

In the Senate of the United States,

December 20 (legislative day, December 18), 2001.

Resolved, That the bill from the House of Representatives (H.R. 2215) entitled “An Act to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

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

2 *(a) SHORT TITLE.—This Act may be cited as the “21st*
3 *Century Department of Justice Appropriations Authoriza-*
4 *tion Act”.*

1 **(b) TABLE OF CONTENTS.**—*The table of contents of this*
 2 *Act is as follows:*

Sec. 1. Short title; table of contents.

**DIVISION A—21ST CENTURY DEPARTMENT OF JUSTICE
 APPROPRIATIONS AUTHORIZATION ACT**

**TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR
 2002**

Sec. 101. Appointment of additional Assistant United States Attorneys; reduction of certain litigation positions.

Sec. 102. Authorization for additional Assistant United States Attorneys for project safe neighborhoods.

TITLE II—PERMANENT ENABLING PROVISIONS

Sec. 201. Permanent authority.

Sec. 202. Permanent authority relating to enforcement of laws.

Sec. 203. Miscellaneous uses of funds; technical amendments.

Sec. 204. Technical and miscellaneous amendments to Department of Justice authorities; authority to transfer property of marginal value; recordkeeping; protection of the Attorney General.

Sec. 205. Oversight; waste, fraud, and abuse within the Department of Justice.

Sec. 206. Enforcement of Federal criminal laws by Attorney General.

Sec. 207. Counterterrorism fund.

Sec. 208. Strengthening law enforcement in United States territories, commonwealths, and possessions.

TITLE III—MISCELLANEOUS

Sec. 301. Repealers.

Sec. 302. Technical amendments to title 18 of the United States Code.

Sec. 303. Required submission of proposed authorization of appropriations for the Department of Justice for fiscal year 2003.

Sec. 304. Study of untested rape examination kits.

Sec. 305. Report on use of DCS 1000 (carnivore).

Sec. 306. Study of allocation of litigating attorneys.

Sec. 307. Use of truth-in-sentencing and violent offender incarceration grants.

Sec. 308. Authority of the Department of Justice Inspector General.

Sec. 309. Review of the Department of Justice.

Sec. 310. Use of residential substance abuse treatment grants to provide for services during and after incarceration.

Sec. 311. Report on threats and assaults against Federal law enforcement officers, United States judges, United States officials and their families.

Sec. 312. Additional Federal judgeships.

TITLE IV—VIOLENCE AGAINST WOMEN

Sec. 401. Short title.

Sec. 402. Establishment of Violence Against Women Office.

Sec. 403. Jurisdiction.

Sec. 404. Director of Violence Against Women Office.

Sec. 405. Regulatory authorization.

Sec. 406. Office staff.

Sec. 407. Authorization of appropriations.

DIVISION B—MISCELLANEOUS DIVISION

TITLE I—BOYS AND GIRLS CLUBS OF AMERICA

Sec. 1101. Boys and Girls Clubs of America.

*TITLE II—DRUG ABUSE EDUCATION, PREVENTION, AND
TREATMENT ACT OF 2001*

Sec. 2001. Short title.

Subtitle A—Drug-Free Prisons and Jails

Sec. 2101. Drug-free prisons and jails incentive grants.

Sec. 2102. Jail-based substance abuse treatment programs.

*Sec. 2103. Mandatory revocation of probation and supervised release for failing
a drug test.*

Subtitle B—Treatment and Prevention

*Sec. 2201. Drug treatment alternative to prison programs administered by State
or local prosecutors.*

Sec. 2202. Juvenile substance abuse courts.

Sec. 2203. Expansion of substance abuse education and prevention efforts.

Sec. 2204. Funding for rural States and economically depressed communities.

Sec. 2205. Funding for residential treatment centers for women and children.

Sec. 2206. Drug treatment for juveniles.

Sec. 2207. Coordinated juvenile services grants.

Sec. 2208. Expansion of research.

Sec. 2209. Report on drug-testing technologies.

Sec. 2210. Use of National Institutes of Health substance abuse research.

*Sec. 2211. Study on strengthening efforts on substance abuse research at the Na-
tional Institutes of Health.*

Subtitle C—School Safety and Character Education

CHAPTER 1—SCHOOL SAFETY

Sec. 2301. Alternative education.

CHAPTER 2—CHARACTER EDUCATION

Subchapter A—National Character Achievement Award

Sec. 2311. National Character Achievement Award.

Subchapter B—Preventing Juvenile Delinquency Through Character Education

Sec. 2321. Purpose.

Sec. 2322. Authorization of appropriations.

Sec. 2323. After school programs.

Sec. 2324. General provisions.

Subchapter C—Counseling, Training, and Mentoring Children of Prisoners

Sec. 2331. Purpose.

Sec. 2332. Authorization of appropriations.

Sec. 2333. Counseling, training, and mentoring programs.
Sec. 2334. General provisions.

Subtitle D—Reestablishment of Drug Courts

Sec. 2401. Reestablishment of drug courts.
Sec. 2402. Authorization of appropriations.

Subtitle E—Program for Successful Reentry of Criminal Offenders Into Local Communities

Sec. 2501. Short title.
Sec. 2502. Purposes.

CHAPTER 1—FEDERAL REENTRY DEMONSTRATION PROJECTS

Sec. 2511. Federal community corrections centers reentry project.
Sec. 2512. Federal High-Risk Offender Reentry project.
Sec. 2513. District of Columbia Intensive Supervision, Tracking, and Reentry Training (DC iSTART) Demonstration project.
Sec. 2514. Federal Intensive Supervision, Tracking, and Reentry Training (FED iSTART) project.
Sec. 2515. Federal Enhanced In-Prison Vocational Assessment and Training and Demonstration project.
Sec. 2516. Research and reports to Congress.
Sec. 2517. Definitions.
Sec. 2518. Authorization of appropriations.

CHAPTER 2—STATE REENTRY GRANT PROGRAMS

Sec. 2521. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

CHAPTER 3—CONTINUATION OF ASSISTANCE AND BENEFITS

Sec. 2531. Amendments to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Subtitle F—Amendment to Foreign Narcotics Kingpin Designation Act

Sec. 2701. Amendment to Foreign Narcotics Kingpin Designation Act.

Subtitle G—Core Competencies in Drug Abuse Detection and Treatment

Sec. 2801. Amendment to the Public Health Service Act.

Subtitle H—Adolescent Therapeutic Community Treatment Programs

Sec. 2901. Program authorized.
Sec. 2902. Preference.
Sec. 2903. Duration of grants.
Sec. 2904. Restrictions.
Sec. 2905. Application.
Sec. 2906. Use of funds.
Sec. 2907. Treatment type.
Sec. 2908. Report by provider.
Sec. 2909. Report by Secretary.
Sec. 2910. Definitions.
Sec. 2911. Authorization of appropriations.

*Subtitle I—Other Matters**Sec. 2951. Amendment to Controlled Substances Act.**Sec. 2952. Study of methamphetamine treatment.**TITLE III—NATIONAL COMPREHENSIVE CRIME-FREE COMMUNITIES ACT**Sec. 3001. Short title.**Sec. 3002. Program administration.**Sec. 3003. Focus.**Sec. 3004. Definitions.**Sec. 3005. Community grants.**Sec. 3006. State capacity building grants.**TITLE IV—SAFEGUARDING THE INTEGRITY OF THE CRIMINAL JUSTICE SYSTEM**Sec. 4001. Increasing the penalty for using physical force to tamper with witnesses, victims, or informants.**Sec. 4002. Correction of aberrant statutes to permit imposition of both a fine and imprisonment.**Sec. 4003. Reinstatement of counts dismissed pursuant to a plea agreement.**Sec. 4004. Appeals from certain dismissals.**Sec. 4005. Clarification of length of supervised release terms in controlled substance cases.**Sec. 4006. Authority of court to impose a sentence of probation or supervised release when reducing a sentence of imprisonment in certain cases.**Sec. 4007. Clarification that making restitution is a proper condition of supervised release.**TITLE V—CRIMINAL LAW TECHNICAL AMENDMENTS ACT OF 2001**Sec. 5001. Short title.**Sec. 5002. Technical amendments relating to criminal law and procedure.**Sec. 5003. Additional technicals.**Sec. 5004. Repeal of outmoded provisions.**Sec. 5005. Amendments resulting from Public Law 107–56.**TITLE VI—UNDERCOVER INVESTIGATIVE PRACTICES CONDUCTED BY FEDERAL ATTORNEYS**Sec. 6001. Undercover investigative practices conducted by Federal attorneys.**TITLE VII—PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS**Sec. 7001. Paul Coverdell Forensic Sciences Improvement Grants.**Sec. 7002. Authorization of appropriations.**TITLE VIII—ECSTASY PREVENTION ACT OF 2001**Sec. 8001. Short title.**Sec. 8002. Grants for Ecstasy abuse prevention.**Sec. 8003. Combating Ecstasy and other club drugs in high intensity drug trafficking areas.**Sec. 8004. National youth antidrug media campaign.**Sec. 8005. MDMA drug test.*

Sec. 8006. National Institute on Drug Abuse report.

Sec. 8007. Interagency Ecstasy/club drug task force.

**DIVISION A—21ST CENTURY DE-
PARTMENT OF JUSTICE AP-
PROPRIATIONS AUTHORIZA-
TION ACT**

**TITLE I—AUTHORIZATION OF AP-
PROPRIATIONS FOR FISCAL
YEAR 2002**

**SEC. 101. APPOINTMENT OF ADDITIONAL ASSISTANT
UNITED STATES ATTORNEYS; REDUCTION OF
CERTAIN LITIGATION POSITIONS.**

(a) APPOINTMENTS.—Not later than September 30, 2003, the Attorney General may exercise authority under section 542 of title 28, United States Code, to appoint 200 assistant United States attorneys in addition to the number of assistant United States attorneys serving on the date of the enactment of this Act.

(b) SELECTION OF APPOINTEES.—Individuals first appointed under subsection (a) shall be appointed from among attorneys who are incumbents of 200 full-time litigation positions in divisions of the Department of Justice and whose official duty station is at the seat of Government.

(c) TERMINATION OF POSITIONS.—Each of the 200 litigation positions that become vacant by reason of an ap-

1 *pointment made in accordance with subsections (a) and (b)*
 2 *shall be terminated at the time the vacancy arises.*

3 *(d) AUTHORIZATION OF APPROPRIATIONS.—There are*
 4 *authorized to be appropriated such sums as may be nec-*
 5 *essary to carry out this section.*

6 **SEC. 102. AUTHORIZATION FOR ADDITIONAL ASSISTANT**
 7 **UNITED STATES ATTORNEYS FOR PROJECT**
 8 **SAFE NEIGHBORHOODS.**

9 *(a) IN GENERAL.—The Attorney General shall estab-*
 10 *lish a program for each United States Attorney to provide*
 11 *for coordination with State and local law enforcement offi-*
 12 *cials in the identification and prosecution of violations of*
 13 *Federal firearms laws including school gun violence and ju-*
 14 *venile gun offenses.*

15 *(b) AUTHORIZATION FOR HIRING 94 ADDITIONAL AS-*
 16 *SISTANT UNITED STATES ATTORNEYS.—There are author-*
 17 *ized to be appropriated to carry out this section \$9,000,000*
 18 *for fiscal year 2002 to hire an additional Assistant United*
 19 *States Attorney in each United States Attorney Office.*

20 **TITLE II—PERMANENT**
 21 **ENABLING PROVISIONS**

22 **SEC. 201. PERMANENT AUTHORITY.**

23 *(a) IN GENERAL.—Chapter 31 of title 28, United*
 24 *States Code, is amended by adding at the end the following:*

1 **“§ 530C. Authority to use available funds**

2 “(a) *IN GENERAL.*—*Except to the extent provided oth-*
 3 *erwise by law, the activities of the Department of Justice*
 4 *(including any bureau, office, board, division, commission,*
 5 *subdivision, unit, or other component thereof) may, in the*
 6 *reasonable discretion of the Attorney General, be carried out*
 7 *through any means, including—*

8 “(1) *through the Department’s own personnel,*
 9 *acting within, from, or through the Department itself;*

10 “(2) *by sending or receiving details of personnel*
 11 *to other branches or agencies of the Federal Govern-*
 12 *ment, on a reimbursable, partially-reimbursable, or*
 13 *nonreimbursable basis;*

14 “(3) *through reimbursable agreements with other*
 15 *Federal agencies for work, materials, or equipment;*

16 “(4) *through contracts, grants, or cooperative*
 17 *agreements with non-Federal parties; and*

18 “(5) *as provided in subsection (b), in section*
 19 *524, and in any other provision of law consistent*
 20 *herewith, including, without limitation, section*
 21 *102(b) of Public Law 102–395 (106 Stat. 1838), as*
 22 *incorporated by section 815(d) of Public Law 104–*
 23 *132 (110 Stat. 1315).*

24 “(b) *PERMITTED USES.*—

25 “(1) *GENERAL PERMITTED USES.*—*Funds avail-*
 26 *able to the Attorney General (i.e., all funds available*

1 to carry out the activities described in subsection (a))
2 may be used, without limitation, for the following:

3 “(A) The purchase, lease, maintenance, and
4 operation of passenger motor vehicles, or police-
5 type motor vehicles for law enforcement purposes,
6 without regard to general purchase price limita-
7 tion for the then-current fiscal year.

8 “(B) The purchase of insurance for motor
9 vehicles, boats, and aircraft operated in official
10 Government business in foreign countries.

11 “(C) Services of experts and consultants, in-
12 cluding private counsel, as authorized by section
13 3109 of title 5, and at rates of pay for individ-
14 uals not to exceed the maximum daily rate pay-
15 able from time to time under section 5332 of
16 title 5.

17 “(D) Official reception and representation
18 expenses (i.e., official expenses of a social nature
19 intended in whole or in predominant part to
20 promote goodwill toward the Department or its
21 missions, but excluding expenses of public tours
22 of facilities of the Department of Justice), in ac-
23 cordance with distributions and procedures es-
24 tablished, and rules issued, by the Attorney Gen-

1 *eral, and expenses of public tours of facilities of*
2 *the Department of Justice.*

3 *“(E) Unforeseen emergencies of a confiden-*
4 *tial character, to be expended under the direction*
5 *of the Attorney General and accounted for solely*
6 *on the certificate of the Attorney General.*

7 *“(F) Miscellaneous and emergency expenses*
8 *authorized or approved by the Attorney General,*
9 *the Deputy Attorney General, the Associate At-*
10 *torney General, or the Assistant Attorney Gen-*
11 *eral for Administration.*

12 *“(G) In accordance with procedures estab-*
13 *lished and rules issued by the Attorney*
14 *General—*

15 *“(i) attendance at meetings and semi-*
16 *nars;*

17 *“(ii) conferences and training; and*

18 *“(iii) advances of public moneys under*
19 *section 3324 of title 31: Provided, That*
20 *travel advances of such moneys to law en-*
21 *forcement personnel engaged in undercover*
22 *activity shall be considered to be public*
23 *money for purposes of section 3527 of title*
24 *31.*

1 “(H) *Contracting with individuals for per-*
2 *sonal services abroad, except that such individ-*
3 *uals shall not be regarded as employees of the*
4 *United States for the purpose of any law admin-*
5 *istered by the Office of Personnel Management.*

6 “(I) *Payment of interpreters and trans-*
7 *lators who are not citizens of the United States,*
8 *in accordance with procedures established and*
9 *rules issued by the Attorney General.*

10 “(J) *Expenses or allowances for uniforms as*
11 *authorized by section 5901 of title 5, but without*
12 *regard to the general purchase price limitation*
13 *for the then-current fiscal year.*

14 “(K) *Expenses of—*

15 “(i) *primary and secondary schooling*
16 *for dependents of personnel stationed out-*
17 *side the continental United States at cost*
18 *not in excess of those authorized by the De-*
19 *partment of Defense for the same area,*
20 *when it is determined by the Attorney Gen-*
21 *eral that schools available in the locality*
22 *are unable to provide adequately for the*
23 *education of such dependents; and*

24 “(ii) *transportation of those depend-*
25 *ents between their place of residence and*

1 *schools serving the area which those depend-*
2 *ents would normally attend when the Attor-*
3 *ney General, under such regulations as he*
4 *may prescribe, determines that such schools*
5 *are not accessible by public means of trans-*
6 *portation.*

7 “(L) *Payment of rewards (i.e., payments*
8 *pursuant to public advertisements for assistance*
9 *to the Department of Justice), in accordance*
10 *with procedures and regulations established or*
11 *issued by the Attorney General: provided that—*

12 “(i) *no such reward shall exceed*
13 *\$2,000,000 (unless a statute should author-*
14 *ize a higher amount);*

15 “(ii) *no such reward of \$250,000 or*
16 *more may be made or offered without the*
17 *personal approval of either the Attorney*
18 *General or the President;*

19 “(iii) *the Attorney General shall give*
20 *written notice to the Chairmen and ranking*
21 *minority members of the Committees on Ap-*
22 *propriations and the Judiciary of the Sen-*
23 *ate and of the House of Representatives not*
24 *later than 30 days after the approval of a*
25 *reward under clause (ii);*

1 “(iv) any executive agency or military
2 department (as defined, respectively, in sec-
3 tions 105 and 102 of title 5) may provide
4 the Attorney General with funds for the
5 payment of rewards; and

6 “(v) neither the failure of the Attorney
7 General to authorize a payment nor the
8 amount authorized shall be subject to judi-
9 cial review.

10 “(2) *SPECIFIC PERMITTED USES.*—

11 “(A) *AIRCRAFT AND BOATS.*—Funds avail-
12 able to the Attorney General for United States
13 Attorneys, for the Federal Bureau of Investiga-
14 tion, for the United States Marshals Service, for
15 the Drug Enforcement Administration, and for
16 the Immigration and Naturalization Service
17 may be used for the purchase, lease, mainte-
18 nance, and operation of aircraft and boats, for
19 law enforcement purposes.

20 “(B) *PURCHASE OF AMMUNITION AND FIRE-*
21 *ARMS; FIREARMS COMPETITIONS.*—Funds avail-
22 able to the Attorney General for United States
23 Attorneys, for the Federal Bureau of Investiga-
24 tion, for the United States Marshals Service, for
25 the Drug Enforcement Administration, for the

1 *Federal Prison System, for the Office of the In-*
2 *spector General, and for the Immigration and*
3 *Naturalization Service may be used for—*

4 “(i) *the purchase of ammunition and*
5 *firearms; and*

6 “(ii) *participation in firearms com-*
7 *petitions.*

8 “(C) *CONSTRUCTION.—Funds available to*
9 *the Attorney General for construction may be*
10 *used for expenses of planning, designing, acquir-*
11 *ing, building, constructing, activating, ren-*
12 *ovating, converting, expanding, extending, re-*
13 *modeling, equipping, repairing, or maintaining*
14 *buildings or facilities, including the expenses of*
15 *acquisition of sites therefor, and all necessary ex-*
16 *penses incident or related thereto; but the fore-*
17 *going shall not be construed to mean that funds*
18 *generally available for salaries and expenses are*
19 *not also available for certain incidental or minor*
20 *construction, activation, remodeling, mainte-*
21 *nance, and other related construction costs.*

22 “(3) *FEEES AND EXPENSES OF WITNESSES.—*
23 *Funds available to the Attorney General for fees and*
24 *expenses of witnesses may be used for—*

1 “(A) expenses, mileage, compensation, pro-
2 tection, and per diem in lieu of subsistence, of
3 witnesses (including advances of public money)
4 and as authorized by section 1821 or other law,
5 except that no witness may be paid more than
6 1 attendance fee for any 1 calendar day;

7 “(B) fees and expenses of neutrals in alter-
8 native dispute resolution proceedings, where the
9 Department of Justice is a party; and

10 “(C) construction of protected witness
11 safesites.

12 “(4) *FEDERAL BUREAU OF INVESTIGATION.—*
13 *Funds available to the Attorney General for the Fed-*
14 *eral Bureau of Investigation for the detection, inves-*
15 *tigation, and prosecution of crimes against the*
16 *United States may be used for the conduct of all its*
17 *authorized activities.*

18 “(5) *IMMIGRATION AND NATURALIZATION SERV-*
19 *ICE.—Funds available to the Attorney General for the*
20 *Immigration and Naturalization Service may be used*
21 *for—*

22 “(A) acquisition of land as sites for enforce-
23 ment fences, and construction incident to such
24 fences;

1 “(B) cash advances to aliens for meals and
2 lodging en route;

3 “(C) refunds of maintenance bills, immigra-
4 tion fines, and other items properly returnable,
5 except deposits of aliens who become public
6 charges and deposits to secure payment of fines
7 and passage money; and

8 “(D) expenses and allowances incurred in
9 tracking lost persons, as required by public ex-
10 igencies, in aid of State or local law enforcement
11 agencies.

12 “(6) *FEDERAL PRISON SYSTEM.*—Funds avail-
13 able to the Attorney General for the Federal Prison
14 System may be used for—

15 “(A) inmate medical services and inmate
16 legal services, within the Federal prison system;

17 “(B) the purchase and exchange of farm
18 products and livestock;

19 “(C) the acquisition of land as provided in
20 section 4010 of title 18; and

21 “(D) the construction of buildings and fa-
22 cilities for penal and correctional institutions
23 (including prison camps), by contract or force
24 account, including the payment of United States

1 *prisoners for their work performed in any such*
2 *construction;*
3 *except that no funds may be used to distribute or*
4 *make available to a prisoner any commercially pub-*
5 *lished information or material that is sexually ex-*
6 *plicit or features nudity.*

7 “(7) *DETENTION TRUSTEE.—Funds available to*
8 *the Attorney General for the Detention Trustee may*
9 *be used for all the activities of such Trustee in the ex-*
10 *ercise of all power and functions authorized by law*
11 *relating to the detention of Federal prisoners in non-*
12 *Federal institutions or otherwise in the custody of the*
13 *United States Marshals Service and to the detention*
14 *of aliens in the custody of the Immigration and Natu-*
15 *ralization Service, including the overseeing of con-*
16 *struction of detention facilities or for housing related*
17 *to such detention, the management of funds appro-*
18 *priated to the Department for the exercise of detention*
19 *functions, and the direction of the United States Mar-*
20 *shals Service and Immigration Service with respect to*
21 *the exercise of detention policy setting and operations*
22 *for the Department of Justice.*

23 “(c) *RELATED PROVISIONS.—*

24 “(1) *LIMITATION OF COMPENSATION OF INDIVID-*
25 *UALS EMPLOYED AS ATTORNEYS.—No funds available*

1 to the Attorney General may be used to pay com-
2 pensation for services provided by an individual em-
3 ployed as an attorney (other than an individual em-
4 ployed to provide services as a foreign attorney in
5 special cases) unless such individual is duly licensed
6 and authorized to practice as an attorney under the
7 law of a State, a territory of the United States, or the
8 District of Columbia.

9 “(2) *REIMBURSEMENTS PAID TO GOVERNMENTAL*
10 *ENTITIES.*—Funds available to the Attorney General
11 that are paid as reimbursement to a governmental
12 unit of the Department of Justice, to another Federal
13 entity, or to a unit of State or local government, may
14 be used under authorities available to the unit or en-
15 tity receiving such reimbursement.

16 “(d) *FOREIGN REIMBURSEMENTS.*—Whenever the De-
17 partment of Justice or any component participates in a co-
18 operative project to improve law enforcement or national
19 security operations or services with a friendly foreign coun-
20 try on a cost-sharing basis, any reimbursements or con-
21 tributions received from that foreign country to meet its
22 share of the project may be credited to appropriate current
23 appropriations accounts of the Department of Justice or
24 any component. The amount of a reimbursement or con-
25 tribution credited shall be available only for payment of

1 *the share of the project expenses allocated to the partici-*
 2 *pating foreign country.*

3 “(e) *RAILROAD POLICE TRAINING FEES.*—*The Attor-*
 4 *ney General is authorized to establish and collect a fee to*
 5 *defray the costs of railroad police officers participating in*
 6 *a Federal Bureau of Investigation law enforcement training*
 7 *program authorized by Public Law 106–110, and to credit*
 8 *such fees to the appropriation account “Federal Bureau of*
 9 *Investigation, Salaries and Expenses”, to be available until*
 10 *expended for salaries and expenses incurred in providing*
 11 *such services.*

12 “(f) *WARRANTY WORK.*—*In instances where the Attor-*
 13 *ney General determines that law enforcement-, security-, or*
 14 *mission-related considerations mitigate against obtaining*
 15 *maintenance or repair services from private sector entities*
 16 *for equipment under warranty, the Attorney General is au-*
 17 *thorized to seek reimbursement from such entities for war-*
 18 *ranty work performed at Department of Justice facilities,*
 19 *and to credit any payment made for such work to any ap-*
 20 *propriation charged therefor.”.*

21 “(b) *CONFORMING AMENDMENT.*—*The table of sections*
 22 *of chapter 31 of title 28, United States Code, is amended*
 23 *by adding at the end the following:*

“530C. Authority to use available funds.”.

1 **SEC. 202. PERMANENT AUTHORITY RELATING TO ENFORCE-**
2 **MENT OF LAWS.**

3 (a) *IN GENERAL.*—Chapter 31 of title 28, United
4 States Code (as amended by section 201), is amended by
5 adding at the end the following:

6 **“§ 530D. Report on enforcement of laws**

7 “(a) *REPORT.*—

8 “(1) *IN GENERAL.*—The Attorney General shall
9 submit to the Congress a report of any instance in
10 which the Attorney General or any officer of the De-
11 partment of Justice—

12 “(A) establishes or implements a formal or
13 informal policy to refrain—

14 “(i) from enforcing, applying, or ad-
15 ministering any provision of any Federal
16 statute, rule, regulation, program, policy, or
17 other law whose enforcement, application,
18 or administration is within the responsi-
19 bility of the Attorney General or such officer
20 on the grounds that such provision is un-
21 constitutional; or

22 “(ii) within any judicial jurisdiction
23 of or within the United States, from adher-
24 ing to, enforcing, applying, or complying
25 with, any standing rule of decision (binding
26 upon courts of, or inferior to those of, that

1 *jurisdiction) established by a final decision*
2 *of any court of, or superior to those of, that*
3 *jurisdiction, respecting the interpretation,*
4 *construction, or application of the Constitu-*
5 *tion, any statute, rule, regulation, program,*
6 *policy, or other law whose enforcement, ap-*
7 *plication, or administration is within the*
8 *responsibility of the Attorney General or*
9 *such officer;*

10 “(B) determines—

11 “(i) to contest affirmatively, in any ju-
12 *dicial, administrative, or other proceeding,*
13 *the constitutionality of any provision of*
14 *any Federal statute, rule, regulation, pro-*
15 *gram, policy, or other law; or*

16 “(ii) to refrain (on the grounds that
17 *the provision is unconstitutional) from de-*
18 *fending or asserting, in any judicial, ad-*
19 *ministrative, or other proceeding, the con-*
20 *stitutionality of any provision of any Fed-*
21 *eral statute, rule, regulation, program, pol-*
22 *icy, or other law, or not to appeal or re-*
23 *quest review of any judicial, administrative,*
24 *or other determination adversely affecting*

1 *the constitutionality of any such provision;*

2 *or*

3 “(C) *approves (other than in circumstances*
4 *in which a report is submitted to the Joint Com-*
5 *mittee on Taxation, pursuant to section 6405 of*
6 *the Internal Revenue Code of 1986) the settle-*
7 *ment or compromise (other than in bankruptcy)*
8 *of any claim, suit, or other action—*

9 “(i) *against the United States (includ-*
10 *ing any agency or instrumentality thereof)*
11 *for a sum that exceeds, or is likely to exceed,*
12 *\$2,000,000, excluding prejudgment interest;*
13 *or*

14 “(ii) *by the United States (including*
15 *any agency or instrumentality thereof) pur-*
16 *suant to an agreement, consent decree, or*
17 *order (or pursuant to any modification of*
18 *an agreement, consent decree, or order) that*
19 *provides injunctive or other nonmonetary*
20 *relief that exceeds, or is likely to exceed, 3*
21 *years in duration: Provided, That for pur-*
22 *poses of this clause, the term “injunctive or*
23 *other nonmonetary relief” shall not be un-*
24 *derstood to include the following, where the*
25 *same are a matter of public record—*

1 “(I) debarments, suspensions, or
2 other exclusions from Government con-
3 tracts or grants;

4 “(II) mere reporting requirements
5 or agreements (including sanctions for
6 failure to report);

7 “(III) requirements or agreements
8 merely to comply with statutes or regu-
9 lations;

10 “(IV) requirements or agreements
11 to surrender professional licenses or to
12 cease the practice of professions, occu-
13 pations, or industries;

14 “(V) any criminal sentence or
15 any requirements or agreements to per-
16 form community service, to serve pro-
17 bation, or to participate in supervised
18 release from detention, confinement, or
19 prison; or

20 “(VI) agreements to cooperate
21 with the government in investigations
22 or prosecutions (whether or not the
23 agreement is a matter of public
24 record).

1 “(2) *SUBMISSION OF REPORT TO THE CON-*
2 *GRESS.—For the purposes of paragraph (1), a report*
3 *shall be considered to be submitted to the Congress if*
4 *the report is submitted to—*

5 “(A) *the majority leader and minority lead-*
6 *er of the Senate;*

7 “(B) *the Speaker, majority leader, and mi-*
8 *nority leader of the House of Representatives;*

9 “(C) *the chairman and ranking minority*
10 *member of the Committee on the Judiciary of the*
11 *House of Representatives and the chairman and*
12 *ranking minority member of the Committee on*
13 *the Judiciary of the Senate; and*

14 “(D) *the Senate Legal Counsel and the Gen-*
15 *eral Counsel of the House of Representatives.*

16 “(b) *DEADLINE.—A report shall be submitted—*

17 “(1) *under subsection (a)(1)(A), not later than*
18 *30 days after the establishment or implementation of*
19 *each policy;*

20 “(2) *under subsection (a)(1)(B), within such*
21 *time as will reasonably enable the House of Rep-*
22 *resentatives and the Senate to take action, separately*
23 *or jointly, to intervene in timely fashion in the pro-*
24 *ceeding, but in no event later than 30 days after the*
25 *making of each determination; and*

1 “(3) under subsection (a)(1)(C), not later than
2 30 days after the conclusion of each fiscal-year quar-
3 ter, with respect to all approvals occurring in such
4 quarter.

5 “(c) CONTENTS.—A report required by subsection (a)
6 shall—

7 “(1) specify the date of the establishment or im-
8 plementation of the policy described in subsection
9 (a)(1)(A), of the making of the determination de-
10 scribed in subsection (a)(1)(B), or of each approval
11 described in subsection (a)(1)(C);

12 “(2) include a complete and detailed statement of
13 the relevant issues and background (including a com-
14 plete and detailed statement of the reasons for the pol-
15 icy or determination, and the identity of the officer
16 responsible for establishing or implementing such pol-
17 icy, making such determination, or approving such
18 settlement or compromise), except that—

19 “(A) such details may be omitted as may be
20 absolutely necessary to prevent improper disclo-
21 sure of national-security- or classified informa-
22 tion, of any information subject to the delibera-
23 tive-process-, executive-, attorney-work-product-,
24 or attorney-client privileges, or of any informa-
25 tion the disclosure of which is prohibited by sec-

tion 6103 of the Internal Revenue Code of 1986,
if the fact of each such omission (and the precise
ground or grounds therefor) is clearly noted in
the statement: Provided, That this subparagraph
shall not be construed to deny to the Congress
(including any House, Committee, or agency
thereof) any such omitted details (or related in-
formation) that it lawfully may seek, subsequent
to the submission of the report; and

“(B) the requirements of this paragraph
shall be deemed satisfied—

“(i) in the case of an approval de-
scribed in subsection (a)(1)(C)(i), if an
unredacted copy of the entire settlement
agreement and consent decree or order (if
any) is provided, along with a statement
indicating the legal and factual basis or
bases for the settlement or compromise (if
not apparent on the face of documents pro-
vided); and

“(ii) in the case of an approval de-
scribed in subsection (a)(1)(C)(ii), if an
unredacted copy of the entire settlement
agreement and consent decree or order (if
any) is provided, along with a statement

1 *indicating the injunctive or other nonmone-*
2 *tary relief (if not apparent on the face of*
3 *documents provided); and*

4 “(3) *in the case of a determination described in*
5 *subsection (a)(1)(B) or an approval described in sub-*
6 *section (a)(1)(C), indicate the nature, tribunal, iden-*
7 *tifying information, and status of the proceeding,*
8 *suit, or action.*

9 “(d) *DECLARATION.—In the case of a determination*
10 *described in subsection (a)(1)(B), the representative of the*
11 *United States participating in the proceeding shall make*
12 *a clear declaration in the proceeding that any position ex-*
13 *pressed as to the constitutionality of the provision involved*
14 *is the position of the executive branch of the Federal Govern-*
15 *ment (or, as applicable, of the President or of any executive*
16 *agency or military department).*

17 “(e) *APPLICABILITY TO THE PRESIDENT AND TO EX-*
18 *ECUTIVE AGENCIES AND MILITARY DEPARTMENTS.—The*
19 *reporting, declaration, and other provisions of this section*
20 *relating to the Attorney General and other officers of the*
21 *Department of Justice shall apply to the President, to the*
22 *head of each executive agency or military department (as*
23 *defined, respectively, in sections 105 and 102 of title 5,*
24 *United States Code) that establishes or implements a policy*

1 *described in subsection (a)(1)(A) or is authorized to conduct*
 2 *litigation, and to the officers of such executive agency.”.*

3 *(b) CONFORMING AMENDMENTS.—*

4 *(1) The table of sections for chapter 31 of title*
 5 *28, United States Code (as amended by section 201),*
 6 *is amended by adding at the end the following:*

“530D. Report on enforcement of laws.”.

