

119TH CONGRESS  
1ST SESSION

# H. R. 3614

To establish fair labor standards, occupational safety protections, and post-incarceration career opportunities for incarcerated individuals engaged in firefighting and to provide previously incarcerated firefighters an opportunity to expunge records of disposition after successful completion of court-imposed probation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 26, 2025

Ms. KAMPLAGER-DOVE (for herself, Mr. MOORE of Alabama, Mr. RUTHERFORD, Mr. IVEY, Ms. NORTON, and Mrs. MCIVER) introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish fair labor standards, occupational safety protections, and post-incarceration career opportunities for incarcerated individuals engaged in firefighting and to provide previously incarcerated firefighters an opportunity to expunge records of disposition after successful completion of court-imposed probation, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
 3 “Fairness, Inclusion, Rehabilitation, and Expungement  
 4 for Incarcerated Firefighters Act” or the “**FIRE Act**”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for  
 6 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Coverage of incarcerated firefighters under the Occupational Safety and Health Act of 1970.

Sec. 3. Coverage of incarcerated firefighters under the Fair Labor Standards Act of 1938.

Sec. 4. Incentives for States to enact protections for incarcerated firefighters.

Sec. 5. Grants to assist States in covering incarcerated firefighters.

Sec. 6. Incarcerated firefighter reentry program grants.

Sec. 7. Expungement of certain offenses.

7 **SEC. 2. COVERAGE OF INCARCERATED FIREFIGHTERS**  
 8 **UNDER THE OCCUPATIONAL SAFETY AND**  
 9 **HEALTH ACT OF 1970.**

10 (a) **DEFINITION OF CORRECTIONAL FACILITY.**—Sec-  
 11 tion 3 of the Occupational Safety and Health Act of 1970  
 12 (29 U.S.C. 652) is amended by adding at the end the fol-  
 13 lowing:

14 “(15) The term ‘correctional facility’ has the  
 15 meaning given the term in section 3(aa) of the Fair  
 16 Labor Standards Act of 1938 (29 U.S.C.  
 17 203)(aa).”.

18 (b) **STATE PLANS.**—Section 18 of the Occupational  
 19 Safety and Health Act of 1970 (29 U.S.C. 667) is amend-  
 20 ed—

21 (1) in subsection (c)—

1 (A) in paragraph (6), by inserting, “in-  
2 cluding incarcerated firefighters as defined in  
3 section 3(z) of the Fair Labor Standards Act of  
4 1938 (29 U.S.C. 203)(z),” after “political sub-  
5 divisions,”; and

6 (B) in paragraph (7)—

7 (i) by striking “(7) requires” and in-  
8 serting “(7)(A) requires”; and

9 (ii) by adding at the end the fol-  
10 lowing:

11 “(B) requires the State to ensure that any  
12 public agency of the State (or of a political sub-  
13 division of the State) operating a correctional  
14 facility or contracting with a private entity to  
15 operate such a facility, shall, not later than 2  
16 years after the date of enactment of the FIRE  
17 Act, and every year thereafter, submit to the  
18 Attorney General and Congress a report on—

19 “(i) the workplace safety and health  
20 conditions at each such facility, and

21 “(ii) any potential noncompliance of  
22 each such facility with the safety and  
23 health standards under the State plan,  
24 and”.

1           (c) FEDERAL PRISONS.—Section 19 of the Occupa-  
2 tional Safety and Health Act of 1970 (29 U.S.C. 668)  
3 is amended by adding at the end the following:

4           “(e) BUREAU OF PRISONS.—

5                 “(1) IN GENERAL.—The Director of the Bureau  
6 of Prisons shall—

7                     “(A) ensure that the occupational safety  
8 and health program established and maintained  
9 by the Director under subsection (a) applies  
10 with respect to incarcerated firefighters in the  
11 same manner as the program applies to employ-  
12 ees of the Bureau of Prisons; and

13                     “(B) submit, not later than 2 years after  
14 the date of enactment of the FIRE Act, and  
15 every year thereafter, to the Attorney General  
16 and Congress, a report on—

17                         “(i) the workplace safety and health  
18 conditions at any correctional facility oper-  
19 ated by the Bureau of Prisons or a private  
20 entity contracting with the Bureau of Pris-  
21 ons;

22                         “(ii) any injury or death of any em-  
23 ployee or incarcerated firefighter while per-  
24 forming labor with respect to such facility;  
25 and

1                   “(iii) any potential noncompliance of  
2                   any such facility of such occupational safe-  
3                   ty and health program.

