

118TH CONGRESS
2D SESSION

S. 4156

To require the Bureau of Prisons to submit to Congress an annual summary report of disaster damage, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 18, 2024

Ms. DUCKWORTH (for herself and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Bureau of Prisons to submit to Congress an annual summary report of disaster damage, 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 “Correctional Facility
5 Disaster Preparedness Act of 2024”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the term “major disaster” means—

8 (1) a major disaster declared by the President
9 under section 401 of the Robert T. Stafford Disaster

1 Relief and Emergency Assistance Act (42 U.S.C.
2 5170); or

3 (2) any natural disaster or extreme weather or
4 public health emergency event that—

5 (A)(i) causes physical damage to a Bureau
6 of Prisons facility or contract prison; or

7 (ii) disrupts services described in para-
8 graph (2), (4), (5), or (6) of section 3(a); and

9 (B) the Bureau of Prisons determines is a
10 major disaster.

11 **SEC. 3. BUREAU OF PRISONS ANNUAL SUMMARY REPORT**
12 **OF DISASTER DAMAGE.**

13 (a) IN GENERAL.—The Director of the Bureau of
14 Prisons shall submit to the Committee on Appropriations,
15 the Committee on the Judiciary, and the Committee on
16 Homeland Security and Governmental Affairs of the Sen-
17 ate and the Committee on Appropriations, the Committee
18 on the Judiciary, the Committee on Homeland Security
19 of the House of Representatives, the Government Account-
20 ability Office, and the Inspector General of the Depart-
21 ment of Justice an annual summary report of disaster
22 damage on the scope of physical damage from a major
23 disaster by each Bureau of Prisons facility and its con-
24 tract prisons impacted or struck by a major disaster that

1 explains the effects of the damage on inmates and staff,
2 including—

3 (1) data on injury and loss of life of inmates
4 and staff;

5 (2) access to health and medical care, food, spe-
6 cial dietary needs, drinkable water, personal protec-
7 tive equipment, and personal hygiene products;

8 (3) guidance used to adjudicate early release or
9 home confinement requests, data on early release or
10 home confinement approvals, denials, and justifica-
11 tion for denials;

12 (4) an explanation as to whether using home
13 confinement or early release was considered;

14 (5) access to cost-free and uninterrupted visita-
15 tion with legal counsel and visitors with justifica-
16 tions for facility decisions that resulted in suspended
17 or altered visitations;

18 (6) access to appropriate accommodations for
19 inmates with disabilities;

20 (7) access to educational and work programs;

21 (8) inmate grievances;

22 (9) assessment of the cost of the damage to the
23 facility and estimates for repairs;

24 (10) the impact on staffing, equipment, and fi-
25 nancial resources; and

1 (11) other factors relating to the ability of the
2 Bureau of Prisons and any existing contract prison
3 to uphold the health, safety, and civil rights of the
4 correctional population.

5 (b) CORRECTIVE ACTION PLAN.—The report re-
6 quired under subsection (a) shall include agency corrective
7 actions that the Bureau of Prisons will take to improve
8 and modernize emergency preparedness plans, as they re-
9 late to natural disasters, extreme weather, and public
10 health emergencies and a timeline to implement the cor-
11 rective action plan.

12 (c) RECOMMENDATIONS.—The report required under
13 subsection (a) shall include specific legislative rec-
14 ommendations to Congress for improving emergency pre-
15 paredness plans within the Bureau of Prisons.

16 (d) APPOINTMENT.—Not later than 90 days after the
17 enactment of this Act, the Director of the Bureau of Pris-
18 ons shall appoint an official of the Bureau of Prisons re-
19 sponsible for carrying out the corrective action plan.

20 **SEC. 4. NATIONAL INSTITUTE OF CORRECTIONS.**

21 Section 4351 of title 18, United States Code, is
22 amended—

23 (1) in subsection (c)—

24 (A) in the matter preceding paragraph (1),

25 by striking “ten” and inserting “14”; and

1 (B) by adding at the end the following:

2 “(3) One shall have served a sentence in either
3 a Federal or State correctional facility or have a
4 professional background advocating on the behalf of
5 formerly incarcerated or incarcerated individuals.

6 “(4) One shall have a background as an emer-
7 gency response coordinator that has created an
8 emergency management accreditation program.

9 “(5) One shall have an educational and profes-
10 sional background in public health working with
11 communicable diseases.

12 “(6) One shall represent the labor union that
13 represents Bureau of Prisons employees.”; and

14 (2) by adding at the end the following:

15 “(i) FIELD HEARING.—Not later than 1 year after
16 the date of enactment of this subsection, the National In-
17 stitute of Corrections shall conduct at least one public field
18 hearing on how correctional facilities can incorporate in
19 their emergency preparedness plans and recovery efforts—

20 “(1) inmate access to medical care, food, drink-
21 able water, personal protective equipment, and per-
22 sonal hygiene products;

23 “(2) consideration by staff of using home con-
24 finement or early release;

1 “(3) inmate access to cost-free and uninter-
2 rupted visitation with legal counsel and visitors with
3 clear standards for when facilities may suspend or
4 alter visitations;

5 “(4) inmate access to appropriate accommoda-
6 tions for inmates with disabilities;

7 “(5) use of Federal funding to restore disaster-
8 damaged correctional facilities; and

9 “(6) incorporation by staff of risk management
10 best practices, such as those made available under
11 the relevant agencies of the Federal Emergency
12 Management Administration, Department of Health
13 and Human Services, and the Government Account-
14 ability Office to enhance emergency preparedness
15 plans.”.

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