

Americans have held dear for generations. . . . Our service members were denied clear guidance, and left to take the blame when things went wrong. They deserve better than that.

I hope the President will consider these words before he vetoes a bill that contains our amendment.

Prisoner abuse by U.S. personnel is deeply troubling. It is one aspect of a broader problem. While we must ensure that prisoners are treated humanely by our own personnel, we must also prohibit the use of so-called extraordinary renditions to send people to other countries where they will be subject to torture.

The Bush administration says that it does not condone torture, but transferring detainees to other countries where they will be tortured does not absolve our Government of responsibility. By outsourcing torture to these countries, we diminish our own values as a nation and lose our credibility as an advocate of human rights around the world.

We have addressed this issue before. Congress implemented article 3 of the Convention Against Torture in the Foreign Affairs Reform and Restructuring Act of 1998, but this administration has exploited loopholes in that law to transfer detainees to countries where they are subjected to torture. Attorney General Gonzales recently said that U.S. policy is not to send detainees "to countries where we believe or we know that they're going to be tortured," but he acknowledged that we "can't fully control" what other nations do, and added that he does not know whether countries have always complied with their promises. In fact, they have not.

I introduced legislation in March to close the loophole and to prevent extraordinary renditions. Now that Congress is finally willing to regulate the treatment of detainees—a power that is expressly granted in the Constitution—I hope that the Senate will support my legislation to prohibit renditions.

#### THE SECOND CHANCE ACT

Mr. OBAMA. Mr. President, I rise today to speak in favor of the Second Chance Act, a bill to strengthen community safety by improving the reintegration of people returning from prison. I am pleased to work with Senators SPECTER, BIDEN, and BROWNBACK and to be an original cosponsor of this bill.

This year, approximately 650,000 prisoners will be released into communities across America communities in which all of us live. They will have paid their debt to society and will now return to their homes and neighborhoods, to their families, and back to their lives. Their communities are our communities; their success is an important part of our success as a larger community and a nation.

The problem is that for most of these men—and more than 9 out of 10 of them are men—their families, neighbor-

hoods, and prior lives often lack what it takes to ensure successful reintegration. If we punish crime, as we should, then we must also recognize that when punishment is concluded, there are lives that must be resumed constructively. We only hurt ourselves and our own communities if we fail.

That is why the Second Chance Act is so important. It is the leading edge of a smart community response to the challenges we all face from this inevitable feature of our justice system.

In the best of cases, incarcerated individuals maintain contact with their families and receive rehabilitation services while in prison; they are released to a network of law-abiding peers and quickly find a rewarding job that provides the skills and career development for long-term opportunity. Released prisoners can help support their families, become active in their churches and other community organizations, stay off drugs, away from trouble, on track, and out of jail.

Unfortunately, that rarely happens. Up to two-thirds of all released prisoners nationwide end up back in prison within just 3 years. That means that of the 1,800 people released from prisons every single day in this country, almost 1,200 fail to make a successful transition into the world of work and responsibility. They do not manage to find and keep effective jobs and to care for themselves and their families. Many become a drain on their families and a drain on the system. They are more likely to resort to criminal activity and to perpetuate poverty and family dysfunction.

And their failure is our failure since we all share the high cost and other burdens of unemployment, crime, community failure, and cycles of recidivism.

The Illinois Department of Corrections released almost 40,000 people in 2004. A recent Chicago study found that only 30 percent of former prisoners were employed when interviewed 4 to 8 months after release, and of those who succeeded in finding at least some form of legal employment, the average cumulative length of employment was 13 weeks. The same study found that 81 percent of former prisoners were uninsured, and only 29 percent of those working full time had health insurance. Of the people released by the Illinois Department of Corrections three years ago, almost 55 percent of adults and 47 percent of juveniles have already returned to custody. This is a revolving door of failure that must stop.

Fortunately, smart people in hundreds of communities and community organizations all across the country have figured out ways to improve this performance and create constructive places for former prisoners in society. It is in the best interest of all of us and the communities we live in to provide the resources to take these effective strategies to scale. That is what the Second Chance Act does.

In Illinois, dozens of organizations are involved in safely reintegrating

former prisoners into their communities, and many have been funded by the Illinois Department of Corrections through grants from the U.S. Department of Justice. As one example, the Safer Foundation has managed to cut the State's recidivism rate by almost 50 percent for the people who receive Safer's supportive employment services. And Safer has further demonstrated that ex-prisoners who are still employed after 12 months of supportive services have a recidivism rate of lower than 10 percent. One of Safer's program models, funded by the U.S. Department of Labor, provides participants with job placement and support services, and matches them with mentors from the neighborhoods where the participants reside. Only 2 percent of the participants in this community and faith-based program have recidivated over a 2-year period.

