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**§5F1.8. Intermittent Confinement**

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Intermittent confinement may be imposed as a condition of probation during the first year of probation. *See* 18 U.S.C. § 3563(b)(10). It may be imposed as a condition of supervised release during the first year of supervised release, but only for a violation of a condition of supervised release in accordance with 18 U.S.C. § 3583(e)(2) and only when facilities are available. *See* 18 U.S.C. § 3583(d).

**Commentary****Application Note:**

1. “*Intermittent confinement*” means remaining in the custody of the Bureau of Prisons during nights, weekends, or other intervals of time, totaling no more than the lesser of one year or the term of imprisonment authorized for the offense, during the first year of the term of probation or supervised release. *See* 18 U.S.C. § 3563(b)(10).

<i>Historical Note</i>	Effective November 1, 2009 (amendment 733).
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