PROHIBITION.—A court may not entertain  
10 an application filed after an application filed under  
11 paragraph (2) by the same defendant.

12 “(e) PROCEDURES.—

13 “(1) NOTICE.—The Bureau of Prisons shall  
14 provide written notice of this section to—

15 “(A) any defendant who has served 19  
16 years in prison for an offense committed and  
17 completed before the defendant attained 18  
18 years of age for which the defendant was con-  
19 victed as an adult; and

20 “(B) the sentencing court, the United  
21 States attorney, and the Federal Public De-  
22 fender or Executive Director of the Community  
23 Defender Organization for the judicial district  
24 in which the sentence described in subpara-  
25 graph (A) was imposed.

1           “(2) CRIME VICTIMS RIGHTS.—Upon receiving  
2 notice under paragraph (1), the United States attorney  
3 shall provide any notifications required under  
4 section 3771.

5           “(3) APPLICATION.—

6           “(A) IN GENERAL.—An application for a  
7 sentence reduction under this section shall be  
8 filed as a motion to reduce the sentence of the  
9 defendant and may include affidavits or other  
10 written material.

11           “(B) REQUIREMENT.—A motion to reduce  
12 a sentence under this section shall be filed with  
13 the sentencing court and a copy shall be served  
14 on the United States attorney for the judicial  
15 district in which the sentence was imposed.

16           “(4) EXPANDING THE RECORD; HEARING.—

17           “(A) EXPANDING THE RECORD.—After the  
18 filing of a motion to reduce a sentence under  
19 this section, the court may direct the parties to  
20 expand the record by submitting additional  
21 written materials relating to the motion.

22           “(B) HEARING.—

23           “(i) IN GENERAL.—The court shall  
24 conduct a hearing on the motion, at which  
25 the defendant and counsel for the defend-

1 ant shall be given the opportunity to be  
2 heard.

3 “(ii) EVIDENCE.—In a hearing under  
4 this section, the court may allow for par-  
5 ties to present evidence.

6 “(iii) DEFENDANT’S PRESENCE.—At  
7 a hearing under this section, the defendant  
8 shall be present unless the defendant  
9 waives the right to be present. The re-  
10 quirement under this clause may be satis-  
11 fied by the defendant appearing by video  
12 teleconference.

13 “(iv) COUNSEL.—A defendant who is  
14 unable to obtain counsel is entitled to have  
15 counsel appointed to represent the defend-  
16 ant for proceedings under this section, in-  
17 cluding any appeal, unless the defendant  
18 waives the right to counsel.

19 “(v) FINDINGS.—The court shall state  
20 in open court, and file in writing, the rea-  
21 sons for granting or denying a motion  
22 under this section.

23 “(C) APPEAL.—The Government or the  
24 defendant may file a notice of appeal in the dis-  
25 trict court for review of a final order under this

1 section. The time limit for filing such appeal  
 2 shall be governed by rule 4(a) of the Federal  
 3 Rules of Appellate Procedure.

4 “(f) EDUCATIONAL AND REHABILITATIVE PRO-  
 5 GRAMS.—A defendant who is convicted and sentenced as  
 6 an adult for an offense committed and completed before  
 7 the defendant attained 18 years of age may not be de-  
 8 prived of any educational, training, or rehabilitative pro-  
 9 gram that is otherwise available to the general prison pop-  
 10 ulation.”.

11 (b) TABLE OF SECTIONS.—The table of sections for  
 12 chapter 403 of title 18, United States Code, is amended  
 13 by inserting after the item relating to section 5032 the  
 14 following:

“5032A. Modification of an imposed term of imprisonment for violations of law  
 committed prior to age 18.”.

15 (c) APPLICABILITY.—The amendments made by this  
 16 section shall apply to any conviction entered before, on,  
 17 or after the date of enactment of this Act.

