

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 480. A bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes (Rept. No. 108-399).

S. 2280. A bill to establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration (Rept. No. 108-400).

S. 2488. A bill to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes (Rept. No. 108-401).

By Mr. McCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2489. A bill to establish a program within the National Oceanic and Atmospheric Administration to integrate Federal coastal and ocean mapping activities (Rept. No. 108-402).

#### DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations and the nominations were confirmed:

Public Health Service nominations beginning with Timothy D. Mastro and ending with Anthony A. Walker, which nominations were received by the Senate and appeared in the Congressional Record on July 19, 2004.

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations and the nominations were placed on the Executive Calendar:

Milton Aponte, of Florida, to be a Member of the National Council on Disability for a term expiring September 17, 2006.

Dan Arvizu, of Colorado, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Steven C. Beering, of Indiana, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Gerald Wayne Clough, of Georgia, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Kelvin Kay Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Louis J. Lanzerotti, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Alan I. Leshner, of Maryland, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Jon C. Strauss, of California, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

Kathryn D. Sullivan, of Ohio, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2010.

The Senate Committee on Governmental Affairs was discharged from further consideration of the following nomination and the nomination was placed on the Executive Calendar:

Gregory E. Jackson, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

The Senate Committee on Finance was discharged from further consideration of the following nomination and the nomination was placed on the Executive Calendar:

Anna Escobedo Cabral, of Virginia, to be Treasurer of the United States.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Mr. LEVIN, Mr. BIDEN, and Mr. KENNEDY):

S. 2976. A bill to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and for other purposes; considered and passed.

By Ms. LANDRIEU:

S. 2977. A bill to establish the Office of Community Justice Services within the Department of Justice, and for other purposes; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. NELSON of Nebraska, Mr. BAUCUS, Mr. BURNS, Mr. STEVENS, and Mr. ENSIGN):

S. 2978. A bill relating to State regulation of access to hunting and fishing; to the Committee on the Judiciary.

By Mr. HATCH (for himself and Mr. LEAHY):

S. 2979. A bill to amend title 5, United States Code, to authorize appropriations for the Administrative conference of the United States for fiscal years 2005, 2006, and 2007, and for other purposes; considered and passed.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. BOXER:

S. Res. 464. A resolution relating to refundable tax credits for municipalities; considered and agreed to.

By Mr. HARKIN:

S. Res. 465. A resolution to instruct conferees to the Agriculture, Rural Development, Food and Drug Administration, and related agencies appropriations bill, 2005 or on a consolidated appropriations measure that includes the substance of that act; considered and agreed to.

By Mr. McCAIN:

S. Res. 466. A resolution celebrating the anniversaries of the International Polar Years (1882-1883 and 1932-1933) and International Geophysical Year (1957-1958) and supporting a continuation of this international science year tradition in 2007-2008; considered and agreed to.

By Mr. HATCH (for himself and Mrs. FEINSTEIN):

S. Res. 467. A resolution extending birthday greetings to Joseph Barbera on the occasion of his 100th birthday and designating March 2005 as "Animated Family Entertainment Month"; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. CAMPBELL, and Mr. INOUE):

S. Res. 468. A resolution designating November 7, 2004, as "National Native American Veterans Day" to honor the service of Native Americans in the United States Armed Forces and the contribution of Native Americans to the defense of the United States; to the Committee on the Judiciary.

By Mr. HARKIN:

S. Con. Res. 144. A concurrent resolution to correct the enrollment of H.R. 4837; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 168

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 168, a bill to require the Secretary of the Treasury to mint coins in commemoration of the San Francisco Old Mint.

S. 989

At the request of Mr. REID, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 989, a bill to provide death and disability benefits for aerial firefighters who work on a contract basis for a public agency and suffer death or disability in the line of duty, and for other purposes.

S. 2437

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 2437, a bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes.

S. 2571

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 2571, a bill to clarify the loan guarantee authority under title VI of the Native American Housing Assistance and Self-Determination Act of 1996.

S. 2858

At the request of Mr. GREGG, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2858, a bill to amend the Internal Revenue Code of 1986 to clarify the proper treatment of differential wage payments made to employees called to active duty in the uniformed services, and for other purposes.

S. CON. RES. 136

At the request of Mr. CONRAD, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Con. Res. 136, a concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93.

S. RES. 458

At the request of Mr. INHOFE, his name was added as a cosponsor of S. Res. 458, a resolution congratulating the SpaceShipOne team for achieving a historic milestone in human space flight.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. LANDRIEU:

S. 2977. A bill to establish the Office of Community Justice Services within the Department of Justice, and for other purposes; to the Committee on the Judiciary.

Ms. LANDRIEU. Mr. President, everyday more than 1,600 prisoners are released from jail and head back to the streets of America's neighborhoods and communities. That is more than 600,000 each year. When they get out, they are often get sent back to same neighborhoods where they got into trouble in the first place and more than two-thirds of them return to a life of crime.

