

108TH CONGRESS
1ST SESSION

H. R. 3036

To authorize appropriations for the Department of Justice for fiscal years 2004 through 2006, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2003

Mr. SENSENBRENNER (for himself and Mr. CONYERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To authorize appropriations for the Department of Justice for fiscal years 2004 through 2006, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Department of Justice Appropriations Authorization Act,
6 Fiscal Years 2004 through 2006”.

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

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Sec. 101. Authorization of appropriations for fiscal year 2004.

Sec. 102. Authorization of appropriations for fiscal year 2005.

Sec. 103. Authorization of appropriations for fiscal year 2006.

TITLE II—IMPROVING THE DEPARTMENT OF JUSTICE’S GRANT PROGRAMS

Subtitle A—Assisting Law Enforcement and Criminal Justice Agencies

Sec. 201. Merger of Byrne grant program and Local Law Enforcement Block Grant program.

Sec. 202. Clarification of number of recipients who may be selected in a given year to receive Public Safety Officer Medal of Valor.

Sec. 203. Congressional medal and plaque for public safety officers who responded to the attacks on the United States on September 11, 2001.

Sec. 204. Clarification of official to be consulted by Attorney General in considering application for emergency Federal law enforcement assistance.

Sec. 205. Clarification of uses for regional information sharing system grants.

Sec. 206. Integrity and enhancement of national criminal record databases.

Subtitle B—Building Community Capacity to Prevent, Reduce, and Control Crime

Sec. 211. Office of Weed and Seed Strategies.

Subtitle C—Assisting Victims of Crime

Sec. 221. Grants to local nonprofit organizations to improve outreach services to victims of crime.

Sec. 222. Clarification and enhancement of certain authorities relating to Crime Victims Fund.

Sec. 223. Amounts received under crime victim grants may be used by State for training purposes.

Sec. 224. Clarification of authorities relating to Violence Against Women formula and discretionary grant programs.

Sec. 225. Expansion of grant programs assisting enforcement of domestic violence cases to also assist enforcement of sexual assault cases.

Sec. 226. Change of certain reports from annual to biennial.

Sec. 227. Clarification of recipients and programs eligible for grants under Rural Domestic Violence and Child Abuse Enforcement Assistance program.

Subtitle D—Preventing Crime

Sec. 231. Clarification of definition of violent offender for purposes of juvenile drug courts.

Sec. 232. Changes to distribution and allocation of grants for drug courts.

Sec. 233. Eligibility for grants under drug court grants program extended to courts that supervise non-offenders with substance abuse problems.

Sec. 234. Term of Residential Substance Abuse Treatment program for local facilities.

Subtitle E—Other Matters

Sec. 241. Changes to certain financial authorities.

Sec. 242. Coordination duties of Assistant Attorney General.

- Sec. 243. Simplification of compliance deadlines under sex-offender registration laws.
- Sec. 244. Repeal of certain programs.
- Sec. 245. Elimination of certain notice and hearing requirements.
- Sec. 246. Amended definitions for purposes of Omnibus Crime Control and Safe Streets Act of 1968.
- Sec. 247. Clarification of authority to pay subsistence payments to prisoners for health care items and services.
- Sec. 248. Office of Audit, Assessment, and Management.
- Sec. 249. Community Capacity Development Office.
- Sec. 250. Office of Applied Law Enforcement Technology.
- Sec. 251. Availability of funds for grants.
- Sec. 252. Consolidation of financial management systems of Office of Justice Programs.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Technical amendments relating to Public Law 107–56.
- Sec. 302. Miscellaneous technical amendments.
- Sec. 303. Minor substantive amendment relating to contents of FBI annual report.
- Sec. 304. Use of Federal training facilities.
- Sec. 305. Privacy officer.
- Sec. 306. Bankruptcy crimes.

1 **TITLE I—AUTHORIZATION OF** 2 **APPROPRIATIONS**

3 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR FIS-** 4 **CAL YEAR 2004.**

5 There are authorized to be appropriated for fiscal
6 year 2004, to carry out the activities of the Department
7 of Justice (including any bureau, office, board, division,
8 commission, subdivision, unit, or other component there-
9 of), the following sums:

10 (1) GENERAL ADMINISTRATION.—For General
11 Administration: \$133,772,000.

12 (2) ADMINISTRATIVE REVIEW AND APPEALS.—
13 For Administrative Review and Appeals:
14 \$197,420,000 for administration of pardon and

1 clemency petitions and for immigration-related ac-
2 tivities.

3 (3) OFFICE OF INSPECTOR GENERAL.—For the
4 Office of Inspector General: \$70,000,000, which
5 shall include not to exceed \$10,000 to meet unfore-
6 seen emergencies of a confidential character.

7 (4) GENERAL LEGAL ACTIVITIES.—For General
8 Legal Activities: \$665,346,000, which shall in-
9 clude—

10 (A) not less than \$4,000,000 for the inves-
11 tigation and prosecution of denaturalization and
12 deportation cases involving alleged Nazi war
13 criminals;

14 (B) not to exceed \$20,000 to meet unfore-
15 seen emergencies of a confidential character;
16 and

17 (C) such sums as may be necessary for ad-
18 ministrative expenses in accordance with the
19 Radiation Exposure Compensation Act.

20 (5) ANTITRUST DIVISION.—For the Antitrust
21 Division: \$141,898,000.

22 (6) UNITED STATES ATTORNEYS.—For United
23 States Attorneys: \$1,556,784,000, which shall in-
24 clude not less than \$10,000,000 for the investigation
25 and prosecution of intellectual property crimes, in-

1 including software counterfeiting crimes, crimes identi-
2 fied in the No Electronic Theft (NET) Act (Public
3 Law 105–147), and violations of laws prohibiting
4 unsolicited commercial e-mail: *Provided*, That such
5 amounts in the appropriations account “General
6 Legal Services” as may be expended for such inves-
7 tigation or prosecutions shall count towards this
8 minimum as though expended from this appropria-
9 tions account.

10 (7) FEDERAL BUREAU OF INVESTIGATION.—
11 For the Federal Bureau of Investigation:
12 \$4,639,569,000, which shall include—

13 (A) not to exceed \$1,250,000 for construc-
14 tion, to remain available until expended;

15 (B) not to exceed \$70,000 to meet unfore-
16 seen emergencies of a confidential character;
17 and

18 (C) such sums as may be necessary to as-
19 sign employees to the Terrorism Threat Inte-
20 gration Center: *Provided*, That such amounts
21 may only be expended for analyzing intelligence
22 information.

23 (8) UNITED STATES MARSHALS SERVICE.—For
24 the United States Marshals Service: \$720,806,000,

1 which shall include not to exceed \$1,371,000 for
2 construction, to remain available until expended.

3 (9) FEDERAL PRISON SYSTEM.—For the Fed-
4 eral Prison System, including the National Institute
5 of Corrections: \$4,677,214,000.

6 (10) DRUG ENFORCEMENT ADMINISTRATION.—
7 For the Drug Enforcement Administration:
8 \$1,558,743,000, which shall include not to exceed
9 \$70,000 to meet unforeseen emergencies of a con-
10 fidential character.

11 (11) BUREAU OF ALCOHOL, TOBACCO, FIRE-
12 ARMS AND EXPLOSIVES.—For the Bureau of Alco-
13 hol, Tobacco, Firearms and Explosives:
14 \$851,987,000.

15 (12) FEES AND EXPENSES OF WITNESSES.—
16 For Fees and Expenses of Witnesses: \$156,145,000
17 to remain available until expended, which shall in-
18 clude not to exceed \$6,000,000 for construction of
19 protected witness safesites.

20 (13) INTERAGENCY CRIME AND DRUG EN-
21 FORCEMENT.—For Interagency Crime and Drug
22 Enforcement: \$541,844,000, for expenses not other-
23 wise provided for, for the investigation and prosecu-
24 tion of persons involved in organized crime drug
25 trafficking, except that any funds obligated from ap-

1 appropriations authorized by this paragraph may be
2 used under authorities available to the organizations
3 reimbursed from such funds.

4 (14) FOREIGN CLAIMS SETTLEMENT COMMIS-
5 SION.—For the Foreign Claims Settlement Commis-
6 sion: \$1,212,000.

7 (15) COMMUNITY RELATIONS SERVICE.— For
8 the Community Relations Service: \$9,526,000.

9 (16) ASSETS FORFEITURE FUND.—For the As-
10 sets Forfeiture Fund: \$22,949,000 for expenses au-
11 thorized by section 524 of title 28, United States
12 Code.

13 (17) UNITED STATES PAROLE COMMISSION.—
14 For the United States Parole Commission:
15 \$11,051,000.

16 (18) FEDERAL DETENTION TRUSTEE.—For the
17 necessary expenses of the Federal Detention Trust-
18 ee: \$810,125,000.

19 (19) IDENTIFICATION SYSTEMS INTEGRA-
20 TION.—For expenses necessary for the operation of
21 the Identification System Integration: \$34,077,000.

22 (20) NARROWBAND COMMUNICATIONS.—For
23 the costs of conversion to narrowband communica-
24 tions, including the cost for operation and mainte-

1 nance of Land Mobile Radio legacy systems:
2 \$140,083,000.

3 (21) OFFICE OF JUSTICE PROGRAMS.—For ad-
4 ministrative expenses not otherwise provided for, of
5 the Office of Justice Programs: \$145,768,000.

6 (22) LEGAL ACTIVITIES OFFICE AUTOMA-
7 TIONS.—For necessary expenses related to office au-
8 tomation: \$33,240,000.

9 (23) COUNTERTERRORISM FUND.—For nec-
10 essary expenses of the Counterterrorism Fund:
11 \$1,000,000.

12 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
13 **CAL YEAR 2005.**

14 There are authorized to be appropriated for fiscal
15 year 2005, to carry out the activities of the Department
16 of Justice (including any bureau, office, board, division,
17 commission, subdivision, unit, or other component there-
18 of), the following sums:

19 (1) GENERAL ADMINISTRATION.—For General
20 Administration: \$136,447,000.

21 (2) ADMINISTRATIVE REVIEW AND APPEALS.—
22 For Administrative Review and Appeals:
23 \$201,368,000 for administration of pardon and
24 clemency petitions and for immigration-related ac-
25 tivities.

1 (3) OFFICE OF INSPECTOR GENERAL.—For the
2 Office of Inspector General: \$71,400,000, which
3 shall include not to exceed \$10,000 to meet unfore-
4 seen emergencies of a confidential character.

5 (4) GENERAL LEGAL ACTIVITIES.—For General
6 Legal Activities: \$678,652,000, which shall in-
7 clude—

8 (A) not less than \$4,000,000 for the inves-
9 tigation and prosecution of denaturalization and
10 deportation cases involving alleged Nazi war
11 criminals;

12 (B) not to exceed \$20,000 to meet unfore-
13 seen emergencies of a confidential character;
14 and

15 (C) such sums as may be necessary for ad-
16 ministrative expenses inaccordance with the Ra-
17 diation Exposure Compensation Act.

18 (5) ANTITRUST DIVISION.—For the Antitrust
19 Division: \$144,736,000.

20 (6) UNITED STATES ATTORNEYS.—For United
21 States Attorneys: \$1,587,920,000, which shall in-
22 clude not less than \$10,000,000 for the investigation
23 and prosecution of intellectual property crimes, in-
24 cluding software counterfeiting crimes, crimes identi-
25 fied in the No Electronic Theft (NET) Act (Public

1 Law 105–147), and violations of law, against unso-
2 licited commercial e-mail: *Provided*, That such
3 amounts in the appropriations account “General
4 Legal Services” as may be expended for such inves-
5 tigation or prosecutions shall count towards this
6 minimum as though expended from this appropria-
7 tions account.

8 (7) FEDERAL BUREAU OF INVESTIGATION.—
9 For the Federal Bureau of Investigation:
10 \$4,732,360,000, which shall include—

11 (A) not to exceed \$1,250,000 for construc-
12 tion, to remain available until expended;

13 (B) not to exceed \$70,000 to meet unfore-
14 seen emergencies of a confidential character;
15 and

16 (C) such sums as may be necessary to as-
17 sign employees to the Terrorism Threat Inte-
18 gration Center: *Provided*, That such amounts
19 may only be expended for analyzing intelligence
20 information.

21 (8) UNITED STATES MARSHALS SERVICE.—For
22 the United States Marshals Service: \$735,222,000,
23 which shall include not to exceed \$1,371,000 for
24 construction, to remain available until expended.

1 (9) FEDERAL PRISON SYSTEM.—For the Fed-
2 eral Prison System, including the National Institute
3 of Corrections: \$4,770,758,000.

