

device, grid, or utility operations to or from a computer or other control device.

(3) The ability to measure or monitor electricity use as a function of time of day, power quality characteristics such as voltage level, current, cycles per second, or source or type of generation and to store, synthesize or report that information by digital means.

(4) The ability to sense and localize disruptions or changes in power flows on the grid and communicate such information instantaneously and automatically for purposes of enabling automatic protective responses to sustain reliability and security of grid operations.

(5) The ability to detect, prevent, communicate with regard to, respond to, or recover from system security threats, including cybersecurity threats and terrorism, using digital information, media, and devices.

(6) The ability of any appliance or machine to respond to such signals, measurements, or communications automatically or in a manner programmed by its owner or operator without independent human intervention.

(7) The ability to use digital information to operate functionalities on the electric utility grid that were previously electro-mechanical or manual.

(8) The ability to use digital controls to manage and modify electricity demand, enable congestion management, assist in voltage control, provide operating reserves, and provide frequency regulation.

(9) Such other functions as the Secretary may identify as being necessary or useful to the operation of a Smart Grid.

(e) Procedures

The Secretary shall—

(1) establish and publish in the Federal Register, within 1 year after December 19, 2007, procedures by which applicants who have made qualifying Smart Grid investments can seek and obtain reimbursement of one-fifth of their documented expenditures;

(2) establish procedures to ensure that there is no duplication or multiple reimbursement for the same investment or costs, that the reimbursement goes to the party making the actual expenditures for Qualifying Smart Grid Investments, and that the grants made have significant effect in encouraging and facilitating the development of a smart grid;

(3) maintain public records of reimbursements made, recipients, and qualifying Smart Grid investments which have received reimbursements;

(4) establish procedures to provide, in cases deemed by the Secretary to be warranted, advance payment of moneys up to the full amount of the projected eventual reimbursement, to creditworthy applicants whose ability to make Qualifying Smart Grid Investments may be hindered by lack of initial capital, in lieu of any later reimbursement for which that applicant qualifies, and subject to full return of the advance payment in the event that the Qualifying Smart Grid investment is not made; and

(5) have and exercise the discretion to deny grants for investments that do not qualify in the reasonable judgment of the Secretary.

(f) Authorization of appropriations

There are authorized to be appropriated to the Secretary such sums as are necessary for the administration of this section and the grants to be made pursuant to this section for fiscal years 2008 through 2012.

(Pub. L. 110-140, title XIII, §1306, Dec. 19, 2007, 121 Stat. 1789.)

REFERENCES IN TEXT

The Energy Policy and Conservation Act, referred to in subsec. (b)(1), is Pub. L. 94-163, Dec. 22, 1975, 89 Stat. 871. Part B of title III of the Act is classified generally to part A (§6291 et seq.) of subchapter III of chapter 77 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6201 of this title and Tables.

CHAPTER 153—COMMUNITY SAFETY THROUGH RECIDIVISM PREVENTION

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§ 17501. Purposes; findings

(a) Purposes

The purposes of the Act are—

(1) to break the cycle of criminal recidivism, increase public safety, and help States, local units of government, and Indian Tribes, better address the growing population of criminal offenders who return to their communities and commit new crimes;

(2) to rebuild ties between offenders and their families, while the offenders are incarcerated and after reentry into the community, to promote stable families and communities;

(3) to encourage the development and support of, and to expand the availability of, evidence-based programs that enhance public safety and reduce recidivism, such as substance abuse treatment, alternatives to incarceration, and comprehensive reentry services;

(4) to protect the public and promote law-abiding conduct by providing necessary services to offenders, while the offenders are incarcerated and after reentry into the community, in a manner that does not confer luxuries or privileges upon such offenders;

(5) to assist offenders reentering the community from incarceration to establish a self-sustaining and law-abiding life by providing sufficient transitional services for as short of a period as practicable, not to exceed one year, unless a longer period is specifically determined to be necessary by a medical or other appropriate treatment professional; and

(6) to provide offenders in prisons, jails or juvenile facilities with educational, literacy, vocational, and job placement services to facilitate re-entry into the community.

(b) Findings

Congress finds the following:

(1) In 2002, over 7,000,000 people were incarcerated in Federal or State prisons or in local jails. Nearly 650,000 people are released from Federal and State incarceration into communities nationwide each year.

(2) There are over 3,200 jails throughout the United States, the vast majority of which are operated by county governments. Each year, these jails will release more than 10,000,000 people back into the community.

(3) Recent studies indicate that over ⅔ of released State prisoners are expected to be re-arrested for a felony or serious misdemeanor within 3 years after release.

(4) According to the Bureau of Justice Statistics, expenditures on corrections alone increased from \$9,000,000,000 in 1982, to \$59,600,000,000 in 2002. These figures do not include the cost of arrest and prosecution, nor do they take into account the cost to victims.

(5) The Serious and Violent Offender Reentry Initiative (SVORI) provided \$139,000,000 in funding for State governments to develop and implement education, job training, mental health treatment, and substance abuse treatment for serious and violent offenders. This Act seeks to build upon the innovative and successful State reentry programs developed under the SVORI, which terminated after fiscal year 2005.

(6) Between 1991 and 1999, the number of children with a parent in a Federal or State correctional facility increased by more than 100 percent, from approximately 900,000 to approximately 2,000,000. According to the Bureau of Prisons, there is evidence to suggest that inmates who are connected to their children and families are more likely to avoid negative incidents and have reduced sentences.