18 **SEC. 108. COMPASSIONATE RELEASE INITIATIVE.**

19 Section 231(g) of the Second Chance Act of 2007 (34  
 20 U.S.C. 60541(g)) is amended—

21 (1) in paragraph (1)—

22 (A) by inserting “and eligible terminally ill  
 23 offenders” after “elderly offenders” each place  
 24 that term appears; and

1 (B) in subparagraph (B), by inserting “,  
2 upon written request from either the Bureau of  
3 Prisons or an eligible elderly offender or eligible  
4 terminally ill offender” after “to home deten-  
5 tion”;

6 (2) in paragraph (2), by inserting “or eligible  
7 terminally ill offender” after “elderly offender”;

8 (3) in paragraph (3), by striking “and shall be  
9 carried out during fiscal years 2009 and 2010”;

10 (4) in paragraph (4)—

11 (A) by inserting “or eligible terminally ill  
12 offender” after “each eligible elderly offender”;  
13 and

14 (B) by inserting “and eligible terminally ill  
15 offenders” after “eligible elderly offenders”;  
16 and

17 (5) in paragraph (5)—

18 (A) in subparagraph (A)—

19 (i) in clause (i), by striking “65  
20 years” and inserting “60 years”; and

21 (ii) in clause (ii)—

22 (I) by striking “the greater of 10  
23 years or”; and

24 (II) by striking “75 percent” and  
25 inserting “ $\frac{2}{3}$ ”; and

1 (B) by adding at the end the following:

2 “(D) ELIGIBLE TERMINALLY ILL OF-  
3 FENDER.—The term ‘eligible terminally ill of-  
4 fender’ means an offender in the custody of the  
5 Bureau of Prisons who—

6 “(i) is serving a term of imprisonment  
7 based on conviction for an offense or of-  
8 fenses that do not include any crime of vio-  
9 lence (as defined in section 16 of title 18,  
10 United States Code), sex offense (as de-  
11 fined in section 111(5) of the Sex Offender  
12 Registration and Notification Act (34  
13 U.S.C. 20911(5))), offense described in  
14 section 2332b(g)(5)(B) of title 18, United  
15 States Code, or offense under chapter 37  
16 of title 18, United States Code;

17 “(ii) satisfies the criteria specified in  
18 clauses (iii) through (vii) of subparagraph  
19 (A); and

20 “(iii) has been determined by a med-  
21 ical doctor approved by the Bureau of  
22 Prisons to be—

23 “(I) in need of care at a nursing  
24 home, intermediate care facility, or  
25 assisted living facility, as those terms

1 are defined in section 232 of the Na-  
2 tional Housing Act (12 U.S.C.  
3 1715w); or

4 “(II) diagnosed with a terminal  
5 illness.”.

6 **TITLE II—BUREAU OF PRISONS**  
7 **SECURE FIREARMS STORAGE**

8 **SEC. 201. SHORT TITLE.**

9 This title may be cited as the “Lieutenant Osvaldo  
10 Albarati Correctional Officer Self-Protection Act of  
11 2017”.

12 **SEC. 202. FINDINGS.**

13 Congress finds that—

14 (1) the Law Enforcement Officers Safety Act of  
15 2004 (Public Law 108–277; 118 Stat. 865) gives  
16 certain law enforcement officers, including certain  
17 correctional officers of the Bureau of Prisons, the  
18 right to carry a concealed firearm in all 50 States  
19 for self-protection;

20 (2) the purpose of that Act is to allow certain  
21 law enforcement officers to protect themselves while  
22 off duty;

23 (3) correctional officers of the Bureau of Pris-  
24 ons have been the targets of assaults and murders  
25 while off duty; and

1           (4) while that Act allows certain law enforce-  
2           ment officers to protect themselves off duty, the Di-  
3           rector of the Bureau of Prisons allows correctional  
4           officers of the Bureau of Prisons to securely store  
5           personal firearms at only 33 Federal penal and cor-  
6           rectional institutions while at work.

7 **SEC. 203. SECURE FIREARMS STORAGE.**

8           (a) IN GENERAL.—Chapter 303 of title 18, United  
9           States Code, is amended by adding at the end the fol-  
10          lowing:

11 **“§ 4050. Secure firearms storage**

12          “(a) DEFINITIONS.—In this section—

13               “(1) the term ‘employee’ means a qualified law  
14               enforcement officer employed by the Bureau of Pris-  
15               ons; and

16               “(2) the terms ‘firearm’ and ‘qualified law en-  
17               forcement officer’ have the meanings given those  
18               terms in section 926B.