4 (10) DRUG ENFORCEMENT ADMINISTRATION.—
5 For the Drug Enforcement Administration:
6 \$1,589,918,000, which shall include not to exceed
7 \$70,000 to meet unforeseen emergencies of a con-
8 fidential character.

9 (11) BUREAU OF ALCOHOL, TOBACCO, FIRE-
10 ARMS AND EXPLOSIVES.—For the Bureau of Alco-
11 hol, Tobacco, Firearms and Explosives:
12 \$869,027,000.

13 (12) FEES AND EXPENSES OF WITNESSES.—
14 For Fees and Expenses of Witnesses: \$156,268,000
15 to remain available until expended, which shall in-
16 clude not to exceed \$6,000,000 for construction of
17 protected witness safesites.

18 (13) INTERAGENCY CRIME AND DRUG EN-
19 FORCEMENT.—For Interagency Crime and Drug
20 Enforcement: \$552,681,000, for expenses not other-
21 wise provided for, for the investigation and prosecu-
22 tion of persons involved in organized crime drug
23 trafficking, except that any funds obligated from ap-
24 propriations authorized by this paragraph may be

1 used under authorities available to the organizations
2 reimbursed from such funds.

3 (14) FOREIGN CLAIMS SETTLEMENT COMMIS-
4 SION.—For the Foreign Claims Settlement Commis-
5 sion: \$1,236,000.

6 (15) COMMUNITY RELATIONS SERVICE.—For
7 the Community Relations Service: \$9,716,000.

8 (16) ASSETS FORFEITURE FUND.—For the As-
9 sets Forfeiture Fund: \$23,949,000 for expenses au-
10 thorized by section 524 of title 28, United States
11 Code.

12 (17) UNITED STATES PAROLE COMMISSION.—
13 For the United States Parole Commission:
14 \$11,272,000.

15 (18) FEDERAL DETENTION TRUSTEE.—For the
16 necessary expenses of the Federal Detention Trust-
17 ee: \$826,327,000.

18 (19) IDENTIFICATION SYSTEMS INTEGRA-
19 TION.—For expenses necessary for the operation of
20 the Identification System Integration: \$34,758,000.

21 (20) NARROWBAND COMMUNICATIONS.—For
22 the costs of conversion to narrowband communica-
23 tions, including the cost for operation and mainte-
24 nance of Land Mobile Radio legacy systems:
25 \$142,885,000.

1 (21) OFFICE OF JUSTICE PROGRAMS.—For ad-
2 ministrative expenses not otherwise provided for, of
3 the Office of Justice Programs: \$148,683,000.

4 (22) LEGAL ACTIVITIES OFFICE AUTOMA-
5 TIONS.—For necessary expenses related to office au-
6 tomation: \$33,904,000.

7 (23) COUNTERTERRORISM FUND.—For nec-
8 essary expenses of the Counterterrorism Fund:
9 \$1,020,000.

10 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
11 **CAL YEAR 2006.**

12 There are authorized to be appropriated for fiscal
13 year 2006, to carry out the activities of the Department
14 of Justice (including any bureau, office, board, division,
15 commission, subdivision, unit, or other component there-
16 of), the following sums:

17 (1) GENERAL ADMINISTRATION.—For General
18 Administration: \$139,176,000.

19 (2) ADMINISTRATIVE REVIEW AND APPEALS.—
20 For Administrative Review and Appeals:
21 \$205,395,000 for administration of pardon and
22 clemency petitions and for immigration-related ac-
23 tivities.

24 (3) OFFICE OF INSPECTOR GENERAL.—For the
25 Office of Inspector General: \$72,828,000, which

1 shall include not to exceed \$10,000 to meet unfore-
2 seen emergencies of a confidential character.

3 (4) GENERAL LEGAL ACTIVITIES.—For General
4 Legal Activities: \$692,225,000, which shall in-
5 clude—

6 (A) not less than \$4,000,000 for the inves-
7 tigation and prosecution of denaturalization and
8 deportation cases involving alleged Nazi war
9 criminals;

10 (B) not to exceed \$20,000 to meet unfore-
11 seen emergencies of a confidential character;
12 and

13 (C) such sums as may be necessary for ad-
14 ministrative expenses in accordance with the
15 Radiation Exposure Compensation Act.

16 (5) ANTITRUST DIVISION.—For the Antitrust
17 Division: \$147,631,000.

18 (6) UNITED STATES ATTORNEYS.—For United
19 States Attorneys: \$1,619,678,000, which shall in-
20 clude not less than \$10,000,000 for the investigation
21 and prosecution of intellectual property crimes, in-
22 cluding software counterfeiting crimes, crimes identi-
23 fied in the No Electronic Theft (NET) Act (Public
24 Law 105–147), and violations of law, against unsol-
25 licited commercial e-mail: *Provided*, That such

1 amounts in the appropriations account “General
2 Legal Services” as may be expended for such inves-
3 tigations or prosecutions shall count towards this
4 minimum as though expended from this appropria-
5 tions account.

6 (7) FEDERAL BUREAU OF INVESTIGATION.—
7 For the Federal Bureau of Investigation:
8 \$4,832,107,000, which shall include—

9 (A) not to exceed \$1,250,000 for construc-
10 tion, to remain available until expended;

11 (B) not to exceed \$70,000 to meet unfore-
12 seen emergencies of a confidential character;
13 and

14 (C) such sums as may be necessary to as-
15 sign employees to the Terrorism Threat Inte-
16 gration Center: *Provided*, That such amounts
17 may only be expended for analyzing intelligence
18 information.

19 (8) UNITED STATES MARSHALS SERVICE.—For
20 the United States Marshals Service: \$749,926,000
21 which shall include not to exceed \$1,371,000 for
22 construction, to remain available until expended.

23 (9) FEDERAL PRISON SYSTEM.—For the Fed-
24 eral Prison System, including the National Institute
25 of Corrections: \$4,866,173,000.

1 (10) DRUG ENFORCEMENT ADMINISTRATION.—
2 For the Drug Enforcement Administration:
3 \$1,621,716,000, which shall include not to exceed
4 \$70,000 to meet unforeseen emergencies of a con-
5 fidential character.

6 (11) BUREAU OF ALCOHOL, TOBACCO, FIRE-
7 ARMS AND EXPLOSIVES.—For the Bureau of Alco-
8 hol, Tobacco, Firearms and Explosives:
9 \$886,407,000.

10 (12) FEES AND EXPENSES OF WITNESSES.—
11 For Fees and Expenses of Witnesses: \$159,393,000
12 to remain available until expended, which shall in-
13 clude not to exceed \$6,000,000 for construction of
14 protected witness safesites.

15 (13) INTERAGENCY CRIME AND DRUG EN-
16 FORCEMENT.—For Interagency Crime and Drug
17 Enforcement: \$563,918,000, for expenses not other-
18 wise provided for, for the investigation and prosecu-
19 tion of persons involved in organized crime drug
20 trafficking, except that any funds obligated from ap-
21 propriations authorized by this paragraph may be
22 used under authorities available to the organizations
23 reimbursed from such funds.

1 (14) FOREIGN CLAIMS SETTLEMENT COMMIS-
2 SION.—For the Foreign Claims Settlement Commis-
3 sion: \$1,260,000.

4 (15) COMMUNITY RELATIONS SERVICE.—For
5 the Community Relations Service: \$9,910,000.

6 (16) ASSETS FORFEITURE FUND.—For the As-
7 sets Forfeiture Fund: \$24,428,000 for expenses au-
8 thorized by section 524 of title 28, United States
9 Code.

10 (17) UNITED STATES PAROLE COMMISSION.—
11 For the United States Parole Commission:
12 \$11,497,000.

13 (18) FEDERAL DETENTION TRUSTEE.—For the
14 necessary expenses of the Federal Detention Trust-
15 ee: \$842,854,000.

16 (19) IDENTIFICATION SYSTEMS INTEGRA-
17 TION.—For expenses necessary for the operation of
18 the Identification System Integration: \$35,453,000.

19 (20) NARROWBAND COMMUNICATIONS.—For
20 the costs of conversion to narrowband communica-
21 tions, including the cost for operation and mainte-
22 nance of Land Mobile Radio legacy systems:
23 \$145,743,000.

1 (21) OFFICE OF JUSTICE PROGRAMS.—For ad-
2 ministrative expenses not otherwise provided for, of
3 the Office of Justice Programs: \$151,657,000.

4 (22) LEGAL ACTIVITIES OFFICE AUTOMA-
5 TIONS.—For necessary expenses related to office au-
6 tomation: \$34,582,000.

7 (23) COUNTERTERRORISM FUND.—For nec-
8 essary expenses of the Counterterrorism Fund:
9 \$1,040,000.

10 **TITLE II—IMPROVING THE DE-**
11 **PARTMENT OF JUSTICE’S**
12 **GRANT PROGRAMS**

13 **Subtitle A—Assisting Law Enforce-**
14 **ment and Criminal Justice**
15 **Agencies**

16 **SEC. 201. MERGER OF BYRNE GRANT PROGRAM AND LOCAL**
17 **LAW ENFORCEMENT BLOCK GRANT PRO-**
18 **GRAM.**

19 (a) IN GENERAL.—Part E of title I of the Omnibus
20 Crime Control and Safe Streets Act of 1968 is amended
21 as follows:

22 (1) Subpart 1 of such part (42 U.S.C. 3751–
23 3759) is repealed.

24 (2) Such part is further amended—

1 (A) by inserting before section 500 (42
2 U.S.C. 3750) the following new heading:

3 **“Subpart 1—Edward Byrne Memorial Justice**
4 **Assistance Grant Program”;**

5 (B) by amending section 500 to read as
6 follows:

7 **“SEC. 500. NAME OF PROGRAM.**

8 “(a) IN GENERAL.—The grant program established
9 under this subpart shall be known as the ‘Edward Byrne
10 Memorial Justice Assistance Grant Program’.

11 “(b) REFERENCES TO FORMER PROGRAMS.—Any
12 reference in a law, regulation, document, paper, or other
13 record of the United States to the Edward Byrne Memo-
14 rial State and Local Law Enforcement Assistance Pro-
15 grams, or to the Local Government Law Enforcement
16 Block Grants program, shall be deemed to be a reference
17 to the grant program referred to in subsection (a).”;

18 (C) by inserting after section 500 the fol-
19 lowing new sections:

20 **“SEC. 501. DESCRIPTION.**

21 “(a) GRANTS AUTHORIZED.—From amounts made
22 available to carry out this subpart, the Attorney General
23 may, in accordance with the formula established under
24 section 505, make grants to States and units of local gov-
25 ernment, for use by the State or unit of local government

1 to provide additional personnel, equipment, supplies, con-
2 tractual support, training, technical assistance, and infor-
3 mation systems for criminal justice, including for any one
4 or more of the following programs:

5 “(1) Law enforcement programs.

6 “(2) Prosecution and court programs.

7 “(3) Prevention and education programs.

8 “(4) Corrections and community corrections
9 programs.

10 “(5) Drug treatment programs.

11 “(6) Planning, evaluation, and technology im-
12 provement programs.

13 “(b) CONTRACTS AND SUBAWARDS.—A State or unit
14 of local government may, in using a grant under this sub-
15 part for purposes authorized by subsection (a), use all or
16 a portion of that grant to contract with or make one or
17 more subawards to one or more—

18 “(1) neighborhood or community-based organi-
19 zations that are private and nonprofit;

20 “(2) units of local government; or

21 “(3) tribal governments.

22 “(c) PROGRAM ASSESSMENT COMPONENT; WAIV-
23 ER.—

24 “(1) Each program funded under this subpart
25 shall contain a program assessment component, de-

1 veloped pursuant to guidelines established by the At-
2 torney General, in coordination with the National
3 Institute of Justice.

4 “(2) The Attorney General may waive the re-
5 quirement of paragraph (1) with respect to a pro-
6 gram if, in the opinion of the Attorney General, the
7 program is not of sufficient size to justify a full pro-
8 gram assessment.

9 “(d) PROHIBITED USES.—Notwithstanding any
10 other provision of this Act, no funds provided under this
11 subpart may be used, directly or indirectly, to provide any
12 of the following matters:

13 “(1) Any security enhancements or any equip-
14 ment to any nongovernmental entity that is not en-
15 gaged in criminal justice or public safety.

16 “(2) Unless the Attorney General certifies that
17 extraordinary and exigent circumstances exist that
18 make the use of such funds to provide such matters
19 essential to the maintenance of public safety and
20 good order—

21 “(A) vehicles, vessels, or aircraft;

22 “(B) luxury items;

23 “(C) real estate;

24 “(D) construction projects (other than
25 penal or correctional institutions); or

1 “(E) any similar matters.

