

**Calendar No. 271**

103D CONGRESS  
1ST SESSION

**H. R. 3354**

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**AN ACT**

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within State correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

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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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To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants for the purpose of developing and implementing residential substance abuse treatment programs within State correctional facilities, as well as within local correctional facilities in which inmates are incarcerated for a period of time sufficient to permit substance abuse treatment.

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. RESIDENTIAL SUBSTANCE ABUSE TREATMENT**

4 **FOR STATE PRISONERS.**

5 (a) RESIDENTIAL SUBSTANCE ABUSE TREATMENT  
6 FOR PRISONERS.—Title I of the Omnibus Crime Control

1 and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.),  
2 is amended—

3 (1) by redesignating part Q as part R;

4 (2) by redesignating section 1701 as section  
5 1801; and

6 (3) by inserting after part P the following:

7 **“PART Q—RESIDENTIAL SUBSTANCE ABUSE**

8 **TREATMENT FOR STATE PRISONERS**

9 **“SEC. 1701. GRANT AUTHORIZATION.**

10 “The Director of the Bureau of Justice Assistance  
11 (referred to in this part as the ‘Director’) may make  
12 grants under this part to States, for the use by States  
13 and units of local government for the purpose of develop-  
14 ing and implementing residential substance abuse treat-  
15 ment programs within State correctional facilities, as well  
16 as within local correctional facilities in which inmates are  
17 incarcerated for a period of time sufficient to permit sub-  
18 stance abuse treatment.

19 **“SEC. 1702. STATE APPLICATIONS.**

20 “(a) IN GENERAL.—(1) To request a grant under  
21 this part the chief executive of a State shall submit an  
22 application to the Director in such form and containing  
23 such information as the Director may reasonably require.

24 “(2) Such application shall include assurances that  
25 Federal funds received under this part shall be used to

1 supplement, not supplant, non-Federal funds that would  
2 otherwise be available for activities funded under this part.

3 “(3) Such application shall coordinate the design and  
4 implementation of treatment programs between State cor-  
5 rectional representatives and the State Alcohol and Drug  
6 Abuse agency (and, if appropriate, between representa-  
7 tives of local correctional agencies and representatives of  
8 either the State alcohol and drug abuse agency or any ap-  
9 propriate local alcohol and drug abuse agency).

10 “(b) SUBSTANCE ABUSE TESTING REQUIREMENT.—  
11 To be eligible to receive funds under this part, a State  
12 must agree to implement or continue to require urinalysis  
13 or similar testing of individuals in correctional residential  
14 substance abuse treatment programs. Such testing shall  
15 include individuals released from residential substance  
16 abuse treatment programs who remain in the custody of  
17 the State.

18 “(c) ELIGIBILITY FOR PREFERENCE WITH AFTER  
19 CARE COMPONENT.—

20 “(1) To be eligible for a preference under this  
21 part, a State must ensure that individuals who par-  
22 ticipate in the substance abuse treatment program  
23 established or implemented with assistance provided  
24 under this part will be provided with aftercare serv-  
25 ices.

1           “(2) State aftercare services must involve the  
2 coordination of the correctional facility treatment  
3 program with other human service and rehabilitation  
4 programs, such as educational and job training pro-  
5 grams, parole supervision programs, half-way house  
6 programs, and participation in self-help and peer  
7 group programs, that may aid in the rehabilitation  
8 of individuals in the substance abuse treatment pro-  
9 gram.

10           “(3) To qualify as an aftercare program, the  
11 head of the substance abuse treatment program, in  
12 conjunction with State and local authorities and or-  
13 ganizations involved in substance abuse treatment,  
14 shall assist in placement of substance abuse treat-  
15 ment program participants with appropriate commu-  
16 nity substance abuse treatment facilities when such  
17 individuals leave the correctional facility at the end  
18 of a sentence or on parole.

19           “(d) STATE OFFICE.—The Office designated under  
20 section 507 of this title—

21           “(1) shall prepare the application as required  
22 under section 1702, and

23           “(2) shall administer grant funds received  
24 under this part, including review of spending, proc-  
25 essing, progress, financial reporting, technical assist-

1       ance, grant adjustments, accounting, auditing, and  
2       fund disbursement.

