

118TH CONGRESS
1ST SESSION

S. 3380

To amend title 18, United States Code, to establish an Office of Prison Education, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2023

Mr. SCHATZ (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. CARDIN, Mr. SANDERS, Ms. SMITH, Ms. DUCKWORTH, Mr. WELCH, Mr. VAN HOLLEN, Mr. FETTERMAN, Mr. WYDEN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. PADILLA, Mr. BOOKER, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to establish an Office of Prison Education, 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 “Promoting Reentry
5 through Education in Prisons Act of 2023” or the “PREP
6 Act”.

7 **SEC. 2. FINDINGS; PURPOSE.**

8 (a) FINDINGS.—Congress finds the following:

1 (1) Over the course of an 8-year-period fol-
2 lowing the release of individuals from Federal pris-
3 ons, the United States Sentencing Commission
4 found that 49.3 percent of such individuals were re-
5 arrested, 31.7 percent were reconvicted, and 24.6
6 percent were reincarcerated.

7 (2) The Bureau of Justice Statistics found that,
8 over a similar time period as described in paragraph
9 (1), 83 percent of people released from State prisons
10 were rearrested.

11 (3) A broad spectrum of prison education pro-
12 gramming can prepare individuals for the contem-
13 porary workforce pre-release, ensuring that upon re-
14 lease the individuals are best situated to be produc-
15 tive members of their communities.

16 (4) Education for people in prisons has a clear
17 public safety benefit, reducing recidivism rates by
18 over 43 percent.

19 (5) Employment is 13 percent higher for indi-
20 viduals who participated in either academic or voca-
21 tional programs in prison, and 28 percent higher for
22 individuals who participated in vocational programs
23 alone.

24 (6) During the first 3 years after an individual
25 is released, each dollar spent on funding prison edu-

1 cation programs reduces incarceration costs by 4 to
2 5 dollars.

3 (7) Prison education helps to improve the safety
4 of the prison environment, not only for incarcerated
5 individuals, but also for correctional officers and
6 prison staff.

7 (8) A 2016 analysis of the Bureau of Prisons
8 education programs found that the Bureau of Pris-
9 ons spends 20 percent as much on inmate education
10 as the nearest sized State prison systems and experi-
11 ences a proportionally low return.

12 (9) The 2016 analysis described in paragraph
13 (8) also found that the Bureau of Prisons lacked the
14 staff, programmatic strategy and alignment, budget,
15 assessment, and educational support to effectively
16 administer educational programs.

17 (b) PURPOSE.—The purpose of this Act is to create
18 a dedicated office within the Bureau of Prisons to—

19 (1) improve the prison education programs pro-
20 vided by the Bureau of Prisons;

21 (2) ensure access to quality education programs
22 across all Federal penal and correctional institu-
23 tions;

24 (3) create partnerships with education providers
25 to offer quality programs; and

1 (4) create a repository of research and best
2 practices for State and local correctional institutions
3 on quality education programs.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) ASSISTANT DIRECTOR.—The term “Assist-
7 ant Director” means the Assistant Director for Pris-
8 on Education appointed under section 4142(b) of
9 title 18, United States Code, as added by this Act.

10 (2) DIRECTOR.—The term “Director” means
11 the Director of the Bureau of Prisons.

12 **SEC. 4. OFFICE OF PRISON EDUCATION.**

13 (a) IN GENERAL.—Part III of title 18, United States
14 Code, is amended by inserting after chapter 307 the fol-
15 lowing:

16 **“CHAPTER 308—EDUCATION**

“Sec.

“4141. Definitions.

“4142. Office of Prison Education.

“4143. Federal Prison Education Program.

17 **“§ 4141. Definitions**

18 “In this chapter:

19 “(1) ASSISTANT DIRECTOR.—The term ‘Assist-
20 ant Director’ means the Assistant Director for Pris-
21 on Education appointed under section 4142(b).

22 “(2) DIRECTOR.—The term ‘Director’ means
23 the Director of the Bureau of Prisons.

1 “(3) **DISABILITY.**—The term ‘disability’ has the
2 meaning given the term in section 3 of the Ameri-
3 cans with Disabilities Act of 1990 (42 U.S.C.
4 12102).