(7) Released prisoners cite family support as the most important factor in helping them

stay out of prison. Research suggests that families are an often underutilized resource in the reentry process.

(8) Approximately 100,000 juveniles (ages 17 years and under) leave juvenile correctional facilities, State prison, or Federal prison each year. Juveniles released from secure confinement still have their likely prime crime years ahead of them. Juveniles released from secure confinement have a recidivism rate ranging from 55 to 75 percent. The chances that young people will successfully transition into society improve with effective reentry and aftercare programs.

(9) Studies have shown that between 15 percent and 27 percent of prisoners expect to go to homeless shelters upon release from prison.

(10) Fifty-seven percent of Federal and 70 percent of State inmates used drugs regularly before going to prison, and the Bureau of Justice statistics report titled "Trends in State Parole, 1990-2000" estimates the use of drugs or alcohol around the time of the offense that resulted in the incarceration of the inmate at as high as 84 percent.

(11) Family-based treatment programs have proven results for serving the special populations of female offenders and substance abusers with children. An evaluation by the Substance Abuse and Mental Health Services Administration of family-based treatment for substance-abusing mothers and children found that 6 months after such treatment, 60 percent of the mothers remained alcohol and drug free, and drug-related offenses declined from 28 percent to 7 percent. Additionally, a 2003 evaluation of residential family-based treatment programs revealed that 60 percent of mothers remained clean and sober 6 months after treatment, criminal arrests declined by 43 percent, and 88 percent of the children treated in the program with their mothers remained stabilized.

(12) A Bureau of Justice Statistics analysis indicated that only 33 percent of Federal inmates and 36 percent of State inmates had participated in residential in-patient treatment programs for alcohol and drug abuse 12 months before their release. Further, over one-third of all jail inmates have some physical or mental disability and 25 percent of jail inmates have been treated at some time for a mental or emotional problem.

(13) State Substance Abuse Agency Directors, also known as Single State Authorities, manage the publicly funded substance abuse prevention and treatment system of the Nation. Single State Authorities are responsible for planning and implementing statewide systems of care that provide clinically appropriate substance abuse services. Given the high rate of substance use disorders among offenders reentering our communities, successful reentry programs require close interaction and collaboration with each Single State Authority as the program is planned, implemented, and evaluated.

(14) According to the National Institute of Literacy, 70 percent of all prisoners function at the lowest literacy levels.

(15) Less than 32 percent of State prison inmates have a high school diploma or a higher

level of education, compared to 82 percent of the general population.

(16) Approximately 38 percent of inmates who completed 11 years or less of school were not working before entry into prison.

(17) The percentage of State prisoners participating in educational programs decreased by more than 8 percent between 1991 and 1997, despite growing evidence of how educational programming while incarcerated reduces recidivism.

(18) The National Institute of Justice has found that 1 year after release, up to 60 percent of former inmates are not employed.

(19) Transitional jobs programs have proven to help people with criminal records to successfully return to the workplace and to the community, and therefore can reduce recidivism.

(Pub. L. 110-199, § 3, Apr. 9, 2008, 122 Stat. 658.)

REFERENCES IN TEXT

The Act and this Act, referred to in subsecs. (a) and (b)(5), are Pub. L. 110-199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Pub. L. 110-199, § 1, Apr. 9, 2008, 122 Stat. 657, provided that: “This Act [enacting this chapter and sections 3797q to 3797q-6, 3797s to 3797s-6, 3797w-2, 3797dd, and 3797dd-1 of this title, amending sections 3793, 3796ff-1, 3796ff-3, 3797u-2, 3797w, 13702, 13708, and 15606 of this title and sections 3621, 3624, 3672, and 4042 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as notes under sections 3797u-1 and 3797u-2 of this title] may be cited as the ‘Second Chance Act of 2007: Community Safety Through Recidivism Prevention’ or the ‘Second Chance Act of 2007.’”

§ 17502. Definition of Indian Tribe

In this Act, the term “Indian Tribe” has the meaning given that term in section 3791 of this title.

(Pub. L. 110-199, § 4, Apr. 9, 2008, 122 Stat. 660.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 110-199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007, which enacted this chapter and sections 3797q to 3797q-6, 3797s to 3797s-6, 3797w-2, 3797dd, and 3797dd-1 of this title, amended sections 3793, 3796ff-1, 3796ff-3, 3797u-2, 3797w, 13702, 13708, and 15606 of this title and sections 3621, 3624, 3672, and 4042 of Title 18, Crimes and Criminal Procedure, and enacted provisions set out as notes under sections 3797u-1, 3797u-2, and 17501 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 17501 of this title and Tables.

§ 17503. Submission of reports to Congress

Not later than January 31 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives each report required by the Attorney General under this Act or an amendment made by this Act during the preceding year.

(Pub. L. 110-199, § 5, Apr. 9, 2008, 122 Stat. 660.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 110-199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007, which enacted this chapter and sections 3797q to 3797q-6, 3797s to 3797s-6, 3797w-2, 3797dd, and 3797dd-1 of this title, amended sections 3793, 3796ff-1, 3796ff-3, 3797u-2, 3797w, 13702, 13708, and 15606 of this title and sections 3621, 3624, 3672, and 4042 of Title 18, Crimes and Criminal Procedure, and enacted provisions set out as notes under sections 3797u-1, 3797u-2, and 17501 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 17501 of this title and Tables.

