provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1018

At the request of Mr. KERRY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1018, a bill to amend title 10, United States Code, and the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to provide for implementation of additional recommendations of the Defense Task Force on Sexual Assault in the Military Services.

S. 1025

At the request of Mr. LEAHY, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 1025, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1039

At the request of Mr. CARDIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1048

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1048, a bill to expand sanctions imposed with respect to the Islamic Republic of Iran, North Korea, and Syria, and for other purposes.

S. 1094

At the request of Mr. MENENDEZ, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 1094, a bill to reauthorize the Combating Autism Act of 2006 (Public Law 109–416).

S. 1171

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1171, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible dependent beneficiaries of employees.

S. 1181

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1181, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1201

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1201, a bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes.

S. 1206

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1206, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S.J. RES. 19

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mr. BURR), the Senator from Alabama (Mr. SESSIONS) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 12

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that the President should take certain actions with respect to the Government of Burma.

S. CON. RES. 17

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

S. RES. 165

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 165, a resolution designating July 23, 2011, as ''National Day of the American Cowboy''.

S. RES. 185

At the request of Mr. CARDIN, the names of the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Texas (Mrs. HUTCHISON), the Senator from California (Mrs. FEINSTEIN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 185, a resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid.

S. RES. 201

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 201, a resolution expressing the regret of the Senate for the passage of discriminatory laws against the Chinese in America, including the Chinese Exclusion Act.

S. RES. 202

At the request of Mr. CONRAD, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 202, a resolution designating June 27, 2011, as ''National Post-Traumatic Stress Disorder Awareness Day.''

S. RES. 211

At the request of Mr. LEVIN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Oregon (Mr. MERKLEY), the Senator from Florida (Mr. RUBIO), the Senator from Virginia (Mr. WARNER), the Senator from Colorado (Mr. BENNET), the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Pennsylvania (Mr. CASEY), the Senator from North Carolina (Mrs. HAGAN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Washington (Ms. CANTWELL), the Senator from New York (Mr. SCHUMER), the Senator from California (Mrs. FEINSTEIN), the Senator from Florida (Mr. NELSON), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. Res. 211, a resolution observing the historical significance of Juneteenth Independence Day.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 1231. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I am pleased today to join with Senator PORTMAN to introduce the bipartisan Second Reauthorization Act. This bill builds on recent successes and takes important new steps to ensure that people coming out of prison have the opportunity to turn their lives around, rather than returning to a life of crime. That saves taxpayer money and makes us all safer.

This important legislation improves Federal reentry policy and authorizes assistance to collaborations between state and local corrections agencies, nonprofits, educational institutions, service providers, and families to ensure that offenders released into society have the resources and support they need to become contributing members of the community. The reauthorization bill builds on the success of the Second Chance Act by continuing, improving, and consolidating its programs.

Four years ago, I joined with then-Senators BIDEN, Specter, and Brownback as an original cosponsor of the Second Chance Act, and I was pleased to help move that legislation through the Senate. The Senate recognized the value of the Second Chance Act when, after a great deal of work and compromise, the bill passed unanimously. I hope this reauthorization bill receives the same bipartisan support.

In the past few decades, Congress and the states have passed new criminal laws creating more and longer sentences for more crimes. As a result, this country sends even more people to prison every year, costing millions and millions of dollars. There are currently over 2 million people in jail or prison, and more than 13 million people spend some time in jail or prison each year. Most of these people will at some point return to our communities.

Last July, I chaired a hearing on the Second Chance Act, and the Committee heard about the great strides many states are making with innovative prisoner reentry programs. Commissioner Andrew Pallito from the Vermont Department of Corrections testified and shared with us his experience with reentry programs in Vermont. The Vermont Department of Corrections and many others in Vermont have strongly supported the Second Chance Act, which gives me confidence that it represents an important step in making our country safer.

The Second Chance Act authorized grants for key reentry programs and required that these programs demonstrate measurable positive results, including a reduction in recidivism. Preliminary studies show that these programs are already working well.

The reauthorization bill that we propose today improves, consolidates and reauthorizes the state and local government grant programs created by the Second Chance Act. It is intended to ensure that funding is available for planning and implementation of key reentry projects so that evidence-based methodology is employed to ensure meaningful reductions in recidivism rates. It is designed to ensure that all states have the opportunity to develop and benefit from these important programs.

The bill also consolidates several programs that were underutilized into one grant program with multiple purposes. This will ensure that Federal dollars are effectively spent on programs that link probation with swift and certain enforcement, like the very successful HOPE program in Hawaii.

The Second Chance Act authorized research into educational methods used in prisons and jails. This reauthorization bill asks the Attorney General to review that research and establish best practices for prison education. It then reallocates the authorized funds previously used for research into a grant program to implement these best practices in prisons and jails. The bill also adds nonprofit organizations as eligible grant recipients for programs promoting family-based substance abuse treatment.

This legislation makes modest improvements to Federal reentry policy that have the added benefit of reducing Bureau of Prison costs. It continues the successful Elderly and Family Reunification for Certain Non Violent Offenders Pilot Program and modestly expands the pool of inmates eligible to apply for the program. More than 60 inmates have now participated in this program, and not a single one has reoffended.

The bill also creates an incentive for inmates to participate in rigorous recidivism reduction programming by awarding a credit of up 60 days per year toward completion of their sentence for participation in such programs. The incentive is modeled on that currently awarded for successful participation in residential drug abuse treatment programs.

Finally, the Second Chance Reauthorization Act promotes accountability by requiring periodic audits of grantees to ensure that Federal dollars are responsibly spent. Grantees with problematic audits will not be eligible for funding in future years.

As a former prosecutor, I believe strongly in securing tough and appropriate prison sentences for people who break our laws. But it is also important that we do everything we can to ensure that when these people get out of prison, they enter our communities as productive members of society, so we can start to reverse the dangerous cycle of recidivism and violence. The Second Chance Reauthorization Act will help break this cycle.

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

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

S. 1231

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Second Chance Reauthorization Act of 2011''.

SEC. 2. IMPROVEMENTS TO EXISTING PROGRAMS.

(a) REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL DEMONSTRATION PROJECTS.—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GRANT AUTHORIZATION.—The Attorney General shall make grants to States, local governments, territories, or Indian tribes, or any combination thereof (in this section referred to as an 'eligible entity'), in partnership with stakeholders, services providers, and nonprofit organizations for the purpose of strategic planning and implementation of adult and juvenile offender reentry projects.'';

(2) by striking subsections (d), (e), and (f) and inserting the following:

''(d) COMBINED GRANT APPLICATION.—The Attorney General shall develop a procedure to allow applicants to submit a single application for a planning grant under subsection (e) and an implementation grant under subsection (f).

''(e) PLANNING GRANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Attorney General may make a grant to an eligible entity of not more than $75,000 to develop a strategic, collaborative plan for an adult or juvenile offender reentry demonstration project as described in subsection (h) that includes—

''(A) a budget and a budget justification;

''(B) a description of the outcome measures that will be used to measure the effectiveness of the program in promoting public safety and public health;

''(C) the activities proposed;

''(D) a schedule for completion of the activities described in subparagraph (C); and

''(E) a description of the personnel necessary to complete the activities described in subparagraph (C).

