

110TH CONGRESS  
2D SESSION

# H. R. 7089

To amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2008

Mr. DAVIS of Illinois introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 18, United States Code, to restore the former system of good time allowances toward service of Federal prison terms, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Federal Prison Work  
5 Incentive Act of 2008”.

6 **SEC. 2. RESTORATION OF FORMER GOOD TIME SYSTEM.**

7 (a) IN GENERAL.—Part III of title 18, United States  
8 Code, is amended by inserting after chapter 307 the fol-  
9 lowing:

## 1 **“CHAPTER 309—GOOD TIME ALLOWANCES**

“Sec.

“4161. Computation generally.

“4162. Industrial good time.

“4163. Discharge.

“4164. Forfeiture for offense.

“4165. Restoration of forfeited commutation.

### 2 **“§ 4161. Computation generally**

3       “(a) Each prisoner convicted of an offense against  
4 the United States and confined in a penal or correctional  
5 institution for a definite term other than for life, whose  
6 record of conduct shows that the prisoner has substan-  
7 tially observed all regulations promulgated by the Director  
8 of the Bureau of Prisons and has not been subjected to  
9 punishment, shall be entitled to a deduction from the term  
10 of his sentence imposed beginning with the day on which  
11 the sentence commences to run, and including time served  
12 in pretrial confinement, as follows:

13               “(1) 5 days for each month of the sentence, if  
14 the sentence is not less than 6 months and not more  
15 than 1 year.

16               “(2) 6 days for each month of the sentence, if  
17 the sentence is more than 1 year and less than 3  
18 years.

19               “(3) 7 days for each month of the sentence, if  
20 the sentence is not less than 3 years and less than  
21 5 years.

1           “(4) 8 days for each month of the sentence, if  
2           the sentence is not less than 5 years and less than  
3           10 years.

4           “(5) 10 days for each month of the sentence, if  
5           the sentence is 10 years of more.

6           “(b) When 2 or more consecutive sentences are to be  
7           served, the aggregate of the several sentences shall be the  
8           basis upon which the deduction shall be computed.

9           **“§ 4162. Industrial good time**

10          “(a) A prisoner may, in the discretion of the Director  
11          of the Bureau of Prisons, be allowed a deduction from that  
12          prisoner’s sentence of not to exceed 3 days for each month  
13          of actual employment in an industry or camp for the first  
14          year or any part thereof, and not to exceed 5 days for  
15          each month of any succeeding year or part thereof.

16          “(b) In the discretion of the Director of the Bureau  
17          of Prisons such allowance may also be made to a prisoner  
18          performing exceptionally meritorious service or performing  
19          duties of outstanding importance in connection with insti-  
20          tutional operations.

21          “(c) Such allowance shall be in addition to commuta-  
22          tion of time for good conduct, and under the same terms  
23          and conditions and without regard to length of sentence.

1 **“§ 4163. Discharge**

2       “Except as otherwise provided by law a prisoner shall  
3 be released at the expiration of the term of sentence less  
4 the time deducted for good conduct. A certificate of such  
5 deduction shall be entered on the commitment by the War-  
6 den or keeper. If such release date falls upon a Saturday,  
7 a Sunday, or on a Monday which is a legal holiday at the  
8 place of confinement, the prisoner may be released at the  
9 discretion of the warden or keeper on the preceding Fri-  
10 day. If such release date falls on a holiday which falls  
11 other than on a Saturday, Sunday, or Monday, the pris-  
12 oner may be released at the discretion of the warden or  
13 keeper on the day preceding the holiday.

14 **“§ 4164. Forfeiture for offense**

15       “If during the term of imprisonment a prisoner com-  
16 mits any offense or violates the regulations promulgated  
17 by the Director of the Bureau of Prisons, all or any part  
18 of his earned good time may be forfeited.

19 **“§ 4165. Restoration of forfeited commutation**

20       “The Director of the Bureau of Prisons shall by regu-  
21 lation provide for the criteria for and means of restoration  
22 of any forfeited or lost good time or portion .”.

23       (b) CLERICAL AMENDMENT.—The table of chapters  
24 for part III of title 18, United States Code, is amended

1 by striking the item relating to chapter 309 and inserting  
 2 the following:

**“309. Good time allowances ..... 4161”.**

3 (c) CONFORMING REPEAL AND CROSS REFERENCE  
 4 CHANGE.—Section 3624 of title 18, United States Code,  
 5 is amended—

6 (1) by striking subsection (b); and

7 (2) in subsection (a), by striking “subsection  
 8 (b)” and inserting “chapter 309”.

9 (d) APPLICATION OF AMENDMENTS.—This Act and  
 10 the amendments made by this Act shall apply with respect  
 11 to—

12 (1) all prisoners, other than those to whom the  
 13 former system of the former chapter 309 of title 18  
 14 applies, as of the date of the enactment of this Act;  
 15 and

16 (2) all periods of imprisonment of the prisoners  
 17 to whom it applies that occur after the date of that  
 18 enactment.

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