

Union Calendar No. 171

103D CONGRESS
1ST SESSION

H. R. 3350

[Report No. 103-320]

A BILL

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

NOVEMBER 3, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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1ST SESSION**H. R. 3350****[Report No. 103-320]**

To establish a program of residential substance abuse treatment within
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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 1993

Mr. BROOKS (for himself and Mr. SCHUMER) introduced the following bill;
which was referred to the Committee on the Judiciary

NOVEMBER 3, 1993

Additional sponsor: Mr. HUGHES

NOVEMBER 3, 1993

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 26, 1993]

A BILL

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,*

1 **SECTION 1. SUBSTANCE ABUSE TREATMENT IN FEDERAL**
2 **PRISONS.**

3 *Section 3621 of title 18, United States Code, is amend-*
4 *ed—*

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

7 *(2) by adding at the end the following new sub-*
8 *section:*

9 *“(e) SUBSTANCE ABUSE TREATMENT.—*

10 *“(1) PHASE-IN.—In order to carry out the re-*
11 *quirement of the last sentence of subsection (b) of this*
12 *section, that every prisoner with a substance abuse*
13 *problem have the opportunity to participate in ap-*
14 *propriate substance abuse treatment, the Bureau of*
15 *Prisons shall provide substance abuse treatment—*

16 *“(A) for not less than 50 percent of eligible*
17 *prisoners by the end of fiscal year 1995, with*
18 *priority for such treatment accorded based on an*
19 *eligible prisoner’s proximity to release date;*

20 *“(B) for not less than 75 percent of eligible*
21 *prisoners by the end of fiscal year 1996, with*
22 *priority for such treatment accorded based on an*
23 *eligible prisoner’s proximity to release date; and*

24 *“(C) for all eligible prisoners by the end of*
25 *fiscal year 1997 and thereafter, with priority for*

1 *such treatment accorded based on an eligible*
2 *prisoner's proximity to release date.*

3 “(2) *INCENTIVE FOR PRISONERS' SUCCESSFUL*
4 *COMPLETION OF TREATMENT PROGRAM.—*

5 “(A) *GENERALLY.—Any prisoner who, in*
6 *the judgment of the Director of the Bureau of*
7 *Prisons, has successfully completed a program of*
8 *residential substance abuse treatment provided*
9 *under paragraph (1) of this subsection, shall re-*
10 *main in the custody of the Bureau for such time*
11 *(as limited by subparagraph (B) of this para-*
12 *graph) and under such conditions, as the Bureau*
13 *deems appropriate. If the conditions of confine-*
14 *ment are different from those the prisoner would*
15 *have experienced absent the successful completion*
16 *of the treatment, the Bureau shall periodically*
17 *test the prisoner for substance abuse and dis-*
18 *continue such conditions on determining that*
19 *substance abuse has recurred.*

20 “(B) *PERIOD OF CUSTODY.—The period the*
21 *prisoner remains in custody after successfully*
22 *completing a treatment program shall not exceed*
23 *the prison term the law would otherwise require*
24 *such prisoner to serve, but may not be less than*
25 *such term minus one year.*

1 “(3) *REPORT.*—*The Bureau of Prisons shall*
2 *transmit to the Committees on the Judiciary of the*
3 *Senate and the House of Representatives on January*
4 *1, 1995, and on January 1 of each year thereafter, a*
5 *report. Such report shall contain—*

6 “(A) *a detailed quantitative and qualitative*
7 *description of each substance abuse treatment*
8 *program, residential or not, operated by the Bu-*
9 *reau;*

10 “(B) *a full explanation of how eligibility*
11 *for such programs is determined, with complete*
12 *information on what proportion of prisoners*
13 *with substance abuse problems are eligible; and*

14 “(C) *a complete statement of to what extent*
15 *the Bureau has achieved compliance with the re-*
16 *quirements of this title.*

17 “(4) *AUTHORIZATION OF APPROPRIATIONS.*—
18 *There are authorized to be appropriated in each fiscal*
19 *year such sums as may be necessary to carry out this*
20 *subsection.*

21 “(5) *DEFINITIONS.*—*As used in this subsection—*

22 “(A) *the term ‘residential substance abuse*
23 *treatment’ means a course of individual and*
24 *group activities, lasting between 6 and 12*

1 *months, in residential treatment facilities set*
2 *forth from the general prison population—*

3 *“(i) directed at the substance abuse*
4 *problems of the prisoner; and*

5 *“(ii) intended to develop the prisoner’s*
6 *cognitive, behaviorial, social, vocational, and*
7 *other skills so as to solve the prisoner’s sub-*
8 *stance abuse and related problems; and*

9 *“(B) the term ‘eligible prisoner’ means a*
10 *prisoner who is—*

11 *“(i) determined by the Bureau of Pris-*
12 *ons to have a substance abuse problem; and*

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