

Calendar No. 269

103D CONGRESS
1ST SESSION

H. R. 3350

AN ACT

To establish a program of residential substance
abuse treatment within Federal prisons.

NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Received; read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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AN ACT

To establish a program of residential substance abuse
treatment within Federal prisons.

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. SUBSTANCE ABUSE TREATMENT IN FEDERAL**
4 **PRISONS.**

5 Section 3621 of title 18, United States Code, is
6 amended—

7 (1) in the last sentence of subsection (b), by
8 striking “, to the extent practicable,”; and

9 (2) by adding at the end the following new sub-
10 section:

11 “(e) SUBSTANCE ABUSE TREATMENT.—

1 “(1) PHASE-IN.—In order to carry out the re-
2 quirement of the last sentence of subsection (b) of
3 this section, that every prisoner with a substance
4 abuse problem have the opportunity to participate in
5 appropriate substance abuse treatment, the Bureau
6 of Prisons shall provide substance abuse treat-
7 ment—

8 “(A) for not less than 50 percent of eligi-
9 ble prisoners by the end of fiscal year 1995,
10 with priority for such treatment accorded based
11 on an eligible prisoner’s proximity to release
12 date;

13 “(B) for not less than 75 percent of eligi-
14 ble prisoners by the end of fiscal year 1996,
15 with priority for such treatment accorded based
16 on an eligible prisoner’s proximity to release
17 date; and

18 “(C) for all eligible prisoners by the end of
19 fiscal year 1997 and thereafter, with priority
20 for such treatment accorded based on an eligi-
21 ble prisoner’s proximity to release date.

22 “(2) INCENTIVE FOR PRISONERS’ SUCCESSFUL
23 COMPLETION OF TREATMENT PROGRAM.—

24 “(A) GENERALLY.—Any prisoner who, in
25 the judgment of the Director of the Bureau of

1 Prisons, has successfully completed a program
2 of residential substance abuse treatment pro-
3 vide under paragraph (1) of this subsection,
4 shall remain in the custody of the Bureau for
5 such time (as limited by subparagraph (B) of
6 this paragraph) and under such conditions, as
7 the Bureau deems appropriate. If the conditions
8 of confinement are different from those the
9 prisoner would have experienced absent the suc-
10 cessful completion of the treatment, the Bureau
11 shall periodically test the prisoner for substance
12 abuse and discontinue such conditions on deter-
13 mining that substance abuse has recurred.

14 “(B) PERIOD OF CUSTODY.—The period
15 the prisoner remains in custody after success-
16 fully completing a treatment program shall not
17 exceed the prison term the law would otherwise
18 require such prisoner to serve, but may not be
19 less than such term minus one year.

20 “(3) REPORT.—The Bureau of Prisons shall
21 transmit to the Committees on the Judiciary of the
22 Senate and the House of Representatives on Janu-
23 ary 1, 1995, and on January 1 of each year there-
24 after, a report. Such report shall contain—

1 “(A) a detailed quantitative and qualitative
2 description of each substance abuse treatment
3 program, residential or not, operated by the
4 Bureau;

5 “(B) a full explanation of how eligibility
6 for such programs is determined, with complete
7 information on what proportion of prisoners
8 with substance abuse problems are eligible, and

9 “(C) a complete statement of to what ex-
10 tent the Bureau has achieved compliance with
11 the requirements of this title.

12 “(4) AUTHORIZATION OF APPROPRIATIONS.—
13 There are authorized to be appropriated in each fis-
14 cal year such sums as may be necessary to carry out
15 this subsection.

16 “(5) DEFINITIONS.—As used in this sub-
17 section—

18 “(A) the term ‘residential substance abuse
19 treatment’ means a course of individual and
20 group activities, lasting between 6 and 12
21 months, in residential treatment facilities set
22 forth from the general prison population—

23 “(i) directed at the substance abuse
24 problems of the prisoner; and

1 “(ii) intended to develop the pris-
2 oner’s cognitive, behavioral, social, voca-
3 tional, and other skills so as to solve the
4 prisoner’s substance abuse and related
5 problems; and

6 “(B) the term ‘eligible prisoner’ means a
7 prisoner who is—

8 “(i) determined by the Bureau of
9 Prisons to have a substance abuse prob-
10 lem; and

11 “(ii) willing to participate in a resi-
12 dential substance abuse treatment pro-
13 gram.”.

Passed the House of Representatives November 3,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.