§ 17504. Rule of construction

Nothing in this Act or an amendment made by this Act shall be construed as creating a right or entitlement to assistance or services for any individual, program, or grant recipient. Each grant made under this Act or an amendment made by this Act shall—

(1) be made as competitive grants¹ to eligible entities for a 12-month period, except that grants awarded under section 113², section 17521 of this title, section 17531 of this title, and section 17532 of this title may be made for a 24-month period; and

(2) require that services for participants, when necessary and appropriate, be transferred from programs funded under this Act or the amendment made by this Act, respectively, to State and community-based programs not funded under this Act or the amendment made by this Act, respectively, before the expiration of the grant.

(Pub. L. 110-199, § 6, Apr. 9, 2008, 122 Stat. 660.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 110-199, Apr. 9, 2008, 122 Stat. 657, known as the Second Chance Act of 2007: Community Safety Through Recidivism Prevention and also as the Second Chance Act of 2007, which enacted this chapter and sections 3797q to 3797q-6, 3797s to 3797s-6, 3797w-2, 3797dd, and 3797dd-1 of this title, amended sections 3793, 3796ff-1, 3796ff-3, 3797u-2, 3797w, 13702, 13708, and 15606 of this title and sections 3621, 3624, 3672, and 4042 of Title 18, Crimes and Criminal Procedure, and enacted provisions set out as notes under sections 3797u-1, 3797u-2, and 17501 of this title.

Section 113, referred to in par. (1), means section 113 of Pub. L. 110-199, which enacted sections 3797u-1, 3797u-2, and 17501 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 17501 of this title and Tables.

SUBCHAPTER I—NEW AND INNOVATIVE PROGRAMS TO IMPROVE OFFENDER RE-ENTRY SERVICES

§ 17511. Technology careers training demonstration grants

(a) Authority to make grants

From amounts made available to carry out this section, the Attorney General shall make grants to States, units of local government, territories, and Indian Tribes to provide technology career training to prisoners.

¹ So in original. Probably should be “a competitive grant”.

² See References in Text note below.

(b) Use of funds

Grants awarded under subsection (a) may be used for establishing a technology careers training program to train prisoners for technology-based jobs and careers during the 3-year period before release from prison, jail, or a juvenile facility.

(c) Control of Internet access

An entity that receives a grant under subsection (a) shall restrict access to the Internet by prisoners, as appropriate, to ensure public safety.

(d) Reports

Not later than the last day of each fiscal year, an entity that receives a grant under subsection (a) during the preceding fiscal year shall submit to the Attorney General a report that describes and assesses the uses of such grant during the preceding fiscal year.

(e) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2009 and 2010.

(Pub. L. 110-199, title I, §115, Apr. 9, 2008, 122 Stat. 677.)

SUBCHAPTER II—ENHANCED DRUG TREATMENT AND MENTORING GRANT PROGRAMS

PART A—DRUG TREATMENT

§ 17521. Offender reentry substance abuse and criminal justice collaboration program

(a) Grant program authorized

The Attorney General may make competitive grants to States, units of local government, territories, and Indian Tribes, in accordance with this section, for the purposes of—

- (1) improving the provision of drug treatment to offenders in prisons, jails, and juvenile facilities; and
- (2) reducing the use of alcohol and other drugs by long-term substance abusers during the period in which each such long-term substance abuser is in prison, jail, or a juvenile facility, and through the completion of parole or court supervision of such long-term substance abuser.

(b) Use of grant funds

A grant made under subsection (a) may be used—

- (1) for continuing and improving drug treatment programs provided at a prison, jail, or juvenile facility;
- (2) to develop and implement programs for supervised long-term substance abusers that include alcohol and drug abuse assessments, coordinated and continuous delivery of drug treatment, and case management services;
- (3) to strengthen rehabilitation efforts for offenders by providing addiction recovery support services; and
- (4) to establish pharmacological drug treatment services as part of any drug treatment program offered by a grantee to offenders who are in a prison or jail.

(c) Application**(1) In general**

An entity described in subsection (a) desiring a grant under that subsection shall submit to the Attorney General an application in such form and manner and at such time as the Attorney General requires.

(2) Contents

An application for a grant under subsection (a) shall—

- (A) identify any agency, organization, or researcher that will be involved in administering a drug treatment program carried out with a grant under subsection (a);
- (B) certify that such drug treatment program has been developed in consultation with the Single State Authority for Substance Abuse;
- (C) certify that such drug treatment program shall—
 - (i) be clinically-appropriate; and
 - (ii) provide comprehensive treatment;
- (D) describe how evidence-based strategies have been incorporated into such drug treatment program; and
- (E) describe how data will be collected and analyzed to determine the effectiveness of such drug treatment program and describe how randomized trials will be used where practicable.

(d) Reports to Congress**(1) Interim report**

Not later than September 30, 2009, the Attorney General shall submit to Congress a report that identifies the best practices relating to—

- (A) substance abuse treatment in prisons, jails, and juvenile facilities; and
- (B) the comprehensive and coordinated treatment of long-term substance abusers, including the best practices identified through the activities funded under subsection (b)(3).

(2) Final report

Not later than September 30, 2010, the Attorney General shall submit to Congress a report on the drug treatment programs funded under this section, including on the matters specified in paragraph (1).

(e) Definition of Single State Authority for Substance Abuse

The term “Single State Authority for Substance Abuse” means an entity designated by the Governor or chief executive officer of a State as the single State administrative authority responsible for the planning, development, implementation, monitoring, regulation, and evaluation of substance abuse services.

(f) Authorization of appropriations**(1) In general**

There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2009 and 2010.

