

Union Calendar No. 300

104TH CONGRESS
2^D SESSION

H. R. 2650

[Report No. 104-602]

To amend title 18, United States Code, to eliminate certain sentencing inequities for drug offenders.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 16, 1995

Mr. HEINEMAN (for himself, Mr. COBLE, Mr. BRYANT of Tennessee, Mr. CHABOT, and Mr. HOKE) introduced the following bill; which was referred to the Committee on the Judiciary

MAY 31, 1996

Additional sponsors: Mrs. MEYERS of Kansas and Mr. SOLOMON

MAY 31, 1996

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*]

A BILL

To amend title 18, United States Code, to eliminate certain sentencing inequities for drug offenders.

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. SHORT TITLE.**

2 This Act may be cited as the “Mandatory Federal
3 Prison Drug Treatment Act of 1995”.

4 **SEC. 2. ELIMINATION OF SENTENCING INEQUITIES FOR**
5 **DRUG OFFENDERS.**

6 (a) **IN GENERAL.**—Subparagraph (B) of section
7 3621(e)(2)(B) of title 18, United States Code, is amended
8 to read as follows:

9 “(B) **ELIGIBILITY FOR GOOD TIME.**—If a
10 prisoner is eligible for the substance abuse
11 treatment program, good time credit for that
12 prisoner under section 3624(b) shall not vest
13 unless the prisoner successfully completes such
14 program, and remains drug free after the com-
15 pletion of the program.”.

16 (b) **CONFORMING AMENDMENT.**—Section 3624(b) of
17 title 18, United States Code, is amended by adding at the
18 end the following:

19 “(5) Credit under this subsection for a prisoner
20 who is eligible for a residential treatment program
21 under section 3621(e), shall be limited in accordance
22 with section 3621(e)(2)(B).”.

23 (c) **ELIGIBILITY.**—Clause (ii) of section
24 3621(e)(5)(B) of title 18, United States Code, is amended
25 to read as follows:

1 ~~“(ii) within 24 months of the date of~~
2 ~~release; and”.~~

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Mandatory Federal Pris-*
5 *on Drug Treatment Act of 1996”.*

6 **SEC. 2. ELIMINATION OF SENTENCING INEQUITIES FOR**
7 **DRUG OFFENDERS.**

8 (a) *IN GENERAL.*—*Subparagraph (B) of section*
9 *3621(e)(2) of title 18, United States Code, is amended to*
10 *read as follows:*

11 ~~“(B) ADMINISTRATION OF TREATMENT PRO-~~
12 ~~GRAMS.—The Attorney General shall ensure~~
13 ~~through the use of all appropriate and available~~
14 ~~incentives and sanctions that eligible prisoners~~
15 ~~undergo a program of substance abuse treat-~~
16 ~~ment.”.~~

17 (b) *CONFORMING AMENDMENT.*—*The heading for*
18 *paragraph (2) of section 3621(e) of title 18, United States*
19 *Code, is amended by striking “INCENTIVE FOR PRISONERS’*
20 *SUCCESSFUL COMPLETION OF TREATMENT PROGRAM” and*
21 *inserting “TREATMENT REQUIREMENT”.*

22 (c) *ELIGIBILITY.*—*Clause (ii) of section 3621(e)(5)(B)*
23 *of title 18, United States Code, is amended to read as fol-*
24 *lows:*

1 “(ii) *within 24 months of the date of*
2 *release, or is otherwise designated by the*
3 *Bureau of Prisons for participation in a*
4 *residential substance abuse treatment pro-*
5 *gram; and”.*

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