7 *(2) Section 712 of Public Law 95–521 (92 Stat.*
 8 *1883) is amended by striking subsection (b).*

9 *(3) Not later than 30 days after the date of the*
 10 *enactment of this Act, the President shall advise the*
 11 *head of each executive agency or military department*
 12 *(as defined, respectively, in sections 105 and 102 of*
 13 *title 5, United States Code) of the enactment of this*
 14 *section.*

15 *(4)(A) Not later than 90 days after the date of*
 16 *the enactment of this Act, the Attorney General (and,*
 17 *as applicable, the President, and the head of any exec-*
 18 *utive agency or military department described in sub-*
 19 *section (e) of section 530D of title 28, United States*
 20 *Code, as added by subsection (a)) shall submit to*
 21 *Congress a report (in accordance with subsections (a),*
 22 *(c), and (e) of such section) on—*

23 *(i) all policies of which the Attorney Gen-*
 24 *eral and applicable official are aware described*
 25 *in subsection (a)(1)(A) of such section that were*

1 *established or implemented before the date of the*
2 *enactment of this Act and were in effect on such*
3 *date; and*

4 *(ii) all determinations of which the Attor-*
5 *ney General and applicable official are aware*
6 *described in subsection (a)(1)(B) of such section*
7 *that were made before the date of the enactment*
8 *of this Act and were in effect on such date.*

9 *(B) If a determination described in subpara-*
10 *graph (A)(ii) relates to any judicial, administrative,*
11 *or other proceeding that is pending in the 90-day pe-*
12 *riod beginning on the date of the enactment of this*
13 *Act, with respect to any such determination, then the*
14 *report required by this paragraph shall be submitted*
15 *within such time as will reasonably enable the House*
16 *of Representatives and the Senate to take action, sep-*
17 *arately or jointly, to intervene in timely fashion in*
18 *the proceeding, but not later than 30 days after the*
19 *date of the enactment of this Act.*

20 *(5) Section 101 of Public Law 106–57 (113 Stat.*
21 *414) is amended by striking subsection (b).*

1 **SEC. 203. MISCELLANEOUS USES OF FUNDS; TECHNICAL**
 2 **AMENDMENTS.**

3 (a) *BUREAU OF JUSTICE ASSISTANCE GRANT PRO-*
 4 *GRAMS.—Title I of the Omnibus Crime Control and Safe*
 5 *Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—*

6 (1) *in section 504(a) by striking “502” and in-*
 7 *serting “501(b)”;*

8 (2) *in section 506(a)(1) by striking “partici-*
 9 *pating”;*

10 (3) *in section 510(a)(3) by striking “502” and*
 11 *inserting “501(b)”;*

12 (4) *in section 510 by adding at the end the fol-*
 13 *lowing:*

14 “(d) *No grants or contracts under subsection (b) may*
 15 *be made, entered into, or used, directly or indirectly, to pro-*
 16 *vide any security enhancements or any equipment to any*
 17 *non-governmental entity that is not engaged in law enforce-*
 18 *ment or law enforcement support, criminal or juvenile jus-*
 19 *tice, or delinquency prevention.”; and*

20 (5) *in section 511 by striking “503” and insert-*
 21 *ing “501(b)”.*

22 (b) *ATTORNEYS SPECIALLY RETAINED BY THE ATTOR-*
 23 *NEY GENERAL.—The 3d sentence of section 515(b) of title*
 24 *28, United States Code, is amended by striking “at not*
 25 *more than \$12,000”.*

1 **SEC. 204. TECHNICAL AND MISCELLANEOUS AMENDMENTS**
 2 **TO DEPARTMENT OF JUSTICE AUTHORITIES;**
 3 **AUTHORITY TO TRANSFER PROPERTY OF**
 4 **MARGINAL VALUE; RECORDKEEPING; PRO-**
 5 **TECTION OF THE ATTORNEY GENERAL.**

6 *(a) Section 524 of title 28, United States Code, is*
 7 *amended—*

8 *(1) in subsection (a) by inserting “to the Attor-*
 9 *ney General” after “available”;*

10 *(2) in subsection (c)(1)—*

11 *(A) by striking the semicolon at the end of*
 12 *the 1st subparagraph (I) and inserting a period;*

13 *(B) by striking the 2d subparagraph (I);*

14 *(C) by striking “(A)(iv), (B), (F), (G), and*
 15 *(H)” in the first sentence following the second*
 16 *subparagraph (I) and inserting “(B), (F), and*
 17 *(G)”;* and

18 *(D) by striking “fund” in the 3d sentence*
 19 *following the 2d subparagraph (I) and inserting*
 20 *“Fund”;*

21 *(3) in subsection (c)(2)—*

22 *(A) by inserting before the period in the last*
 23 *sentence “, without both the personal approval of*
 24 *the Attorney General and written notice within*
 25 *30 days thereof to the Chairmen and ranking*
 26 *minority members of the Committees on Appro-*

1 *priations and the Judiciary of the Senate and of*
 2 *the House of Representatives”;*

3 *(B) by striking “for information” each*
 4 *place it appears; and*

5 *(C) by striking “\$250,000” the 2d and 3d*
 6 *places it appears and inserting “\$500,000”;*

7 *(4) in subsection (c)(3) by striking “(F)” and in-*
 8 *serting “(G)”;*

9 *(5) in subsection (c)(5) by striking “Fund*
 10 *which” and inserting “Fund, that”;*

11 *(6) in subsection (c)(8)(A), by striking “(A)(iv),*
 12 *(B), (F), (G), and (H)” and inserting “(B), (F), and*
 13 *(G)”;* *and*

14 *(7) in subsection (c)(9)(B)—*

15 *(A) by striking “year 1997” and inserting*
 16 *“years 2002 and 2003”; and*

17 *(B) by striking “Such transfer shall not”*
 18 *and inserting “Each such transfer shall be sub-*
 19 *ject to satisfaction by the recipient involved of*
 20 *any outstanding lien against the property trans-*
 21 *ferred, but no such transfer shall”.*

22 *(b) Section 522 of title 28, United States Code, is*
 23 *amended by inserting “(a)” before “The”, and by inserting*
 24 *at the end the following:*

1 “(b) With respect to any data, records, or other infor-
2 mation acquired, collected, classified, preserved, or pub-
3 lished by the Attorney General for any statistical, research,
4 or other aggregate reporting purpose beginning not later
5 than 1 year after the date of enactment of 21st Century
6 Department of Justice Appropriations Authorization Act
7 and continuing thereafter, and notwithstanding any other
8 provision of law, the same criteria shall be used (and shall
9 be required to be used, as applicable) to classify or cat-
10 egorize offenders and victims (in the criminal context), and
11 to classify or categorize actors and acted upon (in the non-
12 criminal context).”.

13 (c) Section 534(a)(3) of title 28, United States Code,
14 is amended by adding “and” after the semicolon.

15 (d) Section 509(3) of title 28, United States Code, is
16 amended by striking the 2d period.

17 (e) Section 533 of title 28, United States Code, is
18 amended—

19 (1) by redesignating paragraph (3) as para-
20 graph (4); and

21 (2) by adding after paragraph (2) a new para-
22 graph as follows:

23 “(3) to assist in the protection of the person of
24 the Attorney General.”.

1 (f) Hereafter, no compensation or reimbursement paid
 2 pursuant to section 501(a) of Public Law 99–603 (100 Stat.
 3 3443) or section 241(i) of the Act of June 27, 1952 (ch.
 4 477) shall be subject to section 6503(d) of title 31, United
 5 States Code, and no funds available to the Attorney General
 6 may be used to pay any assessment made pursuant to such
 7 section 6503 with respect to any such compensation or re-
 8 imbursement.

9 (g) Section 108 of Public Law 103–121 (107 Stat.
 10 1164) is amended by replacing “three” with “six”, by re-
 11 placing “only” with “, first,”, and by replacing “litiga-
 12 tion.” with “litigation, and, thereafter, for financial sys-
 13 tems, and other personnel, administrative, and litigation
 14 expenses of debt collection activities.”.

15 **SEC. 205. OVERSIGHT; WASTE, FRAUD, AND ABUSE WITHIN**
 16 **THE DEPARTMENT OF JUSTICE.**

17 (a) Section 529 of title 28, United States Code, is
 18 amended by inserting “(a)” before “Beginning”, and by
 19 adding at the end the following:

20 “(b) Notwithstanding any provision of law limiting
 21 the amount of management or administrative expenses, the
 22 Attorney General shall, not later than May 2, 2003, and
 23 of every year thereafter, prepare and provide to the Com-
 24 mittees on the Judiciary and Appropriations of each House

1 of the Congress using funds available for the underlying
2 programs—

3 “(1) a report identifying and describing every
4 grant (other than one made to a governmental entity,
5 pursuant to a statutory formula), cooperative agree-
6 ment, or programmatic services contract that was
7 made, entered into, awarded, or, for which additional
8 or supplemental funds were provided in the imme-
9 diately preceding fiscal year, by or on behalf of the
10 Office of Justice Programs (including any component
11 or unit thereof, and the Office of Community Oriented
12 Policing Services), and including, without limitation,
13 for each such grant, cooperative agreement, or con-
14 tract: the term, the dollar amount or value, a descrip-
15 tion of its specific purpose or purposes, the names of
16 all grantees or parties, the names of each unsuccessful
17 applicant or bidder, and a description of the specific
18 purpose or purposes proposed in each unsuccessful ap-
19 plication or bid, and of the reason or reasons for re-
20 jection or denial of the same; and

21 “(2) a report identifying and reviewing every
22 grant (other than one made to a governmental entity,
23 pursuant to a statutory formula), cooperative agree-
24 ment, or programmatic services contract over
25 \$5,000,000 made, entered into, awarded, or for which

1 *additional or supplemental funds were provided, after*
2 *October 1, 2002, by or on behalf of the Office of Jus-*
3 *tice Programs (including any component or unit*
4 *thereof, and the Office of Community Oriented Polic-*
5 *ing Services) that was programmatically and finan-*
6 *cially closed out or that otherwise ended in the imme-*
7 *diately preceding fiscal year (or even if not yet closed*
8 *out, was terminated or otherwise ended in the fiscal*
9 *year that ended 2 years before the end of such imme-*
10 *diately preceding fiscal year), and including, without*
11 *limitation, for each such grant, cooperative agree-*
12 *ment, or contract: a description of how the appro-*
13 *priated funds involved actually were spent, statistics*
14 *relating to its performance, its specific purpose or*
15 *purposes, and its effectiveness, and a written declara-*
16 *tion by each non-Federal grantee and each non-Fed-*
17 *eral party to such agreement or to such contract,*
18 *that—*

19 “(A) *the appropriated funds were spent for*
20 *such purpose or purposes, and only such purpose*
21 *or purposes;*

22 “(B) *the terms of the grant, cooperative*
23 *agreement, or contract were complied with; and*

24 “(C) *all documentation necessary for con-*
25 *ducting a full and proper audit under generally*

1 *accepted accounting principles, and any (addi-*
2 *tional) documentation that may have been re-*
3 *quired under the grant, cooperative agreement,*
4 *or contract, have been kept in orderly fashion*
5 *and will be preserved for not less than 3 years*
6 *from the date of such close out, termination, or*
7 *end;*

8 *except that the requirement of this paragraph shall be*
9 *deemed satisfied with respect to any such description,*
10 *statistics, or declaration if such non-Federal grantee*
11 *or such non-Federal party shall have failed to provide*
12 *the same to the Attorney General, and the Attorney*
13 *General notes the fact of such failure and the name*
14 *of such grantee or such party in the report.”.*

15 *(b) Section 1913 of title 18, United States Code, is*
16 *amended by striking “to favor” and inserting “a jurisdic-*
17 *tion, or an official of any government, to favor, adopt,”*
18 *by inserting “, law, ratification, policy,” after “legislation”*
19 *every place it appears, by striking “by Congress” the 2d*
20 *place it appears, by inserting “or such official” before “,*
21 *through the proper”, by inserting “, measure,” before “or*
22 *resolution”, by striking “Members of Congress on the request*
23 *of any Member” and inserting “any such Member or offi-*
24 *cial, at his request,” by striking “for legislation” and in-*
25 *serting “for any legislation”, and by striking the period and*

1 *the paragraph following “business” and inserting “, or from*
 2 *making any communication whose prohibition by this sec-*
 3 *tion might, in the opinion of the Attorney General, violate*
 4 *the Constitution or interfere with the conduct of foreign pol-*
 5 *icy, counter-intelligence, intelligence, or national security*
 6 *activities. Violations of this section shall constitute viola-*
 7 *tions of section 1352(a) of title 31.”.*

8 *(c) Section 1516(a) of title 18, United States Code, is*
 9 *amended by inserting “, entity, or program” after “person”,*
 10 *and by inserting “grant, or cooperative agreement,” after*
 11 *“subcontract,”.*

12 *(d) Section 112 of title I of section 101(b) of division*
 13 *A of Public Law 105–277 (112 Stat. 2681–67) is amended*
 14 *by striking “fiscal year” and all that follows through “Jus-*
 15 *tice—”, and inserting “any fiscal year the Attorney Gen-*
 16 *eral—”.*

17 *(e) Section 2320(f) of title 18, United States Code, is*
 18 *amended—*

19 *(1) by striking “title 18” each place it appears*
 20 *and inserting “this title”; and*

21 *(2) by redesignating paragraphs (1) through (4)*
 22 *as subparagraphs (A) through (D), respectively;*

23 *(3) by inserting “(1)” after “(f)”;* and

24 *(4) by adding at the end the following:*

1 “(2) *The report under paragraph (1), with respect to*
 2 *criminal infringement of copyright, shall include the fol-*
 3 *lowing:*

4 “(A) *The number of infringement cases involving*
 5 *specific types of works, such as audiovisual works,*
 6 *sound recordings, business software, video games,*
 7 *books, and other types of works.*

8 “(B) *The number of infringement cases involving*
 9 *an online element.*

10 “(C) *The number and dollar amounts of fines as-*
 11 *essed in specific categories of dollar amounts, such as*
 12 *up to \$500, from \$500 to \$1,000, from \$1,000 to*
 13 *\$5,000, from \$5,000 to \$10,000, and categories above*
 14 *\$10,000.*

15 “(D) *The amount of restitution awarded.*

16 “(E) *Whether the sentences imposed were*
 17 *served.”.*

18 **SEC. 206. ENFORCEMENT OF FEDERAL CRIMINAL LAWS BY**

19 **ATTORNEY GENERAL.**

20 *Section 535 of title 28, United States Code, is amended*
 21 *in subsections (a) and (b), by replacing “title 18” with*
 22 *“Federal criminal law”, and in subsection (b), by replacing*
 23 *“or complaint” with “matter, or complaint witnessed, dis-*
 24 *covered, or”, and by inserting “or the witness, discoverer,*
 25 *or recipient, as appropriate,” after “agency,”.*

1 **SEC. 207. COUNTERTERRORISM FUND.**

2 (a) *ESTABLISHMENT; AVAILABILITY.*—*There is hereby*
3 *established in the Treasury of the United States a separate*
4 *fund to be known as the “Counterterrorism Fund”, amounts*
5 *in which shall remain available without fiscal year*
6 *limitation—*

7 (1) *to reimburse any Department of Justice com-*
8 *ponent for any costs incurred in connection with—*

9 (A) *reestablishing the operational capability*
10 *of an office or facility that has been damaged or*
11 *destroyed as the result of any domestic or inter-*
12 *national terrorism incident;*

13 (B) *providing support to counter, inves-*
14 *tigate, or prosecute domestic or international ter-*
15 *rorism, including, without limitation, paying re-*
16 *wards in connection with these activities; and*

17 (C) *conducting terrorism threat assessments*
18 *of Federal agencies and their facilities; and*

19 (2) *to reimburse any department or agency of*
20 *the Federal Government for any costs incurred in*
21 *connection with detaining in foreign countries indi-*
22 *viduals accused of acts of terrorism that violate the*
23 *laws of the United States.*

24 (b) *NO EFFECT ON PRIOR APPROPRIATIONS.*—*The*
25 *amendment made by subsection (a) shall not affect the*
26 *amount or availability of any appropriation to the*

1 *Counterterrorism Fund made before the date of enactment*
2 *of this Act.*

3 **SEC. 208. STRENGTHENING LAW ENFORCEMENT IN UNITED**
4 **STATES TERRITORIES, COMMONWEALTHS,**
5 **AND POSSESSIONS.**

6 (a) *EXTENDED ASSIGNMENT INCENTIVE.*—Chapter 57
7 of title 5, United States Code, is amended—

8 (1) in subchapter IV, by inserting at the end the
9 following:

10 **“§ 5757. Extended assignment incentive**

11 “(a) *The head of an Executive agency may pay an*
12 *extended assignment incentive to an employee if—*

13 “(1) *the employee has completed at least 2 years*
14 *of continuous service in 1 or more civil service posi-*
15 *tions located in a territory or possession of the United*
16 *States, the Commonwealth of Puerto Rico, or the*
17 *Commonwealth of the Northern Mariana Islands;*

18 “(2) *the agency determines that replacing the*
19 *employee with another employee possessing the re-*
20 *quired qualifications and experience would be dif-*
21 *ficult; and*

22 “(3) *the agency determines it is in the best inter-*
23 *est of the Government to encourage the employee to*
24 *complete a specified additional period of employment*
25 *with the agency in the territory or possession, the*

1 *Commonwealth of Puerto Rico or Commonwealth of*
2 *the Northern Mariana Islands, except that the total*
3 *amount of service performed in a particular territory,*
4 *commonwealth, or possession under 1 or more agree-*
5 *ments established under this section may not exceed*
6 *5 years.*

7 “(b) *The sum of extended assignment incentive pay-*
8 *ments for a service period may not exceed the greater of—*
9 “(1) *an amount equal to 25 percent of the an-*
10 *nuual rate of basic pay of the employee at the begin-*
11 *ning of the service period, times the number of years*
12 *in the service period; or*

13 “(2) *\$15,000 per year in the service period.*

14 “(c)(1) *Payment of an extended assignment incentive*
15 *shall be contingent upon the employee entering into a writ-*
16 *ten agreement with the agency specifying the period of serv-*
17 *ice and other terms and conditions under which the ex-*
18 *tended assignment incentive is payable.*

19 “(2) *The agreement shall set forth the method of pay-*
20 *ment, including any use of an initial lump-sum payment,*
21 *installment payments, or a final lump-sum payment upon*
22 *completion of the entire period of service.*

23 “(3) *The agreement shall describe the conditions under*
24 *which the extended assignment incentive may be canceled*
25 *prior to the completion of agreed-upon service period and*

1 *the effect of the cancellation. The agreement shall require*
2 *that if, at the time of cancellation of the incentive, the em-*
3 *ployee has received incentive payments which exceed the*
4 *amount which bears the same relationship to the total*
5 *amount to be paid under the agreement as the completed*
6 *service period bears to the agreed-upon service period, the*
7 *employee shall repay that excess amount, at a minimum,*
8 *except that an employee who is involuntarily reassigned to*
9 *a position stationed outside the territory, commonwealth,*
10 *or possession or involuntarily separated (not for cause on*
11 *charges of misconduct, delinquency, or inefficiency) may*
12 *not be required to repay any excess amounts.*

13 “(d) *An agency may not put an extended assignment*
14 *incentive into effect during a period in which the employee*
15 *is fulfilling a recruitment or relocation bonus service agree-*
16 *ment under section 5753 or for which an employee is receiv-*
17 *ing a retention allowance under section 5754.*

18 “(e) *Extended assignment incentive payments may not*
19 *be considered part of the basic pay of an employee.*

20 “(f) *The Office of Personnel Management may pre-*
21 *scribe regulations for the administration of this section, in-*
22 *cluding regulations on an employee’s entitlement to retain*
23 *or receive incentive payments when an agreement is can-*
24 *celed. Neither this section nor implementing regulations*
25 *may impair any agency’s independent authority to admin-*

1 *istratively determine compensation for a class of its employ-*
 2 *ees.”; and*

3 *(2) in the analysis by adding at the end the fol-*
 4 *lowing:*

“5757. Extended assignment incentive.”.

5 *(b) CONFORMING AMENDMENT.—Section*
 6 *5307(a)(2)(B) of title 5, United States Code, is amended*
 7 *by striking “or 5755” and inserting “5755, or 5757”.*

8 *(c) EFFECTIVE DATE.—The amendments made by this*
 9 *section shall take effect on the first day of the first applica-*
 10 *ble pay period beginning on or after 6 months after the*
 11 *date of enactment of this Act.*

12 *(d) REPORT.—No later than 3 years after the effective*
 13 *date of this section, the Office of Personnel Management,*
 14 *after consultation with affected agencies, shall submit a re-*
 15 *port to Congress assessing the effectiveness of the extended*
 16 *assignment incentive authority as a human resources man-*
 17 *agement tool and making recommendations for any changes*
 18 *necessary to improve the effectiveness of the incentive au-*
 19 *thority. Each agency shall maintain such records and re-*
 20 *port such information, including the number and size of*
 21 *incentive offers made and accepted or declined by geo-*
 22 *graphic location and occupation, in such format and at*
 23 *such times as the Office of Personnel Management may pre-*
 24 *scribe, for use in preparing the report.*

1 ***TITLE III—MISCELLANEOUS***

2 ***SEC. 301. REPEALERS.***

3 (a) *OPEN-ENDED AUTHORIZATION OF APPROPRIA-*
 4 *TIONS FOR NATIONAL INSTITUTE OF CORRECTIONS.—Chap-*
 5 *ter 319 of title 18, United States Code, is amended by strik-*
 6 *ing section 4353.*

7 (b) *OPEN-ENDED AUTHORIZATION OF APPROPRIA-*
 8 *TIONS FOR UNITED STATES MARSHALS SERVICE.—Section*
 9 *561 of title 28, United States Code, is amended by striking*
 10 *subsection (i).*

11 (c) *REDUNDANT AUTHORIZATIONS OF PAYMENTS FOR*
 12 *REWARDS.—*

13 (1) *Chapter 203 of title 18 of the United States*
 14 *Code is amended by striking sections 3059, 3059A,*
 15 *3059B, 3075, and all the matter after the first sen-*
 16 *tence of 3072; and*

17 (2) *Public Law 101–647 is amended in section*
 18 *2565, by replacing all the matter after “2561” in sub-*
 19 *section (c)(1) with “the Attorney General may, in his*
 20 *discretion, pay a reward to the declarant” and by*
 21 *striking subsection (e); and by striking section 2569.*

22 ***SEC. 302. TECHNICAL AMENDMENTS TO TITLE 18 OF THE***
 23 ***UNITED STATES CODE.***

24 *Title 18 of the United States Code is amended—*

1 (1) *in section 4041 by striking “at a salary of*
2 *\$10,000 a year”;*

3 (2) *in section 4013—*

4 (A) *in subsection (a)—*

5 (i) *by replacing “the support of United*
6 *States prisoners” with “Federal prisoner*
7 *detention”;*

8 (ii) *in paragraph (2) by adding “and”*
9 *after “hire;”;*

10 (iii) *in paragraph (3) by replacing*
11 *“entities; and” with “entities.”; and*

12 (iv) *in paragraph (4) by inserting*
13 *“The Attorney General, in support of Fed-*
14 *eral prisoner detainees in non-Federal insti-*
15 *tutions, is authorized to make payments,*
16 *from funds appropriated for State and local*
17 *law enforcement assistance, for” before “en-*
18 *tering”; and*

19 (B) *by redesignating—*

20 (i) *subsections (b) and (c) as sub-*
21 *sections (c) and (d); and*

22 (ii) *paragraph (a)(4) as subsection (b),*
23 *and subparagraphs (A), (B), and (C), of*
24 *such paragraph (a)(4) as paragraphs (1),*
25 *(2), and (3) of such subsection (b); and*

1 (3) in section 209(a)—

2 (A) by striking “or makes” and inserting
3 “makes”; and

4 (B) by striking “supplements the salary of,
5 any” and inserting “supplements, the salary of
6 any”.

7 **SEC. 303. REQUIRED SUBMISSION OF PROPOSED AUTHOR-**
8 **IZATION OF APPROPRIATIONS FOR THE DE-**
9 **PARTMENT OF JUSTICE FOR FISCAL YEAR**
10 **2003.**

11 When the President submits to the Congress the budget
12 of the United States Government for fiscal year 2003, the
13 President shall simultaneously submit to the Committee on
14 the Judiciary of the House of Representatives and the Com-
15 mittee on the Judiciary of the Senate such proposed legisla-
16 tion authorizing appropriations for the Department of Jus-
17 tice for fiscal year 2003 as the President may judge nec-
18 essary and expedient.

19 **SEC. 304. STUDY OF UNTESTED RAPE EXAMINATION KITS.**

20 The Attorney General shall conduct a study to assess
21 and report to Congress the number of untested rape exam-
22 ination kits that currently exist nationwide and shall sub-
23 mit to the Congress a report containing a summary of the
24 results of such study. For the purpose of carrying out such
25 study, the Attorney General shall attempt to collect infor-

1 *mation from all law enforcement jurisdictions in the United*
 2 *States.*

3 **SEC. 305. REPORTS ON USE OF DCS 1000 (CARNIVORE).**

4 *(a) REPORT ON USE OF DCS 1000 (CARNIVORE) TO*
 5 *IMPLEMENT ORDERS UNDER 18 U.S.C. 3123.—At the same*
 6 *time that the Attorney General submits to Congress the an-*
 7 *nual reports required by section 3126 of title 18, United*
 8 *States Code, that are respectively next due after the end of*
 9 *each of the fiscal years 2001 and 2002, the Attorney General*
 10 *shall also submit to the Chairmen and ranking minority*
 11 *members of the Committees on the Judiciary of the Senate*
 12 *and of the House of Representatives a report, covering the*
 13 *same respective time period, on the number of orders under*
 14 *section 3123 applied for by law enforcement agencies of the*
 15 *Department of Justice whose implementation involved the*
 16 *use of the DCS 1000 program (or any subsequent version*
 17 *of such program), which report shall include information*
 18 *concerning—*

19 *(1) the period of interceptions authorized by the*
 20 *order, and the number and duration of any extensions*
 21 *of the order;*

22 *(2) the offense specified in the order or applica-*
 23 *tion, or extension of an order;*

24 *(3) the number of investigations involved;*

1 (4) *the number and nature of the facilities af-*
2 *ected;*

3 (5) *the identity of the applying investigative or*
4 *law enforcement agency making the application for*
5 *an order; and*

6 (6) *the specific persons authorizing the use of the*
7 *DCS 1000 program (or any subsequent version of*
8 *such program) in the implementation of such order.*

9 **(b) REPORT ON USE OF DCS 1000 (CARNIVORE) TO**
10 *IMPLEMENT ORDERS UNDER 18 U.S.C. 2518.—At the same*
11 *time that the Attorney General, or Assistant Attorney Gen-*
12 *eral specially designated by the Attorney General, submits*
13 *to the Administrative Office of the United States Courts the*
14 *annual report required by section 2519(2) of title 18,*
15 *United States Code, that is respectively next due after the*
16 *end of each of the fiscal years 2001 and 2002, the Attorney*
17 *General shall also submit to the Chairmen and ranking mi-*
18 *nority members of the Committees on the Judiciary of the*
19 *Senate and of the House of Representatives a report, cov-*
20 *ering the same respective time period, that contains the fol-*
21 *lowing information with respect to those orders described*
22 *in that annual report that were applied for by law enforce-*
23 *ment agencies of the Department of Justice and whose im-*
24 *plementation involved the use of the DCS 1000 program*
25 *(or any subsequent version of such program)—*

1 (1) *the kind of order or extension applied for*
2 *(including whether or not the order was an order with*
3 *respect to which the requirements of sections*
4 *2518(1)(b)(ii) and 2518(3)(d) of title 18, United*
5 *States Code, did not apply by reason of section 2518*
6 *(11) of title 18);*

7 (2) *the period of interceptions authorized by the*
8 *order, and the number and duration of any extensions*
9 *of the order;*

10 (3) *the offense specified in the order or applica-*
11 *tion, or extension of an order;*

12 (4) *the identity of the applying investigative or*
13 *law enforcement officer and agency making the appli-*
14 *cation and the person authorizing the application;*

15 (5) *the nature of the facilities from which or*
16 *place where communications were to be intercepted;*

17 (6) *a general description of the interceptions*
18 *made under such order or extension, including—*

19 (A) *the approximate nature and frequency*
20 *of incriminating communications intercepted;*

21 (B) *the approximate nature and frequency*
22 *of other communications intercepted;*

23 (C) *the approximate number of persons*
24 *whose communications were intercepted;*

1 (D) the number of orders in which
2 encryption was encountered and whether such
3 encryption prevented law enforcement from ob-
4 taining the plain text of communications inter-
5 cepted pursuant to such order; and

6 (E) the approximate nature, amount, and
7 cost of the manpower and other resources used in
8 the interceptions;

9 (7) the number of arrests resulting from intercep-
10 tions made under such order or extension, and the of-
11 fenses for which arrests were made;

12 (8) the number of trials resulting from such
13 interceptions;

14 (9) the number of motions to suppress made with
15 respect to such interceptions, and the number granted
16 or denied;

17 (10) the number of convictions resulting from
18 such interceptions and the offenses for which the con-
19 victions were obtained and a general assessment of the
20 importance of the interceptions; and

21 (11) the specific persons authorizing the use of
22 the DCS 1000 program (or any subsequent version of
23 such program) in the implementation of such order.

1 **SEC. 306. STUDY OF ALLOCATION OF LITIGATING ATTOR-**
 2 **NEYS.**

3 *Not later than 180 days after the date of the enactment*
 4 *of this Act, the Attorney General shall submit a report to*
 5 *the chairman and ranking minority member of the Com-*
 6 *mittees on the Judiciary of the House of Representatives*
 7 *and Committee on the Judiciary of the Senate, detailing*
 8 *the distribution or allocation of appropriated funds, attor-*
 9 *neys and other personnel, and per-attorney workloads, for*
 10 *each Office of United States Attorney and each division of*
 11 *the Department of Justice except the Justice Management*
 12 *Division.*

13 **SEC. 307. USE OF TRUTH-IN-SENTENCING AND VIOLENT OF-**
 14 **FENDER INCARCERATION GRANTS.**

15 *Section 20105(b) of the Violent Crime Control and*
 16 *Law Enforcement Act of 1994 (42 U.S.C. 13705(b)) is*
 17 *amended to read as follows:*

18 *“(b) USE OF TRUTH-IN-SENTENCING AND VIOLENT*
 19 *OFFENDER INCARCERATION GRANTS.—Funds provided*
 20 *under section 20103 or 20104 may be applied to the cost*
 21 *of—*

22 *“(1) altering existing correctional facilities to*
 23 *provide separate facilities for juveniles under the ju-*
 24 *risdiction of an adult criminal court who are de-*
 25 *tained or are serving sentences in adult prisons or*
 26 *jails;*

1 “(2) providing correctional staff who are respon-
 2 sible for supervising juveniles who are detained or
 3 serving sentences under the jurisdiction of an adult
 4 criminal court with orientation and ongoing training
 5 regarding the unique needs of such offenders; and

6 “(3) providing ombudsmen to monitor the treat-
 7 ment of juveniles who are detained or serving sen-
 8 tences under the jurisdiction of an adult criminal
 9 court in adult facilities, consistent with guidelines
 10 issued by the Assistant Attorney General.

11 **SEC. 308. AUTHORITY OF THE DEPARTMENT OF JUSTICE IN-**
 12 **SPECTOR GENERAL.**

13 Section 8E of the Inspector General Act of 1978 (5 U.S.C.
 14 App.) is amended—

15 (1) in subsection (b), by striking paragraphs (2)
 16 and (3) and inserting the following:

17 “(2) except as specified in subsection (a) and
 18 paragraph (3), may investigate allegations of crimi-
 19 nal wrongdoing or administrative misconduct by an
 20 employee of the Department of Justice, or may, in the
 21 Inspector General’s discretion, refer such allegations
 22 to the Office of Professional Responsibility or the in-
 23 ternal affairs office of the appropriate component of
 24 the Department of Justice; and

1 “(3) shall refer to the Counsel, Office of Profes-
 2 sional Responsibility of the Department of Justice, al-
 3 legations of misconduct involving Department attor-
 4 neys, investigators or law enforcement personnel,
 5 where the allegations relate to the exercise of an attor-
 6 ney’s authority to investigate, litigate, or provide
 7 legal advice, except that no such referral shall be
 8 made if the attorney is employed in the Office of Pro-
 9 fessional Responsibility.”; and

10 (2) by inserting at the end the following:

11 “(d) The Attorney General shall insure by regulation
 12 that any component of the Department of Justice receiving
 13 a nonfrivolous allegation of criminal wrongdoing or admin-
 14 istrative misconduct by an employee of the Department
 15 shall report such information to the Inspector General.”.

16 **SEC. 309. REVIEW OF THE DEPARTMENT OF JUSTICE.**

17 (a) APPOINTMENT OF OVERSIGHT OFFICIAL WITHIN
 18 THE OFFICE OF INSPECTOR GENERAL.—The Inspector
 19 General of the Department of Justice shall direct that one
 20 official from the Inspector General’s office shall be respon-
 21 sible for supervising and coordinating independent over-
 22 sight of programs and operations of the Federal Bureau of
 23 Investigation until September 30, 2003. The Inspector Gen-
 24 eral may continue this policy after September 30, 2003, at
 25 the Inspector General’s discretion.

1 (b) *INSPECTOR GENERAL OVERSIGHT PLAN FOR THE*
2 *FEDERAL BUREAU OF INVESTIGATION.*—Not later than 30
3 days after the date of the enactment of this Act, the Inspec-
4 tor General of the Department of Justice shall submit to
5 the Chairman and ranking member of the Committees on
6 the Judiciary of the Senate and the House of Representa-
7 tives a plan for oversight of the Federal Bureau of Inves-
8 tigation. The Inspector General shall consider the following
9 activities for inclusion in such plan:

10 (1) *FINANCIAL SYSTEMS.*—Auditing the financial
11 systems, information technology systems, and com-
12 puter security systems of the Federal Bureau of Inves-
13 tigation.

14 (2) *PROGRAMS AND PROCESSES.*—Auditing and
15 evaluating programs and processes of the Federal Bu-
16 reau of Investigation to identify systemic weaknesses
17 or implementation failures and to recommend correc-
18 tive action.

19 (3) *INTERNAL AFFAIRS OFFICES.*—Reviewing the
20 activities of internal affairs offices of the Federal Bu-
21 reau of Investigation, including the Inspections Divi-
22 sion and the Office of Professional Responsibility.

23 (4) *PERSONNEL.*—Investigating allegations of se-
24 rious misconduct by personnel of the Federal Bureau
25 of Investigation.