19          “(b) SECURE FIREARMS STORAGE.—The Director of  
20          the Bureau of Prisons shall ensure that each chief execu-  
21          tive officer of a Federal penal or correctional institution—

22               “(1)(A) provides a secure storage area located  
23               outside of the secure perimeter of the institution for  
24               employees to store firearms; or



1           “(B) allows employees to store firearms in a ve-  
2           hicle lockbox approved by the Director of the Bureau  
3           of Prisons; and

4           “(2) notwithstanding any other provision of  
5           law, allows employees to carry concealed firearms on  
6           the premises outside of the secure perimeter of the  
7           institution.”.

8           (b) TECHNICAL AND CONFORMING AMENDMENT.—  
9           The table of sections for chapter 303 of title 18, United  
10          States Code, as amended by this Act, is further amended  
11          by adding at the end the following:

          “4050. Secure firearms storage.”.

12          **TITLE III—NATIONAL CRIMINAL**  
13                           **JUSTICE COMMISSION**

14          **SEC. 301. SHORT TITLE.**

15           This title may be cited as the “National Criminal  
16          Justice Commission Act of 2017”.

17          **SEC. 302. FINDINGS.**

18           Congress finds that—

19           (1) it is in the interest of the Nation to estab-  
20           lish a commission to undertake a comprehensive re-  
21           view of the criminal justice system;

22           (2) there has not been a comprehensive study  
23           since the President’s Commission on Law Enforce-  
24           ment and Administration of Justice was established  
25           in 1965;

1           (3) that commission, in a span of 18 months,  
2           produced a comprehensive report entitled “The  
3           Challenge of Crime in a Free Society”, which con-  
4           tained 200 specific recommendations on all aspects  
5           of the criminal justice system involving Federal,  
6           State, tribal, and local governments, civic organiza-  
7           tions, religious institutions, business groups, and in-  
8           dividual citizens; and

9           (4) developments over the intervening 50 years  
10          require once again that Federal, State, tribal, and  
11          local governments, law enforcement agencies, includ-  
12          ing rank and file officers, civil rights organizations,  
13          community-based organization leaders, civic organi-  
14          zations, religious institutions, business groups, and  
15          individual citizens come together to review evidence  
16          and consider how to improve the criminal justice  
17          system.

18 **SEC. 303. ESTABLISHMENT OF COMMISSION.**

19          There is established a commission to be known as the  
20          “National Criminal Justice Commission” (referred to in  
21          this title as the “Commission”).

22 **SEC. 304. PURPOSE OF THE COMMISSION.**

23          The Commission shall—

24               (1) undertake a comprehensive review of the  
25          criminal justice system;

1           (2) make recommendations for Federal criminal  
2 justice reform to the President and Congress; and

3           (3) disseminate findings and supplemental guid-  
4 ance to the Federal Government, as well as to State,  
5 local, and tribal governments.

6 **SEC. 305. REVIEW, RECOMMENDATIONS, AND REPORT.**

7           (a) GENERAL REVIEW.—The Commission shall un-  
8 dertake a comprehensive review of all areas of the criminal  
9 justice system, including Federal, State, local, and tribal  
10 governments' criminal justice costs, practices, and policies.

11           (b) RECOMMENDATIONS.—

12           (1) IN GENERAL.—Not later than 18 months  
13 after the first meeting of the Commission, the Com-  
14 mission shall submit to the President and Congress  
15 recommendations for changes in Federal oversight,  
16 policies, practices, and laws designed to prevent,  
17 deter, and reduce crime and violence, reduce recidi-  
18 vism, improve cost-effectiveness, and ensure the in-  
19 terests of justice at every step of the criminal justice  
20 system.

21           (2) UNANIMOUS CONSENT REQUIRED.—A rec-  
22 ommendation of the Commission may be adopted  
23 and submitted under paragraph (1) if the rec-  
24 ommendation is approved by a unanimous vote of

1 the Commissioners at a meeting where a quorum is  
2 present pursuant to section 306(d).

3 (3) REQUIREMENT.—The recommendations  
4 submitted under this subsection shall be made avail-  
5 able to the public.

6 (c) REPORT.—

7 (1) IN GENERAL.—Not later than 18 months  
8 after the first meeting of the Commission, the Com-  
9 mission shall also disseminate to the Federal Gov-  
10 ernment, as well as to State, local, and tribal gov-  
11 ernments, a report that details the findings and sup-  
12 plemental guidance of the Commission regarding the  
13 criminal justice system at all levels of government.