''(2) APPLICATION.—

''(A) IN GENERAL.—An eligible entity desiring a planning grant under this subsection shall submit to the Attorney General an application that shall include a commitment by the applicant to partner with a local evaluator to identify and analyze data that will—

''(i) enable the grantee to target the intended offender population; and

''(ii) serve as a baseline for purposes of the evaluation.

''(B) PROCEDURE.—The Attorney General shall develop a procedure to evaluate the qualifications of a local evaluator described in subparagraph (A).

''(3) MAXIMUM TOTAL GRANTS AND MINIMUM ALLOCATION.—

''(A) MAXIMUM AMOUNT.—The Attorney General may not make planning grants and implementation grants to 1 eligible entity in a total amount that is more than a $1,000,000.

''(B) MINIMUM ALLOCATION.—Unless all eligible applications submitted by a State, or unit of local government within such State, for a planning grant have been awarded funds under this section, the State, in combination with the all of the grantees within the State (other than Indian tribes), shall be allocated for each fiscal year not less than 0.75 percent of the total amount appropriated in the fiscal year under this section for planning and implementation grants.

''(4) PERIOD OF GRANT.—A planning grant made under this subsection shall be for a period of 1 year, beginning on the first day of the month in which the planning grant is made.

''(f) IMPLEMENTATION GRANTS.—

''(1) APPLICATIONS.—An eligible entity desiring an implementation grant under this subsection shall submit to the Attorney General an application that—

''(A) contains a reentry strategic plan as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to fund the program after Federal funding is discontinued;

''(B) identifies the local government role and the role of governmental agencies and nonprofit organizations that will be coordinated by, and that will collaborate on, the offender reentry strategy of the applicant, and certifies the involvement of such agencies and organizations;

''(C) describes the evidence-based methodology and outcome measures that will be used to evaluate the program funded with a grant under this subsection, and specifically explains how such measurements will provide valid measures of the impact of that program; and

''(D) describes how the project could be broadly replicated if demonstrated to be effective.

''(2) REQUIREMENTS.—The Attorney General may make a grant to an applicant under this subsection only if the application—

''(A) reflects explicit support of the chief executive officer of the State, unit of local government, territory, or Indian tribe applying for a grant under this subsection;

''(B) provides extensive discussion of the role of State corrections departments, community corrections agencies, juvenile justice systems, or local jail systems in ensuring successful reentry of offenders into their communities;

''(C) provides extensive evidence of collaboration with State and local government agencies overseeing health, housing, child welfare, education, substance abuse, victims services, and employment services, and with local law enforcement agencies;

''(D) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community;

''(E) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant;

''(F) provides a plan for continued collaboration with a local evaluator as necessary to meeting the requirements under subsection (h); and

''(G) demonstrates that the applicant participated in the planning grant process or engaged in comparable planning for the reentry project.

''(3) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority to grant applications under this subsection that best—

''(A) focus initiative on geographic areas with a disproportionate population of offenders released from prisons, jails, and juvenile facilities;

''(B) include—

''(i) input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;

''(ii) consultation with crime victims and offenders who are released from prisons, jails, and juvenile facilities;

''(iii) coordination with families of offenders; and

''(iv) input, where appropriate from the juvenile justice coordinating council of the region;

''(C) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

''(i) planning while offenders are in prison, jail, or a juvenile facility, prerelease transition housing, and community release;

''(ii) establishing prerelease planning procedures to ensure that the eligibility of an offender for Federal or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services, including assistance identifying and securing suitable housing; and

''(iii) delivery of continuous and appropriate drug treatment, medical care, job training and placement, educational services, or any other service or support needed for reentry;

''(D) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

''(E) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;

''(F) target high-risk offenders for reentry programs through validated assessment tools; and

''(G) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, or homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.

''(4) AMOUNT.—The amount of a grant made under this subsection may not be more than $925,000.

''(5) PERIOD OF GRANT.—A grant made under this subsection shall be effective for a 2-year period—

''(A) beginning on the date on which the planning grant awarded under subsection (e) concludes; or

''(B) in the case of an implementation grant awarded to an eligible entity that did not receive a planning grant, beginning on the date on which the implementation grant is awarded.'';

(3) in subsection (g)(1)(B)(ii), by striking ''50 percent'' and inserting ''75 percent'';

(4) in subsection (h)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—As a condition of receiving financial assistance under subsection (f), each application shall develop a comprehensive reentry strategic plan that—

''(A) contains a plan to assess inmate reentry needs and measurable annual and 3-year performance outcomes;

''(B) uses, to the maximum extent possible, randomly assigned and controlled studies, or rigorous quasi-experimental studies with matched comparison groups, to determine the effectiveness of the program funded with a grant under subsection (f); and

''(C) includes as a goal of the plan to reduce the rate of recidivism for offenders released from prison, jail or a juvenile facility with funds made available under subsection (f).

''(2) LOCAL EVALUATOR.—A partnership with a local evaluator described in subsection (e)(2) shall require the local evaluator to use the baseline data and target population characteristics developed under a subsection (e) planning grant to derive a feasible and meaningful target goal for recidivism reduction during the 3-year period beginning on the date of implementation of the program.'';

(5) in subsection (i)(1), by striking ''under this section'' and inserting ''under subsection (f)'';

(6) in subsection (j)—

(A) in paragraph (1), by inserting ''for an implementation grant under subsection (f)'' after ''applicant'';

(B) in paragraph (2)—

(i) in subparagraph (E), by inserting '', where appropriate'' after ''support''; and

(ii) by striking subparagraphs (F), (G), and (H), and inserting the following:

''(F) a cost-benefit analysis to determine the cost effectiveness of the reentry program;

''(G) increased number of staff trained to administer reentry services;

''(H) increased proportion of individuals served by the program among those eligible to receive services;

''(I) increased number of individuals receiving risk screening needs assessment, and case planning services;

''(J) increased enrollment in, and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services;

''(K) increased enrollment in and degrees earned from educational programs, including GED, vocational training, and college education;

''(L) increased number of individuals obtaining and retaining employment;

''(M) increased number of individuals obtaining housing;

''(N) reduction in drug and alcohol use; and

''(O) reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.'';

(C) in paragraph (4), by striking ''this section'' and inserting ''subsection (f)''; and

(D) in paragraph (5), by striking ''this section'' and inserting ''subsection (f)'';

(7) in subsection (k)(1), by striking ''this section'' each place the term appears and inserting ''subsection (f)'';

(8) in subsection (l)—

(A) in paragraph (2), by inserting ''beginning on the date on which the most recent implementation grant is made to the grantee under subsection (f)'' after ''2-year period''; and

(B) in paragraph (4), by striking ''over a 2-year period'' and inserting ''during the 2-year period described in paragraph (2)'';

(9) in subsection (o)(1), by striking ''appropriated'' and all that follows and inserting the following: ''appropriated—''

''(A) $40,000,000 for fiscal year 2012;

''(B) $45,000,000 for fiscal year 2013;

''(C) $50,000,000 for fiscal year 2014;

''(D) $55,000,000 for fiscal year 2015; and

''(E) $60,000,000 for fiscal year 2016.''; and

(10) by adding at the end the following:

''(p) DEFINITIONS.—In this section—

''(1) the term 'exoneree' means an individual who—

''(A) has been convicted of a Federal or State offense that is punishable by a term of imprisonment of more than 1 year;

''(B) has served a term of imprisonment for not less than 6 months in a Federal or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

''(C) has been determined to be factually innocent of the offense described in subparagraph (A); and

''(2) the term 'offender' includes an exoneree.''.