4                   “(2) INCARCERATED FIREFIGHTER.—In this  
5                   section, the term ‘incarcerated firefighter’ means an  
6                   individual who is incarcerated in a correctional facil-  
7                   ity operated by the Bureau of Prisons or facilitated  
8                   or operated by a private entity through a contract  
9                   with the Bureau of Prisons and who performs fire-  
10                  fighting or emergency response services work offered  
11                  or required by or through the correctional facility,  
12                  including work associated with prison work pro-  
13                  grams, work release programs, public works pro-  
14                  grams, restitution centers, correctional facility oper-  
15                  ations and maintenance, or private entities.”.

16 **SEC. 3. COVERAGE OF INCARCERATED FIREFIGHTERS**  
17                   **UNDER THE FAIR LABOR STANDARDS ACT OF**  
18                   **1938.**

19                  Section 3 of the Fair Labor Standards Act of 1938  
20 (29 U.S.C. 203) is amended—

21                   (1) in subsection (e)—

22                               (A) in paragraph (2)—

23                                       (i) in subparagraph (B), by striking “;  
24                                       and” and inserting a semicolon;

1           (ii) in subparagraph (C)(ii)(V), by  
2           striking the period at the end and inserting  
3           “; and”; and

4           (iii) by adding at the end the fol-  
5           lowing:

6           “(D) any individual employed as an incar-  
7           cerated firefighter by a public agency that oper-  
8           ates the correctional facility in which such indi-  
9           vidual is incarcerated or detained.”; and

10          (B) by adding at the end the following:

11          “(6) The term ‘employee’ includes any indi-  
12          vidual employed as an incarcerated firefighter by a  
13          private entity that operates, through a contract with  
14          a public agency, the correctional facility in which  
15          such individual is incarcerated or detained.”;

16          (2) in subsection (m)(1), by striking “any em-  
17          ployee.” and inserting “any employee: Provided fur-  
18          ther, That, in the case of an employee who is an in-  
19          carcerated firefighter, the cost of board, lodging, or  
20          other facilities and any amount taken from amounts  
21          paid such incarcerated firefighter for payment of a  
22          court-imposed fee shall not be included in the wage  
23          paid to such employee.”; and

24          (3) by adding at the end the following:

1           “(z)(1) The term ‘incarcerated firefighter’ means an  
2 individual who is incarcerated in a correctional facility op-  
3 erated by a public agency or facilitated or operated by a  
4 private entity through a contract with a public agency and  
5 who performs firefighting or emergency response services  
6 work offered or required by or through the correctional  
7 facility, including work associated with prison work pro-  
8 grams, work release programs, State prison industries,  
9 public works programs, restitution centers, correctional fa-  
10 cility operations and maintenance, or private entities.

11           “(2) An incarcerated firefighter shall be consid-  
12 ered employed by—

13           “(A) the public agency operating the cor-  
14 rectional facility in which the individual is in-  
15 carcerated or detained; or

16           “(B) in a case in which the individual is  
17 incarcerated or detained in a correctional facil-  
18 ity operated by a private entity through a con-  
19 tract with a public agency, such private entity.

20           “(aa) ‘Correctional facility’ means a jail, prison, or  
21 other detention facility used to house people who have  
22 been arrested, detained, held, or convicted by a criminal  
23 justice agency or a court.

24           “(bb)(1) ‘Court-imposed fee’ means any fee imposed  
25 by a court as a result of a criminal conviction, including

1 any surcharge imposed for a felony or misdemeanor con-  
2 viction, a criminal justice administrative fee, a court-ap-  
3 pointed attorney fee, a court clerk fee, a filing clerk fee,  
4 a DNA database fee, a jury fee, a crime lab analysis fee,  
5 a late fee, an installment fee, or any other court cost.

6           “(2) The term ‘court-imposed fee’ does not in-  
7 clude any amount required by a court to be paid for  
8 child support, to a crime victim compensation fund,  
9 for a civil judgment, or for a criminal fine.”.

