

Union Calendar No. 246

108TH CONGRESS
2D SESSION

H. R. 3036

[Report No. 108–426]

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

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2003

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

FEBRUARY 24, 2004

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on September 9, 2003]

A BILL

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

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

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

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

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

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

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

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

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

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

Subtitle A—Assisting Law Enforcement and Criminal Justice Agencies

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

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

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

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

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

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

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

Sec. 211. Office of Weed and Seed Strategies.

Subtitle C—Assisting Victims of Crime

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

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

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

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

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

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

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

Subtitle D—Preventing Crime

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

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

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

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

Subtitle E—Other Matters

Sec. 241. Changes to certain financial authorities.

Sec. 242. Coordination duties of Assistant Attorney General.

Sec. 243. Simplification of compliance deadlines under sex-offender registration laws.

Sec. 244. Repeal of certain programs.

Sec. 245. Elimination of certain notice and hearing requirements.

Sec. 246. Amended definitions for purposes of Omnibus Crime Control and Safe Streets Act of 1968.

Sec. 247. Clarification of authority to pay subsistence payments to prisoners for health care items and services.

Sec. 248. Office of Audit, Assessment, and Management.

Sec. 249. Community Capacity Development Office.

Sec. 250. Office of Applied Law Enforcement Technology.

Sec. 251. Availability of funds for grants.

Sec. 252. Consolidation of financial management systems of Office of Justice programs.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Technical amendments relating to Public Law 107–56.

Sec. 302. Miscellaneous technical amendments.

Sec. 303. Minor substantive amendment relating to contents of FBI annual report.

Sec. 304. Use of Federal training facilities.

Sec. 305. Privacy officer.

Sec. 306. Bankruptcy crimes.

Sec. 307. Report to Congress on status of United States persons or residents detained on suspicion of terrorism.

TITLE IV—DNA DATABASE ENHANCEMENT

Sec. 401. Short title.

Sec. 402. Inclusion of DNA samples from all persons convicted of violent felonies.

Sec. 403. Authorization for States to upload DNA samples collected in a lawful manner.

Sec. 404. Requirement that law enforcement officers be able to compare collected DNA samples with national database.

Sec. 405. Reauthorization of DNA backlog grant program.

TITLE V—KOBY MANDELL ACT

Sec. 501. Short title.

Sec. 502. Findings.

Sec. 503. 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. 504. Authorization of appropriations.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2004.

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

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

(2) *ADMINISTRATIVE REVIEW AND APPEALS.—For Administrative Review and Appeals: \$197,420,000 for administration of pardon and clemency petitions and for immigration-related activities.*

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

(4) *GENERAL LEGAL ACTIVITIES.—For General Legal Activities: \$665,346,000, which shall include—*

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

5 (B) not to exceed \$20,000 to meet unforeseen
6 emergencies of a confidential character; and

7 (C) such sums as may be necessary for ad-
8 ministrative expenses in accordance with the Ra-
9 diation Exposure Compensation Act.

10 (5) ANTITRUST DIVISION.—For the Antitrust Di-
11 vision: \$141,898,000.

12 (6) UNITED STATES ATTORNEYS.—For United
13 States Attorneys: \$1,556,784,000, which shall include
14 not less than \$10,000,000 for the investigation and
15 prosecution of intellectual property crimes, including
16 software counterfeiting crimes, crimes identified in
17 the No Electronic Theft (NET) Act (Public Law 105–
18 147), and violations of laws prohibiting unsolicited
19 commercial e-mail: Provided, That such amounts in
20 the appropriations account “General Legal Services”
21 as may be expended for such investigations or pros-
22 ecutions shall count towards this minimum as though
23 expended from this appropriations account.

1 (7) *FEDERAL BUREAU OF INVESTIGATION.—For*
2 *the Federal Bureau of Investigation: \$4,639,569,000,*
3 *which shall include—*

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

6 (B) *not to exceed \$70,000 to meet unforeseen*
7 *emergencies of a confidential character; and*

8 (C) *such sums as may be necessary to as-*
9 *sign employees to the Terrorism Threat Integra-*
10 *tion Center: Provided, That such amounts may*
11 *only be expended for analyzing intelligence infor-*
12 *mation.*

13 (8) *UNITED STATES MARSHALS SERVICE.—For*
14 *the United States Marshals Service: \$720,806,000,*
15 *which shall include not to exceed \$1,371,000 for con-*
16 *struction, to remain available until expended.*

17 (9) *FEDERAL PRISON SYSTEM.—For the Federal*
18 *Prison System, including the National Institute of*
19 *Corrections: \$4,677,214,000.*

20 (10) *DRUG ENFORCEMENT ADMINISTRATION.—*
21 *For the Drug Enforcement Administration:*
22 *\$1,558,743,000, which shall include not to exceed*
23 *\$70,000 to meet unforeseen emergencies of a confiden-*
24 *tial character.*

1 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
2 *AND EXPLOSIVES.—For the Bureau of Alcohol, To-*
3 *bacco, Firearms and Explosives: \$851,987,000.*

4 (12) *FEEES AND EXPENSES OF WITNESSES.—For*
5 *Fees and Expenses of Witnesses: \$156,145,000 to re-*
6 *main available until expended, which shall include*
7 *not to exceed \$6,000,000 for construction of protected*
8 *witness safesites.*

9 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
10 *MENT.—For Interagency Crime and Drug Enforce-*
11 *ment: \$541,844,000, for expenses not otherwise pro-*
12 *vided for, for the investigation and prosecution of per-*
13 *sons involved in organized crime drug trafficking, ex-*
14 *cept that any funds obligated from appropriations*
15 *authorized by this paragraph may be used under au-*
16 *thorities available to the organizations reimbursed*
17 *from such funds.*

18 (14) *FOREIGN CLAIMS SETTLEMENT COMMIS-*
19 *SION.—For the Foreign Claims Settlement Commis-*
20 *sion: \$1,212,000.*

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

23 (16) *ASSETS FORFEITURE FUND.—For the Assets*
24 *Forfeiture Fund: \$22,949,000 for expenses authorized*
25 *by section 524 of title 28, United States Code.*

1 (17) *UNITED STATES PAROLE COMMISSION.—For*
 2 *the United States Parole Commission: \$11,051,000.*

3 (18) *FEDERAL DETENTION TRUSTEE.—For the*
 4 *necessary expenses of the Federal Detention Trustee:*
 5 *\$810,125,000.*

6 (19) *IDENTIFICATION SYSTEMS INTEGRATION.—*
 7 *For expenses necessary for the operation of the Identi-*
 8 *fication System Integration: \$34,077,000.*

9 (20) *NARROWBAND COMMUNICATIONS.—For the*
 10 *costs of conversion to narrowband communications,*
 11 *including the cost for operation and maintenance of*
 12 *Land Mobile Radio legacy systems: \$140,083,000.*

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

16 (22) *LEGAL ACTIVITIES OFFICE AUTOMATIONS.—*
 17 *For necessary expenses related to office automation:*
 18 *\$33,240,000.*

19 (23) *COUNTERTERRORISM FUND.—For necessary*
 20 *expenses of the Counterterrorism Fund: \$1,000,000.*

21 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR FIS-**
 22 **CAL YEAR 2005.**

23 *There are authorized to be appropriated for fiscal year*
 24 *2005, to carry out the activities of the Department of Jus-*
 25 *tice (including any bureau, office, board, division, commis-*

1 sion, subdivision, unit, or other component thereof), the fol-
2 lowing sums:

3 (1) *GENERAL ADMINISTRATION.—For General*
4 *Administration: \$136,447,000.*

5 (2) *ADMINISTRATIVE REVIEW AND APPEALS.—*
6 *For Administrative Review and Appeals:*
7 *\$201,368,000 for administration of pardon and clem-*
8 *ency petitions and for immigration-related activities.*

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

13 (4) *GENERAL LEGAL ACTIVITIES.—For General*
14 *Legal Activities: \$678,652,000, which shall include—*

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 unforeseen*
20 *emergencies of a confidential character; and*

21 (C) *such sums as may be necessary for ad-*
22 *ministrative expenses inaccordance with the Ra-*
23 *diation Exposure Compensation Act.*