1 (5) *OTHER PROGRAMS AND OPERATIONS.*—*Re-*
 2 *viewing matters relating to any other program or and*
 3 *operation of the Federal Bureau of Investigation that*
 4 *the Inspector General determines requires review.*

5 (6) *RESOURCES.*—*Identifying resources needed*
 6 *by the Inspector General to implement such plan.*

7 (c) *REPORT ON INSPECTOR GENERAL FOR FEDERAL*
 8 *BUREAU OF INVESTIGATION.*—*Not later than 90 days after*
 9 *the date of enactment of this Act, the Attorney General shall*
 10 *submit a report and recommendation to the Chairman and*
 11 *ranking member of the Committees on the Judiciary of the*
 12 *Senate and the House of Representatives concerning wheth-*
 13 *er there should be established, within the Department of*
 14 *Justice, a separate office of Inspector General for the Fed-*
 15 *eral Bureau of Investigation that shall be responsible for*
 16 *supervising independent oversight of programs and oper-*
 17 *ations of the Federal Bureau of Investigation.*

18 **SEC. 310. USE OF RESIDENTIAL SUBSTANCE ABUSE TREAT-**
 19 **MENT GRANTS TO PROVIDE FOR SERVICES**
 20 **DURING AND AFTER INCARCERATION.**

21 *Section 1901 of title I of the Omnibus Crime Control*
 22 *and Safe Streets Act of 1968 (42 U.S.C. 3796ff) is amended*
 23 *by adding at the end the following:*

24 “(c) *ADDITIONAL USE OF FUNDS.*—*States that dem-*
 25 *onstrate that they have existing in-prison drug treatment*

1 *programs that are in compliance with Federal requirements*
 2 *may use funds awarded under this part for treatment and*
 3 *sanctions both during incarceration and after release.”.*

4 **SEC. 311. REPORT ON THREATS AND ASSAULTS AGAINST**
 5 **FEDERAL LAW ENFORCEMENT OFFICERS,**
 6 **UNITED STATES JUDGES, UNITED STATES OF-**
 7 **FICIALS AND THEIR FAMILIES.**

8 *(a) REPEAL OF COMPILATION OF STATISTICS RELAT-*
 9 *ING TO INTIMIDATION OF GOVERNMENT EMPLOYEES.—Sec-*
 10 *tion 808 of the Antiterrorism and Effective Death Penalty*
 11 *Act of 1996 (Public Law 104–132; 110 Stat.1310) is re-*
 12 *pealed.*

13 *(b) REPORT ON THREATS AND ASSAULTS AGAINST*
 14 *FEDERAL LAW ENFORCEMENT OFFICERS, UNITED STATES*
 15 *JUDGES, UNITED STATES OFFICIALS AND THEIR FAMI-*
 16 *LIES.—Not later than 90 days after the date of enactment*
 17 *of this Act, the Attorney General shall submit to the Chair-*
 18 *men and ranking minority members of the Committees on*
 19 *the Judiciary of the Senate and of the House of Representa-*
 20 *tives a report on the number of investigations and prosecu-*
 21 *tions under section 111 of title 18, United States Code, and*
 22 *section 115 of title 18, United States Code, for the fiscal*
 23 *year 2001.*

1 **SEC. 312. ADDITIONAL FEDERAL JUDGESHIPS.**

2 (a) *PERMANENT DISTRICT JUDGES FOR THE DISTRICT*
 3 *COURTS.*—

4 (1) *IN GENERAL.*—*The President shall appoint,*
 5 *by and with the advice and consent of the Senate—*

6 (A) *5 additional district judges for the*
 7 *southern district of California;*

8 (B) *1 additional district judge for the west-*
 9 *ern district of North Carolina; and*

10 (C) *2 additional district judges for the west-*
 11 *ern district of Texas.*

12 (2) *TABLES.*—*In order that the table contained*
 13 *in section 133 of title 28, United States Code, will,*
 14 *with respect to each judicial district, reflect the*
 15 *changes in the total number of permanent district*
 16 *judgeships authorized as a result of paragraph (1) of*
 17 *this subsection, such table is amended—*

18 (A) *by striking the item relating to Cali-*
 19 *fornia and inserting the following:*

“California:
Northern 14
Eastern 6
Central 27
Southern 13.”;

20 (B) *by striking the item relating to North*
 21 *Carolina and inserting the following:*

“North Carolina:
Eastern 4
Middle 4
Western 4.”;

1 *and*

2 *(C) by striking the item relating to Texas*

3 *and inserting the following:*

“*Texas:*

<i>Northern</i>	<i>12</i>
<i>Southern</i>	<i>19</i>
<i>Eastern</i>	<i>7</i>
<i>Western</i>	<i>13.”.</i>

4 *(b) DISTRICT JUDGEShips FOR THE CENTRAL AND*
5 *SOUTHERN DISTRICTS OF ILLINOIS.—*

6 *(1) CONVERSION OF TEMPORARY JUDGEShips TO*
7 *PERMANENT JUDGEShips.—The existing district*
8 *judgeships for the central district and the southern*
9 *district of Illinois authorized by section 203(c) (3)*
10 *and (4) of the Judicial Improvements Act of 1990*
11 *(Public Law 101–650, 28 U.S.C. 133 note) shall, as*
12 *of the date of the enactment of this Act, be authorized*
13 *under section 133 of title 28, United States Code, and*
14 *the incumbents in such offices shall hold the offices*
15 *under section 133 of title 28, United States Code (as*
16 *amended by this section).*

17 *(2) TECHNICAL AND CONFORMING AMEND-*
18 *MENT.—The table contained in section 133(a) of title*
19 *28, United States Code, is amended by striking the*
20 *item relating to Illinois and inserting the following:*

“*Illinois:*

<i>Northern</i>	<i>22</i>
<i>Central</i>	<i>4</i>
<i>Southern</i>	<i>4.”.</i>

1 (c) *TEMPORARY JUDGESHIP.*—*The President shall ap-*
 2 *point, by and with the advice and consent of the Senate,*
 3 *1 additional district judge for the western district of North*
 4 *Carolina. The first vacancy in the office of district judge*
 5 *in the western district of North Carolina, occurring 7 years*
 6 *or more after the confirmation date of the judge named to*
 7 *fill the temporary district judgeship created in that district*
 8 *by this subsection, shall not be filled.*

9 (d) *EXTENSION OF TEMPORARY FEDERAL DISTRICT*
 10 *COURT JUDGESHIP FOR THE NORTHERN DISTRICT OF*
 11 *OHIO.*—

12 (1) *IN GENERAL.*—*Section 203(c) of the Judicial*
 13 *Improvement Act of 1990 (28 U.S.C. 133 note) is*
 14 *amended—*

15 (A) *in the first sentence following para-*
 16 *graph (12), by striking “and the eastern district*
 17 *of Pennsylvania” and inserting “, the eastern*
 18 *district of Pennsylvania, and the northern dis-*
 19 *trict of Ohio”; and*

20 (B) *by inserting after the third sentence fol-*
 21 *lowing paragraph (12) “The first vacancy in the*
 22 *office of district judge in the northern district of*
 23 *Ohio occurring 15 years or more after the con-*
 24 *firmation date of the judge named to fill the tem-*

1 porary judgeship created under this subsection
2 shall not be filled.”.

3 (2) *EFFECTIVE DATE.*—*The amendments made*
4 *by this section shall take effect on the earlier of—*

5 (A) *the date of enactment of this Act; or*

6 (B) *November 15, 2001.*

7 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
8 *authorized to be appropriated such sums as may be nec-*
9 *essary to carry out this section, including such sums as may*
10 *be necessary to provide appropriate space and facilities for*
11 *the judicial positions created by this section.*

12 ***TITLE IV—VIOLENCE AGAINST*** 13 ***WOMEN***

14 ***SEC. 401. SHORT TITLE.***

15 *This title may be cited as the “Violence Against*
16 *Women Office Act”.*

17 ***SEC. 402. ESTABLISHMENT OF VIOLENCE AGAINST WOMEN*** 18 ***OFFICE.***

19 (a) *IN GENERAL.*—*There is established in the Depart-*
20 *ment of Justice a Violence Against Women Office (in this*
21 *title referred to as the “Office”) under the general authority*
22 *of the Attorney General.*

23 (b) *SEPARATE OFFICE.*—*The Office—*

24 (1) *shall not be part of any division or compo-*
25 *nent of the Department of Justice; and*

1 (2) *shall be a separate office headed by a Direc-*
2 *tor who shall report to the Attorney General through*
3 *the Associate Attorney General of the United States,*
4 *and who shall also serve as Counsel to the Attorney*
5 *General.*

6 **SEC. 403. JURISDICTION.**

7 *The Office—*

8 (1) *shall have jurisdiction over all matters re-*
9 *lated to administration, enforcement, coordination,*
10 *and implementation of all responsibilities of the At-*
11 *torney General or the Department of Justice related*
12 *to violence against women, including formula and*
13 *discretionary grant programs authorized under the*
14 *Violence Against Women Act of 1994 (title IV of Pub-*
15 *lic Law 103–322) and the Violence Against Women*
16 *Act of 2000 (Division B of Public Law 106–386); and*

17 (2) *shall be solely responsible for coordination*
18 *with other offices or agencies of administration, en-*
19 *forcement, and implementation of the programs,*
20 *grants, and activities authorized or undertaken under*
21 *the Violence Against Women Act of 1994 (title IV of*
22 *Public Law 103–322) and the Violence Against*
23 *Women Act of 2000 (Division B of Public Law 106–*
24 *386).*

1 **SEC. 404. DIRECTOR OF VIOLENCE AGAINST WOMEN OF-**
2 **FICE.**

3 (a) *APPOINTMENT.*—*The President, by and with the*
4 *advice and consent of the Senate, shall appoint a Director*
5 *for the Violence Against Women Office (in this title referred*
6 *to as the “Director”) to be responsible for the administra-*
7 *tion, coordination, and implementation of the programs*
8 *and activities of the office.*

9 (b) *OTHER EMPLOYMENT.*—*The Director shall not—*
10 *(1) engage in any employment other than that of*
11 *serving as Director; or*

12 *(2) hold any office in, or act in any capacity for,*
13 *any organization, agency, or institution with which*
14 *the Office makes any contract or other agreement*
15 *under the Violence Against Women Act of 1994 (title*
16 *IV of Public Law 103–322) or the Violence Against*
17 *Women Act of 2000 (Division B of Public Law 106–*
18 *386).*

19 (c) *VACANCY.*—*In the case of a vacancy, the President*
20 *may designate an officer or employee who shall act as Di-*
21 *rector during the vacancy.*

22 (d) *COMPENSATION.*—*The Director shall be com-*
23 *pensated at a rate of pay not to exceed the rate payable*
24 *for level V of the Executive Schedule under section 5316*
25 *of title 5, United States Code.*

1 **SEC. 405. REGULATORY AUTHORIZATION.**

2 *The Director may, after appropriate consultation with*
 3 *representatives of States and units of local government, es-*
 4 *tablish such rules, regulations, and procedures as are nec-*
 5 *essary to the exercise of the functions of the Office, and are*
 6 *consistent with the stated purposes of this Act and those*
 7 *of the Violence Against Women Act of 1994 (title IV of Pub-*
 8 *lic Law 103–322) and the Violence Against Women Act of*
 9 *2000 (Division B of Public Law 106–386).*

10 **SEC. 406. OFFICE STAFF.**

11 *The Attorney General shall ensure that there is ade-*
 12 *quate staff to support the Director in carrying out the re-*
 13 *sponsibilities of the Director under this title.*

14 **SEC. 407. AUTHORIZATION OF APPROPRIATIONS.**

15 *There are authorized to be appropriated such sums as*
 16 *are necessary to carry out this title.*

17 ***DIVISION B—MISCELLANEOUS***
 18 ***DIVISION***

19 ***TITLE I—BOYS AND GIRLS***
 20 ***CLUBS OF AMERICA***

21 **SEC. 1101. BOYS AND GIRLS CLUBS OF AMERICA.**

22 *Section 401 of the Economic Espionage Act of 1966*
 23 *(42 U.S.C. 13751 note) is amended—*

24 *(1) in subsection (a)(2)—*

25 *(A) by striking “1,000” and inserting*
 26 *“1,200”;*

1 (B) by striking “2,500” and inserting
2 “4,000”; and

3 (C) by striking “December 31, 1999” and
4 inserting “December 31, 2006, serving not less
5 than 6,000,000 young people”;

6 (2) in subsection (c)—

7 (A) in paragraph (1), by striking “1997,
8 1998, 1999, 2000, and 2001” and inserting
9 “2002, 2003, 2004, 2005, and 2006”; and

10 (B) in paragraph (2)—

11 (i) in the matter preceding subpara-
12 graph (A), by striking “90 days” and in-
13 serting “30 days”;

14 (ii) in subparagraph (A), by striking
15 “1,000” and inserting “1,200”; and

16 (iii) in subparagraph (B), by striking
17 “2,500 Boys and Girls Clubs of America fa-
18 cilities in operation before January 1,
19 2000” and inserting “4,000 Boys and Girls
20 Clubs of America facilities in operation be-
21 fore January 1, 2007”; and

22 (3) in subsection (e), by striking paragraph (1)
23 and inserting the following:

24 “(1) *IN GENERAL.*—There are authorized to be
25 appropriated to carry out this section—

- 1 “(A) \$70,000,000 for fiscal year 2002;
 2 “(B) \$80,000,000 for fiscal year 2003;
 3 “(C) \$80,000,000 for fiscal year 2004;
 4 “(D) \$80,000,000 for fiscal year 2005; and
 5 “(E) \$80,000,000 for fiscal year 2006.”.

6 **TITLE II—DRUG ABUSE EDU-**
 7 **CATION, PREVENTION, AND**
 8 **TREATMENT ACT OF 2001**

9 **SEC. 2001. SHORT TITLE.**

10 *This title may be cited as the “Drug Abuse Education,*
 11 *Prevention, and Treatment Act of 2001”.*

12 **Subtitle A—Drug-Free Prisons and**
 13 **Jails**

14 **SEC. 2101. DRUG-FREE PRISONS AND JAILS INCENTIVE**
 15 **GRANTS.**

16 *(a) IN GENERAL.—Subtitle A of title II of the Violent*
 17 *Crime Control and Law Enforcement Act of 1994 (42*
 18 *U.S.C. 13701 et seq.) is amended—*

19 *(1) by redesignating section 20110 as section*
 20 *20111; and*

21 *(2) by inserting after section 20109 the fol-*
 22 *lowing:*

1 **“SEC. 20110. DRUG-FREE PRISONS AND JAILS BONUS**
2 **GRANTS.**

3 “(a) *IN GENERAL.*—*The Attorney General shall make*
4 *incentive grants in accordance with this section to eligible*
5 *States, units of local government, and Indian tribes, in*
6 *order to encourage the establishment and maintenance of*
7 *drug-free prisons and jails.*

8 “(b) *RESERVATION OF FUNDS.*—*Notwithstanding any*
9 *other provision of this subtitle, in each fiscal year, before*
10 *making the allocations under sections 20106 and*
11 *20108(a)(2) or the reservation under section 20109, the At-*
12 *torney General shall reserve 10 percent of the amount made*
13 *available to carry out this subtitle for grants under this*
14 *section.*

15 “(c) *ELIGIBILITY.*—

16 “(1) *IN GENERAL.*—*To be eligible to receive a*
17 *grant under this section, a State, unit of local govern-*
18 *ment, or Indian tribe shall demonstrate to the Attor-*
19 *ney General that the State, unit of local government,*
20 *or Indian tribe—*

21 “(A) *meets the requirements of section*
22 *20103(a); and*

23 “(B) *has established, or, within 18 months*
24 *after the initial submission of an application*
25 *this section will implement, a program or policy*
26 *of drug-free prisons and jails for correctional*

1 *and detention facilities, including juvenile facili-*
2 *ties, in its jurisdiction.*

3 “(2) *CONTENTS OF PROGRAM OR POLICY.—The*
4 *drug-free prisons and jails program or policy under*
5 *paragraph (1)(B)—*

6 “(A) *shall include—*

7 “(i) *a zero-tolerance policy for drug*
8 *use or presence in State, unit of local gov-*
9 *ernment, or Indian tribe facilities, includ-*
10 *ing random and routine sweeps and inspec-*
11 *tions for drugs, random and routine drug*
12 *tests of inmates, and improved screening for*
13 *drugs and other contraband of prison visi-*
14 *tors and prisoner mail;*

15 “(ii) *establishment and enforcement of*
16 *penalties, including prison disciplinary ac-*
17 *tions and criminal prosecution for the in-*
18 *troduction, possession, or use of drugs in*
19 *any prison or jail;*

20 “(iii) *the implementation of residential*
21 *drug treatment programs that are effective*
22 *and science-based; and*

23 “(iv) *drug testing of inmates upon in-*
24 *take and upon release from incarceration as*
25 *appropriate; and*

1 “(B) may include a system of incentives for
2 prisoners to participate in counter-drug pro-
3 grams such as drug treatment and drug-free
4 wings with greater privileges, except that incen-
5 tives under this paragraph may not include the
6 early release of any prisoner convicted of a crime
7 of violence that is not part of a policy of a State
8 concerning good-time credits or criteria for the
9 granting of supervised release.

10 “(d) APPLICATION.—In order to be eligible to receive
11 a grant under this section, a State, unit of local govern-
12 ment, or Indian tribe shall submit to the Attorney General
13 an application, in such form and containing such informa-
14 tion, including rates of positive drug tests among inmates
15 upon intake and release from incarceration, as the Attorney
16 General may reasonably require.

17 “(e) USE OF FUNDS.—Amounts received by a State,
18 unit of local government, or Indian tribe from a grant
19 under this section may be used—

20 “(1) to implement the program under subsection
21 (c)(2); or

22 “(2) for any other purpose permitted by this sub-
23 title.

24 “(f) ALLOCATION OF FUNDS.—Grants awarded under
25 this section shall be in addition to any other grants a State,

1 *unit of local government, or Indian tribe may be eligible*
 2 *to receive under this subtitle or under part S of title I of*
 3 *the Omnibus Crime Control and Safe Streets Act of 1968*
 4 *(42 U.S.C. 3796ff et seq.).*

5 “(g) *MINIMUM ALLOCATION.*—Unless all eligible appli-
 6 cations submitted by any State or unit of local government
 7 within such State for a grant under this section have been
 8 funded, such State, together with grantees within the State
 9 (other than Indian tribes), shall be allocated in each fiscal
 10 year under this section not less than 0.75 percent of the
 11 total amount appropriated in the fiscal year for grants pur-
 12 suant to this section.

13 “(h) *AUTHORIZATION OF APPROPRIATIONS.*—In addi-
 14 tion to amounts allocated under this section, there are au-
 15 thorized to be appropriated to carry out this section such
 16 sums as are necessary for each of the fiscal years 2002,
 17 2003, and 2004.”.

18 **SEC. 2102. JAIL-BASED SUBSTANCE ABUSE TREATMENT**
 19 **PROGRAMS.**

20 (a) *USE OF RESIDENTIAL SUBSTANCE ABUSE TREAT-*
 21 *MENT GRANTS TO PROVIDE AFTERCARE SERVICES.*—Sec-
 22 tion 1902 of part S of title I of the Omnibus Crime Control
 23 and Safe Streets Act of 1968 (42 U.S.C. 3796ff-1) is
 24 amended by adding at the end the following:

1 “(f) *USE OF GRANT AMOUNTS FOR NONRESIDENTIAL*
 2 *AFTERCARE SERVICES.*—A State may use amounts received
 3 under this part to provide nonresidential substance abuse
 4 treatment aftercare services for inmates or former inmates
 5 that meet the requirements of subsection (c), if the chief ex-
 6 ecutive officer of the State certifies to the Attorney General
 7 that the State is providing, and will continue to provide,
 8 an adequate level of residential treatment services.”.

9 (b) *JAIL-BASED SUBSTANCE ABUSE TREATMENT.*—
 10 Part S of title I of the Omnibus Crime Control and Safe
 11 Streets Act of 1968 (42 U.S.C. 3796ff et seq.) is amended
 12 by adding at the end the following:

13 **“SEC. 1906. JAIL-BASED SUBSTANCE ABUSE TREATMENT.**

14 “(a) *DEFINITIONS.*—In this section:

15 “(1) The term ‘jail-based substance abuse treat-
 16 ment program’ means a course of individual and
 17 group activities, lasting for a period of not less than
 18 3 months, in an area of a correctional facility set
 19 apart from the general population of the correctional
 20 facility, if those activities are—

21 “(A) directed at the substance abuse prob-
 22 lems of prisoners; and

23 “(B) intended to develop the cognitive, be-
 24 havioral, and other skills of prisoners in order to

1 *address the substance abuse and related problems*
2 *of prisoners.*

3 “(2) *The term ‘local correctional facility’ means*
4 *any correctional facility operated by a State or unit*
5 *of local government.*

6 “(b) *AUTHORIZATION.—*

7 “(1) *IN GENERAL.—At least 10 percent of the*
8 *total amount made available to a State under section*
9 *1904(a) for any fiscal year shall be used by the State*
10 *to make grants to local correctional facilities in the*
11 *State, provided the State includes local correctional*
12 *facilities, for the purpose of assisting jail-based sub-*
13 *stance abuse treatment programs that are effective*
14 *and science-based established by those local correc-*
15 *tional facilities.*

16 “(2) *FEDERAL SHARE.—The Federal share of a*
17 *grant made by a State under this section to a local*
18 *correctional facility may not exceed 75 percent of the*
19 *total cost of the jail-based substance abuse treatment*
20 *program described in the application submitted under*
21 *subsection (c) for the fiscal year for which the pro-*
22 *gram receives assistance under this section.*

23 “(c) *APPLICATIONS.—*

24 “(1) *IN GENERAL.—To be eligible to receive a*
25 *grant from a State under this section for a jail-based*

1 *substance abuse treatment program, the chief execu-*
2 *tive of a local correctional facility shall submit to the*
3 *State, in such form and containing such information*
4 *as the State may reasonably require, an application*
5 *that meets the requirements of paragraph (2).*

6 “(2) *APPLICATION REQUIREMENTS.—Each appli-*
7 *cation submitted under paragraph (1) shall include—*

8 “(A) *with respect to the jail-based substance*
9 *abuse treatment program for which assistance is*
10 *sought, a description of the program and a writ-*
11 *ten certification that the local correctional facil-*
12 *ity will—*

13 “(i) *coordinate the design and imple-*
14 *mentation of the program between local cor-*
15 *rectional facility representatives and the*
16 *appropriate State and local alcohol and*
17 *substance abuse agencies;*

18 “(ii) *implement (or continue to re-*
19 *quire) urinalysis or other proven reliable*
20 *forms of substance abuse testing of individ-*
21 *uals participating in the program, includ-*
22 *ing the testing of individuals released from*
23 *the jail-based substance abuse treatment*
24 *program who remain in the custody of the*
25 *local correctional facility; and*

1 “(iii) carry out the program in accord-
2 ance with guidelines, which shall be estab-
3 lished by the State, in order to guarantee
4 each participant in the program access to
5 consistent, continual care if transferred to a
6 different local correctional facility within
7 the State;

8 “(B) written assurances that Federal funds
9 received by the local correctional facility from
10 the State under this section will be used to sup-
11 plement, and not to supplant, non-Federal funds
12 that would otherwise be available for jail-based
13 substance abuse treatment programs assisted
14 with amounts made available to the local correc-
15 tional facility under this section; and

16 “(C) a description of the manner in which
17 amounts received by the local correctional facil-
18 ity from the State under this section will be co-
19 ordinated with Federal assistance for substance
20 abuse treatment and aftercare services provided
21 to the local correctional facility by the Substance
22 Abuse and Mental Health Services Administra-
23 tion of the Department of Health and Human
24 Services.

25 “(d) REVIEW OF APPLICATIONS.—

1 “(1) *IN GENERAL.*—Upon receipt of an applica-
2 tion under subsection (c), the State shall—

3 “(A) review the application to ensure that
4 the application, and the jail-based residential
5 substance abuse treatment program for which a
6 grant under this section is sought, meet the re-
7 quirements of this section; and

8 “(B) if so, make an affirmative finding in
9 writing that the jail-based substance abuse treat-
10 ment program for which assistance is sought
11 meets the requirements of this section.

12 “(2) *APPROVAL.*—Based on the review conducted
13 under paragraph (1), not later than 90 days after the
14 date on which an application is submitted under sub-
15 section (c), the State shall—

16 “(A) approve the application, disapprove
17 the application, or request a continued evalua-
18 tion of the application for an additional period
19 of 90 days; and

20 “(B) notify the applicant of the action
21 taken under subparagraph (A) and, with respect
22 to any denial of an application under subpara-
23 graph (A), afford the applicant an opportunity
24 for reconsideration.

1 “(3) *ELIGIBILITY FOR PREFERENCE WITH*
2 *AFTERCARE COMPONENT.*—

3 “(A) *IN GENERAL.*—*In making grants*
4 *under this section, a State shall give preference*
5 *to applications from local correctional facilities*
6 *that ensure that each participant in the jail-*
7 *based substance abuse treatment program for*
8 *which a grant under this section is sought, is re-*
9 *quired to participate in an aftercare services*
10 *program that meets the requirements of subpara-*
11 *graph (B), for a period of not less than 1 year*
12 *following the earlier of—*

13 “(i) *the date on which the participant*
14 *completes the jail-based substance abuse*
15 *treatment program; or*

16 “(ii) *the date on which the participant*
17 *is released from the correctional facility at*
18 *the end of the participant’s sentence or is*
19 *released on parole.*

20 “(B) *AFTERCARE SERVICES PROGRAM RE-*
21 *QUIREMENTS.*—*For purposes of subparagraph*
22 *(A), an aftercare services program meets the re-*
23 *quirements of this paragraph if the program—*

24 “(i) *in selecting individuals for par-*
25 *ticipation in the program, gives priority to*

1 *individuals who have completed a jail-based*
2 *substance abuse treatment program;*

3 *“(ii) requires each participant in the*
4 *program to submit to periodic substance*
5 *abuse testing; and*

6 *“(iii) involves the coordination between*
7 *the jail-based substance abuse treatment*
8 *program and other human service and reha-*
9 *bilitation programs that may assist in the*
10 *rehabilitation of program participants, such*
11 *as—*

12 *“(I) educational and job training*
13 *programs;*

14 *“(II) parole supervision pro-*
15 *grams;*

16 *“(III) half-way house programs;*
17 *and*

18 *“(IV) participation in self-help*
19 *and peer group programs; and*

20 *“(iv) assists in placing jail-based sub-*
21 *stance abuse treatment program partici-*
22 *pants with appropriate community sub-*
23 *stance abuse treatment facilities upon re-*
24 *lease from the correctional facility at the*
25 *end of a sentence or on parole.*

1 “(e) *COORDINATION AND CONSULTATION.*—

2 “(1) *COORDINATION.*—*Each State that makes 1*
3 *or more grants under this section in any fiscal year*
4 *shall, to the maximum extent practicable, implement*
5 *a statewide communications network with the capac-*
6 *ity to track the participants in jail-based substance*
7 *abuse treatment programs established by local correc-*
8 *tional facilities in the State as those participants*
9 *move between local correctional facilities within the*
10 *State.*

11 “(2) *CONSULTATION.*—*Each State described in*
12 *paragraph (1) shall consult with the Attorney General*
13 *and the Secretary of Health and Human Services to*
14 *ensure that each jail-based substance abuse treatment*
15 *program assisted with a grant made by the State*
16 *under this section incorporates applicable components*
17 *of comprehensive approaches, including relapse pre-*
18 *vention and aftercare services.*

19 “(f) *USE OF GRANT AMOUNTS.*—

20 “(1) *IN GENERAL.*—*Each local correctional facil-*
21 *ity that receives a grant under this section shall use*
22 *the grant amount solely for the purpose of carrying*
23 *out the jail-based substance abuse treatment program*
24 *described in the application submitted under sub-*
25 *section (c).*

1 “(2) *ADMINISTRATION.*—*Each local correctional*
2 *facility that receives a grant under this section shall*
3 *carry out all activities relating to the administration*
4 *of the grant amount, including reviewing the manner*
5 *in which the amount is expended, processing, moni-*
6 *toring the progress of the program assisted, financial*
7 *reporting, technical assistance, grant adjustments, ac-*
8 *counting, auditing, and fund disbursement.*

9 “(3) *RESTRICTION.*—*A local correctional facility*
10 *may not use any amount of a grant under this sec-*
11 *tion for land acquisition, a construction project, or*
12 *facility renovations.*

13 “(g) *REPORTING REQUIREMENT; PERFORMANCE RE-*
14 *VIEW.*—

15 “(1) *REPORTING REQUIREMENT.*—*Not later than*
16 *March 1 each year, each local correctional facility*
17 *that receives a grant under this section shall submit*
18 *to the Attorney General, through the State, a descrip-*
19 *tion and an evaluation report of the jail-based sub-*
20 *stance abuse treatment program carried out by the*
21 *local correctional facility with the grant amount, in*
22 *such form and containing such information as the At-*
23 *torney General may reasonably require.*

24 “(2) *PERFORMANCE REVIEW.*—*The Attorney*
25 *General shall conduct an annual review of each jail-*

1 *based substance abuse treatment program assisted*
 2 *under this section, in order to verify the compliance*
 3 *of local correctional facilities with the requirements of*
 4 *this section.*

5 “(h) *MINIMUM ALLOCATION.*—Unless all eligible appli-
 6 *cations submitted by any State or unit of local government*
 7 *within such State for a grant under this section have been*
 8 *funded, such State, together with grantees within the State*
 9 *(other than Indian tribes), shall be allocated in each fiscal*
 10 *year under this section not less than 0.75 percent of the*
 11 *total amount appropriated in the fiscal year for grants pur-*
 12 *suant to this section.”.*

13 (c) *ELIGIBILITY FOR SUBSTANCE ABUSE TREAT-*
 14 *MENT.*—Part S of title I of the Omnibus Crime Control and
 15 *Safe Streets Act of 1968 (42 U.S.C. 3796ff et seq.), as*
 16 *amended by subsection (b), is further amended by adding*
 17 *at the end the following:*

18 **“SEC. 1907. DEFINITIONS.**

19 *“In this part:*

20 “(1) *The term ‘inmate’ means an adult or a ju-*
 21 *venile who is incarcerated or detained in any State*
 22 *or local correctional facility.*

23 “(2) *The term ‘correctional facility’ includes a*
 24 *secure detention facility and a secure correctional fa-*
 25 *cility (as those terms are defined in section 103 of the*

1 *Juvenile Justice and Delinquency Prevention Act of*
 2 *1974 (42 U.S.C. 5603)).”.*

3 (d) *CLERICAL AMENDMENT.*—*The table of contents for*
 4 *title I of the Omnibus Crime Control and Safe Streets Act*
 5 *of 1968 (42 U.S.C. 3711 et seq.) is amended in the matter*
 6 *relating to part S by adding at the end the following:*

“1906. Jail-based substance abuse treatment.
 “1907. Definitions.”.

7 (e) *USE OF RESIDENTIAL SUBSTANCE ABUSE TREAT-*
 8 *MENT GRANTS TO PROVIDE FOR SERVICES DURING AND*
 9 *AFTER INCARCERATION.*—*Section 1901 of title I of the Om-*
 10 *nibus Crime Control and Safe Streets Act of 1968 (42*
 11 *U.S.C. 3796ff) is amended by adding at the end the fol-*
 12 *lowing:*

13 “(c) *ADDITIONAL USE OF FUNDS.*—*States that dem-*
 14 *onstrate that they have existing in-prison drug treatment*
 15 *programs that are in compliance with Federal requirements*
 16 *may use funds awarded under this part for treatment and*
 17 *sanctions both during incarceration and after release, pro-*
 18 *vided that no more than 25 percent of funds be spent on*
 19 *aftercare services.*

20 “(d) *CONSULTATION.*—*The Attorney General shall con-*
 21 *sult with the Secretary of Health and Human Services to*
 22 *ensure that programs of substance abuse treatment and re-*
 23 *lated services for State prisoners carried out under this part*
 24 *incorporate applicable components of existing, comprehen-*

1 *sive approaches including relapse prevention and aftercare*
 2 *services that have been shown to be efficacious and incor-*
 3 *porate evidence-based principles of effective substance abuse*
 4 *treatment as determined by the Secretary of Health and*
 5 *Human Services.”.*

6 (f) *REAUTHORIZATION.—Paragraph (17) of section*
 7 *1001(a) of title I of the Omnibus Crime Control and Safe*
 8 *Streets Act of 1968 (42 U.S.C. 3793(a)(17)) is amended to*
 9 *read as follows:*

10 “(17) *There are authorized to be appropriated to*
 11 *carry out part S such sums as are necessary for fiscal*
 12 *year 2002 and such sums as may be necessary for fis-*
 13 *cal years 2003 and 2004.”.*

14 (g) *SUBSTANCE ABUSE TREATMENT IN FEDERAL*
 15 *PRISONS REAUTHORIZATION.—Section 3621(e) of title 18,*
 16 *United States Code, is amended—*

17 (1) *in paragraph (4), by striking subparagraph*
 18 *(E) and inserting the following:*

19 “(E) *such sums as are necessary for fiscal*
 20 *year 2002; and*

21 “(F) *such sums as are necessary for fiscal*
 22 *year 2003.”; and*

23 (2) *in paragraph (5)—*

24 (A) *in subparagraph (B), by striking “and”*
 25 *at the end;*

1 (B) in subparagraph (C), by striking the
2 period and inserting “; and”; and

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

4 “(D) the term ‘appropriate substance abuse
5 treatment’ means treatment in a program that
6 has been shown to be efficacious and incorporates
7 evidence-based principles of effective substance
8 abuse treatment as determined by the Secretary
9 of Health and Human Services.”.

10 **SEC. 2103. MANDATORY REVOCATION OF PROBATION AND**
11 **SUPERVISED RELEASE FOR FAILING A DRUG**
12 **TEST.**

13 (a) *REVOCATION OF PROBATION.*—Section 3565(b) of
14 title 18, United States Code, is amended—

15 (1) in paragraph (2), by striking “or” after the
16 semicolon;

17 (2) in paragraph (3), by striking “(4),” and in-
18 serting “(4); or”; and

19 (3) by adding after paragraph (3) the following:

20 “(4) as a part of drug testing, tests positive for
21 illegal controlled substances more than 3 times over
22 the course of 1 year;”.

23 (b) *REVOCATION OF SUPERVISED RELEASE.*—Section
24 3583(g) of title 18, United States Code, is amended—

1 (1) in paragraph (2), by striking “or” after the
2 semicolon;

3 (2) in paragraph (3), by inserting “or” after the
4 semicolon; and

5 (3) by adding after paragraph (3) the following:

6 “(4) as a part of drug testing, tests positive for
7 illegal controlled substances more than 3 times over
8 the course of 1 year;”.

9 **Subtitle B—Treatment and**
10 **Prevention**

11 **SEC. 2201. DRUG TREATMENT ALTERNATIVE TO PRISON**
12 **PROGRAMS ADMINISTERED BY STATE OR**
13 **LOCAL PROSECUTORS.**

14 (a) *PROSECUTION DRUG TREATMENT ALTERNATIVE*
15 *TO PRISON PROGRAMS.*—Title I of the Omnibus Crime
16 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et*
17 *seq.) is amended by adding at the end the following new*
18 *part:*

19 **“PART CC—PROSECUTION DRUG TREATMENT**
20 **ALTERNATIVE TO PRISON PROGRAMS**

21 **“SEC. 2901. PILOT PROGRAM AUTHORIZED.**

22 “(a) *IN GENERAL.*—The Attorney General may make
23 *grants to State or local prosecutors for the purpose of devel-*
24 *oping, implementing, or expanding drug treatment alter-*

1 *native to prison programs that comply with the require-*
2 *ments of this part.*

3 “(b) *USE OF FUNDS.*—*A State or local prosecutor who*
4 *receives a grant under this part shall use amounts provided*
5 *under the grant to develop, implement, or expand the drug*
6 *treatment alternative to prison program for which the grant*
7 *was made, which may include payment of the following ex-*
8 *penses:*

9 “(1) *Salaries, personnel costs, equipment costs,*
10 *and other costs directly related to the operation of the*
11 *program, including the enforcement unit.*

12 “(2) *Payments to licensed substance abuse treat-*
13 *ment providers for providing treatment to offenders*
14 *participating in the program for which the grant was*
15 *made, including aftercare supervision, vocational*
16 *training, education, and job placement.*

17 “(3) *Payments to public and nonprofit private*
18 *entities for providing treatment to offenders partici-*
19 *pating in the program for which the grant was made.*

20 “(c) *FEDERAL SHARE.*—*The Federal share of a grant*
21 *under this part shall not exceed 75 percent of the cost of*
22 *the program.*

23 “(d) *SUPPLEMENT AND NOT SUPPLANT.*—*Grant*
24 *amounts received under this part shall be used to supple-*

1 *ment, and not supplant, non-Federal funds that would oth-*
 2 *erwise be available for activities funded under this part.*

3 **“SEC. 2902. PROGRAM REQUIREMENTS.**

4 *“A drug treatment alternative to prison program with*
 5 *respect to which a grant is made under this part shall com-*
 6 *ply with the following requirements:*

7 *“(1) A State or local prosecutor shall administer*
 8 *the program.*

9 *“(2) An eligible offender may participate in the*
 10 *program only with the consent of the State or local*
 11 *prosecutor.*

12 *“(3) Each eligible offender who participates in*
 13 *the program shall, as an alternative to incarceration,*
 14 *be sentenced to or placed with a long-term substance*
 15 *abuse treatment provider that is licensed or certified*
 16 *under State or local law.*

17 *“(4) Each eligible offender who participates in*
 18 *the program shall serve a sentence of imprisonment*
 19 *with respect to the underlying crime if that offender*
 20 *does not successfully complete treatment with the resi-*
 21 *dential substance abuse provider.*

22 *“(5) Each substance abuse provider treating an*
 23 *offender under the program shall—*

24 *“(A) make periodic reports of the progress*
 25 *of treatment of that offender to the State or local*

1 prosecutor carrying out the program and to the
2 appropriate court in which the defendant was
3 convicted; and

4 “(B) notify that prosecutor and that court
5 if that offender absconds from the facility of the
6 treatment provider or otherwise violates the
7 terms and conditions of the program.

8 “(6) The program shall have an enforcement
9 unit comprised of law enforcement officers under the
10 supervision of the State or local prosecutor carrying
11 out the program, the duties of which shall include
12 verifying an offender’s addresses and other contacts,
13 and, if necessary, locating, apprehending, and arrest-
14 ing an offender who has absconded from the facility
15 of a substance abuse treatment provider or otherwise
16 violated the terms and conditions of the program, and
17 returning such offender to court for sentence on the
18 underlying crime.