10 **SEC. 4. INCENTIVES FOR STATES TO ENACT PROTECTIONS**  
11 **FOR INCARCERATED FIREFIGHTERS.**

12 Title I of the Omnibus Crime Control and Safe  
13 Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amend-  
14 ed—

15           (1) in section 501 (34 U.S.C. 10152), by add-  
16 ing at the end the following:

17                   “(i) ANNUAL REPORT ON WORKPLACE  
18 SAFETY AND HEALTH CONDITIONS.—Not  
19 later than 2 years after the date of enact-  
20 ment of the FIRE Act, and annually there-  
21 after, any State or unit of local govern-  
22 ment that receives a grant under this sec-  
23 tion and operates a correctional facility or  
24 contracts with a private entity to operate a

1                   correctional facility shall submit to the At-  
2                   torney General and Congress a report on—

3                   “(2) the workplace safety and health conditions  
4                   at each such correctional facility;

5                   “(3) any injury or death of any—

6                   “(A) employee; or

7                   “(B) incarcerated firefighter while such  
8                   firefighter was performing work required to be  
9                   performed during their incarceration; and

10                  “(4) any potential noncompliance of any such  
11                  correctional facility with the occupational safety and  
12                  health standards that apply to the correctional facil-  
13                  ity.”;

14                  (2) in section 502(a) (34 U.S.C. 10153(a)), by  
15                  adding at the end the following:

16                  “(7) As applicable, a certification that,—

17                  “(A) the State or unit of local government  
18                  has provided workplace safety and health pro-  
19                  tections for incarcerated firefighters in correc-  
20                  tional facilities, either by legislative or executive  
21                  action, that are at least as effective in providing  
22                  safe and healthful employment and places of  
23                  employment for incarcerated firefighters as the  
24                  comprehensive occupational safety and health  
25                  programs established by States under section

1 18 of the Occupational Safety and Health Act  
2 of 1970; or

3 “(B) an appropriate State or local agency  
4 monitors and enforces or will monitor or en-  
5 force, as applicable, the safety and health pro-  
6 tections described in subparagraph (A).”;

7 (3) in section 506 (34 U.S.C. 10157), by add-  
8 ing at the end the following:

9 “(c) Of the total amount made available to carry out  
10 this subpart for a fiscal year, the Attorney General, in con-  
11 sultation with the Assistant Secretary of Labor for Occu-  
12 pational Safety and Health, shall reserve \$400,000 for use  
13 by States and units of local government to establish and  
14 implement workplace safety and health protections for in-  
15 carcerated firefighters.”; and

16 (4) in section 901(a) (34 U.S.C. 10251(a))—

17 (A) in paragraph (32), by striking “and”  
18 at the end;

19 (B) in paragraph (33), by striking the pe-  
20 riod at the end and adding “; and”; and

21 (C) by inserting after paragraph (33) the  
22 following:

23 “(34) the term ‘incarcerated firefighter’ shall  
24 have the meaning given such term in section 3(z) of

1 the Fair Labor Standards Act of 1938 (29 U.S.C.  
2 203(z)).”.

3 **SEC. 5. GRANTS TO ASSIST STATES IN COVERING INCAR-**  
4 **CERATED FIREFIGHTERS.**

5 (a) IN GENERAL.—The Secretary of Labor shall es-  
6 tablish a grant program to award a grant to each State  
7 that submits an application satisfying the requirements  
8 under subsection (b) to assist the State in amending the  
9 occupational safety and health laws of the State to cover  
10 incarcerated firefighters and to enforce those laws as ap-  
11 propriate through inspections, investigations, citations,  
12 penalties, and other enforcement mechanisms.

13 (b) APPLICATIONS.—A State seeking a grant under  
14 this section shall submit an application to the Secretary  
15 at such time, in such manner, and containing such infor-  
16 mation as the Secretary may reasonably require.

17 (c) DEFINITION OF INCARCERATED FIREFIGHTER.—  
18 In this section, the term “incarcerated fighter” has the  
19 meaning given such term in section 18(i) (as amended by  
20 section 2(b)(2) of this Act) of the Occupational Safety and  
21 Health Act of 1970 (29 U.S.C. 667(i)).

22 (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
23 authorized to be appropriated to carry out this section  
24 \$100,000,000 for each of fiscal years 2026 through 2031,  
25 to remain available until expended.