This problem could get worse, if we don't take action. We have the largest prison population than at any other time in our history. Two million people are behind bars, the result of tougher penalties, particularly for drug offenses, and "three-strikes and you're out laws" in many States. While the worst offenders will stay behind bars indefinitely, 95 percent of people in jail will get out at some point in time, either on parole, or after completing their sentences.

The challenge for us and our communities is clear: we must find a way to successfully integrate offenders back into society after they get out of prison. The task is daunting. Many offenders face a unique set of personal challenges, legal restrictions, and social barriers that make the transition to productive citizenship extremely difficult for them.

Substance abuse is the most common problem. Eighty percent of all offenders abuse drugs and alcohol, or were under the influence of drugs and alcohol when they committed their crimes. Only about 13 percent of them receive treatment while they are in prison, according to the Office of National Drug Control Policy. Spending for in-prison substance abuse programs has been cut so that States and localities can devote more funding for housing the increased number of prisoners in their corrections systems.

Drug addicted offenders face even bigger challenges when they get out. Corrections agencies are often required to return prisoners to the place where they were convicted. That means released offenders get sent back to economically distressed neighborhoods where drugs are plentiful, but hope is not. These men and women go back to face the same temptations and demons that led to their addictions and their criminal conduct. Resources for treatment in these communities are stretched thin and a lot of former inmates cannot get help.

Another important barrier to success as a citizen is poor education. Offenders are more than twice as likely to have not graduated from high school than the general population. One study found that one-third of inmates could not find an intersection on a map; the same percentage could not explain a billing error or place information on an automobile maintenance form; and only one in 20 could figure out what bus to take from using a schedule.

If you cannot use a map or read a bus schedule, you will not be able to find your way to an office in an unfamiliar part of town to interview for a entry level job as a file clerk. If you cannot explain a billing error to someone, you will not be able to get a job in customer service. There are basic-skilled jobs that do not require a college education available for ex-offenders. But too many of our offenders lack the basic skills to get these jobs and if people are not working, they are more likely to get into trouble.

Studies have shown that unemployment contributes to criminal conduct. The New York State Department of Labor found that 80 percent of offenders who violated probation or parole were unemployed.

To make matters worse, many States exclude felons from holding certain kinds of jobs and obtaining professional licenses. A felon might not be able to get a cosmetology license or certain kinds of drivers' licenses. They may also be denied housing assistance and certain kinds of welfare benefits; 15 to 27 percent of released inmates expect to go to homeless shelters when they get out.

These statistics make it clear why so many of our ex-offenders end up back in trouble with the law. Untreated substance abuse problems, poor education and job skills, and homelessness work to sap offenders of their drive, ambition, and hope. Crime seems like the only option for ex-offenders and they return to a life of crime 67 percent of the time.

Recidivism has its costs. Crime has devastating affects on the neighborhoods that see the most criminal activity. Housing an inmate for one year costs State prison systems \$21,000 and costs the Federal system \$25,000 per year. But the victims pay the biggest costs in pain, suffering, and fear.

I believe that we can do better than a 67 percent recidivism rate and we can reduce the amount of pain inflicted on victims if we invest in programs that help offenders get over the barriers and the personal difficulties that keep them from becoming productive citizens. Research shows that these kinds of programs can help prepare offenders for life outside of prison. According to one U.S. Department of Education study, participation in correctional vocational and education programs reduces recidivism by 29 percent in State prisoners and 33 percent for Federal prisoners. Substance abuse treatment programs can cut drug use in half and reduce recidivism by 20 percent. In fact every dollar invested in substance abuse programs saves taxpayers \$7.46 in other government and social costs according to the Bureau of Justice Statistics.

Today, I am introducing the Protecting Our Communities by Making Returning Offenders Better Citizens Act of 2004. This legislation will establish a \$1.5 billion grant program at the Department of Justice to help States

and communities develop comprehensive reentry strategies to turn felons into productive citizens. Funding would be available to State and local corrections and offender supervision agencies to a range of services including substance abuse treatment, basic education programs, job skills training, civic education, mentoring services, and family counseling services. The bill encourages these governmental agencies to partner with local non-profits, community organizations, and faith-based organizations to deliver these services to offenders both in and out of jail.

This legislation will also help the families of offenders when an offender returns home. Some 1.5 million children had a parent in a State or Federal prison in 1999 and 7 million children have a parent under some form of correctional supervision. These children are seven times more likely to end up in the criminal justice system. The return of an offender to the home can also produce a great deal of family strife. The adjustment can be very difficult. An unstable home environment only helps to foster criminal behavior.

My legislation will help corrections agencies institute family programs to help keep families close while a parent is incarcerated. Prisons and jails would be able to improve family visitation facilities, provide reduced cost phone service so that inmates can keep in touch with their families, or develop other innovative programs to keep family in the lives of offenders. Parole and probation agencies can work with family support agencies and other government agencies to provide a range of services so that families can successfully adjust to having an offender back home.

The experts are just beginning to examine the important role family services can play in reducing recidivism. One study found that prisoners with no visitors were six times more likely to re-enter prison within the first year of parole than those with three or more visitors.