14 (2) MAJORITY VOTE REQUIRED.—Commission  
15 findings and supplemental guidance may be adopted  
16 and included in the report required under paragraph  
17 (1) if the findings or guidance is approved by a ma-  
18 jority vote of the Commissioners at a meeting where  
19 a quorum is present pursuant to section 306(d), ex-  
20 cept that any Commissioners dissenting from par-  
21 ticular findings or supplemental guidance shall have  
22 the right to state the reason for their dissent in  
23 writing and such dissent shall be included in the re-  
24 port of the Commission.

1           (3) REQUIREMENT.—The report submitted  
2           under this subsection shall be made available to the  
3           public.

4           (d) PRIOR COMMISSIONS.—The Commission shall  
5           take into consideration the work of prior relevant commis-  
6           sions in conducting its review.

7           (e) STATE AND LOCAL GOVERNMENT.—In issuing its  
8           recommendations and report under this section, the Com-  
9           mission shall not infringe on the legitimate rights of the  
10          States to determine their own criminal laws or the enforce-  
11          ment of such laws.

12          (f) PUBLIC HEARINGS.—The Commission shall con-  
13          duct public hearings in various locations around the  
14          United States.

15          (g) CONSULTATION WITH GOVERNMENT AND NON-  
16          GOVERNMENT REPRESENTATIVES.—

17                (1) IN GENERAL.—The Commission shall—

18                    (A) closely consult with Federal, State,  
19                    local, and tribal government and nongovern-  
20                    mental leaders, including State, local, and tribal  
21                    law enforcement officials, including rank and  
22                    file officers, legislators, public health officials,  
23                    judges, court administrators, prosecutors, de-  
24                    fense counsel, victims' rights organizations, pro-  
25                    bation and parole officials, criminal justice

1 planners, criminologists, civil rights and lib-  
2 erities organizations, community-based organiza-  
3 tion leaders, formerly incarcerated individuals,  
4 professional organizations, and corrections offi-  
5 cials; and

6 (B) include in the final report required  
7 under subsection (c) summaries of the input  
8 and recommendations of these leaders.

9 (2) UNITED STATES SENTENCING COMMIS-  
10 SION.—To the extent the review and recommenda-  
11 tions required by this section relate to sentencing  
12 policies and practices for the Federal criminal jus-  
13 tice system, the Commission shall conduct such re-  
14 view and make such recommendations in consulta-  
15 tion with the United States Sentencing Commission.

16 (h) SENSE OF CONGRESS, GOAL OF UNANIMITY.—  
17 It is the sense of the Congress that, given the national  
18 importance of the matters before the Commission, the  
19 Commission should work toward unanimously supported  
20 findings and supplemental guidance, and that unani-  
21 mously supported findings and supplemental guidance  
22 should take precedence over those findings and supple-  
23 mental guidance that are not unanimously supported.

1 **SEC. 306. MEMBERSHIP.**

2 (a) IN GENERAL.—The Commission shall be com-  
3 posed of 14 members, as follows:

4 (1) One member shall be appointed by the  
5 President, who shall serve as co-chairman of the  
6 Commission.

7 (2) One member shall be appointed by the lead-  
8 er of the Senate, in consultation with the leader of  
9 the House of Representatives, that is a member of  
10 the opposite party of the President, who shall serve  
11 as co-chairman of the Commission.

12 (3) Two members shall be appointed by the sen-  
13 ior member of the Senate leadership of the Demo-  
14 cratic Party, in consultation with the Democratic  
15 leadership of the Committee on the Judiciary.

16 (4) Two members shall be appointed by the sen-  
17 ior member of the Senate leadership of the Repub-  
18 lican Party, in consultation with the Republican  
19 leadership of the Committee on the Judiciary.

20 (5) Two members shall be appointed by the sen-  
21 ior member of the leadership of the House of Rep-  
22 resentatives of the Republican Party, in consultation  
23 with the Republican leadership of the Committee on  
24 the Judiciary.

25 (6) Two members shall be appointed by the sen-  
26 ior member of the leadership of the House of Rep-

1 representatives of the Democratic Party, in consultation  
2 with the Democratic leadership of the Committee on  
3 the Judiciary.

4 (7) Two members, who shall be State and local  
5 representatives, shall be appointed by the President  
6 in agreement with the leader of the Senate (majority  
7 or minority leader, as the case may be) of the Re-  
8 publican Party and the leader of the House of Rep-  
9 resentatives (majority or minority leader, as the case  
10 may be) of the Republican Party.

