

take control of their own nation. This is not legislation that should be vetoed by this President; this is legislation that he should sign into law.

We will announce a conference schedule soon and move forward quickly. Our goal is to have the final legislation to President Bush by the end of the month.

#### ASSEMBLED CHEMICAL WEAPONS ALTERNATIVES PROGRAM

Mr. MCCONNELL. Mr. President, I rise today to discuss the future of the Assembled Chemical Weapons Alternative, ACWA, program, which is of vital importance to the people of Madison County, KY.

The people of Madison County are living right next door to over 500 tons of the deadliest material ever conceived by man. It is stored at the Blue Grass Army Depot, BGAD. Understandably, those in the nearby community would like to see these weapons disposed of as safely and quickly as possible. It is the mission of the ACWA program, as well as the Department of Defense, to do just that.

Recently, the program manager for ACWA, Mike Parker, decided to retire. Mike has left big shoes to fill. The question then is, who will take Mike's place? Whoever is picked to permanently fill his position will need to possess a number of qualifications. These traits include an appreciation for the unique culture at ACWA. Central to that culture is the willingness to work collaboratively and openly with the local community and with Congress. It would be unfortunate if the new program manager, whoever it may be, were to attempt to impose solutions unilaterally onto the community and to act without transparency and consultation with Congress. I also trust that the new program manager will understand the need to complete work at BGAD as soon as is safely possible; not as soon as the department finds it to be convenient.

Finally, the new program manager needs to be fully committed to chemical neutralization at BGAD as this approach has already been selected by the department, embraced by the community and endorsed by the state of Kentucky. Any variance from this path would only lead to additional delay in eliminating the risks associated with these stored weapons.

The job of disposing of chemical weapons at BGAD is not just to be laid at the feet of the program manager for ACWA. It is a mission entrusted to the Department of Defense. Accordingly, the department itself needs to provide oversight over ACWA to ensure that the new program manager is acting in a manner consistent with the way ACWA has conducted its business in the past. Those at the department also need to support the ACWA program manager's mission by providing sufficient funding in the annual budget request, in the \$450-500 million range, so

that the chemical weapons are disposed of in a timely fashion. In the past, the department has chosen to tie itself in bureaucratic knots over the program. Those days need to end. These chemical weapons need to be destroyed. The people of Madison County deserve no less.

#### RECIDIVISM REDUCTION AND SECOND CHANCE ACT

Mr. KENNEDY. Mr. President, for far too long the criminal justice system has failed to adequately address recidivism, and that failure has imposed a large financial and social cost on the Nation. Even the best-intentioned prisoners face debilitating challenges when they rejoin their communities, yet the current system leaves them ill-prepared to face those challenges.

Our existing policies of mass incarceration and release are not working. Large prison populations and high recidivism rates place heavy burdens on prisons, communities, and taxpayers. Of the 2.2 million persons housed in prisons today—an average annual increase of 3 percent in the past decade—97 percent will be released into the community. Overcrowding continues to plague the system. State prisons are operating at full capacity and sometimes as much as 14 percent above capacity, and Federal prisons are 34 percent above capacity. In 2005, prison populations in 14 States rose at least 5 percent. Recidivism and inadequate reentry programs add to the problem. Over 600,000 prisoners are released each year, but two-thirds of them are arrested again within 3 years.

The social cost of recidivism is devastating to communities, and it also imposes a financial burden. States spend an average of approximately \$22,000 annually to house a prisoner. Taxpayers spend more than \$60 billion annually on corrections, more than six times the \$9 billion spent 25 years ago. Yet the current system still fails to adequately support the essential programs for health, housing, substance abuse, education, and employment that ex-offenders need to reintegrate into their communities. Even community and local law enforcement programs that are effective in helping ex-offenders often lack adequate resources and guidance.

Future generations will bear the burden created by today's high recidivism rates. In 2006, the Department of Health and Human Services reported that 2 million children nationwide have an incarcerated parent. Studies suggest that these children are seven times more likely to end up in prison themselves. One study found that as many as 1 in 10 will have been incarcerated before reaching adulthood. Of the approximately 100,000 juveniles who are currently incarcerated, many will become recidivists because of a lack of effective reentry programs.