A variety of family integration programs for offenders have also shown great promise. The La Bodega de la Familia program in New York City and the Michigan Department of Corrections's Project SEEK have produced terrific outcomes, reducing drug use and violent behavior by children. These programs offer an array of services to offenders in addition to family counseling. They serve as focal point for offenders to get substance abuse counseling, job training, and education. We need more programs like this and my legislation will make that possible.

We also need to do more to make offenders understand not only the responsibilities of citizenship, but also its benefits. Certain offenders can be denied the right to vote, public housing benefits, some welfare benefits, and they are legally barred from certain kinds of employment. What they often

do not know, however, is that they can get these rights back under certain circumstances. While we make offenders well aware of what civic rights and benefits they are denied when they get released, they do not receive information on how they can get those rights back.

In order to qualify for a grant, grantees must provide offenders with information on how they can restore their voting rights and any other rights or benefits denied them because of their criminal records. States will not have to change any laws to meet this requirement, they are only required to provide information to offenders. I believe that this will send a powerful message to released offenders that we want them to become full participants in our democracy despite their past mistakes. I believe providing information on how to restore their rights can help motivate offenders to follow a different path and underscores our willingness to give them another chance.

Our communities have done a terrific job protecting the public. The crime rate has fallen 55 percent over the last decade, the lowest level in 30 years. They have succeeded through hard work and the investment of the Federal Government in local law enforcement. We passed tougher criminal penalties, provided funding for equipment and technology, and put 100,000 community policing officers on the streets.

Keeping our streets safe is a constant battle that is far from over. These criminals are coming back. Some will be ready for the challenges of citizenship, many will not. The Federal Government can help again by providing the right resources to corrections and our parole and probation agencies. President Bush announced his support for a \$300 million initiative to help offenders with job training, transitional housing, and mentoring with faith-based organizations. The President's program was an excellent start. The Protecting Our Communities by Making Returning Offenders Better Citizens Act will build on this so that every offender gets a second chance to turn themselves from felons into fellow citizens. I urge my colleagues to support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Protecting Our Communities by Making Returning Offenders Better Citizens Act of 2004”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Findings.  
Sec. 3. Definitions.

#### **TITLE I—OFFICE OF COMMUNITY JUSTICE SERVICES**

Sec. 101. Establishment of Office of Community Justice Services.

Sec. 102. National Offender Reentry Initiative Clearinghouse.

#### **TITLE II—GRANT PROGRAMS**

Sec. 201. Reentry preparation grants.  
Sec. 202. Transition to community grants.  
Sec. 203. Community-based supervision and support grants.  
Sec. 204. Administrative provisions.

#### **TITLE III—CIVIC EDUCATION FOR REENTERING FEDERAL PRISONERS**

Sec. 301. Civic education for reentering Federal prisoners.

**TITLE IV—GRANTS FOR RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE**  
Sec. 401. Grants for research, training, and technical assistance.

#### **TITLE V—AUTHORIZATION OF APPROPRIATIONS**

Sec. 501. Authorization of appropriations.

#### **SEC. 2. FINDINGS.**

Congress finds the following:

(1) More than 2,000,000 people are incarcerated in Federal or State prisons and local jails in the United States.

(2) Of the individuals now in prison, 97 percent will eventually be released back into American communities. More than 630,000 of these inmates are released into the Nation's communities every year.

(3) The Bureau of Justice Statistics has found that 67.5 percent of prisoners released from incarceration in 1994 were rearrested within 3 years.

(4) Many of the men and women who will leave prison and jail each year have a variety of substance abuse disorders, low levels of education and job training, face significant barriers to employment, and lack housing upon their release.

(5) Felony convictions can also disqualify released offenders from voting and other rights. Under some State laws, these disqualifications can be permanent. While many States allow for the restoration of voting and civic rights to ex-offenders, this information is not routinely given to ex-offenders upon their release.

(6) Returning offenders have significant educational needs. Fewer than one-half of released prisoners have a high school education. Studies have found that approximately one-third of prisoners cannot locate an intersection on a street map; one-third cannot explain in writing a billing error; and only 1 in 20 can determine which bus to take from a schedule.

(7) State and local governments have not been able to maintain prison education programs in the face of a prison population that has doubled in the past decade. As a result, according to the National Institute for Literacy, the percentage of prisoners participating in correctional education programs is declining.

(8) The United States Department of Education found that participation in correctional education programs lowers the likelihood of reincarceration by 29 percent, and the Federal Bureau of Prisons found a 33 percent drop in recidivism among Federal prisoners who participate in vocational and apprenticeship training.

(9) According to the National Institute of Justice, 60 percent of formerly incarcerated individuals are unemployed after 1 year of release. Unemployment can contribute to the likelihood of repeating criminal conduct.

(10) Formerly incarcerated individuals face unique barriers in the job market. They may be legally disqualified from certain types of employment and barred by law from obtaining professional licenses in fields such as cosmetology, transportation, and home health care.

(11) Research has found that job training and placement programs for ex-offenders in-

crease the employment of offenders and reduce recidivism.