24 (5) *ANTITRUST DIVISION.—For the Antitrust Di-*
25 *vision: \$144,736,000.*

1 (6) *UNITED STATES ATTORNEYS.—For United*
2 *States Attorneys: \$1,587,920,000, which shall include*
3 *not less than \$10,000,000 for the investigation and*
4 *prosecution of intellectual property crimes, including*
5 *software counterfeiting crimes, crimes identified in*
6 *the No Electronic Theft (NET) Act (Public Law 105–*
7 *147), and violations of law, against unsolicited com-*
8 *mercial e-mail: Provided, That such amounts in the*
9 *appropriations account “General Legal Services” as*
10 *may be expended for such investigations or prosecu-*
11 *tions shall count towards this minimum as though ex-*
12 *pended from this appropriations account.*

13 (7) *FEDERAL BUREAU OF INVESTIGATION.—For*
14 *the Federal Bureau of Investigation: \$4,732,360,000,*
15 *which shall include—*

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

18 (B) *not to exceed \$70,000 to meet unforeseen*
19 *emergencies of a confidential character; and*

20 (C) *such sums as may be necessary to as-*
21 *sign employees to the Terrorism Threat Integra-*
22 *tion Center: Provided, That such amounts may*
23 *only be expended for analyzing intelligence infor-*
24 *mation.*

1 (8) *UNITED STATES MARSHALS SERVICE.—For*
2 *the United States Marshals Service: \$735,222,000,*
3 *which shall include not to exceed \$1,371,000 for con-*
4 *struction, to remain available until expended.*

5 (9) *FEDERAL PRISON SYSTEM.—For the Federal*
6 *Prison System, including the National Institute of*
7 *Corrections: \$4,770,758,000.*

8 (10) *DRUG ENFORCEMENT ADMINISTRATION.—*
9 *For the Drug Enforcement Administration:*
10 *\$1,589,918,000, which shall include not to exceed*
11 *\$70,000 to meet unforeseen emergencies of a confiden-*
12 *tial character.*

13 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
14 *AND EXPLOSIVES.—For the Bureau of Alcohol, To-*
15 *bacco, Firearms and Explosives: \$869,027,000.*

16 (12) *FEEES AND EXPENSES OF WITNESSES.—For*
17 *Fees and Expenses of Witnesses: \$156,268,000 to re-*
18 *main available until expended, which shall include*
19 *not to exceed \$6,000,000 for construction of protected*
20 *witness safesites.*

21 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
22 *MENT.—For Interagency Crime and Drug Enforce-*
23 *ment: \$552,681,000, for expenses not otherwise pro-*
24 *vided for, for the investigation and prosecution of per-*
25 *sons involved in organized crime drug trafficking, ex-*

1 *cept that any funds obligated from appropriations*
2 *authorized by this paragraph may be used under au-*
3 *thorities available to the organizations reimbursed*
4 *from such funds.*

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

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

10 (16) *ASSETS FORFEITURE FUND.—For the Assets*
11 *Forfeiture Fund: \$23,949,000 for expenses authorized*
12 *by section 524 of title 28, United States Code.*

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

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

18 (19) *IDENTIFICATION SYSTEMS INTEGRATION.—*
19 *For expenses necessary for the operation of the Identi-*
20 *fication System Integration: \$34,758,000.*

21 (20) *NARROWBAND COMMUNICATIONS.—For the*
22 *costs of conversion to narrowband communications,*
23 *including the cost for operation and maintenance of*
24 *Land Mobile Radio legacy systems: \$142,885,000.*

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

4 (22) *LEGAL ACTIVITIES OFFICE AUTOMATIONS.*—
 5 *For necessary expenses related to office automation:*
 6 *\$33,904,000.*

7 (23) *COUNTERTERRORISM FUND.*—*For necessary*
 8 *expenses of the Counterterrorism Fund: \$1,020,000.*

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

11 *There are authorized to be appropriated for fiscal year*
 12 *2006, to carry out the activities of the Department of Jus-*
 13 *tice (including any bureau, office, board, division, commis-*
 14 *sion, subdivision, unit, or other component thereof), the fol-*
 15 *lowing sums:*

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

18 (2) *ADMINISTRATIVE REVIEW AND APPEALS.*—
 19 *For Administrative Review and Appeals:*
 20 *\$205,395,000 for administration of pardon and clem-*
 21 *ency petitions and for immigration-related activities.*

22 (3) *OFFICE OF INSPECTOR GENERAL.*—*For the*
 23 *Office of Inspector General: \$72,828,000, which shall*
 24 *include not to exceed \$10,000 to meet unforeseen*
 25 *emergencies of a confidential character.*

1 (4) *GENERAL LEGAL ACTIVITIES.—For General*
2 *Legal Activities: \$692,225,000, which shall include—*

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

7 (B) *not to exceed \$20,000 to meet unforeseen*
8 *emergencies of a confidential character; and*

9 (C) *such sums as may be necessary for ad-*
10 *ministrative expenses in accordance with the Ra-*
11 *diation Exposure Compensation Act.*

12 (5) *ANTITRUST DIVISION.—For the Antitrust Di-*
13 *vision: \$147,631,000.*

14 (6) *UNITED STATES ATTORNEYS.—For United*
15 *States Attorneys: \$1,619,678,000, which shall include*
16 *not less than \$10,000,000 for the investigation and*
17 *prosecution of intellectual property crimes, including*
18 *software counterfeiting crimes, crimes identified in*
19 *the No Electronic Theft (NET) Act (Public Law 105–*
20 *147), and violations of law, against unsolicited com-*
21 *mercial e-mail: Provided, That such amounts in the*
22 *appropriations account “General Legal Services” as*
23 *may be expended for such investigations or prosecu-*
24 *tions shall count towards this minimum as though ex-*
25 *pended from this appropriations account.*

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

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

6 (B) *not to exceed \$70,000 to meet unforeseen*
7 *emergencies of a confidential character; and*

8 (C) *such sums as may be necessary to as-*
9 *sign employees to the Terrorism Threat Integra-*
10 *tion Center: Provided, That such amounts may*
11 *only be expended for analyzing intelligence infor-*
12 *mation.*

13 (8) *UNITED STATES MARSHALS SERVICE.—For*
14 *the United States Marshals Service: \$749,926,000*
15 *which shall include not to exceed \$1,371,000 for con-*
16 *struction, to remain available until expended.*

17 (9) *FEDERAL PRISON SYSTEM.—For the Federal*
18 *Prison System, including the National Institute of*
19 *Corrections: \$4,866,173,000.*

20 (10) *DRUG ENFORCEMENT ADMINISTRATION.—*
21 *For the Drug Enforcement Administration:*
22 *\$1,621,716,000, which shall include not to exceed*
23 *\$70,000 to meet unforeseen emergencies of a confiden-*
24 *tial character.*

1 (11) *BUREAU OF ALCOHOL, TOBACCO, FIREARMS*
2 *AND EXPLOSIVES.—For the Bureau of Alcohol, To-*
3 *bacco, Firearms and Explosives: \$886,407,000.*

4 (12) *FEEES AND EXPENSES OF WITNESSES.—For*
5 *Fees and Expenses of Witnesses: \$159,393,000 to re-*
6 *main available until expended, which shall include*
7 *not to exceed \$6,000,000 for construction of protected*
8 *witness safesites.*

9 (13) *INTERAGENCY CRIME AND DRUG ENFORCE-*
10 *MENT.—For Interagency Crime and Drug Enforce-*
11 *ment: \$563,918,000, for expenses not otherwise pro-*
12 *vided for, for the investigation and prosecution of per-*
13 *sons involved in organized crime drug trafficking, ex-*
14 *cept that any funds obligated from appropriations*
15 *authorized by this paragraph may be used under au-*
16 *thorities available to the organizations reimbursed*
17 *from such funds.*

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

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

23 (16) *ASSETS FORFEITURE FUND.—For the Assets*
24 *Forfeiture Fund: \$24,428,000 for expenses authorized*
25 *by section 524 of title 28, United States Code.*

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

3 (18) *FEDERAL DETENTION TRUSTEE.—For the*
4 *necessary expenses of the Federal Detention Trustee:*
5 *\$842,854,000.*

6 (19) *IDENTIFICATION SYSTEMS INTEGRATION.—*
7 *For expenses necessary for the operation of the Identi-*
8 *fication System Integration: \$35,453,000.*

9 (20) *NARROWBAND COMMUNICATIONS.—For the*
10 *costs of conversion to narrowband communications,*
11 *including the cost for operation and maintenance of*
12 *Land Mobile Radio legacy systems: \$145,743,000.*

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

16 (22) *LEGAL ACTIVITIES OFFICE AUTOMATIONS.—*
17 *For necessary expenses related to office automation:*
18 *\$34,582,000.*

19 (23) *COUNTERTERRORISM FUND.—For necessary*
20 *expenses of the Counterterrorism Fund: \$1,040,000.*

1 **TITLE II—IMPROVING THE DE-**
 2 **PARTMENT OF JUSTICE’S**
 3 **GRANT PROGRAMS**

4 **Subtitle A—Assisting Law Enforce-**
 5 **ment and Criminal Justice**
 6 **Agencies**

7 **SEC. 201. MERGER OF BYRNE GRANT PROGRAM AND LOCAL**
 8 **LAW ENFORCEMENT BLOCK GRANT PRO-**
 9 **GRAM.**

10 (a) *IN GENERAL.*—Part E of title I of the Omnibus
 11 Crime Control and Safe Streets Act of 1968 is amended
 12 as follows:

13 (1) Subpart 1 of such part (42 U.S.C. 3751–
 14 3759) is repealed.