19 **“SEC. 2903. APPLICATIONS.**

20 “(a) *IN GENERAL.*—To request a grant under this
21 part, a State or local prosecutor shall submit an applica-
22 tion to the Attorney General in such form and containing
23 such information as the Attorney General may reasonably
24 require.

1 “(b) *CERTIFICATIONS.*—*Each such application shall*
 2 *contain the certification of the State or local prosecutor that*
 3 *the program for which the grant is requested shall meet each*
 4 *of the requirements of this part.*

5 **“SEC. 2904. GEOGRAPHIC DISTRIBUTION.**

6 *“The Attorney General shall ensure that, to the extent*
 7 *practicable, the distribution of grant awards is equitable*
 8 *and includes State or local prosecutors—*

9 *“(1) in each State; and*

10 *“(2) in rural, suburban, and urban jurisdictions.*

11 **“SEC. 2905. REPORTS AND EVALUATIONS.**

12 *“For each fiscal year, each recipient of a grant under*
 13 *this part during that fiscal year shall submit to the Attor-*
 14 *ney General a description and an evaluation report regard-*
 15 *ing the effectiveness of activities carried out using that*
 16 *grant. Each report shall include an evaluation in such form*
 17 *and containing such information as the Attorney General*
 18 *may reasonably require. The Attorney General shall specify*
 19 *the dates on which such reports shall be submitted.*

20 **“SEC. 2906. DEFINITIONS.**

21 *“In this part:*

22 *“(1) The term ‘State or local prosecutor’ means*
 23 *any district attorney, State attorney general, county*
 24 *attorney, or corporation counsel who has authority to*
 25 *prosecute criminal offenses under State or local law.*

1 “(2) The term ‘eligible offender’ means an indi-
2 vidual who—

3 “(A) has been convicted of, or pled guilty to,
4 or admitted guilt with respect to a crime for
5 which a sentence of imprisonment is required
6 and has not completed such sentence;

7 “(B) has never been convicted of, or pled
8 guilty to, or admitted guilt with respect to, and
9 is not presently charged with, a felony crime of
10 violence, a drug trafficking crime (as defined in
11 section 924(c)(2) of title 18, United States Code),
12 or a crime that is considered a violent felony
13 under State or local law; and

14 “(C) has been found by a professional sub-
15 stance abuse screener to be in need of substance
16 abuse treatment because that offender has a his-
17 tory of substance abuse that is a significant con-
18 tributing factor to that offender’s criminal con-
19 duct.

20 “(3) The term ‘felony crime of violence’ has the
21 meaning given such term in section 924(c)(3) of title
22 18, United States Code.

23 “(4) The term ‘major drug offense’ has the mean-
24 ing given such term in section 36(a) of title 18,
25 United States Code.”.

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Section
2 1001(a) of title I of the Omnibus Crime Control and Safe
3 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by add-
4 ing at the end the following new paragraph:

5 “(24) There are authorized to be appropriated to
6 carry out part CC such sums as are necessary for
7 each of fiscal years 2002 through 2004.”.

8 (c) *STUDY OF THE EFFECT OF MANDATORY MINIMUM*
9 *SENTENCES FOR CONTROLLED SUBSTANCE OFFENSES.*—
10 Not later than 1 year after the date of enactment of this
11 Act, the United States Sentencing Commission shall submit
12 to the Committees on the Judiciary of the House of Rep-
13 resentatives and the Senate a report regarding mandatory
14 minimum sentences for controlled substance offenses, which
15 shall include an analysis of—

16 (1) *whether such sentences may have a dis-*
17 *proportionate impact on ethnic or racial groups;*

18 (2) *the effectiveness of such sentences in reducing*
19 *drug-related crime by violent offenders;*

20 (3) *the effectiveness of basing sentences on drug*
21 *quantities and the feasibility of potential alternatives;*
22 *and*

23 (4) *the frequency and appropriateness of the use*
24 *of such sentences for nonviolent offenders in contrast*

1 *with other approaches such as drug treatment pro-*
 2 *grams.*

3 **SEC. 2202. JUVENILE SUBSTANCE ABUSE COURTS.**

4 (a) *GRANT AUTHORITY.*—*Title I of the Omnibus*
 5 *Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711*
 6 *et seq.) is amended by adding at the end the following:*

7 **“PART DD—JUVENILE SUBSTANCE ABUSE**
 8 **COURTS**

9 **“SEC. 2926. DEFINITIONS.**

10 *“In this part:*

11 *“(1) CRIME OF VIOLENCE.—The term ‘crime of*
 12 *violence’ means a criminal offense that—*

13 *“(A) has as an element, the use, attempted*
 14 *use, or threatened use of physical force against*
 15 *the person or property of another; or*

16 *“(B) by its nature, involves a substantial*
 17 *risk that physical force against the person or*
 18 *property of another may be used in the course of*
 19 *committing the offense.*

20 *“(2) VIOLENT JUVENILE OFFENDER.—The term*
 21 *‘violent juvenile offender’ means a juvenile who has*
 22 *been convicted of a violent offense or adjudicated de-*
 23 *linquent for an act that, if committed by an adult,*
 24 *would constitute a crime of violence.*

1 **“SEC. 2927. GRANT AUTHORITY.**

2 “(a) *APPROPRIATE SUBSTANCE ABUSE COURT PRO-*
3 *GRAMS.—The Attorney General may make grants to States,*
4 *State courts, local courts, units of local government, and*
5 *Indian tribes in accordance with this part to establish pro-*
6 *grams that—*

7 “(1) *involve continuous judicial supervision over*
8 *juvenile offenders (other than violent juvenile offend-*
9 *ers) with substance abuse problems;*

10 “(2) *integrate administration of other sanctions*
11 *and services, which include—*

12 “(A) *mandatory random testing for the use*
13 *of controlled substances or other addictive sub-*
14 *stances during any period of supervised release*
15 *or probation for each participant;*

16 “(B) *substance abuse treatment for each*
17 *participant;*

18 “(C) *probation, diversion, or other super-*
19 *vised release involving the possibility of prosecu-*
20 *tion, confinement, or incarceration based on*
21 *noncompliance with program requirements or*
22 *failure to show satisfactory progress; and*

23 “(D) *programmatic offender management,*
24 *and aftercare services such as relapse prevention;*
25 *and*

26 “(3) *may include—*

1 “(A) payment, in whole or in part, by the
 2 offender or his or her parent or guardian of
 3 treatment costs, to the extent practicable, such as
 4 costs for urinalysis or counseling;

5 “(B) payment, in whole or in part, by the
 6 offender or his or her parent or guardian of res-
 7 titution, to the extent practicable, to either a vic-
 8 tim of the offender’s offense or to a restitution or
 9 similar victim support fund; and

10 “(C) economic sanctions shall not be at a
 11 level that would interfere with the juvenile of-
 12 fender’s education or rehabilitation.

13 “(b) *USE OF GRANTS FOR NECESSARY SUPPORT PRO-*
 14 *GRAMS.*—A recipient of a grant under this part may use
 15 the grant to pay for treatment, counseling, and other related
 16 and necessary expenses not covered by other Federal, State,
 17 Indian tribal, and local sources of funding that would oth-
 18 erwise be available.

19 “(c) *CONTINUED AVAILABILITY OF GRANT FUNDS.*—
 20 Amounts made available under this part shall remain
 21 available until expended.

22 **“SEC. 2928. APPLICATIONS.**

23 “(a) *IN GENERAL.*—In order to receive a grant under
 24 this part, the chief executive or the chief justice of a State,
 25 or the chief executive or judge of a unit of local government

1 *or Indian tribe shall submit an application to the Attorney*
2 *General in such form and containing such information as*
3 *the Attorney General may reasonably require.*

4 “(b) *CONTENTS.—In addition to any other require-*
5 *ments that may be specified by the Attorney General, each*
6 *application for a grant under this part shall—*

7 “(1) *include a long-term strategy and detailed*
8 *implementation plan;*

9 “(2) *explain the applicant’s need for Federal as-*
10 *sistance;*

11 “(3) *certify that the Federal support provided*
12 *will be used to supplement, and not supplant, State,*
13 *Indian tribal, and local sources of funding that would*
14 *otherwise be available;*

15 “(4) *identify related governmental or community*
16 *initiatives that complement or will be coordinated*
17 *with the proposal;*

18 “(5) *certify that there has been appropriate con-*
19 *sultation with all affected agencies and that there will*
20 *be appropriate coordination with all affected agencies*
21 *in the implementation of the program;*

22 “(6) *certify that participating offenders will be*
23 *supervised by one or more designated judges with re-*
24 *sponsibility for the substance abuse court program;*

1 “(7) *specify plans for obtaining necessary sup-*
 2 *port and continuing the proposed program following*
 3 *the conclusion of Federal support; and*

4 “(8) *describe the methodology that will be used*
 5 *in evaluating the program.*

6 **“SEC. 2929. FEDERAL SHARE.**

7 “(a) *IN GENERAL.—The Federal share of a grant made*
 8 *under this part may not exceed 75 percent of the total costs*
 9 *of the program described in the application submitted under*
 10 *section 2928 for the fiscal year for which the program re-*
 11 *ceives assistance under this part.*

12 “(b) *WAIVER.—The Attorney General may waive, in*
 13 *whole or in part, the requirement of a matching contribu-*
 14 *tion under subsection (a).*

15 “(c) *IN-KIND CONTRIBUTIONS.—In-kind contributions*
 16 *may constitute a portion of the non-Federal share of a grant*
 17 *under this part.*

18 **“SEC. 2930. DISTRIBUTION OF FUNDS.**

19 “(a) *GEOGRAPHICAL DISTRIBUTION.—The Attorney*
 20 *General shall ensure that, to the extent practicable, an equi-*
 21 *table geographic distribution of grant awards is made.*

22 “(b) *INDIAN TRIBES.—The Attorney General shall al-*
 23 *locate 0.75 percent of amounts made available under this*
 24 *part for grants to Indian tribes.*

1 “(c) *MINIMUM ALLOCATION.*—Unless all eligible appli-
 2 cations submitted by any State or unit of local government
 3 within such State for a grant under this part have been
 4 funded, such State, together with grantees within the State
 5 (other than Indian tribes), shall be allocated in each fiscal
 6 year under this part not less than 0.75 percent of the total
 7 amount appropriated in the fiscal year for grants pursuant
 8 to this part.

9 **“SEC. 2931. REPORT.**

10 “Each recipient of a grant under this part during a
 11 fiscal year shall submit to the Attorney General a descrip-
 12 tion and an evaluation report regarding the effectiveness
 13 of programs established with the grant on the date specified
 14 by the Attorney General.

15 **“SEC. 2932. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
 16 **UATION.**

17 “(a) *TECHNICAL ASSISTANCE AND TRAINING.*—The
 18 Attorney General may provide technical assistance and
 19 training in furtherance of the purposes of this part.

20 “(b) *EVALUATIONS.*—In addition to any evaluation re-
 21 quirement that may be prescribed for recipients of grants
 22 under this part, the Attorney General may carry out or
 23 make arrangements for evaluations of programs that receive
 24 assistance under this part.

1 “(c) *ADMINISTRATION.*—*The technical assistance,*
 2 *training, and evaluations authorized by this section may*
 3 *be carried out directly by the Attorney General, in collabo-*
 4 *ration with the Secretary of Health and Human Services,*
 5 *or through grants, contracts, or other cooperative arrange-*
 6 *ments with other entities.*

7 **“SEC. 2933. REGULATIONS.**

8 *“The Attorney General shall issue any regulations and*
 9 *guidelines necessary to carry out this part, which shall en-*
 10 *sure that the programs funded with grants under this part*
 11 *do not permit participation by violent juvenile offenders.*

12 **“SEC. 2934. UNAWARDED FUNDS.**

13 *“The Attorney General may reallocate any grant funds*
 14 *that are not awarded for juvenile substance abuse courts*
 15 *under this part for use for other juvenile delinquency and*
 16 *crime prevention initiatives.*

17 **“SEC. 2935. AUTHORIZATION OF APPROPRIATIONS.**

18 *“There is authorized to be appropriated for each of fis-*
 19 *cal years 2002 through 2004, such sums as are necessary*
 20 *to carry out this part.”.*

21 (b) *CLERICAL AMENDMENT.*—*The table of contents for*
 22 *title I of the Omnibus Crime Control and Safe Streets Act*
 23 *of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at*
 24 *the end the following:*

“PART DD—JUVENILE SUBSTANCE ABUSE COURTS

“Sec. 2926. Definitions.

“Sec. 2927. *Grant authority.*

“Sec. 2928. *Applications.*

“Sec. 2929. *Federal share.*

“Sec. 2930. *Distribution of funds.*

“Sec. 2931. *Report.*

“Sec. 2932. *Technical assistance, training, and evaluation.*

“Sec. 2933. *Regulations.*

“Sec. 2934. *Unawarded funds.*

“Sec. 2935. *Authorization of appropriations.*”.

1 **SEC. 2203. EXPANSION OF SUBSTANCE ABUSE EDUCATION**
 2 **AND PREVENTION EFFORTS.**

3 (a) *EXPANSION OF EFFORTS.*—Section 515 of the Pub-
 4 lic Health Service Act (42 U.S.C. 290bb–21) is amended
 5 by adding at the end the following:

6 “(e) *GRANTS, CONTRACTS, AND COOPERATIVE AGREE-*
 7 *MENTS.*—

8 “(1) *IN GENERAL.*—The Administrator may
 9 make grants to and enter into contracts and coopera-
 10 tive agreements with public and nonprofit private en-
 11 tities to enable such entities—

12 “(A) to carry out school-based programs
 13 concerning the dangers of abuse of and addiction
 14 to illicit drugs, using methods that are effective
 15 and evidence-based, including initiatives that
 16 give students the responsibility to create their
 17 own antidrug abuse education programs for their
 18 schools; and

19 “(B) to carry out community-based abuse
 20 and addiction education and prevention pro-

1 *grams relating to illicit drugs that are effective*
2 *and evidence-based.*

3 “(2) *USE OF GRANT, CONTRACT, OR COOPERA-*
4 *TIVE AGREEMENT FUNDS.—Amounts made available*
5 *under a grant, contract, or cooperative agreement*
6 *under paragraph (1) shall be used for planning, es-*
7 *tablishing, or administering education and preven-*
8 *tion programs relating to illicit drugs in accordance*
9 *with paragraph (3).*

10 “(3) *USES OF AMOUNTS.—*

11 “(A) *IN GENERAL.—Amounts provided*
12 *under this subsection may be used—*

13 “(i) *to carry out school-based programs*
14 *that are focused on those districts with high*
15 *or increasing rates of drug abuse and addic-*
16 *tion and targeted at populations which are*
17 *most at-risk to start abuse of illicit drugs;*

18 “(ii) *to carry out community-based*
19 *education and prevention programs and en-*
20 *vironmental change strategies that are fo-*
21 *cused on those populations within the com-*
22 *munity that are most at-risk for abuse of*
23 *and addiction to illicit drugs;*

24 “(iii) *to assist local government enti-*
25 *ties and community antidrug coalitions to*

1 *plan, conduct, and evaluate appropriate*
2 *prevention activities and strategies relating*
3 *to illegal drugs;*

4 “(iv) *to train and educate State and*
5 *local law enforcement officials, prevention*
6 *and education officials, members of commu-*
7 *nity antidrug coalitions and parents on the*
8 *signs of abuse of and addiction to illicit*
9 *drugs, and the options for treatment and*
10 *prevention;*

11 “(v) *for planning, administration, and*
12 *educational activities related to the preven-*
13 *tion of abuse of and addiction to illicit*
14 *drugs;*

15 “(vi) *for the monitoring and evalua-*
16 *tion of prevention activities relating to il-*
17 *licit drugs, and reporting and dissemi-*
18 *nating resulting information to the public;*
19 *and*

20 “(vii) *for targeted pilot programs with*
21 *evaluation components to encourage innova-*
22 *tion and experimentation with new meth-*
23 *odologies.*

24 “(B) *PRIORITY IN MAKING GRANTS.—The*
25 *Administrator shall give priority in making*

1 *grants under this subsection to rural States,*
2 *urban areas, and other areas that are experi-*
3 *encing a high rate or rapid increases in drug*
4 *abuse and addiction.*

5 “(4) ANALYSES, EVALUATIONS, AND REPORTS.—

6 “(A) ANALYSES AND EVALUATIONS.—Not
7 *less than \$500,000 of the amount available in*
8 *each fiscal year to carry out this subsection shall*
9 *be made available to the Administrator, acting*
10 *in consultation with other Federal agencies, to*
11 *support and conduct periodic analyses and eval-*
12 *uations of effective education and prevention*
13 *programs for abuse of and addiction to illicit*
14 *drugs and the development of appropriate strate-*
15 *gies for disseminating information about and*
16 *implementing these programs.*

17 “(B) ANNUAL REPORT.—The Administrator
18 *shall submit to the committees of Congress re-*
19 *ferred to in subparagraph (C) an annual report*
20 *with the results of the analyses and evaluation*
21 *under subparagraph (A).*

22 “(C) COMMITTEES.—The committees of
23 *Congress referred to in this subparagraph are the*
24 *following:*

1 “(i) *SENATE.—The Committees on*
 2 *Health, Education, Labor, and Pensions,*
 3 *the Judiciary, and Appropriations of the*
 4 *Senate.*

5 “(ii) *HOUSE OF REPRESENTATIVES.—*
 6 *The Committees on Energy and Commerce,*
 7 *the Judiciary, and Appropriations of the*
 8 *House of Representatives.”.*

9 (b) *AUTHORIZATION OF APPROPRIATIONS FOR EXPAN-*
 10 *SION OF ABUSE PREVENTION EFFORTS AND PRACTITIONER*
 11 *REGISTRATION REQUIREMENTS.—There is authorized to be*
 12 *appropriated to carry out section 515(e) of the Public*
 13 *Health Service Act (as added by subsection (a)) and section*
 14 *303(g)(2) of the Controlled Substances Act, such sums as*
 15 *are necessary for fiscal year 2002, and such sums as may*
 16 *be necessary for each succeeding fiscal year.*

17 (c) *MINIMUM ALLOCATION.—Unless all eligible appli-*
 18 *cations submitted by any State or unit of local government*
 19 *within such State for a grant under this section have been*
 20 *funded, such State, together with grantees within the State*
 21 *(other than Indian tribes), shall be allocated in each fiscal*
 22 *year under this section not less than 0.75 percent of the*
 23 *total amount appropriated in the fiscal year for grants pur-*
 24 *suant to this section.*

1 **SEC. 2204. FUNDING FOR RURAL STATES AND ECONOMICALLY DEPRESSED COMMUNITIES.**
2

3 (a) *IN GENERAL.*—*The Director of the Center for Sub-*
4 *stance Abuse Treatment shall provide awards of grants, co-*
5 *operative agreement, or contracts to public and nonprofit*
6 *private entities for the purpose of providing treatment fa-*
7 *cilities in rural States and economically depressed commu-*
8 *nities that have high rates of drug addiction but lack the*
9 *resources to provide adequate treatment.*

10 (b) *MINIMUM QUALIFICATIONS FOR RECEIPT OF*
11 *AWARD.*—*With respect to the principal agency of the State*
12 *involved that administers programs relating to substance*
13 *abuse, the Director may make an award under subsection*
14 *(a) to an applicant only if the agency has certified to the*
15 *Director that—*

16 (1) *the applicant has the capacity to carry out*
17 *a program described in subsection (a);*

18 (2) *the plans of the applicant for such a program*
19 *are consistent with the policies of such agency regard-*
20 *ing the treatment of substance abuse; and*

21 (3) *the applicant, or any entity through which*
22 *the applicant will provide authorized services, meets*
23 *all applicable State licensure or certification require-*
24 *ments regarding the provision of the services involved.*

25 (c) *REQUIREMENT OF MATCHING FUNDS.*—

1 (1) *IN GENERAL.*—With respect to the costs of the
2 program to be carried out by an applicant pursuant
3 to subsection (a), a funding agreement for an award
4 under such subsection is that the applicant will make
5 available (directly or through donations from public
6 or private entities) non-Federal contributions toward
7 such costs in an amount that—

8 (A) for the first fiscal year for which the
9 applicant receives payments under an award
10 under such subsection, is not less than \$1 for
11 each \$9 of Federal funds provided in the award;

12 (B) for any second such fiscal year, is not
13 less than \$1 for each \$9 of Federal funds pro-
14 vided in the award; and

15 (C) for any subsequent such fiscal year, is
16 not less than \$1 for each \$3 of Federal funds
17 provided in the award.

18 (2) *DETERMINATION OF AMOUNT CONTRIB-*
19 *UTED.*—Non-Federal contributions required in para-
20 graph (1) may be in cash or in kind, fairly evaluated,
21 including plant, equipment, or services. Amounts pro-
22 vided by the Federal Government, or services assisted
23 or subsidized to any significant extent by the Federal
24 Government, may not be included in determining the
25 amount of such non-Federal contributions.

1 (d) *REPORTS TO DIRECTOR.*—A funding agreement for
2 an award under subsection (a) is that the applicant in-
3 volved will submit to the Director a report—

4 (1) describing the utilization and costs of services
5 provided under the award;

6 (2) specifying the number of individuals served
7 and the type and costs of services provided; and

8 (3) providing such other information as the Di-
9 rector determines to be appropriate.

10 (e) *REQUIREMENT OF APPLICATION.*—The Director
11 may make an award under subsection (a) only if an appli-
12 cation for the award is submitted to the Director containing
13 such agreements, and the application is in such form, is
14 made in such manner, and contains such other agreements
15 and such assurances and information as the Director deter-
16 mines to be necessary to carry out this section.

17 (f) *EQUITABLE ALLOCATION OF AWARDS.*—In making
18 awards under subsection (a), the Director shall ensure that
19 the awards are equitably allocated among the principal geo-
20 graphic regions of the United States, subject to the avail-
21 ability of qualified applicants for the awards.

22 (g) *DURATION OF AWARD.*—The period during which
23 payments are made to an entity from an award under sub-
24 section (a) may not exceed 5 years. The provision of such
25 payments shall be subject to annual approval by the Direc-

1 *tor of the payments and subject to the availability of appro-*
2 *priations for the fiscal year involved to make the payments.*
3 *This subsection may not be construed to establish a limita-*
4 *tion on the number of awards under such subsection that*
5 *may be made to an entity.*

6 (h) *EVALUATIONS; DISSEMINATION OF FINDINGS.—*
7 *The Director shall, directly or through contract, provide for*
8 *the conduct of evaluations of programs carried out pursuant*
9 *to subsection (a). The Director shall disseminate to the*
10 *States the findings made as a result of the evaluations.*

11 (i) *MINIMUM ALLOCATION.—Unless all eligible appli-*
12 *cations submitted by any State or unit of local government*
13 *within such State for a grant under this section have been*
14 *funded, such State, together with grantees within the State*
15 *(other than Indian tribes), shall be allocated in each fiscal*
16 *year under this section not less than 0.75 percent of the*
17 *total amount appropriated in the fiscal year for grants pur-*
18 *suant to this section.*

19 (j) *DEFINITION OF RURAL STATE.—In this section, the*
20 *term “rural State” has the same meaning as in section*
21 *1501(b) of the Omnibus Crime Control and Safe Streets Act*
22 *of 1968 (42 U.S.C. 3796bb(B)).*

23 (k) *AUTHORIZATION OF APPROPRIATIONS.—There are*
24 *authorized to be appropriated to carry out this section such*

1 *sums as are necessary for each of the fiscal years 2002,*
2 *2003, and 2004.*

3 **SEC. 2205. FUNDING FOR RESIDENTIAL TREATMENT CEN-**
4 **TERS FOR WOMEN AND CHILDREN.**

5 *(a) IN GENERAL.—The Director of the Center for Sub-*
6 *stance Abuse Treatment shall provide awards of grants, co-*
7 *operative agreement, or contracts to public and nonprofit*
8 *private entities for the purpose of providing treatment fa-*
9 *cilities that—*

10 *(1) provide residential treatment for meth-*
11 *amphetamine, heroin, and other drug addicted women*
12 *with minor children; and*

13 *(2) offer specialized treatment for methamphet-*
14 *amine-, heroin-, and other drug-addicted mothers and*
15 *allow the minor children of those mothers to reside*
16 *with them in the facility or nearby while treatment*
17 *is ongoing.*

18 *(b) MINIMUM QUALIFICATIONS FOR RECEIPT OF*
19 *AWARD.—With respect to the principal agency of the State*
20 *involved that administers programs relating to substance*
21 *abuse, the Director may make an award under subsection*
22 *(a) to an applicant only if the agency has certified to the*
23 *Director that—*

24 *(1) the applicant has the capacity to carry out*
25 *a program described in subsection (a);*

1 (2) *the plans of the applicant for such a program*
 2 *are consistent with the policies of such agency regard-*
 3 *ing the treatment of substance abuse; and*

4 (3) *the applicant, or any entity through which*
 5 *the applicant will provide authorized services, meets*
 6 *all applicable State licensure or certification require-*
 7 *ments regarding the provision of the services involved.*

8 (c) *REQUIREMENT OF MATCHING FUNDS.—*

9 (1) *IN GENERAL.—With respect to the costs of the*
 10 *program to be carried out by an applicant pursuant*
 11 *to subsection (a), a funding agreement for an award*
 12 *under such subsection is that the applicant will make*
 13 *available (directly or through donations from public*
 14 *or private entities) non-Federal contributions toward*
 15 *such costs in an amount that—*

16 (A) *for the first fiscal year for which the*
 17 *applicant receives payments under an award*
 18 *under such subsection, is not less than \$1 for*
 19 *each \$9 of Federal funds provided in the award;*

20 (B) *for any second such fiscal year, is not*
 21 *less than \$1 for each \$9 of Federal funds pro-*
 22 *vided in the award; and*

23 (C) *for any subsequent such fiscal year, is*
 24 *not less than \$1 for each \$3 of Federal funds*
 25 *provided in the award.*

1 (2) *DETERMINATION OF AMOUNT CONTRIB-*
2 *UTED.—Non-Federal contributions required in para-*
3 *graph (1) may be in cash or in kind, fairly evaluated,*
4 *including plant, equipment, or services. Amounts pro-*
5 *vided by the Federal Government, or services assisted*
6 *or subsidized to any significant extent by the Federal*
7 *Government, may not be included in determining the*
8 *amount of such non-Federal contributions.*

9 (d) *REPORTS TO DIRECTOR.—A funding agreement for*
10 *an award under subsection (a) is that the applicant in-*
11 *volved will submit to the Director a report—*

12 (1) *describing the utilization and costs of services*
13 *provided under the award;*

14 (2) *specifying the number of individuals served*
15 *and the type and costs of services provided; and*

16 (3) *providing such other information as the Di-*
17 *rector determines to be appropriate.*

18 (e) *REQUIREMENT OF APPLICATION.—The Director*
19 *may make an award under subsection (a) only if an appli-*
20 *cation for the award is submitted to the Director containing*
21 *such agreements, and the application is in such form, is*
22 *made in such manner, and contains such other agreements*
23 *and such assurances and information as the Director deter-*
24 *mines to be necessary to carry out this section.*

1 (f) *PRIORITY.*—*In making grants under this sub-*
2 *section, the Director shall give priority to areas experi-*
3 *encing a high rate or rapid increase in drug abuse and*
4 *addiction.*

5 (g) *EQUITABLE ALLOCATION OF AWARDS.*—*In making*
6 *awards under subsection (a), the Director shall ensure that*
7 *the awards are equitably allocated among the principal geo-*
8 *graphic regions of the United States, subject to the avail-*
9 *ability of qualified applicants for the awards.*

10 (h) *DURATION OF AWARD.*—*The period during which*
11 *payments are made to an entity from an award under sub-*
12 *section (a) may not exceed 5 years. The provision of such*
13 *payments shall be subject to annual approval by the Direc-*
14 *tor of the payments and subject to the availability of appro-*
15 *priations for the fiscal year involved to make the payments.*
16 *This subsection may not be construed to establish a limita-*
17 *tion on the number of awards under such subsection that*
18 *may be made to an entity.*

19 (i) *EVALUATIONS; DISSEMINATION OF FINDINGS.*—*The*
20 *Director shall, directly or through contract, provide for the*
21 *conduct of evaluations of programs carried out pursuant*
22 *to subsection (a). The Director shall disseminate to the*
23 *States the findings made as a result of the evaluations.*

24 (j) *MINIMUM ALLOCATION.*—*Unless all eligible appli-*
25 *cations submitted by any State or unit of local government*

1 *within such State for a grant under this section have been*
 2 *funded, such State, together with grantees within the State*
 3 *(other than Indian tribes), shall be allocated in each fiscal*
 4 *year under this section not less than 0.75 percent of the*
 5 *total amount appropriated in the fiscal year for grants pur-*
 6 *suant to this section.*

7 (k) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 8 *authorized to be appropriated to carry out this section such*
 9 *sums as are necessary for each of the fiscal years 2002,*
 10 *2003, and 2004.*

11 **SEC. 2206. DRUG TREATMENT FOR JUVENILES.**

12 *Title V of the Public Health Service Act (42 U.S.C.*
 13 *290aa et seq.) is amended by adding at the end the fol-*
 14 *lowing:*

15 **“PART G—RESIDENTIAL TREATMENT PROGRAMS**
 16 **FOR JUVENILES**

17 **“SEC. 575. RESIDENTIAL TREATMENT PROGRAMS FOR JU-**
 18 **VENILES.**

19 “(a) *IN GENERAL.—The Director of the Center for*
 20 *Substance Abuse Treatment shall award grants to, or enter*
 21 *into cooperative agreements or contracts, with public and*
 22 *nonprofit private entities for the purpose of providing treat-*
 23 *ment to juveniles for substance abuse through programs that*
 24 *are effective and science-based in which, during the course*

1 *of receiving such treatment the juveniles reside in facilities*
2 *made available by the programs.*

3 “(b) *AVAILABILITY OF SERVICES FOR EACH PARTICI-*
4 *PANT.—A funding agreement for an award under sub-*
5 *section (a) for an applicant is that, in the program oper-*
6 *ated pursuant to such subsection—*

7 “(1) *treatment services will be available through*
8 *the applicant, either directly or through agreements*
9 *with other public or nonprofit private entities; and*

10 “(2) *the services will be made available to each*
11 *person admitted to the program.*

12 “(c) *INDIVIDUALIZED PLAN OF SERVICES.—A funding*
13 *agreement for an award under subsection (a) for an appli-*
14 *cant is that—*

15 “(1) *in providing authorized services for an eli-*
16 *gible person pursuant to such subsection, the appli-*
17 *cant will, in consultation with the juvenile and, if ap-*
18 *propriate the parent or guardian of the juvenile, pre-*
19 *pare an individualized plan for the provision to the*
20 *juvenile or young adult of the services; and*

21 “(2) *treatment services under the plan will*
22 *include—*

23 “(A) *individual, group, and family coun-*
24 *seling, as appropriate, regarding substance*
25 *abuse; and*

1 “(B) *followup services to assist the juvenile*
2 *or young adult in preventing a relapse into such*
3 *abuse.*

4 “(d) *ELIGIBLE SUPPLEMENTAL SERVICES.—Grants*
5 *under subsection (a) may be used to provide an eligible ju-*
6 *venile, the following services:*

7 “(1) *HOSPITAL REFERRALS.—Referrals for nec-*
8 *essary hospital services.*

9 “(2) *HIV AND AIDS COUNSELING.—Counseling*
10 *on the human immunodeficiency virus and on ac-*
11 *quired immune deficiency syndrome.*

12 “(3) *DOMESTIC VIOLENCE AND SEXUAL ABUSE*
13 *COUNSELING.—Counseling on domestic violence and*
14 *sexual abuse.*

15 “(4) *PREPARATION FOR REENTRY INTO SOCI-*
16 *ETY.—Planning for and counseling to assist reentry*
17 *into society, both before and after discharge, including*
18 *referrals to any public or nonprofit private entities in*
19 *the community involved that provide services appro-*
20 *priate for the juvenile.*

21 “(e) *MINIMUM QUALIFICATIONS FOR RECEIPT OF*
22 *AWARD.—With respect to the principal agency of a State*
23 *or Indian tribe that administers programs relating to sub-*
24 *stance abuse, the Director may award a grant to, or enter*
25 *into a cooperative agreement or contract with, an applicant*

1 *only if the agency or Indian tribe has certified to the Direc-*
2 *tor that—*

3 *“(1) the applicant has the capacity to carry out*
4 *a program described in subsection (a);*

5 *“(2) the plans of the applicant for such a pro-*
6 *gram are consistent with the policies of such agency*
7 *regarding the treatment of substance abuse; and*

8 *“(3) the applicant, or any entity through which*
9 *the applicant will provide authorized services, meets*
10 *all applicable State licensure or certification require-*
11 *ments regarding the provision of the services involved.*

12 *“(f) REQUIREMENTS FOR MATCHING FUNDS.—*

13 *“(1) IN GENERAL.—With respect to the costs of*
14 *the program to be carried out by an applicant pursu-*
15 *ant to subsection (a), a funding agreement for an*
16 *award under such subsection is that the applicant*
17 *will make available (directly or through donations*
18 *from public or private entities) non-Federal contribu-*
19 *tions toward such costs in an amount that—*

20 *“(A) for the first fiscal year for which the*
21 *applicant receives payments under an award*
22 *under such subsection, is not less than \$1 for*
23 *each \$9 of Federal funds provided in the award;*

1 “(B) for any second such fiscal year, is not
2 less than \$1 for each \$9 of Federal funds pro-
3 vided in the award; and

4 “(C) for any subsequent such fiscal year, is
5 not less than \$1 for each \$3 of Federal funds
6 provided in the award.

7 “(2) *DETERMINATION OF AMOUNT CONTRIB-*
8 *UTED.*—Non-Federal contributions required in para-
9 graph (1) may be in cash or in kind, fairly evaluated,
10 including plant, equipment, or services. Amounts pro-
11 vided by the Federal Government, or services assisted
12 or subsidized to any significant extent by the Federal
13 Government, may not be included in determining the
14 amount of such non-Federal contributions.

15 “(g) *OUTREACH.*—A funding agreement for an award
16 under subsection (a) for an applicant is that the applicant
17 will provide outreach services in the community involved
18 to identify juveniles who are engaging in substance abuse
19 and to encourage the juveniles to undergo treatment for such
20 abuse.

21 “(h) *ACCESSIBILITY OF PROGRAM.*—A funding agree-
22 ment for an award under subsection (a) for an applicant
23 is that the program operated pursuant to such subsection
24 will be operated at a location that is accessible to low in-
25 come juveniles.