(2) Equitable distribution of grant amounts

Of the amount made available to carry out this section in any fiscal year, the Attorney

General shall ensure that grants awarded under this section are equitably distributed among geographical regions and between urban and rural populations, including Indian Tribes, consistent with the objective of reducing recidivism among criminal offenders.

(Pub. L. 110-199, title II, §201, Apr. 9, 2008, 122 Stat. 678.)

PART B—MENTORING

§ 17531. Mentoring grants to nonprofit organizations

(a) Authority to make grants

From amounts made available to carry out this section, the Attorney General shall make grants to nonprofit organizations and Indian Tribes for the purpose of providing mentoring and other transitional services essential to reintegrating offenders into the community.

(b) Use of funds

A grant awarded under subsection (a) may be used for—

- (1) mentoring adult and juvenile offenders during incarceration, through transition back to the community, and post-release;
- (2) transitional services to assist in the reintegration of offenders into the community; and
- (3) training regarding offender and victims issues.

(c) Application; priority consideration

(1) In general

To be eligible to receive a grant under this section, a nonprofit organization or Indian Tribe shall submit an application to the Attorney General at such time, in such manner, and accompanied by such information as the Attorney General may require.

(2) Priority consideration

Priority consideration shall be given to any application under this section that—

- (A) includes a plan to implement activities that have been demonstrated effective in facilitating the successful reentry of offenders; and
- (B) provides for an independent evaluation that includes, to the maximum extent feasible, random assignment of offenders to program delivery and control groups.

(d) Strategic performance outcomes

The Attorney General shall require each applicant under this section to identify specific performance outcomes related to the long-term goal of stabilizing communities by reducing recidivism (using a measure that is consistent with the research undertaken by the Bureau of Justice Statistics under section 17551(b)(6) of this title), and reintegrating offenders into the community.

(e) Reports

An entity that receives a grant under subsection (a) during a fiscal year shall, not later than the last day of the following fiscal year, submit to the Attorney General a report that describes and assesses the uses of that grant

during that fiscal year and that identifies the progress of the grantee toward achieving its strategic performance outcomes.

(f) Authorization of appropriations

There are authorized to be appropriated to the Attorney General to carry out this section \$15,000,000 for each of fiscal years 2009 and 2010.

(Pub. L. 110-199, title II, §211, Apr. 9, 2008, 122 Stat. 679.)

§ 17532. Responsible reintegration of offenders

(a) Eligible offenders

(1) In general

In this section, the term “eligible offender” means an individual who—

- (A) is 18 years of age or older;
- (B) has been convicted as an adult and imprisoned under Federal or State law;
- (C) has never been convicted of a violent or sex-related offense; and
- (D) except as provided in paragraph (2), has been released from a prison or jail for not more than 180 days before the date on which the individual begins participating in a grant program carried out under this section.

(2) Exception

Each grantee under this section may permit not more than 10 percent of the individuals served with a grant under this section to be individuals who—

- (A) meet the conditions of subparagraphs (A) through (C) of paragraph (1); and
- (B) have been released from a prison or jail for more than 180 days before the date on which the individuals begin participating in the grant program carried out under this section.

(3) Priority of service

Grantees shall provide a priority of service in projects funded under this section to individuals meeting the requirements of paragraph (1) who have been released from State correctional facilities.

(b) Authority to make grants

The Secretary of Labor may make grants to nonprofit organizations for the purpose of providing mentoring, job training and job placement services, and other comprehensive transitional services to assist eligible offenders in obtaining and retaining employment.

(c) Use of funds

(1) In general

A grant awarded under this section may be used for—

- (A) mentoring eligible offenders, including the provision of support, guidance, and assistance in the community and the workplace to address the challenges faced by such offenders;
- (B) providing job training and job placement services to eligible offenders, including work readiness activities, job referrals, basic skills remediation, educational services, occupational skills training, on-the-job training, work experience, and post-placement

support, in coordination with the one-stop partners and one-stop operators (as such terms are defined in section 2801 of title 29) that provide services at any center operated under a one-stop delivery system established under section 2864(c) of title 29, businesses, and educational institutions; and

(C) providing outreach, orientation, intake, assessments, counseling, case management, and other transitional services to eligible offenders, including prerelease outreach and orientation.

(2) Limitations

(A) Certain services excluded

A grant under this section may not be used to provide substance abuse treatment services, mental health treatment services, or housing services, except that such a grant may be used to coordinate with other programs and entities to arrange for such programs and entities to provide substance abuse treatment services, mental health treatment services, or housing services to eligible offenders.

(B) Administrative cost limit

Not more than 15 percent of the amounts awarded to a grantee under this section may be used for the costs of administration, as determined by the Secretary of Labor.

(d) Application

(1) In general

(A) Application required

A nonprofit organization desiring a grant under this section shall submit an application to the Secretary of Labor at such time, in such manner, and accompanied by such information as the Secretary of Labor may require.

(B) Contents

At a minimum, an application for a grant under this section shall include—

(i) the identification of the eligible area that is to be served and a description of the need for support in such area;

(ii) a description of the mentoring, job training and job placement, and other services to be provided;

(iii) a description of partnerships that have been established with the criminal justice system (including coordination with demonstration projects carried out under section 3797w of this title, as amended by this Act, where applicable), the local workforce investment boards established under section 2832 of title 29,¹ and housing authorities that will be used to assist in carrying out grant activities under this section; and

(iv) a description of how other Federal, State, local, or private funding will be leveraged to provide support services that are not directly funded under this section, such as mental health and substance abuse treatment and housing.