(b) COST-EFFECTIVE ALTERNATIVES TO INCARCERATION PROGRAM.—

(1) AUTHORIZATION.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by striking part CC (42 U.S.C. 3797q et seq.) and inserting the following:

''PART CC—COST EFFECTIVE ALTERNATIVES TO INCARCERATION PROGRAM

''SEC. 2901. DEFINITIONS.

''In this part:

''(1) ELIGIBLE OFFENDER.—The term 'eligible offender' means an individual who—

''(A) has been charged, sentenced, or convicted of a crime for which a sentence of imprisonment of more than 1 year is authorized; and

''(B) does not have 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

''(2) PROBATION WITH ENFORCEMENT PROGRAM.—The term 'probation with enforcement program' means a program that—

''(A) reduces drug use, crime, and recidivism by requiring swift, predictable, and graduated sanctions for noncompliance with the conditions of probation, as determined by the Attorney General;

''(B) identifies for enrollment in the program eligible offenders who are serving a term of probation and who are at high risk of failing to observe the conditions of supervision and of being returned to incarceration as a result of the failure;

''(C) notifies eligible offenders of the rules of the probation demonstration program, and consequences for violating such rules;

''(D) monitors eligible offenders for illicit drug use with regular and rapid-result drug screening;

''(E) monitors eligible offenders for violations of other rules and probation terms, including failure to pay court-ordered financial obligations, such as child support or victim restitution;

''(F) responds to violations of the other rules and probation terms with immediate arrest of the violating eligible offender, and swift and certain modification of the conditions of probation, including imposition of short jail stays (which may gradually become longer with each additional violation and modification);

''(G) immediately responds to eligible offenders who have absconded from supervision with service of bench warrants and immediate sanctions;

''(H) provides rewards to eligible offenders who comply with such rules;

''(I) ensures funding for, and referral to, substance abuse treatment for eligible offenders who repeatedly fail to refrain from illicit drug use; and

''(J) establishes procedures to terminate program participation by, and initiate revocation to a term of incarceration for, eligible offenders who habitually fail to abide by program rules and pose a threat to public safety.

''(3) LAW ENFORCEMENT OR PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAM.—The term 'law enforcement or prosecution drug treatment alternative to prison program' means a program that—

''(A) is administered by a prosecutor or law enforcement officer of a State, Indian tribe, or local government;

''(B) requires an eligible offender who is sentenced to participate in the program (instead of incarceration) to participate in a comprehensive substance abuse treatment program that is approved by the State or Indian tribe and licensed, if necessary, to provide medical and other health services;

''(C) requires an eligible offender to receive the consent of the prosecutor or law enforcement officer involved to participate in the program;

''(D) in the case of an eligible offender who is sentenced to participate in the program, requires the offender to serve a sentence of imprisonment with respect to the crime involved if the prosecutor or law enforcement officer, in conjunction with the treatment provider, determines that the eligible offender has not successfully completed the relevant substance abuse treatment program described in subparagraph (B);

''(E) provides for the dismissal of the criminal charges that lead to the participation of an eligible offender in the program if the eligible offender is determined to have successfully completed the program;

''(F) requires each substance abuse provider treating an eligible offender under the program to—

''(i) make periodic reports of the progress of the treatment of the eligible offender to the law enforcement officer involved and to the appropriate court in which the eligible offender was convicted; and

''(ii) notify the prosecutor or law enforcement officer involved and the appropriate court if the eligible offender absconds from the facility of the treatment provider or otherwise violates the terms and conditions of the program, consistent with Federal and State confidentiality requirements; and

''(G) has an enforcement unit comprised of law enforcement officers involved, the duties of which shall include—

''(i) verifying the address of an eligible offender and other contacts;

''(ii) if necessary, locating, apprehending, and arresting an eligible offender who has absconded from the facility of a substance abuse treatment provider or otherwise violated the terms and conditions of the program and returning the eligible offender to the appropriate court for sentencing for the crime involved.

''(4) REENTRY COURT.—The term 'reentry court' means a program that—

''(A) monitors juvenile and adult eligible offenders reentering the community;

''(B) provides juvenile and adult eligible offenders reentering the community with coordinated and comprehensive reentry services and programs, such as—

''(i) drug and alcohol testing and assessment for treatment;

''(ii) assessment for substance abuse from a substance abuse professional who is approved by the State or Indian tribe and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

''(iii) substance abuse treatment from a provider that is approved by the State or Indian tribe, and licensed, if necessary, to provide medical and other health services;

''(iv) health (including mental health) services and assessment;

''(v) aftercare and case management services that—

''(I) facilitate access to clinical care and related health services; and

''(II) coordinate with such clinical care and related health services; and

''(vi) any other services needed for reentry;

''(C) convenes community impact panels, victim impact panels, or victim impact educational classes;

''(D) provides and coordinates the delivery of community services to juvenile and adult eligible offenders, including—

''(i) housing assistance;

''(ii) education;

''(iii) job training;

''(iv) conflict resolution skills training;

''(v) batterer intervention programs; and

''(vi) other appropriate social services; and

''(E) establishes and implements graduated sanctions and incentives.

''SEC. 2902. GRANT AUTHORITY.

''(a) IN GENERAL.—The Attorney General may make grants to States, local governments, territories, Indian tribes, nonprofit agencies, or any combination thereof, to develop, implement, or expand programs that provide alternatives to incarceration, in accordance with this part.

''(b) ALLOWABLE USES.—

''(1) IN GENERAL.—A grant under this part may be used for the expenses of a law enforcement or prosecution drug treatment alternatives to prison program, a problem-solving court, including a reentry court, or a probation with enforcement program including for—

''(A) salaries, personnel costs, equipment costs, and other costs directly related to the operation or evaluation of the program;

''(B) payments for providers that are approved by the State or Indian tribe and licensed, if necessary, to provide needed treatment or education to eligible offenders participating in the program, including aftercare supervision, mental health services, substance abuse services, vocational training, education, and job placement; and

''(C) payments to public and nonprofit private entities that are approved by the State or Indian tribe and licensed, if necessary, to provide mental health, alcohol and drug addiction treatment to offenders participating in the program.

''(2) SUPPLEMENT AND NOT SUPPLANT.—Grants made under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be available for programs described in this part.