3       **“SEC. 1703. REVIEW OF STATE APPLICATIONS.**

4       “(a) IN GENERAL.—The Director shall make a grant  
5       under section 1701 to carry out the projects described in  
6       the application submitted under section 1702 upon deter-  
7       mining that—

8               “(1) the application is consistent with the re-  
9       quirements of this part; and

10              “(2) before the approval of the application the  
11       Director has made an affirmative finding in writing  
12       that the proposed project has been reviewed in ac-  
13       cordance with this part.

14       “(b) APPROVAL.—Each application submitted under  
15       section 1702 shall be considered approved, in whole or in  
16       part, by the Director not later than 45 days after first  
17       received unless the Director informs the applicant of spe-  
18       cific reasons for disapproval.

19       “(c) RESTRICTION.—Grant funds received under this  
20       part shall not be used for land acquisition or construction  
21       projects.

22       “(d) DISAPPROVAL NOTICE AND RECONSIDER-  
23       ATION.—The Director shall not disapprove any application  
24       without first affording the applicant reasonable notice and  
25       an opportunity for reconsideration.

1 **“SEC. 1704. ALLOCATION AND DISTRIBUTION OF FUNDS.**

2 “(a) ALLOCATION.—Of the total amount appro-  
3 priated under this part in any fiscal year—

4 “(1) 0.4 percent shall be allocated to each of  
5 the participating States; and

6 “(2) of the total funds remaining after the allo-  
7 cation under paragraph (1), there shall be allocated  
8 to each of the participating States an amount which  
9 bears the same ratio to the amount of remaining  
10 funds described in this paragraph as the State pris-  
11 on population of such State bears to the total prison  
12 population of all the participating States.

13 “(b) FEDERAL SHARE.—The Federal share of a  
14 grant made under this part may not exceed 75 percent  
15 of the total costs of the projects described in the applica-  
16 tion submitted under section 1702 for the fiscal year for  
17 which the projects receive assistance under this part.

18 **“SEC. 1705. EVALUATION.**

19 “Each State that receives a grant under this part  
20 shall submit to the Director an evaluation not later than  
21 March 1 of each year in such form and containing such  
22 information as the Director may reasonably require.”.

23 (b) CONFORMING AMENDMENT.—The table of con-  
24 tents of title I of the Omnibus Crime Control and Safe  
25 Streets Act of 1968 (42 U.S.C. 3711 et seq.), is amended

1 by striking the matter relating to part Q and inserting  
 2 the following:

“PART Q—RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR PRISONERS

“Sec. 1701. Grant authorization.

“Sec. 1702. State applications.

“Sec. 1703. Review of State applications.

“Sec. 1704. Allocation and distribution of funds.

“Sec. 1705. Evaluation.

“PART R—TRANSITION—EFFECTIVE DATE—REPEALER

“Sec. 1801. Continuation of rules, authorities, and proceedings.”.

3 (c) DEFINITIONS.—Section 901(a) of the Omnibus  
 4 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 5 3791(a)) is amended by adding after paragraph (23) the  
 6 following:

7 “(24) The term ‘residential substance abuse  
 8 treatment program’ means a course of individual  
 9 and group activities, lasting between 9 and 12  
 10 months, in residential treatment facilities set apart  
 11 from the general prison population—

12 “(A) directed at the substance abuse prob-  
 13 lems of the prisoner; and

14 “(B) intended to develop the prisoner’s  
 15 cognitive, behavioral, social, vocational, and  
 16 other skills so as to solve the prisoner’s sub-  
 17 stance abuse and related problems.”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 1001(a) of title I of the Omnibus Crime Con-  
3 trol and Safe Streets Act of 1968 (42 U.S.C. 3793), is  
4 amended by adding after paragraph (10) the following:

5 “(11) There are authorized to be appropriated  
6 \$100,000,000 for each of the fiscal years 1994, 1995, and  
7 1996 to carry out the projects under part Q.”.

Passed the House of Representatives November 3,  
1993.

Attest: DONNALD K. ANDERSON,  
*Clerk.*