One of the most effective strategies that Safer, the Heartland Alliance for Human Needs and Human Rights, and other nonprofit organizations have devised is transitional jobs, a strategy that worked for welfare to work, and is now working for prison returnees. In a transitional jobs program, former prisoners with employment challenges are hired and paid a wage for legitimate employment in a time-limited, subsidized job. The program not only offers real work, income, skill development, and a letter of reference and experience to add to their resume, it also offers coaching and support services to help participants overcome substantial barriers to employment, such as substance abuse or mental health issues. The program focuses heavily on placement into unsubsidized work at the earliest possible time and job retention services after placement. Studies of successful transitional jobs programs have found that transitional jobs result in a 33 percent increase in employment when compared to other types of employment preparation programs, and that 81 percent to 94 percent of transitional job graduates go on to unsubsidized employment at wages between \$7 and \$10 per hour.

The participants gain an immediate source of legitimate income upon release. They also gain paid work experience, access to professional counseling and training services, and a clear path to unsubsidized employment in the community. Employers gain access to a pipeline of supported workers who have demonstrated an ability to do the job and remain employable. Most of all, our communities gain by creating a productive place for ex-prisoners, where they contribute positively to family, neighborhood, and the larger environment rather than the opposite.

The ex-prisoner population is a challenging one to serve. It is estimated that 95 percent of unskilled jobs in this country require a high school diploma or some work experience. But 40 percent of released prisoners lack a high school diploma or GED—more than

twice the rate for the general population over 18. And 38 percent of prisoners without high school degrees were unemployed just prior to being incarcerated, compared to 25 percent for those with high school diplomas.

In prison, only about one-third of inmates receive vocational training or work experience designed to improve their ability to obtain legitimate employment once released. And very few former incarcerated individuals receive job counseling and placement services after their release.

Because of the low pay, lack of benefits, and lack of advancement potential of many formal work activities, informal and illegal activities may be tempting. Especially considering that an estimated 70 percent of State prison inmates have a history of regular drug use, and very few receive formal treatment in prison.

Most communities where prisoners go upon release already struggle with high poverty, unemployment, fragile families, and a dearth of jobs. In Illinois, for example, 54 percent of those released from prison return to just seven communities around Chicago. These communities are among the poorest in Chicago and are ill prepared for the additional burden of reintegrating young men with criminal records, spotty employment histories, low skills and education.

Former prisoners also face employer resistance to hiring people with criminal backgrounds. One study found that applicants with criminal records experienced a 50 percent reduction in job offers for entry level jobs, compared to those without records. This was compounded by racial bias as black former inmates experienced at 64 percent reduction in offers.

Other barriers include one documented by a recent study in Illinois in which only 22 percent percent of the prisoners had a photo identification card at the time of release. And most prisoners have financial and other obligations, including child support and the conditions of their release, that require immediate attention.

Notwithstanding the barriers to successful reentry, however, faith based and community based organizations have been achieving positive results with the released prisoner population for years. The Second Chance Act celebrates the potential of nonprofit community organizations working with State and local authorities and corrections departments to promote responsible parenting and sustainable employment, and to reduce recidivism.

This bill will make funding available to the Attorney General to support and evaluate the efforts of innovative communities and local service providers. Grants can be used to expand access to transitional jobs programs and to transitional and permanent housing, to support health services, to support the children of incarcerated parents and the maintenance of healthy parent-child relationships, to address literacy

and educational needs, and to ensure that appropriate job training, placement, and retention services are available.

Priority under the Second Chance Act will be given to projects that serve geographic areas with large ex-prisoner populations, to projects that include partnerships with nonprofit organizations, and to projects that provide consultations between victims and ex-prisoners. Priority will also be given to projects that consider appropriate reforms of sanctions for technical post-release violations, and to projects that establish pre-release procedures to connect participants to the State and Federal benefits and referrals to social and health services for which they are eligible.

And by maintaining a strict focus on measurable results and data collection, the Second Chance Act will help us learn what works and what does not work.

Too many people are caught up in the criminal justice system. Especially within the African American community where 32 percent of black males will enter State or Federal prison sometime during their lifetime. Communities are protected and strengthened when people who break the law are punished appropriately. But communities—all communities, including yours and mine are weakened if we neglect the challenges of rehabilitation and reentry.