15 (2) Such part is further amended—

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

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

20 (B) by amending section 500 to read as fol-
 21 lows:

22 **“SEC. 500. NAME OF PROGRAM.**

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

1 “(b) *REFERENCES TO FORMER PROGRAMS.*—Any ref-
 2 erence in a law, regulation, document, paper, or other
 3 record of the United States to the Edward Byrne Memorial
 4 State and Local Law Enforcement Assistance Programs, or
 5 to the Local Government Law Enforcement Block Grants
 6 program, shall be deemed to be a reference to the grant pro-
 7 gram referred to in subsection (a).”; and

8 (C) by inserting after section 500 the fol-
 9 lowing new sections:

10 **“SEC. 501. DESCRIPTION.**

11 “(a) *GRANTS AUTHORIZED.*—From amounts made
 12 available to carry out this subpart, the Attorney General
 13 may, in accordance with the formula established under sec-
 14 tion 505, make grants to States and units of local govern-
 15 ment, for use by the State or unit of local government to
 16 provide additional personnel, equipment, supplies, contrac-
 17 tual support, training, technical assistance, and informa-
 18 tion systems for criminal justice, including for any one or
 19 more of the following programs:

20 “(1) Law enforcement programs.

21 “(2) Prosecution and court programs.

22 “(3) Prevention and education programs.

23 “(4) Corrections and community corrections pro-
 24 grams.

25 “(5) Drug treatment programs.

1 “(6) *Planning, evaluation, and technology im-*
2 *provement programs.*

3 “(b) *CONTRACTS AND SUBAWARDS.—A State or unit*
4 *of local government may, in using a grant under this sub-*
5 *part for purposes authorized by subsection (a), use all or*
6 *a portion of that grant to contract with or make one or*
7 *more subawards to one or more—*

8 “(1) *neighborhood or community-based organiza-*
9 *tions that are private and nonprofit;*

10 “(2) *units of local government; or*

11 “(3) *tribal governments.*

12 “(c) *PROGRAM ASSESSMENT COMPONENT; WAIVER.—*

13 “(1) *Each program funded under this subpart*
14 *shall contain a program assessment component, devel-*
15 *oped pursuant to guidelines established by the Attor-*
16 *ney General, in coordination with the National Insti-*
17 *tute of Justice.*

18 “(2) *The Attorney General may waive the re-*
19 *quirement of paragraph (1) with respect to a program*
20 *if, in the opinion of the Attorney General, the pro-*
21 *gram is not of sufficient size to justify a full program*
22 *assessment.*

23 “(d) *PROHIBITED USES.—Notwithstanding any other*
24 *provision of this Act, no funds provided under this subpart*

1 *may be used, directly or indirectly, to provide any of the*
2 *following matters:*

3 “(1) *Any security enhancements or any equip-*
4 *ment to any nongovernmental entity that is not en-*
5 *gaged in criminal justice or public safety.*

6 “(2) *Unless the Attorney General certifies that*
7 *extraordinary and exigent circumstances exist that*
8 *make the use of such funds to provide such matters*
9 *essential to the maintenance of public safety and good*
10 *order—*

11 “(A) *vehicles, vessels, or aircraft;*

12 “(B) *luxury items;*

13 “(C) *real estate;*

14 “(D) *construction projects (other than penal*
15 *or correctional institutions); or*

16 “(E) *any similar matters.*

17 “(e) *ADMINISTRATIVE COSTS.—Not more than 10 per-*
18 *cent of a grant made under this subpart may be used for*
19 *costs incurred to administer such grant.*

20 “(f) *PERIOD.—The period of a grant made under this*
21 *subpart shall be four years, except that renewals and exten-*
22 *sions beyond that period may be granted at the discretion*
23 *of the Attorney General.*

24 “(g) *RULE OF CONSTRUCTION.—Subparagraph (d)(1)*
25 *shall not be construed to prohibit the use, directly or indi-*

1 rectly, of funds provided under this subpart to provide secu-
2 rity at a public event, such as a political convention or
3 major sports event, so long as such security is provided
4 under applicable laws and procedures.

5 **“SEC. 502. APPLICATIONS.**

6 *“To request a grant under this subpart, the chief execu-*
7 *tive officer of a State or unit of local government shall sub-*
8 *mit an application to the Attorney General within 90 days*
9 *after the date on which funds to carry out this subpart are*
10 *appropriated for a fiscal year, in such form as the Attorney*
11 *General may require. Such application shall include the fol-*
12 *lowing:*

13 *“(1) A certification that Federal funds made*
14 *available under this subpart will not be used to sup-*
15 *plant State or local funds, but will be used to increase*
16 *the amounts of such funds that would, in the absence*
17 *of Federal funds, be made available for law enforce-*
18 *ment activities.*

19 *“(2) An assurance that, not fewer than 30 days*
20 *before the application (or any amendment to the ap-*
21 *plication) was submitted to the Attorney General, the*
22 *application (or amendment) was submitted for review*
23 *to the governing body of the State or unit of local gov-*
24 *ernment (or to an organization designated by that*
25 *governing body).*

1 “(3) *An assurance that, before the application*
2 *(or any amendment to the application) was submitted*
3 *to the Attorney General—*

4 “(A) *the application (or amendment) was*
5 *made public; and*

6 “(B) *an opportunity to comment on the ap-*
7 *plication (or amendment) was provided to citi-*
8 *zens and to neighborhood or community-based*
9 *organizations, to the extent applicable law or es-*
10 *tablished procedure makes such an opportunity*
11 *available.*

12 “(4) *An assurance that, for each fiscal year cov-*
13 *ered by an application, the applicant shall maintain*
14 *and report such data, records, and information (pro-*
15 *grammatic and financial) as the Attorney General*
16 *may reasonably require.*

17 “(5) *A certification, made in a form acceptable*
18 *to the Attorney General and executed by the chief ex-*
19 *ecutive officer of the applicant (or by another officer*
20 *of the applicant, if qualified under regulations pro-*
21 *mulgated by the Attorney General), that—*

22 “(A) *the programs to be funded by the grant*
23 *meet all the requirements of this subpart;*

24 “(B) *all the information contained in the*
25 *application is correct;*

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

3 “(D) the applicant will comply with all
4 provisions of this subpart and all other applica-
5 ble Federal laws.

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

7 “The Attorney General shall not finally disapprove
8 any application (or any amendment to that application)
9 submitted under this subpart without first affording the ap-
10 plicant reasonable notice of any deficiencies in the applica-
11 tion and opportunity for correction and reconsideration.

12 **“SEC. 504. RULES.**

13 “The Attorney General shall issue rules to carry out
14 this subpart. The first such rules shall be issued not later
15 than one year after the date on which amounts are first
16 made available to carry out this subpart.

