

**Union Calendar No. 171**

103D CONGRESS  
1ST SESSION

**H. R. 3350**

**[Report No. 103-320]**

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**A BILL**

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

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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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## 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]

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## 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.”.*