

105TH CONGRESS
1ST SESSION

S. 561

To require States receiving prison construction grants to implement requirements for inmates to perform work and engage in educational activities, to eliminate certain sentencing inequities for drug offenders, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 10, 1997

Mr. SHELBY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require States receiving prison construction grants to implement requirements for inmates to perform work and engage in educational activities, to eliminate certain sentencing inequities for drug offenders, 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 “Prisoner Work and
5 Responsibility Initiative of 1997”.

1 **SEC. 2. GRANTS TO STATES FOR CORRECTIONAL FACILI-**
2 **TIES.**

3 Section 20103(a) of the Violent Crime Control and
4 Law Enforcement Act of 1994 (42 U.S.C. 13703(a)) is
5 amended—

6 (1) by striking “assurances that the State” and
7 inserting the following “assurances that—

8 “(1) the State”;

9 (2) by striking the period at the end and insert-
10 ing a semicolon; and

11 (3) by adding at the end the following:

12 “(2) the State has implemented a requirement
13 that each inmate must perform not less than 48
14 hours of work per week, which shall not be waived
15 except as required by—

16 “(A) security conditions;

17 “(B) disciplinary action; or

18 “(C) medical certification of a disability
19 that would make it impracticable for prison of-
20 ficials to arrange useful work for the inmate to
21 perform;

22 “(3) the State has implemented a requirement
23 that each inmate engage in not less than 16 hours
24 of organized educational activities per week; and

25 “(4) the State prohibits prison officials from
26 providing privileges to any inmate who fails to com-

1 ply with the requirements described in paragraphs
2 (2) and (3), including—

3 “(A) access to television;

4 “(B) access to bodybuilding or
5 weightlifting equipment;

6 “(C) access to recreational sports;

7 “(D) unmonitored telephone calls, except
8 when between the inmate and the immediate
9 family or attorney of the inmate;

10 “(E) instruction or training equipment for
11 boxing, wrestling, judo, karate, or other martial
12 arts;

13 “(F) except for use during required work,
14 the use or possession of any electrical or elec-
15 tronic musical instrument;

16 “(G) an in-cell coffee pot, hot plate, or
17 heating element;

18 “(H) food exceeding in quality or quantity
19 to that which is available to enlisted personnel
20 in the United States Army;

21 “(I) dress, hygiene, grooming, and appear-
22 ance other than those allowed as standard in
23 the prison; or

24 “(J) equipment or facilities for publishing
25 or broadcasting material not approved by prison

1 officials as being consistent with prison order
2 and discipline.”.

3 **SEC. 3. ELIMINATION OF SENTENCING INEQUITIES FOR**
4 **DRUG OFFENDERS.**

5 (a) IN GENERAL.—Section 3621(e)(2) of title 18,
6 United States Code, is amended—

7 (1) by striking the paragraph heading and in-
8 serting the following:

9 “(2) TREATMENT REQUIREMENT.—”; and

10 (2) by striking subparagraph (B) and inserting
11 the following:

12 “(B) ADMINISTRATION OF TREATMENT
13 PROGRAMS.—The Attorney General shall en-
14 sure, through the use of all appropriate and
15 available incentives and sanctions, that each eli-
16 gible prisoner participates in a program of sub-
17 stance abuse treatment.”.

18 (b) ELIGIBILITY.—Section 3621(e)(5)(B) of title 18,
19 United States Code, is amended by striking clause (ii) and
20 inserting the following:

21 “(ii) within 24 months of the date of
22 release, or is otherwise designated by the
23 Bureau of Prisons for participation in a

- 1 residential substance abuse treatment pro-
- 2 gram; and”.

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