2 “(e) ADMINISTRATIVE COSTS.—Not more than 10
3 percent of a grant made under this subpart may be used
4 for costs incurred to administer such grant.

5 “(f) PERIOD.—The period of a grant made under this
6 subpart shall be four years, except that renewals and ex-
7 tensions beyond that period may be granted at the discre-
8 tion of the Attorney General.

9 “(g) RULE OF CONSTRUCTION.—Subparagraph
10 (d)(1) shall not be construed to prohibit the use, directly
11 or indirectly, of funds provided under this subpart to pro-
12 vide security at a public event, such as a political conven-
13 tion or major sports event, so long as such security is pro-
14 vided under applicable laws and procedures.

15 **“SEC. 502. APPLICATIONS.**

16 “To request a grant under this subpart, the chief ex-
17 ecutive officer of a State or unit of local government shall
18 submit an application to the Attorney General within 90
19 days after the date on which funds to carry out this sub-
20 part are appropriated for a fiscal year, in such form as
21 the Attorney General may require. Such application shall
22 include the following:

23 “(1) A certification that Federal funds made
24 available under this subpart will not be used to sup-
25 plant State or local funds, but will be used to in-

1 crease the amounts of such funds that would, in the
2 absence of Federal funds, be made available for law
3 enforcement activities.

4 “(2) An assurance that, not fewer than 30 days
5 before the application (or any amendment to the ap-
6 plication) was submitted to the Attorney General,
7 the application (or amendment) was submitted for
8 review to the governing body of the State or unit of
9 local government (or to an organization designated
10 by that governing body).

11 “(3) An assurance that, before the application
12 (or any amendment to the application) was sub-
13 mitted to the Attorney General—

14 “(A) the application (or amendment) was
15 made public; and

16 “(B) an opportunity to comment on the
17 application (or amendment) was provided to
18 citizens and to neighborhood or community-
19 based organizations, to the extent applicable
20 law or established procedure makes such an op-
21 portunity available.

22 “(4) An assurance that, for each fiscal year
23 covered by an application, the applicant shall main-
24 tain and report such data, records, and information

1 (programmatic and financial) as the Attorney Gen-
2 eral may reasonably require.

3 “(5) A certification, made in a form acceptable
4 to the Attorney General and executed by the chief
5 executive officer of the applicant (or by another offi-
6 cer of the applicant, if qualified under regulations
7 promulgated by the Attorney General), that—

8 “(A) the programs to be funded by the
9 grant meet all the requirements of this subpart;

10 “(B) all the information contained in the
11 application is correct;

12 “(C) there has been appropriate coordina-
13 tion with affected agencies; and

14 “(D) the applicant will comply with all
15 provisions of this subpart and all other applica-
16 ble Federal laws.

17 **“SEC. 503. REVIEW OF APPLICATIONS.**

18 “The Attorney General shall not finally disapprove
19 any application (or any amendment to that application)
20 submitted under this subpart without first affording the
21 applicant reasonable notice of any deficiencies in the appli-
22 cation and opportunity for correction and reconsideration.

23 **“SEC. 504. RULES.**

24 “The Attorney General shall issue rules to carry out
25 this subpart. The first such rules shall be issued not later

1 than one year after the date on which amounts are first
2 made available to carry out this subpart.

3 **“SEC. 505. FORMULA.**

4 “(a) ALLOCATION AMONG STATES.—

5 “(1) IN GENERAL.—Of the total amount appro-
6 priated for this subpart, the Attorney General shall
7 allocate—

8 “(A) 50 percent of such amount to each
9 State in amounts that bear the same ratio of—

10 “(i) the total population of a State
11 to—

12 “(ii) the total population of the
13 United States; and

14 “(B) 50 percent of such amount to each
15 State in amounts that bear the same ratio of—

16 “(i) the average annual number of
17 part I violent crimes of the Uniform Crime
18 Reports of the Federal Bureau of Inves-
19 tigation reported by such State for the
20 three most recent years reported by such
21 State to—

22 “(ii) the average annual number of
23 such crimes reported by all States for such
24 years.

1 “(2) MINIMUM ALLOCATION.—Notwithstanding
2 paragraph (1), no State shall receive less than .25
3 percent of such total amount for each fiscal year.

4 “(b) ALLOCATION BETWEEN STATES AND UNITS OF
5 LOCAL GOVERNMENT.—Of the amounts allocated under
6 subsection (a)—

7 “(1) 60 percent shall be for direct grants to
8 States, to be allocated under subsection (c); and

9 “(2) 40 percent shall be for grants to be allo-
10 cated under subsection (d).

11 “(c) ALLOCATION FOR STATE GOVERNMENTS.—

12 “(1) IN GENERAL.—Of the amounts allocated
13 under subsection (b)(1), each State may retain for
14 the purposes described in section 501 an amount
15 that bears the same ratio of—

16 “(A) total expenditures on criminal justice
17 by the State government in the most recently
18 completed fiscal year to—

19 “(B) the total expenditure on criminal jus-
20 tice by the State government and units of local
21 government within the State in such year.

22 “(2) REMAINING AMOUNTS.—Except as pro-
23 vided in subsection (e)(1), any amounts remaining
24 after the allocation required by paragraph (1) shall

1 be made available to units of local government by
2 the State for the purposes described in section 501.

3 “(d) ALLOCATIONS TO LOCAL GOVERNMENTS.—

4 “(1) IN GENERAL.—Of the amounts allocated
5 under subsection (b)(2), grants for the purposes de-
6 scribed in section 501 shall be made directly to units
7 of local government within each State in accordance
8 with this subsection, subject to subsection (e).

9 “(2) ALLOCATIONS FOR CATEGORIES OF LIKE
10 UNITS OF LOCAL GOVERNMENT.—Of the amounts
11 referred to in paragraph (1), each of the four cat-
12 egories of like governmental units (county, city,
13 township, and other) within a State shall be allo-
14 cated an amount that bears the same ratio of—

15 “(A) the total expenditures on criminal
16 justice by units of local government in that cat-
17 egory within that State in the most recently
18 completed fiscal year to—

19 “(B) the total expenditures on criminal
20 justice by all units of local government within
21 that State in such year.

22 “(3) ALLOCATIONS FOR UNITS OF LOCAL GOV-
23 ERNMENT.—Of the amounts allocated to a category
24 under paragraph (2), each unit of local government

1 in that category within that State shall be allocated
2 an amount that bears the same ratio of—

3 “(A) the average annual number of part I
4 violent crimes of the Uniform Crime Reports of
5 the Federal Bureau of Investigation reported by
6 such unit of local government for the three
7 most recent years reported by such unit of local
8 government to—

9 “(B) the average annual number of such
10 crimes reported by all like governmental units
11 for such years.

12 “(e) LIMITATION ON ALLOCATIONS TO UNITS OF
13 LOCAL GOVERNMENT.—

14 “(1) MAXIMUM ALLOCATION.—No unit of local
15 government shall receive a total allocation under this
16 section that exceeds such unit’s total expenditures
17 on criminal justice services for the most recently
18 completed fiscal year for which data are available.
19 Any amount in excess of such total expenditures
20 shall be allocated proportionally among units of local
21 government whose allocations under this section do
22 not exceed their total expenditures on such services.

23 “(2) ALLOCATIONS UNDER \$10,000.—If the allo-
24 cation under this section to a unit of local govern-
25 ment is less than \$10,000 for any fiscal year, the di-

1 rect grant to the State under subsection (c) shall be
2 increased by the amount of such allocation, to be
3 distributed (for the purposes described in section
4 501) among State police departments that provide
5 criminal justice services to units of local government
6 and units of local government whose allocation under
7 this section is less than \$10,000.

8 “(3) NON-REPORTING UNITS.—No allocation
9 under this section shall be made to a unit of local
10 government that has not reported at least three
11 years of data on part I violent crimes of the Uniform
12 Crime Reports to the Federal Bureau of Investiga-
13 tion within the immediately-preceding 10 years.

14 “(f) FUNDS NOT USED BY THE STATE.—If the At-
15 torney General determines, on the basis of information
16 available during any grant period, that any allocation (or
17 portion thereof) under this section to a State for such
18 grant period will not be required, or that a State will be
19 unable to qualify or receive funds under this subpart, or
20 that a State chooses not to participate in the program es-
21 tablished under this subpart, then such State’s allocation
22 (or portion thereof) shall be awarded by the Attorney Gen-
23 eral to units of local government, or combinations thereof,
24 within such State, giving priority to those jurisdictions
25 with the highest annual number of part I violent crimes

1 of the Uniform Crime Reports reported by the unit of local
2 government to the Federal Bureau of Investigation for the
3 three most recent calendar years for which such data are
4 available.

5 “(g) SPECIAL RULES FOR PUERTO RICO.—

6 “(1) ALL FUNDS SET ASIDE FOR COMMON-
7 WEALTH GOVERNMENT.—Notwithstanding sub-
8 section (b), of the amounts allocated under sub-
9 section (a) to Puerto Rico, 100 percent shall be for
10 direct grants to Puerto Rico.

11 “(2) NO LOCAL ALLOCATIONS.—Subsections (c)
12 and (d) shall not apply to Puerto Rico.

13 “(h) DEFINITION.—

14 “(1) IN GENERAL.—For purposes of this sec-
15 tion, the term ‘like governmental unit’ means any
16 like unit of local government as defined by the Sec-
17 retary of Commerce for general statistical purposes.

18 “(2) CERTAIN LIKE UNITS REQUIRED.—Not-
19 withstanding paragraph (1), in determining the
20 meaning of such term for purposes of this section—

21 “(A) all counties (including parishes) shall
22 be treated as like governmental units;

23 “(B) all cities shall be treated as like gov-
24 ernmental units;

1 “(C) all townships shall be treated as like
2 governmental units; and

3 “(D) all governmental units of other par-
4 ticular types shall be treated as like govern-
5 mental units of such types.”.

6 **“SEC. 506. RESERVED FUNDS.**

7 “Of the total amount made available to carry out this
8 subpart for a fiscal year, the Attorney General shall re-
9 serve not more than—

10 “(1) \$20,000,000, for use by the National In-
11 stitute of Justice in assisting units of local govern-
12 ment to identify, select, develop, modernize, and pur-
13 chase new technologies for use by law enforcement;
14 and

15 “(2) \$20,000,000, to be granted by the Attor-
16 ney General to States and units of local government
17 to develop and implement antiterrorism training pro-
18 grams.

19 **“SEC. 507. INTEREST-BEARING TRUST FUNDS.**

20 “(a) TRUST FUND REQUIRED.—A State or unit of
21 local government shall establish a trust fund in which to
22 deposit amounts received under this subpart.

23 “(b) EXPENDITURES.—

24 “(1) IN GENERAL.—Each amount received
25 under this subpart (including interest on such

1 amount) shall be expended before the date on which
2 the grant period expires.

3 “(2) REPAYMENT.—A State or unit of local
4 government that fails to expend an entire amount
5 (including interest on such amount) as required by
6 paragraph (1) shall repay the unexpended portion to
7 the Attorney General not later than 3 months after
8 the date on which the grant period expires.

9 “(3) REDUCTION OF FUTURE AMOUNTS.—If a
10 State or unit of local government fails to comply
11 with paragraphs (1) and (2), the Attorney General
12 shall reduce amounts to be provided to that State or
13 unit of local government accordingly.

14 “(c) REPAID AMOUNTS.—Amounts received as repay-
15 ments under this section shall be subject to section 108
16 of this title as if such amounts had not been granted and
17 repaid. Such amounts shall be deposited in the Treasury
18 in a dedicated fund for use by the Attorney General to
19 carry out this subpart. Such funds are hereby made avail-
20 able to carry out this subpart.

21 **“SEC. 508. AUTHORIZATION OF APPROPRIATIONS.**

22 “There is authorized to be appropriated to carry out
23 this subpart \$1,075,000,000 for fiscal year 2004 and such
24 sums as may be necessary for each of fiscal years 2005
25 through 2008.”.

1 (b) REPEALS OF CERTAIN AUTHORITIES RELATING
2 TO BYRNE GRANTS.—

3 (1) DISCRETIONARY GRANTS TO PUBLIC AND
4 PRIVATE ENTITIES.—Chapter A of subpart 2 of Part
5 E of title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 (42 U.S.C. 3760–3762) is re-
7 pealed.

8 (2) TARGETED GRANTS TO CURB MOTOR VEHI-
9 CLE THEFT.—Subtitle B of the Anti Car Theft Act
10 of 1992 (42 U.S.C. 3750a–3750d) is repealed.

