

105TH CONGRESS  
1ST SESSION

# H. R. 926

To amend title 18, United States Code, to permit Federal prisoners to engage in community service projects.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 1997

Mr. McCOLLUM 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 permit Federal prisoners to engage in community service projects.

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 “Prisoner Service Op-  
5       portunity Act of 1997”.

6       **SEC. 2. PRISONER COMMUNITY SERVICE PROJECTS.**

7       (a) IN GENERAL.—Chapter 303 of title 18, United  
8       States Code, is amended by adding at the end the follow-  
9       ing:

1 **“§ 4048. Community service projects**

2       “(a) Subject to the limitations of this section, and  
3 pursuant to rules prescribed by the Attorney General, the  
4 chief executive officer of a Federal penal or correctional  
5 facility may, as part of an inmate work program, provide  
6 products or services, free of charge or at minimal cost,  
7 to private, nonprofit organizations (as defined in section  
8 501(c)(3) of the Internal Revenue Code of 1986) or to  
9 a component of any State government or political subdivi-  
10 sion thereof.

11       “(b) Products provided under subsection (a) shall be  
12 constructed in substantial part through the use of scrap  
13 or waste materials that constitute excess property, as de-  
14 fined in section 3(e) of the Federal Property and Adminis-  
15 trative Services Act of 1949 (40 U.S.C. 472(e)). Such  
16 products shall not be resold by the recipient.

17       “(c) Services provided under subsection (a)—

18               “(1) shall be used only for the benefit of the re-  
19 cipient entity and not for the benefit of any individ-  
20 ual or organization other than the recipient; and

21               “(2) shall not displace an employee of the recip-  
22 ient or result in a reduction in hours, wages, or em-  
23 ployment benefits of any employee of the recipient.

24       “(d) No goods or services may be provided under this  
25 section by a Federal penal or correctional facility, if the

1 provision of those goods or services would reduce the num-  
2 ber of inmates employed at any Federal Prison Industries  
3 operations at that facility. Nothing this section shall be  
4 construed to increase or otherwise affect the powers of  
5 Federal Prison Industries.”.

6 (b) CLERICAL AMENDMENT.—The table of sections  
7 at the beginning of chapter 303 of title 18, United States  
8 Code, is amended by adding at the end the following new  
9 item:

“4048. Community service projects.”.

10 **SEC. 3. CONFORMING AMENDMENTS.**

11 (a) FEDERAL PROPERTY AND ADMINISTRATIVE  
12 SERVICES ACT AMENDMENT.—The second undesignated  
13 paragraph of section 602(d) of the Federal Property and  
14 Administrative Services Act of 1949 (40 U.S.C. 474), is  
15 amended—

16 (1) by striking the period at the end of sub-  
17 paragraph (21) and inserting a semicolon; and

18 (2) by inserting after subparagraph 21 the fol-  
19 lowing:

20 “(22) the Federal Bureau of Prisons with re-  
21 spect to the disposal of property used to produce  
22 those products described in section 4048 of title 18,  
23 United States Code.”.

24 (b) EXCEPTION TO PROHIBITION ON SHIPMENT OF  
25 GOODS.—Section 1761(b) of title 18, United States Code,

1 is amended by striking the period at the end and inserting  
2 “, nor to products provided pursuant to section 4048 of  
3 this title.”.