(12) Drug and alcohol abuse is a persistent concern at every stage of the criminal justice process. Eighty-one percent of State prisoners, 81 percent of Federal prisoners, and 77 percent of local jail inmates have alcohol and drug abuse problems, or were under the influence of alcohol or drugs when they committed their offenses. However, only 13 percent of these inmates receive drug and alcohol treatment while they are incarcerated according to the Office of National Drug Control Policy.

(13) Substance abuse treatment has been proven to reduce drug use, recidivism, unemployment, and homelessness, according to several studies, and every dollar invested in substance abuse treatment saves taxpayers \$7.46 in other social costs.

(14) Many offenders are released back into the community without having a place to call home. Several studies have found that many prisoners expect to go to homeless shelters upon release.

(15) A number of barriers exist to offenders getting adequate shelter upon release. Most offenders do not have enough money at the time of release to rent an apartment and landlords typically are reluctant to rent to former offenders. Some ex-offenders are prohibited from living in public housing because of their criminal records.

(16) The Bureau of Justice Statistics estimates that 1,500,000 children in the United States had a parent in a Federal or State prison in 1999. In addition, over 7,000,000 children have a parent under some sort of correctional supervision.

(17) Children of incarcerated parents face social stigma because of their parents' criminal status. This can cause problems in school, low self-esteem, aggressive behavior, and other emotional dysfunction.

(18) The reunification of ex-offenders and their families can cause family stress. In some cases, the ex-offender is not welcome in the home and many ex-offenders have difficulty readjusting to family life.

(19) Studies show that ex-offenders adjust better to family life when their families receive comprehensive support services. These services can also reduce juvenile delinquency, antisocial behavior, and recidivism rates.

#### **SEC. 3. DEFINITIONS.**

In this Act, the following definitions shall apply:

(1) **DIRECTOR.**—The term “Director” means the Director of the Office of Community Justice Services of the Department of Justice, as established under section 101.

(2) **NONGOVERNMENTAL ENTITIES.**—The term “nongovernmental entities” means any non-profit organizations, community corrections organizations, faith-based organizations, social service organizations, behavioral healthcare agencies, neighborhood or community-based organizations, and other entities that are not part of a State or local government.

(3) **PROVEN EFFECTIVENESS.**—The term “proven effectiveness” means that a program, project, approach, or practice has been shown by a credible analysis of performance and results to make a significant contribution to the accomplishment of the objectives for which it is undertaken, or to have a significant effect in improving the conditions identified with the problem to which it is addressed.

(4) **STATE OR LOCAL CORRECTIONS AGENCIES.**—The term “State or local corrections agencies” means the responsible agencies for the imprisonment or incarceration of offenders, or community corrections supervision, in any State of the United States, the District of Columbia, the Commonwealth of

Puerto Rico, the Virgin Islands, American Samoa, Guam, Indian tribal governments, and the Northern Mariana Islands, or any political subdivision thereof that performs corrections functions, including any agency of the Federal Government that performs corrections functions for the District of Columbia, or any trust territory of the United States.

(5) **STATE OR LOCAL PAROLE OR PROBATION AGENCIES.**—The term “State or local parole or probation agencies” means the responsible agencies for determining or supervising early release of reentering offenders or the supervision of reentering offenders in any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, Indian tribal governments, and the Northern Mariana Islands, or any political subdivision thereof that performs parole or probation functions, including any agency of the Federal Government that performs these functions for the District of Columbia, or any trust territory of the United States.

#### **TITLE I—OFFICE OF COMMUNITY JUSTICE SERVICES**

##### **SEC. 101. ESTABLISHMENT OF OFFICE OF COMMUNITY JUSTICE SERVICES.**

(a) **IN GENERAL.**—There is established within the Department of Justice the Office of Community Justice Services, which shall be headed by a Director appointed by the Attorney General from among persons who have experience in corrections, parole, probation, or related matters, or in providing transitional services to offenders who are returning to their home communities.

(b) **DUTIES.**—The Director shall—

(1) develop and administer programs for grants to State or local corrections agencies, State or local parole and probation agencies, community corrections agencies, and nongovernmental entities in accordance with this Act, for the purposes of preparing incarcerated persons for reentry into the community, or to assist reentering offenders in their transition back into the community; and

(2) make grants to nongovernmental entities that have experience and expertise in providing such services.

##### **SEC. 102. NATIONAL OFFENDER REENTRY INITIATIVE CLEARINGHOUSE.**

(a) **GRANT AUTHORIZED.**—

(1) **IN GENERAL.**—The Director of the Office of Community Justice Services may award a grant to an eligible organization to establish a National Offender Reentry Initiative Clearinghouse.

(2) **DURATION.**—The grant awarded under paragraph (1) shall be for a period not to exceed 5 years.

(b) **USE OF FUNDS.**—The grant awarded under subsection (a) may be used—

(1) for education, training, and technical assistance on offender reentry for States, units of local government, corrections agencies, parole and probation agencies, and nongovernmental entities;

(2) to collect data on best practices from entities receiving a grant under this Act, and from other agencies and organizations;

(3) to disseminate best practices to States, units of local government, corrections agencies, parole and probation agencies, and nongovernmental entities; and

(4) to assist State and units of local government to identify barriers to successful offender reentry.