1 “(i) *CONTINUING EDUCATION.*—A funding agreement
2 *for an award under subsection (a) is that the applicant in-*
3 *volved will provide for continuing education in treatment*
4 *services for the individuals who will provide treatment in*
5 *the program to be operated by the applicant pursuant to*
6 *such subsection.*

7 “(j) *IMPOSITION OF CHARGES.*—A funding agreement
8 *for an award under subsection (a) for an applicant is that,*
9 *if a charge is imposed for the provision of authorized serv-*
10 *ices to or on behalf of an eligible juvenile, such charge—*

11 “(1) *will be made according to a schedule of*
12 *charges that is made available to the public;*

13 “(2) *will be adjusted to reflect the economic con-*
14 *dition of the juvenile involved; and*

15 “(3) *will not be imposed on any such juvenile*
16 *whose family has an income of less than 185 percent*
17 *of the official poverty line, as established by the Di-*
18 *rector of the Office for Management and Budget and*
19 *revised by the Secretary in accordance with section*
20 *673(2) of the Omnibus Budget Reconciliation Act of*
21 *1981 (42 U.S.C. 9902(2)).*

22 “(k) *REPORTS TO DIRECTOR.*—A funding agreement
23 *for an award under subsection (a) is that the applicant in-*
24 *volved will submit to the Director a report—*

1 “(1) *describing the utilization and costs of serv-*
2 *ices provided under the award;*

3 “(2) *specifying the number of juveniles served,*
4 *and the type and costs of services provided; and*

5 “(3) *providing such other information as the Di-*
6 *rector determines to be appropriate.*

7 “(l) *REQUIREMENT OF APPLICATION.—The Director*
8 *may make an award under subsection (a) only if an appli-*
9 *cation for the award is submitted to the Director containing*
10 *such agreements, and the application is in such form, is*
11 *made in such manner, and contains such other agreements*
12 *and such assurances and information as the Director deter-*
13 *mines to be necessary to carry out this section.*

14 “(m) *PRIORITY.—In making grants under this sub-*
15 *section, the Director shall give priority to areas experi-*
16 *encing a high rate or rapid increase in drug abuse and*
17 *addiction.*

18 “(n) *EQUITABLE ALLOCATION OF AWARDS.—In mak-*
19 *ing awards under subsection (a), the Director shall ensure*
20 *that the awards are equitably allocated among the principal*
21 *geographic regions of the United States, as well as among*
22 *Indian tribes, subject to the availability of qualified appli-*
23 *cants for the awards.*

24 “(o) *DURATION OF AWARD.—*

1 “(1) *IN GENERAL.*—*The period during which*
2 *payments are made to an entity from an award*
3 *under this section may not exceed 5 years.*

4 “(2) *APPROVAL OF DIRECTOR.*—*The provision of*
5 *payments described in paragraph (1) shall be subject*
6 *to—*

7 “(A) *annual approval by the Director of the*
8 *payments; and*

9 “(B) *the availability of appropriations for*
10 *the fiscal year at issue to make the payments.*

11 “(3) *NO LIMITATION.*—*This subsection may not*
12 *be construed to establish a limitation on the number*
13 *of awards that may be made to an entity under this*
14 *section.*

15 “(p) *EVALUATIONS; DISSEMINATION OF FINDINGS.*—
16 *The Director shall, directly or through contract, provide for*
17 *the conduct of evaluations of programs carried out pursuant*
18 *to subsection (a). The Director shall disseminate to the*
19 *States the findings made as a result of the evaluations.*

20 “(q) *REPORTS TO CONGRESS.*—

21 “(1) *INITIAL REPORT.*—*Not later than October 1,*
22 *2001, the Director shall submit to the Committee on*
23 *the Judiciary of the House of Representatives, and to*
24 *the Committee on the Judiciary of the Senate, a re-*

1 *port describing programs carried out pursuant to this*
 2 *section.*

3 *“(2) PERIODIC REPORTS.—*

4 *“(A) IN GENERAL.—Not less than biennially*
 5 *after the date described in paragraph (1), the Di-*
 6 *rector shall prepare a report describing programs*
 7 *carried out pursuant to this section during the*
 8 *preceding 2-year period, and shall submit the re-*
 9 *port to the Administrator for inclusion in the bi-*
 10 *ennial report under section 501(k).*

11 *“(B) SUMMARY.—Each report under this*
 12 *subsection shall include a summary of any eval-*
 13 *uations conducted under subsection (m) during*
 14 *the period with respect to which the report is*
 15 *prepared.*

16 *“(r) DEFINITIONS.—In this section:*

17 *“(1) AUTHORIZED SERVICES.—The term ‘author-*
 18 *ized services’ means treatment services and supple-*
 19 *mental services.*

20 *“(2) JUVENILE.—The term ‘juvenile’ means any-*
 21 *one 18 years of age or younger at the time that of ad-*
 22 *mission to a program operated pursuant to subsection*
 23 *(a).*

1 “(3) *ELIGIBLE JUVENILE*.—The term ‘eligible ju-
 2 venile’ means a juvenile who has been admitted to a
 3 program operated pursuant to subsection (a).

4 “(4) *FUNDING AGREEMENT UNDER SUBSECTION*
 5 *(A)*.—The term ‘funding agreement under subsection
 6 (a)’, with respect to an award under subsection (a),
 7 means that the Director may make the award only if
 8 the applicant makes the agreement involved.

9 “(5) *TREATMENT SERVICES*.—The term ‘treat-
 10 ment services’ means treatment for substance abuse,
 11 including the counseling and services described in
 12 subsection (c)(2).

13 “(6) *SUPPLEMENTAL SERVICES*.—The term ‘sup-
 14 plemental services’ means the services described in
 15 subsection (d).

16 “(s) *AUTHORIZATION OF APPROPRIATIONS*.—

17 “(1) *IN GENERAL*.—For the purpose of carrying
 18 out this section and section 576 there is authorized to
 19 be appropriated such sums as may be necessary for
 20 fiscal years 2002 through 2004. There is authorized to
 21 be appropriated from the Violent Crime Reduction
 22 Trust Fund such sums as are necessary in each of fis-
 23 cal years 2002, 2003, and 2004.

24 “(2) *MINIMUM ALLOCATION*.—Unless all eligible
 25 applications submitted by any State or unit of local

1 government within such State for a grant under this
 2 section have been funded, such State, together with
 3 grantees within the State (other than Indian tribes),
 4 shall be allocated in each fiscal year under this sec-
 5 tion not less than 0.75 percent of the total amount
 6 appropriated in the fiscal year for grants pursuant to
 7 this section.

8 “(3) *TRANSFER.*—For the purpose described in
 9 paragraph (1), in addition to the amounts authorized
 10 in such paragraph to be appropriated for a fiscal
 11 year, there is authorized to be appropriated for the
 12 fiscal year from the special forfeiture fund of the Di-
 13 rector of the Office of National Drug Control Policy
 14 such sums as may be necessary.

15 “(4) *RULE OF CONSTRUCTION.*—The amounts
 16 authorized in this subsection to be appropriated are
 17 in addition to any other amounts that are authorized
 18 to be appropriated and are available for the purpose
 19 described in paragraph (1).

20 **“SEC. 576. OUTPATIENT TREATMENT PROGRAMS FOR JUVE-**
 21 **NILES.**

22 “(a) *GRANTS.*—The Secretary of Health and Human
 23 Services, acting through the Director of the Center for Sub-
 24 stance Abuse Treatment, shall make grants to establish

1 *projects for the outpatient treatment of substance abuse*
 2 *among juveniles.*

3 “(b) *PREVENTION.—Entities receiving grants under*
 4 *this section shall engage in activities to prevent substance*
 5 *abuse among juveniles.*

6 “(c) *EVALUATION.—The Secretary of Health and*
 7 *Human Services shall evaluate projects carried out under*
 8 *subsection (a) and shall disseminate to appropriate public*
 9 *and private entities information on effective projects.”.*

10 **SEC. 2207. COORDINATED JUVENILE SERVICES GRANTS.**

11 *Title II of the Juvenile Justice and Delinquency Pre-*
 12 *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended*
 13 *by inserting after section 205 the following:*

14 **“SEC. 205A. COORDINATED JUVENILE SERVICES GRANTS.**

15 “(a) *IN GENERAL.—The Attorney General and the*
 16 *Secretary of Health and Human Services shall make grants*
 17 *to a consortium within a State consisting of State or local*
 18 *juvenile justice agencies, State or local substance abuse and*
 19 *mental health agencies, and child service agencies to coordi-*
 20 *nate the delivery of services to children among these agen-*
 21 *cies.*

22 “(b) *USE OF FUNDS.—A consortium described in sub-*
 23 *section (a) that receives a grant under this section shall use*
 24 *the grant for the establishment and implementation of pro-*
 25 *grams that address the service needs of juveniles with sub-*

1 *stance abuse and treatment problems who come into contact*
 2 *with the justice system by requiring the following:*

3 “(1) *Collaboration across child serving systems,*
 4 *including juvenile justice agencies, relevant substance*
 5 *abuse and mental health treatment providers, and*
 6 *State or local educational entities and welfare agen-*
 7 *cies.*

8 “(2) *Appropriate screening and assessment of ju-*
 9 *veniles.*

10 “(3) *Individual treatment plans.*

11 “(4) *Significant involvement of juvenile judges*
 12 *where possible.*

13 “(c) *APPLICATION FOR COORDINATED JUVENILE*
 14 *SERVICES GRANT.—*

15 “(1) *IN GENERAL.—A consortium described in*
 16 *subsection (a) desiring to receive a grant under this*
 17 *section shall submit an application containing such*
 18 *information as the Administrator may prescribe.*

19 “(2) *CONTENTS.—In addition to guidelines es-*
 20 *tablished by the Administrator, each application sub-*
 21 *mitted under paragraph (1) shall provide—*

22 “(A) *certification that there has been appro-*
 23 *priate consultation with all affected agencies and*
 24 *that there will be appropriate coordination with*

1 *all affected agencies in the implementation of the*
2 *program;*

3 *“(B) for the regular evaluation of the pro-*
4 *gram funded by the grant and describe the meth-*
5 *odology that will be used in evaluating the pro-*
6 *gram;*

7 *“(C) assurances that the proposed program*
8 *or activity will not supplant similar programs*
9 *and activities currently available in the commu-*
10 *nity; and*

11 *“(D) specify plans for obtaining necessary*
12 *support and continuing the proposed program*
13 *following the conclusion of Federal support.*

14 *“(3) FEDERAL SHARE.—The Federal share of a*
15 *grant under this section shall not exceed 75 percent*
16 *of the cost of the program.*

17 *“(d) REPORT.—Each recipient of a grant under this*
18 *section during a fiscal year shall submit to the Attorney*
19 *General a description and an evaluation report regarding*
20 *the effectiveness of programs established with the grant on*
21 *the date specified by the Attorney General.*

22 *“(e) AUTHORIZATION OF APPROPRIATIONS.—There*
23 *shall be made available from the Violent Crime Reduction*
24 *Trust Fund for each of fiscal years 2002 through 2004, such*
25 *sums as are necessary to carry out this section.”.*

1 **SEC. 2208. EXPANSION OF RESEARCH.**

2 *Section 464L of the Public Health Service Act (42*
3 *U.S.C. 285o) is amended by adding at the end the following:*

4 *“(f) DRUG ABUSE RESEARCH.—*

5 *“(1) GRANTS OR COOPERATIVE AGREEMENTS.—*

6 *The Director of the Institute shall make grants or*
7 *enter into cooperative agreements to conduct research*
8 *on drug abuse treatment and prevention, and as is*
9 *necessary to establish up to 12 new National Drug*
10 *Abuse Treatment Clinical Trials Network (CTN) Cen-*
11 *ters to develop and test an array of behavioral and*
12 *pharmacological treatments and to determine the con-*
13 *ditions under which novel treatments are successfully*
14 *adopted by local treatment clinics.*

15 *“(2) USE OF FUNDS.—Amounts made available*
16 *under a grant or cooperative agreement under para-*
17 *graph (1) for drug abuse and addiction may be used*
18 *for research and clinical trials relating to—*

19 *“(A) the effects of drug abuse on the human*
20 *body, including the brain;*

21 *“(B) the addictive nature of various drugs*
22 *and how such effects differ with respect to dif-*
23 *ferent individuals;*

24 *“(C) the connection between drug abuse,*
25 *mental health, and teenage suicide;*

1 “(D) the identification and evaluation of
2 the most effective methods of prevention of drug
3 abuse and addiction among juveniles and adults;

4 “(E) the identification and development of
5 the most effective methods of treatment of drug
6 addiction, including pharmacological treatments;

7 “(F) risk factors for drug abuse;

8 “(G) effects of drug abuse and addiction on
9 pregnant women and their fetuses; and

10 “(H) cultural, social, behavioral, neuro-
11 logical and psychological reasons that individ-
12 uals, including juveniles, abuse drugs or refrain
13 from abusing drugs.

14 “(3) *RESEARCH RESULTS.*—The Director shall
15 promptly disseminate research results under this sub-
16 section to Federal, State and local entities involved in
17 combating drug abuse and addiction.

18 “(4) *AUTHORIZATION OF APPROPRIATIONS.*—

19 “(A) *AUTHORIZATION OF APPROPRIA-*
20 *TIONS.*—For the purpose of carrying out para-
21 graphs (1), (2), and (3) there is authorized to be
22 appropriated such sums as are necessary for fis-
23 cal year 2002, and such sums as may be nec-
24 essary for fiscal years 2003 and 2004, for estab-
25 lishment of up to 12 new CTN Centers and for

1 *the identification and development of the most*
 2 *effective methods of treatment and prevention of*
 3 *drug addiction, including behavioral, cognitive,*
 4 *and pharmacological treatments among juveniles*
 5 *and adults.*

6 “(B) *SUPPLEMENT NOT SUPPLANT.—*
 7 *Amounts appropriated pursuant to the author-*
 8 *ization of appropriations in subparagraph (A)*
 9 *for a fiscal year shall supplement and not sup-*
 10 *plant any other amounts appropriated in such*
 11 *fiscal year for research on drug abuse and addic-*
 12 *tion.”.*

13 **SEC. 2209. REPORT ON DRUG-TESTING TECHNOLOGIES.**

14 (a) *REQUIREMENT.—The National Institute on Stand-*
 15 *ards and Technology shall conduct a study of drug-testing*
 16 *technologies in order to identify and assess the efficacy, ac-*
 17 *curacy, and usefulness for purposes of the National effort*
 18 *to detect the use of illicit drugs of any drug-testing tech-*
 19 *nologies (including the testing of hair) that may be used*
 20 *as alternatives or complements to urinalysis as a means*
 21 *of detecting the use of such drugs.*

22 (b) *REPORT.—Not later than 180 days after the date*
 23 *of the enactment of this Act, the Institute shall submit to*
 24 *Congress a report on the results of the study conducted*
 25 *under subsection (a).*

1 **SEC. 2210. USE OF NATIONAL INSTITUTES OF HEALTH SUB-**
2 **STANCE ABUSE RESEARCH.**

3 (a) NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
4 ALCOHOLISM.—Section 464H of the Public Health Service
5 Act (42 U.S.C. 285n) is amended—

6 (1) by redesignating subsection (d) as subsection
7 (e); and

8 (2) by inserting after subsection (c) the fol-
9 lowing:

10 “(d) REQUIREMENT TO ENSURE THAT RESEARCH
11 AIDS PRACTITIONERS.—The Director, in conjunction with
12 the Director of the National Institute on Drug Abuse and
13 the Administrator of the Substance Abuse and Mental
14 Health Services Administration, shall—

15 “(1) ensure that the results of all current sub-
16 stance abuse research that is set aside for services
17 (and other appropriate research with practical con-
18 sequences) is widely disseminated to treatment, pre-
19 vention, and general practitioners in an easily under-
20 standable format;

21 “(2) ensure that such research results are dis-
22 seminated in a manner that provides easily under-
23 standable steps for the implementation of best prac-
24 tices based on the research; and

25 “(3) make technical assistance available to the
26 Center for Substance Abuse Treatment and the Center

1 *for Substance Abuse Prevention to assist alcohol and*
2 *drug treatment and prevention practitioners, includ-*
3 *ing general practitioners, to make permanent changes*
4 *in treatment and prevention activities through the use*
5 *of successful models.”.*

6 **(b) NATIONAL INSTITUTE ON DRUG ABUSE.**—*Section*
7 *464L of the Public Health Service Act (42 U.S.C. 285o)*
8 *is amended—*

9 *(1) by redesignating subsection (d) as subsection*
10 *(e); and*

11 *(2) by inserting after subsection (c) the fol-*
12 *lowing:*

13 **“(d) REQUIREMENT TO ENSURE THAT RESEARCH**
14 **AIDS PRACTITIONERS.**—*The Director, in conjunction with*
15 *the Director of the National Institute on Alcohol Abuse and*
16 *Alcoholism and the Administrator of the Substance Abuse*
17 *and Mental Health Services Administration, shall—*

18 *“(1) ensure that the results of all current sub-*
19 *stance abuse research that is set aside for services*
20 *(and other appropriate research with practical con-*
21 *sequences) is widely disseminated to treatment and*
22 *prevention practitioners, including general practi-*
23 *tioners, in an easily understandable format;*

24 *“(2) ensure that such research results are dis-*
25 *seminated in a manner that provides easily under-*

1 *standable steps for the implementation of best prac-*
 2 *tices based on the research; and*

3 *“(3) make technical assistance available to the*
 4 *Center for Substance Abuse Treatment and the Center*
 5 *for Substance Abuse Prevention to assist alcohol and*
 6 *drug treatment practitioners to make permanent*
 7 *changes in treatment and prevention activities*
 8 *through the use of successful models.”.*

9 **SEC. 2211. STUDY ON STRENGTHENING EFFORTS ON SUB-**
 10 **STANCE ABUSE RESEARCH AT THE NATIONAL**
 11 **INSTITUTES OF HEALTH.**

12 *(a) STUDY.—The Secretary of Health and Human*
 13 *Services (in this section referred to as the “Secretary”),*
 14 *shall enter into a contract, under subsection (b), to conduct*
 15 *a study to determine if combining the National Institute*
 16 *on Drug Abuse and the National Institute on Alcohol Abuse*
 17 *and Alcoholism of the National Institutes of Health to form*
 18 *1 National Institute on Addiction would—*

19 *(1) strengthen the scientific research efforts on*
 20 *substance abuse at the National Institutes of Health;*
 21 *and*

22 *(2) be more economically efficient.*

23 *(b) INSTITUTE OF MEDICINE OF THE NATIONAL ACAD-*
 24 *EMY OF SCIENCES.—The Secretary shall request the Insti-*
 25 *tute of Medicine of the National Academy of Sciences to*

1 *enter into a contract under subsection (a) to conduct the*
 2 *study described in subsection (a).*

3 *(c) REPORT.—Not later than 9 months after the date*
 4 *of enactment of this Act, the Secretary shall submit to the*
 5 *Committee on the Judiciary of the Senate—*

6 *(1) a report detailing the results of the study*
 7 *conducted under subsection (a); and*

8 *(2) any recommendations.*

9 ***Subtitle C—School Safety and***
 10 ***Character Education***

11 ***CHAPTER 1—SCHOOL SAFETY***

12 ***SEC. 2301. ALTERNATIVE EDUCATION.***

13 *Part D of title I of the Elementary and Secondary*
 14 *Education Act of 1965 (20 U.S.C. 6421 et seq.) is amended*
 15 *by adding at the end the following:*

16 ***“Subpart 4—Alternative Education Demonstration***
 17 ***Project Grants***

18 ***“SEC. 1441. PROGRAM AUTHORITY.***

19 *“(a) GRANTS.—*

20 *“(1) IN GENERAL.—From amounts appropriated*
 21 *under section 1443, the Secretary, in consultation*
 22 *with the Administrator, shall make grants to State*
 23 *educational agencies or local educational agencies for*
 24 *not less than 10 demonstration projects that enable*

1 *the agencies to develop models for and carry out alter-*
 2 *native education for at-risk youth.*

3 “(2) *CONSTRUCTION.*—*Nothing in this subpart*
 4 *shall be construed to affect the requirements of the In-*
 5 *dividuals with Disabilities Education Act.*

6 “(b) *DEMONSTRATION PROJECTS.*—

7 “(1) *PARTNERSHIPS.*—*Each agency receiving a*
 8 *grant under this subpart may enter into a partner-*
 9 *ship with a private sector entity to provide alter-*
 10 *native educational services to at-risk youth.*

11 “(2) *REQUIREMENTS.*—*Each demonstration*
 12 *project assisted under this subpart shall—*

13 “(A) *accept for alternative education at-risk*
 14 *or delinquent youth who are referred by a local*
 15 *school or by a court with a juvenile delinquency*
 16 *docket and who—*

17 “(i) *have demonstrated a pattern of se-*
 18 *rious and persistent behavior problems in*
 19 *regular schools;*

20 “(ii) *are at risk of dropping out of*
 21 *school;*

22 “(iii) *have been convicted of a criminal*
 23 *offense or adjudicated delinquent for an act*
 24 *of juvenile delinquency, and are under a*
 25 *court’s supervision; or*

1 “(iv) have demonstrated that continued
2 enrollment in a regular classroom—

3 “(I) poses a physical threat to
4 other students; or

5 “(II) inhibits an atmosphere con-
6 ducive to learning; and

7 “(B) provide for accelerated learning, in a
8 safe, secure, and disciplined environment,
9 including—

10 “(i) basic curriculum focused on mas-
11 tery of essential skills, including targeted
12 instruction in basic skills required for sec-
13 ondary school graduation and employment;
14 and

15 “(ii) emphasis on—

16 “(I) personal, academic, social,
17 and workplace skills; and

18 “(II) behavior modification.

19 “(c) *APPLICABILITY.*—Except as provided in sub-
20 sections (c) and (e) of section 1442, the provisions of section
21 1401(c), 1402, and 1431, and subparts 1 and 2, shall not
22 apply to this subpart.

23 “(d) *DEFINITION OF ADMINISTRATOR.*—In this sub-
24 part, the term ‘Administrator’ means the Administrator of

1 *the Office of Juvenile Crime Control and Prevention of the*
 2 *Department of Justice.*

3 **“SEC. 1442. APPLICATIONS; GRANTEE SELECTION.**

4 “(a) *APPLICATIONS.*—*Each State educational agency*
 5 *and local educational agency seeking a grant under this*
 6 *subpart shall submit an application in such form, and con-*
 7 *taining such information, as the Secretary, in consultation*
 8 *with the Administrator, may reasonably require.*

9 “(b) *SELECTION OF GRANTEES.*—

10 “(1) *IN GENERAL.*—*The Secretary shall select*
 11 *State educational agencies and local educational*
 12 *agencies to receive grants under this subpart on an*
 13 *equitable geographic basis, including selecting agen-*
 14 *cies that serve urban, suburban, and rural popu-*
 15 *lations.*

16 “(2) *MINIMUM.*—*The Secretary shall award a*
 17 *grant under this subpart to not less than 1 agency*
 18 *serving a population with a significant percentage of*
 19 *Native Americans.*

20 “(3) *PRIORITY.*—*In awarding grants under this*
 21 *subpart, the Secretary may give priority to State edu-*
 22 *cational agencies and local educational agencies that*
 23 *demonstrate in the application submitted under sub-*
 24 *section (a) that the State has a policy of equitably*

1 *distributing resources among school districts in the*
2 *State.*

3 “(c) *QUALIFICATIONS.—To qualify for a grant under*
4 *this subpart, a State educational agency or local edu-*
5 *cational agency shall—*

6 “(1) *in the case of a State educational agency,*
7 *have submitted a State plan under section 1414(a)*
8 *that is approved by the Secretary;*

9 “(2) *in the case of a local educational agency,*
10 *have submitted an application under section 1423*
11 *that is approved by the State educational agency;*

12 “(3) *explain the educational and juvenile justice*
13 *needs of the community to be addressed by the dem-*
14 *onstration project;*

15 “(4) *provide a detailed plan to implement the*
16 *demonstration project; and*

17 “(5) *provide assurances and an explanation of*
18 *the agency’s ability to continue the program funded*
19 *by the demonstration project after the termination of*
20 *Federal funding under this subpart.*

21 “(d) *MATCHING REQUIREMENT.—*

22 “(1) *IN GENERAL.—Grant funds provided under*
23 *this subpart shall not constitute more than 35 percent*
24 *of the cost of the demonstration project funded.*

1 “(2) *SOURCE OF FUNDS.*—*Matching funds for*
 2 *grants under this subpart may be derived from*
 3 *amounts available under part B of title II, of the Ju-*
 4 *venile Justice and Delinquency Prevention Act of*
 5 *1974 (42 U.S.C. 5611 et seq.) to the State in which*
 6 *the demonstration project will be carried out, except*
 7 *that the total share of funds derived from Federal*
 8 *sources shall not exceed 50 percent of the cost of the*
 9 *demonstration project.*

10 “(e) *PROGRAM EVALUATION.*—

11 “(1) *IN GENERAL.*—*Each State educational*
 12 *agency or local educational agency that receives a*
 13 *grant under this subpart shall evaluate the dem-*
 14 *onstration project assisted under this subpart in the*
 15 *same manner as programs are evaluated under sec-*
 16 *tion 1431. In addition, the evaluation shall include—*

17 “(A) *an evaluation of the effect of the alter-*
 18 *native education project on order, discipline, and*
 19 *an effective learning environment in regular*
 20 *classrooms;*

21 “(B) *an evaluation of the project’s effective-*
 22 *ness in improving the skills and abilities of at-*
 23 *risk students assigned to alternative education,*
 24 *including an analysis of the academic and social*
 25 *progress of such students; and*

1 “(C) *an evaluation of the project’s effective-*
2 *ness in reducing juvenile crime and delinquency,*
3 *including—*

4 “(i) *reductions in incidents of campus*
5 *crime in relevant school districts, compared*
6 *with school districts not included in the*
7 *project; and*

8 “(ii) *reductions in recidivism by at-*
9 *risk students who have juvenile justice sys-*
10 *tem involvement and are assigned to alter-*
11 *native education.*

12 “(2) *EVALUATION BY THE SECRETARY.—The*
13 *Secretary, in cooperation with the Administrator,*
14 *shall comparatively evaluate each of the demonstra-*
15 *tion projects funded under this subpart, including an*
16 *evaluation of the effectiveness of private sector edu-*
17 *cational services, and shall report the findings of the*
18 *evaluation to the Committee on Education and the*
19 *Workforce of the House of Representatives and the*
20 *Committees on the Judiciary and Health, Education,*
21 *Labor and Pensions of the Senate not later than June*
22 *30, 2007.*

1 **“SEC. 1443. AUTHORIZATION OF APPROPRIATIONS.**

2 *“There are authorized to be appropriated to carry out*
 3 *this subpart such sums as are necessary for each of fiscal*
 4 *years 2002, 2003, and 2004.”.*

5 **SEC. 2302. TRANSFER OF SCHOOL DISCIPLINARY RECORDS.**

6 *Part F of title XIV of the Elementary and Secondary*
 7 *Education Act of 1965 (20 U.S.C. 8921 et seq.) is amended*
 8 *by adding at the end the following:*

9 **“SEC. 14604. TRANSFER OF SCHOOL DISCIPLINARY**
 10 **RECORDS.**

11 *“(a) NONAPPLICATION OF PROVISIONS.—The provi-*
 12 *sions of this section shall not apply to any disciplinary*
 13 *records transferred from a private, parochial, or other non-*
 14 *public school, person, institution, or other entity, that pro-*
 15 *vides education below the college level.*

16 *“(b) DISCIPLINARY RECORDS.—Not later than 2 years*
 17 *after the date of enactment of the Drug Abuse Education,*
 18 *Prevention, and Treatment Act of 2001, each State receiv-*
 19 *ing Federal funds under this Act shall provide an assurance*
 20 *to the Secretary that the State has a procedure in place*
 21 *to facilitate the transfer of disciplinary records by local*
 22 *educational agencies to any private or public elementary*
 23 *school or secondary school for any student who is enrolled*
 24 *or seeks, intends, or is instructed to enroll, full-time or part-*
 25 *time, in the school.”.*

1 **CHAPTER 2—CHARACTER EDUCATION**

2 **Subchapter A—National Character Achievement**

3 **Award**

4 **SEC. 2311. NATIONAL CHARACTER ACHIEVEMENT AWARD.**

5 (a) *PRESENTATION AUTHORIZED.*—*The President is*
6 *authorized to award to individuals under the age of 18, on*
7 *behalf of the Congress, a National Character Achievement*
8 *Award, consisting of a medal of appropriate design, with*
9 *ribbons and appurtenances, honoring those individuals for*
10 *distinguishing themselves as a model of good character.*

11 (b) *DESIGN AND STRIKING.*—*For the purposes of the*
12 *award referred to in subsection (a), the Secretary of the*
13 *Treasury shall design and strike a medal with suitable em-*
14 *blems, devices, and inscriptions, to be determined by such*
15 *Secretary.*

16 (c) *ELIGIBILITY.*—

17 (1) *IN GENERAL.*—*The President pro tempore of*
18 *the Senate and the Speaker of the House of Represent-*
19 *atives shall establish procedures for the processing of*
20 *recommendations to be forwarded to the President for*
21 *awarding National Character Achievement Awards*
22 *under subsection (a).*

23 (2) *RECOMMENDATIONS BY SCHOOL PRIN-*
24 *CIPALS.*—*At a minimum, the recommendations re-*
25 *ferred to in paragraph (1) shall contain the endorse-*
26 *ment of the principal (or equivalent official) of the*

1 *school in which the individual under the age of 18 is*
 2 *enrolled.*

3 ***Subchapter B—Preventing Juvenile Delinquency***
 4 ***Through Character Education***

5 ***SEC. 2321. PURPOSE.***

6 *The purpose of this subchapter is to support the work*
 7 *of community-based organizations, local educational agen-*
 8 *cies, and schools in providing children and youth with al-*
 9 *ternatives to delinquency through strong after school pro-*
 10 *grams that—*

- 11 *(1) are organized around character education;*
 12 *(2) reduce delinquency, school discipline prob-*
 13 *lems, and truancy; and*
 14 *(3) improve student achievement, overall school*
 15 *performance, and youths' positive involvement in*
 16 *their community.*

17 ***SEC. 2322. AUTHORIZATION OF APPROPRIATIONS.***

18 *(a) IN GENERAL.—There are authorized to be appro-*
 19 *priated to carry out the after school programs under this*
 20 *subchapter, such sums as are necessary for fiscal year 2002,*
 21 *and such sums as may be necessary for each of the 2 suc-*
 22 *ceeding fiscal years.*

23 *(b) SOURCE OF FUNDING.—Amounts authorized to be*
 24 *appropriated pursuant to this section may be derived from*
 25 *the Violent Crime Reduction Trust Fund.*

1 **SEC. 2323. AFTER SCHOOL PROGRAMS.**

2 (a) *IN GENERAL.*—*The Secretary, in consultation with*
3 *the Attorney General, is authorized to award grants to com-*
4 *munity-based organizations to enable the organizations to*
5 *provide youth with alternative activities, in the after school*
6 *or out of school hours, that include a strong character edu-*
7 *cation component.*

8 (b) *ELIGIBLE COMMUNITY-BASED ORGANIZATIONS.*—
9 *The Secretary shall only award a grant under this section*
10 *to a community-based organization that has a dem-*
11 *onstrated capacity to provide after school or out of school*
12 *programs to youth, including youth serving organizations,*
13 *businesses, and other community groups.*

14 (c) *APPLICATIONS.*—*Each community-based organiza-*
15 *tion desiring a grant under this section shall submit an*
16 *application to the Secretary at such time and in such man-*
17 *ner as the Secretary may require. Each application shall*
18 *include—*

19 (1) *a description of the community to be served*
20 *and the needs that will be met through the program*
21 *in that community;*

22 (2) *a description of how the program will iden-*
23 *tify and recruit at-risk youth for participation in the*
24 *program, and how the program will provide con-*
25 *tinuing support for the participation of such youth;*

1 (3) a description of the activities to be assisted
2 under the grant, including—

3 (A) how parents, students, and other mem-
4 bers of the community will be involved in the de-
5 sign and implementation of the program;

6 (B) how character education will be incor-
7 porated into the program; and

8 (C) how the program will coordinate activi-
9 ties assisted under this section with activities of
10 schools and other community-based organiza-
11 tions;

12 (4) a description of the goals of the program;

13 (5) a description of how progress toward achiev-
14 ing such goals, and toward meeting the purposes of
15 this subchapter, will be measured; and

16 (6) an assurance that the community-based orga-
17 nization will provide the Secretary with information
18 regarding the program and the effectiveness of the
19 program.

20 **SEC. 2324. GENERAL PROVISIONS.**

21 (a) *DURATION*.—Each grant under this subchapter
22 shall be awarded for a period of not to exceed 5 years.

23 (b) *PLANNING*.—A community-based organization
24 may use grant funds provided under this subchapter for not

1 *more than 1 year for the planning and design of the pro-*
2 *gram to be assisted.*

3 *(c) SELECTION OF GRANTEES.—*

4 *(1) CRITERIA.—The Secretary, in consultation*
5 *with the Attorney General, shall select, through a peer*
6 *review process, community-based organizations to re-*
7 *ceive grants under this subchapter on the basis of the*
8 *quality of the applications submitted and taking into*
9 *consideration such factors as—*

10 *(A) the quality of the activities to be as-*
11 *sisted;*

12 *(B) the extent to which the program fosters*
13 *in youth the elements of character and reaches*
14 *youth at-risk of delinquency;*

15 *(C) the quality of the plan for measuring*
16 *and assessing the success of the program;*

17 *(D) the likelihood the goals of the program*
18 *will be realistically achieved;*

19 *(E) the experience of the applicant in pro-*
20 *viding similar services; and*

21 *(F) the coordination of the program with*
22 *larger community efforts in character education.*

23 *(2) DIVERSITY OF PROJECTS.—The Secretary*
24 *shall approve applications under this subchapter in a*
25 *manner that ensures, to the extent practicable, that*

1 *programs assisted under this subchapter serve dif-*
2 *ferent areas of the United States, including urban,*
3 *suburban and rural areas, and serve at-risk popu-*
4 *lations.*

5 *(d) USE OF FUNDS.—Grant funds under this sub-*
6 *chapter shall be used to support the work of community-*
7 *based organizations, schools, or local educational agencies*
8 *in providing children and youth with alternatives to delin-*
9 *quency through strong after school, or out of school pro-*
10 *grams that—*

11 *(1) are organized around character education;*

12 *(2) reduce delinquency, school discipline prob-*
13 *lems, and truancy; and*

14 *(3) improve student achievement, overall school*
15 *performance, and youths' positive involvement in*
16 *their community.*

17 *(e) DEFINITIONS.—In this subchapter:*

18 *(1) IN GENERAL.—The terms used shall have the*
19 *meanings given such terms in section 14101 of the El-*
20 *ementary and Secondary Education Act of 1965 (20*
21 *U.S.C. 8801).*

22 *(2) CHARACTER EDUCATION.—The term “char-*
23 *acter education” means an organized educational pro-*
24 *gram that works to reinforce core elements of char-*
25 *acter, including caring, civic virtue and citizenship,*

1 *justice and fairness, respect, responsibility, and trust-*
 2 *worthiness.*

3 (3) *SECRETARY.*—*The term “Secretary” means*
 4 *the Secretary of Health and Human Services.*

5 ***Subchapter C—Counseling, Training, and Mentoring***
 6 ***Children of Prisoners***

7 ***SEC. 2331. PURPOSE.***

8 *The purpose of this subchapter is to support the work*
 9 *of community-based organizations in providing counseling,*
 10 *training, and mentoring services to America’s most at-risk*
 11 *children and youth in low-income and high-crime commu-*
 12 *nities who have a parent or legal guardian that is incarcer-*
 13 *ated in a Federal, State, or local correctional facility.*

14 ***SEC. 2332. AUTHORIZATION OF APPROPRIATIONS.***

15 (a) *IN GENERAL.*—*There are authorized to be appro-*
 16 *priated to carry out programs under this subchapter, such*
 17 *sums as are necessary for fiscal year 2002, and such sums*
 18 *as may be necessary for each of the 2 succeeding fiscal years.*

19 (b) *SOURCE OF FUNDING.*—*Amounts authorized to be*
 20 *appropriated pursuant to this section may be derived from*
 21 *the Violent Crime Reduction Trust Fund.*

22 ***SEC. 2333. COUNSELING, TRAINING, AND MENTORING PRO-***
 23 ***GRAMS.***

24 (a) *IN GENERAL.*—*The Attorney General shall award*
 25 *grants to community-based organizations to enable the or-*

ganizations to provide youth who have a parent or legal guardian incarcerated in a Federal, State, or local correctional facility with counseling, training, and mentoring services in low-income and high-crime communities that include—

(1) counseling, including drug prevention counseling;

(2) academic tutoring, including online computer academic programs that focus on the development and reinforcement of basic skills;

(3) technology training, including computer skills;

(4) job skills and vocational training; and

(5) confidence building mentoring services.