5 “(4) **REGULAR HIGH SCHOOL DIPLOMA.**—The
6 term ‘regular high school diploma’ has the meaning
7 given the term in section 8101 of the Elementary
8 and Secondary Education Act of 1965 (20 U.S.C.
9 7801).

10 **“§ 4142. Office of Prison Education**

11 “(a) **PURPOSES.**—The purposes of this chapter are
12 to—

13 “(1) ensure that all Federal penal and correc-
14 tional institutions provide quality educational pro-
15 grams for incarcerated individuals;

16 “(2) establish an office that will be a nation-
17 wide repository for research, policies, and best prac-
18 tices on education in prison; and

19 “(3) establish an office that will offer training
20 and technical assistance for State prison systems in
21 implementing and administering education programs
22 in prison.

23 “(b) **ESTABLISHMENT OF THE OFFICE OF PRISON**
24 **EDUCATION.**—The Director shall establish within the Bu-
25 reau of Prisons an Office of Prison Education, which shall

1 be headed by an Assistant Director for Prison Education
2 appointed by the Director.

3 “(c) FUNCTIONS OF THE OFFICE OF PRISON EDU-
4 CATION.—The Office of Prison Education required to be
5 established under this section shall ensure the provision
6 of educational services for incarcerated individuals in all
7 Federal penal and correctional institutions, including pro-
8 grams such as adult literacy, basic skills development,
9 education toward a regular high school diploma or its rec-
10 ognized equivalent, postsecondary education, workforce
11 development that leads to an industry-recognized creden-
12 tial, a certificate, or an associate degree, pre-apprentice-
13 ships, registered apprenticeships, career and technical
14 education, and expanded opportunities for individuals with
15 a disability, including by—

16 “(1) implementing the Federal Prison Edu-
17 cation Program under section 4143;

18 “(2) coordinating and standardizing quality,
19 evidence-based, and effective education programs in
20 prison and services across all Federal penal and cor-
21 rectional institutions;

22 “(3) coordinating relevant Federal agencies in
23 providing quality educational services, including by
24 consulting with the Office of Career, Technical, and
25 Adult Education of the Department of Education;

1 “(4) coordinating with the Secretary of Vet-
2 erans Affairs to identify and provide information to
3 incarcerated veterans regarding potential eligibility
4 for educational assistance under laws administered
5 by the Secretary, including educational assistance
6 under chapters 30 and 33 of title 38, United States
7 Code;

8 “(5) conducting research and issuing reports on
9 education programs in prison, including on best
10 practices, particularly as it relates to pedagogy and
11 instruction of incarcerated people;

12 “(6) providing training and technical assistance
13 for State prison systems to improve education pro-
14 grams in prison; and

15 “(7) coordinating with the Bureau of Justice
16 Statistics, the National Institute of Justice, National
17 Center for Education Statistics, the National Insti-
18 tute of Corrections, and other relevant agencies as
19 designated by the Assistant Director in collecting
20 and reporting Federal and State data on—

21 “(A) the number of individuals who enroll
22 in and complete an education program in pris-
23 on, including a regular high school diploma or
24 its recognized equivalent, a career and technical

1 education sequence, or a postsecondary degree
2 or certificate;

3 “(B) the number of individuals who do not
4 complete an education program in prison and
5 the reasons for non-completion;

6 “(C) any State or Federal prohibitions or
7 limitations on employment for individuals with
8 felony convictions who complete an education
9 program in prison;

10 “(D) the correlation between participating
11 in or completing an education program in pris-
12 on and continued educational enrollment, both
13 in-custody and post-release;

14 “(E) the correlation between participating
15 in and completing an education program in
16 prison with post-release outcomes, including job
17 placement, job retention, and recidivism;

18 “(F) the correlation between participating
19 in and completing an education program in
20 prison with in-custody outcomes, including en-
21 rollment in other education or training pro-
22 grams and reduction in citations;

23 “(G) the impact of the correlations de-
24 scribed in subparagraphs (C) through (F) on

1 overall corrections spending through factors
2 such as—

3 “(i) impacts on recidivism;

4 “(ii) spending on Federal penal and
5 correctional institutions and State prisons;

6 and

7 “(iii) other relevant factors; and

8 “(H) other relevant data.