¹ So in original. The closing parenthesis probably should not appear.

(2) Eligible area

In this subsection, the term “eligible area” means an area that—

(A) is located within an urbanized area or urban cluster, as determined by the Bureau of the Census in the most recently available census;

(B) has a large number of prisoners returning to the area each year; and

(C) has a high rate of recidivism among prisoners returning to the area.

(e) Performance outcomes

(1) Core indicators

Each nonprofit organization receiving a grant under this section shall report to the Secretary of Labor on the results of services provided to eligible offenders with that grant with respect to the following indicators of performance:

(A) Rates of recidivism.

(B) Entry into employment.

(C) Retention in employment.

(D) Average earnings.

(2) Additional indicators

In addition to the indicators described in paragraph (1), the Secretary of Labor may require a nonprofit organization receiving a grant under this section to report on additional indicators of performance.

(f) Reports

Each nonprofit organization receiving a grant under this section shall maintain such records and submit such reports, in such form and containing such information, as the Secretary of Labor may require regarding the activities carried out under this section.

(g) Technical assistance

The Secretary of Labor may reserve not more than 4 percent of the amounts appropriated to carry out this section to provide technical assistance and for management information systems to assist grantees under this section.

(h) Authorization of appropriations

There are authorized to be appropriated to the Secretary of Labor to carry out this section \$20,000,000 for each of fiscal years 2009 and 2010.

(Pub. L. 110-199, title II, §212, Apr. 9, 2008, 122 Stat. 680.)

REFERENCES IN TEXT

Section 3797w of this title, as amended by this Act, referred to in subsec. (d)(1)(B)(iii), is section 3797w of this title, as amended by Pub. L. 110-199.

§ 17533. Bureau of Prisons policy on mentoring contacts

(a) In general

Not later than 90 days after April 9, 2008, the Director of the Bureau of Prisons shall, in order to promote stability and continued assistance to offenders after release from prison, adopt and implement a policy to ensure that any person who provides mentoring services to an incarcerated offender is permitted to continue such services after that offender is released from prison. That policy shall permit the continuation of

mentoring services unless the Director demonstrates that such services would be a significant security risk to the released offender, incarcerated offenders, persons who provide such services, or any other person.

(b) Report

Not later than September 30, 2009, the Director of the Bureau of Prisons shall submit to Congress a report on the extent to which the policy described in subsection (a) has been implemented and followed.

(Pub. L. 110-199, title II, §213, Apr. 9, 2008, 122 Stat. 683.)

§ 17534. Bureau of Prisons policy on chapel library materials

(a) In general

Not later than 30 days after April 9, 2008, the Director of the Bureau of Prisons shall discontinue the Standardized Chapel Library project, or any other project by whatever designation that seeks to compile, list, or otherwise restrict prisoners' access to reading materials, audiotapes, videotapes, or any other materials made available in a chapel library, except that the Bureau of Prisons may restrict access to—

- (1) any materials in a chapel library that seek to incite, promote, or otherwise suggest the commission of violence or criminal activity; and
- (2) any other materials prohibited by any other law or regulation.

(b) Rule of construction

Nothing in this section shall be construed to impact policies of the Bureau of Prisons related to access by specific prisoners to materials for security, safety, sanitation, or disciplinary reasons.

(Pub. L. 110-199, title II, §214, Apr. 9, 2008, 122 Stat. 683.)

PART C—ADMINISTRATION OF JUSTICE REFORMS

SUBPART 1—IMPROVING FEDERAL OFFENDER REENTRY

§ 17541. Federal prisoner reentry initiative

(a) In general

The Attorney General, in coordination with the Director of the Bureau of Prisons, shall, subject to the availability of appropriations, conduct the following activities to establish a Federal prisoner reentry initiative:

- (1) The establishment of a Federal prisoner reentry strategy to help prepare prisoners for release and successful reintegration into the community, including, at a minimum, that the Bureau of Prisons—
 - (A) assess each prisoner's skill level (including academic, vocational, health, cognitive, interpersonal, daily living, and related reentry skills) at the beginning of the term of imprisonment of that prisoner to identify any areas in need of improvement prior to reentry;
 - (B) generate a skills development plan for each prisoner to monitor skills enhancement

and reentry readiness throughout incarceration;

(C) determine program assignments for prisoners based on the areas of need identified through the assessment described in subparagraph (A);

(D) ensure that priority is given to the reentry needs of high-risk populations, such as sex offenders, career criminals, and prisoners with mental health problems;

(E) coordinate and collaborate with other Federal agencies and with State, Tribal, and local criminal justice agencies, community-based organizations, and faith-based organizations to help effectuate a seamless reintegration of prisoners into communities;

(F) collect information about a prisoner's family relationships, parental responsibilities, and contacts with children to help prisoners maintain important familial relationships and support systems during incarceration and after release from custody; and

(G) provide incentives for prisoner participation in skills development programs.

(2) Incentives for a prisoner who participates in reentry and skills development programs which may, at the discretion of the Director, include—

- (A) the maximum allowable period in a community confinement facility; and
- (B) such other incentives as the Director considers appropriate (not including a reduction of the term of imprisonment).

(b) Identification and release assistance for Federal prisoners

(1) Obtaining identification

The Director shall assist prisoners in obtaining identification (including a social security card, driver's license or other official photo identification, or birth certificate) prior to release.

(2) Assistance developing release plan

At the request of a direct-release prisoner, a representative of the United States Probation System shall, prior to the release of that prisoner, help that prisoner develop a release plan.