(b) *ELIGIBLE COMMUNITY-BASED ORGANIZATIONS.*—

The Attorney General shall only award a grant under this section to a community-based organization that has a demonstrated capacity to provide after school or out of school programs to youth, including youth serving organizations, businesses, and other community groups.

(c) *APPLICATIONS.*—Each community-based organization desiring a grant under this section shall submit an application to the Attorney General at such time and in such manner as the Attorney General may require. Each application shall include—

1 (1) a description of the community to be served
2 and the needs that will be met through the program
3 in that community;

4 (2) a description of how the program will iden-
5 tify and recruit youth who have a parent or legal
6 guardian that is incarcerated in a Federal, State, or
7 local correctional facility for participation in the pro-
8 gram, and how the program will provide continuing
9 support for the participation of such youth;

10 (3) a description of the activities to be assisted
11 under the grant, including—

12 (A) how parents, residents, and other mem-
13 bers of the community will be involved in the de-
14 sign and implementation of the program; and

15 (B) how counseling, training, and men-
16 toring services will be incorporated into the pro-
17 gram;

18 (4) a description of the goals of the program;

19 (5) a description of how progress toward achiev-
20 ing such goals, and toward meeting the purposes of
21 this subchapter, will be measured; and

22 (6) an assurance that the community-based orga-
23 nization will provide the Attorney General with infor-
24 mation regarding the program and the effectiveness of
25 the program.

1 **SEC. 2334. GENERAL PROVISIONS.**

2 (a) *DURATION.*—*Each grant under this subchapter*
3 *shall be awarded for a period of not to exceed 5 years.*

4 (b) *PLANNING.*—*A community-based organization*
5 *may use grant funds provided under this subchapter for not*
6 *more than 1 year for the planning and design of the pro-*
7 *gram to be assisted.*

8 (c) *SELECTION OF GRANTEES.*—

9 (1) *CRITERIA.*—*The Attorney General shall se-*
10 *lect, through a peer review process, community-based*
11 *organizations to receive grants under this subchapter*
12 *on the basis of the quality of the applications sub-*
13 *mitted and taking into consideration such factors*
14 *as—*

15 (A) *the quality of the activities to be as-*
16 *sisted;*

17 (B) *the extent to which the program fosters*
18 *positive youth development and encourages*
19 *meaningful and rewarding lifestyles;*

20 (C) *the likelihood the goals of the program*
21 *will be realistically achieved;*

22 (D) *the experience of the applicant in pro-*
23 *viding similar services; and*

24 (E) *the coordination of the program with*
25 *larger community efforts.*

1 (2) *DIVERSITY OF PROJECTS.*—*The Attorney*
 2 *General shall approve applications under this sub-*
 3 *chapter in a manner that ensures, to the extent prac-*
 4 *ticable, that programs assisted under this subchapter*
 5 *serve different low-income and high-crime commu-*
 6 *nities of the United States.*

7 (d) *USE OF FUNDS.*—*Grant funds under this sub-*
 8 *chapter shall be used to support the work of community-*
 9 *based organizations in providing children of incarcerated*
 10 *parents or legal guardians with alternatives to delinquency*
 11 *through strong after school, or out of school programs that—*

12 (1) *are organized around counseling, training,*
 13 *and mentoring;*

14 (2) *reduce delinquency, school discipline prob-*
 15 *lems, and truancy; and*

16 (3) *improve student achievement, overall school*
 17 *performance, and youths' positive involvement in*
 18 *their community.*

19 ***Subtitle D—Reestablishment of*** 20 ***Drug Courts***

21 ***SEC. 2401. REESTABLISHMENT OF DRUG COURTS.***

22 (a) *DRUG COURTS.*—*Title I of the Omnibus Crime*
 23 *Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et*
 24 *seq.) is amended by inserting after part DD the following*
 25 *new part:*

1 **“PART EE—DRUG COURTS**

2 **“SEC. 2951. GRANT AUTHORITY.**

3 “(a) *IN GENERAL.*—*The Attorney General may make*
4 *grants to States, State courts, local courts, units of local*
5 *government, and Indian tribal governments, acting directly*
6 *or through agreements with other public or private entities,*
7 *for programs that involve—*

8 “(1) *continuing judicial supervision over offend-*
9 *ers with substance abuse problems who are not violent*
10 *offenders; and*

11 “(2) *the integrated administration of other sanc-*
12 *tions and services, which shall include—*

13 “(A) *mandatory periodic testing for the use*
14 *of controlled substances or other addictive sub-*
15 *stances during any period of supervised release*
16 *or probation for each participant;*

17 “(B) *substance abuse treatment for each*
18 *participant;*

19 “(C) *diversion, probation, or other super-*
20 *vised release involving the possibility of prosecu-*
21 *tion, confinement, or incarceration based on*
22 *noncompliance with program requirements or*
23 *failure to show satisfactory progress;*

24 “(D) *offender management, and aftercare*
25 *services such as relapse prevention, health care,*
26 *education, vocational training, job placement,*

1 housing placement, and child care or other fam-
 2 ily support services for each participant who re-
 3 quires such services;

4 “(E) payment, in whole or part, by the of-
 5 fender of treatment costs, to the extent prac-
 6 ticable, such as costs for urinalysis or counseling;
 7 and

8 “(F) payment, in whole or part, by the of-
 9 fender of restitution, to the extent practicable, to
 10 either a victim of the offender’s offense or to a
 11 restitution or similar victim support fund.

12 “(b) *LIMITATION.*—Economic sanctions imposed on an
 13 offender pursuant to this section shall not be at a level that
 14 would interfere with the offender’s rehabilitation.

15 **“SEC. 2952. PROHIBITION OF PARTICIPATION BY VIOLENT**
 16 **OFFENDERS.**

17 “The Attorney General shall—

18 “(1) issue regulations or guidelines to ensure
 19 that the programs authorized in this part do not per-
 20 mit participation by violent offenders; and

21 “(2) immediately suspend funding for any grant
 22 under this part, pending compliance, if the Attorney
 23 General finds that violent offenders are participating
 24 in any program funded under this part.

1 **“SEC. 2953. DEFINITION.**

2 *“In this part, the term ‘violent offender’ means a per-*
 3 *son who—*

4 *“(1) is charged with or convicted of an offense,*
 5 *during the course of which offense or conduct—*

6 *“(A) the person carried, possessed, or used*
 7 *a firearm or dangerous weapon;*

8 *“(B) there occurred the death of or serious*
 9 *bodily injury to any person; or*

10 *“(C) there occurred the use of force against*
 11 *the person of another, without regard to whether*
 12 *any of the circumstances described in subpara-*
 13 *graph (A) or (B) is an element of the offense or*
 14 *conduct of which or for which the person is*
 15 *charged or convicted; or*

16 *“(2) has 1 or more prior convictions for a felony*
 17 *crime of violence involving the use or attempted use*
 18 *of force against a person with the intent to cause*
 19 *death or serious bodily harm.*

20 **“SEC. 2954. ADMINISTRATION.**

21 *“(a) CONSULTATION.—The Attorney General shall con-*
 22 *sult with the Secretary of Health and Human Services and*
 23 *any other appropriate officials in carrying out this part.*

24 *“(b) USE OF COMPONENTS.—The Attorney General*
 25 *may utilize any component or components of the Depart-*
 26 *ment of Justice in carrying out this part.*

1 “(c) *REGULATORY AUTHORITY.*—*The Attorney Gen-*
2 *eral may issue regulations and guidelines necessary to*
3 *carry out this part.*

4 “(d) *APPLICATIONS.*—*In addition to any other re-*
5 *quirements that may be specified by the Attorney General,*
6 *an application for a grant under this part shall—*

7 “(1) *include a long-term strategy and detailed*
8 *implementation plan;*

9 “(2) *explain the applicant’s inability to fund the*
10 *program adequately without Federal assistance;*

11 “(3) *certify that the Federal support provided*
12 *will be used to supplement, and not supplant, State,*
13 *Indian tribal, and local sources of funding that would*
14 *otherwise be available;*

15 “(4) *identify related governmental or community*
16 *initiatives which complement or will be coordinated*
17 *with the proposal;*

18 “(5) *certify that there has been appropriate con-*
19 *sultation with all affected agencies and that there will*
20 *be appropriate coordination with all affected agencies*
21 *in the implementation of the program;*

22 “(6) *certify that participating offenders will be*
23 *supervised by 1 or more designated judges with re-*
24 *sponsibility for the drug court program;*

1 “(7) *specify plans for obtaining necessary sup-*
2 *port and continuing the proposed program following*
3 *the conclusion of Federal support; and*

4 “(8) *describe the methodology that will be used*
5 *in evaluating the program.*

6 **“SEC. 2955. APPLICATIONS.**

7 *“To request funds under this part, the chief executive*
8 *or the chief justice of a State or the chief executive or judge*
9 *of a unit of local government or Indian tribal government,*
10 *or the chief judge of a State court or the judge of a local*
11 *court or Indian tribal court shall submit an application*
12 *to the Attorney General in such form and containing such*
13 *information as the Attorney General may reasonably re-*
14 *quire.*

15 **“SEC. 2956. FEDERAL SHARE.**

16 *“(a) IN GENERAL.—The Federal share of a grant made*
17 *under this part may not exceed 75 percent of the total costs*
18 *of the program described in the application submitted under*
19 *section 2955 for the fiscal year for which the program re-*
20 *ceives assistance under this part, unless the Attorney Gen-*
21 *eral waives, wholly or in part, the requirement of a match-*
22 *ing contribution under this section.*

23 *“(b) IN-KIND CONTRIBUTIONS.—In-kind contributions*
24 *may constitute a portion of the non-Federal share of a*
25 *grant.*

1 **“SEC. 2957. DISTRIBUTION AND ALLOCATION.**

2 “(a) *GEOGRAPHIC DISTRIBUTION.*—*The Attorney Gen-*
3 *eral shall ensure that, to the extent practicable, an equitable*
4 *geographic distribution of grant awards is made.*

5 “(b) *MINIMUM ALLOCATION.*—*Unless all eligible appli-*
6 *cations submitted by any State or unit of local government*
7 *within such State for a grant under this part have been*
8 *funded, such State, together with grantees within the State*
9 *(other than Indian tribes), shall be allocated in each fiscal*
10 *year under this part not less than 0.75 percent of the total*
11 *amount appropriated in the fiscal year for grants pursuant*
12 *to this part.*

13 **“SEC. 2958. REPORT.**

14 “A *State, Indian tribal government, or unit of local*
15 *government that receives funds under this part during a*
16 *fiscal year shall submit to the Attorney General a descrip-*
17 *tion and an evaluation report on a date specified by the*
18 *Attorney General regarding the effectiveness of this part.*

19 **“SEC. 2959. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
20 **UATION.**

21 “(a) *TECHNICAL ASSISTANCE AND TRAINING.*—*The*
22 *Attorney General may provide technical assistance and*
23 *training in furtherance of the purposes of this part.*

24 “(b) *EVALUATIONS.*—*In addition to any evaluation re-*
25 *quirements that may be prescribed for grantees, the Attor-*

1 *ney General may carry out or make arrangements for eval-*
 2 *uations of programs that receive support under this part.*

3 “(c) *ADMINISTRATION.—The technical assistance,*
 4 *training, and evaluations authorized by this section may*
 5 *be carried out directly by the Attorney General, in collabo-*
 6 *ration with the Secretary of Health and Human Services,*
 7 *or through grants, contracts, or other cooperative arrange-*
 8 *ments with other entities.”.*

9 (b) *TECHNICAL AMENDMENT.—The table of contents of*
 10 *title I of the Omnibus Crime Control and Safe Streets Act*
 11 *of 1968 (42 U.S.C. 3711 et seq.) is amended by inserting*
 12 *after the matter relating to part DD the following:*

“PART EE—DRUG COURTS

“Sec. 2951. Grant authority.

“Sec. 2952. Prohibition of participation by violent offenders.

“Sec. 2953. Definition.

“Sec. 2954. Administration.

“Sec. 2955. Applications.

“Sec. 2956. Federal share.

“Sec. 2957. Distribution and allocation.

“Sec. 2958. Report.

“Sec. 2959. Technical assistance, training, and evaluation.”.

13 **SEC. 2402. AUTHORIZATION OF APPROPRIATIONS.**

14 *Section 1001(a) of title I of the Omnibus Crime Con-*
 15 *trol and Safe Streets Act of 1968 (42 U.S.C. 3793) is*
 16 *amended—*

17 *(1) in paragraph (3), by inserting before the pe-*
 18 *riod at the end the following: “or EE”; and*

19 *(2) by adding at the end the following new para-*
 20 *graph:*

1 “(20)(A) *There are authorized to be appropriated*
 2 *for fiscal year 2002 such sums as are necessary and*
 3 *for fiscal years 2003 and 2004 such sums as may be*
 4 *necessary to carry out part EE.*

5 “(B) *The Attorney General shall reserve not less*
 6 *than 1 percent and not more than 4.5 percent of the*
 7 *sums appropriated for this program in each fiscal*
 8 *year for research and evaluation of this program.”.*

9 ***Subtitle E—Program for Successful***
 10 ***Reentry of Criminal Offenders***
 11 ***Into Local Communities***

12 ***SEC. 2501. SHORT TITLE.***

13 *This subtitle may be cited as the “Offender Reentry*
 14 *and Community Safety Act of 2001”.*

15 ***SEC. 2502. PURPOSES.***

16 *The purposes of this subtitle are to—*

17 (1) *establish demonstration projects in several*
 18 *Federal judicial districts, the District of Columbia,*
 19 *and in the Federal Bureau of Prisons, using new*
 20 *strategies and emerging technologies that alleviate the*
 21 *public safety risk posed by released prisoners by pro-*
 22 *moting their successful reintegration into the commu-*
 23 *nity;*

1 (2) *establish court-based programs to monitor the*
 2 *return of offenders into communities, using court*
 3 *sanctions to promote positive behavior;*

4 (3) *establish offender reentry demonstration*
 5 *projects in the states using government and commu-*
 6 *nity partnerships to coordinate cost efficient strate-*
 7 *gies that ensure public safety and enhance the success-*
 8 *ful reentry into communities of offenders who have*
 9 *completed their prison sentences;*

10 (4) *establish intensive aftercare demonstration*
 11 *projects that address public safety and ensure the spe-*
 12 *cial reentry needs of juvenile offenders by coordi-*
 13 *nating the resources of juvenile correctional agencies,*
 14 *juvenile courts, juvenile parole agencies, law enforce-*
 15 *ment agencies, social service providers, and local*
 16 *Workforce Investment Boards; and*

17 (5) *rigorously evaluate these reentry programs to*
 18 *determine their effectiveness in reducing recidivism*
 19 *and promoting successful offender reintegration.*

20 **CHAPTER 1—FEDERAL REENTRY**

21 **DEMONSTRATION PROJECTS**

22 **SEC. 2511. FEDERAL COMMUNITY CORRECTIONS CENTERS**
 23 **REENTRY PROJECT.**

24 (a) *AUTHORITY AND ESTABLISHMENT OF FEDERAL*
 25 *COMMUNITY CORRECTIONS CENTERS REENTRY PROJECT.—*

1 *Subject to the availability of appropriations to carry out*
2 *this chapter, the Attorney General and the Director of the*
3 *Administrative Office of the United States Courts, shall es-*
4 *tablish the Federal Reentry project. The project shall involve*
5 *appropriate prisoners released from the Federal prison pop-*
6 *ulation to a community corrections center during fiscal*
7 *years 2003 and 2004, and a coordinated response by Fed-*
8 *eral agencies to assist participating prisoners, under close*
9 *monitoring and more seamless supervision, in preparing for*
10 *and adjusting to reentry into the community.*

11 (b) *PROJECT ELEMENTS.*—*The project authorized by*
12 *subsection (a) shall include—*

13 (1) *a Reentry Review Team for each prisoner,*
14 *consisting of representatives from the Bureau of Pris-*
15 *ons, the United States Probation System, and the rel-*
16 *evant community corrections center, who shall ini-*
17 *tially meet with the prisoner to develop a reentry*
18 *plan tailored to the needs of the prisoner and taking*
19 *into account the views of the victim advocate and the*
20 *family of the prisoner, if it is safe for the victim, and*
21 *will thereafter meet regularly to monitor the pris-*
22 *oner's progress toward reentry and coordinate access*
23 *to appropriate reentry measures and resources;*

24 (2) *drug testing, as appropriate;*

1 (3) *a system of graduated levels of supervision*
2 *within the community corrections centers to promote*
3 *community safety, provide incentives for prisoners to*
4 *complete the reentry plan, including victim restitu-*
5 *tion, and provide a reasonable method for imposing*
6 *immediate sanctions for a prisoner's minor or tech-*
7 *nical violation of the conditions of participation in*
8 *the project;*

9 (4) *substance abuse treatment and aftercare,*
10 *mental and medical health treatment and aftercare,*
11 *vocational and basic educational training, and other*
12 *programming to promote effective reintegration into*
13 *the community as needed;*

14 (5) *to the extent practicable, the recruitment and*
15 *utilization of local citizen volunteers, including volun-*
16 *teers from the faith-based and business communities,*
17 *to serve as advisers and mentors to prisoners being re-*
18 *leased into the community;*

19 (6) *a description of the methodology and outcome*
20 *measures that will be used to evaluate the program;*
21 *and*

22 (7) *notification to victims on the status and na-*
23 *ture of offenders' release, as appropriate.*

24 (c) *PROBATION OFFICERS.—From funds made avail-*
25 *able to carry out this Act, the Director of the Administrative*

1 *Office of the United States Courts shall appoint 1 or more*
2 *probation officers from each judicial district to the Reentry*
3 *Demonstration project. Such officers shall serve as reentry*
4 *officers and shall serve on the Reentry Review Teams.*

5 (d) *PROJECT DURATION.*—*The Community Correc-*
6 *tions Center Reentry project shall begin not later than 9*
7 *months following the availability of funds to carry out this*
8 *section, and shall last 5 years. The Attorney General and*
9 *the Director of the Administrative Office of the United*
10 *States Courts may extend the project for a period of up*
11 *to 6 months to enable participant prisoners to complete*
12 *their involvement in the project.*

13 (e) *SELECTION OF PRISONERS.*—*The Director of the*
14 *Administrative Office of the United States Courts in con-*
15 *sultation with the Attorney General shall select an appro-*
16 *priate pool of prisoners from the Federal prison population*
17 *scheduled to be released to community correction centers in*
18 *fiscal years 2003 and 2004 to participate in the Reentry*
19 *project.*

20 (f) *COORDINATION OF PROJECTS.*—*If appropriate,*
21 *Community Corrections Center Reentry project offenders*
22 *who participated in the Enhanced In-Prison Vocational As-*
23 *essment and Training Demonstration project established*
24 *by section 615 may be included.*

1 **SEC. 2512. FEDERAL HIGH-RISK OFFENDER REENTRY**
2 **PROJECT.**

3 (a) *AUTHORITY AND ESTABLISHMENT OF FEDERAL*
4 *HIGH-RISK OFFENDER PROJECT.*—Subject to the avail-
5 ability of appropriations to carry out this Act, the Director
6 of the Administrative Office of the United States Courts
7 shall establish the Federal High-Risk Offender Reentry
8 project. The project shall involve Federal offenders under
9 supervised release who have violated the terms of their re-
10 lease following a term of imprisonment and shall utilize,
11 as appropriate and indicated, community corrections cen-
12 ters, home confinement, appropriate monitoring tech-
13 nologies, and treatment and programming to promote more
14 effective reentry into the community.

15 (b) *PROJECT ELEMENTS.*—The project authorized by
16 subsection (a) shall include—

17 (1) *participation by Federal prisoners who have*
18 *violated the terms of their release following a term of*
19 *imprisonment;*

20 (2) *use of community corrections centers and*
21 *home confinement that, together with the technology*
22 *referenced in paragraph (5), will be part of a system*
23 *of graduated levels of supervision;*

24 (3) *substance abuse treatment and aftercare,*
25 *mental and medical health treatment and aftercare,*
26 *vocational and basic educational training, and other*

1 *programming to promote effective reintegration into*
2 *the community as needed;*

3 *(4) involvement of a victim advocate and the*
4 *family of the prisoner, if it is safe for the victim(s),*
5 *especially in domestic violence cases, to be involved;*

6 *(5) the use of monitoring technologies, as appro-*
7 *priate and indicated, to monitor and supervise par-*
8 *ticipating offenders in the community;*

9 *(6) a description of the methodology and outcome*
10 *measures that will be used to evaluate the program;*
11 *and*

12 *(7) notification to victims on the status and na-*
13 *ture of a prisoner's release, as appropriate.*

14 *(c) CONDITION OF SUPERVISED RELEASE.—During*
15 *the demonstration project, appropriate offenders who are*
16 *found to have violated a term of supervised release and who*
17 *will be subject to some additional term of supervised release,*
18 *may be designated to participate in the demonstration*
19 *project. With respect to these offenders, the court may im-*
20 *pose additional conditions of supervised release that each*
21 *offender shall, as directed by the probation officer, reside*
22 *at a community corrections center or participate in a pro-*
23 *gram of home confinement, or both, and submit to appro-*
24 *priate location verification monitoring. The court may also*

1 *impose additional correctional intervention conditions as*
 2 *appropriate.*

3 (d) *PROJECT DURATION.*—*The Federal High-Risk Of-*
 4 *fender Reentry Project shall begin not later than 9 months*
 5 *following the availability of funds to carry out this section,*
 6 *and shall last 5 years. The Director of the Administrative*
 7 *Office of the United States Courts may extend the project*
 8 *for a period of up to 6 months to enable participating pris-*
 9 *oners to complete their involvement in the project.*

10 (e) *SELECTION OF OFFENDERS.*—*The Director of the*
 11 *Administrative Office of the United States Courts shall se-*
 12 *lect an appropriate pool of offenders who are found by the*
 13 *court to have violated a term of supervised release during*
 14 *fiscal year 2003 and 2004 to participate in the Federal*
 15 *High-Risk Offender Reentry project.*

16 **SEC. 2513. DISTRICT OF COLUMBIA INTENSIVE SUPER-**
 17 **VISION, TRACKING, AND REENTRY TRAINING**
 18 **(DC iSTART) DEMONSTRATION PROJECT.**

19 (a) *AUTHORITY AND ESTABLISHMENT OF DEMONSTRA-*
 20 *TION PROJECT.*—*From funds made available to carry out*
 21 *this Act, the Trustee of the Court Services and Offender Su-*
 22 *pervision Agency of the District of Columbia, as authorized*
 23 *by the National Capital Revitalization and Self-Govern-*
 24 *ment Improvement Act of 1997 (Public Law 105–33; 111*
 25 *Stat. 712) shall establish the District of Columbia Intensive*

1 *Supervision, Tracking and Reentry Training Demonstra-*
2 *tion (DC iSTART) project. The project shall involve high*
3 *risk District of Columbia parolees who would otherwise be*
4 *released into the community without a period of confine-*
5 *ment in a community corrections facility and shall utilize*
6 *intensive supervision, monitoring, and programming to*
7 *promote such parolees' successful reentry into the commu-*
8 *nity.*

9 (b) *PROJECT ELEMENTS.*—*The project authorized by*
10 *subsection (a) shall include—*

11 (1) *participation by appropriate high risk parol-*
12 *ees;*

13 (2) *use of community corrections facilities and*
14 *home confinement;*

15 (3) *a Reentry Review Team that includes a vic-*
16 *tim witness professional for each parolee which shall*
17 *meet with the parolee, by video conference or other*
18 *means as appropriate, before the release of the parolee*
19 *from the custody of the Federal Bureau of Prisons to*
20 *develop a reentry plan that incorporates victim im-*
21 *pact information and is tailored to the needs of the*
22 *parolee and which will thereafter meet regularly to*
23 *monitor the parolee's progress toward reentry and co-*
24 *ordinate access to appropriate reentry measures and*
25 *resources;*

1 (4) *regular drug testing, as appropriate;*

2 (5) *a system of graduated levels of supervision*
3 *within the community corrections facility to promote*
4 *community safety, victim restitution, to the extent*
5 *practicable, provide incentives for prisoners to com-*
6 *plete the reentry plan, and provide a reasonable meth-*
7 *od for immediately sanctioning a prisoner's minor or*
8 *technical violation of the conditions of participation*
9 *in the project;*

10 (6) *substance abuse treatment and aftercare,*
11 *mental and medical health treatment and aftercare,*
12 *vocational and basic educational training, and other*
13 *programming to promote effective reintegration into*
14 *the community as needed;*

15 (7) *the use of monitoring technologies, as appro-*
16 *priate;*

17 (8) *to the extent practicable, the recruitment and*
18 *utilization of local citizen volunteers, including volun-*
19 *teers from the faith-based communities, to serve as ad-*
20 *visers and mentors to prisoners being released into the*
21 *community; and*

22 (9) *notification to victims on the status and na-*
23 *ture of a prisoner's reentry plan.*

24 (c) *MANDATORY CONDITION OF PAROLE.—For those*
25 *offenders eligible to participate in the demonstration*

1 project, the United States Parole Commission shall impose
 2 additional mandatory conditions of parole such that the of-
 3 fender when on parole shall, as directed by the community
 4 supervision officer, reside at a community corrections facil-
 5 ity or participate in a program of home confinement, or
 6 both, submit to electronic and other remote monitoring, and
 7 otherwise participate in the project.

8 (d) *PROGRAM DURATION.*—The District of Columbia
 9 Intensive Supervision, Tracking and Reentry Training
 10 Demonstration shall begin not later than 6 months fol-
 11 lowing the availability of funds to carry out this section,
 12 and shall last 3 years. The Trustee of the Court Services
 13 and Offender Supervision Agency of the District of Colum-
 14 bia may extend the project for a period of up to 6 months
 15 to enable participating prisoners to complete their involve-
 16 ment in the project.

17 **SEC. 2514. FEDERAL INTENSIVE SUPERVISION, TRACKING,**
 18 **AND REENTRY TRAINING (FED iSTART)**
 19 **PROJECT.**

20 (a) *AUTHORITY AND ESTABLISHMENT OF PROJECT.*—
 21 Subject to the availability of appropriations to carry out
 22 this section, the Director of the Administrative Office of the
 23 United States Courts, in consultation with the Attorney
 24 General, shall establish the Federal Intensive Supervision,
 25 Tracking and Reentry Training (FED iSTART) project.

1 *The project shall involve appropriate high risk Federal of-*
2 *fenders who are being released into the community without*
3 *a period of confinement in a community corrections center.*

4 *(b) PROJECT ELEMENTS.—The project authorized by*
5 *subsection (a) shall include—*

6 *(1) participation by appropriate high risk Fed-*
7 *eral offenders;*

8 *(2) significantly smaller caseloads for probation*
9 *officers participating in the demonstration project;*

10 *(3) substance abuse treatment and aftercare,*
11 *mental and medical health treatment and aftercare,*
12 *vocational and basic educational training, and other*
13 *programming to promote effective reintegration into*
14 *the community as needed; and*

15 *(4) notification to victims on the status and na-*
16 *ture of a prisoner's reentry plan.*

17 *(c) PROGRAM DURATION.—The Federal Intensive Su-*
18 *pervision, Tracking and Reentry Training Project shall*
19 *begin not later than 9 months following the availability of*
20 *funds to carry out this section, and shall last 3 years. The*
21 *Director of the Administrative Office of the United States*
22 *Courts may extend the project for a period of up to 6*
23 *months to enable participating prisoners to complete their*
24 *involvement in the project.*

1 (d) *SELECTION OF PRISONERS.*—*The Director of the*
 2 *Administrative Office of the United States Courts, in con-*
 3 *sultation with the Attorney General, shall select an appro-*
 4 *priate pool of Federal prisoners who are scheduled to be*
 5 *released into the community without a period of confine-*
 6 *ment in a community corrections center in fiscal years*
 7 *2003 and 2004 to participate in the Federal Intensive Su-*
 8 *pervision, Tracking and Reentry Training project.*

9 **SEC. 2515. FEDERAL ENHANCED IN-PRISON VOCATIONAL**
 10 **ASSESSMENT AND TRAINING AND DEM-**
 11 **ONSTRATION PROJECT.**

12 (a) *AUTHORITY AND ESTABLISHMENT OF DEMONSTRA-*
 13 *TION PROJECT.*—*From funds made available to carry out*
 14 *this section, the Attorney General shall establish the Federal*
 15 *Enhanced In-Prison Vocational Assessment and Training*
 16 *Demonstration project in selected institutions. The project*
 17 *shall provide in-prison assessments of prisoners' vocational*
 18 *needs and aptitudes, enhanced work skills development, en-*
 19 *hanced release readiness programming, and other compo-*
 20 *nents as appropriate to prepare Federal prisoners for re-*
 21 *lease and reentry into the community.*

22 (b) *PROGRAM DURATION.*—*The Enhanced In-Prison*
 23 *Vocational Assessment and Training Demonstration shall*
 24 *begin not later than 6 months following the availability of*
 25 *funds to carry out this section, and shall last 3 years. The*

1 *Attorney General may extend the project for a period of*
2 *up to 6 months to enable participating prisoners to com-*
3 *plete their involvement in the project.*

4 **SEC. 2516. RESEARCH AND REPORTS TO CONGRESS.**

5 (a) *DIRECTOR OF THE ADMINISTRATIVE OFFICE OF*
6 *THE UNITED STATES COURTS.*—*Not later than 2 years*
7 *after enactment of this Act, the Director of the Administra-*
8 *tive Office of the United States Courts shall report to Con-*
9 *gress on the progress of the reentry projects authorized by*
10 *sections 2511, 2512, and 2514. Not later than 2 years after*
11 *the end of the reentry projects authorized by sections 2511,*
12 *2512, and 2514, the Director of the Administrative Office*
13 *of the United States Courts shall report to Congress on the*
14 *effectiveness of the reentry projects authorized by sections*
15 *2511, 2512, and 2514 on post-release outcomes and recidi-*
16 *vism. The report shall address post-release outcomes and re-*
17 *cidivism for a period of 3 years following release from cus-*
18 *tody. The reports submitted pursuant to this section shall*
19 *be submitted to the Committees on the Judiciary of the*
20 *House of Representatives and the Senate.*

21 (b) *ATTORNEY GENERAL.*—*Not later than 2 years after*
22 *enactment of this Act, the Attorney General shall report to*
23 *Congress on the progress of the projects authorized by sec-*
24 *tion 2515. Not later than 180 days after the end of the*
25 *projects authorized by section 2515, the Attorney General*

1 shall report to Congress on the effectiveness of the reentry
2 projects authorized by section 2515 on post-release outcomes
3 and recidivism. The report should address post-release out-
4 comes and recidivism for a period of 3 years following re-
5 lease from custody. The reports submitted pursuant to this
6 section shall be submitted to the Committees on the Judici-
7 ary of the House of Representatives and the Senate.

8 (c) *DC iSTART*.—Not later than 2 years after enact-
9 ment of this Act, the Executive Director of the corporation
10 or institute authorized by section 11281(2) of the National
11 Capital Revitalization and Self-Government Improvement
12 Act of 1997 (Public Law 105–33; 111 Stat. 712) shall re-
13 port to Congress on the progress of the demonstration
14 project authorized by section 2515. Not later than 1 year
15 after the end of the demonstration project authorized by sec-
16 tion 2513, the Executive Director of the corporation or in-
17 stitute authorized by section 11281(2) of the National Cap-
18 ital Revitalization and Self-Government Improvement Act
19 of 1997 (Public Law 105–33; 111 Stat. 712) shall report
20 to Congress on the effectiveness of the reentry project author-
21 ized by section 2513 on post-release outcomes and recidi-
22 vism. The report shall address post-release outcomes and re-
23 cidivism for a period of 3 years following release from cus-
24 tody. The reports submitted pursuant to this section shall
25 be submitted to the Committees on the Judiciary of the

1 *House of Representatives and the Senate. In the event that*
 2 *the corporation or institute authorized by section 11281(2)*
 3 *of the National Capital Revitalization and Self-Government*
 4 *Improvement Act of 1997 (Public Law 105–33; 111 Stat.*
 5 *712) is not in operation 1 year after enactment of this Act,*
 6 *the Director of the National Institute of Justice shall pre-*
 7 *pare and submit the reports required by this section and*
 8 *may do so from funds made available to the Court Services*
 9 *and Offender Supervision Agency of the District of Colum-*
 10 *bia, as authorized by the National Capital Revitalization*
 11 *and Self-Government Improvement Act of 1997 (Public*
 12 *Law 105–33; 111 Stat. 712) to carry out this chapter.*

13 **SEC. 2517. DEFINITIONS.**

14 *In this chapter:*

15 (1) *APPROPRIATE HIGH RISK PAROLEES.—The*
 16 *term “appropriate high risk parolees” means parolees*
 17 *considered by prison authorities—*

18 (A) *to pose a medium to high risk of com-*
 19 *mitting a criminal act upon reentering the com-*
 20 *munity; and*

21 (B) *to lack the skills and family support*
 22 *network that facilitate successful reintegration*
 23 *into the community.*

1 (2) *APPROPRIATE PRISONER.*—*The term “appro-*
2 *priate prisoner” means a person who is considered by*
3 *prison authorities—*

4 *(A) to pose a medium to high risk of com-*
5 *mitting a criminal act upon reentering the com-*
6 *munity; and*

7 *(B) to lack the skills and family support*
8 *network that facilitate successful reintegration*
9 *into the community.*

10 ***SEC. 2518. AUTHORIZATION OF APPROPRIATIONS.***

11 *To carry out this chapter, there are authorized to be*
12 *appropriated, to remain available until expended, the fol-*
13 *lowing amounts:*

14 (1) *To the Federal Bureau of Prisons—*

15 *(A) such sums as are necessary for fiscal*
16 *year 2002;*

17 *(B) such sums as are necessary for fiscal*
18 *year 2003; and*

19 *(C) such sums as are necessary for fiscal*
20 *year 2004.*

21 (2) *To the Federal Judiciary—*

22 *(A) such sums as are necessary for fiscal*
23 *year 2002;*

24 *(B) such sums as are necessary for fiscal*
25 *year 2003;*

1 (C) such sums as are necessary for fiscal
2 year 2004;

3 (D) such sums as are necessary for fiscal
4 year 2005; and

5 (E) such sums as are necessary for fiscal
6 year 2006.

7 (3) To the Court Services and Offender Super-
8 vision Agency of the District of Columbia, as author-
9 ized by the National Capital Revitalization and Self-
10 Government Improvement Act of 1997 (Public Law
11 105–33; 111 Stat. 712)—

12 (A) such sums as are necessary for fiscal
13 year 2002;

14 (B) such sums as are necessary for fiscal
15 year 2003; and

16 (C) such sums as are necessary for fiscal
17 year 2004.