9 **“§ 4143. Federal Prison Education Program**

10 “(a) DEFINITIONS.—In this section:

11 “(1) COMMUNITY-BASED ORGANIZATION; LOCAL
12 EDUCATIONAL AGENCY.—The terms ‘community-
13 based organization’ and ‘local educational agency’
14 have the meanings given such terms in section 8101
15 of the Elementary and Secondary Education Act of
16 1965 (20 U.S.C. 7801).

17 “(2) DEMONSTRATED EFFECTIVENESS.—The
18 term ‘demonstrated effectiveness’ means the past ef-
19 fectiveness of an eligible provider demonstrated by
20 providing—

21 “(A) performance data on its record of im-
22 proving the skills of eligible students, particu-
23 larly eligible individuals who have low levels of
24 literacy, in the content domains of reading,

1 writing, mathematics, English language acqui-
2 sition, and other relevant subject areas; and

3 “(B) information regarding its outcomes
4 for participants related to program completion,
5 employment attainment, pursuit of additional
6 education, and other relevant factors.

7 “(3) ELIGIBLE PROVIDER.—The term ‘eligible
8 provider’ means an organization that has dem-
9 onstrated effectiveness in providing programs such
10 as adult literacy, basic skills development, education
11 toward a regular high school diploma or its recog-
12 nized equivalent, postsecondary education, workforce
13 readiness, apprenticeships, career and technical edu-
14 cation, and programing individuals with learning dis-
15 abilities, which may include—

16 “(A) an institution of higher education;

17 “(B) a local educational agency;

18 “(C) a community-based organization or
19 faith-based organization;

20 “(D) a volunteer literacy organization;

21 “(E) a public or private nonprofit agency;

22 “(F) a nonprofit institution that is not de-
23 scribed in subparagraphs (A) through (E) and
24 has the ability to provide adult education and
25 literacy activities to eligible individuals;

1 “(G) a consortium or coalition of the agen-
2 cies, organizations, and institutions described in
3 any of subparagraphs (A) through (F); and

4 “(H) a partnership between an employer
5 and an entity described in any of subpara-
6 graphs (A) through (G).

7 “(4) ELIGIBLE STUDENT.—The term ‘eligible
8 student’ means an individual who is incarcerated in
9 a Federal correctional facility.

10 “(5) INSTITUTION OF HIGHER EDUCATION.—
11 The term ‘institution of higher education’ has the
12 meaning given the term in section 101(a) of the
13 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

14 “(6) PROGRAM.—The term ‘Program’ means
15 the Federal Prison Education Program required to
16 be established under subsection (b)(1).

17 “(b) AUTHORIZATION.—

18 “(1) IN GENERAL.—The Assistant Director
19 shall establish a Federal Prison Education Program
20 to develop and support partnerships between eligible
21 providers and Federal correctional facilities to pro-
22 vide quality educational opportunities to facilitate
23 successful community reintegration.

24 “(2) SELECTION OF ELIGIBLE PROVIDERS.—
25 The Assistant Director shall select eligible providers

1 to partner with Federal correctional facilities to de-
2 velop quality education programs for eligible stu-
3 dents, such as—

4 “(A) adult literacy;

5 “(B) basic skills development;

6 “(C) education toward a regular high
7 school diploma or its recognized equivalent;

8 “(D) postsecondary education;

9 “(E) workforce development that leads to
10 an industry recognized credential, a certificate,
11 or an associate degree;

12 “(F) apprenticeships; and

13 “(G) career and technical education.

14 “(3) QUALITY PROGRAMS.—When determining
15 which eligible providers will be selected for participa-
16 tion in the Program, the Assistant Director shall—

17 “(A) consider the evidence that an eligible
18 provider demonstrates a strong record on stu-
19 dent outcomes and successful community re-
20 integration, which shall include—

21 “(i) high rates of program completion;

22 “(ii) a demonstrated record of a re-
23 duction in recidivism rates, if available;

24 “(iii) success in securing employment,
25 if available;

1 “(iv) employment retention, if avail-
2 able;

3 “(v) housing stability, if available; and

4 “(vi) other relevant factors; and

5 “(B) give preference to eligible providers
6 that demonstrate success in the categories de-
7 scribed in subparagraph (A).

8 “(4) DIPLOMA MILLS.—The Assistant Director
9 will prevent diploma mills (as defined in section 103
10 of the Higher Education Act of 1965 (20 U.S.C.
11 1003)) from participating in the Program.