1 **SEC. 6. INCARCERATED FIREFIGHTER REENTRY PROGRAM**  
2 **GRANTS.**

3 (a) IN GENERAL.—Subtitle D of title I of the Work-  
4 force Innovation and Opportunity Act (29 U.S.C. 3221 et  
5 seq.) is amended—

6 (1) by redesignating section 172 as section 173;

7 and

8 (2) by inserting after section 171 the following  
9 new section:

10 **“SEC. 172. INCARCERATED FIREFIGHTER REENTRY PRO-**  
11 **GRAM GRANTS.**

12 “(a) IN GENERAL.—The Secretary shall establish a  
13 program to award grants to eligible entities to enable such  
14 entities to provide job training, job placement services, and  
15 mentoring to individuals who are former incarcerated fire-  
16 fighters during reentry.

17 “(b) APPLICATION.—To be eligible for a grant under  
18 this section, a State shall submit an application to the Sec-  
19 retary at such time, in such manner, and containing such  
20 information as the Secretary may reasonably require.

21 “(c) USE OF FUNDS.—A grant awarded under this  
22 section may be used by an eligible entity to—

23 “(1) in the case of a program that provides job  
24 training, placement services, and mentoring exclu-  
25 sively to former incarcerated firefighters upon re-  
26 entry, to pay costs related to such program; and

1           “(2) in the case of a program that provides job  
2 training, placement services, and mentoring to  
3 former incarcerated firefighters and to other individ-  
4 uals during reentry, to pay costs related to the par-  
5 ticipation of such former incarcerated firefighters in  
6 the program.

7           “(3) evaluate and implement methods to im-  
8 prove the employment opportunities of incarcerated  
9 firefighters upon reentry; and

10           “(4) identify, and make recommendations re-  
11 garding, best practices relating to reentry and the  
12 employment of incarcerated firefighters as full-time  
13 firefighters during reentry.

14           “(d) DEFINITIONS.—In this section:

15           “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
16 tity’ means—

17           “(A) a private non-profit organization  
18 under section 501(c)(3) of the Internal Revenue  
19 Code of 1986;

20           “(B) a local workforce development board;

21           “(C) a State or local government; or

22           “(D) an Indian or Native American entity  
23 eligible for grants under section 166.

24           “(2) INCARCERATED FIREFIGHTER.—The term  
25 ‘incarcerated firefighter’ has the meaning given such

1 term in section 3(z) of the Fair Labor Standards  
2 Act of 1938 (29 U.S.C. 203(z)).

3 “(3) REENTRY PERIOD.—The term ‘reentry’  
4 means, in relation to an individual, the 180-day pe-  
5 riod beginning on the date on which such individual  
6 is released from incarceration.”.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—Section  
8 173(d) of the Workforce Innovation and Opportunity Act  
9 as redesignated by subsection (a) of this section is amend-  
10 ed by striking “section 169” and inserting “sections 169  
11 and 172”.

12 (c) CLERICAL AMENDMENT.—The table of contents  
13 in section 1(b) of the Workforce Innovation and Oppor-  
14 tunity Act is amended—

15 (1) by redesignating the item relating to section  
16 172 as section 173; and

17 (2) by inserting after the item relating to sec-  
18 tion 171 the following:

19 **“SEC. 173. INCARCERATED FIREFIGHTER REENTRY PRO-**  
20 **GRAM GRANTS.”.**

21 **SEC. 7. EXPUNGEMENT OF CERTAIN OFFENSES.**

22 (a) IN GENERAL.—An eligible incarcerated fire-  
23 fighter may file a petition under this section for  
24 expungement.

1 (b) EXTENUATING CIRCUMSTANCES.—If extenuating  
2 circumstances prevent an incarcerated firefighter from ful-  
3 filling the requirements of their sentence, as required  
4 under subsection (i)(1), the court, in its discretion, may  
5 waive a portion of such requirement and determine the  
6 incarcerated firefighter is an eligible incarcerated fire-  
7 fighter.

8 (c) PROCEDURE FOR EXPUNGEMENT.—

9 (1) PETITION.—A petition for expungement  
10 may be filed only in the court in which the eligible  
11 incarcerated firefighter was convicted of the offense  
12 for which expungement is sought. The clerk of the  
13 court shall serve that petition on the United States  
14 attorney for that district. Except as provided under  
15 paragraph (5), not later than 60 days after service  
16 of such petition, the United States attorney may  
17 submit recommendations to the court and provide a  
18 copy of those recommendations to the firefighter.