18 **CHAPTER 2—STATE REENTRY GRANT PROGRAMS**

19 **SEC. 2521. AMENDMENTS TO THE OMNIBUS CRIME CON-**
20 **TROL AND SAFE STREETS ACT OF 1968.**

21 (a) *IN GENERAL.*—Title I of the Omnibus Crime Con-
22 trol and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.),
23 as amended, is amended by inserting after part EE the fol-
24 lowing new part:

1 **“PART FF—OFFENDER REENTRY AND**

2 **COMMUNITY SAFETY**

3 **“SEC. 2976. ADULT OFFENDER STATE AND LOCAL REENTRY**

4 **PARTNERSHIPS.**

5 “(a) *GRANT AUTHORIZATION.*—*The Attorney General*
6 *shall make grants of up to \$1,000,000 to States, Territories,*
7 *and Indian tribes, in partnership with units of local gov-*
8 *ernment and nonprofit organizations, for the purpose of es-*
9 *tablishing adult offender reentry demonstration projects.*
10 *Funds may be expended by the projects for the following*
11 *purposes:*

12 “(1) *oversight/monitoring of released offenders;*

13 “(2) *substance abuse treatment and aftercare,*
14 *mental and medical health treatment and aftercare,*
15 *vocational and basic educational training, and other*
16 *programming to promote effective reintegration into*
17 *the community as needed;*

18 “(3) *convening community impact panels, vic-*
19 *tim impact panels or victim impact educational*
20 *classes; and*

21 “(4) *establishing and implementing graduated*
22 *sanctions and incentives.*

23 “(b) *SUBMISSION OF APPLICATION.*—*In addition to*
24 *any other requirements that may be specified by the Attor-*
25 *ney General, an application for a grant under this subpart*
26 *shall—*

1 “(1) describe a long-term strategy and detailed
2 implementation plan, including how the jurisdiction
3 plans to pay for the program after the Federal fund-
4 ing ends;

5 “(2) identify the governmental and community
6 agencies that will be coordinated by this project;

7 “(3) certify that there has been appropriate con-
8 sultation with all affected agencies and there will be
9 appropriate coordination with all affected agencies in
10 the implementation of the program, including existing
11 community corrections and parole; and

12 “(4) describe the methodology and outcome meas-
13 ures that will be used in evaluating the program.

14 “(c) *APPLICANTS.*—The applicants as designated
15 under 2601(a)—

16 “(1) shall prepare the application as required
17 under subsection 2601(b); and

18 “(2) shall administer grant funds in accordance
19 with the guidelines, regulations, and procedures pro-
20 mulgated by the Attorney General, as necessary to
21 carry out the purposes of this part.

22 “(d) *MATCHING FUNDS.*—The Federal share of a grant
23 received under this title may not exceed 75 percent of the
24 costs of the project funded under this title unless the Attor-

1 *ney General waives, wholly or in part, the requirements of*
2 *this section.*

3 “(e) *REPORTS.*—*Each entity that receives a grant*
4 *under this part shall submit to the Attorney General, for*
5 *each year in which funds from a grant received under this*
6 *part is expended, a description and an evaluation report*
7 *at such time and in such manner as the Attorney General*
8 *may reasonably require that contains—*

9 “(1) *a summary of the activities carried out*
10 *under the grant and an assessment of whether such*
11 *activities are meeting the needs identified in the ap-*
12 *plication funded under this part; and*

13 “(2) *such other information as the Attorney Gen-*
14 *eral may require.*

15 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—

16 “(1) *IN GENERAL.*—*There are authorized to be*
17 *appropriated to carry out this section such sums as*
18 *are necessary in fiscal year 2002; and such sums as*
19 *may be necessary for each of the fiscal years 2003 and*
20 *2004.*

21 “(2) *LIMITATIONS.*—*Of the amount made avail-*
22 *able to carry out this section in any fiscal year—*

23 “(A) *not more than 2 percent or less than*
24 *1 percent may be used by the Attorney General*
25 *for salaries and administrative expenses; and*

1 “(B) not more than 3 percent or less than
2 2 percent may be used for technical assistance
3 and training.

4 **“SEC. 2977. JUVENILE OFFENDER STATE AND LOCAL RE-**
5 **ENTRY PROGRAMS.**

6 “(a) GRANT AUTHORIZATION.—The Attorney General
7 shall make grants of up to \$250,000 to States, in partner-
8 ship with local units of governments or nonprofit organiza-
9 tions, for the purpose of establishing juvenile offender re-
10 entry programs. Funds may be expended by the projects for
11 the following purposes:

12 “(1) providing returning juvenile offenders with
13 drug and alcohol testing and treatment and mental
14 and medical health assessment and services;

15 “(2) convening victim impact panels, restorative
16 justice panels, or victim impact educational classes
17 for juvenile offenders;

18 “(3) oversight/monitoring of released juvenile of-
19 fenders; and

20 “(4) providing for the planning of reentry serv-
21 ices when the youth is initially incarcerated and co-
22 ordinating the delivery of community-based services,
23 such as education, family involvement and support,
24 and other services as needed.

1 “(b) *SUBMISSION OF APPLICATION.*—*In addition to*
2 *any other requirements that may be specified by the Attor-*
3 *ney General, an application for a grant under this subpart*
4 *shall—*

5 “(1) *describe a long-term strategy and detailed*
6 *implementation plan, including how the jurisdiction*
7 *plans to pay for the program after the Federal fund-*
8 *ing ends;*

9 “(2) *identify the governmental and community*
10 *agencies that will be coordinated by this project;*

11 “(3) *certify that there has been appropriate con-*
12 *sultation with all affected agencies and there will be*
13 *appropriate coordination with all affected agencies,*
14 *including existing community corrections and parole,*
15 *in the implementation of the program;*

16 “(4) *describe the methodology and outcome meas-*
17 *ures that will be used in evaluating the program.*

18 “(c) *APPLICANTS.*—*The applicants as designated*
19 *under 2603(a)—*

20 “(1) *shall prepare the application as required*
21 *under subsection 2603(b); and*

22 “(2) *shall administer grant funds in accordance*
23 *with the guidelines, regulations, and procedures pro-*
24 *mulgated by the Attorney General, as necessary to*
25 *carry out the purposes of this part.*

1 “(d) *MATCHING FUNDS.*—*The Federal share of a grant*
2 *received under this title may not exceed 75 percent of the*
3 *costs of the project funded under this title unless the Attor-*
4 *ney General waives, wholly or in part, the requirements of*
5 *this section.*

6 “(e) *REPORTS.*—*Each entity that receives a grant*
7 *under this part shall submit to the Attorney General, for*
8 *each year in which funds from a grant received under this*
9 *part is expended, a description and an evaluation report*
10 *at such time and in such manner as the Attorney General*
11 *may reasonably require that contains:*

12 “(1) *a summary of the activities carried out*
13 *under the grant and an assessment of whether such*
14 *activities are meeting the needs identified in the ap-*
15 *plication funded under this part; and*

16 “(2) *such other information as the Attorney Gen-*
17 *eral may require.*

18 “(f) *AUTHORIZATION OF APPROPRIATIONS.*—

19 “(1) *IN GENERAL.*—*There are authorized to be*
20 *appropriated to carry out this section such sums as*
21 *are necessary in fiscal year 2002, and such sums as*
22 *are necessary for each of the fiscal years 2003 and*
23 *2004.*

24 “(2) *LIMITATIONS.*—*Of the amount made avail-*
25 *able to carry out this section in any fiscal year—*

1 “(A) not more than 2 percent or less than
2 1 percent may be used by the Attorney General
3 for salaries and administrative expenses; and

4 “(B) not more than 3 percent or less than
5 2 percent may be used for technical assistance
6 and training.

7 **“SEC. 2978. STATE REENTRY PROGRAM RESEARCH, DEVEL-**
8 **OPMENT, AND EVALUATION.**

9 “(a) GRANT AUTHORIZATION.—The Attorney General
10 shall make grants to conduct research on a range of issues
11 pertinent to reentry programs, the development and testing
12 of new reentry components and approaches, selected evalua-
13 tion of projects authorized in the preceding sections, and
14 dissemination of information to the field.

15 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this section
17 such sums as are necessary in fiscal year 2002, and such
18 sums as are necessary to carry out this section in fiscal
19 years 2003 and 2004.”.

20 (b) TECHNICAL AMENDMENT.—The table of contents of
21 title I of the Omnibus Crime Control and Safe Streets Act
22 of 1968 (42 U.S.C. 3711 et seq.), as amended, is amended
23 by inserting at the end the following:

“PART FF—OFFENDER REENTRY AND COMMUNITY SAFETY ACT

“Sec. 2976. Adult Offender State and Local Reentry Partnerships.

“Sec. 2977. Juvenile Offender State and Local Reentry Programs.

“Sec. 2978. State Reentry Program Research, Development, and Evaluation.”.

**CHAPTER 3—CONTINUATION OF ASSISTANCE
AND BENEFITS**

SEC. 2531. AMENDMENTS TO THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (21 U.S.C. 862a) is amended—

(1) in subsection (d), by adding at the end the following:

“(3) INAPPLICABILITY TO CERTAIN INDIVIDUALS.—Subsection (a) shall not apply to an individual who—

“(A) has successfully completed a substance abuse treatment program and has not committed a subsequent offense described in subsection (a); or

“(B) is enrolled in a substance abuse treatment program and is fully complying with the terms and conditions of the program.”; and

(2) by striking subsection (e) and inserting the following:

“(e) DEFINITIONS.—In this section:

“(1) SUBSTANCE ABUSE TREATMENT PROGRAM.—The term ‘substance abuse treatment program’ means a course of individual or group activi-

1 *ties or both, lasting for a period of not less than 28*
2 *days that—*

3 *“(A) includes residential or outpatient*
4 *treatment services for substance abuse and is op-*
5 *erated by a public, nonprofit, or private entity*
6 *that meets all applicable State licensure or cer-*
7 *tification requirements; and*

8 *“(B) is directed at substance abuse problems*
9 *and intended to develop cognitive, behavioral,*
10 *and other skills to address substance abuse and*
11 *related problems and includes drug testing of pa-*
12 *tients.*

13 *“(2) STATE.—The term ‘State’ has the meaning*
14 *given it—*

15 *“(A) in section 419(5) of the Social Secu-*
16 *rity Act, when referring to assistance provided*
17 *under a State program funded under part A of*
18 *title IV of the Social Security Act; and*

19 *“(B) in section 3(m) of the Food Stamp Act*
20 *of 1977, when referring to the food stamp pro-*
21 *gram (as defined in section 3(h) of the Food*
22 *Stamp Act of 1977) or any State program car-*
23 *ried out under the Food Stamp Act of 1977.*

1 “(3) *SUCCESSFULLY COMPLETED.*—*The term*
 2 *‘successfully completed’ means has completed the pre-*
 3 *scribed course of drug treatment.’.*”

4 ***Subtitle F—Amendment to Foreign***
 5 ***Narcotics Kingpin Designation Act***

6 ***SEC. 2701. AMENDMENT TO FOREIGN NARCOTICS KINGPIN***
 7 ***DESIGNATION ACT.***

8 *Section 805 of the Foreign Narcotics Kingpin Designa-*
 9 *tion Act (21 U.S.C. 1904) is amended by striking subsection*
 10 *(f).*

11 ***Subtitle G—Core Competencies in***
 12 ***Drug Abuse Detection and Treat-***
 13 ***ment***

14 ***SEC. 2801. AMENDMENT TO THE PUBLIC HEALTH SERVICE***
 15 ***ACT.***

16 *Subpart 2 of part B of title V of the Public Health*
 17 *Service Act (42 U.S.C. 290bb–21 et seq.), as amended by*
 18 *the Youth Drug and Mental Health Services Act (Public*
 19 *Law 106–310), is further amended by adding at the end*
 20 *the following:*

21 ***“SEC. 519F. CORE COMPETENCIES.***

22 ***“(a) PURPOSE.*—*The purpose of this section is—***

23 ***“(1) to educate, train, motivate, and engage key***
 24 ***professionals to identify and intervene with children***
 25 ***in families affected by substance abuse and to refer***

1 *members of such families to appropriate programs*
2 *and services in the communities of such families;*

3 *“(2) to encourage professionals to collaborate*
4 *with key professional organizations representing the*
5 *targeted professional groups, such as groups of edu-*
6 *cators, social workers, faith community members, and*
7 *probation officers, for the purposes of developing and*
8 *implementing relevant core competencies; and*

9 *“(3) to encourage professionals to develop net-*
10 *works to coordinate local substance abuse prevention*
11 *coalitions.*

12 *“(b) PROGRAM AUTHORIZED.—The Secretary shall*
13 *award grants to leading nongovernmental organizations*
14 *with an expertise in aiding children of substance abusing*
15 *parents or experience with community antidrug coalitions*
16 *to help professionals participate in such coalitions and*
17 *identify and help youth affected by familial substance*
18 *abuse.*

19 *“(c) DURATION OF GRANTS.—No organization shall*
20 *receive a grant under subsection (c) for more than 5 con-*
21 *secutive years.*

22 *“(d) APPLICATION.—Any organization desiring a*
23 *grant under subsection (c) shall prepare and submit an ap-*
24 *plication to the Secretary at such time, in such manner,*
25 *and containing such information as the Secretary may re-*

1 *quire, including a plan for the evaluation of the project in-*
2 *volved, including both process and outcome evaluation, and*
3 *the submission of the evaluation at the end of the project*
4 *period.*

5 “(e) *USE OF FUNDS.*—Grants awarded under sub-
6 *section (c) shall be used to—*

7 “(1) *develop core competencies with various pro-*
8 *fessional groups that the professionals can use in*
9 *identifying and referring children affected by sub-*
10 *stance abuse;*

11 “(2) *widely disseminate the competencies to pro-*
12 *fessionals and professional organizations through pub-*
13 *lications and journals that are widely read and re-*
14 *spected;*

15 “(3) *develop training modules around the com-*
16 *petencies; and*

17 “(4) *develop training modules for community co-*
18 *alition leaders to enable such leaders to engage profes-*
19 *sionals from identified groups at the local level in*
20 *community-wide prevention and intervention efforts.*

21 “(f) *DEFINITION.*—In this section, the term ‘profes-
22 *sional’ includes a physician, student assistance profes-*
23 *sional, social worker, youth and family social service agen-*
24 *cy counselor, Head Start teacher, clergy, elementary and*
25 *secondary school teacher, school counselor, juvenile justice*

1 *worker, child care provider, or a member of any other pro-*
 2 *fessional group in which the members provide services to*
 3 *or interact with children, youth, or families.*

4 “(g) *AUTHORIZATION OF APPROPRIATIONS.—There*
 5 *are authorized to be appropriated to carry out this section,*
 6 *such sums as are necessary for fiscal year 2002, and such*
 7 *sums as may be necessary for each of fiscal years 2003 and*
 8 *2004.”.*

9 ***Subtitle H—Adolescent Therapeutic***
 10 ***Community Treatment Programs***

11 ***SEC. 2901. PROGRAM AUTHORIZED.***

12 *The Secretary shall award competitive grants to treat-*
 13 *ment providers who administer treatment programs to en-*
 14 *able such providers to establish adolescent residential sub-*
 15 *stance abuse treatment programs that provide services for*
 16 *individuals who are between the ages of 14 and 21.*

17 ***SEC. 2902. PREFERENCE.***

18 *In awarding grants under this subtitle, the Secretary*
 19 *shall consider the geographic location of each treatment pro-*
 20 *vider and give preference to such treatment providers that*
 21 *are geographically located in such a manner as to provide*
 22 *services to addicts from non-metropolitan areas.*

23 ***SEC. 2903. DURATION OF GRANTS.***

24 *For awards made under this subtitle, the period dur-*
 25 *ing which payments are made may not exceed 5 years.*

1 **SEC. 2904. RESTRICTIONS.**

2 *A treatment provider receiving a grant under this sub-*
3 *title shall not use any amount of the grant for land acquisi-*
4 *tion or a construction project.*

5 **SEC. 2905. APPLICATION.**

6 *A treatment provider that desires a grant under this*
7 *subtitle shall submit an application to the Secretary at such*
8 *time, in such manner, and containing such information as*
9 *the Secretary may require.*

10 **SEC. 2906. USE OF FUNDS.**

11 *A treatment provider that receives a grant under this*
12 *subtitle shall use those funds to provide substance abuse*
13 *services for adolescents, including—*

- 14 *(1) a thorough psychosocial assessment;*
15 *(2) individual treatment planning;*
16 *(3) a strong education component integral to the*
17 *treatment regimen;*
18 *(4) life skills training;*
19 *(5) individual and group counseling;*
20 *(6) family services;*
21 *(7) daily work responsibilities; and*
22 *(8) community-based aftercare, providing 6*
23 *months of treatment following discharge from a resi-*
24 *dential facility.*

1 **SEC. 2907. TREATMENT TYPE.**

2 *The Therapeutic Community model shall be used as*
3 *a basis for all adolescent residential substance abuse treat-*
4 *ment programs established under this subtitle, which shall*
5 *be characterized by—*

6 (1) *the self-help dynamic, requiring youth to*
7 *participate actively in their own treatment;*

8 (2) *the role of mutual support and the thera-*
9 *peutic importance of the peer therapy group;*

10 (3) *a strong focus on family involvement and*
11 *family strengthening;*

12 (4) *a clearly articulated value system empha-*
13 *sizing both individual responsibility and responsi-*
14 *bility for the community; and*

15 (5) *an emphasis on development of positive so-*
16 *cial skills.*

17 **SEC. 2908. REPORT BY PROVIDER.**

18 *Not later than 1 year after receiving a grant under*
19 *this subtitle, and annually thereafter, a treatment provider*
20 *shall prepare and submit to the Secretary a report describ-*
21 *ing the services provided pursuant to this subtitle.*

22 **SEC. 2909. REPORT BY SECRETARY.**

23 (a) *IN GENERAL.*—*Not later than 3 months after re-*
24 *ceiving all reports by providers under section 2908, and an-*
25 *nually thereafter, the Secretary shall prepare and submit*

1 *a report containing information described in subsection (b)*
2 *to—*

3 *(1) the Committee on Health, Education, Labor,*
4 *and Pensions of the Senate;*

5 *(2) the Committee on Appropriations of the Sen-*
6 *ate;*

7 *(3) the United States Senate Caucus on Inter-*
8 *national Narcotics Control;*

9 *(4) the Committee on Commerce of the House of*
10 *Representatives;*

11 *(5) the Committee on Appropriations of the*
12 *House of Representatives; and*

13 *(6) the Committee on Government Reform of the*
14 *House of Representatives.*

15 *(b) CONTENT.—The report described in subsection (a)*
16 *shall—*

17 *(1) outline the services provided by providers*
18 *pursuant to this section;*

19 *(2) evaluate the effectiveness of such services;*

20 *(3) identify the geographic distribution of all*
21 *treatment centers provided pursuant to this section,*
22 *and evaluate the accessibility of such centers for ad-*
23 *dicts from rural areas and small towns; and*

24 *(4) make recommendations to improve the pro-*
25 *grams carried out pursuant to this section.*

1 **SEC. 2910. DEFINITIONS.**

2 *In this subtitle:*

3 (1) *ADOLESCENT RESIDENTIAL SUBSTANCE*
4 *ABUSE TREATMENT PROGRAM.*—*The term “adolescent*
5 *residential substance abuse treatment program”*
6 *means a program that provides a regimen of indi-*
7 *vidual and group activities, lasting ideally not less*
8 *than 12 months, in a community-based residential fa-*
9 *cility that provides comprehensive services tailored to*
10 *meet the needs of adolescents and designed to return*
11 *youth to their families in order that such youth may*
12 *become capable of enjoying and supporting positive,*
13 *productive, drug-free lives.*

14 (2) *SECRETARY.*—*The term “Secretary” means*
15 *the Secretary of Health and Human Services.*

16 (3) *THERAPEUTIC COMMUNITY.*—*The term*
17 *“Therapeutic Community” means a highly structured*
18 *residential treatment facility that—*

19 (A) *employs a treatment methodology;*

20 (B) *relies on self-help methods and group*
21 *process, a view of drug abuse as a disorder af-*
22 *fecting the whole person, and a comprehensive*
23 *approach to recovery;*

24 (C) *maintains a strong educational compo-*
25 *nent; and*

1 (D) carries out activities that are designed
 2 to help youths address alcohol or other drug
 3 abuse issues and learn to act in their own best
 4 interests, as well as in the best interests of their
 5 peers and families.

6 **SEC. 2911. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) *IN GENERAL*.—Subject to appropriations, there are
 8 authorized be appropriated to carry out this subtitle—

9 (1) such sums as are necessary for fiscal year
 10 2002; and

11 (2) such sums as may be necessary for 2003 and
 12 2004.

13 (b) *SUPPLEMENT AND NOT SUPPLANT*.—Grant
 14 amounts received under this subtitle shall be used to supple-
 15 ment, and not supplant, non-Federal funds that would oth-
 16 erwise be available for activities funded under this subtitle.

17 ***Subtitle I—Other Matters***

18 **SEC. 2951. AMENDMENT TO CONTROLLED SUBSTANCES**

19 **ACT.**

20 Section 303(g)(2)(I) of the Controlled Substances Act
 21 is amended by striking “on the date of enactment” and all
 22 that follows through “such drugs,” and inserting “on the
 23 date of approval by the Food and Drug Administration of
 24 a drug in schedule III, IV, or V, a State may not preclude

1 *a practitioner from dispensing or prescribed such drug, or*
 2 *combination of such drugs”.*

3 **SEC. 2952. STUDY OF METHAMPHETAMINE TREATMENT.**

4 *Section 3633 of the Methamphetamine Anti-Prolifera-*
 5 *tion Act of 2000 (114 Stat. 1236) is amended by striking*
 6 *“the Institute of Medicine of the National Academy of*
 7 *Sciences” and inserting “the National Institute on Drug*
 8 *Abuse”.*

9 **TITLE III—NATIONAL COM-**
 10 **PREHENSIVE CRIME-FREE**
 11 **COMMUNITIES ACT**

12 **SEC. 3001. SHORT TITLE.**

13 *This title may be cited as the “National Comprehen-*
 14 *sive Crime-Free Communities Act”.*

15 **SEC. 3002. PROGRAM ADMINISTRATION.**

16 *(a) ATTORNEY GENERAL RESPONSIBILITIES.—In car-*
 17 *rying out this title, the Attorney General shall—*

18 *(1) make and monitor grants to grant recipients;*

19 *(2) provide, including through organizations*
 20 *such as the National Crime Prevention Council, tech-*
 21 *nical assistance and training, data collection, and*
 22 *dissemination of information on state-of-the-art re-*
 23 *search-grounded practices that the Attorney General*
 24 *determines to be effective in preventing and reducing*
 25 *crime, violence, and drug abuse;*

1 (3) provide for the evaluation of this title and
2 assess the effectiveness of comprehensive planning in
3 the prevention of crime, violence, and drug abuse;

4 (4) provide for a comprehensive communications
5 strategy to inform the public and State and local gov-
6 ernments of programs authorized by this title and
7 their purpose and intent;

8 (5) establish a National Crime-Free Commu-
9 nities Commission to advise, consult with, and make
10 recommendations to the Attorney General concerning
11 activities carried out under this Act;

12 (6) establish the National Center for Justice
13 Planning in a national organization representing
14 State criminal justice executives that will—

15 (A) provide technical assistance and train-
16 ing to State criminal justice agencies in imple-
17 menting policies and programs to facilitate com-
18 munity-based strategic planning processes;

19 (B) establish a collection of best practices
20 for statewide community-based criminal justice
21 planning; and

22 (C) consult with appropriate organizations,
23 including the National Crime Prevention Coun-
24 cil, in providing necessary training to States.

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
2 *authorized to be appropriated \$5,000,000 for the fiscal*
3 *years 2002 through 2006, including \$4,500,000 to assist*
4 *States and communities in providing training, technical*
5 *assistance, and setting benchmarks, and \$500,000 to estab-*
6 *lish and operate the National Center for Justice Planning.*

7 (c) *PROGRAM ADMINISTRATION.*—*Up to 3 percent of*
8 *program funds appropriated for Community Grants and*
9 *State Capacity Building grants may be used by the Attor-*
10 *ney General to administer this program.*

11 **SEC. 3003. FOCUS.**

12 *Programs carried out by States and local communities*
13 *under this title shall include a specialized focus on neigh-*
14 *borhoods and schools disproportionately affected by crime,*
15 *violence, and drug abuse.*

16 **SEC. 3004. DEFINITIONS.**

17 *In this title, the term “crime prevention plan” means*
18 *a strategy that has measurable long-term goals and short-*
19 *term objectives that—*

20 (1) *address the problems of crime, including ter-*
21 *rorism, violence, and substance abuse for a jurisdic-*
22 *tion, developed through an interactive and collabo-*
23 *rative process that includes senior representatives of*
24 *law enforcement and the local chief executive’s office*
25 *as well as representatives of such groups as other*

1 *agencies of local government (including physical and*
 2 *social service providers), nonprofit organizations,*
 3 *business leaders, religious leaders, and representatives*
 4 *of community and neighborhood groups;*

5 *(2) establishes interim and final benchmark*
 6 *measures for each prevention objective and strategy;*
 7 *and*

8 *(3) includes a monitoring and assessment mecha-*
 9 *nism for implementation of the plan.*

10 **SEC. 3005. COMMUNITY GRANTS.**

11 *(a) GRANTS AUTHORIZED.—*

12 *(1) IN GENERAL.—The Attorney General shall*
 13 *award grants to at least 100 communities or an orga-*
 14 *nization organized under section 501(c)(3) of the In-*
 15 *ternal Revenue Code of 1986 that is the designee of*
 16 *a community, including 1 in each State, in an*
 17 *amount not to exceed \$250,000 per year for the plan-*
 18 *ning, evaluation, and implementation of a program*
 19 *designed to prevent and reduce crime, violence, and*
 20 *substance abuse.*

21 *(2) LIMITATION.—Of the amount of a grant*
 22 *awarded under this section in any given year, not*
 23 *more than \$125,000 may be used for the planning or*
 24 *evaluation component of the program.*

25 *(b) PROGRAM IMPLEMENTATION COMPONENT.—*

1 (1) *IN GENERAL.*—A community grant under
 2 this section may be used by a community to support
 3 specific programs or projects that are consistent with
 4 the local Crime Prevention Plan.

5 (2) *AVAILABILITY.*—A grant shall be awarded
 6 under this paragraph to a community that has devel-
 7 oped a specific Crime Prevention Plan and program
 8 outline.

9 (3) *MATCHING REQUIREMENT.*—The Federal
 10 share of a grant under this paragraph shall not
 11 exceed—

12 (A) 80 percent in the first year;

13 (B) 60 percent in the second year;

14 (C) 40 percent in the third year;

15 (D) 20 percent in the fourth year; and

16 (E) 20 percent in the fifth year.

17 (4) *DATA SET ASIDE.*—A community may use
 18 up to 5 percent of the grant to assist it in collecting
 19 local data related to the costs of crime, violence, and
 20 substance abuse for purposes of supporting its Crime
 21 Prevention Plan.

22 (c) *APPLICATION.*—

23 (1) *IN GENERAL.*—An applicant for a commu-
 24 nity grant under this section shall—

1 (A) demonstrate how the proposed program
2 will prevent crime, violence, and substance
3 abuse;

4 (B) certify that the program is based on na-
5 tionally recognized research standards that have
6 been tested in local communities;

7 (C) collaborate and obtain the approval and
8 support of the State agency designated by the
9 Governor of that State in the development of the
10 comprehensive prevention plan of the applicant;

11 (D) demonstrate the ability to develop a
12 local Crime-Free Communities Commission, in-
13 cluding such groups as Federal, State, and local
14 criminal justice personnel, law enforcement,
15 schools, youth organizations, religious and other
16 community organizations, business and health
17 care professionals, parents, State, local, or tribal
18 governmental agencies, and other organizations;
19 and

20 (E) submit a plan describing how the appli-
21 cant will maintain the program without Federal
22 funds following the fifth year of the program.

23 (2) CONSIDERATION.—The Attorney General
24 may give additional consideration in the grant review
25 process to an applicant with an officially designated

1 *Weed and Seed site seeking to expand from a neigh-*
 2 *borhood to community-wide strategy.*

3 (3) *RURAL COMMUNITIES.*—*The Attorney Gen-*
 4 *eral shall give additional consideration in the grant*
 5 *review process to an applicant from a rural area.*

6 (d) *WAIVERS FOR MATCHING REQUIREMENT.*—*A com-*
 7 *munity with an officially designated Weed and Seed site*
 8 *may be provided a waiver by the Attorney General for all*
 9 *matching requirements under this section based on dem-*
 10 *onstrated financial hardship.*

11 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 12 *authorized to be appropriated \$25,000,000 to carry out this*
 13 *section for the fiscal years 2002 through 2006.*

14 **SEC. 3006. STATE CAPACITY BUILDING GRANTS.**

15 (a) *GRANTS AUTHORIZED.*—*The Attorney General*
 16 *shall award grants to each State criminal justice agency,*
 17 *Byrne agency, or other agency as designated by the Gov-*
 18 *ernor of that State and approved by the Attorney General,*
 19 *in an amount not to exceed \$400,000 per year to develop*
 20 *State capacity to assist local communities in the prevention*
 21 *and reduction of crime, violence, and substance abuse.*

22 (b) *USE OF FUNDS.*—

23 (1) *IN GENERAL.*—*A State capacity building*
 24 *grant shall be used to develop a statewide strategic*

1 *plan as defined in subsection (c) to prevent and re-*
2 *duce crime, violence, and substance abuse.*

3 (2) *PERMISSIVE USE.*—*A State may also use its*
4 *grant to provide training and technical assistance to*
5 *communities and promote innovation in the develop-*
6 *ment of policies, technologies, and programs to pre-*
7 *vent and reduce crime.*

8 (3) *DATA COLLECTION.*—*A State may use up to*
9 *5 percent of the grant to assist grant recipients in col-*
10 *lecting statewide data related to the costs of crime, vi-*
11 *olence, and substance abuse for purposes of supporting*
12 *the statewide strategic plan.*

13 (c) *STATEWIDE STRATEGIC PREVENTION PLAN.*—

14 (1) *IN GENERAL.*—*A statewide strategic preven-*
15 *tion plan shall be used by the State to assist local*
16 *communities, both directly and through existing State*
17 *programs and services, in building comprehensive,*
18 *strategic, and innovative approaches to reducing*
19 *crime, violence, and substance abuse based on local*
20 *conditions and needs.*

21 (2) *GOALS.*—*The plan must contain statewide*
22 *long-term goals and measurable annual objectives for*
23 *reducing crime, violence, and substance abuse.*

24 (3) *ACCOUNTABILITY.*—*The State shall be re-*
25 *quired to develop and report in its plan relevant per-*

1 *formance targets and measures for the goals and ob-*
2 *jectives to track changes in crime, violence, and sub-*
3 *stance abuse.*

4 (4) *CONSULTATION.—The State shall form a*
5 *State crime free communities commission that in-*
6 *cludes representatives of State and local government,*
7 *and community leaders who will provide advice and*
8 *recommendations on relevant community goals and*
9 *objectives, and performance targets and measures.*

10 (d) *REQUIREMENTS.—*

11 (1) *TRAINING AND TECHNICAL ASSISTANCE.—*
12 *The State shall provide training and technical assist-*
13 *ance, including through such groups as the National*
14 *Crime Prevention Council, to assist local communities*
15 *in developing Crime Prevention Plans that reflect*
16 *statewide strategic goals and objectives, and perform-*
17 *ance targets and measures.*

18 (2) *REPORTS.—The State shall provide a report*
19 *on its statewide strategic plan to the Attorney Gen-*
20 *eral, including information about—*

21 (A) *involvement of relevant State-level agen-*
22 *cies to assist communities in the development*
23 *and implementation of their Crime Prevention*
24 *Plans;*

1 (B) support for local applications for Com-
 2 munity Grants; and

3 (C) community progress toward reducing
 4 crime, violence, and substance abuse.

5 (3) CERTIFICATION.—Beginning in the third
 6 year of the program, States must certify that the local
 7 grantee’s project funded under the community grant
 8 is generally consistent with statewide strategic goals
 9 and objectives, and performance targets and measures.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There are
 11 authorized to be appropriated \$20,000,000 to carry out this
 12 section for the fiscal years 2002 through 2006.

13 **TITLE IV—SAFEGUARDING THE**
 14 **INTEGRITY OF THE CRIMINAL**
 15 **JUSTICE SYSTEM**

16 **SEC. 4001. INCREASING THE PENALTY FOR USING PHYS-**
 17 **ICAL FORCE TO TAMPER WITH WITNESSES,**
 18 **VICTIMS, OR INFORMANTS.**

19 (a) IN GENERAL.—Section 1512 of title 18, United
 20 States Code, is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1), by striking “as pro-
 23 vided in paragraph (2)” and inserting “as pro-
 24 vided in paragraph (3)”;

1 (B) by redesignating paragraph (2) as
2 paragraph (3);

3 (C) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) Whoever uses physical force or the threat of phys-
6 ical force against any person, or attempts to do so, with
7 intent to—

8 “(A) influence, delay, or prevent the testimony of
9 any person in an official proceeding;

10 “(B) cause or induce any person to—

11 “(i) withhold testimony, or withhold a
12 record, document, or other object, from an official
13 proceeding;

14 “(ii) alter, destroy, mutilate, or conceal an
15 object with intent to impair the integrity or
16 availability of the object for use in an official
17 proceeding;

18 “(iii) evade legal process summoning that
19 person to appear as a witness, or to produce a
20 record, document, or other object, in an official
21 proceeding; or

22 “(iv) be absent from an official proceeding
23 to which that person has been summoned by legal
24 process; or

1 “(C) hinder, delay, or prevent the communica-
2 tion to a law enforcement officer or judge of the
3 United States of information relating to the commis-
4 sion or possible commission of a Federal offense or a
5 violation of conditions of probation, supervised re-
6 lease, parole, or release pending judicial proceedings;
7 shall be punished as provided in paragraph (3).”; and

8 (D) in paragraph (3), as redesignated—

9 (i) by striking “and” at the end of sub-
10 paragraph (A); and

11 (ii) by striking subparagraph (B) and
12 inserting the following:

13 “(B) in the case of—

14 “(i) an attempt to murder; or

15 “(ii) the use or attempted use of physical
16 force against any person;

17 imprisonment for not more than 20 years; and

18 “(C) in the case of the threat of use of physical
19 force against any person, imprisonment for not more
20 than 10 years.”;

21 (2) in subsection (b), by striking “or physical
22 force”; and

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

24 “(j) Whoever conspires to commit any offense under
25 this section shall be subject to the same penalties as those

1 *prescribed for the offense the commission of which was the*
 2 *object of the conspiracy.”.*

3 *(b) RETALIATING AGAINST A WITNESS.—Section 1513*
 4 *of title 18, United States Code, is amended by adding at*
 5 *the end the following:*

6 *“(e) Whoever conspires to commit any offense under*
 7 *this section shall be subject to the same penalties as those*
 8 *prescribed for the offense the commission of which was the*
 9 *object of the conspiracy.”.*

10 *(c) CONFORMING AMENDMENTS.—*

11 *(1) WITNESS TAMPERING.—Section 1512 of title*
 12 *18, United States Code, is amended in subsections*
 13 *(b)(3) and (c)(2) by inserting “supervised release,”*
 14 *after “probation”.*

15 *(2) RETALIATION AGAINST A WITNESS.—Section*
 16 *1513 of title 18, United States Code, is amended in*
 17 *subsections (a)(1)(B) and (b)(2) by inserting “super-*
 18 *vised release,” after “probation”.*

19 **SEC. 4002. CORRECTION OF ABERRANT STATUTES TO PER-**
 20 **MIT IMPOSITION OF BOTH A FINE AND IM-**
 21 **PRISONMENT.**

22 *(a) IN GENERAL.—Title 18 of the United States Code*
 23 *is amended—*

24 *(1) in section 401, by inserting “or both,” after*
 25 *“fine or imprisonment,”;*

1 (2) in section 1705, by inserting “, or both” after
2 “years”; and

3 (3) in sections 1916, 2234, and 2235, by insert-
4 ing “, or both” after “year”.