17 **“SEC. 505. FORMULA.**

18 “(a) ALLOCATION AMONG STATES.—

19 “(1) IN GENERAL.—Of the total amount appro-
20 priated for this subpart, the Attorney General shall
21 allocate—

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

24 “(i) the total population of a State
25 to—

1 “(ii) *the total population of the United*
 2 *States; and*

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

5 “(i) *the average annual number of part*
 6 *I violent crimes of the Uniform Crime Re-*
 7 *ports of the Federal Bureau of Investigation*
 8 *reported by such State for the three most re-*
 9 *cent years reported by such State to—*

10 “(ii) *the average annual number of*
 11 *such crimes reported by all States for such*
 12 *years.*

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

16 “(b) *ALLOCATION BETWEEN STATES AND UNITS OF*
 17 *LOCAL GOVERNMENT.—Of the amounts allocated under*
 18 *subsection (a)—*

19 “(1) *60 percent shall be for direct grants to*
 20 *States, to be allocated under subsection (c); and*

21 “(2) *40 percent shall be for grants to be allocated*
 22 *under subsection (d).*

23 “(c) *ALLOCATION FOR STATE GOVERNMENTS.—*

24 “(1) *IN GENERAL.—Of the amounts allocated*
 25 *under subsection (b)(1), each State may retain for the*

1 *purposes described in section 501 an amount that*
 2 *bears the same ratio of—*

3 *“(A) total expenditures on criminal justice*
 4 *by the State government in the most recently*
 5 *completed fiscal year to—*

6 *“(B) the total expenditure on criminal jus-*
 7 *tice by the State government and units of local*
 8 *government within the State in such year.*

9 *“(2) REMAINING AMOUNTS.—Except as provided*
 10 *in subsection (e)(1), any amounts remaining after the*
 11 *allocation required by paragraph (1) shall be made*
 12 *available to units of local government by the State for*
 13 *the purposes described in section 501.*

14 *“(d) ALLOCATIONS TO LOCAL GOVERNMENTS.—*

15 *“(1) IN GENERAL.—Of the amounts allocated*
 16 *under subsection (b)(2), grants for the purposes de-*
 17 *scribed in section 501 shall be made directly to units*
 18 *of local government within each State in accordance*
 19 *with this subsection, subject to subsection (e).*

20 *“(2) ALLOCATIONS FOR CATEGORIES OF LIKE*
 21 *UNITS OF LOCAL GOVERNMENT.—Of the amounts re-*
 22 *ferred to in paragraph (1), each of the four categories*
 23 *of like governmental units (county, city, township,*
 24 *and other) within a State shall be allocated an*
 25 *amount that bears the same ratio of—*

1 “(A) *the total expenditures on criminal jus-*
 2 *tice by units of local government in that category*
 3 *within that State in the most recently completed*
 4 *fiscal year to—*

5 “(B) *the total expenditures on criminal jus-*
 6 *tice by all units of local government within that*
 7 *State in such year.*

8 “(3) *ALLOCATIONS FOR UNITS OF LOCAL GOV-*
 9 *ERNMENT.—Of the amounts allocated to a category*
 10 *under paragraph (2), each unit of local government*
 11 *in that category within that State shall be allocated*
 12 *an amount that bears the same ratio of—*

13 “(A) *the average annual number of part I*
 14 *violent crimes of the Uniform Crime Reports of*
 15 *the Federal Bureau of Investigation reported by*
 16 *such unit of local government for the three most*
 17 *recent years reported by such unit of local gov-*
 18 *ernment to—*

19 “(B) *the average annual number of such*
 20 *crimes reported by all like governmental units*
 21 *for such years.*

22 “(e) *LIMITATION ON ALLOCATIONS TO UNITS OF*
 23 *LOCAL GOVERNMENT.—*

24 “(1) *MAXIMUM ALLOCATION.—No unit of local*
 25 *government shall receive a total allocation under this*

1 *section that exceeds such unit's total expenditures on*
 2 *criminal justice services for the most recently com-*
 3 *pleted fiscal year for which data are available. Any*
 4 *amount in excess of such total expenditures shall be*
 5 *allocated proportionally among units of local govern-*
 6 *ment whose allocations under this section do not ex-*
 7 *ceed their total expenditures on such services.*

8 *“(2) ALLOCATIONS UNDER \$10,000.—If the alloca-*
 9 *tion under this section to a unit of local government*
 10 *is less than \$10,000 for any fiscal year, the direct*
 11 *grant to the State under subsection (c) shall be in-*
 12 *creased by the amount of such allocation, to be dis-*
 13 *tributed (for the purposes described in section 501)*
 14 *among State police departments that provide crimi-*
 15 *nal justice services to units of local government and*
 16 *units of local government whose allocation under this*
 17 *section is less than \$10,000.*

18 *“(3) NON-REPORTING UNITS.—No allocation*
 19 *under this section shall be made to a unit of local*
 20 *government that has not reported at least three years*
 21 *of data on part I violent crimes of the Uniform Crime*
 22 *Reports to the Federal Bureau of Investigation within*
 23 *the immediately-preceding 10 years.*

24 *“(f) FUNDS NOT USED BY THE STATE.—If the Attor-*
 25 *ney General determines, on the basis of information avail-*

1 *able during any grant period, that any allocation (or por-*
 2 *tion thereof) under this section to a State for such grant*
 3 *period will not be required, or that a State will be unable*
 4 *to qualify or receive funds under this subpart, or that a*
 5 *State chooses not to participate in the program established*
 6 *under this subpart, then such State's allocation (or portion*
 7 *thereof) shall be awarded by the Attorney General to units*
 8 *of local government, or combinations thereof, within such*
 9 *State, giving priority to those jurisdictions with the highest*
 10 *annual number of part I violent crimes of the Uniform*
 11 *Crime Reports reported by the unit of local government to*
 12 *the Federal Bureau of Investigation for the three most re-*
 13 *cent calendar years for which such data are available.*

14 “(g) *SPECIAL RULES FOR PUERTO RICO.*—

15 “(1) *ALL FUNDS SET ASIDE FOR COMMON-*
 16 *WEALTH GOVERNMENT.*—*Notwithstanding subsection*
 17 *(b), of the amounts allocated under subsection (a) to*
 18 *Puerto Rico, 100 percent shall be for direct grants to*
 19 *Puerto Rico.*

20 “(2) *NO LOCAL ALLOCATIONS.*—*Subsections (c)*
 21 *and (d) shall not apply to Puerto Rico.*

22 “(h) *DEFINITION.*—

23 “(1) *IN GENERAL.*—*For purposes of this section,*
 24 *the term ‘like governmental unit’ means any like unit*

1 *of local government as defined by the Secretary of*
 2 *Commerce for general statistical purposes.*

3 “(2) *CERTAIN LIKE UNITS REQUIRED.*—*Notwith-*
 4 *standing paragraph (1), in determining the meaning*
 5 *of such term for purposes of this section—*

6 “(A) *all counties (including parishes) shall*
 7 *be treated as like governmental units;*

8 “(B) *all cities shall be treated as like gov-*
 9 *ernmental units;*

10 “(C) *all townships shall be treated as like*
 11 *governmental units; and*

12 “(D) *all governmental units of other par-*
 13 *ticular types shall be treated as like govern-*
 14 *mental units of such types.*

15 **“SEC. 506. RESERVED FUNDS.**

16 *“Of the total amount made available to carry out this*
 17 *subpart for a fiscal year, the Attorney General shall reserve*
 18 *not more than—*

19 “(1) *\$20,000,000, for use by the National Insti-*
 20 *tute of Justice in assisting units of local government*
 21 *to identify, select, develop, modernize, and purchase*
 22 *new technologies for use by law enforcement; and*

23 “(2) *\$20,000,000, to be granted by the Attorney*
 24 *General to States and units of local government to de-*

1 *velop and implement antiterrorism training pro-*
 2 *grams.*

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

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

7 *“(b) EXPENDITURES.—*

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

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

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

23 *“(c) REPAID AMOUNTS.—Amounts received as repay-*
 24 *ments under this section shall be subject to section 108 of*
 25 *this title as if such amounts had not been granted and re-*

1 *paid. Such amounts shall be deposited in the Treasury in*
 2 *a dedicated fund for use by the Attorney General to carry*
 3 *out this subpart. Such funds are hereby made available to*
 4 *carry out this subpart.*

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

6 *“There is authorized to be appropriated to carry out*
 7 *this subpart \$1,075,000,000 for fiscal year 2004 and such*
 8 *sums as may be necessary for each of fiscal years 2005*
 9 *through 2008.”.*

10 *(b) REPEALS OF CERTAIN AUTHORITIES RELATING TO*
 11 *BYRNE GRANTS.—*

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

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

21 *(c) CONFORMING AMENDMENTS.—*

22 *(1) CRIME IDENTIFICATION TECHNOLOGY ACT.—*
 23 *Subsection (c)(2)(G) of section 102 of the Crime Iden-*
 24 *tification Technology Act of 1998 (42 U.S.C. 14601)*
 25 *is amended by striking “such as” and all that follows*

1 through “the M.O.R.E. program” and inserting “such
 2 as the Edward Byrne Justice Assistance Grant Pro-
 3 gram and the M.O.R.E. program”.

