

(2) the prisoner is otherwise unable to pay a fee assessed under this section.

(g) USE OF AMOUNTS.—

(1) RESTITUTION OF SPECIFIC VICTIMS.—Amounts collected by the Director under this section from a prisoner subject to an order of restitution issued pursuant to section 3663 or 3663A shall be paid to victims in accordance with the order of restitution.

(2) ALLOCATION OF OTHER AMOUNTS.—Of amounts collected by the Director under this section from prisoners not subject to an order of restitution issued pursuant to section 3663 or 3663A—

(A) 75 percent shall be deposited in the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601); and

(B) 25 percent shall be available to the Attorney General for administrative expenses incurred in carrying out this section.

(h) NOTICE TO PRISONERS OF LAW.—Each person who is or becomes a prisoner shall be provided with written and oral notices of the provisions of this section and the applicability of this section to the prisoner. Notwithstanding any other provision of this section, a fee under this section may not be assessed against, or collected from, such person—

(1) until the expiration of the 30-day period beginning on the date on which each prisoner in the prison system is provided with such notices; and

(2) for services provided before the expiration of such period.

(i) NOTICE TO PRISONERS OF REGULATIONS.—The regulations promulgated by the Director under subsection (b)(1), and any amendments to those regulations, shall not take effect until the expiration of the 30-day period beginning on the date on which each prisoner in the prison system is provided with written and oral notices of the provisions of those regulations (or amendments, as the case may be). A fee under this section may not be assessed against, or collected from, a prisoner pursuant to such regulations (or amendments, as the case may be) for services provided before the expiration of such period.

(j) NOTICE BEFORE PUBLIC COMMENT PERIOD.—Before the beginning of any period a proposed regulation under this section is open to public comment, the Director shall provide written and oral notice of the provisions of that proposed regulation to groups that advocate on behalf of Federal prisoners and to each prisoner subject to such proposed regulation.

(k) REPORTS TO CONGRESS.—Not later than 1 year after the date of the enactment of the Federal Prisoner Health Care Copayment Act of 2000, and annually thereafter, the Director shall transmit to Congress a report, which shall include—

(1) a description of the amounts collected under this section during the preceding 12-month period;

(2) an analysis of the effects of the implementation of this section, if any, on the nature and extent of health care visits by prisoners;

(3) an itemization of the cost of implementing and administering the program;

(4) a description of current inmate health status indicators as compared to the year prior to enactment; and

(5) a description of the quality of health care services provided to inmates during the preceding 12-month period, as compared with the quality of those services provided during the 12-month period ending on the date of the enactment of such Act.

(l) COMPREHENSIVE HIV/AIDS SERVICES REQUIRED.—The Bureau of Prisons shall provide comprehensive coverage for services relating to human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) to each Federal prisoner in the custody of the Bureau of Prisons when medically appropriate. The Bureau of Prisons may not assess or collect a fee under this section for providing such coverage.

(Added Pub. L. 106-294, §2(a), Oct. 12, 2000, 114 Stat. 1038.)

REFERENCES IN TEXT

The date of the enactment of the Federal Prisoner Health Care Copayment Act of 2000, referred to in subsec. (k), is the date of enactment of Pub. L. 106-294, which was approved Oct. 12, 2000.

CHAPTER 305—COMMITMENT AND TRANSFER

Sec. 4081.	Classification and treatment of prisoners.
4082.	Commitment to Attorney General; residential treatment centers; extension of limits of confinement; work furlough.
4083.	Penitentiary imprisonment; consent.
4084.	Repealed.
4085.	Repealed.
4086.	Temporary safe-keeping of federal offenders by marshals.

AMENDMENTS

1996—Pub. L. 104-294, title VI, §601(f)(14), Oct. 11, 1996, 110 Stat. 3500, substituted “centers;” for “centers,” in item 4082.

1984—Pub. L. 98-473, title II, §218(e), Oct. 12, 1984, 98 Stat. 2027, substituted “Repealed” for “Copy of commitment delivered with prisoner” in item 4084, and “Repealed” for “Transfer for state offense; expense” in item 4085.

1965—Pub. L. 89-176, §2, Sept. 10, 1965, 79 Stat. 675, substituted “residential treatment centers, extension of limits of confinement; work furlough” for “transfer” in item 4082.

§ 4081. Classification and treatment of prisoners

The Federal penal and correctional institutions shall be so planned and limited in size as to facilitate the development of an integrated system which will assure the proper classification and segregation of Federal prisoners according to the nature of the offenses committed, the character and mental condition of the prisoners, and such other factors as should be considered in providing an individualized system of discipline, care, and treatment of the persons committed to such institutions.

(June 25, 1948, ch. 645, 62 Stat. 850.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §907 (May 27, 1930, ch. 339, §7, 46 Stat. 390).

Language of section is so changed as to make one policy for all institutions, thus clarifying the manifest intent of Congress.

Minor changes were made in phraseology.

§ 4082. Commitment to Attorney General; residential treatment centers; extension of limits of confinement; work furlough

(a) The willful failure of a prisoner to remain within the extended limits of his confinement, or to return within the time prescribed to an institution or facility designated by the Attorney General, shall be deemed an escape from the custody of the Attorney General punishable as provided in chapter 35 of this title.