''(c) APPLICATIONS.—

''(1) IN GENERAL.—A State, local government, territory, Indian tribe, or nonprofit agency desiring a grant under this part shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

''(2) APPLICATION CONTENTS.—An application submitted under paragraph (1) shall—

''(A) describe the program to be assisted under this part and the need for the program to serve eligible offenders;

''(B) describe a long-term strategy and detailed implementation plan for the program, including how the applicant plans to pay for the program after the Federal funding is discontinued;

''(C) identify the governmental and community agencies the activities of which shall be coordinated under the project;

''(D) certify that—

''(i) all agencies affected by the program, including community corrections and parole entities, have been appropriately consulted in the development of the program; and

''(ii) there will be appropriate coordination with all such agencies in the implementation of the program; and

''(E) describe the methodology and outcome measures that will be used to evaluate the program.

''SEC. 2903. FEDERAL SHARE.

''(a) MATCHING REQUIREMENT.—The Federal share of the cost of an activity carried out using a grant under this part shall be not more than 50 percent.

''(b) IN-KIND CONTRIBUTIONS.—

''(1) IN GENERAL.—Subject to paragraph (2), the recipient of a grant under this part may meet the matching requirement under subsection (a) by making in-kind contributions of goods or services that are directly related to the purpose for which the grant was awarded.

''(2) MAXIMUM PERCENTAGE.—Not more than 75 percent of the amount provided by a

recipient of a grant under this part to meet the matching requirement under subsection (a) may be provided through in-kind contributions under paragraph (1).

''SEC. 2904. GEOGRAPHIC DISTRIBUTION.

''The Attorney General shall ensure that, to the extent practicable, the distribution of grants under this part is equitable and includes States, local governments, territories, Indian tribes, or nonprofit agencies—

''(1) in each State; and

''(2) in rural, suburban, tribal, and urban jurisdictions.

''SEC. 2905. REPORTS AND EVALUATIONS.

''Each entity receiving a grant under this section shall submit to the Attorney General, for each fiscal year in which funds received under the grant are expended, a report, at such time and in such manner as the Attorney General may reasonably require, that contains—

''(1) a summary of the activities carried out under the program assisted by the grant;

''(2) an assessment of whether the activities are meeting the need for the program identified in the application submitted under section 2902(c); and

''(3) such other information as the Attorney General may require.

''SEC. 2906. TRAINING AND TECHNICAL ASSISTANCE.

''The Attorney General may, using amounts made available to carry out this part, establish training and technical assistance for grantees, including—

''(1) providing education, training, and technical assistance for States, Indian tribes, territories, local governments, service providers, and nonprofit organizations relating to problem-solving courts, law enforcement drug treatment alternative to prison programs, and probation with enforcement programs;

''(2) collecting data and best practices from grantees and other agencies and organizations;

''(3) developing and disseminating evaluation tools, mechanisms, and measures to better assess and document performance measures and outcomes;

''(4) disseminating information to States and other relevant entities about best practices, policy standards, and research findings; and

''(5) interdisciplinary and profession-specific training for relevant professionals on information and skills necessary to plan, implement, or expand problem-solving courts, law enforcement drug treatment alternative to prisons programs, and probation with enforcement programs.

''SEC. 2907. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part—

''(1) $10,000,000 for fiscal year 2012;

''(2) $12,000,000 for fiscal year 2013;

''(3) $14000,000 for fiscal year 2014;

''(4) $16,000,000 for fiscal year 2015; and

''(5) $20,000,000 for fiscal year 2016.

''(b) LIMITATIONS.—Of the amounts made available pursuant to subsection (a) for a fiscal year—

''(1) not more than 2 percent may be used by the Attorney General for salaries and administrative expenses; and

''(2) not more than 5 percent nor less than 2 percent may be used for technical assistance and training.

''SEC. 2908. RULE OF CONSTRUCTION.

''Nothing in this part shall be construed to prevent a grantee that operates a drug court under part EE when the grant under this part is awarded from using funds from the grant under this part to supplement the drug court in accordance with section 2902(b)(1).''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) in section 1001(a) (42 U.S.C. 3793(a)), by striking paragraph (26); and

(B) by striking section 2978 (42 U.S.C. 3797w–2).

(3) SAVINGS CLAUSE.—A grant made under section 2978 or part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w–2 and 3797q et seq.) before the date of enactment of this Act shall remain in full force and effect under the terms, and for the duration, of the grant.

(c) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—Part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.) is amended—

(1) in section 2921 (42 U.S.C. 3797s), in the matter preceding paragraph (1), by inserting ''nonprofit organizations,'' before ''and Indian''; and

(2) by striking section 2926(a) (42 U.S.C. 3797s–5(a)), and inserting the following:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part—

''(1) $8,000,000 for fiscal year 2012; and

''(2) $10,000,000 for each of fiscal years 2013, 2014, 2015, and 2016.''.

(d) GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by redesignating part KK (42 U.S.C. 3793ee et seq.) as part LL;

(2) by redesignating the second part designated as part JJ, as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as part KK;

(3) by redesignating the second section designated as section 3001 and section 3002 (42 U.S.C. 3797dd and 3797dd–1), as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as sections 3005 and 3006, respectively;

(4) in section 3005, as so redesignated—

(A) in subsection (a)—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) implement methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities consistent with the best practices identified in subsection (c).'';

(B) by redesignating subsection (c) as subsection (d); and

(C) by inserting after subsection (b), the following:

''(c) BEST PRACTICES.—Not later than 180 days after the date of enactment of the Second Chance Reauthorization Act of 2011, the Attorney General shall identify and publish best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities. The best practices shall consider the evaluations performed and recommendations made under grants made under subsection (a) before the date of enactment of the Second Chance Reauthorization Act of 2011''; and

(5) in section 3006, as so redesignated, by striking ''to carry'' and all that follows through ''2010'' and inserting ''for each of fiscal years 2012, 2013, 2014, 2015, and 2016 for grants for purposes described in section 3005(a)(4)''.

(e) TECHNOLOGY CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of 2007 (42 U.S.C. 17511) is amended—

(1) in subsection (a), by striking ''and Indian'' and inserting ''nonprofit organizations, and Indian''; and

(2) by striking subsection (e) and inserting the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $7,000,000 for each of fiscal years 2012 and 2013; and

''(2) $10,000,000 for each of fiscal years 2014, 2015, and 2016.''.

(f) OFFENDER REENTRY SUBSTANCE ABUSE AND CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section 201(f)(1) of the Second Chance Act of 2007 (42 U.S.C. 17521(f)(1)) is amended to read as follows:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2012 through 2016.''.