4 (2) *SAFE STREETS ACT*.—Title I of the Omnibus
 5 Crime Control and Safe Streets Act of 1968 is amend-
 6 ed—

7 (A) in section 517 (42 U.S.C. 3763), in sub-
 8 section (a)(1), by striking “pursuant to section
 9 511 or 515” and inserting “pursuant to section
 10 515”;

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

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

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

24 (iii) in subsection (b)(2), by striking
 25 “programs funded under section 506 (for-

1 *mula grants) and section 511 (discretionary*
2 *grants)” and inserting “programs funded*
3 *under section 505 (formula grants)”;*

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

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

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

15 *(D) in section 801 (42 U.S.C. 3782), in sub-*
16 *section (b)—*

17 *(i) by striking “the purposes of section*
18 *501 of this title” and inserting “the pur-*
19 *poses of such subpart 1”; and*

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

24 *(E) in section 808 (42 U.S.C. 3789), by*
25 *striking “the State office described in section 507*

1 *or 1408” and inserting “the State office respon-*
 2 *sible for the trust fund required by section 507,*
 3 *or the State office described in section 1408,”;*

4 *(F) in section 901 (42 U.S.C. 3791), in sub-*
 5 *section (a)(2), by striking “for the purposes of*
 6 *section 506(a)” and inserting “for the purposes*
 7 *of section 505(a)”;*

8 *(G) in section 1502 (42 U.S.C. 3796bb–1)—*

9 *(i) in paragraph (1), by striking “sec-*
 10 *tion 506(a)” and inserting “section*
 11 *505(a)”;*

12 *(ii) in paragraph (2)—*

13 *(I) by striking “section 503(a)”*

14 *and inserting “section 502”; and*

15 *(II) by striking “section 506” and*

16 *inserting “section 505”;*

17 *(H) in section 1602 (42 U.S.C. 3796cc–1),*
 18 *in subsection (b), by striking “The office des-*
 19 *ignated under section 507 of title I” and insert-*
 20 *ing “The office responsible for the trust fund re-*
 21 *quired by section 507”;*

22 *(I) in section 1702 (42 U.S.C. 3796dd–1),*
 23 *in subsection (c)(1), by striking “and reflects*
 24 *consideration of the statewide strategy under sec-*
 25 *tion 503(a)(1)”;* and

1 (J) in section 1902 (42 U.S.C. 3796ff-1), in
 2 subsection (e), by striking “The Office designated
 3 under section 507” and inserting “The office re-
 4 sponsible for the trust fund required by section
 5 507”.

6 (d) *APPLICABILITY.*—The amendments made by this
 7 section shall apply with respect to the first fiscal year begin-
 8 ning after the date of the enactment of this Act and each
 9 fiscal year thereafter.

10 **SEC. 202. CLARIFICATION OF NUMBER OF RECIPIENTS WHO**
 11 **MAY BE SELECTED IN A GIVEN YEAR TO RE-**
 12 **CEIVE PUBLIC SAFETY OFFICER MEDAL OF**
 13 **VALOR.**

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

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

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

23 (1) to commemorate the sacrifices made and
 24 service rendered to the United States by those public

1 *safety officers who responded to the attacks on the*
2 *United States on September 11, 2001; and*

3 *(2) to honor those public safety officers on the*
4 *third anniversary of those attacks.*

5 ***(b) PRESENTATION AUTHORIZED.—***

6 ***(1) IN GENERAL.—****The Speaker of the House of*
7 *Representatives and the President pro tempore of the*
8 *Senate are authorized jointly to present, on behalf of*
9 *the Congress—*

10 *(A) to individuals certified by the Attorney*
11 *General pursuant to subsection (e), a bronze*
12 *medal 1½ inches in diameter commemorating*
13 *the service to the United States of those individ-*
14 *uals; and*

15 *(B) to public agencies certified by the Attor-*
16 *ney General pursuant to subsection (e), a plaque*
17 *commemorating the service to the United States*
18 *of the officers, employees, or agents of those agen-*
19 *cies.*

20 ***(2) DATE.—****The presentation shall be made as*
21 *close as feasible to the third anniversary of the attacks*
22 *on the United States on September 11, 2001.*

23 ***(3) NEXT OF KIN.—****In the case of an individual*
24 *certified by the Attorney General pursuant to sub-*

1 *section (e), the medal may be accepted by the next of*
2 *kin of any such individual.*

3 *(c) DESIGN AND STRIKING.—*

4 *(1) CONSULTATION.—The Attorney General shall*
5 *consult with the Institute of Heraldry of the Depart-*
6 *ment of Defense regarding the design and artistry of*
7 *the medal and the plaque authorized by this section.*
8 *The Attorney General may also consider suggestions*
9 *received by the Department of Justice regarding the*
10 *design and artistry of the medal and the plaque, in-*
11 *cluding suggestions made by persons not employed by*
12 *the Department of Justice.*

13 *(2) STRIKING.—After such consultation, the At-*
14 *torney General shall strike such medals and produce*
15 *such plaques as may be required to carry out this sec-*
16 *tion.*

17 *(d) ELIGIBILITY REQUIREMENTS.—*

18 *(1) INDIVIDUALS.—*

19 *(A) IN GENERAL.—To be eligible to be pre-*
20 *sented the medal referred to in subsection (b), an*
21 *individual must have been a public safety officer*
22 *(as defined in section 5 of the Public Safety Offi-*
23 *cer Medal of Valor Act of 2001 (42 U.S.C.*
24 *15204))—*

1 (i) *who was present in New York, Vir-*
 2 *ginia, or Pennsylvania on September 11,*
 3 *2001;*

4 (ii) *who participated in the response*
 5 *that day to the terrorist attacks on the*
 6 *World Trade Center, the terrorist attack on*
 7 *the Pentagon, or the terrorist attack that re-*
 8 *sulted in the crash of the fourth airplane in*
 9 *Pennsylvania; and*

10 (iii) *who died as a result of such par-*
 11 *ticipation.*

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

17 (2) *AGENCIES.—To be eligible to be presented the*
 18 *plaque referred to in subsection (b), a public agency*
 19 *must have had at least one officer, employee, or agent*
 20 *who is eligible under paragraph (1) or who would be*
 21 *so eligible but for the requirement of subparagraph*
 22 *(A)(iii) of that paragraph.*

23 (3) *APPLICATION; DETERMINATION.—To establish*
 24 *the eligibility required by paragraphs (1) or (2), the*
 25 *head of a public agency must present to the Attorney*

1 General an application with such supporting docu-
 2 mentation as the Attorney General may require to
 3 support such eligibility and, in the case of the eligi-
 4 bility of an individual, with information on next of
 5 kin. The Attorney General shall determine, through
 6 the documentation provided and, if necessary, inde-
 7 pendent investigation, whether the requirements of
 8 paragraphs (1) or (2) have been established.

9 (e) *CERTIFICATION.*—The Attorney General shall,
 10 within 12 months after the date of the enactment of this
 11 Act, certify to the Speaker of the House of Representatives
 12 and the President pro tempore of the Senate the names of
 13 individuals eligible to receive the medal and public agencies
 14 eligible to receive the plaque.

15 (f) *AUTHORIZATION OF APPROPRIATIONS.*—There is
 16 authorized to be appropriated such sums as may be nec-
 17 essary to carry out this section.