11 (8) Two members, who shall be State and local  
12 representatives, shall be appointed by the President  
13 in agreement with the leader of the Senate (majority  
14 or minority leader, as the case may be) of the Demo-  
15 cratic Party and the leader of the House of Rep-  
16 resentatives (majority or minority leader, as the case  
17 may be) of the Democratic Party.

18 (b) MEMBERSHIP.—

19 (1) QUALIFICATIONS.—The individuals ap-  
20 pointed from private life as members of the Commis-  
21 sion shall be individuals with distinguished reputa-  
22 tions for integrity and nonpartisanship who are na-  
23 tionally recognized for expertise, knowledge, or expe-  
24 rience in such relevant areas as—

25 (A) law enforcement;



- 1 (B) criminal justice;  
2 (C) national security;  
3 (D) prison and jail administration;  
4 (E) prisoner reentry;  
5 (F) public health, including physical and  
6 sexual victimization, drug addiction and mental  
7 health;  
8 (G) victims' rights;  
9 (H) civil rights;  
10 (I) civil liberties;  
11 (J) court administration;  
12 (K) social services; and  
13 (L) State, local, and tribal government.

14 (2) DISQUALIFICATION.—An individual shall  
15 not be appointed as a member of the Commission if  
16 such individual possesses any personal financial in-  
17 terest in the discharge of any of the duties of the  
18 Commission.

19 (3) TERMS.—Members shall be appointed for  
20 the life of the Commission.

21 (c) APPOINTMENT; FIRST MEETING.—

22 (1) APPOINTMENT.—Members of the Commis-  
23 sion shall be appointed not later than 45 days after  
24 the date of the enactment of this Act.

1           (2) FIRST MEETING.—The Commission shall  
2 hold its first meeting on the date that is 60 days  
3 after the date of enactment of this Act, or not later  
4 than 30 days after the date on which funds are  
5 made available for the Commission, whichever is  
6 later.

7           (3) ETHICS.—At the first meeting of the Com-  
8 mission, the Commission shall draft appropriate eth-  
9 ics guidelines for commissioners and staff, including  
10 guidelines relating to conflict of interest and finan-  
11 cial disclosure. The Commission shall consult with  
12 the Senate and House Committees on the Judiciary  
13 as a part of drafting the guidelines and furnish the  
14 committees with a copy of the completed guidelines.

15 (d) MEETINGS; QUORUM; VACANCIES.—

16           (1) MEETINGS.—The Commission shall meet at  
17 the call of the co-chairs or a majority of its mem-  
18 bers.

19           (2) QUORUM.—Eight members of the Commis-  
20 sion shall constitute a quorum for purposes of con-  
21 ducting business, except that 2 members of the  
22 Commission shall constitute a quorum for purposes  
23 of receiving testimony.

24           (3) VACANCIES.—Any vacancy in the Commis-  
25 sion shall not affect its powers, but shall be filled in

1 the same manner in which the original appointment  
2 was made. If vacancies in the Commission occur on  
3 any day after 45 days after the date of the enact-  
4 ment of this Act, a quorum shall consist of a major-  
5 ity of the members of the Commission as of such  
6 day, so long as not less than 1 Commission member  
7 chosen by a member of each party, Republican and  
8 Democratic, is present.

9 (e) ACTIONS OF COMMISSION.—

10 (1) IN GENERAL.—The Commission—

11 (A) shall, subject to the requirements of  
12 section 305, act by resolution agreed to by a  
13 majority of the members of the Commission  
14 voting and present; and

15 (B) may establish panels composed of less  
16 than the full membership of the Commission for  
17 purposes of carrying out the duties of the Com-  
18 mission under this title—

19 (i) which shall be subject to the review  
20 and control of the Commission; and

21 (ii) any findings and determinations  
22 made by such a panel shall not be consid-  
23 ered the findings and determinations of the  
24 Commission unless approved by the Com-  
25 mission.

1           (2) DELEGATION.—Any member, agent, or staff  
2 of the Commission may, if authorized by the co-  
3 chairs of the Commission, take any action which the  
4 Commission is authorized to take pursuant to this  
5 title.