12 “(c) PARTICIPATION BY ELIGIBLE PROVIDERS.—

13 “(1) IN GENERAL.—An eligible provider that
14 desires to participate in the Program under this sec-
15 tion shall—

16 “(A) develop a quality program, in coordi-
17 nation with the Federal correctional facility
18 with which the institution is in partnership, for
19 eligible students, in which the Federal correc-
20 tional facility shall administer the logistics of
21 the program, such as—

22 “(i) scheduling;

23 “(ii) location and space;

24 “(iii) security; and

25 “(iv) other logistical factors;

1 “(B) ensure that all eligible students with-
2 out a regular high school diploma or its recog-
3 nized equivalent receive adult literacy, basic
4 adult education, skills development, and edu-
5 cation toward a regular high school diploma or
6 its recognized equivalent; and

7 “(C) prioritize workforce development pro-
8 grams that prepare eligible students for in-de-
9 mand sectors or occupations from which they
10 are not legally barred from entering due to re-
11 strictions on formerly incarcerated individuals
12 obtaining any necessary licenses or certifi-
13 cations for those occupations, and in doing so,
14 providers shall—

15 “(i) consider State licensing require-
16 ments, administrative barriers, and waiver
17 provisions that will impact eligible students
18 in certain occupations when designing their
19 programs; and

20 “(ii) inform eligible students prior to
21 participation in programs of potential pro-
22 hibitions or limitations to licensing or em-
23 ployment upon release depending on the
24 program offered and the States in which
25 eligible students settle.

1 “(2) INFORMATION TO ELIGIBLE STUDENTS.—
2 Eligible providers that participate in the Program
3 under this section shall, as applicable—

4 “(A) disclose to eligible students and the
5 Office of Prison Education information about
6 any part of the academic program developed
7 under this section that, by design, cannot be
8 completed while a student is incarcerated, as
9 well as the options available for an eligible stu-
10 dent to complete any remaining program re-
11 quirements post-release;

12 “(B) offer eligible students who are re-
13 leased while in enrolled in an education pro-
14 gram in prison education the opportunity to
15 continue the students’ enrollment in the aca-
16 demic program and transfer credits earned;

17 “(C) inform eligible students of the aca-
18 demic and financial aid options available if the
19 eligible students are not able to complete the
20 academic program while incarcerated, including
21 whether the eligible students can continue in
22 the program after release, transfer credits
23 earned in the program to another program of-
24 fered by the institution, or transfer credits

1 earned in the program to another institution of
2 higher education;

3 “(D) for eligible students who wish to con-
4 tinue their education upon release—

5 “(i) offer academic advising; and

6 “(ii) offer appropriate financial aid
7 counseling, including Federal and State fi-
8 nancial aid and student loan counseling;
9 and

10 “(E) offer eligible students career coun-
11 seling and job placement assistance upon com-
12 pletion of an education program in prison and
13 release from custody.

14 “(3) INFORMATION TO THE OFFICE OF PRISON
15 EDUCATION.—An eligible provider that participates
16 in the Program under this section shall submit to
17 the Assistant Director—

18 “(A) a plan for providing academic and ca-
19 reer guidance to eligible students, as well as
20 transition services, to support successful com-
21 munity reintegration of such students; and

22 “(B) relevant information about the eligi-
23 ble students participating in the Program it re-
24 lates to subparagraph (A).

1 “(d) TECHNICAL ASSISTANCE.—The Assistant Direc-
2 tor shall work with relevant Federal agencies to provide
3 technical assistance to eligible providers, and the Federal
4 correctional facilities with which they are in partnership,
5 developing new quality academic programs for eligible stu-
6 dents, or expanding existing programs.

7 “(e) ANNUAL REPORT.—

8 “(1) IN GENERAL.—An eligible provider that
9 participates in the Program, working with the Fed-
10 eral correctional facility with which it is in partner-
11 ship, shall submit to the Assistant Director an an-
12 nual report on the provider’s academic program for
13 eligible students, including implementation and re-
14 sults.