(c) **APPLICATION.**—Each eligible organization desiring the grant under this section shall submit an application to the Director at such time, in such manner, and containing such information as the Director may reasonably require.

(d) **ELIGIBLE ORGANIZATIONS.**—A national nonprofit organization may apply for the

grant under this section if the organization has experience in providing technical assistance, training, and research on offender reentry programs for States, units of local government, corrections agencies, and parole and probation agencies.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary for fiscal years 2005 through 2009 to carry out the provisions of this section.

#### **TITLE II—GRANT PROGRAMS**

##### **SEC. 201. REENTRY PREPARATION GRANTS.**

(a) **IN GENERAL.**—The Director shall award grants, for a term of not more than 5 years, to State or local corrections agencies to provide services to incarcerated persons, in accordance with the requirements of this section.

(b) **USE OF FUNDS.**—Grant funds awarded under subsection (a) may be used for—

(1) education programs, such as high school equivalency degrees, basic literacy training, civic education, and educational diagnostic services for incarcerated persons;

(2) mental health and substance abuse assessment and treatment programs, including anger management programs, for incarcerated persons;

(3) job and vocational skills training for incarcerated persons;

(4) mentoring programs for incarcerated persons;

(5) programs, services, and the construction of facilities to promote healthy family bonds, such as family counseling centers and services, telecommunications services for incarcerated parents to communicate with their children, and family friendly visiting areas;

(6) information programs that meet the requirements of subsection (e); and

(7) any other program or service that is part of a comprehensive offender reentry plan designed to prepare incarcerated persons for their future return to the community-at-large.

(c) **PARTNERSHIP APPLICATIONS.**—Each State or local corrections agency may apply for a grant in cooperation with, or contract with upon receiving a grant under this section, nonprofit organizations, faith-based organizations, and nongovernmental entities to develop and provide innovative approaches that will allow incarcerated persons access to the services described under paragraphs (1) through (6) of subsection (b).

(d) **PRIORITY.**—Priority in the award of grants shall be given to those State or local correctional agencies that propose partnership applications as described under subsection (c) to develop innovative strategies, as determined by the Director, to deliver the services described under paragraphs (1) through (6) of subsection (b).

(e) **INFORMATION.**—Each State corrections agency, or State parole or probation agency, receiving a grant under this section shall provide each incarcerated person with written information, in plain and simple wording, on how that person can restore—

(1) voting rights within the State in which the person will be released; and

(2) any other civil or civic rights or public benefits denied to the incarcerated person under the law of the State due to their status as an offender.

##### **SEC. 202. TRANSITION TO COMMUNITY GRANTS.**

(a) **IN GENERAL.**—The Director shall award grants, for a term of not more than 5 years, to consortiums of State or local correctional agencies, and State or local parole or probation agencies, for the purposes of providing services to incarcerated persons, who have not more than 1 year remaining of their sentence, or released offenders, not later than 18 months after being released, that will facili-

tate the reentry of such persons into the community, in accordance with the requirements of this section.

(b) **USE OF FUNDS.**—Grants awarded under subsection (a) shall be used for—

(1) education programs, such as high school equivalency degrees, basic literacy training, civic education, and educational diagnostic services;

(2) mentoring programs;

(3) life skills training, including family support services;

(4) mental health and substance abuse assessment and treatment programs, including aftercare programs, intensive case management, and anger management programs;

(5) job and vocational skills training, including paid work experience programs;

(6) information programs that meet the requirements of subsection (e); and

(7) such other services and programs that are part of a comprehensive offender reentry plan designed to assist incarcerated persons or reentering offenders in reentering the community.

(c) **PARTNERSHIP APPLICATIONS.**—Each applicant for a grant under this section may apply for such grant in cooperation with, or contract with upon receiving a grant, any nongovernmental entities to develop or provide innovative approaches to the services described under paragraphs (1) through (5) of subsection (b).

(d) **PRIORITY.**—Priority in the award of grants shall be given to those State or local correctional agencies, or State or local parole or probation agencies that propose partnership applications as described under subsection (c) to develop innovative strategies, as determined by the Director, to deliver the services described under paragraphs (1) through (5) of subsection (b).

(e) **INFORMATION.**—Each recipient of a grant under this section shall provide each incarcerated person or reentering offender with written information, in plain and simple wording, on how that person can restore—

(1) voting rights within the State in which the person will be released; and

(2) any other civil or civic rights or public benefits denied to the incarcerated person under the law of the State due to their status as an offender.

##### **SEC. 203. COMMUNITY-BASED SUPERVISION AND SUPPORT GRANTS.**

(a) **IN GENERAL.**—The Director shall award grants, for a term of not more than 5 years, to State or local parole and probation agencies to provide reentering offenders with services to help such reentering offenders with their transition into the community.