(g) MENTORING GRANTS TO NONPROFIT ORGANIZATIONS.—Section 211 of the Second Chance Act of 2007 (42 U.S.C. 17531) is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following:

''(f) DEFINITION.—In this section, the term 'offender' includes an individual who—

''(1) has been convicted of a Federal or State offense that is punishable by a term of imprisonment of more than 1 year;

''(2) has served a term of imprisonment for not less than 6 months in a Federal or State prison or correctional facility as a result of the conviction described in paragraph (1); and

''(3) has been determined to be factually innocent of the offense described in paragraph (1).''; and

(3) in subsection (g), as redesignated, by striking ''this section'' and all that follows and inserting the following: ''this section—''

''(1) $15,000,000 for fiscal year 2012;

''(2) $16,000,000 for fiscal year 2013;

''(3) $16,000,000 for fiscal year 2014;

''(4) $19,000,000 for fiscal year 2015; and

''(5) $20,000,000 for fiscal year 2016.''.

SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.

(a) DEFINITION.—In this section, the term ''unresolved audit finding'' means an audit report finding or recommendation that a grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 1-year period beginning on the date of an initial notification of the finding or recommendation.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2012, and every 3 years thereafter, the Inspector General of the Department of Justice shall conduct an audit of not less than 5 percent of all grantees that are awarded funding under—

(1) section 2976(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(b));

(2) part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797q et seq.), as amended by this Act;

(3) part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.);

(4) part JJ of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797dd et seq.); or

(5) section 115, 201, or 211 of the Second Chance Act of 2007 (42 U.S.C. 17511, 17521, and 17531).

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under the grant programs described in paragraphs (1) through (5) of subsection (b) in the fiscal year following the fiscal year to which the finding relates.

(d) PRIORITY OF GRANT AWARDS.—The Attorney General, in awarding grants under

the programs described in paragraphs (1) through (5) of subsection (b) shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

SEC. 4. FEDERAL REENTRY IMPROVEMENTS.

(a) RESPONSIBLE REINTEGRATION OF OFFENDERS.—Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) is repealed.

(b) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(1) in subsection (g)—

(A) in paragraph (3), by striking ''carried out during fiscal years 2009 and 2010'' and inserting ''carried out during fiscal years 2012 through 2016''; and

(B) in paragraph (5)(A)(i), by striking ''65 years'' and inserting ''60 years'';

(2) by striking subsection (h);

(3) by redesignating subsection (i) as subsection (h); and

(4) in subsection (h), as so redesignated, by striking ''2009 and 2010'' and inserting ''2012 through 2016''.

(c) ENHANCING REPORTING REQUIREMENTS PERTAINING TO COMMUNITY CORRECTIONS.—Section 3624(c) of title 18, United States Code, is amended—

(1) in paragraph (5), in the second sentence, by inserting '', and number of prisoners not being place in community corrections facilities for each reason set forth'' before '', and any other information''; and

(2) in paragraph (6), by striking ''the Second Chance Act of 2007'' and inserting ''the Second Chance Reauthorization Act of 2011''.

(d) TERMINATION OF STUDY ON EFFECTIVENESS OF DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section 244 of the Second Chance Act of 2007 (42 U.S.C. 17554) is repealed.

(e) AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH.—Section 245 of the Second Chance Act of 2007 (42 U.S.C. 17555) is amended—

(1) by striking ''243, and 244'' and inserting ''and 243''; and

(2) by striking ''2009 and 2010'' and inserting ''2012, 2013, 2014, 2015, and 2016''.

(f) FEDERAL PRISONER RECIDIVISM REDUCTION PROGRAMMING ENHANCEMENT.—

(1) IN GENERAL.—Section 3621 of title 18, United States Code, is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

''(g) INCENTIVE FOR PRISONERS' PARTICIPATION IN REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'demonstrated to reduce recidivism' means that the Director of Bureau of Prisons has determined that appropriate research has been conducted and has validated the effectiveness of the program on recidivism; and

''(B) the term 'successfully participates' means that a prisoner has been enrolled for a period of not less than 180 days during the 12 months preceding the award of credit in 1 or more programs—

''(i) for which the prisoner is eligible; and

''(ii) that meet the treatment and program needs of the prisoner.

''(2) ELIGIBILITY TO EARN ADDITIONAL CREDIT.—Any prisoner who, in the judgment of the Director of the Bureau of Prisons, successfully participates in a program that has been demonstrated to reduce recidivism, is eligible to earn additional credit toward satisfaction of the sentence being served by the prisoner.

''(3) CREDIT TOWARD SERVICE OF SENTENCE.—Except as provided in paragraph (4), a prisoner may receive credit toward service of the sentence of the prisoner of up to 60 days per year for each year in which the prisoner is in custody of the Bureau of Prisons and successfully participates in a program described in paragraph (2). Any credits awarded under this subsection shall vest on the date the prisoner is released from custody.

''(4) LIMITATION ON AWARDS OF CREDIT.—

''(A) IN GENERAL.—A prisoner may accrue credit toward service of the sentence of the prisoner under this subsection if—

''(i) the credit accrued under this subsection is combined with reductions in the period of time the prisoner remains in custody resulting from participation in a residential substance abuse program; and

''(ii) credit received under section 3624(b) does not exceed 33 percent of the sentence imposed on the prisoner.

''(B) PRIOR TIME CREDIT.—No credits shall be awarded for any time spent in—

''(i) programs during the 180-day period preceding the enactment of the Second Chance Reauthorization Act of 2011; or

''(ii) official detention prior to the date the sentence commences under section 3585(a).

''(5) RECEIPT OF CREDIT AT END OF YEAR.—A prisoner may receive credit at the end of each year of the sentence being served by the prisoner, beginning at the end of the first year of the sentence, subject to a determination by the Director by the Bureau of Prisons that during the year the prisoner display exemplary compliance with institutional disciplinary regulations. For purposes of this section, the first year shall commence on the date the sentence commences under section 3585(a).''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect 180 days after the date of enactment of this Act.

By Mr. GRASSLEY:

S. 1234. A bill to amend part B of title IV of the Social Security Act to reauthorize grants to assist children affected by methamphetamine or other substance abuse under the promoting safe and stable families program; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I come to the floor today to introduce a bill on an issue that is very important to me and many of my colleagues here in the Senate. I have long been a passionate supporter of some of the most vulnerable members of our society, especially the thousands of our Nation's foster youth. Currently, there are over 420,000 children living in foster care. Each one of these foster youth deserves a safe, loving and permanent home. But, each year, these children face a declining number of foster homes, and must also deal with the widespread negative misperceptions attached to the foster care system. Many of them have to cope with parents that struggle with substance abuse problems. Parental substance abuse is one of the leading, if not the primary, reasons forcing children into the foster care system.

According to the Congressional Research Service, in a nationally representative study, caseworkers investigating allegations of abuse or neglect noted active drug abuse by the 37 percent of the primary caregivers from whom children were removed to out-of-home care. The same report also noted active alcohol abuse among 29 percent of the primary caregivers from whom children were removed. The percentage of children who remain in care due to issues related to substance abuse is believed to be even larger because, among other reasons, accessing and successfully completing treatment services is often time consuming and children may not be able to safely return to their homes until treatment is successfully completed. An additional troubling statistic comes from a 2005 report by the RAND Corporation, which revealed that more than 300,000 children entered the foster-care system due to methamphetamine abuse.