15 “(2) CONTENTS OF REPORT.—Each annual re-
16 port submitted under paragraph (1) shall include in-
17 formation on—

18 “(A) courses and programs offered;

19 “(B) numbers, rates, and types of certifi-
20 cates and degrees awarded;

21 “(C) the partnership with the Federal cor-
22 rectional facility, including information on space
23 allocation, resources, staffing, and other rel-
24 evant information on effective collaboration;

1 “(D) the effectiveness of the various edu-
2 cation program’s length, and the value of cre-
3 dentials or degrees earned with different credit
4 length;

5 “(E) the variance of different doses or
6 credit length by educational program;

7 “(F) the models of instruction, curriculum,
8 and other characteristics of program delivery
9 that are most effective in a correctional envi-
10 ronment;

11 “(G) challenges in providing programs and
12 courses in the prison settings;

13 “(H) how such challenges were addressed;

14 “(I) suggestions for the agency to assist in
15 addressing such challenges;

16 “(J) impacts on the environment and safe-
17 ty of the correctional facility;

18 “(K) average and projected costs, overall
19 and per student, of the programs and courses
20 offered by the eligible provider;

21 “(L) student demographic data, including
22 age, gender, race, ethnicity, and security or cus-
23 tody level; and

24 “(M) other relevant data.

25 “(f) EVALUATION.—

1 “(1) IN GENERAL.—The Assistant Director, in
2 coordination with the National Institute of Justice,
3 the Bureau of Justice Statistics, the National Insti-
4 tute of Corrections, and the Secretary of Education,
5 shall conduct an evaluation of the Program that as-
6 sesses—

7 “(A) in-custody outcomes, including im-
8 pacts on tickets, segregation, program partici-
9 pation outside of education, and continued en-
10 rollment in the Program;

11 “(B) post-release outcomes of the Pro-
12 gram, including—

13 “(i) postsecondary enrollment and
14 continuance of education by eligible stu-
15 dents after release;

16 “(ii) degree attainment from an insti-
17 tution of higher education;

18 “(iii) progress toward a degree in
19 credits or time;

20 “(iv) continued participation in edu-
21 cational programs after release;

22 “(v) factors related to the pursuit of
23 education, such as housing attainment; and

24 “(vi) other relevant factors;

1 “(C) the impact of the Program on safety
2 in correctional facilities;

3 “(D) the demand for participation in the
4 Program, including the size of waiting lists;

5 “(E) employment outcomes of participants
6 in the Program;

7 “(F) the impact of the Program on recidi-
8 vism; and

9 “(G) other relevant data.

10 “(2) DISAGGREGATION.—The data collected
11 through the evaluation required under paragraph (1)
12 shall, to the extent practicable, be disaggregated by
13 eligible provider, to facilitate selection of eligible pro-
14 viders under subsection (b) by the Assistant Director
15 in subsequent years.

16 “(3) STUDENT OUTCOMES.—The evaluation de-
17 scribed in paragraph (1) shall gather data on eligible
18 students while incarcerated and for the 3- and 5-
19 year periods post-release from incarceration.

20 “(4) PARTNERSHIP.—The evaluation described
21 in paragraph (1) shall be conducted in partnership
22 with one or multiple external evaluators.

23 “(5) PUBLICATION.—Not later than 180 days
24 after the date on which the evaluation required

1 under paragraph (1) is completed, the Assistant Di-
2 rector shall—

3 “(A) submit the evaluation, including rec-
4 ommendations for Program improvements, to
5 Congress; and

6 “(B) publish the evaluation.

7 “(g) MATCHING FUNDS.—The Federal share of the
8 cost of an academic program carried out under this section
9 may not exceed 75 percent of the total cost of the aca-
10 demic program.

11 “(h) ALLOCATION OF FUNDS.—For fiscal years 2024
12 through 2030, of the amounts appropriated to the Bureau
13 of Prisons, \$170,000,000 shall be used to carry out sub-
14 section (b).”.

15 (b) AMENDMENT TO DUTIES OF THE BUREAU OF
16 PRISONS.—Section 4042(a) of title 18, United States
17 Code, is amended—

18 (1) in paragraph (6)(C), by striking “and” at
19 the end;

20 (2) by redesignating paragraph (7) as para-
21 graph (8); and

22 (3) by inserting after paragraph (6) the fol-
23 lowing:

24 “(7) establish the Office of Prison Education
25 required under section 4142; and”.

