

[117H9348]

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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Second Chance Act of 2007 to require identification for  
returning citizens, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mrs. WATSON COLEMAN introduced the following bill; which was referred to  
the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Second Chance Act of 2007 to require  
identification for returning citizens, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “New Pathways Act”.

5       **SEC. 2. IDENTIFICATION FOR RETURNING CITIZENS.**

6       Section 231(b) of the Second Chance Act of 2007 (34  
7       U.S.C. 60541(b)) is amended to read as follows:

8       “(b) IDENTIFICATION AND RELEASE ASSISTANCE  
9       FOR FEDERAL PRISONERS.—

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

2 “(A) the term ‘community confinement’  
3 means residence in a community treatment cen-  
4 ter, halfway house, restitution center, mental  
5 health facility, alcohol or drug rehabilitation  
6 center, or other community facility;

7 “(B) the term ‘direct-release prisoner’  
8 means a prisoner who is scheduled for release  
9 and will not be placed in prerelease custody;

10 “(C) the term ‘noncitizen covered indi-  
11 vidual’—

12 “(i) means an individual in the cus-  
13 tody of the Bureau of Prisons or sentenced  
14 to a term in community confinement  
15 who—

16 “(I) is lawfully present and eligi-  
17 ble for employment authorization in  
18 the United States; and

19 “(II) has a document dem-  
20 onstrating that the individual will  
21 have a place of residence upon release;  
22 and

23 “(ii) includes an alien lawfully admit-  
24 ted for permanent residence (as defined in  
25 section 101(a) of the Immigration and Na-

1                   tionality Act (8 U.S.C. 1101(a))), a ref-  
2                   ugee (as defined in that section of that  
3                   Act), and an asylee; and

4                   “(D) the term ‘United States citizen cov-  
5                   ered individual’ means an individual in the cus-  
6                   tody of the Bureau of Prisons or sentenced to  
7                   a term in community confinement who has—

8                   “(i) a social security card;

9                   “(ii) a document described in para-  
10                  graph (2)(B)(ii) as proof of United States  
11                  citizenship; and

12                  “(iii) a document demonstrating that  
13                  the individual will have a place of residence  
14                  upon release.

15                  “(2) OBTAINING IDENTIFICATION FOR UNITED  
16                  STATES CITIZENS.—

17                  “(A) IN GENERAL.—With respect to a  
18                  United States citizen covered individual, the Di-  
19                  rector shall provide a photo identification card,  
20                  which shall comply with the minimum require-  
21                  ments described in section 202(b) of the REAL  
22                  ID Act of 2005 (49 U.S.C. 30301 note), prior  
23                  to—

1 “(i) the release of the United States  
2 citizen covered individual from a term of  
3 imprisonment in a Federal prison; or

4 “(ii) the release of the United States  
5 citizen covered individual from a sentence  
6 to a term in community confinement.

7 “(B) ASSISTANCE IN OBTAINING DOCU-  
8 MENTS.—

9 “(i) IN GENERAL.—Subject to clause  
10 (iii), for the purpose of issuing an identi-  
11 fication card under this subsection, the Di-  
12 rector shall obtain, on behalf of United  
13 States citizen covered individuals—

14 “(I) a social security card; and

15 “(II) a document described in  
16 clause (ii) as proof of United States  
17 citizenship.

18 “(ii) PROOF OF UNITED STATES CITI-  
19 ZENSHIP.—A document described in this  
20 clause is—

21 “(I) a United States passport;

22 “(II) an original or certified copy  
23 of a birth certificate that indicates  
24 that the individual was born in the

1 United States or a territory of the  
2 United States;

3 “(III) in the case of a United  
4 States citizen born inside the United  
5 States for whom a document de-  
6 scribed in subclause (I) or (II) is not  
7 available, any document described in  
8 subsection (a), (b), or (c) of section  
9 435.407 of title 42, Code of Federal  
10 Regulations, or any successor thereto;  
11 or

12 “(IV) in the case of a United  
13 States citizen born outside the United  
14 States, an original or certified copy  
15 of—

16 “(aa) a certificate of natu-  
17 ralization (Form N-550 or N-  
18 570);

19 “(bb) a consular report of  
20 birth abroad (Form FS-240);

21 “(cc) a certification of birth  
22 abroad (Form FS-545);

23 “(dd) a certification of re-  
24 port of birth (Form DS-1350);  
25 or

1 “(ee) a certificate of citizen-  
2 ship (Form N-560).

3 “(iii) EXCEPTIONS.—

4 “(I) LACK OF RESPONSE FROM  
5 FEDERAL OR STATE AGENCY.—If the  
6 Director cannot obtain a copy of a  
7 document required under clause (i)  
8 because of inaction by the Federal or  
9 State agency from which the docu-  
10 ment was requested, the Director  
11 shall provide to the United States cit-  
12 izen covered individual—

13 “(aa) a written statement  
14 that explains what steps the Di-  
15 rector took in trying to obtain  
16 the document; and

17 “(bb) any documents trans-  
18 mitted to the Director by the  
19 Federal or State agency in re-  
20 sponse to the request for the doc-  
21 ument.

22 “(II) LACK OF AUTHORIZATION  
23 FROM UNITED STATES CITIZEN COV-  
24 ERED INDIVIDUAL.—If the Director  
25 cannot obtain a copy of a document

1 required under clause (i) because the  
2 United States citizen covered indi-  
3 vidual does not provide the authoriza-  
4 tion required to obtain the document,  
5 the Director shall provide a written  
6 statement to the United States citizen  
7 covered individual that explains why  
8 the document was not obtained.

9 “(C) PROVISION OF DOCUMENTS.—Upon  
10 issuance of an identification card to a covered  
11 individual under this paragraph, the Director  
12 shall provide all documents obtained for the  
13 United States citizen covered individual under  
14 subparagraph (B).

15 “(3) OBTAINING DOCUMENTS FOR NONCITI-  
16 ZENS.—

17 “(A) IN GENERAL.—With respect to a non-  
18 citizen covered individual, the Director shall as-  
19 sist in obtaining from the Director of the U.S.  
20 Citizenship and Immigration Services—

21 “(i) proof of lawful status in the  
22 United States of the noncitizen covered in-  
23 dividual; and

24 “(ii) in the case of a noncitizen cov-  
25 ered individual who is not admitted for

1           lawful permanent residence, an employ-  
2           ment authorization document.

3           “(B) ASSISTANCE.—The assistance pro-  
4           vided by the Director under subparagraph (A)  
5           shall include—

6                   “(i) providing the noncitizen covered  
7                   individual with applicable U.S. Citizenship  
8                   and Immigration Services forms and in-  
9                   structions; and

10                   “(ii) assisting the noncitizen covered  
11                   individual in completing and submitting  
12                   such forms, together with any required  
13                   supporting documentation.

14           “(C) PROVISION OF DOCUMENTS.—Upon  
15           receipt of a document for a noncitizen covered  
16           individual under this paragraph, the Director  
17           shall provide such document to the noncitizen  
18           covered individual.

19           “(4) ASSISTANCE DEVELOPING RELEASE  
20           PLAN.—At the request of a direct-release prisoner, a  
21           representative of the United States Probation Sys-  
22           tem shall, prior to the release of that prisoner, help  
23           that prisoner develop a release plan.”.