11 (c) CONFORMING AMENDMENTS.—

12 (1) CRIME IDENTIFICATION TECHNOLOGY
13 ACT.—Subsection (c)(2)(G) of section 102 of the
14 Crime Identification Technology Act of 1998 (42
15 U.S.C. 14601) is amended by striking “such as”
16 and all that follows through “the M.O.R.E. pro-
17 gram” and inserting “such as the Edward Byrne
18 Justice Assistance Grant Program and the M.O.R.E.
19 program”.

20 (2) SAFE STREETS ACT.—Title I of the Omni-
21 bus Crime Control and Safe Streets Act of 1968 is
22 amended—

23 (A) in section 517 (42 U.S.C. 3763), in
24 subsection (a)(1), by striking “pursuant to sec-

1 tion 511 or 515” and inserting “pursuant to
2 section 515”;

3 (B) in section 520 (42 U.S.C. 3766)—

4 (i) in subsection (a)(1), by striking
5 “the program evaluations as required by
6 section 501(c) of this part” and inserting
7 “program evaluations”;

8 (ii) in subsection (a)(2), by striking
9 “evaluations of programs funded under
10 section 506 (formula grants) and sections
11 511 and 515 (discretionary grants) of this
12 part” and inserting “evaluations of pro-
13 grams funded under section 505 (formula
14 grants) and section 515 (discretionary
15 grants) of this part”; and

16 (iii) in subsection (b)(2), by striking
17 “programs funded under section 506 (for-
18 mula grants) and section 511 (discre-
19 tionary grants)” and inserting “programs
20 funded under section 505 (formula
21 grants)”;

22 (C) in section 522 (42 U.S.C. 3766b)—

23 (i) in subsection (a), in the matter
24 preceding paragraph (1), by striking “sec-
25 tion 506” and inserting “section 505”; and

1 (ii) in subsection (a)(1), by striking
2 “an assessment of the impact of such ac-
3 tivities on meeting the needs identified in
4 the State strategy submitted under section
5 503” and inserting “an assessment of the
6 impact of such activities on meeting the
7 purposes of subpart 1”;

8 (D) in section 801 (42 U.S.C. 3782), in
9 subsection (b)(5)—

10 (i) by striking “the purposes of sec-
11 tion 501 of this title” and inserting “the
12 purposes of such subpart 1”; and

13 (ii) by striking “the application sub-
14 mitted pursuant to section 503 of this
15 title” and inserting “the application sub-
16 mitted pursuant to section 502 of this
17 title”;

18 (E) in section 808 (42 U.S.C. 3789), by
19 striking “the State office described in section
20 507 or 1408” and inserting “the State office
21 responsible for the trust fund required by sec-
22 tion 507, or the State office described in section
23 1408,”;

24 (F) in section 901 (42 U.S.C. 3791), in
25 subsection (a)(2), by striking “for the purposes

1 of section 506(a)” and inserting “for the pur-
2 poses of section 505(a)”;

3 (G) in section 1502 (42 U.S.C. 3796bb-
4 1)—

5 (i) in paragraph (1), by striking “sec-
6 tion 506(a)” and inserting “section
7 505(a)”;

8 (ii) in paragraph (2)—

9 (I) by striking “section 503(a)”
10 and inserting “section 502”; and

11 (II) by striking “section 506”
12 and inserting “section 505”;

13 (H) in section 1602 (42 U.S.C. 3796cc-1),
14 in subsection (b), by striking “The office des-
15 ignated under section 507 of title I” and insert-
16 ing “The office responsible for the trust fund
17 required by section 507”;

18 (I) in section 1702 (42 U.S.C. 3796dd-1),
19 in subsection (c)(1), by striking “and reflects
20 consideration of the statewide strategy under
21 section 503(a)(1)”;

22 (J) in section 1902 (42 U.S.C. 3796ff-1),
23 in subsection (e), by striking “The Office des-
24 ignated under section 507” and inserting “the

1 office responsible for the trust fund required by
2 section 507”.

3 (d) **APPLICABILITY.**—The amendments made by this
4 section shall apply with respect to the first fiscal year be-
5 ginning after the date of the enactment of this Act and
6 each fiscal year thereafter.

7 **SEC. 202. CLARIFICATION OF NUMBER OF RECIPIENTS**
8 **WHO MAY BE SELECTED IN A GIVEN YEAR TO**
9 **RECEIVE PUBLIC SAFETY OFFICER MEDAL**
10 **OF VALOR.**

11 Section 3(c) of the Public Safety Officer Medal of
12 Valor Act of 2001 (42 U.S.C. 15202(c)) is amended by
13 striking “more than 5 recipients” and inserting “more
14 than 5 individuals, or groups of individuals, as recipients”.

15 **SEC. 203. CONGRESSIONAL MEDAL AND PLAQUE FOR PUB-**
16 **LIC SAFETY OFFICERS WHO RESPONDED TO**
17 **THE ATTACKS ON THE UNITED STATES ON**
18 **SEPTEMBER 11, 2001.**

19 (a) **PURPOSE.**—It is the purpose of this section—

20 (1) to commemorate the sacrifices made and
21 service rendered to the United States by those public
22 safety officers who responded to the attacks on the
23 United States on September 11, 2001; and

24 (2) to honor those public safety officers on the
25 third anniversary of those attacks.

1 (b) PRESENTATION AUTHORIZED.—

2 (1) IN GENERAL.—The Speaker of the House of
3 Representatives and the President pro tempore of
4 the Senate are authorized jointly to present, on be-
5 half of the Congress—

6 (A) to individuals certified by the Attorney
7 General pursuant to subsection (e), a bronze
8 medal 1½ inches in diameter commemorating
9 the service to the United States of those indi-
10 viduals; and

11 (B) to public agencies certified by the At-
12 torney General pursuant to subsection (e), a
13 plaque commemorating the service to the
14 United States of the officers, employees, or
15 agents of those agencies.

16 (2) DATE.—The presentation shall be made as
17 close as feasible to the third anniversary of the at-
18 tacks on the United States on September 11, 2001.

19 (3) NEXT OF KIN.—In the case of an individual
20 certified by the Attorney General pursuant to sub-
21 section (e), the medal may be accepted by the next
22 of kin of any such individual.

23 (c) DESIGN AND STRIKING.—

24 (1) CONSULTATION.—The Attorney General
25 shall consult with the Institute of Heraldry of the

1 Department of Defense regarding the design and ar-
2 tistry of the medal and the plaque authorized by this
3 section. The Attorney General may also consider
4 suggestions received by the Department of Justice
5 regarding the design and artistry of the medal and
6 the plaque, including suggestions made by persons
7 not employed by the Department of Justice.

8 (2) STRIKING.—After such consultation, the At-
9 torney General shall strike such medals and produce
10 such plaques as may be required to carry out this
11 section.

12 (d) ELIGIBILITY REQUIREMENTS.—

13 (1) INDIVIDUALS.—

14 (A) IN GENERAL.—To be eligible to be
15 presented the medal referred to in subsection
16 (b), an individual must have been a public safe-
17 ty officer (as defined in section 5 of the Public
18 Safety Officer Medal of Valor Act of 2001 (42
19 U.S.C. 15204))—

20 (i) who was present in New York, Vir-
21 ginia, or Pennsylvania on September 11,
22 2001;

23 (ii) who participated in the response
24 that day to the terrorist attacks on the
25 World Trade Center, the terrorist attack

1 on the Pentagon, or the terrorist attack
2 that resulted in the crash of the fourth air-
3 plane in Pennsylvania; and

4 (iii) who died as a result of such par-
5 ticipation.

6 (B) RULE OF CONSTRUCTION.—An indi-
7 vidual who was killed in one of the attacks re-
8 ferred to in subparagraph (A)(ii) shall be
9 deemed, for purposes of that subparagraph, to
10 have participated in the response.

11 (2) AGENCIES.—To be eligible to be presented
12 the plaque referred to in subsection (b), a public
13 agency must have had at least one officer, employee,
14 or agent who is eligible under paragraph (1) or who
15 would be so eligible but for the requirement of sub-
16 paragraph (A)(iii) of that paragraph.

17 (3) APPLICATION; DETERMINATION.—To estab-
18 lish the eligibility required by paragraphs (1) or (2),
19 the head of a public agency must present to the At-
20 torney General an application with such supporting
21 documentation as the Attorney General may require
22 to support such eligibility and, in the case of the eli-
23 gibility of an individual, with information on next of
24 kin. The Attorney General shall determine, through
25 the documentation provided and, if necessary, inde-

1 pendent investigation, whether the requirements of
2 paragraphs (1) or (2) have been established.

3 (e) CERTIFICATION.—The Attorney General shall,
4 within 12 months after the date of the enactment of this
5 Act, certify to the Speaker of the House of Representa-
6 tives and the President pro tempore of the Senate the
7 names of individuals eligible to receive the medal and pub-
8 lic agencies eligible to receive the plaque.

9 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated such sums as may be nec-
11 essary to carry out this section.

12 **SEC. 204. CLARIFICATION OF OFFICIAL TO BE CONSULTED**
13 **BY ATTORNEY GENERAL IN CONSIDERING AP-**
14 **PLICATION FOR EMERGENCY FEDERAL LAW**
15 **ENFORCEMENT ASSISTANCE.**

16 Section 609M(b) of the Justice Assistance Act of
17 1984 (42 U.S.C. 10501(b)) is amended by striking “the
18 Director of the Office of Justice Assistance” and inserting
19 “the Assistant Attorney General for the Office of Justice
20 Programs”.

21 **SEC. 205. CLARIFICATION OF USES FOR REGIONAL INFOR-**
22 **MATION SHARING SYSTEM GRANTS.**

23 Section 1301(b) of the Omnibus Crime Control and
24 Safe Streets Act of 1968 (42 U.S.C. 3796h(b)), as most

1 recently amended by section 701 of the USA PATRIOT
2 Act (Public Law 107–56; 115 Stat. 374), is amended—

3 (1) in paragraph (1), by inserting “regional”
4 before “information sharing systems”;

5 (2) by amending paragraph (3) to read as fol-
6 lows:

7 “(3) establishing and maintaining a secure tele-
8 communications system for regional information
9 sharing between Federal, State, and local law en-
10 forcement agencies;” and

11 (3) by striking “(5)” at the end of paragraph
12 (4).

13 **SEC. 206. INTEGRITY AND ENHANCEMENT OF NATIONAL**
14 **CRIMINAL RECORD DATABASES.**

15 (a) DUTIES OF DIRECTOR.—Section 302 of the Om-
16 nibus Crime Control and Safe Streets Act of 1968 (42
17 U.S.C. 3732) is amended—

18 (1) in subsection (b), by inserting after the
19 third sentence the following new sentence: “The Di-
20 rector shall be responsible for the integrity of data
21 and statistics and shall protect against improper or
22 illegal use or disclosure.”;

23 (2) by amending paragraph (19) of subsection
24 (c) to read as follows:

1 “(19) provide for improvements in the accuracy,
2 quality, timeliness, immediate accessibility, and inte-
3 gration of State criminal history and related records,
4 support the development and enhancement of na-
5 tional systems of criminal history and related
6 records including the National Criminal History
7 Background Check System, the National Incident-
8 Based Reporting System, and the records of the Na-
9 tional Crime Information Center, facilitate State
10 participation in national records and information
11 systems, and support statistical research for critical
12 analysis of the improvement and utilization of crimi-
13 nal history records;” and

14 (3) in subsection (d)—

15 (A) by striking “and” at the end of para-
16 graph (4);

17 (B) by striking the period at the end of
18 paragraph (5) and inserting “; and”; and

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

20 “(6) confer and cooperate with Federal statis-
21 tical agencies as needed to carry out the purposes of
22 this part, including by entering into cooperative data
23 sharing agreements in conformity with all laws and
24 regulations applicable to the disclosure and use of
25 data.”.

1 (b) USE OF DATA.—Section 304 of such Act (42
2 U.S.C. 3735) is amended by striking “particular indi-
3 vidual” and inserting “private person or public agency”.

4 (c) CONFIDENTIALITY OF INFORMATION.—Section
5 812(a) of such Act (42 U.S.C. 3789g(a)) is amended by
6 striking “Except as provided by Federal law other than
7 this title, no” and inserting “No”.

8 **Subtitle B—Building Community**
9 **Capacity to Prevent, Reduce,**
10 **and Control Crime**

11 **SEC. 211. OFFICE OF WEED AND SEED STRATEGIES.**

12 (a) IN GENERAL.—Part A of title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968 is amended
14 by inserting after section 102 (42 U.S.C. 3712) the fol-
15 lowing new sections:

16 **“SEC. 103. OFFICE OF WEED AND SEED STRATEGIES.**

17 “(a) ESTABLISHMENT.—There is established within
18 the Office an Office of Weed and Seed Strategies, headed
19 by a Director appointed by the Attorney General.