(b) **USE OF FUNDS.**—Grant funds awarded under this section may be used for—

(1) the development or support of parole and probation programs designed to increase coordination between parole officers and social service providers;

(2) the establishment of parole and probation offices located within areas in which a substantial number of incarcerated persons shall live;

(3) the development of joint parole, probation, and local law enforcement monitoring programs;

(4) the provision of comprehensive family case management services to assist families of reentering offenders;

(5) the funding of research and analysis designed to allow State parole and probation agencies to identify and determine which locations and neighborhoods see the largest number of reentering offenders establishing residency;

(6) the development of programs that encourage collaboration between parole and probation agencies, and job training programs that serve people with criminal

records, including transitional jobs programs;

(7) the development of geographic-based caseload management systems by State parole and probation agencies for monitoring reentering offenders;

(8) information programs that meet the requirements of subsection (f); and

(9) services and programs that have proven effectiveness in helping reentering offenders transition back into life in the community, including transitional housing and mental health and substance abuse treatment services offered as part of a comprehensive offender reentry plan.

(c) **PARTNERSHIP APPLICATIONS.**—A State or local parole or probation agency applying for a grant under this section may, in order to carry out the purposes of this section, contract or partner with—

(1) nongovernmental entities with expertise in services that can assist reentering offenders in relocating into a community and their families; and

(2) State and local government agencies that administer programs or provide services to released offenders, such as child welfare, workforce development agencies, and community corrections agencies.

(d) **PRIORITY.**—Priority in the award of grants shall be given to those State or local parole or probation agencies that propose partnership applications as described under subsection (c) to develop innovative strategies, as determined by the Director, to deliver the services described under paragraphs (1) through (7) of subsection (b).

(e) **LIMITATION.**—To receive a grant under this section, each State parole and probation agency shall demonstrate coordination with Federal or State corrections officials in determining where reentering offenders shall be released.

(f) **INFORMATION.**—Each recipient of a grant under this section shall provide each reentering offender with written information, in plain and simple wording, on how that person can restore—

(1) voting rights within the State in which the person is being released; and

(2) any other civil or civic rights or public benefits denied to the reentering offender under the law of the State due to their status as an offender.

#### **SEC. 204. ADMINISTRATIVE PROVISIONS.**

(a) **APPORTIONMENT OF GRANT FUNDING.**—Of the amounts appropriated to carry out the purposes of this Act—

(1) not less than 70 percent shall be made available to carry out the purposes of sections 201, 202, and 203; and

(2) up to 30 percent shall be made available to carry out the purposes of subsection (c).

(b) **MATCHING FUNDS.**—

(1) **IN GENERAL.**—The Federal share of any program, project, or activity funded by a grant made under section 201, 202, or 203 shall not exceed 75 percent of the total cost of such program, project, or activity.

(2) **WAIVER.**—The Attorney General may, in the sole discretion of the Attorney General, waive the requirements of paragraph (1) in whole or in part.

(c) **DISCRETIONARY GRANTS.**—

(1) **IN GENERAL.**—The Director shall award grants, for a term of not more than 5 years, on a competitive basis, to State or local correctional agencies, State or local parole or probation agencies, and nongovernmental entities for community protection programs.

(2) **USE OF FUNDS.**—Grant funds awarded under paragraph (1) shall be used to—

(A) fund multiyear demonstration programs designed to reduce recidivism and parole violations, and the recipients of a grant may contract with organizations to conduct any necessary research with respect to the program; and

(B) allow State task forces to conduct an analysis of existing State statutory, regulatory, and practice-based hurdles to the reintegration of a prisoner into the community that—

(i) takes particular note of laws, regulations, rules, and practices that disqualify people with criminal records from obtaining drivers licenses, professional licenses, or other requirements necessary for certain types of employment, and that hinder full civic participation; and

(ii) identifies and recommends for repeal or modification those laws, regulations, rules, or practices that do not demonstrate a rational connection between the existing statutory or regulatory prohibition, the type of conviction, and the risk that the individual may pose to the community.

(3) **APPLICATION.**—Any State or local correctional agency or State or local parole or probation agency wishing to receive a grant under paragraph (1) shall submit to the Director an application setting forth a description of the planned demonstration program. The Director shall establish guidelines for assessing such applications.

(d) **SUBMISSION OF INFORMATION.**—Prior to the distribution of grant funds under section 201, 202, or 203, each State shall submit to the Director a description of the activities to be carried out using such grant funds.

(e) **NONSUPPLANTING REQUIREMENT.**—Funds made available under this title shall not be used to supplant State or local funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds received under this title, be made available from State or local sources.

(f) **PERFORMANCE EVALUATIONS.**—Selected grant recipients shall be evaluated pursuant to guidelines established by the Director.

(g) **REVOCATION OR SUSPENSION OF FUNDING.**—If the Director determines that a grant recipient under this title is not in substantial compliance with the terms and requirements of an approved grant application submitted under this title, the Director may revoke or suspend funding of that grant, in whole or in part.

### **TITLE III—CIVIC EDUCATION FOR REENTERING FEDERAL PRISONERS**

#### **SEC. 301. CIVIC EDUCATION FOR REENTERING FEDERAL PRISONERS.**

(a) **IN GENERAL.**—Not later than 3 months after the date of enactment of this Act, the Bureau of Prisons of the Department of Justice shall provide each reentering offender released from Federal prisons information on how the reentering offender can restore voting rights, and other civil or civic rights, denied to the reentering offender based upon their offender status in the State to which that reentering offender shall be returning.