1 (c) TABLE OF CHAPTERS AMENDMENT.—The table
 2 of chapters for part III of title 18, United States Code,
 3 is amended by inserting after the item relating to chapter
 4 307 the following:

“308. Education 4141”.

5 **SEC. 5. PRISON EDUCATION RESEARCH, POLICES, AND**
 6 **BEST PRACTICES.**

7 (a) IN GENERAL.—The Assistant Director, in col-
 8 laboration with relevant Federal agencies, including the
 9 Department of Education, State correctional agencies,
 10 State and local correctional institutions, civil rights orga-
 11 nizations, criminal justice organizations, and research
 12 agencies and organizations, shall establish and maintain
 13 a clearinghouse for research, policies, and best practices
 14 on quality education programs in prison.

15 (b) INFORMATION TO THE PUBLIC.—The Assistant
 16 Director shall maintain information and resources on the
 17 public-facing website of the Bureau of Prisons.

18 **SEC. 6. TRAINING AND TECHNICAL ASSISTANCE.**

19 (a) IN GENERAL.—The Assistant Director shall use
 20 funds available to the Bureau of Prisons to provide State
 21 correctional institutions with training and technical assist-
 22 ance on developing and implementing policies and proce-
 23 dures for quality education programs in prison.

24 (b) PARTNERSHIP.—Federal correctional and penal
 25 institutions with education programs in prison established

1 under section 4143 of title 18, United States Code, as
2 added by this Act, may partner with State and local cor-
3 rectional institutions and education providers located in
4 the same State or region to facilitate training and tech-
5 nical assistance to improve the quality of correctional edu-
6 cation offered in State prisons.

7 **SEC. 7. PRISON EDUCATION FOR INCARCERATED VET-**
8 **ERANS.**

9 (a) IN GENERAL.—The Secretary of Veterans Af-
10 fairs, in coordination with the Director and State correc-
11 tional agencies, shall—

12 (1) carry out a program of outreach to inform
13 veterans incarcerated in a Federal or State correc-
14 tional facility about potential eligibility for edu-
15 cational assistance under laws administered by the
16 Secretary, including educational assistance under
17 chapters 30 and 33 of title 38, United States Code;

18 (2) ensure that educational assistance under
19 laws administered by the Secretary is available to a
20 veteran who is incarcerated as described in para-
21 graph (1) and otherwise eligible for the assistance;

22 (3) assist each veteran who is incarcerated as
23 described in paragraph (1) and eligible for edu-
24 cational assistance under a law administered by the
25 Secretary by connecting the veteran to one or more

1 quality education programs in prison, including the
2 Federal Prison Education Program established
3 under section 4143 of title 18, United States Code,
4 as added by this Act, when the veteran is incarcer-
5 ated in a Federal or State correctional facility that
6 provides one or more education programs in prison
7 that are approved for the use of such assistance;

8 (4) provide financial aid counseling related to
9 continued educational enrollment and matriculation
10 post-release; and

11 (5) compile and make available to incarcerated
12 veterans a resource guide for incarcerated veterans
13 that includes general information about the avail-
14 ability, post-release, of—

15 (A) educational assistance available under
16 laws administered by the Secretary; and

17 (B) job counseling, training, and place-
18 ment services available under chapters 41 and
19 42 of title 38, United States Code.

20 (b) LIMITATION ON PROVISION OF EDUCATIONAL AS-
21 SISTANCE.—

22 (1) MONTHLY HOUSING STIPEND.—A veteran
23 with a felony conviction who is incarcerated in a
24 Federal or State correctional facility may not re-
25 ceive, while so incarcerated—

1 (A) any monthly housing stipend under
2 section 3313 of title 38, United States Code; or

3 (B) any amount under section 3014 of
4 such title otherwise payable to help meet the
5 veteran's subsistence costs.

6 (2) COSTS COVERED BY OTHER PROGRAMS.—

7 Notwithstanding any other provision of law, the Sec-
8 retary shall reduce the amount of educational assist-
9 ance that the Secretary would otherwise provide to
10 a veteran described in paragraph (1) under a law
11 administered by the Secretary for costs of tuition,
12 fees, supplies, books, equipment, and other edu-
13 cational costs relating to pursuing a program of edu-
14 cation while incarcerated by an amount equal to the
15 amount that such costs are paid by another Federal,
16 State, or local program.

○