(b)(1) The Attorney General shall, upon the request of the head of any law enforcement agency of a State or of a unit of local government in a State, make available as expeditiously as possible to such agency, with respect to prisoners who have been convicted of felony offenses against the United States and who are confined at a facility which is a residential community treatment center located in the geographical area in which such agency has jurisdiction, the following information maintained by the Bureau of Prisons (to the extent that the Bureau of Prisons maintains such information)—

- (A) the names of such prisoners;
- (B) the community treatment center addresses of such prisoners;
- (C) the dates of birth of such prisoners;
- (D) the Federal Bureau of Investigation numbers assigned to such prisoners;
- (E) photographs and fingerprints of such prisoners; and
- (F) the nature of the offenses against the United States of which each such prisoner has been convicted and the factual circumstances relating to such offenses.

(2) Any law enforcement agency which receives information under this subsection shall not disseminate such information outside of such agency.

(c) As used in this section—

the term “facility” shall include a residential community treatment center; and

the term “relative” shall mean a spouse, child (including stepchild, adopted child or child as to whom the prisoner, though not a natural parent, has acted in the place of a parent), parent (including a person who, though not a natural parent, has acted in the place of a parent), brother, or sister.

(June 25, 1948, ch. 645, 62 Stat. 850; Pub. L. 89-176, § 1, Sept. 10, 1965, 79 Stat. 674; Pub. L. 93-209, Dec. 28, 1973, 87 Stat. 907; Pub. L. 98-473, title II, § 218(a), Oct. 12, 1984, 98 Stat. 2027; Pub. L. 99-646, § 57(a), Nov. 10, 1986, 100 Stat. 3611.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., § 753f (May 14, 1930, ch. 274, § 7, 46 Stat. 326; June 14, 1941, ch. 204, 55 Stat. 252; Oct. 21, 1941, ch. 453, 55 Stat. 743).

Words “by the juvenile court of the District of Columbia, as well as to those committed by any court of the United States,” at end of section were omitted as unnecessary, and word “all” inserted before “persons”, without change of meaning.

Provision against penitentiary imprisonment for a term of 1 year or less without consent of defendant was incorporated in section 4083 of this title.

The phrase “if in his judgment it shall be for the well-being of the prisoner or relieve overcrowded or un-

healthful conditions in the institution where such person is confined or for other reasons”, was omitted as unnecessary.

Changes were made in phraseology.

This section supersedes section 705 of title 18, U.S.C., 1940 ed., providing for execution of sentences in houses of correction or reformation; and section 748 of title 18, U.S.C., 1940 ed., providing for confinement of prisoners in United States Disciplinary Barracks.

AMENDMENTS

1986—Subsecs. (f), (g). Pub. L. 99-646 added subsec. (f) and redesignated former subsec. (f) as (g).

1984—Pub. L. 98-473 struck out subsecs. (a) to (c) and (e) and redesignated subsecs. (d), (f), and (g) as (a), (b), and (c), respectively. Prior to amendment subsecs. (a) to (c) and (e) read as follows:

“(a) A person convicted of an offense against the United States shall be committed, for such term of imprisonment as the court may direct, to the custody of the Attorney General of the United States, who shall designate the place of confinement where the sentence shall be served.

“(b) The Attorney General may designate as a place of confinement any available, suitable, and appropriate institution or facility, whether maintained by the Federal Government or otherwise, and whether within or without the judicial district in which the person was convicted, and may at any time transfer a person from one place of confinement to another.

“(c) The Attorney General may extend the limits of the place of confinement of a prisoner as to whom there is reasonable cause to believe he will honor his trust, by authorizing him, under prescribed conditions, to—

- “(1) visit a specifically designated place or places for a period not to exceed thirty days and return to the same or another institution or facility. An extension of limits may be granted to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, the contacting of prospective employers, the establishment or reestablishment of family and community ties or for any other significant reason consistent with the public interest; or

“(2) work at paid employment or participate in a training program in the community on a voluntary basis while continuing as a prisoner of the institution or facility to which he is committed, provided that—

- “(i) representatives of local union central bodies or similar labor union organizations are consulted;
- “(ii) such paid employment will not result in the displacement of employed workers, or be applied in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality, or impair existing contracts for services; and
- “(iii) the rates of pay and other conditions of employment will not be less than those paid or provided for work of similar nature in the locality in which the work is to be performed.

A prisoner authorized to work at paid employment in the community under this subsection may be required to pay, and the Attorney General is authorized to collect, such costs incident to the prisoner’s confinement as the Attorney General deems appropriate and reasonable. Collections shall be deposited in the Treasury of the United States as miscellaneous receipts.

“(e) The authority conferred upon the Attorney General by this section shall extend to all persons committed to the National Training School for Boys.”

1973—Subsec. (c)(1). Pub. L. 93-209 provided for extension of limits to permit establishment or reestablishment of family and community ties and struck out “only” after “may be granted”.

1965—Subsec. (a). Pub. L. 89-176 designated as subsec. (a) first unnumbered par. and struck out “or his authorized representative” after “Attorney General of the United States”.

Subsec. (b). Pub. L. 89-176 designated as subsec. (b) second and third unnumbered par., inserted “or facil-