6 **SEC. 307. ADMINISTRATION.**

7           (a) STAFF.—

8           (1) EXECUTIVE DIRECTOR.—The Commission  
9 shall have a staff headed by an Executive Director.  
10 The Executive Director shall be paid at a rate estab-  
11 lished for the Certified Plan pay level for the Senior  
12 Executive Service under section 5382 of title 5,  
13 United States Code.

14           (2) APPOINTMENT AND COMPENSATION.—The  
15 co-chairs of the Commission shall designate and fix  
16 the compensation of the Executive Director and, in  
17 accordance with rules agreed upon by the Commis-  
18 sion, may appoint and fix the compensation of such  
19 other personnel as may be necessary to enable the  
20 Commission to carry out its functions, without re-  
21 gard to the provisions of title 5, United States Code,  
22 governing appointments in the competitive service,  
23 and without regard to the provisions of chapter 51  
24 and subchapter III of chapter 53 of such title relat-  
25 ing to classification and General Schedule pay rates,

1       except that no rate of pay fixed under this sub-  
2       section may exceed the equivalent of that payable for  
3       a position at level V of the Executive Schedule under  
4       section 5316 of title 5, United States Code.

5               (3) PERSONNEL AS FEDERAL EMPLOYEES.—

6               (A) IN GENERAL.—The Executive Director  
7       and any personnel of the Commission who are  
8       employees shall be employees under section  
9       2105 of title 5, United States Code, for pur-  
10      poses of chapters 63, 81, 83, 84, 85, 87, 89,  
11      and 90 of that title.

12              (B) MEMBERS OF COMMISSION.—Subpara-  
13      graph (A) shall not be construed to apply to  
14      members of the Commission.

15              (4) THE COMPENSATION OF COMMISSIONERS.—

16      Each member of the Commission may be com-  
17      pensated at not to exceed the daily equivalent of the  
18      annual rate of basic pay in effect for a position at  
19      level V of the Executive Schedule under section 5315  
20      of title 5, United States Code, for each day during  
21      which that member is engaged in the actual per-  
22      formance of the duties of the Commission. All mem-  
23      bers of the Commission who are officers or employ-  
24      ees of the United States, State, or local government

1 shall serve without compensation in addition to that  
2 received for their services as officers or employees.

3 (5) TRAVEL EXPENSES.—While away from  
4 their homes or regular places of business in the per-  
5 formance of services for the Commission, members  
6 of the Commission shall be allowed travel expenses,  
7 including per diem in lieu of subsistence, in the  
8 same manner as persons employed intermittently in  
9 the Government service are allowed expenses under  
10 section 5703(b) of title 5, United States Code.

11 (b) EXPERTS AND CONSULTANTS.—With the ap-  
12 proval of the Commission, the Executive Director may  
13 procure temporary and intermittent services under section  
14 3109(b) of title 5, United States Code.

15 (c) DETAIL OF GOVERNMENT EMPLOYEES.—Upon  
16 the request of the Commission, the head of any Federal  
17 agency may detail, without reimbursement, any of the per-  
18 sonnel of such agency to the Commission to assist in car-  
19 rying out the duties of the Commission. Any such detail  
20 shall not interrupt or otherwise affect the civil service sta-  
21 tus or privileges of the Federal employee.

22 (d) OTHER RESOURCES.—The Commission shall  
23 have reasonable access to materials, resources, statistical  
24 data, and other information such Commission determines  
25 to be necessary to carry out its duties from the Library

1 of Congress, the Department of Justice, the Office of Na-  
2 tional Drug Control Policy, the Department of State, and  
3 other agencies of the executive and legislative branches of  
4 the Federal Government. The co-chairs of the Commission  
5 shall make requests for such access in writing when nec-  
6 essary.

7 (e) VOLUNTEER SERVICES.—Notwithstanding the  
8 provisions of section 1342 of title 31, United States Code,  
9 the Commission is authorized to accept and utilize the  
10 services of volunteers serving without compensation. The  
11 Commission may reimburse such volunteers for local travel  
12 and office supplies, and for other travel expenses, includ-  
13 ing per diem in lieu of subsistence, as authorized by sec-  
14 tion 5703 of title 5, United States Code. A person pro-  
15 viding volunteer services to the Commission shall be con-  
16 sidered an employee of the Federal Government in per-  
17 formance of those services for the purposes of chapter 81  
18 of title 5, United States Code, relating to compensation  
19 for work-related injuries, chapter 171 of title 28, United  
20 States Code, relating to tort claims, and chapter 11 of  
21 title 18, United States Code, relating to conflicts of inter-  
22 est.