18 **SEC. 204. CLARIFICATION OF OFFICIAL TO BE CONSULTED**
 19 **BY ATTORNEY GENERAL IN CONSIDERING AP-**
 20 **PLICATION FOR EMERGENCY FEDERAL LAW**
 21 **ENFORCEMENT ASSISTANCE.**

22 Section 609M(b) of the Justice Assistance Act of 1984
 23 (42 U.S.C. 10501(b)) is amended by striking “the Director
 24 of the Office of Justice Assistance” and inserting “the As-

1 *sistant Attorney General for the Office of Justice Pro-*
 2 *grams”.*

3 **SEC. 205. CLARIFICATION OF USES FOR REGIONAL INFOR-**
 4 **MATION SHARING SYSTEM GRANTS.**

5 *Section 1301(b) of the Omnibus Crime Control and*
 6 *Safe Streets Act of 1968 (42 U.S.C. 3796h(b)), as most re-*
 7 *cently amended by section 701 of the USA PATRIOT Act*
 8 *(Public Law 107–56; 115 Stat. 374), is amended—*

9 *(1) in paragraph (1), by inserting “regional” be-*
 10 *fore “information sharing systems”;*

11 *(2) by amending paragraph (3) to read as fol-*
 12 *lows:*

13 *“(3) establishing and maintaining a secure tele-*
 14 *communications system for regional information*
 15 *sharing between Federal, State, and local law enforce-*
 16 *ment agencies;”;* and

17 *(3) by striking “(5)” at the end of paragraph*
 18 *(4).*

19 **SEC. 206. INTEGRITY AND ENHANCEMENT OF NATIONAL**
 20 **CRIMINAL RECORD DATABASES.**

21 *(a) DUTIES OF DIRECTOR.—Section 302 of the Omni-*
 22 *bus Crime Control and Safe Streets Act of 1968 (42 U.S.C.*
 23 *3732) is amended—*

24 *(1) in subsection (b), by inserting after the third*
 25 *sentence the following new sentence: “The Director*

1 *shall be responsible for the integrity of data and sta-*
2 *tistics and shall protect against improper or illegal*
3 *use or disclosure.”;*

4 *(2) by amending paragraph (19) of subsection*
5 *(c) to read as follows:*

6 *“(19) provide for improvements in the accuracy,*
7 *quality, timeliness, immediate accessibility, and inte-*
8 *gration of State criminal history and related records,*
9 *support the development and enhancement of national*
10 *systems of criminal history and related records in-*
11 *cluding the National Criminal History Background*
12 *Check System, the National Incident-Based Reporting*
13 *System, and the records of the National Crime Infor-*
14 *mation Center, facilitate State participation in na-*
15 *tional records and information systems, and support*
16 *statistical research for critical analysis of the im-*
17 *provement and utilization of criminal history*
18 *records;”;* *and*

19 *(3) in subsection (d)—*

20 *(A) by striking “and” at the end of para-*
21 *graph (4);*

22 *(B) by striking the period at the end of*
23 *paragraph (5) and inserting “; and”; and*

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

1 “(6) confer and cooperate with Federal statistical
 2 agencies as needed to carry out the purposes of this
 3 part, including by entering into cooperative data
 4 sharing agreements in conformity with all laws and
 5 regulations applicable to the disclosure and use of
 6 data.”.

7 (b) *USE OF DATA*.—Section 304 of such Act (42 U.S.C.
 8 3735) is amended by striking “particular individual” and
 9 inserting “private person or public agency”.

10 (c) *CONFIDENTIALITY OF INFORMATION*.—Section
 11 812(a) of such Act (42 U.S.C. 3789g(a)) is amended by
 12 striking “Except as provided by Federal law other than this
 13 title, no” and inserting “No”.

14 ***Subtitle B—Building Community***
 15 ***Capacity to Prevent, Reduce,***
 16 ***and Control Crime***

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

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

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

23 “(a) *ESTABLISHMENT*.—There is established within
 24 the Office an Office of Weed and Seed Strategies, headed
 25 by a Director appointed by the Attorney General.

1 “(b) *ASSISTANCE.—The Director may assist States,*
 2 *units of local government, and neighborhood and commu-*
 3 *nity-based organizations in developing Weed and Seed*
 4 *strategies, as provided in section 104.*

5 “(c) *AUTHORIZATION OF APPROPRIATIONS.—There is*
 6 *authorized to be appropriated to carry out this section*
 7 *\$58,265,000 for fiscal year 2004, and such sums as may*
 8 *be necessary for each of fiscal years 2005 and 2006, to re-*
 9 *main available until expended.*

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

11 “(a) *IN GENERAL.—From amounts made available*
 12 *under section 103(c), the Director of the Office of Weed and*
 13 *Seed Strategies may implement strategies, to be known as*
 14 *Weed and Seed strategies, to prevent, control, and reduce*
 15 *violent crime, criminal drug-related activity, and gang ac-*
 16 *tivity in designated Weed-and-Seed communities. Each*
 17 *such strategy shall involve both of the following activities:*

18 “(1) *WEEDING.—Activities, to be known as*
 19 *Weeding activities, which shall include promoting*
 20 *and coordinating a broad spectrum of community ef-*
 21 *forts (especially those of law enforcement agencies and*
 22 *prosecutors) to arrest, and to sanction or incarcerate,*
 23 *persons in that community who participate or engage*
 24 *in violent crime, criminal drug-related activity, and*

1 *other crimes that threaten the quality of life in that*
 2 *community.*

3 *“(2) SEEDING.—Activities, to be known as Seed-*
 4 *ing activities, which shall include promoting and co-*
 5 *ordinating a broad spectrum of community efforts*
 6 *(such as drug abuse education, mentoring, and em-*
 7 *ployment counseling) to provide—*

8 *“(A) human services, relating to prevention,*
 9 *intervention, or treatment, for at-risk individ-*
 10 *uals and families; and*

11 *“(B) community revitalization efforts, in-*
 12 *cluding enforcement of building codes and devel-*
 13 *opment of the economy.*

14 *“(b) GUIDELINES.—The Director shall issue guidelines*
 15 *for the development and implementation of Weed and Seed*
 16 *strategies under this section. The guidelines shall ensure*
 17 *that the Weed and Seed strategy for a community referred*
 18 *to in subsection (a) shall—*

19 *“(1) be planned and implemented through and*
 20 *under the auspices of a steering committee, properly*
 21 *established in the community, comprised of—*

22 *“(A) in a voting capacity, representatives*
 23 *of—*

24 *“(i) appropriate law enforcement agen-*
 25 *cies; and*

1 “(ii) other public and private agencies,
2 and neighborhood and community-based or-
3 ganizations, interested in criminal justice
4 and community-based development and re-
5 vitalization in the community; and

6 “(B) in a voting capacity, both—

7 “(i) the Drug Enforcement Adminis-
8 tration’s special agent in charge for the ju-
9 risdiction encompassing the community;
10 and

11 “(ii) the United States Attorney for the
12 District encompassing the community;

13 “(2) describe how law enforcement agencies, other
14 public and private agencies, neighborhood and com-
15 munity-based organizations, and interested citizens
16 are to cooperate in implementing the strategy; and

17 “(3) incorporate a community-policing compo-
18 nent that shall serve as a bridge between the Weeding
19 activities under subsection (a)(1) and the Seeding ac-
20 tivities under subsection (a)(2).

21 “(c) DESIGNATION.—For a community to be des-
22 ignated as a Weed-and-Seed community for purposes of sub-
23 section (a)—

1 “(1) *the United States Attorney for the District*
2 *encompassing the community must certify to the Di-*
3 *rector that—*

4 “(A) *the community suffers from consist-*
5 *ently high levels of crime or otherwise is appro-*
6 *priate for such designation;*

7 “(B) *the Weed and Seed strategy proposed,*
8 *adopted, or implemented by the steering com-*
9 *mittee has a high probability of improving the*
10 *criminal justice system within the community*
11 *and contains all the elements required by the Di-*
12 *rector; and*

13 “(C) *the steering committee is capable of*
14 *implementing the strategy appropriately; and*

15 “(2) *the community must agree to formulate a*
16 *timely and effective plan to independently sustain the*
17 *strategy (or, at a minimum, a majority of the best*
18 *practices of the strategy) when assistance under this*
19 *section is no longer available.*

20 “(d) *APPLICATION.—An application for designation as*
21 *a Weed-and-Seed community for purposes of subsection (a)*
22 *shall be submitted to the Director by the steering committee*
23 *of the community in such form, and containing such infor-*
24 *mation and assurances, as the Director may require. The*
25 *application shall propose—*

1 “(1) *a sustainable Weed and Seed strategy that*
2 *includes—*

3 “(A) *the active involvement of the United*
4 *States Attorney for the District encompassing the*
5 *community, the Drug Enforcement Administra-*
6 *tion’s special agent in charge for the jurisdiction*
7 *encompassing the community, and other Federal*
8 *law enforcement agencies operating in the vicin-*
9 *ity;*

10 “(B) *a significant community-oriented po-*
11 *licing component; and*

12 “(C) *demonstrated coordination with com-*
13 *plementary neighborhood and community-based*
14 *programs and initiatives; and*

15 “(2) *a methodology with outcome measures and*
16 *specific objective indicia of performance to be used to*
17 *evaluate the effectiveness of the strategy.*

18 “(e) *GRANTS.—*

19 “(1) *IN GENERAL.—In implementing a strategy*
20 *for a community under subsection (a), the Director*
21 *may make grants to that community.*

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

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

4 “(B) may not use any of the grant amounts
5 for construction, except that the Assistant Attor-
6 ney General may authorize use of grant amounts
7 for incidental or minor construction, renovation,
8 or remodeling.

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

12 “(A) for a period of more than 10 fiscal
13 years;

14 “(B) for more than 5 separate fiscal years,
15 except that the Assistant Attorney General may,
16 in single increments and only upon a showing of
17 extraordinary circumstances, authorize grants
18 for not more than 3 additional separate fiscal
19 years; or

20 “(C) in an aggregate amount of more than
21 \$1,000,000, except that the Assistant Attorney
22 General may, upon a showing of extraordinary
23 circumstances, authorize grants for not more
24 than an additional \$500,000.

1 “(4) *DISTRIBUTION.*—*In making grants under*
2 *this subsection, the Director shall ensure that—*

3 “(A) *to the extent practicable, the distribu-*
4 *tion of such grants is geographically equitable*
5 *and includes both urban and rural areas of*
6 *varying population and area; and*

7 “(B) *priority is given to communities that*
8 *clearly and effectively coordinate crime preven-*
9 *tion programs with other Federal programs in a*
10 *manner that addresses the overall needs of such*
11 *communities.*

12 “(5) *FEDERAL SHARE.*—(A) *Subject to subpara-*
13 *graph (B), the Federal share of a grant under this*
14 *subsection may not exceed 75 percent of the total costs*
15 *of the projects described in the application for which*
16 *the grant was made.*

17 “(B) *The requirement of subparagraph (A)—*

18 “(i) *may be satisfied in cash or in kind;*
19 *and*

20 “(ii) *may be waived by the Assistant Attor-*
21 *ney General upon a determination that the fi-*
22 *nancial circumstances affecting the applicant*
23 *warrant a finding that such a waiver is equi-*
24 *table.*

1 “(6) *SUPPLEMENT, NOT SUPPLANT.*—*To receive*
 2 *a grant under this subsection, the applicant must*
 3 *provide assurances that the amounts received under*
 4 *the grant shall be used to supplement, not supplant,*
 5 *non-Federal funds that would otherwise be available*
 6 *for programs or services provided in the commu-*
 7 *nity.”.*

8 **(b) *ABOLISHMENT OF EXECUTIVE OFFICE OF WEED***
 9 ***AND SEED; TRANSFERS OF FUNCTIONS.*—**

10 **(1) *ABOLISHMENT.*—*The Executive Office of***
 11 ***Weed and Seed is abolished.***

12 **(2) *TRANSFER.*—*There are hereby transferred to***
 13 ***the Office of Weed and Seed Strategies all functions***
 14 ***and activities performed immediately before the date***
 15 ***of the enactment of this Act by the Executive Office***
 16 ***of Weed and Seed Strategies.***

17 **(c) *EFFECTIVE DATE.*—*This section and the amend-***
 18 ***ments made by this section take effect 90 days after the date***
 19 ***of the enactment of this Act.***

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

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

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

(1) in paragraph (1)—

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

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

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

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

*“(C) for nonprofit neighborhood and community-
based victim service organizations and coalitions to
improve outreach and services to victims of crime.”;*

(2) in paragraph (2)—

(A) in subparagraph (A)—

*(i) by striking “paragraph (1)(A)” and
inserting “paragraphs (1)(A) and (1)(C)”;*

1 (ii) by striking “and” at the end;
 2 (B) in subparagraph (B), by striking the
 3 period at the end and inserting “; and”; and
 4 (C) by adding at the end the following new
 5 subparagraph:
 6 “(C) not more than \$10,000 shall be used for any
 7 single grant under paragraph (1)(C).”.

8 **SEC. 222. CLARIFICATION AND ENHANCEMENT OF CERTAIN**
 9 **AUTHORITIES RELATING TO CRIME VICTIMS**
 10 **FUND.**

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

13 (1) *AUTHORITY TO ACCEPT GIFTS.*—Subsection
 14 (b)(5) of such section is amended by striking the pe-
 15 riod at the end and inserting the following: “, which
 16 the Director is hereby authorized to accept for deposit
 17 into the Fund, except that the Director is not hereby
 18 authorized to accept any such gift, bequest, or dona-
 19 tion that—

20 “(A) attaches conditions inconsistent with
 21 applicable laws or regulations; or

22 “(B) is conditioned upon or would require
 23 the expenditure of appropriated funds that are
 24 not available to the Office for Victims of
 25 Crime.”.

1 (2) *AUTHORITY TO REPLENISH ANTITERRORISM*
 2 *EMERGENCY RESERVE.*—Subsection (d)(5)(A) of such
 3 section is amended by striking “expended” and insert-
 4 ing “obligated”.

5 (3) *AUTHORITY TO MAKE GRANTS TO INDIAN*
 6 *TRIBES FOR VICTIM ASSISTANCE PROGRAMS.*—Sub-
 7 section (g) of such section is amended—

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

10 (B) by redesignating paragraph (2) as
 11 paragraph (3); and

12 (C) by inserting after paragraph (1) the fol-
 13 lowing new paragraph:

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

18 **SEC. 223. AMOUNTS RECEIVED UNDER CRIME VICTIM**
 19 **GRANTS MAY BE USED BY STATE FOR TRAIN-**
 20 **ING PURPOSES.**

21 (a) *CRIME VICTIM COMPENSATION.*—Section
 22 1403(a)(3) of the Victims of Crime Act of 1984 (42 U.S.C.
 23 10602(a)(3)) is amended by inserting after “may be used
 24 for” the following: “training purposes and”.

1 (b) *CRIME VICTIM ASSISTANCE*.—Section 1404(b)(3)
 2 of such Act (42 U.S.C. 10603(b)(3)) is amended by inserting
 3 after “may be used for” the following: “training purposes
 4 and”.

5 **SEC. 224. CLARIFICATION OF AUTHORITIES RELATING TO**
 6 **VIOLENCE AGAINST WOMEN FORMULA AND**
 7 **DISCRETIONARY GRANT PROGRAMS.**

8 (a) *CLARIFICATION OF SPECIFIC PURPOSES*.—Section
 9 2001(b) of the Omnibus Crime Control and Safe Streets Act
 10 of 1968 (42 U.S.C. 3796gg(b)) is amended in the matter
 11 preceding paragraph (1) by inserting after “violent crimes
 12 against women” the following: “to develop and strengthen
 13 victim services in cases involving violent crimes against
 14 women”.

15 (b) *TECHNICAL AMENDMENT RELATING TO*
 16 *MISDESIGNATED SECTIONS*.—Section 402(2) of Public Law
 17 107–273 (116 Stat. 1789) is amended by striking “as sec-
 18 tions 2006 through 2011, respectively” and inserting “as
 19 sections 2007 through 2011, respectively”.

20 (c) *CLARIFICATION OF STATE GRANTS*.—Section 2007
 21 of the Omnibus Crime Control and Safe Streets Act of 1968
 22 (42 U.S.C. 3796gg–1), as redesignated pursuant to the
 23 amendment made by subsection (b), is amended—

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

1 (2) in subsection (b)—

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

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

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

8 (4) in subsection (d)—

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

12 (B) in the third sentence, by striking “An
13 application” and inserting “In addition, each
14 application submitted by a State or tribal gov-
15 ernment”.

16 (d) *CHANGE FROM ANNUAL TO BIENNIAL REPORT-*
17 *ING.*—Section 2009(b) of such Act (42 U.S.C. 3796gg–3),
18 as redesignated pursuant to the amendment made by sub-
19 section (b), is amended by striking “Not later than” and
20 all that follows through “the Attorney General shall submit”
21 and inserting the following: “Not later than one month after
22 the end of each even-numbered fiscal year, the Attorney
23 General shall submit”.