This increasingly serious failure demands a comprehensive solution that

takes into account both the challenges that ex-offenders face and the role of law enforcement and community and family-based programs in successful reentry. That is why I am pleased to join my colleagues in support of the Second Chance Act. This legislation provides an opportunity for law enforcement, communities, and families to give former offenders a helping hand that the vast majority of them will use to become productive members of society.

The Second Chance Act provides financial support, research, and guidance for proven and cost-effective solutions to the health, housing, substance abuse, education, and employment challenges that former offenders face in reintegrating into their communities. It funds mentoring grants, demonstration grants, drug treatment, and family-based treatment. It authorizes the National Institute of Justice to conduct research on offender reentry and on the need for a national resource center for State, local, and community service providers to collect and disseminate best practices. The bill also creates an interagency taskforce to review and report to Congress on the Federal barriers that so many ex-offenders face.

A second chance starts with a place to live. This bill will promote programs that help recently released inmates overcome the first major hurdle they face—finding safe, adequate, and affordable housing. 15 to 27 percent of prisoners expect to go to homeless shelters upon release. Figures published by the Volunteers of America in 2004 indicated that two-thirds of former prisoners who lacked adequate housing had committed crimes within 1 year of their release, compared to only one-quarter of those who had housing. Another recent study released by the National Criminal Justice Reference Service showed that 30-50 percent of parolees in urban areas such as Los Angeles and San Francisco are homeless, which compounds the profound hardship that re-integration already places on urban communities. The Second Chance Act supports our communities and local law enforcement by supporting housing programs for ex-offenders, so that they can take the first steps towards getting back on their feet and rejoining the community.

The Second Chance Act also supports mental health care and substance abuse treatment programs that are vital to many ex-offenders as they struggle to reintegrate. Nearly a quarter of State prisoners and jail inmates with a mental health problem had served three or more prior incarcerations, yet two-thirds of State prisoners do not receive mental health treatment. In substance abuse treatment, more than two-thirds of State prisoners have been regular drug users at some point during their lives, and one-third had committed the crime for which they were imprisoned while under the influence of drugs.

According to a recent Bureau of Justice Statistics report, of the approximately 50 percent of prisoners who met the criteria for drug dependence or abuse, less than half participated in drug treatment programs since their admission to prison. To address these issues, the Second Chance Act reauthorizes mental health care and substance abuse treatment demonstration projects and provides resources and best practices research to comprehensive community-based and family-based substance abuse programs. The programs supported by this legislation give ex-offenders the care and treatment they need to remain drug free and out of prison.

We also cannot expect ex-offenders to become productive members of the community if they don't have the education and vocational training they need to find jobs. The Bureau of Justice Statistics reports that only 46 percent of incarcerated individuals have a high school diploma or its equivalent. The limited availability of education and vocational training programs exacerbates the problem. Only 5 percent of jail jurisdictions offer vocational training, and 33 percent of jurisdictions offer no educational or vocational training at all.

Research shows what a profound effect such programs have on decreasing recidivism rates. Recidivism for inmates who participate in prison education, vocation, and work programs have been found to be 20 to 60 percent lower than for nonparticipants. The Federal Bureau of Prisons found a 33-percent drop in recidivism among Federal prisoners who participated in vocational training.

The Safer Foundation in Chicago found a recidivism rate of 8 percent for participants in its vocational program, compared with 46 percent for a comparison group. The Second Chance Act supports community education and vocational training programs that have proven their effectiveness, and offers the tools and resources to study best practices on job training and placement. It also supports collaboration among community corrections, technical schools, community colleges, and the workforce development and employment service sectors to help ex-offenders overcome the many barriers they face in finding employment.

In addition to addressing adult ex-offender reentry programs, the Second Chance Act also supports juvenile ex-offender reentry programs that put juvenile ex-offenders on the path to being productive adults and good citizens. The nearly 100,000 children who make up the juvenile prison population are among the most vulnerable and defenseless group in our criminal justice system. Too often, we fail to protect them. Many juvenile ex-offenders have learning disabilities and need substance abuse and mental health treatment. Many are incarcerated in overcrowded facilities. All need an education and the support of community-

based programs to reintegrate them after incarceration. To help give juvenile ex-offenders the second chance they need to become positive forces in their communities, this bill reauthorizes the Juvenile Offender Reentry Demonstration Projects, creates a resource center to collect data and provide guidance concerning best practices for juvenile reentry, offers grants to improve educational methods in juvenile facilities, and supports community and family-based juvenile aftercare programs.