(b) **PUBLICATION.**—The information required under subsection (a) shall be provided to each reentering offender in writing, and in a language that the reentering offender can understand.

### **TITLE IV—GRANTS FOR RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE**

#### **SEC. 401. GRANTS FOR RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE.**

Up to 5 percent of the funds made available under this Act may be used for research, technical assistance, and training carried out or commissioned by the Attorney General in furtherance of the purposes of this Act.

### **TITLE V—AUTHORIZATION OF APPROPRIATIONS**

#### **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out the purposes of titles II and III of this Act—

(1) \$75,000,000 for fiscal year 2005;

(2) \$150,000,000 for fiscal year 2006;

(3) \$325,000,000 for fiscal year 2007;

(4) \$450,000,000 for fiscal year 2008; and

(5) \$500,000,000 for fiscal year 2009.

By Mr. REID (for himself, Mr. NELSON of Nebraska, Mr. BAUCUS, Mr. BURNS, Mr. STEVENS, and Mr. ENSIGN):

S. 2978. A bill relating to State regulation of access to hunting and fishing; to the Committee on the Judiciary.

Mr. REID. Mr. President, the legislation I am introducing today explicitly reaffirms each State's right to regulate hunting and fishing.

I am pleased that Senators BEN NELSON, CONRAD BURNS, and TED STEVENS are joining me in sponsoring this important bill.

This is a Nevada issue, but it is also a national issue, as a recent Federal circuit court ruling undermines traditional hunting and fishing laws.

In *Conservation Force v. Dennis Manning*, the Ninth Circuit Court of Appeals ruled that State laws that distinguish between State residents and non-residents for the purpose of affording hunting and related privileges are constitutionally suspect.

This threatens the conservation of wildlife resources and recreational opportunities.

Although the Ninth Circuit found the purposes of such regulation to be sound, the Court questioned the validity of tag limits for non-resident hunters.

I respect the authority of States to enact laws to protect their legitimate interests in conserving fish and game, as well as providing opportunities for State residents to hunt and fish.

That's what this legislation says—we respect that State right.

Sportsmen are ardent conservationists. They support wildlife conservation not only through the payment of State and local taxes and other fees, but also through local non-profit conservation efforts and by volunteering their time.

For example, in Nevada there are great groups such as Nevada Bighorns Unlimited and the Fraternity of Desert Bighorn. These are dedicated sportsmen who spend countless hours, as well as money, building "guzzlers" in the desert, which help provide a reliable source of water for Desert Bighorn Sheep.

Without these efforts it would be extremely hard for the Bighorn Sheep to survive, because many areas of their natural habitat where they used to drink water have been developed.

Today, Southern Nevada is in the 5th year of a 500 year drought, and the work of the groups I mentioned is saving the lives of hundreds of bighorns.

The involvement of local sportsmen in protecting and conserving wildlife is one of the facts that justifies traditional resident/non-resident distinctions, and provides the motivation for our legislation.

The regulation of wildlife is traditionally within a State's purview, and

this legislation simply affirms the traditional role of States in the regulation of fish and game.

This bill is time sensitive.

This bill needs to pass before next year's hunting season begins.

I look forward to working with my colleagues to expedite passage of this important legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2978

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. STATE REGULATION OF ACCESS TO HUNTING AND FISHING.

(a) DECLARATION OF POLICY.—Congress hereby declares that—

(1) the continued regulation of access to hunting and fishing by the several States is in the public interest; and

(2) silence on the part of Congress shall not be construed to impose any commerce clause barrier to the regulation of such activities by the several States.

(b) STATE REGULATION OF ACCESS TO HUNTING AND FISHING.—The licensing of hunting and fishing, or of other access thereto, and every person engaged in hunting or fishing, shall be subject to the laws of the several States which relate to the regulation of such activities.

(c) CONSTRUCTION.—No Act of Congress shall be construed to invalidate, impair, or supersede any law enacted by any State for the purpose of regulating the access to hunting and fishing unless such Act specifically so states.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 464—RELATING TO REFUNDABLE TAX CREDITS FOR MUNICIPALITIES

Mrs. BOXER submitted the following resolution; which was considered and agreed to:

S. RES. 464

Whereas, the Senate today passed a free standing measure which is designed to address tax relief issues relating to Reservists and National Guardsmen;

Whereas, one of the provisions of the package provides tax relief to employers of Reservists and National Guardsmen;

Whereas, the employer provision is targeted to businesses and tax paying entities;

Whereas, State and local governments are facing budgetary pressures, particularly with regard to homeland security;

Whereas, many local first responders have been called to active duty in the National Guards and Reserves, and many state and local governments have continued to pay their salaries, thus increasing the budgetary pressure on state and local governments;

Whereas, the Senate recognized this pressure by including in the FSC-ETI bill a provision to compensate state and local governments for closing the pay gap of first responders who are called to active duty in the National Guards and Reserves: Now, therefore be it