23 (f) OBTAINING OFFICIAL DATA.—The Commission  
24 may secure directly from any agency of the United States  
25 information necessary to enable it to carry out this title.

1 Upon the request of the co-chairs of the Commission, the  
2 head of that department or agency shall furnish that infor-  
3 mation to the Commission. The Commission shall not have  
4 access to sensitive information regarding ongoing inves-  
5 tigations.

6 (g) **MAILS.**—The Commission may use the United  
7 States mails in the same manner and under the same con-  
8 ditions as other departments and agencies of the United  
9 States.

10 (h) **ADMINISTRATIVE REPORTING.**—The Commission  
11 shall issue biannual status reports to Congress regarding  
12 the use of resources, salaries, and all expenditures of ap-  
13 propriated funds.

14 (i) **CONTRACTS.**—The Commission is authorized to  
15 enter into contracts with Federal and State agencies, pri-  
16 vate firms, institutions, and individuals for the conduct of  
17 activities necessary to the discharge of its duties and re-  
18 sponsibilities. A contract, lease or other legal agreement  
19 entered into by the Commission may not extend beyond  
20 the date of the termination of the Commission.

21 (j) **GIFTS.**—Subject to existing law, the Commission  
22 may accept, use, and dispose of gifts or donations of serv-  
23 ices or property.

24 (k) **ADMINISTRATIVE ASSISTANCE.**—The Adminis-  
25 trator of General Services shall provide to the Commis-



1 sion, on a reimbursable basis, the administrative support  
2 services necessary for the Commission to carry out its re-  
3 sponsibilities under this title. These administrative serv-  
4 ices may include human resource management, budget,  
5 leasing, accounting, and payroll services.

6 (1) NONAPPLICABILITY OF FACCA AND PUBLIC AC-  
7 CESS TO MEETINGS AND MINUTES.—

8 (1) IN GENERAL.—The Federal Advisory Com-  
9 mittee Act (5 U.S.C. App.) shall not apply to the  
10 Commission.

11 (2) MEETINGS AND MINUTES.—

12 (A) MEETINGS.—

13 (i) ADMINISTRATION.—All meetings of  
14 the Commission shall be open to the pub-  
15 lic, except that a meeting or any portion of  
16 it may be closed to the public if it concerns  
17 matters or information described in section  
18 552b(e) of title 5, United States Code. In-  
19 terested persons shall be permitted to ap-  
20 pear at open meetings and present oral or  
21 written statements on the subject matter  
22 of the meeting. The Commission may ad-  
23 minister oaths or affirmations to any per-  
24 son appearing before it.

1                   (ii) NOTICE.—All open meetings of  
2                   the Commission shall be preceded by time-  
3                   ly public notice in the Federal Register of  
4                   the time, place, and subject of the meeting.

5                   (B) MINUTES AND PUBLIC AVAIL-  
6                   ABILITY.—Minutes of each open meeting shall  
7                   be kept and shall contain a record of the people  
8                   present, a description of the discussion that oc-  
9                   curred, and copies of all statements filed. The  
10                  minutes and records of all open meetings and  
11                  other documents that were made available to or  
12                  prepared for the Commission shall be available  
13                  for public inspection and copying at a single lo-  
14                  cation in the offices of the Commission.

15                  (m) ARCHIVING.—Not later than the date of termi-  
16                  nation of the Commission, all records and papers of the  
17                  Commission shall be delivered to the Archivist of the  
18                  United States for deposit in the National Archives.

19 **SEC. 308. AUTHORIZATION FOR USE OF FUNDS.**

20                  For each of fiscal years 2018 and 2019, the Attorney  
21                  General may use, from any unobligated balances made  
22                  available under the heading “GENERAL ADMINISTRA-  
23                  TION” to the Department of Justice in an appropriations  
24                  Act, such amounts as are necessary, not to exceed  
25                  \$7,000,000 per fiscal year and not to exceed \$14,000,000

1 total for both fiscal years, to carry out this title, except  
2 that none of the funds authorized to be used to carry out  
3 this title may be used for international travel.

4 **SEC. 309. SUNSET.**

5       The Commission shall terminate 60 days after the  
6 Commission submits the report required under section  
7 305(c) to Congress.

○