In Massachusetts, programs like those that the Second Chance Act would authorize have already been nationally recognized for their success. In Hampden County, Sheriff Michael Ashe and the Hampden County Sheriff's Department have shown that law enforcement and community-based reentry programs that focus on education, employment and treatment are the most effective way to reduce recidivism and improve community safety. States such as Massachusetts have been creating innovative and effective reentry programs, and it is time for the Federal Government to do its part. Supporting such programs is the surest way to ensure that when ex-offenders leave prison, they go with the skills, guidance, and support they need to succeed.

I am especially pleased that the Second Chance Act will support the Elderly Nonviolent Offender Pilot Program, which focuses on reintegrating nonviolent elderly offenders over the age of 60. The current strategy of incarcerating elderly inmates who are no longer a threat to their community is a waste of government resources and a humanitarian failure, and the problem is only getting bigger as the elderly prison population grows. A 2004 report by the National Institute of Corrections found that the number of State and Federal prisoners ages 50 or older rose 172 percent between 1992 and 2001, and some estimates suggest that the elderly inmate population has grown by as much as 750 percent over the last two decades. Even conservative estimates suggest that the population of elderly inmates will represent 33 percent of the total prison population by 2010. The average cost of housing the increasing number of elderly inmates is reported to be about \$67,000, three times the average cost of housing younger inmates. As the age of the inmate population grows over the next decade, the total spent on corrections will increase dramatically, even though nonviolent elderly offenders pose little risk to the community. And according to a Department of Justice report, they have a recidivism rate of only 1.4 percent, much lower than the rate for younger inmates.

Housing elderly inmates also raises humanitarian concerns. Often they require treatment for chronic and fatal diseases, protection from younger prisoners, and alterations to accommodate walkers, canes, and geriatric chairs.

According to the National Institute of Corrections:

[T]he lack of personal protection for elderly inmates, which may be frail and therefore vulnerable to the threats of assault by younger predatory inmates, contributes to the emotional stress and physical deterioration they routinely experience, especially among those who may be already vulnerable owing to chronic illness.

Housing nonviolent elderly offenders is not just a financial issue. It is also a humanitarian problem for which we must find new solutions.

Forty-one states already offer some kind of early limited release program for elderly inmates. The American Bar Association has recently endorsed a proposed amendment to the sentencing guidelines to allow more lenient sentencing for nonviolent elderly offenders. By supporting the Elderly Nonviolent Offender Pilot Program, Congress takes an important step towards addressing the humanitarian and financial challenges of housing an aging prison population. The Federal Bureau of Prisons estimates that 378 nonviolent elderly offenders, and an average of 53 nonviolent elderly offenders a year over the next decade, will be eligible for the program. It offers an opportunity to demonstrate the effectiveness of alternatives to housing elderly inmates, and I hope its success will lead to a more comprehensive solution to one of the important challenges facing the prison system.

When ex-offenders return to prison, all Americans pay a price, both social and financial. The Second Chance Act supports a comprehensive solution to the recidivism problem in America—a problem that we cannot afford to ignore. It is a solution that allows local law enforcement, communities, and families to offer ex-offenders the programs and support they need to get back on their feet and become positive, productive members of their communities.

#### DECEPTIVE FOOD PACKAGING

Mr. LEVIN. Mr. President, today I call attention to a development within the U.S. Food and Drug Administration, FDA, that has resulted in the sale of carbon-monoxide-treated meat to American consumers. Allowing this can deceive American consumers and raises serious public health concerns since the consumers can no longer rely on the way the meat looks to indicate its freshness.

The use of carbon monoxide turns beef a shade of red that mimics very fresh red meat. Mixing carbon monoxide into the pre-packaged, air-tight packaging of beef allows it to retain its red color long after the expiration date on the package.

The meatpacking industry argues that beef is actually safe up to 20 days when refrigerated and much longer if it is frozen. They also argue that because untreated meat can begin to turn brown before its expiration date, it is