20 “(b) ASSISTANCE.—The Director may assist States,
21 units of local government, and neighborhood and commu-
22 nity-based organizations in developing Weed and Seed
23 strategies, as provided in section 104.

24 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
25 is authorized to be appropriated to carry out this section

1 \$58,265,000 for fiscal year 2004, and such sums as may
2 be necessary for each of fiscal years 2005 and 2006, to
3 remain available until expended.

4 **“SEC. 104. WEED AND SEED STRATEGIES.**

5 “(a) IN GENERAL.—From amounts made available
6 under section 103(c), the Director of the Office of Weed
7 and Seed Strategies may implement strategies, to be
8 known as Weed and Seed strategies, to prevent, control,
9 and reduce violent crime, criminal drug-related activity,
10 and gang activity in designated Weed-and-Seed commu-
11 nities. Each such strategy shall involve both of the fol-
12 lowing activities:

13 “(1) WEEDING.—Activities, to be known as
14 Weeding activities, which shall include promoting
15 and coordinating a broad spectrum of community ef-
16 forts (especially those of law enforcement agencies
17 and prosecutors) to arrest, and to sanction or incar-
18 cerate, persons in that community who participate or
19 engage in violent crime, criminal drug-related activ-
20 ity, and other crimes that threaten the quality of life
21 in that community.

22 “(2) SEEDING.—Activities, to be known as
23 Seeding activities, which shall include promoting and
24 coordinating a broad spectrum of community efforts

1 (such as drug abuse education, mentoring, and em-
2 ployment counseling) to provide—

3 “(A) human services, relating to preven-
4 tion, intervention, or treatment, for at-risk indi-
5 viduals and families; and

6 “(B) community revitalization efforts, in-
7 cluding enforcement of building codes and de-
8 velopment of the economy.

9 “(b) GUIDELINES.—The Director shall issue guide-
10 lines for the development and implementation of Weed and
11 Seed strategies under this section. The guidelines shall en-
12 sure that the Weed and Seed strategy for a community
13 referred to in subsection (a) shall—

14 “(1) be planned and implemented through and
15 under the auspices of a steering committee, properly
16 established in the community, comprised of—

17 “(A) in a voting capacity, representatives
18 of—

19 “(i) appropriate law enforcement
20 agencies; and

21 “(ii) other public and private agencies,
22 and neighborhood and community-based
23 organizations, interested in criminal justice
24 and community-based development and re-
25 vitalization in the community; and

1 “(B) in a voting capacity, both—

2 “(i) the Drug Enforcement Adminis-
3 tration’s special agent in charge for the ju-
4 risdiction encompassing the community;
5 and

6 “(ii) the United States Attorney for
7 the District encompassing the community;

8 “(2) describe how law enforcement agencies,
9 other public and private agencies, neighborhood and
10 community-based organizations, and interested citi-
11 zens are to cooperate in implementing the strategy;
12 and

13 “(3) incorporate a community-policing compo-
14 nent that shall serve as a bridge between the Weed-
15 ing activities under subsection (a)(1) and the Seed-
16 ing activities under subsection (a)(2).

17 “(c) DESIGNATION.—For a community to be des-
18 igned as a Weed-and-Seed community for purposes of
19 subsection (a)—

20 “(1) the United States Attorney for the District
21 encompassing the community must certify to the Di-
22 rector that—

23 “(A) the community suffers from consist-
24 ently high levels of crime or otherwise is appro-
25 priate for such designation;

1 “(B) the Weed and Seed strategy pro-
2 posed, adopted, or implemented by the steering
3 committee has a high probability of improving
4 the criminal justice system within the commu-
5 nity and contains all the elements required by
6 the Director; and

7 “(C) the steering committee is capable of
8 implementing the strategy appropriately; and

9 “(2) the community must agree to formulate a
10 timely and effective plan to independently sustain
11 the strategy (or, at a minimum, a majority of the
12 best practices of the strategy) when assistance under
13 this section is no longer available.

14 “(d) APPLICATION.—An application for designation
15 as a Weed-and-Seed community for purposes of subsection
16 (a) shall be submitted to the Director by the steering com-
17 mittee of the community in such form, and containing
18 such information and assurances, as the Director may re-
19 quire. The application shall propose—

20 “(1) a sustainable Weed and Seed strategy that
21 includes—

22 “(A) the active involvement of the United
23 States Attorney for the District encompassing
24 the community, the Drug Enforcement Admin-
25 istration’s special agent in charge for the juris-

1 diction encompassing the community, and other
2 Federal law enforcement agencies operating in
3 the vicinity;

4 “(B) a significant community-oriented po-
5 licing component; and

6 “(C) demonstrated coordination with com-
7 plementary neighborhood and community-based
8 programs and initiatives; and

9 “(2) a methodology with outcome measures and
10 specific objective indicia of performance to be used
11 to evaluate the effectiveness of the strategy.

12 “(e) GRANTS.—

13 “(1) IN GENERAL.—In implementing a strategy
14 for a community under subsection (a), the Director
15 may make grants to that community.

16 “(2) USES.—For each grant under this sub-
17 section, the community receiving that grant—

18 “(A) shall use not less than 40 percent of
19 the grant amounts for Seeding activities under
20 subsection (a)(2); and

21 “(B) may not use any of the grant
22 amounts for construction, except that the As-
23 sistant Attorney General may authorize use of
24 grant amounts for incidental or minor construc-
25 tion, renovation, or remodeling.

1 “(3) LIMITATIONS.—A community may not re-
2 ceive grants under this subsection (or fall within
3 such a community)—

4 “(A) for a period of more than 10 fiscal
5 years;

6 “(B) for more than 5 separate fiscal years,
7 except that the Assistant Attorney General
8 may, in single increments and only upon a
9 showing of extraordinary circumstances, author-
10 ize grants for not more than 3 additional sepa-
11 rate fiscal years; or

12 “(C) in an aggregate amount of more than
13 \$1,000,000, except that the Assistant Attorney
14 General may, upon a showing of extraordinary
15 circumstances, authorize grants for not more
16 than an additional \$500,000.

17 “(4) DISTRIBUTION.—In making grants under
18 this subsection, the Director shall ensure that—

19 “(A) to the extent practicable, the distribu-
20 tion of such grants is geographically equitable
21 and includes both urban and rural areas of
22 varying population and area; and

23 “(B) priority is given to communities that
24 clearly and effectively coordinate crime preven-
25 tion programs with other Federal programs in

1 a manner that addresses the overall needs of
2 such communities.

3 “(5) FEDERAL SHARE.—(A) Subject to sub-
4 paragraph (B), the Federal share of a grant under
5 this subsection may not exceed 75 percent of the
6 total costs of the projects described in the applica-
7 tion for which the grant was made.

8 “(B) The requirement of subparagraph (A)—
9 “(i) may be satisfied in cash or in kind;
10 and

11 “(ii) may be waived by the Assistant Attor-
12 ney General upon a determination that the fi-
13 nancial circumstances affecting the applicant
14 warrant a finding that such a waiver is equi-
15 table.

16 “(6) SUPPLEMENT, NOT SUPPLANT.—To re-
17 ceive a grant under this subsection, the applicant
18 must provide assurances that the amounts received
19 under the grant shall be used to supplement, not
20 supplant, non-Federal funds that would otherwise be
21 available for programs or services provided in the
22 community.”.

23 (b) ABOLISHMENT OF EXECUTIVE OFFICE OF WEED
24 AND SEED; TRANSFERS OF FUNCTIONS.—

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

3 (D) by adding at the end the following new
4 subparagraph:

5 “(C) for nonprofit neighborhood and com-
6 munity-based victim service organizations and
7 coalitions to improve outreach and services to
8 victims of crime.”;

9 (2) in paragraph (2)—

10 (A) in subparagraph (A)—

11 (i) by striking “paragraph (1)(A)”
12 and inserting “paragraphs (1)(A) and
13 (1)(C)”;

14 (ii) by striking “and” at the end;

15 (B) in subparagraph (B), by striking the
16 period at the end and inserting “; and”; and

17 (C) by adding at the end the following new
18 subparagraph:

19 “(C) not more than \$10,000 shall be used
20 for any single grant under paragraph (1)(C).”.

21 **SEC. 222. CLARIFICATION AND ENHANCEMENT OF CERTAIN**
22 **AUTHORITIES RELATING TO CRIME VICTIMS**
23 **FUND.**

24 Section 1402 of the Victims of Crime Act of 1984
25 (42 U.S.C. 10601) is amended as follows:

1 (1) AUTHORITY TO ACCEPT GIFTS.—Subsection
2 (b)(5) of such section is amended by striking the pe-
3 riod at the end and inserting the following: “, which
4 the Director is hereby authorized to accept for de-
5 posit into the Fund, except that the Director is not
6 hereby authorized to accept any such gift, bequest,
7 or donation that—

8 “(A) attaches conditions inconsistent with
9 applicable laws or regulations; or

10 “(B) is conditioned upon or would require
11 the expenditure of appropriated funds that are
12 not available to the Office for Victims of
13 Crime.”.

14 (2) AUTHORITY TO REPLENISH ANTITERRORISM
15 EMERGENCY RESERVE.—Subsection (d)(5)(A) of
16 such section is amended by striking “expended” and
17 inserting “obligated”.

18 (3) AUTHORITY TO MAKE GRANTS TO INDIAN
19 TRIBES FOR VICTIM ASSISTANCE PROGRAMS.—Sub-
20 section (g) of such section is amended—

21 (A) in paragraph (1), by striking “, acting
22 through the Director,”;

23 (B) by redesignating paragraph (2) as
24 paragraph (3); and

1 (C) by inserting after paragraph (1) the
2 following new paragraph:

3 “(2) The Attorney General may use 5 percent of the
4 funds available under subsection (d)(2) (prior to distribu-
5 tion) for grants to Indian tribes to establish victim assist-
6 ance programs, as appropriate.”.

7 **SEC. 223. AMOUNTS RECEIVED UNDER CRIME VICTIM**
8 **GRANTS MAY BE USED BY STATE FOR TRAIN-**
9 **ING PURPOSES.**

10 (a) CRIME VICTIM COMPENSATION.—Section
11 1403(a)(3) of the Victims of Crime Act of 1984 (42
12 U.S.C. 10602(a)(3)) is amended by inserting after “may
13 be used for” the following: “training purposes and”.

14 (b) CRIME VICTIM ASSISTANCE.—Section 1404(b)(3)
15 of such Act (42 U.S.C. 10603(b)(3)) is amended by insert-
16 ing after “may be used for” the following: “training pur-
17 poses and”.

18 **SEC. 224. CLARIFICATION OF AUTHORITIES RELATING TO**
19 **VIOLENCE AGAINST WOMEN FORMULA AND**
20 **DISCRETIONARY GRANT PROGRAMS.**

21 (a) CLARIFICATION OF SPECIFIC PURPOSES.—Sec-
22 tion 2001(b) of the Omnibus Crime Control and Safe
23 Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended
24 in the matter preceding paragraph (1) by inserting after
25 “violent crimes against women” the following: “to develop

1 and strengthen victim services in cases involving violent
2 crimes against women”.

3 (b) TECHNICAL AMENDMENT RELATING TO
4 MISDESIGNATED SECTIONS.—Section 402(2) of Public
5 Law 107–273 (116 Stat. 1789) is amended by striking
6 “as sections 2006 through 2011, respectively” and insert-
7 ing “as sections 2007 through 2011, respectively”.

8 (c) CLARIFICATION OF STATE GRANTS.—Section
9 2007 of the Omnibus Crime Control and Safe Streets Act
10 of 1968 (42 U.S.C. 3796gg–1), as redesignated pursuant
11 to the amendment made by subsection (b), is amended—

12 (1) in subsection (a), by striking “to States”
13 and all that follows through “tribal governments”;

14 (2) in subsection (b)—

15 (A) in each of paragraphs (2) and (3), by
16 striking “¹/₅₄” and inserting “¹/₅₃”; and

17 (B) in paragraph (4), by striking “in In-
18 dian country”;

19 (3) in subsection (c)(3)(A), by striking “police”
20 and inserting “law enforcement”; and

21 (4) in subsection (d)—

22 (A) in the second sentence, by inserting
23 after “each application” the following: “sub-
24 mitted by a State”; and

1 (B) in the third sentence, by striking “An
2 application” and inserting “In addition, each
3 application submitted by a State or tribal gov-
4 ernment”.

5 (d) CHANGE FROM ANNUAL TO BIENNIAL REPORT-
6 ING.—Section 2009(b) of such Act (42 U.S.C. 3796gg-
7 3), as redesignated pursuant to the amendment made by
8 subsection (b), is amended by striking “Not later than”
9 and all that follows through “the Attorney General shall
10 submit” and inserting the following: “Not later than one
11 month after the end of each even-numbered fiscal year,
12 the Attorney General shall submit”.