I would like to take a moment to share a story about one foster youth who is currently serving as an intern in my Washington, DC office thanks to the Congressional Coalition on Adoption Institute. Her name is Taatianna and her story is a reminder of the challenges that many foster youth face.

When Taatianna turned three, she opened the front door of her home to a caseworker who removed her and her two siblings from their home. Taatianna was placed in the foster care system at very young age because of her parent's substance abuse. She has lived many years with shame and guilt, believing she was responsible for splitting apart her family. However, she now knows that drug and alcohol were the reasons she was neglected and forced into foster care. Fortunately, Taatianna and her siblings were able to live together and be raised by their biological grandmother, Ruby, in Relative Kinship Care. Ruby played the role of mom, dad, and grandma to these three children. While growing up, Taatianna and her siblings faced emotional and mental anxieties, trying hard not to succumb to the curse of substance abuse addiction that ran in their family. But more importantly, the kids longed to be with their mom and dad again, hoping they could get clean, hold a job, and be a family. Taatianna's mother struggled, and continues to struggle with, addiction.

Drugs and alcohol have torn this family apart, and have destroyed any sense of normalcy or permanency they so desperately yearned for. Taatianna witnessed first-hand the traumatic effects of substance abuse in both her parents and many other family members. Taatianna, and many other foster youth in this country, could be helped if parents were treated or had better access to treatment for their substance abuse problems.

Foster care shouldn't be a destination. It should be a temporary detour for children while their parents are treated and are ready to be parents.

So, today, on behalf of many youth in foster care, I introduce the Partners for Stable Families and Foster Youth Affected by Methamphetamine or Other Substance Abuse Act. This bill will reauthorize the Regional Partnership Grants that were created in 2006 as part of the Promoting Safe and Stable Families Act. The passage of this legislation was a tremendous step forward

in our efforts to help the youth in the foster care system. The funds from these grants address a variety of challenges that are barriers to optimal family outcomes. The mission of the Regional Partnership Grants is to improve the safety, permanency, and well-being of children who are in an out-of-home placement or are at-risk of such placement because of a parent or caretaker's abuse of methamphetamine or another substance.

In September 2007, following the authorization of the Regional Partnership Grants, the Department of Health and Human Services awarded multiyear grants to 53 regional partnerships representing 29 states and 6 tribes. The first round of grants supported the creation or expansion of family treatment drug courts, improvement of system-wide collaboration, expanded access to comprehensive family centered treatment, use of evidence-based practice approaches such as motivational enhancement therapy, parent advocates, and recovery management approaches to drug treatment monitoring. The groups receiving these grants were split almost evenly between the public and private sectors, and they represent a great example of how both can assist the many youth and families that are a part of the foster care system.

Allow me an opportunity to tell you about the grantees in my home state of Iowa.

One grantee, Upper Des Moines Opportunity Inc., is undertaking the Parent Partner Program in 9 counties in rural Northwest Iowa. This program primarily assists individuals addicted to meth, and is unique because parents are matched to Parent Partners who serve as mentors, assisting clients to navigate the child welfare and substance abuse systems. The goal of these Parent Partners is to support and mentor parents who have trouble keeping their families together and are at risk of incarceration or permanently losing custody of their children. This program is more personal than stand alone drug treatment programs because Parent Partners have been through the same situations. One outcome is that clients are developing a trusting relationship with professionals in the child welfare and substance abuse systems; thereby increasing their chances for success and becoming more engaged in substance abuse treatment and recovery. The Parent Partner understands the client's situation, allowing them to bond and build trust with the goal of regaining custody of their children more quickly. The Parent Partners serve as the critical link between the Department of Human Services, the parent, and other experts.

Another grantee, the Parents and Children Together, PACT, is a family drug court initiative implementing a community based approach to substance abuse treatment. The program supports the family to remain the primary permanency option for their children. PACT is a partnership of the courts, the state child welfare agency, the Iowa Department of Public Health, and five community pilot sites with the State Court taking the lead. Through this program, family treatment courts were implemented in each pilot site. The program is focused on increasing the safety, permanency and well-being of children by addressing the substance abuse treatment programming and service gaps through a community collaborative planning approach. The partnership has worked hard over the years to establish family drug courts in their pilot sites that support families as they navigate the foster care system and substance abuse treatment. With the knowledge they are gaining on what works and what doesn't, they have provided two family treatment court forums for other interested community court led teams. They presently serve 6 sites and have 6 other court led teams that are interested in learning more.

According to a forthcoming report from the Administration on Children, Youth, and Families, over 8,000 adults and 12,000 children have been served by the Regional Partnership Grants. Bryan Samuels, the Commissioner of the Administration, has said that children are discharged from foster care at a faster rate because of the grants and that families are more likely to be reunited within 12 months and are more likely to stay that way after 12 months.

The efforts to help at-risk youth must continue. We know that substance abuse issues will continue to push kids into foster care. In Iowa alone, from 2005–2009, the Iowa Department of Human Services classified 5,330 children victims of abuse due to the presence of an illegal drug in their body. Meth continues to be a huge concern. In fact, meth lab incidents in Iowa have dropped dramatically since their peak in 2004, but have risen in each of the past three years. The resurgence in meth lab incidents coincides with a rise in drug-related prison admissions, meth treatment admissions, and child abuse cases.

In my original version of the Regional Partnership Grants in 2006, I envisioned $40 million per year to be available for grants to improve the outcomes of those affected by meth or other substance abuse. Unfortunately this amount was reduced during conference committee negotiations. In the bill I am introducing today, I am again calling for the amount to be set at $40 million per year. This will allow new grantees to start programs while giving short two-year extensions to existing grantees. The goal is to encourage new collaborations throughout the country, while giving time to existing collaborations to institute best practices and educate other entities about what works and what does not.

The reauthorization of the Regional Partnership Grants will also include several measures aimed at improving the original legislation. The bill will allow more dollars to be available for activities and collaborative efforts by instituting a 5 percent administrative fee cap on the amount that can be retained by the Administration on Children, Youth, and Families for technical assistance or contract services. Finally, the bill will require more evaluation of regional partnerships, and require the Secretary of Health and Human Services to evaluate the new grantees and issue a report on the best practices implemented by their programs no later than December 1, 2012, with a follow-up report due in 2017. These reports will prove useful in efforts to improve our foster-care system.

The improvement of the lives of families and youth that are involved in the foster care system is one of the most important issue I have undertaken in the U.S. Senate. The Regional Partnership Grants have not only helped youth in search of permanent, loving families, but have brought back together families that were torn apart by substance abuse. As a founder and co-chair of the Senate Caucus on Foster Youth, I have been a witness to the many successes that have occurred thanks to our support of these children and young adults; however, I am also still painfully aware of the amount of work that remains. We can take another significant step forward in this area by passing the Partners for Stable Families and Foster Youth Affected by Methamphetamine or Other Substance Abuse Act and reauthorizing the Regional Partnership Grants.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Ms. LANDRIEU, and Mrs. MCCASKILL):

S. 1236. A bill to reduce the trafficking of drugs and to prevent human smuggling across the Southwest Border by deterring the construction and use of border tunnels; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Border Tunnel Prevention Act of 2011 with my colleagues and friends, Senator JON KYL, Senator MARY LANDRIEU and Senator CLAIRE MCCASKILL. This bill will provide law enforcement and prosecutors with important tools to locate border tunnels, identify criminals and punish those involved.