19 (2) APPOINTMENT OF COUNSEL.—The court  
20 shall appoint counsel upon the request of an indigent  
21 eligible incarcerated firefighter to represent the fire-  
22 fighter in proceedings under this section, including  
23 the preparation of a petition or subsequent petition  
24 under this section.

1           (3) SUBMISSION OF EVIDENCE.—The eligible  
2 incarcerated firefighter and the U.S. attorney, as  
3 noted under paragraph (1), may file with the court  
4 evidence relating to the petition.

5           (4) BASIS FOR DECISION.—In making a deci-  
6 sion on the petition, the court shall consider all evi-  
7 dence and weigh the interests of the eligible incar-  
8 cerated firefighter, the best interests of justice, and  
9 public safety.

10           (5) SUBSEQUENT PETITION.—If the court de-  
11 nies the petition, the petitioner may not file another  
12 such petition under paragraph (1) until the date  
13 that is 2 years after the date of such denial.

14           (6) MANDATORY GRANT OF PETITION.—Except  
15 as provided in subparagraph (B), the court shall  
16 grant the petition of an eligible incarcerated fire-  
17 fighter who files the petition on a date that is not  
18 earlier than the date that is 7 years after the date  
19 on which the petitioner has fulfilled the require-  
20 ments of the sentence, as described in subsection  
21 (i)(1). The United States Attorney may not submit  
22 recommendations under paragraph (1) with regard  
23 to that petition.

24           (7) DISCRETIONARY GRANT OF PETITION.—Ex-  
25 cept as provided in subparagraph (B), the court may

1 grant the petition of an eligible incarcerated fire-  
2 fighter who files the petition on a date that is not  
3 earlier than the date that is 1 year after the date  
4 on which the petitioner has fulfilled the require-  
5 ments of the sentence, as described in subsection  
6 (i)(1).

7 (d) NOTIFICATION OF EXPUNGEMENT.—Not later  
8 than 7 days after granting an expungement petition, in  
9 order to facilitate the timely update of relevant records,  
10 the court shall send a copy of the petition and final order  
11 to—

12 (1) the Attorney General of the United States;

13 (2) the chief law enforcement officer of the  
14 State in which the crime was committed;

15 (3) the chief law enforcement officer of the  
16 State in which the eligible incarcerated firefighter  
17 resides;

18 (4) any local law enforcement agency that  
19 serves the jurisdiction in which the crime was com-  
20 mitted; and

21 (5) any local law enforcement agency that  
22 serves the jurisdiction in which the eligible incarcer-  
23 ated firefighter resides.

24 (e) EFFECT OF EXPUNGEMENT.—

1           (1) IN GENERAL.—An order granting  
2 expungement under this section shall restore the eli-  
3 gible incarcerated firefighter concerned, in the con-  
4 templation of the law, to the status such individual  
5 occupied before the arrest or institution of criminal  
6 proceedings for the offense that was the subject of  
7 the expungement.

8           (2) SENTENCING.—In determining an appro-  
9 priate sentence for unrelated subsequent criminal  
10 conduct, a court of the United States shall not con-  
11 sider an expunged criminal conviction for the pur-  
12 poses of determining the appropriate sentencing  
13 range pursuant to the United States Sentencing  
14 Guidelines, or to sentence a person outside of that  
15 sentencing range.

16           (3) NO DISQUALIFICATION; STATEMENTS.—An  
17 eligible incarcerated firefighter whose petition under  
18 this section is granted shall not be required to di-  
19 vulge information pertaining to the offense with re-  
20 gard to which expungement was granted, nor shall  
21 such firefighter be held under any provision of law  
22 guilty of perjury, false answering, or making a false  
23 statement by reason of the failure of the firefighter  
24 to recite or acknowledge such arrest or institution of  
25 criminal proceedings, or results thereof, in response

1 to an inquiry made of the firefighter for any pur-  
2 pose. The fact that such firefighter has been con-  
3 victed of the offense concerned shall not operate as  
4 a disqualification of such individual to pursue or en-  
5 gage in any lawful activity, occupation, or profes-  
6 sion.

7 (4) RECORDS EXPUNGED.—Except as provided  
8 under subsection (f), on the grant of a petition  
9 under this section, the following shall be expunged:

10 (A) Any official record relating to the ar-  
11 rest of the eligible incarcerated firefighter, the  
12 institution of criminal proceedings against the  
13 firefighter, or the results thereof including con-  
14 viction for the offense with regard to which  
15 expungement is sought.