13 (e) AVAILABILITY OF FORENSIC MEDICAL EXAMS.—
14 Section 2010 of such Act (42 U.S.C. 3796gg-4), as redes-
15 ignated pursuant to the amendment made by subsection
16 (b), is amended by adding at the end the following new
17 subsections:

18 “(c) USE OF FUNDS.—A State or Indian tribal gov-
19 ernment may use Federal grant funds under this part to
20 pay for forensic medical exams performed by trained ex-
21 aminers for victims of sexual assault, except that such
22 funds may not be used to pay for forensic medical exams
23 by any State or Indian tribal government that requires
24 victims of sexual assault to seek reimbursement for such
25 exams from their insurance carriers.

1 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed to require a victim of sexual assault
3 to participate in the criminal justice system or cooperate
4 with law enforcement in order to be provided with a foren-
5 sic medical exam, reimbursement for charges incurred on
6 account of such an exam, or both.”.

7 (f) TECHNICAL AMENDMENT.—The heading for Part
8 T of the Omnibus Crime Control and Safe Streets Act
9 of 1968 (42 U.S.C. 3796gg et seq.) is amended to read
10 as follows:

11 **“PART T—GRANTS TO COMBAT VIOLENT CRIMES**
12 **AGAINST WOMEN”.**

13 **SEC. 225. EXPANSION OF GRANT PROGRAMS ASSISTING EN-**
14 **FORCEMENT OF DOMESTIC VIOLENCE CASES**
15 **TO ALSO ASSIST ENFORCEMENT OF SEXUAL**
16 **ASSAULT CASES.**

17 (a) GRANTS TO ENCOURAGE DOMESTIC VIOLENCE
18 ARREST POLICIES.—Section 2101 of the Omnibus Crime
19 Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh)
20 is amended—

21 (1) in subsection (a), by striking “to treat do-
22 mestic violence as a serious violation” and inserting
23 “to treat domestic violence and sexual assault as se-
24 rious violations”;

25 (2) in subsection (b)—

1 (A) in each of paragraphs (2) and (5), by
2 striking “domestic violence and dating violence”
3 and inserting “domestic violence, sexual assault,
4 and dating violence”;

5 (B) in paragraph (3), by striking “domes-
6 tic violence cases” and inserting “domestic vio-
7 lence and sexual assault cases”; and

8 (C) in paragraph (6), by striking “about
9 domestic violence” and inserting “about domes-
10 tic violence and sexual assault”; and

11 (3) in subsection (d), by striking “In this sec-
12 tion, the term” and inserting “In this part—

13 “(1) the term ‘sexual assault’ has the meaning
14 given the term in section 2008; and

15 “(2) the term”.

16 (b) APPLICATIONS.—Section 2102(b) of such Act (42
17 U.S.C. 3796hh–1(b)) is amended in each of paragraphs
18 (1) and (2) by inserting after “involving domestic vio-
19 lence” the following: “or sexual assault”.

20 (c) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE
21 ENFORCEMENT ASSISTANCE.—Section 40295(a) of the
22 Violence Against Women Act of 1994 (title IV of the Vio-
23 lent Crime Control and Law Enforcement Act of 1994;
24 42 U.S.C. 13971(a)) is amended in each of paragraphs
25 (1) and (2) by striking “domestic violence and dating vio-

1 lence (as defined in section 2003” and inserting “domestic
2 violence, sexual assault, and dating violence (as such
3 terms are defined in section 2008”.

4 **SEC. 226. CHANGE OF CERTAIN REPORTS FROM ANNUAL**
5 **TO BIENNIAL.**

6 (a) STALKING AND DOMESTIC VIOLENCE.—Section
7 40610 of the Violence Against Women Act of 1994 (title
8 IV of the Violent Crime Control and Law Enforcement
9 Act of 1994; 42 U.S.C. 14039) is amended by striking
10 “The Attorney General shall submit to the Congress an
11 annual report, beginning one year after the date of the
12 enactment of this Act, that provides” and inserting “Each
13 even-numbered fiscal year, the Attorney General shall sub-
14 mit to the Congress a biennial report that provides”.

15 (b) SAFE HAVENS FOR CHILDREN.—Section
16 1301(d)(1) of the Victims of Trafficking and Violence
17 Protection Act of 2000 (42 U.S.C. 10420(d)(1)) is amend-
18 ed in the matter preceding subparagraph (A) by striking
19 “Not later than 1 year after the last day of the first fiscal
20 year commencing on or after the date of enactment of this
21 Act, and not later than 180 days after the last day of
22 each fiscal year thereafter,” and inserting “Not later than
23 one month after the end of each even-numbered fiscal
24 year,”.

1 **SEC. 227. CLARIFICATION OF RECIPIENTS AND PROGRAMS**
2 **ELIGIBLE FOR GRANTS UNDER RURAL DO-**
3 **MESTIC VIOLENCE AND CHILD ABUSE EN-**
4 **FORCEMENT ASSISTANCE PROGRAM.**

5 Section 40295 of the Violence Against Women Act
6 of 1994 (title IV of the Violent Crime Control and Law
7 Enforcement Act of 1994; 42 U.S.C. 13971) is amended
8 as follows:

9 (1) in subsection (a), in the matter preceding
10 paragraph (1), by striking “to States, Indian tribal
11 governments, and local governments of rural States,
12 and to other public or private entities of rural
13 States” and inserting “to States, Indian tribal gov-
14 ernments, local governments, and public or private
15 entities, for programs serving rural areas or rural
16 communities”; and

17 (2) in subsection (b)—

18 (A) by inserting “(1) the term” before
19 “‘Indian tribe’ means”;

20 (B) by striking “Indians.” and all that fol-
21 lows through the period at the end and insert-
22 ing “Indians; and

23 “(2) the terms ‘rural area’ and ‘rural commu-
24 nity’ have the meanings given those terms in section
25 491(k)(2) of the McKinney-Vento Homeless Assist-
26 ance Act (42 U.S.C. 11408(k)(2)).”.

1 **Subtitle D—Preventing Crime**

2 **SEC. 231. CLARIFICATION OF DEFINITION OF VIOLENT OF-** 3 **FENDER FOR PURPOSES OF JUVENILE DRUG** 4 **COURTS.**

5 Section 2953(b) of the Omnibus Crime Control and
6 Safe Streets Act of 1968 (42 U.S.C. 3797u–2(b)) is
7 amended in the matter preceding paragraph (1) by strik-
8 ing “an offense that” and inserting “a felony-level offense
9 that”.

10 **SEC. 232. CHANGES TO DISTRIBUTION AND ALLOCATION OF** 11 **GRANTS FOR DRUG COURTS.**

12 (a) **MINIMUM ALLOCATION REPEALED.**—Section
13 2957 of such Act (42 U.S.C. 3797u–6) is amended by
14 striking subsection (b).

15 (b) **TECHNICAL ASSISTANCE AND TRAINING.**—Such
16 section is further amended by adding at the end the fol-
17 lowing new subsection:

18 “(b) **TECHNICAL ASSISTANCE AND TRAINING.**—Un-
19 less one or more applications submitted by any State or
20 unit of local government within such State (other than an
21 Indian tribe) for a grant under this part has been funded
22 in any fiscal year, such State, together with eligible appli-
23 cants within such State, shall be provided targeted tech-
24 nical assistance and training by the Community Capacity
25 Development Office to assist such State and such eligible

1 applicants to successfully compete for future funding
2 under this part.”.

3 **SEC. 233. ELIGIBILITY FOR GRANTS UNDER DRUG COURT**
4 **GRANTS PROGRAM EXTENDED TO COURTS**
5 **THAT SUPERVISE NON-OFFENDERS WITH**
6 **SUBSTANCE ABUSE PROBLEMS.**

7 Section 2951(a)(1) of such Act (42 U.S.C.
8 3797u(a)(1)) is amended by striking “offenders with sub-
9 stance abuse problems” and inserting “offenders, and
10 other individuals under the jurisdiction of the court, with
11 substance abuse problems”.

12 **SEC. 234. TERM OF RESIDENTIAL SUBSTANCE ABUSE**
13 **TREATMENT PROGRAM FOR LOCAL FACILI-**
14 **TIES.**

15 Section 1904 of the Omnibus Crime Control and Safe
16 Streets Act of 1968 (42 U.S.C. 3796ff–3) is amended by
17 adding at the end the following new subsection:

18 “(d) DEFINITION.—In this section, the term ‘jail-
19 based substance abuse treatment program’ means a course
20 of individual and group activities, lasting for a period of
21 not less than 3 months, in an area of a correctional facility
22 set apart from the general population of the correctional
23 facility, if those activities are—

24 “(1) directed at the substance abuse problems
25 of the prisoners; and

1 “(2) intended to develop the cognitive, behav-
2 ioral, and other skills of prisoners in order to ad-
3 dress the substance abuse and related problems of
4 prisoners.”.

5 **Subtitle E—Other Matters**

6 **SEC. 241. CHANGES TO CERTAIN FINANCIAL AUTHORITIES.**

7 (a) INCREASE IN AMOUNTS COLLECTED BY DEBT-
8 COLLECTION ACTIVITIES THAT MAY BE CREDITED TO
9 WORKING CAPITAL FUND.—Section 11013 of the 21st
10 Century Department of Justice Appropriations Authoriza-
11 tion Act (Public Law 107–273; 116 Stat. 1823; 28 U.S.C.
12 527 note) is amended by striking “3 percent” and insert-
13 ing “6 percent”.

14 (b) CERTAIN PROGRAMS THAT ARE EXEMPT FROM
15 PAYING STATES INTEREST ON LATE DISBURSEMENTS
16 ALSO EXEMPTED FROM PAYING CHARGE TO TREASURY
17 FOR UNTIMELY DISBURSEMENTS.—Section 204(f) of
18 such Act (116 Stat. 1776; 31 U.S.C. 6503 note) is amend-
19 ed—

20 (1) by striking “section 6503(d)” and inserting
21 “sections 3335(b) or 6503(d)”; and

22 (2) by striking “section 6503” and inserting
23 “sections 3335(b) or 6503”.

24 (c) SOUTHWEST BORDER PROSECUTOR INITIATIVE
25 INCLUDED AMONG SUCH EXEMPTED PROGRAMS.—Sec-

1 tion 204(f) of such Act is further amended by striking
2 “pursuant to section 501(a)” and inserting “pursuant to
3 the Southwest Border Prosecutor Initiative (as carried out
4 pursuant to paragraph (3) (117 Stat. 64) under the head-
5 ing relating to Community Oriented Policing Services of
6 the Department of Justice Appropriations Act, 2003 (title
7 I of division B of Public Law 108–7), or as carried out
8 pursuant to any subsequent authority) or section 501(a)”.

9 (d) FUNDS AVAILABLE FOR ATFE MAY BE USED
10 FOR AIRCRAFT, BOATS, AMMUNITION, FIREARMS, FIRE-
11 ARMS COMPETITIONS, AND ANY AUTHORIZED ACTIV-
12 ITY.—Section 530C(b) of title 28, United States Code, is
13 amended—

14 (1) in paragraph (2), in each of subparagraphs
15 (A) and (B), by inserting “for the Bureau of Alco-
16 hol, Tobacco, Firearms, and Explosives,” before “for
17 the Drug Enforcement Administration,”; and

18 (2) by adding at the end the following new
19 paragraph:

20 “(8) BUREAU OF ALCOHOL, TOBACCO, FIRE-
21 ARMS, AND EXPLOSIVES.—Funds available to the
22 Attorney General for the Bureau of Alcohol, To-
23 bacco, Firearms, and Explosives may be used for the
24 conduct of all its authorized activities.”.

1 (e) AUDITS AND REPORTS ON ATFE UNDERCOVER
2 INVESTIGATIVE OPERATIONS.—Section 102(b) of the De-
3 partment of Justice and Related Agencies Appropriations
4 Act, 1993 (28 U.S.C. 533 note), as in effect pursuant to
5 section 815(d) of the Antiterrorism and Effective Death
6 Penalty Act of 1996 (28 U.S.C. 533 note) shall apply with
7 respect to the Bureau of Alcohol, Tobacco, Firearms, and
8 Explosives and the undercover investigative operations of
9 the Bureau on the same basis as such section applies with
10 respect to any other agency and the undercover investiga-
11 tive operations of such agency.

12 **SEC. 242. COORDINATION DUTIES OF ASSISTANT ATTOR-**
13 **NEY GENERAL.**

14 (a) COORDINATE AND SUPPORT OFFICE FOR VIC-
15 TIMS OF CRIME.—Section 102 of the Omnibus Crime Con-
16 trol and Safe Streets Act of 1968 (42 U.S.C. 3712) is
17 amended in subsection (a)(5) by inserting after “the Bu-
18 reau of Justice Statistics,” the following: “the Office for
19 Victims of Crime,”.