As the U.S., Mexico border has become more secure, criminals have sought out new ways to transfer drugs and people across the border. For years, smugglers have tried to go around our border checkpoints. Now, they are trying to go under them to evade border enforcement. There is an increasing number and sophistication of tunnels along the Southwest border.

Tunnels range from anything from a shallow dirt crawl way to sophisticated concrete structures with shoring, ventilation and electricity. One tunnel found in San Diego even had a makeshift elevator.

Underground tunnels present a serious national security threat. The first tunnel was discovered in May of 1990. However, beginning in 2001, tunnels began to increase dramatically. Between September 2001 and today, an astonishing 125 completed tunnels have been discovered making a total of 137 completed tunnels since 1990.

Border tunnels are most often used to transport narcotics from Mexico to the United States, but assumingly are also used to smuggle weapons and people. Just as tunnels can be used to transport drugs across the border, they could be used to smuggle a terrorist into the United States.

In recent years, there has been a striking increase in the sophistication of these tunnels. To date, authorities have discovered 61 sophisticated tunnels, 37 of which were constructed in California.

In San Diego in February of 2006, I had the occasion to visit a very sophisticated tunnel discovered by the multiagency San Diego Tunnel Task Force, led by U.S. Immigration and Customs Enforcement. The Department of Homeland Security has established these tunnel task forces in San Diego, El Paso, Nogales, Yuma and Imperial Valley.

The tunnel was 2,400 feet long, close to half of a mile, stretching from an abandoned warehouse near the southern border of California through to Tijuana, Mexico. It remains the longest cross-border tunnel discovered in U.S. history, more than nine stories below ground at its deepest point, and had ample ventilation and groundwater drainage systems, cement flooring, lighting, and a pulley system.

Authorities seized over 4,200 pounds of marijuana in the tunnel, and have attributed the operation to the Arellano Felix Organization.

The exit of the tunnel in the United States was concealed in a small office inside a massive empty warehouse, covered only by four square tiles.

After seeing this tunnel, I introduced the Border Tunnel Prevention Act of 2006. The bill became law in 2007 and criminalized the construction, financing or use of an unauthorized tunnel or subterranean passage across an international border into the United States. It also imposes a punishment for anyone who negligently permits others to construct or use an unauthorized tunnel or subterranean passage on their land.

The first prosecution under this law was in connection to a December 2009 partially-built tunnel found in Calexico, California. An investigation resulted in the arrest of Daniel Alvarez, a United States citizen. Alvarez eventually pled guilty to criminal violations put into place by the Border Tunnel Prevention Act and was sentenced to 15 months in federal prison.

Today, I am introducing a bill to enhance the 2007 law. Specifically, it will make the use, construction or financing of a border tunnel a conspiracy offense. This would punish the intent to engage in tunnel activity, even in cases where a tunnel was not fully constructed.

The bill will include illegal tunneling as an offense eligible for Title III wiretaps even when there are not drugs or other contraband to facilitate a wiretap; specify border tunnel activity as unlawful under the existing forfeiture and money laundering provisions to allow authorities to seize assets in these cases.

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

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

S. 1236

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Border Tunnel Prevention Act of 2011''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) As the international border between the United States and Mexico becomes more secure, trafficking and smuggling organizations intensify their efforts to enter the United States by increasing the number of tunnels and other subterranean passages between Mexico and the United States.

(2) Border tunnels are most often used to transport narcotics from Mexico to the United States, but can also be used to transport people and other contraband.

(3) Between May 1990 and May 2011, law enforcement authorities discovered 137 tunnels, 125 of which have been discovered since September 2001. While law enforcement authorities discovered only 2 tunnels in California between 1990 and 2001, there has been a dramatic increase in the number of border tunnels discovered in California since 2001.

(4) Section 551 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295) added a new section to title 18, United States Code (18 U.S.C. 555), which—

(A) criminalizes the construction or financing of an unauthorized tunnel or subterranean passage across an international border into the United States; and

(B) prohibits any person from recklessly permitting others to construct or use an unauthorized tunnel or subterranean passage on the person's land.

(5) Any person convicted of using a tunnel or subterranean passage to smuggle aliens, weapons, drugs, terrorists, or illegal goods is subject to an enhanced sentence for the underlying offense. Additional sentence enhancements would further deter tunnel activities and increase prosecutorial options.

SEC. 3. DEFINITIONS.

In this Act:

(1) NATIONAL SECURITY ZONE.—The term ''national security zone'' means any Southwest Border land designated by the Secretary as being at a high risk for border tunnel activity, as authorized under section 8(b).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(3) SOUTHWEST BORDER LAND.—The term ''Southwest Border land'' means all parcels of real property in the United States that—

(A) are located within 1 mile of the international border between the United States and Mexico; and

(B) are not owned by a Federal, State, tribal, or local government entity.

SEC. 4. ATTEMPT OR CONSPIRACY TO USE, CONSTRUCT, OR FINANCE A BORDER TUNNEL.

Section 555 of title 18, United States Code, is amended by adding at the end the following:

''(d) Any person who attempts or conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense, the commission of which was the object of the attempt or conspiracy.''.

SEC. 5. AUTHORIZATION FOR INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS.

Section 2516(1)(c) of title 18, United States Code, is amended by inserting '', section 555 (relating to construction or use of international border tunnels)'' before the semicolon at the end.

SEC. 6. FORFEITURE.

(a) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by inserting ''555,'' after ''545,''.

(b) CIVIL ASSET FORFEITURE.—Any merchandise introduced into the United States through a tunnel or passage described in section 555(a) of title 18, United States Code, shall be subject to seizure and forfeiture in accordance with section 596(c) of the Tariff Act of 1930 (19 U.S.C. 1595a(c)).

SEC. 7. MONEY LAUNDERING DESIGNATION.

Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 555 (relating to border tunnels),'' after ''section 554 (relating to smuggling goods from the United States),''.

SEC. 8. NOTIFICATION REQUIREMENTS.

(a) NOTIFICATION TO LAND OWNERS.—The Secretary is encouraged to annually provide each known nongovernmental owner and tenant of land located in a national security zone with a written notification that describes—

(1) Federal laws related to the construction of illegal border tunnels; and

(2) the procedures for reporting violations of such laws to U.S. Immigration and Customs Enforcement.

(b) DESIGNATION OF BORDER TUNNEL HIGH RISK AREAS.—

(1) IN GENERAL.—The Secretary may designate any Southwest Border land that the Secretary has a substantial reason to believe is at a high risk for border tunnel activity as a national security zone.

