

prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense”.

Subsec. (c)(3). Pub. L. 109-162, §1170(1), (3)(A), substituted “Pursuant to regulations promulgated by the Attorney General hereunder, a State” for “A State” and “unless” for “if” in introductory provisions.

Subsec. (c)(3)(A). Pub. L. 109-162, §1170(3)(B)(iii), (C), inserted “not” before “less” and struck out “convicted by the State is” after “as applicable, was”.

Pub. L. 109-162, §1170(3)(B)(ii), which directed amendment of par. (3) by striking “individuals convicted of the offense for which,” was executed by striking “individuals convicted of the offense for which” after “imposed by the State on” to reflect the probable intent of Congress, because there was no comma after “which”.

Pub. L. 109-162, §1170(3)(B)(i), which directed that “average” be struck out, was executed by striking out “average” the first place appearing, after “(A) the”, to reflect the probable intent of Congress.

Subsec. (c)(3)(B). Pub. L. 109-162, §1170(3)(C), inserted “not” before “less”.

Subsec. (d). Pub. L. 109-162, §1170(4), struck out “transferred” after “receive an amount”.

Subsec. (e)(1). Pub. L. 109-271 substituted “section 3755” for “section 3756”.

Pub. L. 109-162, §1170(1), (4), (5), substituted “Pursuant to regulations promulgated by the Attorney General hereunder, any amount” for “Any amount transferred”, inserted “pursuant to section 3756 of this title” before “that convicted”, inserted “No amount described under this section shall be subject to section 3335(b) or 6503(d) of title 31” at end, and struck out former last sentence which read as follows: “The Attorney General shall provide the State with an opportunity to select the specific Federal law enforcement assistance funds to be so reduced (other than Federal crime victim assistance funds).”

Subsec. (g). Pub. L. 109-162, §1170(1), substituted “Pursuant to regulations promulgated by the Attorney General hereunder, this section does not apply” for “This section does not apply”.

Subsec. (i)(1). Pub. L. 109-162, §1170(6), substituted “State (where practicable)” for “State” in introductory provisions.

Subsec. (i)(2). Pub. L. 109-162, §1170(7), added par. (2) and struck out heading and text of former par. (2). Text read as follows: “Not later than March 1, 2003, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

“(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

“(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.”

#### PART B—MISCELLANEOUS PROVISIONS

### § 12121. Task force on prison construction standardization and techniques

#### (a) Task force

The Director of the National Institute of Corrections shall, subject to availability of appropriations, establish a task force composed of Federal, State, and local officials expert in prison construction, and of at least an equal number of engineers, architects, and construction experts from the private sector with expertise in prison design and construction, including the use of cost-cutting construction standardization

techniques and cost-cutting new building materials and technologies.

#### (b) Cooperation

The task force shall work in close cooperation and communication with other State and local officials responsible for prison construction in their localities.

#### (c) Performance requirements

The task force shall work to—

(1) establish and recommend standardized construction plans and techniques for prison and prison component construction; and

(2) evaluate and recommend new construction technologies, techniques, and materials,

to reduce prison construction costs at the Federal, State, and local levels and make such construction more efficient.

#### (d) Dissemination

The task force shall disseminate information described in subsection (c) to State and local officials involved in prison construction, through written reports and meetings.

#### (e) Promotion and evaluation

The task force shall—

(1) work to promote the implementation of cost-saving efforts at the Federal, State, and local levels;

(2) evaluate and advise on the results and effectiveness of such cost-saving efforts as adopted, broadly disseminating information on the results; and

(3) to the extent feasible, certify the effectiveness of the cost-savings efforts.

(Pub. L. 103-322, title II, §20406, Sept. 13, 1994, 108 Stat. 1826.)

#### CODIFICATION

Section was formerly classified to section 13721 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

### § 12122. Efficiency in law enforcement and corrections

#### (a) In general

In the administration of each grant program funded by appropriations authorized by this Act or by an amendment made by this Act, the Attorney General shall encourage—

(1) innovative methods for the low-cost construction of facilities to be constructed, converted, or expanded and the low-cost operation of such facilities and the reduction of administrative costs and overhead expenses; and

(2) the use of surplus Federal property.