20 (b) SETTING GRANT CONDITIONS AND PRIOR-
21 ITIES.—Such section is further amended in subsection
22 (a)(6) by inserting “, including placing special conditions
23 on all grants, and determining priority purposes for for-
24 mula grants” before the period at the end.

1 **SEC. 243. SIMPLIFICATION OF COMPLIANCE DEADLINES**
2 **UNDER SEX-OFFENDER REGISTRATION LAWS.**

3 (a) COMPLIANCE PERIOD.—A State shall not be
4 treated, for purposes of any provision of law, as having
5 failed to comply with section 170101 (42 U.S.C. 14071)
6 or 170102 (42 U.S.C. 14072) of the Violent Crime Con-
7 trol and Law Enforcement Act of 1994 until 36 months
8 after the date of the enactment of this Act, except that
9 the Attorney General may grant an additional 24 months
10 to a State that is making good faith efforts to comply with
11 such sections.

12 (b) TIME FOR REGISTRATION OF CURRENT AD-
13 DRESS.—Subsection (a)(1)(B) of such section 170101 is
14 amended by striking “unless such requirement is termi-
15 nated under” and inserting “for the time period specified
16 in”.

17 **SEC. 244. REPEAL OF CERTAIN PROGRAMS.**

18 (a) SAFE STREETS ACT PROGRAMS.—The following
19 provisions of title I of the Omnibus Crime Control and
20 Safe Streets Act of 1968 are repealed:

21 (1) CRIMINAL JUSTICE FACILITY CONSTRU-
22 CTION PILOT PROGRAM.—Part F (42 U.S.C. 3769–
23 3769d).

24 (2) FAMILY SUPPORT.—Part W (42 U.S.C.
25 3796jj–3796jj–7).

1 (3) MATCHING GRANT PROGRAM FOR SCHOOL
2 SECURITY.—Part AA (42 U.S.C. 3797a–3797e).

3 (b) VIOLENT CRIME CONTROL AND LAW ENFORCE-
4 MENT ACT PROGRAMS.—The following provisions of the
5 Violent Crime Control and Law Enforcement Act of 1994
6 are repealed:

7 (1) LOCAL CRIME PREVENTION BLOCK GRANT
8 PROGRAM.—Subtitle B of title III (42 U.S.C.
9 13751–13758).

10 (2) ASSISTANCE FOR DELINQUENT AND AT-
11 RISK YOUTH.—Subtitle G of title III (42 U.S.C.
12 13801–13802).

13 (3) IMPROVED TRAINING AND TECHNICAL AU-
14 TOMATION.—Subtitle E of title XXI (42 U.S.C.
15 14151).

16 (4) OTHER STATE AND LOCAL AID.—Subtitle F
17 of title XXI (42 U.S.C. 14161).

18 **SEC. 245. ELIMINATION OF CERTAIN NOTICE AND HEARING**

19 **REQUIREMENTS.**

20 Part H of title I of the Omnibus Crime Control and
21 Safe Streets Act of 1968 is amended as follows:

22 (1) NOTICE AND HEARING ON DENIAL OR TER-
23 MINATION OF GRANT.—Section 802 (42 U.S.C.
24 3783) of such part is amended—

1 (A) by striking subsections (b) and (c);
2 and

3 (B) by striking “(a)” before “Whenever,”.

4 (2) FINALITY OF DETERMINATIONS.—Section
5 803 (42 U.S.C. 3784) of such part is amended—

6 (A) by striking “, after reasonable notice
7 and opportunity for a hearing,”; and

8 (B) by striking “, except as otherwise pro-
9 vided herein”.

10 (3) REPEAL OF APPELLATE COURT REVIEW.—

11 Section 804 (42 U.S.C. 3785) of such part is re-
12 pealed.

13 **SEC. 246. AMENDED DEFINITIONS FOR PURPOSES OF OMNI-**
14 **BUS CRIME CONTROL AND SAFE STREETS**
15 **ACT OF 1968.**

16 Section 901 of title I of the Omnibus Crime Control
17 and Safe Streets Act of 1968 (42 U.S.C. 3791) is amend-
18 ed as follows:

19 (1) INDIAN TRIBE.—Subsection (a)(3)(C) of
20 such section is amended by striking “(as that term
21 is defined in section 103 of the Juvenile Justice and
22 Delinquency Prevention Act of 1974 (42 U.S.C.
23 5603))”.

1 (2) COMBINATION.—Subsection (a)(5) of such
2 section is amended by striking “program or project”
3 and inserting “program, plan, or project”.

4 (3) NEIGHBORHOOD OR COMMUNITY-BASED OR-
5 GANIZATIONS.—Subsection (a)(11) of such section is
6 amended by striking “which” and inserting “, in-
7 cluding faith-based, that”.

8 (4) INDIAN TRIBE; PRIVATE PERSON.—Sub-
9 section (a) of such section is further amended—

10 (A) in paragraph (24) by striking “and” at
11 the end;

12 (B) in paragraph (25) by striking the pe-
13 riod at the end and inserting a semicolon; and

14 (C) by adding at the end the following new
15 paragraphs:

16 “(26) the term ‘Indian Tribe’ has the meaning
17 given the term ‘Indian tribe’ in section 4(e) of the
18 Indian Self-Determination and Education Assistance
19 Act (25 U.S.C. 450b(e)); and

20 “(27) the term ‘private person’ means any indi-
21 vidual (including an individual acting in his official
22 capacity) and any private partnership, corporation,
23 association, organization, or entity (or any combina-
24 tion thereof).”.

1 **SEC. 247. CLARIFICATION OF AUTHORITY TO PAY SUBSIST-**
2 **ENCE PAYMENTS TO PRISONERS FOR**
3 **HEALTH CARE ITEMS AND SERVICES.**

4 Section 4006(b)(1) of title 18, United States Code,
5 is amended—

6 (1) by striking “the Immigration and Natu-
7 ralization Service” and inserting “the Department of
8 Homeland Security”;

9 (2) by striking “shall not exceed the lesser of
10 the amount” and inserting “shall be the amount
11 billed, not to exceed the amount”;

12 (3) by striking “items and services” and all
13 that follows through “the Medicare program” and
14 inserting “items and services under the Medicare
15 program”; and

16 (4) by striking “; or” and all that follows
17 through the period at the end and inserting a period.

18 **SEC. 248. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
19 **MENT.**

20 (a) IN GENERAL.—Part A of title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968 is amended
22 by adding after section 104, as added by section 211 of
23 this Act, the following new section:

24 **“SEC. 105. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
25 **MENT.**

26 **“(a) ESTABLISHMENT.—**

1 “(1) IN GENERAL.—There is established within
2 the Office an Office of Audit, Assessment, and Man-
3 agement, headed by a Director appointed by the At-
4 torney General.

5 “(2) PURPOSE.—The purpose of the Office
6 shall be to carry out and coordinate performance au-
7 dits of, take actions to ensure compliance with the
8 terms of, and manage information with respect to,
9 grants under programs covered by subsection (b).

10 “(3) EXCLUSIVITY.—The Office shall be the ex-
11 clusive element of the Department of Justice, other
12 than the Inspector General, performing functions
13 and activities for the purpose specified in paragraph
14 (2). There are hereby transferred to the Office all
15 functions and activities, other than functions and ac-
16 tivities of the Inspector General, for such purpose
17 performed immediately before the date of the enact-
18 ment of this Act by any other element of the De-
19 partment.

20 “(b) COVERED PROGRAMS.—The programs referred
21 to in subsection (a) are the following:

22 “(1) The program under part Q of this title.

23 “(2) Any grant program carried out by the Of-
24 fice of Justice Programs.

1 “(3) Any other grant program carried out by
2 the Department of Justice that the Attorney General
3 considers appropriate.

4 “(c) PERFORMANCE AUDITS REQUIRED.—

5 “(1) IN GENERAL.—The Director shall select
6 grants awarded under the programs covered by sub-
7 section (b) and carry out performance audits on
8 such grants. In selecting such grants, the Director
9 shall ensure that the aggregate amount awarded
10 under the grants so selected represent not less than
11 10 percent of the aggregate amount of money
12 awarded under all such grant programs.

13 “(2) RELATIONSHIP TO NIJ EVALUATIONS.—

14 This subsection does not affect the authority or duty
15 of the Director of the National Institute of Justice
16 to carry out overall evaluations of programs covered
17 by subsection (b), except that such Director shall
18 consult with the Director of the Office in carrying
19 out such evaluations.

20 “(3) TIMING OF PERFORMANCE AUDITS.—The
21 performance audit required by paragraph (1) of a
22 grant selected under paragraph (1) shall be carried
23 out—

1 “(A) not later than the end of the grant
2 period, if the grant period is not more than 1
3 year; and

4 “(B) at the end of each year of the grant
5 period, if the grant period is more than 1 year.

6 “(d) COMPLIANCE ACTIONS REQUIRED.—The Direc-
7 tor shall take such actions to ensure compliance with the
8 terms of a grant as the Director considers appropriate
9 with respect to each grant that the Director determines
10 (in consultation with the head of the element of the De-
11 partment of Justice concerned), through a performance
12 audit under subsection (a) or other means, is not in com-
13 pliance with such terms. In the case of a misuse of more
14 than 1 percent of the grant amount concerned, the Direc-
15 tor shall, in addition to any other action to ensure compli-
16 ance that the Director considers appropriate, ensure that
17 the entity responsible for such misuse ceases to receive any
18 funds under any program covered by subsection (b) until
19 such entity repays to the Attorney General an amount
20 equal to the amounts misused. The Director may, in un-
21 usual circumstances, grant relief from this requirement to
22 ensure that an innocent party is not punished.

23 “(e) GRANT MANAGEMENT SYSTEM.—The Director
24 shall establish and maintain, in consultation with the chief
25 information officer of the Office, a modern, automated

1 system for managing all information relating to the grants
2 made under the programs covered by subsection (b).

3 “(f) AVAILABILITY OF FUNDS.—Not to exceed 5 per-
4 cent of all funding made available for a fiscal year for the
5 programs covered by subsection (b) shall be reserved for
6 the activities of the Office of Audit, Assessment, and Man-
7 agement.”.

8 (b) EFFECTIVE DATE.—This section and the amend-
9 ment made by this section take effect 90 days after the
10 date of the enactment of this Act.

11 **SEC. 249. COMMUNITY CAPACITY DEVELOPMENT OFFICE.**

12 (a) IN GENERAL.—Part A of title I of the Omnibus
13 Crime Control and Safe Streets Act of 1968 is amended
14 by adding after section 105, as added by section 248 of
15 this Act, the following new section:

16 **“SEC. 106. COMMUNITY CAPACITY DEVELOPMENT OFFICE.**

17 “(a) ESTABLISHMENT.—

18 “(1) IN GENERAL.—There is established within
19 the Office a Community Capacity Development Of-
20 fice, headed by a Director appointed by the Attorney
21 General.

22 “(2) PURPOSE.—The purpose of the Office
23 shall be to provide training to actual and prospective
24 participants under programs covered by section
25 105(b) to assist such participants in understanding

1 the substantive and procedural requirements for par-
2 ticipating in such programs.

3 “(3) EXCLUSIVITY.—The Office shall be the ex-
4 clusive element of the Department of Justice per-
5 forming functions and activities for the purpose
6 specified in paragraph (2). There are hereby trans-
7 ferred to the Office all functions and activities for
8 such purpose performed immediately before the date
9 of the enactment of this Act by any other element
10 of the Department.

11 “(b) MEANS.—The Director shall, in coordination
12 with the heads of the other elements of the Office of Jus-
13 tice Programs, carry out the purpose of the Office through
14 the following means:

15 “(1) Promoting coordination of public and pri-
16 vate efforts and resources within or available to
17 States, units of local government, and neighborhood
18 and community-based organizations.

19 “(2) Providing information, training, and tech-
20 nical assistance.

21 “(3) Providing support for inter- and intra-
22 agency task forces and other agreements and for as-
23 sessment of the effectiveness of programs, projects,
24 approaches, or practices.

1 “(4) Providing in the assessment of the effec-
2 tiveness of neighborhood and community-based law
3 enforcement and crime prevention strategies and
4 techniques, in coordination with the National Insti-
5 tute of Justice.

6 “(5) Any other similar means.

7 “(c) LOCATIONS.—Training referred to in subsection
8 (a) shall be provided on a regional basis to groups of such
9 participants. In a case in which remedial training is appro-
10 priate, as recommended by the Director or the head of
11 any element of the Office of Justice Programs, such train-
12 ing may be provided on a local basis to a single such par-
13 ticipant.