5 (b) *IMPOSITION BY MAGISTRATE*.—Section 636 of title
6 28, *United States Code*, is amended—

7 (1) in subsection (e)(2), by inserting “, or both,”
8 after “fine or imprisonment”; and

9 (2) in subsection (e)(3), by inserting “or both,”
10 after “fine or imprisonment,”.

11 **SEC. 4003. REINSTATEMENT OF COUNTS DISMISSED PURSU-**
12 **ANT TO A PLEA AGREEMENT.**

13 (a) *IN GENERAL*.—Chapter 213 of title 18, *United*
14 *States Code*, is amended by adding at the end the following:

15 **“§3296. Counts dismissed pursuant to a plea agree-**
16 **ment**

17 “(a) *IN GENERAL*.—Notwithstanding any other provi-
18 sion of this chapter, any counts of an indictment or infor-
19 mation that are dismissed pursuant to a plea agreement
20 shall be reinstated by the District Court if—

21 “(1) the counts sought to be reinstated were
22 originally filed within the applicable limitations pe-
23 riod;

1 “(2) the counts were dismissed pursuant to a
2 plea agreement approved by the District Court under
3 which the defendant pled guilty to other charges;

4 “(3) the guilty plea was subsequently vacated on
5 the motion of the defendant; and

6 “(4) the United States moves to reinstate the dis-
7 missed counts within 60 days of the date on which the
8 order vacating the plea becomes final.

9 “(b) *DEFENSES; OBJECTIONS.*—Nothing in this sec-
10 tion shall preclude the District Court from considering any
11 defense or objection, other than statute of limitations, to the
12 prosecution of the counts reinstated under subsection (a).”.

13 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—
14 Chapter 213 of title 18, United States Code, is amended
15 in the table of sections by adding at the end the following
16 new item:

 “3296. Counts dismissed pursuant to a plea agreement.”.

17 **SEC. 4004. APPEALS FROM CERTAIN DISMISSALS.**

18 Section 3731 of title 18, United States Code, is amend-
19 ed by inserting “, or any part thereof” after “as to any
20 one or more counts”.

21 **SEC. 4005. CLARIFICATION OF LENGTH OF SUPERVISED RE-**
22 **LEASE TERMS IN CONTROLLED SUBSTANCE**
23 **CASES.**

24 (a) *DRUG ABUSE PENALTIES.*—Subparagraphs (A),
25 (B), (C), and (D) of section 401(b)(1) of the Controlled Sub-

stances Act (21 U.S.C. 841(b)(1)) are amended by striking “Any sentence” and inserting “Notwithstanding section 3583 of title 18, any sentence”.

(b) *PENALTIES FOR DRUG IMPORT AND EXPORT.*—
Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraphs (1), (2), and (3), by striking “Any sentence” and inserting “Notwithstanding section 3583 of title 18, any sentence”; and

(2) in paragraph (4), by inserting “notwithstanding section 3583 of title 18,” before “in addition to such term of imprisonment”.

**SEC. 4006. AUTHORITY OF COURT TO IMPOSE A SENTENCE
OF PROBATION OR SUPERVISED RELEASE
WHEN REDUCING A SENTENCE OF IMPRISON-
MENT IN CERTAIN CASES.**

Section 3582(c)(1)(A) of title 18, United States Code, is amended by inserting “(and may impose a term of probation or supervised release with or without conditions that does not exceed the unserved portion of the original term of imprisonment)” after “may reduce the term of imprisonment”.

1 **SEC. 4007. CLARIFICATION THAT MAKING RESTITUTION IS A**
 2 **PROPER CONDITION OF SUPERVISED RE-**
 3 **LEASE.**

4 *Subsections (c) and (e) of section 3583 of title 18,*
 5 *United States Code, are amended by striking “and (a)(6)*
 6 *and inserting “(a)(6), and (a)(7)”.*

7 **TITLE V—CRIMINAL LAW TECH-**
 8 **NICAL AMENDMENTS ACT OF**
 9 **2001**

10 **SEC. 5001. SHORT TITLE.**

11 *This title may be cited as the “Criminal Law Tech-*
 12 *nical Amendments Act of 2001”.*

13 **SEC. 5002. TECHNICAL AMENDMENTS RELATING TO CRIMI-**
 14 **NAL LAW AND PROCEDURE.**

15 *(a) MISSING AND INCORRECT WORDS.—*

16 *(1) CORRECTION OF GARBLED SENTENCE.—Sec-*
 17 *tion 510(c) of title 18, United States Code, is amend-*
 18 *ed by striking “fine of under this title” and inserting*
 19 *“fine under this title”.*

20 *(2) INSERTION OF MISSING WORDS.—Section*
 21 *981(d) of title 18, United States Code, is amended by*
 22 *striking “proceeds from the sale of this section” and*
 23 *inserting “proceeds from the sale of such property*
 24 *under this section”.*

25 *(3) CORRECTION OF INCORRECT WORD.—Sec-*
 26 *tions 1425 through 1427, 1541 through 1544 and*

1 1546(a) of title 18, United States Code, are each
2 amended by striking “to facility” and inserting “to
3 facilitate”.

4 (4) *CORRECTING ERRONEOUS AMENDATORY LAN-*
5 *GUAGE ON EXECUTED AMENDMENT.*—Effective on the
6 date of the enactment of Public Law 103–322, section
7 60003(a)(13) of such public law is amended by strik-
8 ing “\$1,000,000 or imprisonment” and inserting
9 “\$1,000,000 and imprisonment”.

10 (5) *CORRECTION OF REFERENCE TO SHORT*
11 *TITLE OF LAW.*—That section 2332d(a) of title 18,
12 United States Code, which relates to financial trans-
13 actions is amended by inserting “of 1979” after “Ex-
14 port Administration Act”.

15 (6) *ELIMINATION OF TYPO.*—Section 1992(b) of
16 title 18, United States Code, is amended by striking
17 “term or years” and inserting “term of years”.

18 (7) *SPELLING CORRECTION.*—Section 2339A(a)
19 of title 18, United States Code, is amended by strik-
20 ing “or an escape” and inserting “of an escape”.

21 (8) *SECTION 3553.*—Section 3553(e) of title 18,
22 United States Code, is amended by inserting “a” be-
23 fore “minimum”.

24 (9) *MISSPELLING IN SECTION 205.*—Section
25 205(d)(1)(B) of title 18, United States Code, is

1 amended by striking “groups’s” and inserting
2 “group’s”.

3 (10) *CONFORMING CHANGE AND INSERTING MISS-*
4 *ING WORD IN SECTION 709.*—*The paragraph in section*
5 *709 of title 18, United States Code, that begins with*
6 *“A person who” is amended—*

7 (A) *by striking “A person who” and insert-*
8 *ing “Whoever”; and*

9 (B) *by inserting “or” after the semicolon at*
10 *the end.*

11 (11) *ERROR IN LANGUAGE BEING STRICKEN.*—
12 *Effective on the date of its enactment, section 726(2)*
13 *of the Antiterrorism and Effective Death Penalty Act*
14 *of 1996 (Public Law 104–132) is amended—*

15 (A) *in subparagraphs (C) and (E), by strik-*
16 *ing “section” the first place it appears; and*

17 (B) *in subparagraph (G), by striking “re-*
18 *lating to” the first place it appears.*

19 (b) *MARGINS, PUNCTUATION, AND SIMILAR ERRORS.*—

20 (1) *MARGIN ERROR.*—*Section 1030(c)(2) of title*
21 *18, United States Code, is amended so that the mar-*
22 *gins of subparagraph (B) and each of its clauses, are*
23 *moved 2 ems to the left.*

24 (2) *CORRECTING CAPITALIZATION IN LANGUAGE*
25 *TO BE STRICKEN.*—*Effective on the date of its enact-*

ment, section 607(g)(2) of the Economic Espionage Act of 1996 is amended by striking “territory” and inserting “Territory”.

(3) *CORRECTING PARAGRAPHING.*—The material added to section 521(a) of title 18, United States Code, by section 607(q) of the Economic Espionage Act of 1996 is amended to appear as a paragraph indented 2 ems from the left margin.

(4) *SUBSECTION PLACEMENT CORRECTION.*—Section 1513 of title 18, United States Code, is amended by transferring subsection (d) so that it appears following subsection (c).

(5) *CORRECTION TO ALLOW FOR INSERTION OF NEW SUBPARAGRAPH AND CORRECTION OF ERRONEOUS INDENTATION.*—Section 1956(c)(7) of title 18, United States Code, is amended—

(A) in subparagraph (B)(ii), by moving the margin 2 ems to the right;

(B) by striking “or” at the end of subparagraph (D);

(C) by striking the period at the end of subparagraph (E) and inserting “; or”; and

(D) in subparagraph (F)—

(i) by striking “Any” and inserting “any”; and

1 (ii) by striking the period at the end
2 and inserting a semicolon.

3 (6) CORRECTION OF CONFUSING SUBDIVISION
4 DESIGNATION.—Section 1716 of title 18, United
5 States Code, is amended—

6 (A) in the first undesignated paragraph, by
7 inserting “(j)(1)” before “Whoever”;

8 (B) in the second undesignated
9 paragraph—

10 (i) by striking “not more than
11 \$10,000” and inserting “under this title”;
12 and

13 (ii) by inserting “(2)” at the beginning
14 of that paragraph;

15 (C) by inserting “(3)” at the beginning of
16 the third undesignated paragraph; and

17 (D) by redesignating subsection (j) as sub-
18 section (k).

19 (7) PUNCTUATION CORRECTION IN SECTION
20 1091.—Section 1091(b)(1) of title 18, United States
21 Code, is amended by striking “subsection (a)(1),” and
22 inserting “subsection (a)(1)”.

23 (8) PUNCTUATION CORRECTION IN SECTION
24 2311.—Section 2311 of title 18, United States Code, is
25 amended by striking the period after “carcasses there-

1 *of” the second place that term appears and inserting*
 2 *a semicolon.*

3 (9) *SYNTAX CORRECTION.*—Section 115(b)(2) of
 4 *title 18, United States Code, is amended by striking*
 5 *“, attempted kidnapping, or conspiracy to kidnap of*
 6 *a person” and inserting “or attempted kidnapping of,*
 7 *or a conspiracy to kidnap, a person”.*

8 (10) *CORRECTING CAPITALIZATION IN SECTION*
 9 *982.*—Section 982(a)(8) of title 18, United States
 10 *Code, is amended by striking “Court” and inserting*
 11 *“court”.*

12 (11) *PUNCTUATION CORRECTIONS IN SECTION*
 13 *1029.*—Section 1029 of title 18, United States Code, is
 14 *amended—*

15 (A) *in subsection (c)(1)(A)(ii), by striking*
 16 *“(9),” and inserting “(9)”; and*

17 (B) *in subsection (e), by adding a semicolon*
 18 *at the end of paragraph (8).*

19 (12) *CORRECTIONS OF CONNECTORS AND PUNC-*
 20 *TUATION IN SECTION 1030.*—Section 1030 of title 18,
 21 *United States Code, is amended—*

22 (A) *by inserting “and” at the end of sub-*
 23 *section (c)(2)(B)(iii); and*

24 (B) *by striking the period at the end of sub-*
 25 *section (e)(4)(I) and inserting a semicolon.*

1 (13) *CORRECTION OF PUNCTUATION IN SECTION*
2 1032.—*Section 1032(1) of title 18, United States Code,*
3 *is amended by striking “13,” and inserting “13”.*

4 (14) *CORRECTION OF PUNCTUATION IN SECTION*
5 1345.—*Section 1345(a)(1) of title 18, United States*
6 *Code, is amended—*

7 (A) *in subparagraph (B), by striking “, or”*
8 *and inserting “; or”; and*

9 (B) *in subparagraph (C), by striking the*
10 *period and inserting a semicolon.*

11 (15) *CORRECTION OF PUNCTUATION IN SECTION*
12 3612.—*Section 3612(f)(2)(B) of title 18, United States*
13 *Code, is amended by striking “preceding.” and insert-*
14 *ing “preceding”.*

15 (16) *CORRECTION OF INDENTATION IN CON-*
16 *TROLLED SUBSTANCES ACT.—Section 402(c)(2) of the*
17 *Controlled Substances Act (21 U.S.C. 842(c)(2)) is*
18 *amended by moving the margin of subparagraph (C)*
19 *2 ems to the left.*

20 (c) *ELIMINATION OF REDUNDANCIES.—*

21 (1) *ELIMINATION OF DUPLICATE AMEND-*
22 *MENTS.—Effective on the date of its enactment, para-*
23 *graphs (1), (2), and (4) of section 601(b), paragraph*
24 *(2) of section 601(d), paragraph (2) of section 601(f),*
25 *paragraphs (1) and (2)(A) of section 601(j), para-*

graphs (1) and (2) of section 601(k), subsection (d) of section 602, paragraph (4) of section 604(b), subsection (r) of section 605, and paragraph (2) of section 607(j) of the Economic Espionage Act of 1996 are repealed.

(2) *ELIMINATION OF EXTRA COMMA.*—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(A) by striking “Code,,” and inserting “Code,”; and

(B) by striking “services),,” and inserting “services),”.

(3) *REPEAL OF SECTION GRANTING DUPLICATIVE AUTHORITY.*—

(A) Section 3503 of title 18, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 223 of title 18, United States Code, is amended by striking the item relating to section 3503.

(4) *ELIMINATION OF OUTMODED REFERENCE TO PAROLE.*—Section 929(b) of title 18, United States Code, is amended by striking the last sentence.

(d) *CORRECTION OF OUTMODED FINE AMOUNTS.*—

(1) *IN TITLE 18, UNITED STATES CODE.*—

1 (A) *IN SECTION 492.*—Section 492 of title
2 18, *United States Code*, is amended by striking
3 “not more than \$100” and inserting “under this
4 title”.

5 (B) *IN SECTION 665.*—Section 665(c) of title
6 18, *United States Code*, is amended by striking
7 “a fine of not more than \$5,000” and inserting
8 “a fine under this title”.

9 (C) *IN SECTIONS 1924, 2075, 2113(b), AND*
10 2236.—

11 (i) Section 1924(a) of title 18, *United*
12 *States Code*, is amended by striking “not
13 more than \$1,000,” and inserting “under
14 this title”.

15 (ii) Sections 2075 and 2113(b) of title
16 18, *United States Code*, are each amended
17 by striking “not more than \$1,000” and in-
18 serting “under this title”.

19 (iii) Section 2236 of title 18, *United*
20 *States Code*, is amended by inserting
21 “under this title” after “warrant, shall be
22 fined”, and by striking “not more than
23 \$1,000”.

24 (D) *IN SECTION 372 AND 752.*—Sections 372
25 and 752(a) of title 18, *United States Code*, are

1 each amended by striking “not more than
2 \$5,000” and inserting “under this title”.

3 (E) IN SECTION 924(e)(1).—Section
4 924(e)(1) of title 18, United States Code, is
5 amended by striking “not more than \$25,000”
6 and inserting “under this title”.

7 (2) IN THE CONTROLLED SUBSTANCES ACT.—

8 (A) IN SECTION 401.—Section 401(d) of the
9 Controlled Substances Act (21 U.S.C. 841(d)) is
10 amended—

11 (i) in paragraph (1), by striking “and
12 shall be fined not more than \$10,000” and
13 inserting “or fined under title 18, United
14 States Code, or both”; and

15 (ii) in paragraph (2), by striking “and
16 shall be fined not more than \$20,000” and
17 inserting “or fined under title 18, United
18 States Code, or both”.

19 (B) IN SECTION 402.—Section 402(c)(2) of
20 the Controlled Substances Act (21 U.S.C. 842(c))
21 is amended—

22 (i) in subparagraph (A), by striking
23 “of not more than \$25,000” and inserting
24 “under title 18, United States Code”; and

1 (ii) in subparagraph (B), by striking
2 “of \$50,000” and inserting “under title 18,
3 United States Code”.

4 (C) *IN SECTION 403.*—Section 403(d) of the
5 Controlled Substances Act (21 U.S.C. 843(d)) is
6 amended—

7 (i) by striking “of not more than
8 \$30,000” each place that term appears and
9 inserting “under title 18, United States
10 Code”; and

11 (ii) by striking “of not more than
12 \$60,000” each place it appears and insert-
13 ing “under title 18, United States Code”.

14 (e) *CROSS REFERENCE CORRECTIONS.*—

15 (1) *SECTION 3664.*—Section 3664(o)(1)(C) of title
16 18, United States Code, is amended by striking “sec-
17 tion 3664(d)(3)” and inserting “subsection (d)(5)”.

18 (2) *CHAPTER 228.*—Section 3592(c)(1) of title
19 18, United States Code, is amended by striking “sec-
20 tion 36” and inserting “section 37”.

21 (3) *CORRECTING ERRONEOUS CROSS REFERENCE*
22 *IN CONTROLLED SUBSTANCES ACT.*—Section
23 511(a)(10) of the Controlled Substances Act (21
24 U.S.C. 881(a)(10)) is amended by striking “1822 of

1 *the Mail Order Drug Paraphernalia Control Act” and*
2 *inserting “422”.*

3 (4) *CORRECTION TO REFLECT CROSS REFERENCE*
4 *CHANGE MADE BY OTHER LAW.—Effective on the date*
5 *of its enactment, section 601(c)(3) of the Economic*
6 *Espionage Act of 1996 is amended by striking*
7 *“247(d)” and inserting “247(e)”.*

8 (5) *TYPOGRAPHICAL AND TYPEFACE ERROR IN*
9 *TABLE OF CHAPTERS.—The item relating to chapter*
10 *123 in the table of chapters at the beginning of part*
11 *I of title 18, United States Code, is amended—*

12 (A) *by striking “2271” and inserting*
13 *“2721”; and*

14 (B) *so that the item appears in bold face*
15 *type.*

16 (6) *SECTION 4104.—Section 4104(d) of title 18,*
17 *United States Code, is amended by striking “section*
18 *3653 of this title and rule 32(f) of” and inserting*
19 *“section 3565 of this title and the applicable provi-*
20 *sions of”.*

21 (7) *ERROR IN AMENDATORY LANGUAGE.—Effec-*
22 *tive on the date of its enactment, section 583 of the*
23 *Foreign Operations, Export Financing, and Related*
24 *Programs Appropriations Act, 1998 (111 Stat. 2436)*

1 *is amended by striking “Section 2401” and inserting*
 2 *“Section 2441”.*

3 (8) *ERROR IN CROSS REFERENCE TO COURT*
 4 *RULES.—The first sentence of section 3593(c) of title*
 5 *18, United States Code, is amended by striking “rule*
 6 *32(c)” and inserting “rule 32”.*

7 (9) *SECTION 1836.—Section 1836 of title 18,*
 8 *United States Code, is amended—*

9 (A) *in subsection (a), by striking “this sec-*
 10 *tion” and inserting “this chapter”; and*

11 (B) *in subsection (b), by striking “this sub-*
 12 *section” and inserting “this section”.*

13 (10) *CORRECTION OF ERRONEOUS CITE IN CHAP-*
 14 *TER 119.—Section 2510(10) of title 18, United States*
 15 *Code, is amended by striking “shall have” and all*
 16 *that follows through “United States Code;” and in-*
 17 *serting “has the meaning given that term in section*
 18 *3 of the Communications Act of 1934;”.*

19 (11) *ELIMINATION OF OUTMODED CITE IN SEC-*
 20 *TION 2339A.—Section 2339A(a) of title 18, United*
 21 *States Code, is amended by striking “2332c,”.*

22 (12) *CORRECTION OF REFERENCES IN AMEND-*
 23 *ATORY LANGUAGE.—Effective the date of its enact-*
 24 *ment, section 115(a)(8)(B) of Public Law 105–119 is*
 25 *amended—*

1 (A) in clause (i)—

2 (i) by striking “at the end of” and in-
3 serting “following”; and

4 (ii) by striking “paragraph” the second
5 place it appears and inserting “subsection”;
6 and

7 (B) in clause (ii), by striking “subpara-
8 graph (A)” and inserting “clause (i)”.

9 (f) TABLES OF SECTIONS CORRECTIONS.—

10 (1) CONFORMING TABLE OF SECTIONS TO HEAD-
11 ING OF SECTION.—The item relating to section 1837
12 in the table of sections at the beginning of chapter 90
13 of title 18, United States Code, is amended by strik-
14 ing “Conduct” and inserting “Applicability to con-
15 duct”.

16 (2) CONFORMING HEADING TO TABLE OF SEC-
17 TIONS ENTRY.—The heading of section 1920 of title
18 18, United States Code, is amended by striking “**em-**
19 **ployee’s**” and inserting “**employees**”.

20 SEC. 5003. ADDITIONAL TECHNICALS.

21 Title 18, United States Code, is amended—

22 (1) in section 922(t)(1)(C), by striking
23 “1028(d)(1)” and inserting “1028(d)”;

24 (2) in section 1005—

1 (A) in the first undesignated paragraph, by
2 striking “Act,,” and inserting “Act,”; and

3 (B) by inserting “or” at the end of the third
4 undesignated paragraph;

5 (3) in section 1071, by striking “fine of under
6 this title” and inserting “fine under this title”;

7 (4) in section 1368(a), by inserting “to” after
8 “serious bodily injury”;

9 (5) in subsections (b)(1) and (c) of section
10 2252A, by striking “paragraphs” and inserting
11 “paragraph”; and

12 (6) in section 2254(a)(3), by striking the comma
13 before the period at the end.

14 **SEC. 5004. REPEAL OF OUTMODED PROVISIONS.**

15 (a) Section 14 of title 18, United States Code, and the
16 item relating thereto in the table of sections at the beginning
17 of chapter 1 of title 18, United States Code, are repealed.

18 (b) Section 1261 of such title is amended—

19 (1) by striking “(a) The Secretary” and insert-
20 ing “The Secretary”; and

21 (2) by striking subsection (b).

22 (c) Section 1821 of such title is amended by striking
23 “, the Canal Zone”.

24 (d) Section 3183 of such title is amended by striking
25 “or the Panama Canal Zone,”.

1 (e) *Section 3241 of such title is amended by striking*
 2 *“United States District Court for the Canal Zone and the”.*

3 **SEC. 5005. AMENDMENTS RESULTING FROM PUBLIC LAW**
 4 **107–56.**

5 (a) *MARGIN CORRECTIONS.—*

6 (1) *Section 2516(1) of title 18, United States*
 7 *Code, is amended by moving the left margin for sub-*
 8 *section (q) 2 ems to the right.*

9 (2) *Section 2703(c)(1) of title 18, United States*
 10 *Code, is amended by moving the left margin of sub-*
 11 *paragraph (E) 2 ems to the left.*

12 (3) *Section 1030(a)(5) of title 18, United States*
 13 *Code, is amended by moving the left margin of sub-*
 14 *paragraph (B) 2 ems to the left.*

15 (b) *CORRECTION OF WRONGLY WORDED CLERICAL*
 16 *AMENDMENT.—Effective on the date of its enactment, sec-*
 17 *tion 223(c)(2) of Public Law 107–56 is amended to read*
 18 *as follows:*

19 “(2) *The table of sections at the beginning of chapter*
 20 *121 of title 18, United States Code, is amended by adding*
 21 *at the end the following new item:*

 “2712. *Civil actions against the United States.*”.

22 (c) *CORRECTION OF ERRONEOUS PLACEMENT OF*
 23 *AMENDMENT LANGUAGE.—Effective on the date of its enact-*
 24 *ment, section 225 of Public Law 107–56 is amended—*

1 (1) by striking “after subsection (g)” and insert-
 2 ing “after subsection (h)”; and

3 (2) by redesignating the subsection added to sec-
 4 tion 105 of section 105 of the he Foreign Intelligence
 5 Surveillance Act of 1978 (50 U.S.C. 1805) as sub-
 6 section (i).

7 (d) *PUNCTUATION CORRECTIONS.*—

8 (1) Section 1956(c)(6)(B) of title 18, United
 9 States Code, is amended by striking the period and
 10 inserting a semicolon.

11 (2) Effective on the date of its enactment, section
 12 803(a) of Public Law 107–56 is amended by striking
 13 the close quotation mark and period that follows at
 14 the end of subsection (a) in the matter proposed to be
 15 inserted in title 18, United States Code, as a new sec-
 16 tion 2339.

17 (3) Section 1030(c)(3)(B) of title 18, United
 18 States Code, is amended by inserting a comma after
 19 “(a)(4)”.

20 (e) *ELIMINATION OF DUPLICATE AMENDMENT.*—*Effec-*
 21 *tive on the date of its enactment, section 805 of Public Law*
 22 *107–56 is amended by striking subsection (b).*

23 (f) *CORRECTION OF UNEXECUTABLE AMENDMENTS.*—

1 (1) *Effective on the date of its enactment, section*
 2 813(2) of Public Law 107–56 is amended by striking
 3 “semicolon” and inserting “period”.

4 (2) *Effective on the date of its enactment, section*
 5 815 of Public Law 107–56 is amended by inserting
 6 “a” before “statutory authorization”.

7 (g) *CORRECTION OF HEADING STYLE.—The heading*
 8 for section 175b of title 18, United States Code, is amended
 9 to read as follows:

10 “§ 175b. *Possession by restricted persons*”.

11 **TITLE VI—UNDERCOVER INVESTIGATIVE PRACTICES CON-**
 12 **TIGATIVE PRACTICES CON-**
 13 **DUCTED BY FEDERAL ATTOR-**
 14 **NEYS**

15 **SEC. 6001. UNDERCOVER INVESTIGATIVE PRACTICES CON-**
 16 **DUCTED BY FEDERAL ATTORNEYS.**

17 Section 530B(a) of title 28, United States Code, is
 18 amended by inserting after the first sentence the following:
 19 “Notwithstanding any provision of State law, including
 20 rules of professional conduct for attorneys, an attorney for
 21 the Government may, for the purpose of investigating ter-
 22 rorism, provide legal advice and supervision on conducting
 23 undercover activities, even though such activities may re-
 24 quire the use of deceit or misrepresentation, where such ac-
 25 tivities are consistent with Federal law.”.

1 **TITLE VII—PAUL COVERDELL**
 2 **FORENSIC SCIENCES IM-**
 3 **PROVEMENT GRANTS**

4 **SEC. 7001. PAUL COVERDELL FORENSIC SCIENCES IM-**
 5 **PROVEMENT GRANTS.**

6 (a) *STATE APPLICATIONS.*—Section 503(a)(13)(A)(iii)
 7 of title I of the Omnibus Crime Control and Safe Streets
 8 Act of 1968 (42 U.S.C. 3753(a)(13)(A)(iii)) is amended by
 9 striking “or the National Association of Medical Exam-
 10 iners,” and inserting “, the National Association of Medical
 11 Examiners, or any other nonprofit, professional organiza-
 12 tion that may be recognized within the forensic science com-
 13 munity as competent to award such accreditation,”.

14 (b) *FORENSIC SCIENCES IMPROVEMENT GRANTS.*—
 15 Part BB of title I of the Omnibus Crime Control and Safe
 16 Streets Act of 1968 (42 U.S.C. 3797j et seq.) is amended—

17 (1) in section 2801, by inserting after “States”
 18 the following: “ and units of local government”;

19 (2) in section 2802—

20 (A) in the matter before paragraph (1), by
 21 inserting “or unit of local government” after
 22 “State”;

23 (B) in paragraph (1), to read as follows:

24 “(1) a certification that the State or unit of local
 25 government has developed a plan for forensic science

laboratories under a program described in section 2804(a), and a specific description of the manner in which the grant will be used to carry out that plan;”;

(C) in paragraph (2), by inserting “or appropriate certifying bodies” before the semicolon; and

(D) in paragraph (3), by inserting “for a State or local plan” after “program”;

(3) in section 2803(a)(2), by striking “to States with” and all that follows through the period and inserting “for competitive awards to States and units of local government. In making awards under this part, the Attorney General shall consider the average annual number of part 1 violent crimes reported by each State to the Federal Bureau of Investigation for the 3 most recent calendar years for which data is available and consider the existing resources and current needs of the potential grant recipient.”;

(4) in section 2804—

(A) in subsection (a), by inserting “or unit of local government” after “A State”; and

(B) in subsection (c)(1), by inserting “(including grants received by units of local government within a State)” after “under this part”; and

1 (5) in section 2806(a)—

2 (A) in the matter before paragraph (1), by
3 inserting “or unit of local government” after
4 “each State”; and

5 (B) in paragraph (1), by inserting before
6 the semicolon the following: “, which shall in-
7 clude a comparison of pre-grant and post-grant
8 forensic science capabilities”

9 (C) in paragraph (2), by striking “and” at
10 the end;

11 (D) by redesignating paragraph (3) as
12 paragraph (4); and

13 (E) by inserting after paragraph (2) the fol-
14 lowing:

15 “(3) an identification of the number and type of
16 cases currently accepted by the laboratory; and”.

17 **SEC. 7002. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated for each of
19 fiscal years 2002 through 2007—

20 (1) \$30,000,000 for the Center for Domestic Pre-
21 paredness of the Department of Justice in Anniston,
22 Alabama;

23 (2) \$7,000,000, or such sums as may be nec-
24 essary, for the Texas Engineering Extension Service
25 of Texas A&M University;

1 (3) \$7,000,000, or such sums as may be nec-
 2 essary, for the Energetic Materials Research and Test
 3 Center of the New Mexico Institute of Mining and
 4 Technology;

5 (4) \$7,000,000, or such sums as may be nec-
 6 essary, for the Academy of Counterterrorist Education
 7 at Louisiana State University; and

8 (5) \$7,000,000, or such sums as may be nec-
 9 essary, for the National Exercise, Test, and Training
 10 Center of the Department of Energy, located at the
 11 Nevada test site.

12 **TITLE VIII—ECSTASY**
 13 **PREVENTION ACT OF 2001**

14 **SEC. 8001. SHORT TITLE.**

15 *This title may be cited as the “Ecstasy Prevention Act*
 16 *of 2001”.*

17 **SEC. 8002. GRANTS FOR ECSTASY ABUSE PREVENTION.**

18 *Section 506B(c) of title V of the Public Health Service*
 19 *Act is amended by adding at the end the following:*

20 “(3) *EFFECTIVE PROGRAMS.*—

21 “(A) *IN GENERAL.*—*In addition to the pri-*
 22 *ority under paragraph (2), the Administrator*
 23 *shall give priority to communities that have*
 24 *taken measures to combat club drug use, includ-*
 25 *ing passing ordinances restricting rave clubs, in-*

creasing law enforcement on Ecstasy, and seizing lands under nuisance abatement laws to make new restrictions on an establishment's use.

“(B) *STATE PRIORITY*.—A priority grant may be made to a State under this paragraph on a pass-through basis to an eligible community.”.

**SEC. 8003. COMBATING ECSTASY AND OTHER CLUB DRUGS
IN HIGH INTENSITY DRUG TRAFFICKING
AREAS.**

(a) *PROGRAM*.—

(1) *IN GENERAL*.—The Director of the Office of National Drug Control Policy shall use amounts available under this section to combat the trafficking of MDMA in areas designated by the Director as high intensity drug trafficking areas.

(2) *ACTIVITIES*.—In meeting the requirement in paragraph (1), the Director shall transfer funds to assist anti-Ecstasy law enforcement initiatives in high intensity drug trafficking areas, including assistance for investigative costs, intelligence enhancements, technology improvements, and training.

(b) *AUTHORIZATION OF APPROPRIATIONS*.—

1 (1) *IN GENERAL.*—*There is authorized to be ap-*
2 *propriated to carry out this section such sums as are*
3 *necessary for fiscal years 2002 through 2005.*

4 (2) *NO SUPPLANTING.*—*Any Federal funds re-*
5 *ceived under this section shall be used to supplement,*
6 *not supplant, non-Federal funds that would otherwise*
7 *be used to carry out activities funded under this sec-*
8 *tion.*

9 (c) *APPORTIONMENT OF FUNDS.*—*The Director shall*
10 *apportion amounts appropriated for a fiscal year pursuant*
11 *to the authorization of appropriations in subsection (b) for*
12 *activities under subsection (a) among and within areas des-*
13 *ignated by the Director and based on the threat assessments*
14 *submitted by individual high intensity drug trafficking*
15 *areas.*

16 **SEC. 8004. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.**

17 (a) *IN GENERAL.*—*In conducting the national media*
18 *campaign under section 102 of the Drug-Free Media Cam-*
19 *paign Act of 1998, the Director of the Office of National*
20 *Drug Control Policy shall ensure that such campaign ad-*
21 *dresses the reduction and prevention of abuse of MDMA and*
22 *club and emerging drugs among young people in the United*
23 *States.*

1 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
2 *authorized to be appropriated to carry out this section such*
3 *sums as are necessary for fiscal years 2002 through 2005.*

4 **SEC. 8005. MDMA DRUG TEST.**

5 *There are authorized to be appropriated to the Office*
6 *of National Drug Control Policy such sums as are necessary*
7 *to commission a drug test for MDMA which would meet*
8 *the standards for the Federal Workplace.*

9 **SEC. 8006. NATIONAL INSTITUTE ON DRUG ABUSE REPORT.**

10 (a) *RESEARCH.*—*The Director of the National Insti-*
11 *tute on Drug Abuse (referred to in this section as the “Di-*
12 *rector”)* shall conduct research—

13 (1) *that evaluates the effects that MDMA use can*
14 *have on an individual’s health, such as—*

15 (A) *physiological effects such as changes in*
16 *ability to regulate one’s body temperature, stim-*
17 *ulation of the cardiovascular system, muscle ten-*
18 *sion, teeth clenching, nausea, blurred vision,*
19 *rapid eye movement, tremors, and other such*
20 *conditions, some of which can result in heart*
21 *failure or heat stroke;*

22 (B) *psychological effects such as mood and*
23 *mind altering and panic attacks which may*
24 *come from altering various neurotransmitter lev-*
25 *els such as serotonin in the brain;*

(D) long-term effects on the brain with regard to memory and other cognitive functions, and other medical consequences; and

11 (b) *FINAL REPORT*.—Not later than January 1, 2003,
12 the Director shall submit a report to the Congress.

15 (d) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
16 *authorized to be appropriated such sums as are necessary*
17 *to carry out this section.*

20 (a) *ESTABLISHMENT.*—

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1 (A) design, implement, and evaluate the
2 education, prevention, and treatment practices
3 and strategies of the Federal Government with
4 respect to Ecstasy, MDMA, and emerging club
5 drugs; and

6 (B) specifically study the club drug problem
7 and report its findings to Congress.

8 (2) *MEMBERSHIP*.—The task force shall—

9 (A) be under the jurisdiction of the Director
10 of the Office of National Drug Control Policy,
11 who shall designate a chairperson; and

12 (B) include as members law enforcement,
13 substance abuse prevention, judicial, and public
14 health professionals as well as representatives
15 from Federal, State, and local agencies.

16 (b) *RESPONSIBILITIES*.—The responsibilities of the
17 task force shall be—

18 (1) to evaluate the current practices and strate-
19 gies of the Federal Government in education, preven-
20 tion, and treatment for Ecstasy, MDMA, and other
21 emerging club drugs and recommend appropriate and
22 beneficial models for education, prevention, and treat-
23 ment;

1 (2) *to identify appropriate government compo-*
2 *nents and resources to implement task force rec-*
3 *ommendations; and*

4 (3) *to make recommendations to the President*
5 *and Congress to implement proposed improvements in*
6 *accordance with the National Drug Control Strategy*
7 *and its budget allocations.*

8 (c) *MEETINGS.—The task force shall meet at least once*
9 *every 6 months.*

10 (d) *TERMINATION.—The task force shall terminate 3*
11 *years after the date of enactment of this Act.*

12 (e) *AUTHORIZATION OF APPROPRIATIONS.—There are*
13 *authorized to be appropriated such sums as are necessary*
14 *to carry out this section.*

Attest:

Secretary.

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1ST SESSION

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AMENDMENT