(3) Direct-release prisoner defined

In this section, the term "direct-release prisoner" means a prisoner who is scheduled for release and will not be placed in prerelease custody.

(c) Improved reentry procedures for Federal prisoners

The Attorney General shall take such steps as are necessary to modify the procedures and policies of the Department of Justice with respect to the transition of offenders from the custody of the Bureau of Prisons to the community—

- (1) to enhance case planning and implementation of reentry programs, policies, and guidelines;
- (2) to improve such transition to the community, including placement of such individuals in community corrections facilities; and
- (3) to foster the development of collaborative partnerships with stakeholders at the national, State, and local levels to facilitate the exchange of information and the develop-

ment of resources to enhance opportunities for successful offender reentry.

(d) Duties of the Bureau of Prisons

(1) Omitted

(2) Measuring the removal of obstacles to reentry

(A) Coding required

The Director shall ensure that each institution within the Bureau of Prisons codes the reentry needs and deficits of prisoners, as identified by an assessment tool that is used to produce an individualized skills development plan for each inmate.

(B) Tracking

In carrying out this paragraph, the Director shall quantitatively track the progress in responding to the reentry needs and deficits of individual inmates.

(C) Annual report

On an annual basis, the Director shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that documents the progress of the Bureau of Prisons in responding to the reentry needs and deficits of inmates.

(D) Evaluation

The Director shall ensure that—

(i) the performance of each institution within the Bureau of Prisons in enhancing skills and resources to assist in reentry is measured and evaluated using recognized measurements; and

(ii) plans for corrective action are developed and implemented as necessary.

(3) Measuring and improving recidivism outcomes

(A) Annual report required

(i) In general

At the end of each fiscal year, the Director shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report containing statistics demonstrating the relative reduction in recidivism for inmates released by the Bureau of Prisons within that fiscal year and the 2 prior fiscal years, comparing inmates who participated in major inmate programs (including residential drug treatment, vocational training, and prison industries) with inmates who did not participate in such programs. Such statistics shall be compiled separately for each such fiscal year.

(ii) Scope

A report under this paragraph is not required to include statistics for a fiscal year that begins before April 9, 2008.

(B) Measure used

In preparing the reports required by subparagraph (A), the Director shall, in consultation with the Director of the Bureau of Justice Statistics, select a measure for re-

cidivism (such as rearrest, reincarceration, or any other valid, evidence-based measure) that the Director considers appropriate and that is consistent with the research undertaken by the Bureau of Justice Statistics under section 17551(b)(6) of this title.

(C) Goals

(i) In general

After the Director submits the first report required by subparagraph (A), the Director shall establish goals for reductions in recidivism rates and shall work to attain those goals.

(ii) Contents

The goals established under clause (i) shall use the relative reductions in recidivism measured for the fiscal year covered by the first report required by subparagraph (A) as a baseline rate, and shall include—

(I) a 5-year goal to increase, at a minimum, the baseline relative reduction rate of recidivism by 2 percent; and

(II) a 10-year goal to increase, at a minimum, the baseline relative reduction rate of recidivism by 5 percent within 10 fiscal years.

(4) Format

Any written information that the Bureau of Prisons provides to inmates for reentry planning purposes shall use common terminology and language.

(5) Medical care

The Bureau of Prisons shall provide the United States Probation and Pretrial Services System with relevant information on the medical care needs and the mental health treatment needs of inmates scheduled for release from custody. The United States Probation and Pretrial Services System shall take this information into account when developing supervision plans in an effort to address the medical care and mental health care needs of such individuals. The Bureau of Prisons shall provide inmates with a sufficient amount of all necessary medications (which will normally consist of, at a minimum, a 2-week supply of such medications) upon release from custody.

(e) Encouragement of employment of former prisoners

The Attorney General, in consultation with the Secretary of Labor, shall take such steps as are necessary to educate employers and the one-stop partners and one-stop operators (as such terms are defined in section 2801 of title 29) that provide services at any center operated under a one-stop delivery system established under section 2864(c) of title 29 regarding incentives (including the Federal bonding program of the Department of Labor and tax credits) for hiring former Federal, State, or local prisoners.

(f) Omitted**(g) Elderly and family reunification for certain nonviolent offenders pilot program****(1) Program authorized****(A) In general**

The Attorney General shall conduct a pilot program to determine the effectiveness of removing eligible elderly offenders from a Bureau of Prisons facility and placing such offenders on home detention until the expiration of the prison term to which the offender was sentenced.

(B) Placement in home detention

In carrying out a pilot program as described in subparagraph (A), the Attorney General may release some or all eligible elderly offenders from the Bureau of Prisons facility to home detention.

(C) Waiver

The Attorney General is authorized to waive the requirements of section 3624 of title 18 as necessary to provide for the release of some or all eligible elderly offenders from the Bureau of Prisons facility to home detention for the purposes of the pilot program under this subsection.

(2) Violation of terms of home detention

A violation by an eligible elderly offender of the terms of home detention (including the commission of another Federal, State, or local crime) shall result in the removal of that offender from home detention and the return of that offender to the designated Bureau of Prisons institution in which that offender was imprisoned immediately before placement on home detention under paragraph (1), or to another appropriate Bureau of Prisons institution, as determined by the Bureau of Prisons.

(3) Scope of pilot program

A pilot program under paragraph (1) shall be conducted through at least one Bureau of Prisons facility designated by the Attorney General as appropriate for the pilot program and shall be carried out during fiscal years 2009 and 2010.