#### (b) Assessment of construction components and designs

The Attorney General may make an assessment of the cost efficiency and utility of using modular, prefabricated, precast, and pre-engineered construction components and designs for housing nonviolent criminals.

(Pub. L. 103-322, title II, §20407, Sept. 13, 1994, 108 Stat. 1826.)

#### REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1796, known as the Violent

Crime Control and Law Enforcement Act of 1994. For complete classification of this Act to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 13722 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12123. Conversion of closed military installations into Federal prison facilities**

**(a) Study of suitable bases**

The Secretary of Defense and the Attorney General shall jointly conduct a study of all military installations selected before September 13, 1994, to be closed pursuant to a base closure law for the purpose of evaluating the suitability of any of these installations, or portions of these installations, for conversion into Federal prison facilities. As part of the study, the Secretary and the Attorney General shall identify the military installations so evaluated that are most suitable for conversion into Federal prison facilities.

**(b) Suitability for conversion**

In evaluating the suitability of a military installation for conversion into a Federal prison facility, the Secretary of Defense and the Attorney General shall consider the estimated cost to convert the installation into a prison facility and such other factors as the Secretary and the Attorney General consider to be appropriate.

**(c) Time for study**

The study required by subsection (a) shall be completed not later than the date that is 180 days after September 13, 1994.

**(d) Construction of Federal prisons**

**(1) In general**

In determining where to locate any new Federal prison facility, and in accordance with the Department of Justice's duty to review and identify a use for any portion of an installation closed pursuant to title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526) and the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), the Attorney General shall—

(A) consider whether using any portion of a military installation closed or scheduled to be closed in the region pursuant to a base closure law provides a cost-effective alternative to the purchase of real property or construction of new prison facilities;

(B) consider whether such use is consistent with a reutilization and redevelopment plan; and

(C) give consideration to any installation located in a rural area the closure of which will have a substantial adverse impact on the economy of the local communities and on the ability of the communities to sustain an economic recovery from such closure.

**(2) Consent**

With regard to paragraph (1)(B), consent must be obtained from the local re-use author-

ity for the military installation, recognized and funded by the Secretary of Defense, before the Attorney General may proceed with plans for the design or construction of a prison at the installation.

**(3) Report on basis of decision**

Before proceeding with plans for the design or construction of a Federal prison, the Attorney General shall submit to Congress a report explaining the basis of the decision on where to locate the new prison facility.

**(4) Report on cost-effectiveness**

If the Attorney General decides not to utilize any portion of a closed military installation or an installation scheduled to be closed for locating a prison, the report shall include an analysis of why installations in the region, the use of which as a prison would be consistent with a reutilization and redevelopment plan, does not provide a cost-effective alternative to the purchase of real property or construction of new prison facilities.

**(e) "Base closure law" defined**

In this section, "base closure law" means—

(1) the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note); and

(2) title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note).

(Pub. L. 103-322, title II, § 20413, Sept. 13, 1994, 108 Stat. 1829.)

REFERENCES IN TEXT

The Defense Authorization Amendments and Base Closure and Realignment Act, referred to in subsecs. (d)(1) and (e)(2), is Pub. L. 100-526, Oct. 24, 1988, 102 Stat. 2623. Title II of the Act is set out as a note under section 2687 of Title 10, Armed Forces. For complete classification of this Act to the Code, see Short Title of 1988 Amendment note set out under section 2687 of Title 10 and Tables.

The Defense Base Closure and Realignment Act of 1990, referred to in subsecs. (d)(1) and (e)(1), is part A of title XXIX of div. B of Pub. L. 101-510, Nov. 5, 1990, 104 Stat. 1808, which is set out as a note under section 2687 of Title 10. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was formerly classified to section 13724 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12124. Correctional job training and placement**

**(a) Purpose**

It is the purpose of this section to encourage and support job training programs, and job placement programs, that provide services to incarcerated persons or ex-offenders.

**(b) Definitions**

As used in this section:

**(1) Correctional institution**

The term "correctional institution" means any prison, jail, reformatory, work farm, detention center, or halfway house, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.