16 (B) Any reference in any official record to  
17 the arrest of the eligible incarcerated fire-  
18 fighter, the institution of criminal proceedings  
19 against the firefighter, or the results thereof in-  
20 cluding conviction for the offense with regard to  
21 which expungement is sought.

22 (5) EXCEPTIONS.—The Attorney General may  
23 make rules providing for exceptions to paragraph (4)  
24 as the Attorney General determines necessary to  
25 serve the interests of justice and public safety.

1 (f) DISCLOSURE OF EXPUNGED RECORDS.—

2 (1) DEPARTMENT OF JUSTICE RECORDS.—The  
3 Attorney General shall retain an unaltered nonpublic  
4 copy of—

5 (A) any record that is expunged; and

6 (B) any record containing a reference that  
7 is expunged.

8 (2) LAW ENFORCEMENT PURPOSES.—The At-  
9 torney General shall maintain a nonpublic index of  
10 the records described under paragraph (1) con-  
11 taining, for each such record, only the name of, and  
12 alphanumeric identifiers that relate to, the eligible  
13 incarcerated firefighter who is the subject of such  
14 record, the word “expunged”, and the name of the  
15 person, agency, office, or department that has cus-  
16 tody of the expunged record, and shall not name the  
17 offense committed. The index shall be made avail-  
18 able only to an entity to which records may be made  
19 available under paragraph (4) or to any Federal or  
20 State law enforcement agency that has custody of  
21 such records.

22 (3) COURT RECORDS.—The court shall retain  
23 an unaltered nonpublic copy of—

24 (A) any record that is expunged; and

1 (B) any record containing a reference that  
2 is expunged.

3 (4) AUTHORIZED DISCLOSURES.—

4 (A) IN GENERAL.—Except as provided in  
5 subparagraph (B), any record described in  
6 paragraph (1) pertaining to an individual may  
7 be made available only—

8 (i) to the eligible incarcerated fire-  
9 fighter;

10 (ii) to a Federal or State court or  
11 Federal, State, or local law enforcement  
12 agency, in the case of a criminal investiga-  
13 tion or prosecution of an individual or in  
14 conducting a background check on an indi-  
15 vidual who has applied for employment by  
16 such court or agency; or

17 (iii) to a Federal or State court or  
18 Federal, State, or local law enforcement  
19 agency for the exclusive purpose of main-  
20 taining accurate official records.

21 (B) AUTHORIZED DISCLOSURE TO INDIVID-  
22 UALS.—On application of the eligible incarcer-  
23 ated firefighter, the record may be available to  
24 an individual identified in the firefighter's ap-  
25 plication.

1 (g) PUNISHMENT FOR IMPROPER DISCLOSURE.—  
2 Whoever intentionally makes or attempts to make a disclo-  
3 sure, other than a disclosure authorized under subsection  
4 (f), of any record or reference that is expunged under this  
5 section, shall be fined under title 18, United States Code,  
6 imprisoned not more than one year, or both.

7 (h) EFFECTIVE DATE.—The amendments made by  
8 this section shall apply to individuals convicted of an of-  
9 fense before, on, or after the date of the enactment of this  
10 Act.

11 (i) DEFINITIONS.—In this section—

12 (1) ELIGIBLE INCARCERATED FIREFIGHTER.—  
13 The term “eligible incarcerated firefighter” means  
14 an incarcerated firefighter convicted of an offense  
15 who has fulfilled the requirements of the sentence of  
16 the court in which the firefighter was convicted, in-  
17 cluding—

18 (A) paying, or consistently fulfilling obliga-  
19 tions of a payment plan for, all applicable fines,  
20 restitutions, or assessments;

21 (B) completion of any term of imprison-  
22 ment or period of probation;

23 (C) meeting all conditions of supervised re-  
24 lease; and

1           (D) if so required by the terms of the sen-  
2           tence, remaining free from dependency on or  
3           abuse of alcohol or a controlled substance for a  
4           period of not less than 1 year.

5           (2) INCARCERATED FIREFIGHTER.—The term  
6           “incarcerated firefighter” shall have the meaning  
7           given such term in section 3(z) of the Fair Labor  
8           Standards Act of 1938 (29 U.S.C. 203(z)).

○