(4) Implementation and evaluation

The Attorney General shall monitor and evaluate each eligible elderly offender placed on home detention under this section, and shall report to Congress concerning the experience with the program at the end of the period described in paragraph (3). The Administrative Office of the United States Courts and the United States probation offices shall provide such assistance and carry out such functions as the Attorney General may request in monitoring, supervising, providing services to, and evaluating eligible elderly offenders released to home detention under this section.

(5) Definitions

In this section:

(A) Eligible elderly offender

The term “eligible elderly offender” means an offender in the custody of the Bureau of Prisons—

(i) who is not less than 65 years of age;

(ii) who is serving a term of imprisonment that is not life imprisonment based on conviction for an offense or offenses that do not include any crime of violence (as defined in section 16 of title 18), sex offense (as defined in section 16911(5) of this title), offense described in section 2332b(g)(5)(B) of title 18, or offense under chapter 37 of title 18, and has served the greater of 10 years or 75 percent of the term of imprisonment to which the offender was sentenced;

(iii) who has not been convicted in the past of any Federal or State crime of violence, sex offense, or other offense described in clause (ii);

(iv) who has not been determined by the Bureau of Prisons, on the basis of information the Bureau uses to make custody classifications, and in the sole discretion of the Bureau, to have a history of violence, or of engaging in conduct constituting a sex offense or other offense described in clause (ii);

(v) who has not escaped, or attempted to escape, from a Bureau of Prisons institution;

(vi) with respect to whom the Bureau of Prisons has determined that release to home detention under this section will result in a substantial net reduction of costs to the Federal Government; and

(vii) who has been determined by the Bureau of Prisons to be at no substantial risk of engaging in criminal conduct or of endangering any person or the public if released to home detention.

(B) Home detention

The term “home detention” has the same meaning given the term in the Federal Sentencing Guidelines as of April 9, 2008, and includes detention in a nursing home or other residential long-term care facility.

(C) Term of imprisonment

The term “term of imprisonment” includes multiple terms of imprisonment ordered to run consecutively or concurrently, which shall be treated as a single, aggregate term of imprisonment for purposes of this section.

(h) Federal Remote Satellite Tracking and Reentry Training program**(1) Establishment of program**

The Director of the Administrative Office of the United States Courts, in consultation with the Attorney General, may establish the Federal Remote Satellite Tracking and Reentry Training (ReStart) program to promote the effective reentry into the community of high risk individuals.

(2) High risk individuals

For purposes of this section, the term “high risk individual” means—

(A) an individual who is under supervised release, with respect to a Federal offense, and who has previously violated the terms of a release granted such individual following a term of imprisonment; or

(B) an individual convicted of a Federal offense who is at a high risk for recidivism, as determined by the Director of the Bureau of Prisons, and who is eligible for early release pursuant to voluntary participation in a program of residential substance abuse treatment under section 3621(e) of title 18 or a program described in this section.

(3) Program elements

The program authorized under paragraph (1) shall include, with respect to high risk individuals participating in such program, the following core elements:

(A) A system of graduated levels of supervision, that uses, as appropriate and indicated—

(i) satellite tracking, global positioning, remote satellite, and other tracking or monitoring technologies to monitor and supervise such individuals in the community; and

(ii) community corrections facilities and home confinement.

(B) Substance abuse treatment and aftercare related to such treatment, mental and medical health treatment and aftercare related to such treatment, vocational and educational training, life skills instruction, conflict resolution skills training, batterer intervention programs, and other programs to promote effective reentry into the community as appropriate.

(C) Involvement of the family of such an individual, a victim advocate, and the victim of the offense committed by such an individual, if such involvement is safe for such victim (especially in a domestic violence case).

(D) A methodology, including outcome measures, to evaluate the program.

(E) Notification to the victim of the offense committed by such an individual of the status and nature of such an individual's reentry plan.

(i) Authorization for appropriations for Bureau of Prisons

There are authorized to be appropriated to the Attorney General to carry out this section, \$5,000,000 for each of fiscal years 2009 and 2010.

(Pub. L. 110-199, title II, § 231, Apr. 9, 2008, 122 Stat. 683.)

CODIFICATION

Section is comprised of section 231 of Pub. L. 110-199. Subsec. (d)(1) of section 231 of Pub. L. 110-199 amended section 4042(a) of Title 18, Crimes and Criminal Procedure. Subsec. (f) of section 231 of Pub. L. 110-199 amended section 3621 of Title 18.

SUBPART 2—REENTRY RESEARCH

§ 17551. Offender reentry research

(a) National Institute of Justice

The National Institute of Justice may conduct research on juvenile and adult offender reentry, including—

(1) a study identifying the number and characteristics of minor children who have had a parent incarcerated, and the likelihood of such

minor children becoming adversely involved in the criminal justice system some time in their lifetime;

(2) a study identifying a mechanism to compare rates of recidivism (including rearrest, violations of parole, probation, post-incarceration supervision, and reincarceration) among States; and

(3) a study on the population of offenders released from custody who do not engage in recidivism and the characteristics (housing, employment, treatment, family connection) of that population.