*Resolved*, That it is the sense of the Senate that:

1. The Senate should reiterate its support for reimbursing state and local governments

for closing the pay gap for first responders who are called to active duty in the National Guard and Reserves by considering expanding the employer tax relief provisions to cover state and local governments; and

2. The President should consider including such a proposal in his Fiscal Year 2006 Budget Submission.

### SENATE RESOLUTION 465—TO INSTRUCT CONFEREES TO THE AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2005 OR ON A CONSOLIDATED APPROPRIATIONS MEASURE THAT INCLUDES THE SUBSTANCES OF THAT ACT

Mr. HARKIN submitted the following resolution; which was considered and agreed to:

S. RES. 465

*Resolved*, That—For the purpose of restoring the provisions governing the Conservation Security Program to those enacted in the Farm Security and Rural Investment Act and restoring the practice of treating agricultural disaster assistance as emergency spending, the Senate instructs conferees to Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, 2005, or a Consolidated Appropriations Measure that includes the substance of that act, to insist that the conference report contain legislative language striking subsections (e) and (f) of section 101 of division B of H.R. 4837, An Act Making Appropriations for Military Construction, Family Housing, and Base Realignment and Closure for the Department of Defense for the Fiscal Year ending September 30, 2005 and for Other Purposes.

### SENATE RESOLUTION 466—CELEBRATING THE ANNIVERSARIES OF THE INTERNATIONAL POLAR YEARS (1882-1883 AND 1932-1933) AND INTERNATIONAL GEOPHYSICAL YEAR (1957-1958) AND SUPPORTING A CONTINUATION OF THIS INTERNATIONAL SCIENCE YEAR TRADITION IN 2007-2008

Mr. MCCAIN submitted the following resolution; which was considered and agreed to:

S. RES. 466

Whereas the year 2007 is the 125th anniversary of the first International Polar Year of 1882-1883, the 75th anniversary of the second International Polar Year of 1932-1933, and the 50th anniversary of the International Geophysical Year of 1957-1958;

Whereas the first International Polar Year of 1882-1883, which involved 12 nations, and the second International Polar Year of 1932-1933, which involved 40 nations, set the first precedents for internationally coordinated scientific campaigns;

Whereas the International Geophysical Year, conceived in and promoted by the United States, was the largest cooperative international scientific endeavor undertaken to that date, involving more than 60,000 scientists from 66 nations;

Whereas each of these activities left a legacy of scientific advances, new discoveries, and international goodwill that still benefit us today;

Whereas the International Geophysical Year legacy includes the dedication of an en-

tire continent to cooperative scientific study through the Antarctica Treaty and the inauguration of the global space age through the launching of Sputnik and Vanguard;

Whereas International Geophysical Year cooperation continues as the model and inspiration for contemporary world science and provides a bridge between peoples of the world that has demonstrated the ability to transcend political differences;

Whereas it also would be appropriate to use the international science year format to expand the scope of past years to encompass a broad range of disciplines and to recognize interdisciplinary research that incorporates the physical and social sciences and the humanities in enriching understanding of diverse life on Earth;

Whereas the 35th anniversary of the International Geophysical Year was commemorated by the International Space Year, a globally implemented congressional initiative conceived by the late Senator Spark Matsunaga of Hawaii, that was highlighted by globally coordinated environmental monitoring and research whose ongoing legacy continues to benefit humanity;

Whereas planning for an International Polar Year in 2007-2008 is underway, under the guidance of strong United States leadership and the National Academy of Sciences and in conjunction with the International Council for Science and the World Meteorological Organization, with this envisioned to be an intense, coordinated campaign of observations, research, and analysis that will be multidisciplinary in scope and international in participation;

Whereas an International Polar Year in 2007-2008 will include research on the conditions in both polar regions and recognize the strong links among polar region conditions and the rest of the globe, including the impact on global climate change, as the polar regions have profound significance for the Earth's climate and environments;

Whereas other scientific bodies are planning additional internationally coordinated scientific programs to advance scientific knowledge and observations from the core of the Earth to the farthest reaches of the Cosmos's effects on the Earth;

Whereas it is entirely fitting that Congress takes the lead again, in the same spirit, in promoting global cooperation through worldwide commemoration of the past International Polar Years and the International Geophysical Year with activities reflecting the unity and diversity of life on Earth: Now, therefore, be it

*Resolved*, That it is the Sense of the Senate that the President should—

(1) endorse the concept of a worldwide campaign of scientific activity for the 2007-2008 timeframe;

(2) direct the Director of the National Science Foundation and the Administrator of the National Aeronautics and Space Administration, in association with the National Academy of Sciences and other relevant governmental and nongovernmental organizations, to continue interagency and international inquiries and discussions that ensure a successful worldwide international science year in the 2007-2008 timeframe, emphasizing activities dedicated to global environmental research, education, and protection; and

(3) submit to Congress at the earliest practical date, but no later than March 15, 2005, a report detailing the steps taken in carrying out paragraphs (1) and (2), including descriptions of possible activities and organizational structures for an international science year in 2007-2008.