14 “(d) BEST PRACTICES.—The Director shall—

15 “(1) identify grants under which clearly bene-
16 ficial outcomes were obtained, and the characteris-
17 tics of those grants that were responsible for obtain-
18 ing those outcomes; and

19 “(2) incorporate those characteristics into the
20 training provided under this section.

21 “(e) AVAILABILITY OF FUNDS.—Not to exceed 5 per-
22 cent of all funding made available for a fiscal year for the
23 programs covered by section 105(b) shall be reserved for
24 the activities of the Community Capacity Development Of-
25 fice.”.

1 (b) EFFECTIVE DATE.—This section and the amend-
2 ment made by this section take effect 90 days after the
3 date of the enactment of this Act.

4 **SEC. 250. OFFICE OF APPLIED LAW ENFORCEMENT TECH-**
5 **NOLOGY.**

6 (a) IN GENERAL.—Part A of title I of the Omnibus
7 Crime Control and Safe Streets Act of 1968 is amended
8 by adding after section 106, as added by section 249 of
9 this Act, the following new section:

10 **“SEC. 107. OFFICE OF APPLIED LAW ENFORCEMENT TECH-**
11 **NOLOGY.**

12 “(a) ESTABLISHMENT.—There is established within
13 the Office an Office of Applied Law Enforcement Tech-
14 nology, headed by a Director appointed by the Attorney
15 General. The purpose of the Office shall be to provide
16 leadership and focus to those grants of the Department
17 of Justice that are made for the purpose of using or im-
18 proving law enforcement computer systems.

19 “(b) DUTIES.—In carrying out the purpose of the Of-
20 fice, the Director shall—

21 “(1) establish clear minimum standards for
22 computer systems that can be purchased using
23 amounts awarded under such grants; and

1 “(2) ensure that recipients of such grants use
2 such systems to participate in crime reporting pro-
3 grams administered by the Department.”.

4 (b) EFFECTIVE DATE.—This section and the amend-
5 ment made by this section take effect 90 days after the
6 date of the enactment of this Act.

7 **SEC. 251. AVAILABILITY OF FUNDS FOR GRANTS.**

8 (a) IN GENERAL.—Part A of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 is amended
10 by adding after section 107, as added by section 250 of
11 this Act, the following new section:

12 **“SEC. 108. AVAILABILITY OF FUNDS.**

13 “(a) PERIOD FOR AWARDING GRANT FUNDS.—

14 “(1) IN GENERAL.—Unless otherwise specifi-
15 cally provided in an authorization, DOJ grant funds
16 for a fiscal year shall remain available to be awarded
17 and distributed to a grantee only in that fiscal year
18 and the three succeeding fiscal years, subject to
19 paragraph (2). DOJ grant funds not so awarded and
20 distributed shall revert to the Treasury.

21 “(2) TREATMENT OF REPROGRAMMED
22 FUNDS.—DOJ grant funds for a fiscal year that are
23 reprogrammed in a later fiscal year shall be treated
24 for purposes of paragraph (1) as DOJ grant funds
25 for such later fiscal year.

1 “(b) PERIOD FOR EXPENDING GRANT FUNDS.—
2 DOJ grant funds for a fiscal year that have been awarded
3 and distributed to a grantee may be expended by that
4 grantee only in the period permitted under the terms of
5 the grant. DOJ grant funds not so expended shall revert
6 to the Treasury.

7 “(c) DEFINITION.—In this section, the term ‘DOJ
8 grant funds’ means, for a fiscal year, amounts appro-
9 priated for activities of the Department of Justice in car-
10 rying out grant programs for that fiscal year.

11 “(d) APPLICABILITY.—This section applies to DOJ
12 grant funds for fiscal years beginning with fiscal year
13 2004.”.

14 (b) EFFECTIVE DATE.—This section and the amend-
15 ment made by this section take effect 90 days after the
16 date of the enactment of this Act.

17 **SEC. 252. CONSOLIDATION OF FINANCIAL MANAGEMENT**
18 **SYSTEMS OF OFFICE OF JUSTICE PROGRAMS.**

19 (a) CONSOLIDATION OF ACCOUNTING ACTIVITIES
20 AND PROCUREMENT ACTIVITIES.—The Assistant Attor-
21 ney General of the Office of Justice Programs shall ensure
22 that—

23 (1) all accounting activities for all elements of
24 the Office of Justice Programs are carried out under

1 the direct management of the Office of the Comp-
2 troller; and

3 (2) all procurement activities for all elements of
4 the Office are carried out under the direct manage-
5 ment of the Office of Administration.

6 (b) FURTHER CONSOLIDATION OF PROCUREMENT
7 ACTIVITIES.—The Assistant Attorney General shall en-
8 sure that, on and after September 30, 2007—

9 (1) all procurement activities for all elements of
10 the Office are carried out through a single manage-
11 ment office; and

12 (2) all contracts and purchase orders used in
13 carrying out those activities are processed through a
14 single procurement system.

15 (c) CONSOLIDATION OF FINANCIAL MANAGEMENT
16 SYSTEMS.—The Assistant Attorney General shall ensure
17 that, on and after September 30, 2010, all financial man-
18 agement activities (including human resources, payroll,
19 and accounting activities, as well as procurement activi-
20 ties) of all elements of the Office are carried out through
21 a single financial management system.

22 (d) ACHIEVING COMPLIANCE.—

23 (1) SCHEDULE.—The Assistant Attorney Gen-
24 eral shall undertake a scheduled consolidation of op-

1 erations to achieve compliance with the requirements
2 of this section.

3 (2) SPECIFIC REQUIREMENTS.—With respect to
4 achieving compliance with the requirements of—

5 (A) subsection (a), the consolidation of op-
6 erations shall be initiated not later than Octo-
7 ber 1, 2003; and

8 (B) subsections (b) and (c), the consolida-
9 tion of operations shall be initiated not later
10 than September 30, 2005, and shall be carried
11 out by the Office of Administration, in con-
12 sultation with the Chief Information Officer
13 and the Office of Audit, Assessment, and Man-
14 agement.

15 **TITLE III—MISCELLANEOUS** 16 **PROVISIONS**

17 **SEC. 301. TECHNICAL AMENDMENTS RELATING TO PUBLIC** 18 **LAW 107-56.**

19 (a) STRIKING SURPLUS WORDS.—

20 (1) Section 2703(c)(1) of title 18, United
21 States Code, is amended by striking “or” at the end
22 of subparagraph (C).

23 (2) Section 1960(b)(1)(C) of title 18, United
24 States Code, is amended by striking “to be used to
25 be used” and inserting “to be used”.

1 (b) PUNCTUATION AND GRAMMAR CORRECTIONS.—
2 Section 2516(1)(q) of title 18, United States Code, is
3 amended—

4 (1) by striking the semicolon after the first
5 close parenthesis; and

6 (2) by striking “sections” and inserting “sec-
7 tion”.

8 (c) CROSS REFERENCE CORRECTION.—Section 322
9 of Public Law 107–56 is amended, effective on the date
10 of the enactment of that section, by striking “title 18”
11 and inserting “title 28”.

12 (d) CAPITALIZATION CORRECTION.—Subsections (a)
13 and (b) of section 2703 of title 18, United States Code,
14 are each amended by striking “CONTENTS OF WIRE OR
15 ELECTRONIC” and inserting “CONTENTS OF WIRE OR
16 ELECTRONIC”.

17 **SEC. 302. MISCELLANEOUS TECHNICAL AMENDMENTS.**

18 (a) PUNCTUATION CORRECTIONS.—The heading for
19 section 1591 of title 18, United States Code, is amended
20 by inserting a comma after “**fraud**”.

21 (b) DUPLICATE SECTION NUMBERS.—The second
22 section 540C in chapter 33 of title 28, United States Code,
23 is redesignated as section 540D, and the item relating to
24 that section in the table of sections at the beginning of

1 that chapter is amended by moving it so that it follows
2 the item relating to section 540C.

3 (c) TABLE OF SECTIONS OMISSION.—The table of
4 sections at the beginning of chapter 203 of title 18, United
5 States Code, is amended by inserting after the item relat-
6 ing to section 3050 the following new item:

“3051. Powers of Special Agents of Bureau of Alcohol, Tobacco, Firearms, and
Explosives.”.

7 (d) REPEAL OF DUPLICATIVE PROGRAM.—Section
8 40155 of Public Law 103–322 is repealed.

9 **SEC. 303. MINOR SUBSTANTIVE AMENDMENT RELATING TO**
10 **CONTENTS OF FBI ANNUAL REPORT.**

11 Section 540D(b)(1)(A) of title 28, United States
12 Code, is amended by inserting “and the number of such
13 personnel who receive danger pay under section 151 of the
14 Foreign Relations Authorization Act, Fiscal Years 1990
15 and 1991 (5 U.S.C. 5928 note)” after “year”.

16 **SEC. 304. USE OF FEDERAL TRAINING FACILITIES.**

17 (a) FEDERAL TRAINING FACILITIES.—Unless specifi-
18 cally authorized in writing by the Attorney General, the
19 Department of Justice (and each entity within it) shall
20 use for any predominately internal training or conference
21 meeting only a facility that does not require a payment
22 to a private entity for use of the facility.

23 (b) ANNUAL REPORT.—The Attorney General shall
24 prepare an annual report to the Chairmen and ranking

1 minority members of the Committees on the Judiciary of
2 the Senate and of the House of Representatives that de-
3 tails each training and conference meeting that requires
4 specific authorization under subsection (a). The report
5 shall include an explanation of why the facility was chosen,
6 and a breakdown of any expenditures incurred in excess
7 of the cost of conducting the training or meeting at a facil-
8 ity that did not require such authorization.

9 **SEC. 305. PRIVACY OFFICER.**

10 (a) IN GENERAL.—The Attorney General shall des-
11 ignate a senior official in the Department of Justice to
12 assume primary responsibility for privacy policy.

13 (b) RESPONSIBILITIES.—The responsibilities of such
14 official shall include—

15 (1) assuring that the use of technologies sus-
16 tain, and do not erode, privacy protections relating
17 to the use, collection, and disclosure of personally
18 identifiable information;

19 (2) assuring that personally identifiable infor-
20 mation contained in systems of records is handled in
21 full compliance with fair information practices as set
22 out in section 552a of title 5, United States Code;

23 (3) evaluating legislative and regulatory pro-
24 posals involving collection, use, and disclosure of

1 personally identifiable information by the Federal
2 Government;

3 (4) conducting a privacy impact assessment of
4 proposed rules of the Department on the privacy of
5 personally identifiable information, including the
6 type of personally identifiable information collected
7 and the number of people affected;

8 (5) preparing a report to Congress on an an-
9 nual basis on activities of the Department that af-
10 fect privacy, including complaints of privacy viola-
11 tions, implementation of section 552a of title 5,
12 United States Code, internal controls, and other rel-
13 evant matters;

14 (6) ensuring that the Department protects per-
15 sonally identifiable information and information sys-
16 tems from unauthorized access, use, disclosure, dis-
17 ruption, modification, or destruction in order to pro-
18 vide—

19 (A) integrity, which means guarding
20 against improper information modification or
21 destruction, and includes ensuring information
22 nonrepudiation and authenticity;

23 (B) confidentially, which means preserving
24 authorized restrictions on access and disclosure,

1 including means for protecting personal privacy
2 and proprietary information;

3 (C) availability, which means ensuring
4 timely and reliable access to and use of that in-
5 formation; and

6 (D) authentication, which means utilizing
7 digital credentials to assure the identity of
8 users and validate their access; and

9 (7) advising the Attorney General and the Di-
10 rector of the Office of Management and Budget on
11 information security and privacy issues pertaining to
12 Federal Government information systems.

13 (c) REVIEW.—The Department of Justice shall re-
14 view its policies to assure that the Department treats per-
15 sonally identifiable information in its databases in a man-
16 ner that complies with applicable Federal law on privacy.

17 **SEC. 306. BANKRUPTCY CRIMES.**

18 The Director of the Executive Office for United
19 States Trustees shall prepare an annual report to the Con-
20 gress detailing—

21 (1) the number and types of criminal referrals
22 made by the United States Trustee Program;

23 (2) the outcomes of each criminal referral;

1 (3) for any year in which the number of crimi-
2 nal referrals is less than for the prior year, an expla-
3 nation of the decrease; and

4 (4) the United States Trustee Program's efforts
5 to prevent bankruptcy fraud and abuse, particularly
6 with respect to the establishment of uniform internal
7 controls to detect common, higher risk frauds, such
8 as a debtor's failure to disclose all assets.

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