

**Court Services and Offender Supervision Agency
for the District of Columbia**

**Proposed FY 2017 Appropriation Language
February 9, 2016**

New Language is bolded and underscored and deleted language is enclosed in brackets

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, [\$244,763,000] **\$248,008,000** of which not to exceed \$2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs, of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which [\$182,406,000] **\$182,721,000** shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons[, of which up to \$3,159,000 shall remain available until September 30, 2018, for the relocation of offender supervision field offices]; and of which [\$62,357,000] **\$65,287,000** shall be available to the Pretrial Services Agency: Provided, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: Provided further, that amounts under this heading may be used for programmatic incentives for [~~offenders and~~] defendants **to successfully complete their meeting** terms of supervision.[: Provided further, That the Director is authorized to accept and use gifts in the form of in-kind contributions of the following: space and hospitality to support offender and defendant programs; equipment, supplies, clothing, and professional development and vocational training services and items necessary to sustain, educate and train offenders and defendants, including their dependent children; and programmatic incentives for offenders and defendants meeting terms of supervision: Provided further, That the Director shall keep accurate and detailed records of the acceptance and use of any gift under the previous proviso, and shall make such records available for audit and public inspection: Provided further, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis.]

Justification of Proposed Appropriation Language Changes

CSOSA proposes to remove certain authorities related to offender incentives, in-kind contributions (gifts) and reimbursements from the District of Columbia due to recent changes to CSOSA's authorizing statute [National Capital Revitalization and Self-Government Improvement Act of 1997 (P.L. 105-33, Title XI)] as previously amended by the 2005 DC Omnibus Authorization Act (P.L. 109-356).

S. 1629 District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015) was enacted into law (P.L. 114-118) on January 28, 2016. The bill amends the National Capital Revitalization and Self-Government Improvement Act by granting the Agency Director the authority to employ incentives, along with graduated sanctions, to motivate offenders; receive gifts on behalf of the Agency; and enter into cost reimbursable agreements with the District of Columbia Government for services or space provided. The proposed FY 2017 appropriation language provides the authority for the Pretrial Services Agency for the District of Columbia (PSA) to pursue incentive-based programming for defendants to successfully meet their terms of supervision, as P.L. 114-118 did not amend this authority.

S.1629 (District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015) [P.L. 114-118 January 28, 2016]

SEC. 3. AUTHORITIES OF COURT SERVICES AND OFFENDER SUPERVISION AGENCY.

(a) **AUTHORITY TO DEVELOP AND OPERATE PROGRAMMATIC INCENTIVES FOR SENTENCED OFFENDERS.**—Section 11233(b)(2)(F) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–133(b)(2)(F), D.C. Official Code) is amended by striking “sanctions” and inserting “sanctions and incentives”.

(b) **PERMANENT AUTHORITY TO ACCEPT GIFTS.**—Section 11233(b)(3)(A) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–133(b)(3)(A), D.C. Official Code) is amended to read as follows:

“(A) **AUTHORITY TO ACCEPT GIFTS.**—The Director may accept, solicit, and use on behalf of the Agency any monetary or nonmonetary gift, donation, bequest, or use of facilities, property, or services for the purpose of aiding or facilitating the work of the Agency.”.

(c) **PERMANENT AUTHORITY TO ACCEPT AND USE REIMBURSEMENTS FROM DISTRICT GOVERNMENT.**—Section 11233(b)(4) of such Act (sec. 24–133(b)(4)) is amended by striking “During fiscal years 2006 through 2008, the Director” and inserting “The Director”.