

**AMENDMENT TO H.R. 5682**  
**OFFERED BY MR. SWALWELL OF CALIFORNIA**

**Amendment to the FIRST STEP Act**

Page 40, line 25, strike “and” at the end.

Page 41, line 5, strike the period at the end and insert “; and”.

Page 41, after line 5, insert the following:

1                   “(C) how to implement paragraphs (10)  
2                   and (11).”.

Page 42, after line 19, insert the following:

3                   “(10) ELECTRONIC MONITORING.—The Direc-  
4                   tor of the Bureau of Prisons shall ensure that—  
5                   “(A) an officer of the Bureau of Prisons or  
6                   United States Probation and Pretrial Services  
7                   supervises each prisoner assigned an electronic  
8                   monitoring device as a condition of prerelease  
9                   custody, including by—  
10                   “(i) conducting a daily review of any  
11                   data produced by the electronic monitoring  
12                   device worn by the prisoner;

1                   “(ii) in the case of an alert produced  
2                   by such an electronic monitoring device  
3                   that the Director determines requires an  
4                   investigation, conduct such an investiga-  
5                   tion as soon as practicable after the alert,  
6                   including—

7                                 “(I) contacting the prisoner;

8                                 “(II) inspecting the electronic  
9                   monitoring device; and

10                                “(III) documenting the alert and  
11                   the response taken;

12                               “(B) the officer described in subparagraph  
13                   (A) has not been assigned to supervise a large  
14                   number of prisoners assigned an electronic  
15                   monitoring device such that performing the re-  
16                   quirements under subparagraph (A) is infeasible;  
17                   and

18                               “(C) the officer described in subparagraph  
19                   (A) submits to the repository created under  
20                   paragraph (11), information on any error, mal-  
21                   function, or other problem, of which the officer  
22                   is aware, related to an electronic monitoring de-  
23                   vice assigned to a prisoner as a condition of  
24                   prerelease custody, who the officer supervises.

1           “(11) ELECTRONIC MONITORING CENTRALIZED  
2 REPOSITORY.—The Director of the Bureau of Pris-  
3 ons shall create a centralized repository for the stor-  
4 age and management of information related to er-  
5 rors, malfunctions, or other problems related to elec-  
6 tronic monitoring devices assigned to prisoners as a  
7 condition of prerelease custody, including problems  
8 with such devices that interfere with a prisoner’s  
9 ability to engage in the activities described in para-  
10 graph (2)(A)(i)(II).”



