

Statement for House Judiciary Committee Member Day
Congressman Elijah E. Cummings (MD-07)
September 20, 2019

Chairman Nadler and Ranking Member Collins,

I appreciate the opportunity to share information on legislation that would ensure that returning citizens have the proper documentation they need to successfully navigate society.

When individuals are released from prison, they often realize that their forms of identification are expired, lost, or stolen. Discovering how difficult and costly it can be to obtain identification documents, such as a birth certificate, presents many challenges for those seeking to return to a normal life.

Currently, the Second Chance Act requires the Federal Bureau of Prisons (BOP) to assist prisoners in obtaining identification. However, there have been various levels of effectiveness across the federal prison system, with some facilities effectively carrying out this requirement and others failing to meet their statutory mandate.

The disparities in opportunities and outcomes that we know exist must be acknowledged and acted upon. The future of our nation's prosperity depends on how we respond to these disparities, and how seriously our leaders are about ensuring positive outcomes for all Americans. It is clear that the passage of this provision in the Second Chance Act took a giant step in the right direction, but we still have work to do. This is why I introduced the New Pathways Act.

The New Pathways Act provides more specific guidance for providing formerly incarcerated people re-entering their communities with identification upon release.

Specifically, the New Pathways Act describes how BOP is to provide a photo ID when an inmate is released from federal prison or community confinement. BOP is responsible for obtaining identification documents for citizens, including photo IDs that comply with the REAL ID Act, social security cards, birth certificates, passports, and certificates of naturalization, from federal and state agencies.

For documented noncitizens, BOP is required to work with the U.S. Citizenship and Immigration Services to provide proof of lawful status and, in relevant cases, work authorization documents. In addition, under the bill the Bureau provides forms and instructions, to assist noncitizens in obtaining and completing immigration documents.

In addition to creating this framework, the bill requires the U.S. Probation System to assist returning individuals with developing a release plan.

These tools aid returning individuals with securing housing, obtaining jobs, accessing social services, and applying for educational opportunities. Being able to support themselves and their families is essential to reducing the chances of formerly incarcerated people returning to the prison system.

Our criminal justice system must help returning individuals access the support they need. I am proud that 29 Members agree and have joined me in cosponsoring this commonsense legislation. We all want our constituents to succeed and have a chance to rebuild their lives.

The New Pathways Act is a commonsense way to reduce barriers to education, employment, and benefits, all of which are tools necessary to succeed and prevent recidivism. In this fight for second chances, further delay is not an option. I ask that the Judiciary Committee consider this commonsense criminal justice reform measure.