(b) Bureau of Justice Statistics

The Bureau of Justice Statistics may conduct research on offender reentry, including—

(1) an analysis of special populations (including prisoners with mental illness or substance abuse disorders, female offenders, juvenile offenders, offenders with limited English proficiency, and the elderly) that present unique reentry challenges;

(2) studies to determine which offenders are returning to prison, jail, or a juvenile facility and which of those returning offenders represent the greatest risk to victims and community safety;

(3) annual reports on the demographic characteristics of the population reentering society from prisons, jails, and juvenile facilities;

(4) a national recidivism study every 3 years;

(5) a study of parole, probation, or post-incarceration supervision violations and revocations; and

(6) a study concerning the most appropriate measure to be used when reporting recidivism rates (whether rearrest, reincarceration, or any other valid, evidence-based measure).

(Pub. L. 110-199, title II, § 241, Apr. 9, 2008, 122 Stat. 690.)

§ 17552. Grants to study parole or post-incarceration supervision violations and revocations

(a) Grants authorized

From amounts made available to carry out this section, the Attorney General may make grants to States to study and to improve the collection of data with respect to individuals whose parole or post-incarceration supervision is revoked, and which such individuals represent the greatest risk to victims and community safety.

(b) Application

As a condition of receiving a grant under this section, a State shall—

(1) certify that the State has, or intends to establish, a program that collects comprehensive and reliable data with respect to individuals described in subsection (a), including data on—

(A) the number and type of parole or post-incarceration supervision violations that occur with the State;

(B) the reasons for parole or post-incarceration supervision revocation;

(C) the underlying behavior that led to the revocation; and

(D) the term of imprisonment or other penalty that is imposed for the violation; and

(2) provide the data described in paragraph (1) to the Bureau of Justice Statistics, in a form prescribed by the Bureau.

(c) Analysis

Any statistical analysis of population data under this section shall be conducted in accordance with the Federal Register Notice dated October 30, 1997, relating to classification standards.

(Pub. L. 110-199, title II, §242, Apr. 9, 2008, 122 Stat. 690.)

§ 17553. Addressing the needs of children of incarcerated parents

(a) Best practices

(1) In general

From amounts made available to carry out this section, the Attorney General may collect data and develop best practices of State corrections departments and child protection agencies relating to the communication and coordination between such State departments and agencies to ensure the safety and support of children of incarcerated parents (including those in foster care and kinship care), and the support of parent-child relationships between incarcerated (and formerly incarcerated) parents and their children, as appropriate to the health and well-being of the children.

(2) Contents

The best practices developed under paragraph (1) shall include information related to policies, procedures, and programs that may be used by States to address—

- (A) maintenance of the parent-child bond during incarceration;
- (B) parental self-improvement; and
- (C) parental involvement in planning for the future and well-being of their children.

(b) Dissemination to States

Not later than 1 year after the development of best practices described in subsection (a), the Attorney General shall disseminate to States and other relevant entities such best practices.

(c) Sense of Congress

It is the sense of Congress that States and other relevant entities should use the best practices developed and disseminated in accordance with this section to evaluate and improve the communication and coordination between State corrections departments and child protection agencies to ensure the safety and support of children of incarcerated parents (including those in foster care and kinship care), and the support of parent-child relationships between incarcerated (and formerly incarcerated) parents and their children, as appropriate to the health and well-being of the children.

(Pub. L. 110-199, title II, §243, Apr. 9, 2008, 122 Stat. 691.)

§ 17554. Study of effectiveness of depot naltrexone for heroin addiction

(a) Grant program authorized

From amounts made available to carry out this section, the Attorney General, through the

National Institute of Justice, and in consultation with the National Institute on Drug Abuse, may make grants to public and private research entities (including consortia, single private research entities, and individual institutions of higher education) to evaluate the effectiveness of depot naltrexone for the treatment of heroin addiction.

(b) Evaluation program

An entity described in subsection (a) desiring a grant under this section shall submit to the Attorney General an application that—

(1) contains such information as the Attorney General specifies, including information that demonstrates that—

- (A) the applicant conducts research at a private or public institution of higher education, as that term is defined in section 1001 of title 20;
- (B) the applicant has a plan to work with parole officers or probation officers for offenders who are under court supervision; and
- (C) the evaluation described in subsection (a) will measure the effectiveness of such treatments using randomized trials; and

(2) is in such form and manner and at such time as the Attorney General specifies.

(c) Reports

An entity that receives a grant under subsection (a) during a fiscal year shall, not later than the last day of the following fiscal year, submit to the Attorney General a report that describes and assesses the uses of that grant.

(Pub. L. 110-199, title II, §244, Apr. 9, 2008, 122 Stat. 692.)

§ 17555. Authorization of appropriations for research

There are authorized to be appropriated to the Attorney General to carry out sections 17551, 17552, 17553, and 17554 of this title, \$10,000,000 for each of the fiscal years 2009 and 2010.

(Pub. L. 110-199, title II, §245, Apr. 9, 2008, 122 Stat. 692.)

CHAPTER 154—COMBATING CHILD EXPLOITATION

Sec.
17601. Definitions.
SUBCHAPTER I—NATIONAL STRATEGY FOR CHILD EXPLOITATION PREVENTION AND INTERDICTION

- 17611. Establishment of National Strategy for Child Exploitation Prevention and Interdiction.
- 17612. Establishment of National ICAC Task Force Program.
- 17613. Purpose of ICAC task forces.
- 17614. Duties and functions of task forces.
- 17615. National Internet Crimes Against Children Data System.
- 17616. ICAC grant program.
- 17617. Authorization of appropriations.

SUBCHAPTER II—ADDITIONAL MEASURES TO COMBAT CHILD EXPLOITATION

- 17631. Additional regional computer forensic labs.

§ 17601. Definitions

In this chapter, the following definitions shall apply: