

108TH CONGRESS
2^D SESSION

H. R. 3036

IN THE SENATE OF THE UNITED STATES

MARCH 31, 2004

Received; read twice and referred to the Committee on the Judiciary

AN ACT

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,*

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

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

5 (b) **TABLE OF CONTENTS.**—The table of contents of
 6 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.

Sec. 207. Extension of matching grant program for law enforcement armor vests.

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.
- Sec. 253. Authorization and change of COPS program to single grant program.
- Sec. 254. Clarification of persons eligible for benefits under Public Safety Officers' Death Benefits programs.
- Sec. 255. Research-based bullying prevention 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.
- Sec. 307. Report to Congress on status of United States persons or residents detained on suspicion of terrorism.
- Sec. 308. Technical correction relating to definition used in “terrorism transcending national boundaries” statute.
- Sec. 309. Increased penalties and expanded jurisdiction for sexual abuse offenses in correctional facilities.

- Sec. 310. Expanded jurisdiction for contraband offenses in correctional facilities.
- Sec. 311. Magistrate judge's authority to continue preliminary hearing.
- Sec. 312. Recognizing the 40th anniversary of the founding of the Lawyers' Committee for Civil Rights Under Law and supporting the designation of an Equal Justice Day.

TITLE IV—KOBY MANDELL ACT

- Sec. 401. Short title.
- Sec. 402. Findings.
- Sec. 403. Establishment of an Office in the Department of Justice to undertake specific steps to facilitate the capture of terrorists who have harmed American citizens overseas and to ensure that all American victims of overseas terrorism are treated equally.
- Sec. 404. Authorization of appropriations.

TITLE V—MATTERS RELATING TO INTELLIGENCE AND COUNTERINTELLIGENCE

- Sec. 501. FBI Office of Counterintelligence.

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
15 clemency petitions and for immigration-related ac-
16 tivities.

1 (3) OFFICE OF INSPECTOR GENERAL.—For the
2 Office of Inspector General: \$70,000,000, 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: \$665,346,000, 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 in accordance with the
17 Radiation Exposure Compensation Act.

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

20 (6) UNITED STATES ATTORNEYS.—For United
21 States Attorneys: \$1,556,784,000, 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 laws prohibiting
2 unsolicited commercial e-mail: *Provided*, That such
3 amounts in the appropriations account “General
4 Legal Services” as may be expended for such inves-
5 tigations 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 \$4,639,569,000, which shall include—

11 (A) not to exceed \$11,174,000 for con-
12 struction, 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: \$733,843,000,
23 which shall include not to exceed \$14,066,000 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: \$4,677,214,000.

4 (10) DRUG ENFORCEMENT ADMINISTRATION.—
5 For the Drug Enforcement Administration:
6 \$1,601,327,000, 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 \$851,987,000.

13 (12) FEES AND EXPENSES OF WITNESSES.—
14 For Fees and Expenses of Witnesses: \$156,145,000
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: \$550,609,000, 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: \$1,212,000.

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

8 (16) ASSETS FORFEITURE FUND.—For the As-
9 sets Forfeiture Fund: \$22,949,000 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 \$11,051,000.

15 (18) FEDERAL DETENTION TRUSTEE.—For the
16 necessary expenses of the Federal Detention Trust-
17 ee: \$814,097,000.

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

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 \$140,083,000.

1 (21) ADMINISTRATIVE EXPENSES FOR CERTAIN
2 ACTIVITIES.—For the administrative expenses of the
3 Office of Justice Programs, the Office on Violence
4 Against Women, and the Community Oriented Policing
5 Services program, the following sums:

6 (A) \$106,016,000 for the Office of Justice
7 Programs.

8 (B) \$13,622,000 for the Office on Violence
9 Against Women.

10 (C) \$29,684,000 for the Community Ori-
11 ented Policing Services program.

12 (22) LEGAL ACTIVITIES OFFICE AUTOMA-
13 TION.—For necessary expenses related to office au-
14 tomation: \$33,240,000.

15 (23) COUNTERTERRORISM FUND.—For nec-
16 essary expenses of the Counterterrorism Fund:
17 \$1,000,000.

18 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
19 **CAL YEAR 2005.**

20 There are authorized to be appropriated for fiscal
21 year 2005, to carry out the activities of the Department
22 of Justice (including any bureau, office, board, division,
23 commission, subdivision, unit, or other component there-
24 of), the following sums:

1 (1) GENERAL ADMINISTRATION.—For General
2 Administration: \$186,551,000.

3 (2) ADMINISTRATIVE REVIEW AND APPEALS.—
4 For Administrative Review and Appeals:
5 \$202,518,000 for administration of pardon and
6 clemency petitions and for immigration-related ac-
7 tivities.

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

12 (4) GENERAL LEGAL ACTIVITIES.—For General
13 Legal Activities: \$657,135,000, which shall in-
14 clude—

15 (A) not less than \$4,000,000 for the inves-
16 tigation and prosecution of denaturalization and
17 deportation cases involving alleged Nazi war
18 criminals;

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

22 (C) such sums as may be necessary for ad-
23 ministrative expenses in accordance with the
24 Radiation Exposure Compensation Act.

1 (5) ANTITRUST DIVISION.—For the Antitrust
2 Division: \$136,463,000.

3 (6) UNITED STATES ATTORNEYS.—For United
4 States Attorneys: \$1,547,519,000, which shall in-
5 clude not less than \$10,000,000 for the investigation
6 and prosecution of intellectual property crimes, in-
7 cluding software counterfeiting crimes, crimes identi-
8 fied in the No Electronic Theft (NET) Act (Public
9 Law 105–147), and violations of law, against unsol-
10 licited commercial e-mail: *Provided*, That such
11 amounts in the appropriations account “General
12 Legal Services” as may be expended for such inves-
13 tigation or prosecutions shall count towards this
14 minimum as though expended from this appropria-
15 tions account.

16 (7) FEDERAL BUREAU OF INVESTIGATION.—
17 For the Federal Bureau of Investigation:
18 \$5,058,921,000, which shall include—

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

21 (B) not to exceed \$70,000 to meet unfore-
22 seen emergencies of a confidential character;
23 and

24 (C) such sums as may be necessary to as-
25 sign employees to the Terrorism Threat Inte-

1 gration Center: *Provided*, That such amounts
2 may only be expended for analyzing intelligence
3 information.

4 (8) UNITED STATES MARSHALS SERVICE.—For
5 the United States Marshals Service: \$743,441,000,
6 which shall include not to exceed \$1,371,000 for
7 construction, to remain available until expended.

8 (9) FEDERAL PRISON SYSTEM.—For the Fed-
9 eral Prison System, including the National Institute
10 of Corrections: \$4,706,232,000.

11 (10) DRUG ENFORCEMENT ADMINISTRATION.—
12 For the Drug Enforcement Administration:
13 \$1,661,503,000, which shall include not to exceed
14 \$70,000 to meet unforeseen emergencies of a con-
15 fidential character.

16 (11) BUREAU OF ALCOHOL, TOBACCO, FIRE-
17 ARMS AND EXPLOSIVES.—For the Bureau of Alco-
18 hol, Tobacco, Firearms and Explosives:
19 \$868,857,000.

20 (12) FEES AND EXPENSES OF WITNESSES.—
21 For Fees and Expenses of Witnesses: \$177,585,000
22 to remain available until expended, which shall in-
23 clude not to exceed \$6,000,000 for construction of
24 protected witness safesites.

1 (13) INTERAGENCY CRIME AND DRUG EN-
2 FORCEMENT.—For Interagency Crime and Drug
3 Enforcement: \$580,632,000, for expenses not other-
4 wise provided for, for the investigation and prosecu-
5 tion of persons involved in organized crime drug
6 trafficking, except that any funds obligated from ap-
7 propriations authorized by this paragraph may be
8 used under authorities available to the organizations
9 reimbursed from such funds.

10 (14) FOREIGN CLAIMS SETTLEMENT COMMIS-
11 SION.—For the Foreign Claims Settlement Commis-
12 sion: \$1,220,000.

13 (15) COMMUNITY RELATIONS SERVICE.—For
14 the Community Relations Service: \$9,833,000.

15 (16) ASSETS FORFEITURE FUND.—For the As-
16 sets Forfeiture Fund: \$21,759,000 for expenses au-
17 thorized by section 524 of title 28, United States
18 Code.

19 (17) UNITED STATES PAROLE COMMISSION.—
20 For the United States Parole Commission:
21 \$10,650,000.

22 (18) FEDERAL DETENTION TRUSTEE.—For the
23 necessary expenses of the Federal Detention Trust-
24 ee: \$938,810,000.

1 (19) JOINT AUTOMATED BOOKING SYSTEM.—
2 For the necessary expenses of the Joint Automated
3 Booking System: \$20,309,000.

4 (20) INTEGRATED AUTOMATED FINGER-
5 PRINT.—For the expenses necessary for Integrated
6 Automated Fingerprint activities: \$5,054,000.

7 (21) NARROWBAND COMMUNICATIONS.—For
8 the costs of conversion to narrowband communica-
9 tions, including the cost for operation and mainte-
10 nance of Land Mobile Radio legacy systems:
11 \$101,971,000.

12 (22) ADMINISTRATIVE EXPENSES FOR CERTAIN
13 ACTIVITIES.—For the administrative expenses of the
14 Office of Justice Programs, the Office on Violence
15 Against Women, and the Community Oriented Polic-
16 ing Services program, the following sums:

17 (A) \$118,730,000 for the Office of Justice
18 Programs.

19 (B) \$13,894,000 for the Office on Violence
20 Against Women.

21 (C) \$30,278,000 for the Community Ori-
22 ented Policing Services program.

23 (23) LEGAL ACTIVITIES OFFICE AUTOMA-
24 TION.—For necessary expenses related to office au-
25 tomation: \$80,510,000.

1 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
2 **CAL YEAR 2006.**

3 There are authorized to be appropriated for fiscal
4 year 2006, to carry out the activities of the Department
5 of Justice (including any bureau, office, board, division,
6 commission, subdivision, unit, or other component there-
7 of), the following sums:

8 (1) GENERAL ADMINISTRATION.—For General
9 Administration: \$190,282,000.

10 (2) ADMINISTRATIVE REVIEW AND APPEALS.—
11 For Administrative Review and Appeals:
12 \$206,568,000 for administration of pardon and
13 clemency petitions and for immigration-related ac-
14 tivities.

15 (3) OFFICE OF INSPECTOR GENERAL.—For the
16 Office of Inspector General: \$72,828,000, which
17 shall include not to exceed \$10,000 to meet unfore-
18 seen emergencies of a confidential character.

19 (4) GENERAL LEGAL ACTIVITIES.—For General
20 Legal Activities: \$670,278,000, which shall in-
21 clude—

22 (A) not less than \$4,000,000 for the inves-
23 tigation and prosecution of denaturalization and
24 deportation cases involving alleged Nazi war
25 criminals;

1 (B) not to exceed \$20,000 to meet unfore-
2 seen emergencies of a confidential character;
3 and

4 (C) such sums as may be necessary for ad-
5 ministrative expenses in accordance with the
6 Radiation Exposure Compensation Act.

7 (5) ANTITRUST DIVISION.—For the Antitrust
8 Division: \$139,192,000.

9 (6) UNITED STATES ATTORNEYS.—For United
10 States Attorneys: \$1,578,469,000, which shall in-
11 clude not less than \$10,000,000 for the investigation
12 and prosecution of intellectual property crimes, in-
13 cluding software counterfeiting crimes, crimes identi-
14 fied in the No Electronic Theft (NET) Act (Public
15 Law 105–147), and violations of law, against unsol-
16 licited commercial e-mail: *Provided*, That such
17 amounts in the appropriations account “General
18 Legal Services” as may be expended for such inves-
19 tigation or prosecutions shall count towards this
20 minimum as though expended from this appropria-
21 tions account.

22 (7) FEDERAL BUREAU OF INVESTIGATION.—
23 For the Federal Bureau of Investigation:
24 \$5,160,099,000, which shall include—

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

3 (B) not to exceed \$70,000 to meet unfore-
4 seen emergencies of a confidential character;
5 and

6 (C) such sums as may be necessary to as-
7 sign employees to the Terrorism Threat Inte-
8 gration Center: *Provided*, That such amounts
9 may only be expended for analyzing intelligence
10 information.

11 (8) UNITED STATES MARSHALS SERVICE.—For
12 the United States Marshals Service: \$758,310,000,
13 which shall include not to exceed \$1,371,000 for
14 construction, to remain available until expended.

15 (9) FEDERAL PRISON SYSTEM.—For the Fed-
16 eral Prison System, including the National Institute
17 of Corrections: \$4,800,357,000.

18 (10) DRUG ENFORCEMENT ADMINISTRATION.—
19 For the Drug Enforcement Administration:
20 \$1,694,733,000, which shall include not to exceed
21 \$70,000 to meet unforeseen emergencies of a con-
22 fidential character.

23 (11) BUREAU OF ALCOHOL, TOBACCO, FIRE-
24 ARMS AND EXPLOSIVES.—For the Bureau of Alco-

1 hol, Tobacco, Firearms and Explosives:
2 \$886,234,000.

3 (12) FEES AND EXPENSES OF WITNESSES.—
4 For Fees and Expenses of Witnesses: \$181,137,000
5 to remain available until expended, which shall in-
6 clude not to exceed \$6,000,000 for construction of
7 protected witness safesites.

8 (13) INTERAGENCY CRIME AND DRUG EN-
9 FORCEMENT.—For Interagency Crime and Drug
10 Enforcement: \$592,245,000, for expenses not other-
11 wise provided for, for the investigation and prosecu-
12 tion of persons involved in organized crime drug
13 trafficking, except that any funds obligated from ap-
14 propriations authorized by this paragraph may be
15 used under authorities available to the organizations
16 reimbursed from such funds.

17 (14) FOREIGN CLAIMS SETTLEMENT COMMIS-
18 SION.—For the Foreign Claims Settlement Commis-
19 sion: \$1,244,000.

20 (15) COMMUNITY RELATIONS SERVICE.—For
21 the Community Relations Service: \$10,030,000.

22 (16) ASSETS FORFEITURE FUND.—For the As-
23 sets Forfeiture Fund: \$22,194,000 for expenses au-
24 thorized by section 524 of title 28, United States
25 Code.

1 (17) UNITED STATES PAROLE COMMISSION.—
2 For the United States Parole Commission:
3 \$10,863,000.

4 (18) FEDERAL DETENTION TRUSTEE.—For the
5 necessary expenses of the Federal Detention Trust-
6 ee: \$957,586,000.

7 (19) JOINT AUTOMATED BOOKING SYSTEM.—
8 For the necessary expenses of the Joint Automated
9 Booking System: \$20,715,000.

10 (20) INTEGRATED AUTOMATED FINGER-
11 PRINT.—For the expenses necessary for Integrated
12 Automated Fingerprint activities: \$5,155,000.

13 (21) NARROWBAND COMMUNICATIONS.—For
14 the costs of conversion to narrowband communica-
15 tions, including the cost for operation and mainte-
16 nance of Land Mobile Radio legacy systems:
17 \$104,010,000.

18 (22) ADMINISTRATIVE EXPENSES FOR CERTAIN
19 ACTIVITIES.—For the administrative expenses of the
20 Office of Justice Programs, the Office on Violence
21 Against Women, and the Community Oriented Polic-
22 ing Services program, the following sums:

23 (A) \$121,105,000 for the Office of Justice
24 Programs.

1 (B) \$14,172,000 for the Office on Violence
2 Against Women.

3 (C) \$31,343,000 for the Community Ori-
4 ented Policing Services program.

5 (23) LEGAL ACTIVITIES OFFICE AUTOMA-
6 TION.—For necessary expenses related to office au-
7 tomation: \$82,120,000.

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

11 **Subtitle A—Assisting Law Enforce-**
12 **ment and Criminal Justice**
13 **Agencies**

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

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

20 (1) Subpart 1 of such part (42 U.S.C. 3751–
21 3759) is repealed.

22 (2) Such part is further amended—

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

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

3 (B) by amending section 500 to read as
4 follows:

5 **“SEC. 500. NAME OF PROGRAM.**

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

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

16 (C) by inserting after section 500 the fol-
17 lowing new sections:

18 **“SEC. 501. DESCRIPTION.**

19 “(a) GRANTS AUTHORIZED.—

20 “(1) IN GENERAL.—From amounts made avail-
21 able to carry out this subpart, the Attorney General
22 may, in accordance with the formula established
23 under section 505, make grants to States and units
24 of local government, for use by the State or unit of
25 local government to provide additional personnel,
26 equipment, supplies, contractual support, training,

1 technical assistance, and information systems for
2 criminal justice, including for any one or more of the
3 following programs:

4 “(A) Law enforcement programs.

5 “(B) Prosecution and court programs.

6 “(C) Prevention and education programs.

7 “(D) Corrections and community correc-
8 tions programs.

9 “(E) Drug treatment programs.

10 “(F) Planning, evaluation, and technology
11 improvement programs.

12 “(2) RULE OF CONSTRUCTION.—Paragraph (1)
13 shall be construed to ensure that a grant under that
14 paragraph may be used for any purpose for which
15 a grant was authorized to be used under either or
16 both of the programs specified in section 500(b), as
17 those programs were in effect immediately before the
18 enactment of this paragraph.

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

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

1 “(2) units of local government; or

2 “(3) tribal governments.

3 “(c) PROGRAM ASSESSMENT COMPONENT; WAIV-
4 ER.—

5 “(1) Each program funded under this subpart
6 shall contain a program assessment component, de-
7 veloped pursuant to guidelines established by the At-
8 torney General, in coordination with the National
9 Institute of Justice.

10 “(2) The Attorney General may waive the re-
11 quirement of paragraph (1) with respect to a pro-
12 gram if, in the opinion of the Attorney General, the
13 program is not of sufficient size to justify a full pro-
14 gram assessment.

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

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

22 “(2) Unless the Attorney General certifies that
23 extraordinary and exigent circumstances exist that
24 make the use of such funds to provide such matters

1 essential to the maintenance of public safety and
2 good order—

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

4 “(B) luxury items;

5 “(C) real estate;

6 “(D) construction projects (other than
7 penal or correctional institutions); or

8 “(E) any similar matters.

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

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

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

22 **“SEC. 502. APPLICATIONS.**

23 “To request a grant under this subpart, the chief ex-
24 ecutive officer of a State or unit of local government shall
25 submit an application to the Attorney General within 90

1 days after the date on which funds to carry out this sub-
2 part are appropriated for a fiscal year, in such form as
3 the Attorney General may require. Such application shall
4 include the following:

5 “(1) A certification that Federal funds made
6 available under this subpart will not be used to sup-
7 plant State or local funds, but will be used to in-
8 crease the amounts of such funds that would, in the
9 absence of Federal funds, be made available for law
10 enforcement activities.

11 “(2) An assurance that, not fewer than 30 days
12 before the application (or any amendment to the ap-
13 plication) was submitted to the Attorney General,
14 the application (or amendment) was submitted for
15 review to the governing body of the State or unit of
16 local government (or to an organization designated
17 by that governing body).

18 “(3) An assurance that, before the application
19 (or any amendment to the application) was sub-
20 mitted to the Attorney General—

21 “(A) the application (or amendment) was
22 made public; and

23 “(B) an opportunity to comment on the
24 application (or amendment) was provided to
25 citizens and to neighborhood or community-

1 based organizations, to the extent applicable
2 law or established procedure makes such an op-
3 portunity available.

4 “(4) An assurance that, for each fiscal year
5 covered by an application, the applicant shall main-
6 tain and report such data, records, and information
7 (programmatic and financial) as the Attorney Gen-
8 eral may reasonably require.

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

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

16 “(B) all the information contained in the
17 application is correct;

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

20 “(D) the applicant will comply with all
21 provisions of this subpart and all other applica-
22 ble Federal laws.

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

24 “The Attorney General shall not finally disapprove
25 any application (or any amendment to that application)

1 submitted under this subpart without first affording the
2 applicant reasonable notice of any deficiencies in the appli-
3 cation and opportunity for correction and reconsideration.

4 **“SEC. 504. RULES.**

5 “The Attorney General shall issue rules to carry out
6 this subpart. The first such rules shall be issued not later
7 than one year after the date on which amounts are first
8 made available to carry out this subpart.

9 **“SEC. 505. FORMULA.**

10 “(a) ALLOCATION AMONG STATES.—

11 “(1) IN GENERAL.—Of the total amount appro-
12 priated for this subpart, the Attorney General shall,
13 except as provided in paragraph (2), allocate—

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

17 “(i) the total population of a State
18 to—

19 “(ii) the total population of the
20 United States; and

21 “(B) 50 percent of such remaining amount
22 to each State in amounts that bear the same
23 ratio of—

24 “(i) the average annual number of
25 part 1 violent crimes of the Uniform Crime

1 Reports of the Federal Bureau of Inves-
2 tigation reported by such State for the
3 three most recent years reported by such
4 State to—

5 “(ii) the average annual number of
6 such crimes reported by all States for such
7 years.

8 “(2) MINIMUM ALLOCATION.—If carrying out
9 paragraph (1) would result in any State receiving an
10 allocation less than 0.25 percent of the total amount
11 (in this paragraph referred to as a “minimum allo-
12 cation State”), then paragraph (1), as so carried
13 out, shall not apply, and the Attorney General shall
14 instead—

15 “(A) allocate 0.25 percent of the total
16 amount to each State; and

17 “(B) using the amount remaining after
18 carrying out subparagraph (A), carry out para-
19 graph (1) in a manner that excludes each min-
20 imum allocation State, including the population
21 of and the crimes reported by such State.

22 “(b) ALLOCATION BETWEEN STATES AND UNITS OF
23 LOCAL GOVERNMENT.—Of the amounts allocated under
24 subsection (a)—

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

3 “(2) 40 percent shall be for grants to be allo-
4 cated under subsection (d).

5 “(c) ALLOCATION FOR STATE GOVERNMENTS.—

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

10 “(A) total expenditures on criminal justice
11 by the State government in the most recently
12 completed fiscal year to—

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

16 “(2) REMAINING AMOUNTS.—Except as pro-
17 vided in subsection (e)(1), any amounts remaining
18 after the allocation required by paragraph (1) shall
19 be made available to units of local government by
20 the State for the purposes described in section 501.

21 “(d) ALLOCATIONS TO LOCAL GOVERNMENTS.—

22 “(1) IN GENERAL.—Of the amounts allocated
23 under subsection (b)(2), grants for the purposes de-
24 scribed in section 501 shall be made directly to units

1 of local government within each State in accordance
2 with this subsection, subject to subsection (e).

3 “(2) ALLOCATION.—

4 “(A) IN GENERAL.—From the amounts re-
5 ferred to in paragraph (1) with respect to a
6 State (in this subsection referred to as the
7 ‘local amount’), the Attorney General shall allo-
8 cate to each unit of local government an
9 amount which bears the same ratio to such
10 share as the average annual number of part 1
11 violent crimes reported by such unit to the Fed-
12 eral Bureau of Investigation for the 3 most re-
13 cent calendar years for which such data is avail-
14 able bears to the number of part 1 violent
15 crimes reported by all units of local government
16 in the State in which the unit is located to the
17 Federal Bureau of Investigation for such years.

18 “(B) TRANSITIONAL RULE.—Notwith-
19 standing subparagraph (A), for fiscal years
20 2005, 2006, and 2007, the Attorney General
21 shall allocate the local amount to units of local
22 government in the same manner that, under the
23 Local Government Law Enforcement Block
24 Grants program in effect immediately before
25 the date of the enactment of this section, the

1 reserved amount was allocated among reporting
2 and nonreporting units of local government.

3 “(3) ANNEXED UNITS.—If a unit of local gov-
4 ernment in the State has been annexed since the
5 date of the collection of the data used by the Attor-
6 ney General in making allocations pursuant to this
7 section, the Attorney General shall pay the amount
8 that would have been allocated to such unit of local
9 government to the unit of local government that an-
10 nexed it.

11 “(4) RESOLUTION OF DISPARATE ALLOCA-
12 TIONS.—(A) Notwithstanding any other provision of
13 this subpart, if—

14 “(i) the Attorney General certifies that a
15 unit of local government bears more than 50
16 percent of the costs of prosecution or incarcer-
17 ation that arise with respect to part 1 violent
18 crimes reported by a specified geographically
19 constituent unit of local government; and

20 “(ii) but for this paragraph, the amount of
21 funds allocated under this section to—

22 “(I) any one such specified geographi-
23 cally constituent unit of local government
24 exceeds 150 percent of the amount allo-

1 cated to the unit of local government cer-
2 tified pursuant to clause (i); or

3 “(II) more than one such specified
4 geographically constituent unit of local
5 government exceeds 400 percent of the
6 amount allocated to the unit of local gov-
7 ernment certified pursuant to clause (i),
8 then in order to qualify for payment under this sub-
9 section, the unit of local government certified pursu-
10 ant to clause (i), together with any such specified
11 geographically constituent units of local government
12 described in clause (ii), shall submit to the Attorney
13 General a joint application for the aggregate of
14 funds allocated to such units of local government.
15 Such application shall specify the amount of such
16 funds that are to be distributed to each of the units
17 of local government and the purposes for which such
18 funds are to be used. The units of local government
19 involved may establish a joint local advisory board
20 for the purposes of carrying out this paragraph.

21 “(B) In this paragraph, the term ‘geographi-
22 cally constituent unit of local government’ means a
23 unit of local government that has jurisdiction over
24 areas located within the boundaries of an area over

1 which a unit of local government certified pursuant
2 to clause (i) has jurisdiction.

3 “(e) LIMITATION ON ALLOCATIONS TO UNITS OF
4 LOCAL GOVERNMENT.—

5 “(1) MAXIMUM ALLOCATION.—No unit of local
6 government shall receive a total allocation under this
7 section that exceeds such unit’s total expenditures
8 on criminal justice services for the most recently
9 completed fiscal year for which data are available.
10 Any amount in excess of such total expenditures
11 shall be allocated proportionally among units of local
12 government whose allocations under this section do
13 not exceed their total expenditures on such services.

14 “(2) ALLOCATIONS UNDER \$10,000.—If the allo-
15 cation under this section to a unit of local govern-
16 ment is less than \$10,000 for any fiscal year, the di-
17 rect grant to the State under subsection (c) shall be
18 increased by the amount of such allocation, to be
19 distributed (for the purposes described in section
20 501) among State police departments that provide
21 criminal justice services to units of local government
22 and units of local government whose allocation under
23 this section is less than \$10,000.

24 “(3) NON-REPORTING UNITS.—No allocation
25 under this section shall be made to a unit of local

1 government that has not reported at least three
2 years of data on part 1 violent crimes of the Uni-
3 form Crime Reports to the Federal Bureau of Inves-
4 tigation within the immediately preceding 10 years.

5 “(f) FUNDS NOT USED BY THE STATE.—If the At-
6 torney General determines, on the basis of information
7 available during any grant period, that any allocation (or
8 portion thereof) under this section to a State for such
9 grant period will not be required, or that a State will be
10 unable to qualify or receive funds under this subpart, or
11 that a State chooses not to participate in the program es-
12 tablished under this subpart, then such State’s allocation
13 (or portion thereof) shall be awarded by the Attorney Gen-
14 eral to units of local government, or combinations thereof,
15 within such State, giving priority to those jurisdictions
16 with the highest annual number of part 1 violent crimes
17 of the Uniform Crime Reports reported by the unit of local
18 government to the Federal Bureau of Investigation for the
19 three most recent calendar years for which such data are
20 available.

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

22 “(1) ALL FUNDS SET ASIDE FOR COMMON-
23 WEALTH GOVERNMENT.—Notwithstanding any other
24 provision of this subpart, the amounts allocated
25 under subsection (a) to Puerto Rico, 100 percent

1 shall be for direct grants to the Commonwealth gov-
2 ernment of Puerto Rico.

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

5 “(h) UNITS OF LOCAL GOVERNMENT IN LOU-
6 ISIANA.—In carrying out this section with respect to the
7 State of Louisiana, the term ‘unit of local government’
8 means a district attorney or a parish sheriff.

9 **“SEC. 506. RESERVED FUNDS.**

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

13 “(1) \$20,000,000, for use by the National In-
14 stitute of Justice in assisting units of local govern-
15 ment to identify, select, develop, modernize, and pur-
16 chase new technologies for use by law enforcement,
17 of which \$1,000,000 shall be for use by the Bureau
18 of Justice Statistics to collect data necessary for car-
19 rying out this subpart; and

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

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

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

5 “(b) **EXPENDITURES.**—

6 “(1) **IN GENERAL.**—Each amount received
7 under this subpart (including interest on such
8 amount) shall be expended before the date on which
9 the grant period expires.

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

16 “(3) **REDUCTION OF FUTURE AMOUNTS.**—If a
17 State or unit of local government fails to comply
18 with paragraphs (1) and (2), the Attorney General
19 shall reduce amounts to be provided to that State or
20 unit of local government accordingly.

21 “(c) **REPAID AMOUNTS.**—Amounts received as repay-
22 ments under this section shall be subject to section 108
23 of this title as if such amounts had not been granted and
24 repaid. Such amounts shall be deposited in the Treasury
25 in a dedicated fund for use by the Attorney General to

1 carry out this subpart. Such funds are hereby made avail-
2 able to carry out this subpart.

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

4 “There is authorized to be appropriated to carry out
5 this subpart \$1,095,000,000 for fiscal year 2004 and such
6 sums as may be necessary for each of fiscal years 2005
7 through 2008.”.

8 (b) **REPEALS OF CERTAIN AUTHORITIES RELATING**
9 **TO BYRNE GRANTS.—**

10 (1) **DISCRETIONARY GRANTS TO PUBLIC AND**
11 **PRIVATE ENTITIES.—**Chapter A of subpart 2 of Part
12 E of title I of the Omnibus Crime Control and Safe
13 Streets Act of 1968 (42 U.S.C. 3760–3762) is re-
14 pealed.

15 (2) **TARGETED GRANTS TO CURB MOTOR VEHI-**
16 **CLE THEFT.—**Subtitle B of title I of the Anti Car
17 Theft Act of 1992 (42 U.S.C. 3750a–3750d) is re-
18 pealed.

19 (c) **CONFORMING AMENDMENTS.—**

20 (1) **CRIME IDENTIFICATION TECHNOLOGY**
21 **ACT.—**Subsection (c)(2)(G) of section 102 of the
22 Crime Identification Technology Act of 1998 (42
23 U.S.C. 14601) is amended by striking “such as”
24 and all that follows through “the M.O.R.E. pro-
25 gram” and inserting “such as the Edward Byrne

1 Justice Assistance Grant Program and the M.O.R.E.
2 program”.

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

6 (A) in section 517 (42 U.S.C. 3763), in
7 subsection (a)(1), by striking “pursuant to sec-
8 tion 511 or 515” and inserting “pursuant to
9 section 515”;

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

11 (i) in subsection (a)(1), by striking
12 “the program evaluations as required by
13 section 501(c) of this part” and inserting
14 “program evaluations”;

15 (ii) in subsection (a)(2), by striking
16 “evaluations of programs funded under
17 section 506 (formula grants) and sections
18 511 and 515 (discretionary grants) of this
19 part” and inserting “evaluations of pro-
20 grams funded under section 505 (formula
21 grants) and section 515 (discretionary
22 grants) of this part”; and

23 (iii) in subsection (b)(2), by striking
24 “programs funded under section 506 (for-
25 mula grants) and section 511 (discre-

1 tionary grants)” and inserting “programs
2 funded under section 505 (formula
3 grants)”;

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

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

8 (ii) in subsection (a)(1), by striking
9 “an assessment of the impact of such ac-
10 tivities on meeting the needs identified in
11 the State strategy submitted under section
12 503” and inserting “an assessment of the
13 impact of such activities on meeting the
14 purposes of subpart 1”;

15 (D) in section 801(b) (42 U.S.C. 3782(b)),
16 in the matter following paragraph (5)—

17 (i) by striking “the purposes of sec-
18 tion 501 of this title” and inserting “the
19 purposes of such subpart 1”; and

20 (ii) by striking “the application sub-
21 mitted pursuant to section 503 of this
22 title” and inserting “the application sub-
23 mitted pursuant to section 502 of this
24 title”;

1 (E) in section 808 (42 U.S.C. 3789), by
2 striking “the State office described in section
3 507 or 1408” and inserting “the State office
4 responsible for the trust fund required by sec-
5 tion 507, or the State office described in section
6 1408,”;

7 (F) in section 901 (42 U.S.C. 3791), in
8 subsection (a)(2), by striking “for the purposes
9 of section 506(a)” and inserting “for the pur-
10 poses of section 505(a)”;

11 (G) in section 1502 (42 U.S.C. 3796bb-
12 1)—

13 (i) in paragraph (1), by striking “sec-
14 tion 506(a)” and inserting “section
15 505(a)”;

16 (ii) in paragraph (2)—

17 (I) by striking “section 503(a)”
18 and inserting “section 502”; and

19 (II) by striking “section 506”
20 and inserting “section 505”;

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

1 (I) in section 1702 (42 U.S.C. 3796dd–1),
2 in subsection (e)(1), by striking “and reflects
3 consideration of the statewide strategy under
4 section 503(a)(1)”;

5 (J) in section 1902 (42 U.S.C. 3796ff–1),
6 in subsection (e), by striking “The Office des-
7 igned under section 507” and inserting “The
8 office responsible for the trust fund required by
9 section 507”.

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

14 **SEC. 202. CLARIFICATION OF NUMBER OF RECIPIENTS**
15 **WHO MAY BE SELECTED IN A GIVEN YEAR TO**
16 **RECEIVE PUBLIC SAFETY OFFICER MEDAL**
17 **OF VALOR.**

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

1 **SEC. 203. CONGRESSIONAL MEDAL AND PLAQUE FOR PUB-**
2 **LIC SAFETY OFFICERS WHO RESPONDED TO**
3 **THE ATTACKS ON THE UNITED STATES ON**
4 **SEPTEMBER 11, 2001.**

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

6 (1) to commemorate the sacrifices made and
7 service rendered to the United States by those public
8 safety officers who responded to the attacks on the
9 United States on September 11, 2001; and

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

12 (b) PRESENTATION AUTHORIZED.—

13 (1) IN GENERAL.—The Speaker of the House of
14 Representatives and the President pro tempore of
15 the Senate are authorized jointly to present, on be-
16 half of the Congress—

17 (A) to individuals certified by the Attorney
18 General pursuant to subsection (e), a bronze
19 medal 1½ inches in diameter commemorating
20 the service to the United States of those indi-
21 viduals; and

22 (B) to public agencies certified by the At-
23 torney General pursuant to subsection (e), a
24 plaque commemorating the service to the
25 United States of the officers, employees, or
26 agents of those agencies.

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

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

8 (c) DESIGN AND STRIKING.—

9 (1) CONSULTATION.—The Attorney General
10 shall consult with the Institute of Heraldry of the
11 Department of Defense regarding the design and ar-
12 tistry of the medal and the plaque authorized by this
13 section. The Attorney General may also consider
14 suggestions received by the Department of Justice
15 regarding the design and artistry of the medal and
16 the plaque, including suggestions made by persons
17 not employed by the Department of Justice.

18 (2) STRIKING.—After such consultation, the At-
19 torney General shall strike such medals and produce
20 such plaques as may be required to carry out this
21 section.

22 (d) ELIGIBILITY REQUIREMENTS.—

23 (1) INDIVIDUALS.—

24 (A) IN GENERAL.—To be eligible to be
25 presented the medal referred to in subsection

1 (b), an individual must have been a public safe-
2 ty officer (as defined in section 5 of the Public
3 Safety Officer Medal of Valor Act of 2001 (42
4 U.S.C. 15204))—

5 (i) who was present in New York, Vir-
6 ginia, or Pennsylvania on September 11,
7 2001;

8 (ii) who participated in the response
9 that day to the terrorist attacks on the
10 World Trade Center, the terrorist attack
11 on the Pentagon, or the terrorist attack
12 that resulted in the crash of the fourth air-
13 plane in Pennsylvania; and

14 (iii) who died as a result of such par-
15 ticipation.

16 (B) RULE OF CONSTRUCTION.—An indi-
17 vidual who was killed in one of the attacks re-
18 ferred to in subparagraph (A)(ii) shall be
19 deemed, for purposes of that subparagraph, to
20 have participated in the response.

21 (2) AGENCIES.—To be eligible to be presented
22 the plaque referred to in subsection (b), a public
23 agency must have had at least one officer, employee,
24 or agent who is eligible under paragraph (1) or who

1 would be so eligible but for the requirement of sub-
2 paragraph (A)(iii) of that paragraph.

3 (3) APPLICATION; DETERMINATION.—To estab-
4 lish the eligibility required by paragraphs (1) or (2),
5 the head of a public agency must present to the At-
6 torney General an application with such supporting
7 documentation as the Attorney General may require
8 to support such eligibility and, in the case of the eli-
9 gibility of an individual, with information on next of
10 kin. The Attorney General shall determine, through
11 the documentation provided and, if necessary, inde-
12 pendent investigation, whether the requirements of
13 paragraphs (1) or (2) have been established.

14 (e) CERTIFICATION.—The Attorney General shall,
15 within 12 months after the date of the enactment of this
16 Act, certify to the Speaker of the House of Representa-
17 tives and the President pro tempore of the Senate the
18 names of individuals eligible to receive the medal and pub-
19 lic agencies eligible to receive the plaque.

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

1 **SEC. 204. CLARIFICATION OF OFFICIAL TO BE CONSULTED**
2 **BY ATTORNEY GENERAL IN CONSIDERING AP-**
3 **PLICATION FOR EMERGENCY FEDERAL LAW**
4 **ENFORCEMENT ASSISTANCE.**

5 Section 609M(b) of the Justice Assistance Act of
6 1984 (42 U.S.C. 10501(b)) is amended by striking “the
7 Director of the Office of Justice Assistance” and inserting
8 “the Assistant Attorney General for the Office of Justice
9 Programs”.

10 **SEC. 205. CLARIFICATION OF USES FOR REGIONAL INFOR-**
11 **MATION SHARING SYSTEM GRANTS.**

12 Section 1301(b) of the Omnibus Crime Control and
13 Safe Streets Act of 1968 (42 U.S.C. 3796h(b)), as most
14 recently amended by section 701 of the USA PATRIOT
15 Act (Public Law 107–56; 115 Stat. 374), is amended—

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

18 (2) by amending paragraph (3) to read as fol-
19 lows:

20 “(3) establishing and maintaining a secure tele-
21 communications system for regional information
22 sharing between Federal, State, and local law en-
23 forcement agencies;”; and

24 (3) by striking “(5)” at the end of paragraph
25 (4).

1 **SEC. 206. INTEGRITY AND ENHANCEMENT OF NATIONAL**
2 **CRIMINAL RECORD DATABASES.**

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

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

11 (2) by amending paragraph (19) of subsection
12 (c) to read as follows:

13 “(19) provide for improvements in the accuracy,
14 quality, timeliness, immediate accessibility, and inte-
15 gration of State criminal history and related records,
16 support the development and enhancement of na-
17 tional systems of criminal history and related
18 records including the National Criminal History
19 Background Check System, the National Incident-
20 Based Reporting System, and the records of the Na-
21 tional Crime Information Center, facilitate State
22 participation in national records and information
23 systems, and support statistical research for critical
24 analysis of the improvement and utilization of crimi-
25 nal history records;” and

26 (3) in subsection (d)—

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

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

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

6 “(6) confer and cooperate with Federal statis-
7 tical agencies as needed to carry out the purposes of
8 this part, including by entering into cooperative data
9 sharing agreements in conformity with all laws and
10 regulations applicable to the disclosure and use of
11 data.”.

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

15 (c) CONFIDENTIALITY OF INFORMATION.—Section
16 812(a) of such Act (42 U.S.C. 3789g(a)) is amended by
17 striking “Except as provided by Federal law other than
18 this title, no” and inserting “No”.

19 **SEC. 207. EXTENSION OF MATCHING GRANT PROGRAM FOR**
20 **LAW ENFORCEMENT ARMOR VESTS.**

21 Section 1001(a)(23) of title I of the Omnibus Crime
22 Control and Safe Streets Act of 1968 (42 U.S.C.
23 3793(a)(23)) is amended by striking “2004” and inserting
24 “2007”.

1 **Subtitle B—Building Community**
2 **Capacity to Prevent, Reduce,**
3 **and Control Crime**

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

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

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

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

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

17 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated to carry out this section
19 \$58,265,000 for fiscal year 2004, and such sums as may
20 be necessary for each of fiscal years 2005 and 2006, to
21 remain available until expended.

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

23 “(a) IN GENERAL.—From amounts made available
24 under section 103(c), the Director of the Office of Weed
25 and Seed Strategies may implement strategies, to be

1 known as Weed and Seed strategies, to prevent, control,
2 and reduce violent crime, criminal drug-related activity,
3 and gang activity in designated Weed-and-Seed commu-
4 nities. Each such strategy shall involve both of the fol-
5 lowing activities:

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

15 “(2) SEEDING.—Activities, to be known as
16 Seeding activities, which shall include promoting and
17 coordinating a broad spectrum of community efforts
18 (such as drug abuse education, mentoring, and em-
19 ployment counseling) to provide—

20 “(A) human services, relating to preven-
21 tion, intervention, or treatment, for at-risk indi-
22 viduals and families; and

23 “(B) community revitalization efforts, in-
24 cluding enforcement of building codes and de-
25 velopment of the economy.

1 “(b) GUIDELINES.—The Director shall issue guide-
2 lines for the development and implementation of Weed and
3 Seed strategies under this section. The guidelines shall en-
4 sure that the Weed and Seed strategy for a community
5 referred to in subsection (a) shall—

6 “(1) be planned and implemented through and
7 under the auspices of a steering committee, properly
8 established in the community, comprised of—

9 “(A) in a voting capacity, representatives
10 of—

11 “(i) appropriate law enforcement
12 agencies; and

13 “(ii) other public and private agencies,
14 and neighborhood and community-based
15 organizations, interested in criminal justice
16 and community-based development and re-
17 vivalization in the community; and

18 “(B) in a voting capacity, both—

19 “(i) the Drug Enforcement Adminis-
20 tration’s special agent in charge for the ju-
21 risdiction encompassing the community;
22 and

23 “(ii) the United States Attorney for
24 the District encompassing the community;

1 “(2) describe how law enforcement agencies,
2 other public and private agencies, neighborhood and
3 community-based organizations, and interested citi-
4 zens are to cooperate in implementing the strategy;
5 and

6 “(3) incorporate a community-policing compo-
7 nent that shall serve as a bridge between the Weed-
8 ing activities under subsection (a)(1) and the Seed-
9 ing activities under subsection (a)(2).

10 “(c) DESIGNATION.—For a community to be des-
11 ignated as a Weed-and-Seed community for purposes of
12 subsection (a)—

13 “(1) the United States Attorney for the District
14 encompassing the community must certify to the Di-
15 rector that—

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

19 “(B) the Weed and Seed strategy pro-
20 posed, adopted, or implemented by the steering
21 committee has a high probability of improving
22 the criminal justice system within the commu-
23 nity and contains all the elements required by
24 the Director; and

1 “(C) the steering committee is capable of
2 implementing the strategy appropriately; and

3 “(2) the community must agree to formulate a
4 timely and effective plan to independently sustain
5 the strategy (or, at a minimum, a majority of the
6 best practices of the strategy) when assistance under
7 this section is no longer available.

8 “(d) APPLICATION.—An application for designation
9 as a Weed-and-Seed community for purposes of subsection
10 (a) shall be submitted to the Director by the steering com-
11 mittee of the community in such form, and containing
12 such information and assurances, as the Director may re-
13 quire. The application shall propose—

14 “(1) a sustainable Weed and Seed strategy that
15 includes—

16 “(A) the active involvement of the United
17 States Attorney for the District encompassing
18 the community, the Drug Enforcement Admin-
19 istration’s special agent in charge for the juris-
20 diction encompassing the community, and other
21 Federal law enforcement agencies operating in
22 the vicinity;

23 “(B) a significant community-oriented po-
24 licing component; and

1 “(C) demonstrated coordination with com-
2 plementary neighborhood and community-based
3 programs and initiatives; and

4 “(2) a methodology with outcome measures and
5 specific objective indicia of performance to be used
6 to evaluate the effectiveness of the strategy.

7 “(e) GRANTS.—

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

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

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

16 “(B) may not use any of the grant
17 amounts for construction, except that the As-
18 sistant Attorney General may authorize use of
19 grant amounts for incidental or minor construc-
20 tion, renovation, or remodeling.

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

24 “(A) for a period of more than 10 fiscal
25 years;

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

7 “(C) in an aggregate amount of more than
8 \$1,000,000, except that the Assistant Attorney
9 General may, upon a showing of extraordinary
10 circumstances, authorize grants for not more
11 than an additional \$500,000.

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

14 “(A) to the extent practicable, the distribu-
15 tion of such grants is geographically equitable
16 and includes both urban and rural areas of
17 varying population and area; and

18 “(B) priority is given to communities that
19 clearly and effectively coordinate crime preven-
20 tion programs with other Federal programs in
21 a manner that addresses the overall needs of
22 such communities.

23 “(5) FEDERAL SHARE.—(A) Subject to sub-
24 paragraph (B), the Federal share of a grant under
25 this subsection may not exceed 75 percent of the

1 total costs of the projects described in the applica-
2 tion for which the grant was made.

3 “(B) The requirement of subparagraph (A)—

4 “(i) may be satisfied in cash or in kind;
5 and

6 “(ii) may be waived by the Assistant Attor-
7 ney General upon a determination that the fi-
8 nancial circumstances affecting the applicant
9 warrant a finding that such a waiver is equi-
10 table.

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

18 (b) ABOLISHMENT OF EXECUTIVE OFFICE OF WEED
19 AND SEED; TRANSFERS OF FUNCTIONS.—

20 (1) ABOLISHMENT.—The Executive Office of
21 Weed and Seed is abolished.

22 (2) TRANSFER.—There are hereby transferred
23 to the Office of Weed and Seed Strategies all func-
24 tions and activities performed immediately before

1 the date of the enactment of this Act by the Execu-
2 tive Office of Weed and Seed Strategies.

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

6 **Subtitle C—Assisting Victims of**
7 **Crime**

8 **SEC. 221. GRANTS TO LOCAL NONPROFIT ORGANIZATIONS**
9 **TO IMPROVE OUTREACH SERVICES TO VIC-**
10 **TIMS OF CRIME.**

11 Section 1404(c) of the Victims of Crime Act of 1984
12 (42 U.S.C. 10603(c)), as most recently amended by sec-
13 tion 623 of the USA PATRIOT Act (Public Law 107–
14 56; 115 Stat. 372), is amended—

15 (1) in paragraph (1)—

16 (A) in the matter preceding subparagraph
17 (A), by striking the comma after “Director”;

18 (B) in subparagraph (A), by striking
19 “and” at the end;

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

22 (D) by adding at the end the following new
23 subparagraph:

24 “(C) for nonprofit neighborhood and commu-
25 nity-based victim service organizations and coalitions

1 to improve outreach and services to victims of
2 crime.”;

3 (2) in paragraph (2)—

4 (A) in subparagraph (A)—

5 (i) by striking “paragraph (1)(A)”
6 and inserting “paragraphs (1)(A) and
7 (1)(C)”;

8 (ii) by striking “and” at the end;

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

11 (C) by adding at the end the following new
12 subparagraph:

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

15 **SEC. 222. CLARIFICATION AND ENHANCEMENT OF CERTAIN**
16 **AUTHORITIES RELATING TO CRIME VICTIMS**
17 **FUND.**

18 Section 1402 of the Victims of Crime Act of 1984
19 (42 U.S.C. 10601) is amended as follows:

20 (1) **AUTHORITY TO ACCEPT GIFTS.**—Subsection
21 (b)(5) of such section is amended by striking the pe-
22 riod at the end and inserting the following: “, which
23 the Director is hereby authorized to accept for de-
24 posit into the Fund, except that the Director is not

1 hereby authorized to accept any such gift, bequest,
2 or donation that—

3 “(A) attaches conditions inconsistent with
4 applicable laws or regulations; or

5 “(B) is conditioned upon or would require
6 the expenditure of appropriated funds that are
7 not available to the Office for Victims of
8 Crime.”.

9 (2) AUTHORITY TO REPLENISH ANTITERRORISM
10 EMERGENCY RESERVE.—Subsection (d)(5)(A) of
11 such section is amended by striking “expended” and
12 inserting “obligated”.

13 (3) AUTHORITY TO MAKE GRANTS TO INDIAN
14 TRIBES FOR VICTIM ASSISTANCE PROGRAMS.—Sub-
15 section (g) of such section is amended—

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

18 (B) by redesignating paragraph (2) as
19 paragraph (3); and

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

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

1 **SEC. 223. AMOUNTS RECEIVED UNDER CRIME VICTIM**
2 **GRANTS MAY BE USED BY STATE FOR TRAIN-**
3 **ING PURPOSES.**

4 (a) CRIME VICTIM COMPENSATION.—Section
5 1403(a)(3) of the Victims of Crime Act of 1984 (42
6 U.S.C. 10602(a)(3)) is amended by inserting after “may
7 be used for” the following: “training purposes and”.

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

12 **SEC. 224. CLARIFICATION OF AUTHORITIES RELATING TO**
13 **VIOLENCE AGAINST WOMEN FORMULA AND**
14 **DISCRETIONARY GRANT PROGRAMS.**

15 (a) CLARIFICATION OF SPECIFIC PURPOSES.—Sec-
16 tion 2001(b) of the Omnibus Crime Control and Safe
17 Streets Act of 1968 (42 U.S.C. 3796gg(b)) is amended
18 in the matter preceding paragraph (1) by inserting after
19 “violent crimes against women” the following: “to develop
20 and strengthen victim services in cases involving violent
21 crimes against women”.

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

1 (c) CLARIFICATION OF STATE GRANTS.—Section
2 2007 of the Omnibus Crime Control and Safe Streets Act
3 of 1968 (42 U.S.C. 3796gg–1), as redesignated pursuant
4 to the amendment made by subsection (b), is amended—

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

7 (2) in subsection (b)—

8 (A) in each of paragraphs (2) and (3), by
9 striking “ $\frac{1}{54}$ ” and inserting “ $\frac{1}{53}$ ”; and

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

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

14 (4) in subsection (d)—

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

18 (B) in the third sentence, by striking “An
19 application” and inserting “In addition, each
20 application submitted by a State or tribal gov-
21 ernment”.

22 (d) CHANGE FROM ANNUAL TO BIENNIAL REPORT-
23 ING.—Section 2009(b) of such Act (42 U.S.C. 3796gg–
24 3), as redesignated pursuant to the amendment made by
25 subsection (b), is amended by striking “Not later than”

1 and all that follows through “the Attorney General shall
2 submit” and inserting the following: “Not later than one
3 month after the end of each even-numbered fiscal year,
4 the Attorney General shall submit”.

5 (e) AVAILABILITY OF FORENSIC MEDICAL EXAMS.—
6 Section 2010 of such Act (42 U.S.C. 3796gg-4), as reded-
7 icated pursuant to the amendment made by subsection
8 (b), is amended by adding at the end the following new
9 subsections:

10 “(c) USE OF FUNDS.—A State or Indian tribal gov-
11 ernment may use Federal grant funds under this part to
12 pay for forensic medical exams performed by trained ex-
13 aminers for victims of sexual assault, except that such
14 funds may not be used to pay for forensic medical exams
15 by any State or Indian tribal government that requires
16 victims of sexual assault to seek reimbursement for such
17 exams from their insurance carriers.

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

24 (f) TECHNICAL AMENDMENT.—The heading for Part
25 T of title I of the Omnibus Crime Control and Safe Streets

1 Act of 1968 (42 U.S.C. 3796gg et seq.) is amended to
2 read as follows:

3 **“PART T—GRANTS TO COMBAT VIOLENT CRIMES**
4 **AGAINST WOMEN”.**

5 **SEC. 225. EXPANSION OF GRANT PROGRAMS ASSISTING EN-**
6 **FORCEMENT OF DOMESTIC VIOLENCE CASES**
7 **TO ALSO ASSIST ENFORCEMENT OF SEXUAL**
8 **ASSAULT CASES.**

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

13 (1) in subsection (a), by striking “to treat do-
14 mestic violence as a serious violation” and inserting
15 “to treat domestic violence and sexual assault as se-
16 rious violations”;

17 (2) in subsection (b)—

18 (A) in each of paragraphs (2) and (5), by
19 striking “domestic violence and dating violence”
20 and inserting “domestic violence, sexual assault,
21 and dating violence”;

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

1 (C) in paragraph (6), by striking “about
2 domestic violence” and inserting “about domes-
3 tic violence and sexual assault”; and

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

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

8 “(2) the term”.

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

13 (c) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE
14 ENFORCEMENT ASSISTANCE.—Section 40295(a) of the
15 Violence Against Women Act of 1994 (title IV of the Vio-
16 lent Crime Control and Law Enforcement Act of 1994;
17 42 U.S.C. 13971(a)) is amended in each of paragraphs
18 (1) and (2) by striking “domestic violence and dating vio-
19 lence (as defined in section 2003” and inserting “domestic
20 violence, sexual assault, and dating violence (as such
21 terms are defined in section 2008”.

22 **SEC. 226. CHANGE OF CERTAIN REPORTS FROM ANNUAL**
23 **TO BIENNIAL.**

24 (a) STALKING AND DOMESTIC VIOLENCE.—Section
25 40610 of the Violence Against Women Act of 1994 (title

1 IV of the Violent Crime Control and Law Enforcement
2 Act of 1994; 42 U.S.C. 14039) is amended by striking
3 “The Attorney General shall submit to the Congress an
4 annual report, beginning one year after the date of the
5 enactment of this Act, that provides” and inserting “Each
6 even-numbered fiscal year, the Attorney General shall sub-
7 mit to the Congress a biennial report that provides”.

8 (b) SAFE HAVENS FOR CHILDREN.—Section
9 1301(d)(1) of the Victims of Trafficking and Violence
10 Protection Act of 2000 (42 U.S.C. 10420(d)(1)) is amend-
11 ed in the matter preceding subparagraph (A) by striking
12 “Not later than 1 year after the last day of the first fiscal
13 year commencing on or after the date of the enactment
14 of this Act, and not later than 180 days after the last
15 day of each fiscal year thereafter,” and inserting “Not
16 later than one month after the end of each even-numbered
17 fiscal year,”.

18 **SEC. 227. CLARIFICATION OF RECIPIENTS AND PROGRAMS**
19 **ELIGIBLE FOR GRANTS UNDER RURAL DO-**
20 **MESTIC VIOLENCE AND CHILD ABUSE EN-**
21 **FORCEMENT ASSISTANCE PROGRAM.**

22 Section 40295 of the Violence Against Women Act
23 of 1994 (title IV of the Violent Crime Control and Law
24 Enforcement Act of 1994; 42 U.S.C. 13971) is amended
25 as follows:

1 (1) in subsection (a), in the matter preceding
2 paragraph (1), by striking “to States, Indian tribal
3 governments, and local governments of rural States,
4 and to other public or private entities of rural
5 States” and inserting “to States, Indian tribal gov-
6 ernments, local governments, and public or private
7 entities, for programs serving rural areas or rural
8 communities”; and

9 (2) in subsection (b)—

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

12 (B) by striking “Indians.” and all that fol-
13 lows through the period at the end and insert-
14 ing “Indians; and

15 “(2) the terms ‘rural area’ and ‘rural commu-
16 nity’ have the meanings given those terms in section
17 491(k)(2) of the McKinney-Vento Homeless Assist-
18 ance Act (42 U.S.C. 11408(k)(2)).”.

19 **Subtitle D—Preventing Crime**

20 **SEC. 231. CLARIFICATION OF DEFINITION OF VIOLENT OF-** 21 **FENDER FOR PURPOSES OF JUVENILE DRUG** 22 **COURTS.**

23 Section 2953(b) of the Omnibus Crime Control and
24 Safe Streets Act of 1968 (42 U.S.C. 3797u–2(b)) is
25 amended in the matter preceding paragraph (1) by strik-

1 ing “an offense that” and inserting “a felony-level offense
2 that”.

3 **SEC. 232. CHANGES TO DISTRIBUTION AND ALLOCATION OF**
4 **GRANTS FOR DRUG COURTS.**

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

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

11 “(b) **TECHNICAL ASSISTANCE AND TRAINING.**—Un-
12 less one or more applications submitted by any State or
13 unit of local government within such State (other than an
14 Indian tribe) for a grant under this part has been funded
15 in any fiscal year, such State, together with eligible appli-
16 cants within such State, shall be provided targeted tech-
17 nical assistance and training by the Community Capacity
18 Development Office to assist such State and such eligible
19 applicants to successfully compete for future funding
20 under this part.”.

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

5 Section 2951(a)(1) of such Act (42 U.S.C.
6 3797u(a)(1)) is amended by striking “offenders with sub-
7 stance abuse problems” and inserting “offenders, and
8 other individuals under the jurisdiction of the court, with
9 substance abuse problems”.

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

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

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

22 “(1) directed at the substance abuse problems
23 of the prisoners; and

24 “(2) intended to develop the cognitive, behav-
25 ioral, and other skills of prisoners in order to ad-

1 dress the substance abuse and related problems of
2 prisoners.”.

3 **Subtitle E—Other Matters**

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

5 (a) CERTAIN PROGRAMS THAT ARE EXEMPT FROM
6 PAYING STATES INTEREST ON LATE DISBURSEMENTS
7 ALSO EXEMPTED FROM PAYING CHARGE TO TREASURY
8 FOR UNTIMELY DISBURSEMENTS.—Section 204(f) of
9 such Act (116 Stat. 1776; 31 U.S.C. 6503 note) is amend-
10 ed—

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

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

15 (b) SOUTHWEST BORDER PROSECUTOR INITIATIVE
16 INCLUDED AMONG SUCH EXEMPTED PROGRAMS.—Sec-
17 tion 204(f) of such Act is further amended by striking
18 “pursuant to section 501(a)” and inserting “pursuant to
19 the Southwest Border Prosecutor Initiative (as carried out
20 pursuant to paragraph (3) (117 Stat. 64) under the head-
21 ing relating to Community Oriented Policing Services of
22 the Department of Justice Appropriations Act, 2003 (title
23 I of division B of Public Law 108–7), or as carried out
24 pursuant to any subsequent authority) or section 501(a)”.

1 (c) FUNDS AVAILABLE FOR ATFE MAY BE USED
2 FOR AIRCRAFT, BOATS, AMMUNITION, FIREARMS, FIRE-
3 ARMS COMPETITIONS, AND ANY AUTHORIZED ACTIV-
4 ITY.—Section 530C(b) of title 28, United States Code, is
5 amended—

6 (1) in paragraph (2), in each of subparagraphs
7 (A) and (B), by inserting “for the Bureau of Alco-
8 hol, Tobacco, Firearms, and Explosives,” before “for
9 the Drug Enforcement Administration,”; and

10 (2) by adding at the end the following new
11 paragraph:

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

17 (d) AUDITS AND REPORTS ON ATFE UNDERCOVER
18 INVESTIGATIVE OPERATIONS.—Section 102(b) of the De-
19 partment of Justice and Related Agencies Appropriations
20 Act, 1993 (28 U.S.C. 533 note), as in effect pursuant to
21 section 815(d) of the Antiterrorism and Effective Death
22 Penalty Act of 1996 (28 U.S.C. 533 note) shall apply with
23 respect to the Bureau of Alcohol, Tobacco, Firearms, and
24 Explosives and the undercover investigative operations of
25 the Bureau on the same basis as such section applies with

1 respect to any other agency and the undercover investiga-
2 tive operations of such agency.

3 **SEC. 242. COORDINATION DUTIES OF ASSISTANT ATTOR-**
4 **NEY GENERAL.**

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

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

16 **SEC. 243. SIMPLIFICATION OF COMPLIANCE DEADLINES**
17 **UNDER SEX-OFFENDER REGISTRATION LAWS.**

18 (a) COMPLIANCE PERIOD.—A State shall not be
19 treated, for purposes of any provision of law, as having
20 failed to comply with section 170101 (42 U.S.C. 14071)
21 or 170102 (42 U.S.C. 14072) of the Violent Crime Con-
22 trol and Law Enforcement Act of 1994 until 36 months
23 after the date of the enactment of this Act, except that
24 the Attorney General may grant an additional 24 months

1 to a State that is making good faith efforts to comply with
2 such sections.

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

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

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

12 (1) CRIMINAL JUSTICE FACILITY CONSTRUC-
13 TION PILOT PROGRAM.—Part F (42 U.S.C. 3769–
14 3769d).

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

17 (b) VIOLENT CRIME CONTROL AND LAW ENFORCE-
18 MENT ACT PROGRAMS.—The following provisions of the
19 Violent Crime Control and Law Enforcement Act of 1994
20 are repealed:

21 (1) LOCAL CRIME PREVENTION BLOCK GRANT
22 PROGRAM.—Subtitle B of title III (42 U.S.C.
23 13751–13758).

1 (2) ASSISTANCE FOR DELINQUENT AND AT-
2 RISK YOUTH.—Subtitle G of title III (42 U.S.C.
3 13801–13802).

4 (3) IMPROVED TRAINING AND TECHNICAL AU-
5 TOMATION.—Subtitle E of title XXI (42 U.S.C.
6 14151).

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

9 **SEC. 245. ELIMINATION OF CERTAIN NOTICE AND HEARING**
10 **REQUIREMENTS.**

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

13 (1) NOTICE AND HEARING ON DENIAL OR TER-
14 MINATION OF GRANT.—Section 802 (42 U.S.C.
15 3783) of such part is amended—

16 (A) by striking subsections (b) and (c);
17 and

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

19 (2) FINALITY OF DETERMINATIONS.—Section
20 803 (42 U.S.C. 3784) of such part is amended—

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

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

1 (3) REPEAL OF APPELLATE COURT REVIEW.—
2 Section 804 (42 U.S.C. 3785) of such part is re-
3 pealed.

4 **SEC. 246. AMENDED DEFINITIONS FOR PURPOSES OF OMNI-**
5 **BUS CRIME CONTROL AND SAFE STREETS**
6 **ACT OF 1968.**

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

10 (1) INDIAN TRIBE.—Subsection (a)(3)(C) of
11 such section is amended by striking “(as that term
12 is defined in section 103 of the Juvenile Justice and
13 Delinquency Prevention Act of 1974 (42 U.S.C.
14 5603))”.

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

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

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

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

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

3 (C) by adding at the end the following new
4 paragraphs:

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

9 “(27) the term ‘private person’ means any indi-
10 vidual (including an individual acting in his official
11 capacity) and any private partnership, corporation,
12 association, organization, or entity (or any combina-
13 tion thereof).”.

14 **SEC. 247. CLARIFICATION OF AUTHORITY TO PAY SUBSIST-**
15 **ENCE PAYMENTS TO PRISONERS FOR**
16 **HEALTH CARE ITEMS AND SERVICES.**

17 Section 4006 of title 18, United States Code, is
18 amended—

19 (1) in subsection (a) by inserting after “The
20 Attorney General” the following: “or the Secretary
21 of Homeland Security, as applicable,”; and

22 (2) in subsection (b)(1)—

23 (A) by striking “the Immigration and Nat-
24 uralization Service” and inserting “the Depart-
25 ment of Homeland Security”;

1 (B) by striking “shall not exceed the lesser
2 of the amount” and inserting “shall be the
3 amount billed, not to exceed the amount”;

4 (C) by striking “items and services” and
5 all that follows through “the Medicare pro-
6 gram” and inserting “items and services under
7 the Medicare program”; and

8 (D) by striking “; or” and all that follows
9 through the period at the end and inserting a
10 period.

11 **SEC. 248. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
12 **MENT.**

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

17 **“SEC. 105. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
18 **MENT.**

19 “(a) ESTABLISHMENT.—

20 “(1) IN GENERAL.—There is established within
21 the Office an Office of Audit, Assessment, and Man-
22 agement, headed by a Director appointed by the At-
23 torney General. In carrying out the functions of the
24 Office, the Director shall be subject to the authority,
25 direction, and control of the Attorney General. Such

1 authority, direction, and control may be delegated
2 only to the Assistant Attorney General, without re-
3 delegation.

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

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

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

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

22 “(2) Any grant program carried out by the Of-
23 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 as authorized by this section.”.

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. In carrying out the functions of the Office,
22 the Director shall be subject to the authority, direc-
23 tion, and control of the Attorney General. Such au-
24 thority, direction, and control may be delegated only

1 to the Assistant Attorney General, without redelega-
2 tion.

3 “(2) PURPOSE.—The purpose of the Office
4 shall be to provide training to actual and prospective
5 participants under programs covered by section
6 105(b) to assist such participants in understanding
7 the substantive and procedural requirements for par-
8 ticipating in such programs.

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

17 “(b) MEANS.—The Director shall, in coordination
18 with the heads of the other elements of the Department,
19 carry out the purpose of the Office through the following
20 means:

21 “(1) Promoting coordination of public and pri-
22 vate efforts and resources within or available to
23 States, units of local government, and neighborhood
24 and community-based organizations.

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

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

7 “(4) Providing in the assessment of the effec-
8 tiveness of neighborhood and community-based law
9 enforcement and crime prevention strategies and
10 techniques, in coordination with the National Insti-
11 tute of Justice.

12 “(5) Any other similar means.

13 “(c) LOCATIONS.—Training referred to in subsection
14 (a) shall be provided on a regional basis to groups of such
15 participants. In a case in which remedial training is appro-
16 priate, as recommended by the Director or the head of
17 any element of the Department, such training may be pro-
18 vided on a local basis to a single such participant.

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

20 “(1) identify grants under which clearly bene-
21 ficial outcomes were obtained, and the characteris-
22 tics of those grants that were responsible for obtain-
23 ing those outcomes; and

24 “(2) incorporate those characteristics into the
25 training provided under this section.

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

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

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

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

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

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

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

17 “(1) IN GENERAL.—Unless otherwise specifi-
18 cally provided in an authorization, DOJ grant funds
19 for a fiscal year shall remain available to be awarded
20 and distributed to a grantee only in that fiscal year
21 and the three succeeding fiscal years, subject to
22 paragraphs (2) and (3). DOJ grant funds not so
23 awarded and distributed shall revert to the Treas-
24 ury.

1 “(2) TREATMENT OF REPROGRAMMED
2 FUNDS.—DOJ grant funds for a fiscal year that are
3 reprogrammed in a later fiscal year shall be treated
4 for purposes of paragraph (1) as DOJ grant funds
5 for such later fiscal year.

6 “(3) TREATMENT OF DEOBLIGATED FUNDS.—If
7 DOJ grant funds were obligated and then
8 deobligated, the period of availability that applies to
9 those grant funds under paragraph (1) shall be ex-
10 tended by a number of days equal to the number of
11 days from the date on which those grant funds were
12 obligated to the date on which those grant funds
13 were deobligated.

14 “(b) PERIOD FOR EXPENDING GRANT FUNDS.—
15 DOJ grant funds for a fiscal year that have been awarded
16 and distributed to a grantee may be expended by that
17 grantee only in the period permitted under the terms of
18 the grant. DOJ grant funds not so expended shall revert
19 to the Treasury.

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

1 “(d) **APPLICABILITY.**—This section applies to DOJ
2 grant funds for fiscal years beginning with fiscal year
3 2004.”.

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. 252. CONSOLIDATION OF FINANCIAL MANAGEMENT**
8 **SYSTEMS OF OFFICE OF JUSTICE PROGRAMS.**

9 (a) **CONSOLIDATION OF ACCOUNTING ACTIVITIES**
10 **AND PROCUREMENT ACTIVITIES.**—The Assistant Attor-
11 ney General of the Office of Justice Programs shall ensure
12 that—

13 (1) all accounting activities for all elements of
14 the Office of Justice Programs are carried out under
15 the direct management of the Office of the Comp-
16 troller; and

17 (2) all procurement activities for all elements of
18 the Office are carried out under the direct manage-
19 ment of the Office of Administration.

20 (b) **FURTHER CONSOLIDATION OF PROCUREMENT**
21 **ACTIVITIES.**—The Assistant Attorney General shall en-
22 sure that, on and after September 30, 2007—

23 (1) all procurement activities for all elements of
24 the Office are carried out through a single manage-
25 ment office; and

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

4 (c) CONSOLIDATION OF FINANCIAL MANAGEMENT
5 SYSTEMS.—The Assistant Attorney General shall ensure
6 that, on and after September 30, 2010, all financial man-
7 agement activities (including human resources, payroll,
8 and accounting activities, as well as procurement activi-
9 ties) of all elements of the Office are carried out through
10 a single financial management system.

11 (d) ACHIEVING COMPLIANCE.—

12 (1) SCHEDULE.—The Assistant Attorney Gen-
13 eral shall undertake a scheduled consolidation of op-
14 erations to achieve compliance with the requirements
15 of this section.

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

18 (A) subsection (a), the consolidation of op-
19 erations shall be initiated not later than 90
20 days after the date of the enactment of this
21 Act; and

22 (B) subsections (b) and (c), the consolida-
23 tion of operations shall be initiated not later
24 than September 30, 2005, and shall be carried
25 out by the Office of Administration, in con-

1 sultation with the Chief Information Officer
2 and the Office of Audit, Assessment, and Man-
3 agement.

4 **SEC. 253. AUTHORIZATION AND CHANGE OF COPS PRO-**
5 **GRAM TO SINGLE GRANT PROGRAM.**

6 (a) IN GENERAL.—Section 1701 of title I of the Om-
7 nibus Crime Control and Safe Streets Act of 1968 (42
8 U.S.C. 3796dd) is amended—

9 (1) by amending subsection (a) to read as fol-
10 lows:

11 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
12 eral shall carry out a single grant program under which
13 the Attorney General makes grants to States, units of
14 local government, Indian tribal governments, other public
15 and private entities, and multi-jurisdictional or regional
16 consortia for the purposes described in subsection (b).”;

17 (2) by striking subsections (b) and (c);

18 (3) by redesignating subsection (d) as sub-
19 section (b), and in that subsection—

20 (A) by striking “ADDITIONAL GRANT
21 PROJECTS.—Grants made under subsection (a)
22 may include programs, projects, and other ac-
23 tivities to—” and inserting “USES OF GRANT
24 AMOUNTS.—The purposes for which grants

1 made under subsection (a) may be made are—
2 ”;

3 (B) by redesignating paragraphs (1)
4 through (12) as paragraphs (5) through (16),
5 respectively;

6 (C) by inserting before paragraph (5) (as
7 so redesignated) the following new paragraphs:

8 “(1) rehire law enforcement officers who have
9 been laid off as a result of State and local budget
10 reductions for deployment in community-oriented po-
11 licing;

12 “(2) hire and train new, additional career law
13 enforcement officers for deployment in community-
14 oriented policing across the Nation;

15 “(3) procure equipment, technology, or support
16 systems, or pay overtime, to increase the number of
17 officers deployed in community-oriented policing;

18 “(4) improve security at schools and on school
19 grounds in the jurisdiction of the grantee through—

20 “(A) placement and use of metal detectors,
21 locks, lighting, and other deterrent measures;

22 “(B) security assessments;

23 “(C) security training of personnel and
24 students;

1 “(D) coordination with local law enforce-
2 ment; and

3 “(E) any other measure that, in the deter-
4 mination of the Attorney General, may provide
5 a significant improvement in security;”;

6 (D) by amending paragraph (8) (as so re-
7 designated) to read as follows:

8 “(8) develop new technologies, including inter-
9 operable communications technologies, modernized
10 criminal record technology, and forensic technology,
11 to assist State and local law enforcement agencies in
12 reorienting the emphasis of their activities from re-
13 acting to crime to preventing crime and to train law
14 enforcement officers to use such technologies;”;

15 (4) by redesignating subsections (e) through (k)
16 as subsections (c) through (i), respectively;

17 (5) in subsection (c) (as so redesignated) by
18 striking “subsection (i)” and inserting “subsection
19 (g)”;

20 (6) by adding at the end the following new sub-
21 section:

22 “(j) MATCHING FUNDS FOR SCHOOL SECURITY
23 GRANTS.—Notwithstanding subsection (i), in the case of
24 a grant under subsection (a) for the purposes described
25 in subsection (b)(4)—

1 “(1) the portion of the costs of a program pro-
2 vided by that grant may not exceed 50 percent;

3 “(2) any funds appropriated by Congress for
4 the activities of any agency of an Indian tribal gov-
5 ernment or the Bureau of Indian Affairs performing
6 law enforcement functions on any Indian lands may
7 be used to provide the non-Federal share of a
8 matching requirement funded under this subsection;
9 and

10 “(3) the Attorney General may provide, in the
11 guidelines implementing this section, for the require-
12 ment of paragraph (1) to be waived or altered in the
13 case of a recipient with a financial need for such a
14 waiver or alteration.”.

15 (b) CONFORMING AMENDMENT.—Section 1702 of
16 title I of such Act (42 U.S.C. 3796dd–1) is amended in
17 subsection (d)(2) by striking “section 1701(d)” and in-
18 serting “section 1701(b)”.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
20 1001(a)(11) of title I of such Act (42 U.S.C. 3793(a)(11))
21 is amended—

22 (1) in subparagraph (A) by striking clause (i)
23 and all that follows through the period at the end
24 and inserting the following:

25 “(i) \$1,007,624,000 for fiscal year 2004;

1 “(ii) \$1,027,176,000 for fiscal year 2005; and

2 “(iii) \$1,047,119,000 for fiscal year 2006.”;

3 and

4 (2) in subparagraph (B)—

5 (A) by striking “section 1701(f)” and in-
6 serting “section 1701(d)”; and

7 (B) by striking the third sentence.

8 **SEC. 254. CLARIFICATION OF PERSONS ELIGIBLE FOR BEN-**
9 **EFITS UNDER PUBLIC SAFETY OFFICERS’**
10 **DEATH BENEFITS PROGRAMS.**

11 (a) **PERSONS ELIGIBLE FOR DEATH BENEFITS.**—

12 Section 1204 of the Omnibus Crime Control and Safe
13 Streets Act of 1968 (42 U.S.C. 3796b), as most recently
14 amended by section 2(a) of the Mychal Judge Police and
15 Fire Chaplains Public Safety Officers’ Benefit Act of 2002
16 (Public Law 107–196; 116 Stat. 719), is amended—

17 (1) by redesignating paragraphs (7) and (8) as
18 paragraphs (8) and (9), respectively;

19 (2) by inserting after paragraph (6) the fol-
20 lowing new paragraph:

21 “(7) ‘member of a rescue squad or ambulance
22 crew’ means an officially recognized or designated
23 public employee member of a rescue squad or ambu-
24 lance crew;”; and

1 (3) in paragraph (4) by striking “and” and all
2 that follows through the end and inserting a semi-
3 colon.

4 (b) CLARIFICATION OF LIMITATION ON PAYMENTS IN
5 NON-CIVILIAN CASES.—Section 1202(5) of such Act (42
6 U.S.C. 3796a(5)) is amended by inserting “with respect”
7 before “to any individual”.

8 (c) WAIVER OF COLLECTION IN CERTAIN CASES.—
9 Section 1201 of such Act (42 U.S.C. 3796) is amended
10 by adding at the end the following:

11 “(k) In any case in which the Bureau paid, before
12 the date of the enactment of Public Law 107–196, any
13 benefit under this part to an individual who—

14 “(1) before the enactment of that law was enti-
15 tled to receive that benefit; and

16 “(2) by reason of the retroactive effective date
17 of that law is no longer entitled to receive that ben-
18 efit,

19 “the Bureau may suspend or end activities to collect that
20 benefit if the Bureau determines that collecting that ben-
21 efit is impractical or would cause undue hardship to that
22 individual.”.

23 (d) DESIGNATION OF BENEFICIARY.—Section
24 1201(a)(4) of such Act (42 U.S.C. 3796(a)(4)) is amend-
25 ed to read as follows:

1 “(4) if there is no surviving spouse or surviving
2 child—

3 “(A) in the case of a claim made on or
4 after the date that is 90 days after the date of
5 the enactment of this subparagraph, to the indi-
6 vidual designated by such officer as beneficiary
7 under this section in such officer’s most re-
8 cently executed designation of beneficiary on
9 file at the time of death with such officer’s pub-
10 lic safety agency, organization, or unit, provided
11 that such individual survived such officer; or

12 “(B) if there is no individual qualifying
13 under subparagraph (A), to the individual des-
14 ignated by such officer as beneficiary under
15 such officer’s most recently executed life insur-
16 ance policy, provided that such individual sur-
17 vived such officer; or”.

18 **SEC. 255. RESEARCH-BASED BULLYING PREVENTION PRO-**
19 **GRAMS.**

20 Paragraph (13) of section 1801(b) of the Omnibus
21 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
22 3796ee(b)) is amended by inserting before the semicolon
23 at the end the following: “, which may include research-
24 based bullying prevention programs”.

1 **TITLE III—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 301. TECHNICAL AMENDMENTS RELATING TO PUBLIC**

4 **LAW 107-56.**

5 (a) STRIKING SURPLUS WORDS.—

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

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

12 (b) PUNCTUATION AND GRAMMAR CORRECTIONS.—

13 Section 2516(1)(q) of title 18, United States Code, is
14 amended—

15 (1) by striking the semicolon after the first
16 close parenthesis; and

17 (2) by striking “sections” and inserting “sec-
18 tion”.

19 (c) CROSS REFERENCE CORRECTION.—Section 322

20 of Public Law 107-56 is amended, effective on the date
21 of the enactment of that section, by striking “title 18”
22 and inserting “title 28”.

23 (d) CAPITALIZATION CORRECTION.—Subsections (a)

24 and (b) of section 2703 of title 18, United States Code,
25 are each amended by striking “CONTENTS OF WIRE OR

1 ELECTRONIC” and inserting “CONTENTS OF WIRE OR
2 ELECTRONIC”.

3 **SEC. 302. MISCELLANEOUS TECHNICAL AMENDMENTS.**

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

7 (b) DUPLICATE SECTION NUMBERS.—The second
8 section 540C in chapter 33 of title 28, United States Code,
9 is redesignated as section 540D, and the item relating to
10 that section in the table of sections at the beginning of
11 that chapter is redesignated accordingly and transferred
12 so as to be placed after the item relating to section 540C.

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

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

17 (d) REPEAL OF DUPLICATIVE PROGRAM.—Section
18 316 of Part A of the Runaway and Homeless Youth Act
19 (42 U.S.C. 5712d), as added by section 40155 of the Vio-
20 lent Crime Control and Law Enforcement Act of 1994
21 (Public Law 103–322; 108 Stat. 1922), is repealed.

1 **SEC. 303. MINOR SUBSTANTIVE AMENDMENT RELATING TO**
2 **CONTENTS OF FBI ANNUAL REPORT.**

3 Section 540D(b)(1)(A) of title 28, United States
4 Code, as redesignated by section 302(b), is further amend-
5 ed by inserting “and the number of such personnel who
6 receive danger pay under section 151 of the Foreign Rela-
7 tions Authorization Act, Fiscal Years 1990 and 1991 (5
8 U.S.C. 5928 note)” after “year”.

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

10 (a) **FEDERAL TRAINING FACILITIES.**—Unless specifi-
11 cally authorized in writing by the Attorney General, the
12 Department of Justice (and each entity within it) shall
13 use for any predominately internal training or conference
14 meeting only a facility that does not require a payment
15 to a private entity for use of the facility.

16 (b) **ANNUAL REPORT.**—The Attorney General shall
17 prepare an annual report to the Chairmen and ranking
18 minority members of the Committees on the Judiciary of
19 the Senate and of the House of Representatives that de-
20 tails each training and conference meeting that requires
21 specific authorization under subsection (a). The report
22 shall include an explanation of why the facility was chosen,
23 and a breakdown of any expenditures incurred in excess
24 of the cost of conducting the training or meeting at a facil-
25 ity that did not require such authorization.

1 **SEC. 305. PRIVACY OFFICER.**

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

5 (b) RESPONSIBILITIES.—The responsibilities of such
6 official shall include—

7 (1) assuring that the use of technologies sus-
8 tain, and do not erode, privacy protections relating
9 to the use, collection, and disclosure of personally
10 identifiable information;

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

15 (3) evaluating legislative and regulatory pro-
16 posals involving collection, use, and disclosure of
17 personally identifiable information by the Federal
18 Government;

19 (4) conducting a privacy impact assessment of
20 proposed rules of the Department on the privacy of
21 personally identifiable information, including the
22 type of personally identifiable information collected
23 and the number of people affected;

24 (5) preparing a report to Congress on an an-
25 nual basis on activities of the Department that af-
26 fect privacy, including complaints of privacy viola-

1 tions, implementation of section 552a of title 5,
2 United States Code, internal controls, and other rel-
3 evant matters;

4 (6) ensuring that the Department protects per-
5 sonally identifiable information and information sys-
6 tems from unauthorized access, use, disclosure, dis-
7 ruption, modification, or destruction in order to pro-
8 vide—

9 (A) integrity, which means guarding
10 against improper information modification or
11 destruction, and includes ensuring information
12 nonrepudiation and authenticity;

13 (B) confidentially, which means preserving
14 authorized restrictions on access and disclosure,
15 including means for protecting personal privacy
16 and proprietary information;

17 (C) availability, which means ensuring
18 timely and reliable access to and use of that in-
19 formation; and

20 (D) authentication, which means utilizing
21 digital credentials to assure the identity of
22 users and validate their access; and

23 (7) advising the Attorney General and the Di-
24 rector of the Office of Management and Budget on

1 information security and privacy issues pertaining to
2 Federal Government information systems.

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

7 **SEC. 306. BANKRUPTCY CRIMES.**

8 The Director of the Executive Office for United
9 States Trustees shall prepare an annual report to the Con-
10 gress detailing—

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

13 (2) the outcomes of each criminal referral;

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

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

1 **SEC. 307. REPORT TO CONGRESS ON STATUS OF UNITED**
2 **STATES PERSONS OR RESIDENTS DETAINED**
3 **ON SUSPICION OF TERRORISM.**

4 Not less often than once every 12 months, the Attor-
5 ney General shall submit to Congress a report on the sta-
6 tus of United States persons or residents detained, as of
7 the date of the report, on suspicion of terrorism. The re-
8 port shall—

9 (1) specify the number of persons or residents
10 so detained; and

11 (2) specify the standards developed by the De-
12 partment of Justice for recommending or deter-
13 mining that a person should be tried as a criminal
14 defendant or should be designated as an enemy com-
15 batant.

16 **SEC. 308. TECHNICAL CORRECTION RELATING TO DEFINI-**
17 **TION USED IN “TERRORISM TRANSCENDING**
18 **NATIONAL BOUNDARIES” STATUTE.**

19 Section 1958 of title 18, United States Code, is
20 amended—

21 (1) in subsection (a), by striking “facility in”
22 and inserting “facility of”; and

23 (2) in subsection (b)(2), by inserting “or for-
24 eign” after “interstate”.

1 **SEC. 309. INCREASED PENALTIES AND EXPANDED JURIS-**
2 **DICTION FOR SEXUAL ABUSE OFFENSES IN**
3 **CORRECTIONAL FACILITIES.**

4 (a) **EXPANDED JURISDICTION.**—The following provi-
5 sions of title 18, United States Code, are each amended
6 by inserting “or in the custody of the Attorney General
7 or the Bureau of Prisons or any institution or facility in
8 which the person is confined by direction of the Attorney
9 General,” after “in a Federal prison,”:

10 (1) Subsections (a) and (b) of section 2241.

11 (2) The first sentence of subsection (c) of sec-
12 tion 2241.

13 (3) Section 2242.

14 (4) Subsections (a) and (b) of section 2243.

15 (5) Subsections (a) and (b) of section 2244.

16 (b) **INCREASED PENALTIES.**—

17 (1) **SEXUAL ABUSE OF A WARD.**—Section
18 2243(b) of such title is amended by striking “one
19 year” and inserting “five years”.

20 (2) **ABUSIVE SEXUAL CONTACT.**—Section 2244
21 of such title is amended by striking “six months”
22 and inserting “two years” in each of subsections
23 (a)(4) and (b).

1 **SEC. 310. EXPANDED JURISDICTION FOR CONTRABAND OF-**
2 **FENSES IN CORRECTIONAL FACILITIES.**

3 Section 1791(a) of title 18, United States Code, is
4 amended in each of paragraphs (1) and (2) by inserting
5 “or an individual in the custody of the Attorney General
6 or the Bureau of Prisons or any institution or facility in
7 which the person is confined by direction of the Attorney
8 General” after “an inmate of a prison”.

9 **SEC. 311. MAGISTRATE JUDGE’S AUTHORITY TO CONTINUE**
10 **PRELIMINARY HEARING.**

11 The second sentence of section 3060(c) of title 18,
12 United States Code, is amended to read as follows: “In
13 the absence of such consent of the accused, the judge or
14 magistrate judge may extend the time limits only on a
15 showing that extraordinary circumstances exist and justice
16 requires the delay.”.

17 **SEC. 312. RECOGNIZING THE 40TH ANNIVERSARY OF THE**
18 **FOUNDING OF THE LAWYERS’ COMMITTEE**
19 **FOR CIVIL RIGHTS UNDER LAW AND SUP-**
20 **PORTING THE DESIGNATION OF AN EQUAL**
21 **JUSTICE DAY.**

22 (a) FINDINGS.—Congress finds that—

23 (1) on June 21, 1963, President John F. Ken-
24 nedy and Attorney General Robert F. Kennedy con-
25 vened 244 members of the National, State, and local

1 private bar to provide legal representation to remedy
2 racial discrimination against minority communities;

3 (2) without President Kennedy's vision for ra-
4 cial justice, the bar would have remained silent in
5 the face of vocal resistance by Southern State legis-
6 latures against desegregation;

7 (3) for more than 4 decades, the Lawyers'
8 Committee for Civil Rights Under Law (hereinafter
9 in this section referred to as "Lawyers' Committee")
10 has worked to advance the civil rights of African-
11 Americans and other racial and ethnic minority com-
12 munities in the areas of environmental protection,
13 employment, affirmative action, fair housing, edu-
14 cation, and voting;

15 (4) the Lawyers' Committee operated an office
16 in Jackson, Mississippi, from 1964 through 1984,
17 which filed numerous cases that transformed the
18 State, including the defense of civil rights dem-
19 onstrators, desegregation of many public institutions
20 and workforces, reformation of the notorious
21 Parchman Prison, and numerous voting rights cases
22 resulting in a revolution in the number of African-
23 American elected officials in State positions and
24 Congress;

1 (5) the Lawyers' Committee fought for passage
2 of the Civil Rights Act of 1964, Voting Rights Act
3 of 1965 and the 1982 Amendments, Fair Housing
4 Act of 1988, Civil Rights Act of 1991, and National
5 Voter Registration Act of 1993;

6 (6) the Lawyers' Committee secured a land-
7 mark, unanimous United States Supreme Court de-
8 cision that strengthened first amendment protections
9 for peaceful political boycotts in *Claiborne Hardware*
10 *Co. v. NAACP*;

11 (7) the Lawyers' Committee created a police
12 community relations program in 1965 that recruited
13 African-Americans for law enforcement positions and
14 eased tensions between law enforcement officers and
15 African-American communities;

16 (8) the Lawyers' Committee defended the stu-
17 dents of Jackson State University following police
18 shootings upon a peaceful demonstration that killed
19 2 persons and wounded a dozen others;

20 (9) the Lawyers' Committee operated its Cairo,
21 Illinois office from 1969 through 1972 in response
22 to intense racial unrest and police brutality in the
23 city;

24 (10) the Lawyers' Committee recruited attor-
25 neys from the local bar to represent African-Ameri-

1 cans who could not obtain legal counsel during the
2 1960s;

3 (11) the Lawyers' Committee transformed Afri-
4 can-American voting strength by litigating critical
5 cases throughout the South to oppose archaic voter
6 discrimination laws, poll taxes, and literacy tests
7 that prevented African-Americans from registering
8 and voting;

9 (12) the Lawyers' Committee launched the
10 Urban Areas Project in 1968, which resulted in local
11 independent Lawyers' Committee offices in Philadel-
12 phia, Los Angeles, Boston, Chicago, San Francisco,
13 Denver, San Antonio, and Washington, D.C.;

14 (13) the Lawyers' Committee developed the
15 Southern African Project, which provided legal as-
16 sistance to thousands of political detainees and tech-
17 nical assistance in resisting pro-apartheid legislation
18 for more than 20 years and which monitored elec-
19 tions in Namibia in 1989 and elections in South Af-
20 rica in 1994;

21 (14) the Lawyers' Committee led the defense of
22 Executive Order 11246 when it was attacked during
23 the Reagan Administration in the 1980s;

24 (15) the Lawyers' Committee litigated a series
25 of cases from the 1970s to the present that deseg-

1 regated police and fire departments throughout the
2 Nation, notably in the State of Mississippi and in
3 Miami, Birmingham, Cleveland, Nassau County,
4 Buffalo, and Houston;

5 (16) in *Givens v. Hamlet Estates*, the Lawyers'
6 Committee acquired the first seizure order in a fair
7 housing case that led to the exposure of a decade old
8 racial coding system that denied apartments to
9 6,000 African-Americans and Hispanics in Miami,
10 Florida;

11 (17) the Lawyers' Committee obtained victories
12 in 3 cases before the United States Supreme Court
13 in 1996–1997 involving the Voting Rights Act, in-
14 cluding *Young v. Fordice*, *Lawyer v. United States*,
15 and *King v. State Board of Elections*;

16 (18) the Lawyers' Committee persuaded the
17 Environmental Protection Agency to relocate 358
18 African-American families living around the
19 Escambia toxic Superfund site in Pensacola, Flor-
20 ida;

21 (19) the Lawyers' Committee coordinated a
22 Church Burning Project in the 1990s to provide free
23 legal assistance to churches that were destroyed dur-
24 ing a bitter rampage of racially motivated church
25 burnings;

1 (20) in Washington Park Land Committee v.
2 Portsmouth, the Lawyers' Committee secured a case
3 settlement that led to the relocation of 185 families
4 from toxic lead poisoned segregated public housing
5 in Portsmouth, Virginia, to new integrated housing
6 opportunities; and

7 (21) June 21, 2003 is the 40th anniversary of
8 the founding of the Lawyers' Committee.

9 (b) RECOGNITION.—Pursuant to the findings in sub-
10 section (a), Congress—

11 (1) recognizes that these accomplishments of
12 the Lawyers' Committee reflect the tremendous com-
13 mitment to implementing justice that President
14 Kennedy embarked on 40 years ago;

15 (2) recognizes the achievements of the Lawyers'
16 Committee, as its staff and pro bono attorneys, cli-
17 ents, and friends commemorate and celebrate its
18 40th anniversary; and

19 (3) supports the designation of an appropriate
20 day as “Equal Justice Day” in honor of the dedi-
21 cated work of the Lawyers' Committee and the
22 many hours of pro bono service offered by lawyers
23 and law firms throughout this country to secure jus-
24 tice and equal opportunity for all.

1 **TITLE IV—KOBY MANDELL ACT**

2 **SEC. 401. SHORT TITLE.**

3 This title may be cited as the “Koby Mandell Act of
4 2003”.

5 **SEC. 402. FINDINGS.**

6 The Congress finds the following:

7 (1) Numerous American citizens have been
8 murdered or maimed by terrorists around the world.

9 (2) Some American citizens who have been vic-
10 tims of terrorism overseas have not received from
11 the United States Government services equal to
12 those received by other such victims of overseas ter-
13 rorism.

14 (3) The United States Government has not de-
15 voted adequate efforts or resources to the apprehen-
16 sion of terrorists who have harmed American citi-
17 zens overseas. Monetary rewards for information
18 leading to the capture of terrorists overseas, which
19 the government advertises in regions where the ter-
20 rorists are believed to be hiding, have not been ad-
21 vertised adequately.

22 (4) To remedy these and related problems, an
23 office should be established within the Department
24 of Justice for the purpose of ensuring equally vig-
25 orous efforts to capture all terrorists who have

1 harmed American citizens overseas and equal treat-
2 ment for all American victims of overseas terrorism.

3 **SEC. 403. ESTABLISHMENT OF AN OFFICE IN THE DEPART-**
4 **MENT OF JUSTICE TO UNDERTAKE SPECIFIC**
5 **STEPS TO FACILITATE THE CAPTURE OF TER-**
6 **RORISTS WHO HAVE HARMED AMERICAN**
7 **CITIZENS OVERSEAS AND TO ENSURE THAT**
8 **ALL AMERICAN VICTIMS OF OVERSEAS TER-**
9 **RORISM ARE TREATED EQUALLY.**

10 The President shall establish within the Department
11 of Justice an office (hereinafter in this title the “Office”)
12 to carry out the following activities:

13 (1) The Office shall create the Bringing Terror-
14 ists to Justice program, and in so doing will ensure
15 that—

16 (A) rewards are offered to capture all ter-
17 rorists involved in harming American citizens
18 overseas, regardless of the terrorists’ country of
19 origin or residence;

20 (B) such rewards are prominently adver-
21 tised in the mass media and public sites in all
22 countries or regions where such terrorists re-
23 side;

1 (C) the names and photographs and sus-
2 pects in all such cases are included on a web
3 site; and

4 (D) the names of the specific organizations
5 claiming responsibility for terrorist attacks
6 mentioned on the site are included in the de-
7 scriptions of those attacks.

8 (2) The Office shall establish and administer a
9 program which will provide notification for American
10 victims of overseas terrorism or their immediate
11 family to update them on the status of efforts to
12 capture the terrorists who harmed them.

13 (3) The Office shall work with the other United
14 States government agencies to expand legal restric-
15 tions on the ability of murderers to reap profits from
16 books or movies concerning their crimes—the “Son
17 of Sam” laws that currently exist in many States, so
18 as to ensure that terrorists who harm American citi-
19 zens overseas are unable to profit from book or
20 movie sales in the United States.

21 (4) The Office shall endeavor to determine if
22 terrorists who have harmed American citizens over-
23 seas are serving in their local police or security
24 forces. Whenever it is found that terrorists who have
25 harmed American citizens overseas are serving in

1 their local police or security forces, the Office shall
2 alert those United States Government agencies in-
3 volved in providing assistance, directly or indirectly,
4 to those forces, and shall request of those agencies
5 that all such assistance be halted until the aforemen-
6 tioned terrorists are removed from their positions.

7 (5) The Office shall undertake a comprehensive
8 assessment of the pattern of United States indict-
9 ments and prosecution of terrorists who have
10 harmed American citizens overseas, in order to de-
11 termine the reasons for the absence of indictments
12 of terrorists residing in some regions. The Office's
13 assessment shall then be provided to the Attorney
14 General, together with its recommendations.

15 (6) The Office shall endeavor to monitor public
16 actions by governments and regimes overseas per-
17 taining to terrorists who have harmed American citi-
18 zens, such as naming of schools, streets, or other
19 public institutions or sites after such terrorists. In
20 such instances, the Office shall encourage other
21 United States Government agencies to halt their
22 provision of assistance, directly or indirectly, to
23 those institutions.

24 (7) In cases where terrorists who have harmed
25 Americans overseas, and are subsequently released

1 from incarceration abroad, are eligible for further
2 prosecution in the United States, the Office shall co-
3 ordinate with other government agencies to seek the
4 transfer of those terrorists to the United States for
5 further prosecution.

6 **SEC. 404. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—There are authorized to be appro-
8 priated for fiscal year 2004 and subsequent fiscal years
9 such sums as may be necessary to carry out this title.

10 (b) AVAILABILITY.—Amounts appropriated under
11 subsection (a) are authorized to remain available until ex-
12 pended.

13 **TITLE V—MATTERS RELATING**
14 **TO INTELLIGENCE AND**
15 **COUNTERINTELLIGENCE**

16 **SEC. 501. FBI OFFICE OF COUNTERINTELLIGENCE.**

17 (a) IN GENERAL.—Chapter 33 of title 28, United
18 States Code, is amended by inserting after section 535 the
19 following new section:

20 **“§ 535A. Office of Counterintelligence**

21 “Subject to the supervision of the Attorney General,
22 the Director of the Federal Bureau of Investigation may
23 establish an Office of Counterintelligence within the Bu-
24 reau to investigate potential espionage activities within the
25 Bureau.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by inserting
3 after the item relating to section 535 the following new
4 item:

“535A. Office of Counterintelligence.”.

Passed the House of Representatives March 30,
2004.

Attest:

JEFF TRANDAHL,

Clerk.