(2) PUBLICATION.—The Secretary shall—

(A) publish any designations made under paragraph (1) in the Federal Register; and

(B) allow appropriate notice and comment in accordance with the chapter 5 of title 5, United States Code (commonly referred to as the ''Administrative Procedures Act'').

(c) RULEMAKING.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out this section.

SEC. 9. REPORT.

(a) IN GENERAL.—The Secretary shall submit an annual report to the congressional committees set forth in subsection (b) that includes a description of—

(1) the cross border tunnels in Southwest Border land discovered during the reporting period; and

(2) the needs of the Department of Homeland Security to effectively prevent, investigate and prosecute border tunnel construction on Southwest Border land.

(b) CONGRESSIONAL COMMITTEES.—The congressional committees set forth in this subsection are—

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the Committee on the Judiciary of the Senate;

(3) the Committee on Appropriations of the Senate;

(4) the Committee on Homeland Security of the House of Representatives;

(5) the Committee on the Judiciary of the House of Representatives; and

(6) the Committee on Appropriations of the House of Representatives.

AMENDMENTS SUBMITTED AND PROPOSED

SA 486. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 487. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 488. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

SA 489. Mr. CASEY (for himself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table.

SA 490. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 782, supra; which was ordered to lie on the table.

SA 491. Mr. MENENDEZ (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 141, recognizing the efforts and accomplishments of the GOD'S CHILD Project and congratulating the GOD'S CHILD Project on its 20th anniversary.

SA 492. Mr. MENENDEZ (for Mr. CONRAD) proposed an amendment to the resolution S. Res. 141, supra.

SA 493. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 679, to reduce the number of executive positions subject to Senate confirmation; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 486. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

On page 19, between the matter after line 2 and line 3, insert the following:

SEC. 13. VERIFICATION OF SELF-REPORTED DATA.

(a) IN GENERAL.—Title II of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3141 et seq.) (as amended by section 12(a)) is amended by adding at the end the following:

"SEC. 220. VERIFICATION OF SELF-REPORTED DATA.

''For each fiscal year, the Secretary shall—

''(1) audit and verify data reported to the Secretary by at least 10 percent of the individuals and entities that receive assistance in the form of grants under this Act during the fiscal year or the immediately preceding fiscal year;

''(2) in conducting the audit and data verification, evaluate the sufficiency of the documentation and methodology of grantees for determining private investment and job creation resulting from the economic development project for which funds are provided under this Act; and

''(3) submit to the appropriate committees of Congress, and publish in the Federal Register, a report describing the results of the audits and verifications.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.) is amended by adding after the item relating to section 219 (as added by section 12(b)) the following:

''Sec. 220. Verification of self-reported data.''.

SA 487. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 782, to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

SEC. 22. ANGEL INVESTMENT TAX CREDIT.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

"SEC. 30E. ANGEL INVESTMENT TAX CREDIT.

''(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of the qualified equity investments made by a qualified investor during the taxable year.

''(b) QUALIFIED EQUITY INVESTMENT.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified equity investment' means any equity investment in a qualified small business entity if—

''(A) such investment is acquired by the taxpayer at its original issue (directly or through an underwriter) solely in exchange for cash, and

''(B) such investment is designated for purposes of this section by the qualified small business entity.

''(2) EQUITY INVESTMENT.—The term 'equity investment' means—

''(A) any form of equity, including a general or limited partnership interest, common stock, preferred stock (other than nonqualified preferred stock as defined in section 351(g)(2)), with or without voting rights, without regard to seniority position and whether or not convertible into common stock or any form of subordinate or convertible debt, or both, with warrants or other means of equity conversion, and

''(B) any capital interest in an entity which is a partnership.

''(3) REDEMPTIONS.—A rule similar to the rule of section 1202(c)(3) shall apply for purposes of this subsection.

''(c) QUALIFIED SMALL BUSINESS ENTITY.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified small business entity' means any domestic corporation or partnership if such corporation or partnership—

''(A) is a small business (as defined in section 41(b)(3)(D)(iii)),

''(B) has its headquarters in the United States,

''(C) is engaged in a high technology trade or business related to—

''(i) advanced materials, nanotechnology, or precision manufacturing,

''(ii) aerospace, aeronautics, or defense,

''(iii) biotechnology or pharmaceuticals,

''(iv) electronics, semiconductors, software, or computer technology,

''(v) energy, environment, or clean technologies,

''(vi) forest products or agriculture,

''(vii) information technology, communication technology, digital media, or photonics,

''(viii) life sciences or medical sciences,

''(ix) marine technology or aquaculture,

''(x) transportation, or

''(xi) any other high technology trade or business as determined by the Secretary,

''(D) has been in existence for less than 5 years as of the date of the qualified equity investment,

''(E) employs less than 100 full-time equivalent employees as of the date of such investment,

''(F) has more than 50 percent of the employees performing substantially all of their services in the United States as of the date of such investment, and

''(G) has equity investments designated for purposes of this paragraph.

''(2) DESIGNATION OF EQUITY INVESTMENTS.—For purposes of paragraph (1)(G), an equity investment shall not be treated as designated if such designation would result in the aggregate amount which may be taken into account under this section with respect to equity investments in such corporation or partnership exceeds—

''(A) $10,000,000, taking into account the total amount of all qualified equity investments made by all taxpayers for the taxable year and all preceding taxable years,

''(B) $2,000,000, taking into account the total amount of all qualified equity investments made by all taxpayers for such taxable year, and

''(C) $1,000,000, taking into account the total amount of all qualified equity investments made by the taxpayer for such taxable year.

''(d) QUALIFIED INVESTOR.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified investor' means an accredited investor, as defined by the Securities and Exchange Commission, investor network, or investor fund who review new or proposed businesses for potential investment.

''(2) INVESTOR NETWORK.—The term 'investor network' means a group of accredited investors organized for the sole purpose of making qualified equity investments.

''(3) INVESTOR FUND.—

''(A) IN GENERAL.—The term 'investor fund' means a corporation that for the applicable taxable year is treated as an S corporation or a general partnership, limited partnership, limited liability partnership, trust, or limited liability company and which for the applicable taxable year is not taxed as a corporation.

''(B) ALLOCATION OF CREDIT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the credit allowed under subsection (a) shall be allocated to the shareholders or partners of the investor fund in proportion to their ownership interest or as specified in the fund's organizational documents, except that tax-exempt investors shall be allowed to transfer their interest to investors within the fund in exchange for future financial consideration.

''(ii) SINGLE MEMBER LIMITED LIABILITY COMPANY.—If the investor fund is a single member limited liability company that is disregarded as an entity separate from its owner, the credit allowed under subsection (a) may be claimed by such limited liability company's owner, if such owner is a person subject to the tax under this title.

''(4) EXCLUSION.—The term 'qualified investor' does not include—

''(A) a person controlling at least 50 percent of the qualified small business entity,

''(B) an employee of such entity, or

''(C) any bank, bank and trust company, insurance company, trust company, national bank, savings association or building and loan association for activities that are a part of its normal course of business.

''(e) NATIONAL LIMITATION ON AMOUNT OF INVESTMENTS DESIGNATED.—