To improve the integration of former prisoners and to reduce recidivism is in all of our best interests. A well-designed reentry system can enhance public safety, reduce recidivism, reduce costs, and help prisoners achieve long-term integration. Former prisoners who are engaged in lawful work after they have returned to the community are less likely to commit new crimes and are more likely to be involved in their children's lives.

The Second Chance Act is an important effort to strengthen America's communities. The bill is supported by a wide range of organizations, and I urge my colleagues to join us in passing this important legislation.

**LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005**

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On August 08, 2005, in New York, NY, an unidentified gay man was beaten by two men in what police are calling a hate crime. The man was walking with a companion when two others approached screaming anti-gay slurs be-

fore attacking the victim; the attacker hit the victim repeatedly. Following the attack, the victim was taken to a near by Manhattan Hospital for head injuries.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

**CONGRESSIONAL BUDGET ACT COMPLIANCE**

Mr. GREGG. Mr. President, pursuant to section 313(c) of the Congressional Budget Act of 1974, on November 3, 2005, I submitted for the RECORD a list of material in S. 1932 considered to be extraneous under subsections (b)(1)(A), (b)(1)(B), and (b)(1)(E) of section 313. The last page of the list that was printed in the CONGRESSIONAL RECORD of November 3, 2005, was inadvertently dropped. Today I resubmit the complete list and asked that it be printed in the CONGRESSIONAL RECORD.

**EXTRANEOUS PROVISIONS—SENATE BILL**

[Prepared by Senate Budget Committee Majority Staff]

SENATE	
Provision	Violation/Comments
TITLE I—AGRICULTURE, NUTRITION AND FORESTRY	
N/A	N/A
TITLE II—BANKING, HOUSING, AND URBAN AFFAIRS	
Sec. 2014(b)(3)(F)	313(b)(1)(A)—Report to Congress.
Sec. 2018(a)	313(b)(1)(A)—Studies of potential changes to the federal deposit insurance system—just a study.
Sec. 2018(b)	313(b)(1)(A)—Studies of potential changes to the federal deposit insurance system—just a study.
Sec. 2025	313(b)(1)(A)—Authorization of Appropriations—no money involved.
TITLE III—COMMERCE, SCIENCE, AND TRANSPORTATION	
3005(c)(2)	313(b)(1)(E)—low-power TV and translator outlays occur after 2010, increasing the deficit.
3005(c)(3)	313(b)(1)(E)—interoperability grant outlays occur after 2010, increasing the deficit.
3005(c)(4)	313(b)(1)(E)—E911 outlays occur after 2010, increasing the deficit.
3005(c)(5)	313(b)(1)(E)—coastal assistance outlays occur after 2010, increasing the deficit.
3005(d)	313(b)(1)(A)—transferring offsetting receipts that federal government has already received does not produce a change in outlays.
3005(f)	313(b)(1)(A)—does not produce a change in outlays as additional receipts could not be spent and would be deposited in Treasury anyway.
TITLE IV—ENERGY AND NATURAL RESOURCES	
N/A	N/A
TITLE V—ENVIRONMENT AND PUBLIC WORKS	
N/A	N/A
TITLE VI—FINANCE	
6012(a)(5)(F)	313(b)(1)(A)—Requirements on insurance sellers produce no change in outlays or revenues.
6012(b)(4)	313(b)(1)(A)—State reporting requirement produces no change in outlays or revenues.
6012(c)	313(b)(1)(A)—Annual report to Congress produces no change in outlays or revenues.
6022	313(b)(1)(A)—CBO score of zero.
6026(a) Sec. 1937(a).	313(b)(1)(A)—Medicaid CFO produces no change in outlays or revenues.
6026(a) Sec. 1937(b).	313(b)(1)(A)—Oversight Board produces no change in outlays or revenues.
6026(a) Sec. 1937(e).	313(b)(1)(A)—Annual report produces no change in outlays or revenues.
6036(e)	313(b)(1)(A)—Reports produce no change in outlays or revenues.
6043(c)(2)	313(b)(1)(A)—Budget neutrality language produces no change in outlays or revenues.
6103(c)	313(b)(1)(A)—Study and Report by HHS Inspector General produces no change in outlays or revenues.
6103(d)	313(b)(1)(A)—Rehabilitation Advisory Council produces no change in outlays or revenues.
6110(a) 1860E-1(e).	313(b)(1)(A)—Arrangement with an Entity to Provide Advice and Recommendations produces no change in outlays or revenues.
6110(b)(3)(E)	313(b)(1)(A)—Report produces no change in outlays or revenues.
6110(c)(1)(C)	313(b)(1)(A)—Sense of the Senate produces no change in outlays or revenues.