24 (e) *AVAILABILITY OF FORENSIC MEDICAL EXAMS.*—
25 Section 2010 of such Act (42 U.S.C. 3796gg–4), as redesign-

1 nated pursuant to the amendment made by subsection (b),
2 is amended by adding at the end the following new sub-
3 sections:

4 “(c) *USE OF FUNDS.*—A State or Indian tribal gov-
5 ernment may use Federal grant funds under this part to
6 pay for forensic medical exams performed by trained exam-
7 iners for victims of sexual assault, except that such funds
8 may not be used to pay for forensic medical exams by any
9 State or Indian tribal government that requires victims of
10 sexual assault to seek reimbursement for such exams from
11 their insurance carriers.

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

18 “(f) *TECHNICAL AMENDMENT.*—The heading for Part T
19 of title I of the Omnibus Crime Control and Safe Streets
20 Act of 1968 (42 U.S.C. 3796gg et seq.) is amended to read
21 as follows:

1 **“PART T—GRANTS TO COMBAT VIOLENT CRIMES**
 2 **AGAINST WOMEN”.**

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

7 (a) GRANTS TO ENCOURAGE DOMESTIC VIOLENCE AR-
 8 REST POLICIES.—Section 2101 of the Omnibus Crime Con-
 9 trol and Safe Streets Act of 1968 (42 U.S.C. 3796hh) is
 10 amended—

11 (1) in subsection (a), by striking “to treat do-
 12 mestic violence as a serious violation” and inserting
 13 “to treat domestic violence and sexual assault as seri-
 14 ous violations”;

15 (2) in subsection (b)—

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

20 (B) in paragraph (3), by striking “domestic
 21 violence cases” and inserting “domestic violence
 22 and sexual assault cases”; and

23 (C) in paragraph (6), by striking “about
 24 domestic violence” and inserting “about domestic
 25 violence and sexual assault”; and

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

(a) *STALKING AND DOMESTIC VIOLENCE.*—Section 40610 of the Violence Against Women Act of 1994 (title IV of the Violent Crime Control and Law Enforcement Act of 1994; 42 U.S.C. 14039) is amended by striking “The Attorney General shall submit to the Congress an annual report,

1 *beginning one year after the date of the enactment of this*
 2 *Act, that provides” and inserting “Each even-numbered fis-*
 3 *cal year, the Attorney General shall submit to the Congress*
 4 *a biennial report that provides”.*

5 (b) *SAFE HAVENS FOR CHILDREN.—Section*
 6 *1301(d)(1) of the Victims of Trafficking and Violence Pro-*
 7 *tection Act of 2000 (42 U.S.C. 10420(d)(1)) is amended in*
 8 *the matter preceding subparagraph (A) by striking “Not*
 9 *later than 1 year after the last day of the first fiscal year*
 10 *commencing on or after the date of the enactment of this*
 11 *Act, and not later than 180 days after the last day of each*
 12 *fiscal year thereafter,” and inserting “Not later than one*
 13 *month after the end of each even-numbered fiscal year,”.*

14 **SEC. 227. CLARIFICATION OF RECIPIENTS AND PROGRAMS**
 15 **ELIGIBLE FOR GRANTS UNDER RURAL DO-**
 16 **MESTIC VIOLENCE AND CHILD ABUSE EN-**
 17 **FORCEMENT ASSISTANCE PROGRAM.**

18 *Section 40295 of the Violence Against Women Act of*
 19 *1994 (title IV of the Violent Crime Control and Law En-*
 20 *forcement Act of 1994; 42 U.S.C. 13971) is amended as fol-*
 21 *lows:*

22 (1) *in subsection (a), in the matter preceding*
 23 *paragraph (1), by striking “to States, Indian tribal*
 24 *governments, and local governments of rural States,*
 25 *and to other public or private entities of rural States”*

1 *and inserting “to States, Indian tribal governments,*
 2 *local governments, and public or private entities, for*
 3 *programs serving rural areas or rural communities”;*
 4 *and*

5 *(2) in subsection (b)—*

6 *(A) by inserting “(1) the term” before “‘In-*
 7 *dian tribe’ means”;*

8 *(B) by striking “Indians.” and all that fol-*
 9 *lows through the period at the end and inserting*
 10 *“Indians; and*

11 *“(2) the terms ‘rural area’ and ‘rural commu-*
 12 *nity’ have the meanings given those terms in section*
 13 *491(k)(2) of the McKinney-Vento Homeless Assistance*
 14 *Act (42 U.S.C. 11408(k)(2)).”.*

15 ***Subtitle D—Preventing Crime***

16 ***SEC. 231. CLARIFICATION OF DEFINITION OF VIOLENT OF-*** 17 ***FENDER FOR PURPOSES OF JUVENILE DRUG*** 18 ***COURTS.***

19 *Section 2953(b) of the Omnibus Crime Control and*
 20 *Safe Streets Act of 1968 (42 U.S.C. 3797u–2(b)) is amended*
 21 *in the matter preceding paragraph (1) by striking “an of-*
 22 *fense that” and inserting “a felony-level offense that”.*

1 **SEC. 232. CHANGES TO DISTRIBUTION AND ALLOCATION OF**
 2 **GRANTS FOR DRUG COURTS.**

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

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

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

19 **SEC. 233. ELIGIBILITY FOR GRANTS UNDER DRUG COURT**
 20 **GRANTS PROGRAM EXTENDED TO COURTS**
 21 **THAT SUPERVISE NON-OFFENDERS WITH**
 22 **SUBSTANCE ABUSE PROBLEMS.**

23 Section 2951(a)(1) of such Act (42 U.S.C.
 24 3797u(a)(1)) is amended by striking “offenders with sub-
 25 stance abuse problems” and inserting “offenders, and other

1 *individuals under the jurisdiction of the court, with sub-*
 2 *stance abuse problems”.*

3 **SEC. 234. TERM OF RESIDENTIAL SUBSTANCE ABUSE**
 4 **TREATMENT PROGRAM FOR LOCAL FACILI-**
 5 **TIES.**

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

9 *“(d) DEFINITION.—In this section, the term ‘jail-based*
 10 *substance abuse treatment program’ means a course of indi-*
 11 *vidual and group activities, lasting for a period of not less*
 12 *than 3 months, in an area of a correctional facility set*
 13 *apart from the general population of the correctional facil-*
 14 *ity, if those activities are—*

15 *“(1) directed at the substance abuse problems of*
 16 *the prisoners; and*

17 *“(2) intended to develop the cognitive, behav-*
 18 *ioral, and other skills of prisoners in order to address*
 19 *the substance abuse and related problems of pris-*
 20 *oners.”.*

21 ***Subtitle E—Other Matters***

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

23 *(a) INCREASE IN AMOUNTS COLLECTED BY DEBT-COL-*
 24 *LECTION ACTIVITIES THAT MAY BE CREDITED TO WORK-*
 25 *ING CAPITAL FUND.—Section 11013(a) of the 21st Century*

1 *Department of Justice Appropriations Authorization Act*
 2 *(Public Law 107–273; 116 Stat. 1823; 28 U.S.C. 527 note)*
 3 *is amended by striking “3 percent” and inserting “6 per-*
 4 *cent”.*

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

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

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

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

24 *(d) FUNDS AVAILABLE FOR ATFE MAY BE USED FOR*
 25 *AIRCRAFT, BOATS, AMMUNITION, FIREARMS, FIREARMS*

1 *COMPETITIONS, AND ANY AUTHORIZED ACTIVITY.—Section*
2 *530C(b) of title 28, United States Code, is amended—*

3 *(1) in paragraph (2), in each of subparagraphs*
4 *(A) and (B), by inserting “for the Bureau of Alcohol,*
5 *Tobacco, Firearms, and Explosives,” before “for the*
6 *Drug Enforcement Administration,”; and*

7 *(2) by adding at the end the following new para-*
8 *graph:*

9 *“(8) BUREAU OF ALCOHOL, TOBACCO, FIREARMS,*
10 *AND EXPLOSIVES.—Funds available to the Attorney*
11 *General for the Bureau of Alcohol, Tobacco, Firearms,*
12 *and Explosives may be used for the conduct of all its*
13 *authorized activities.”.*

14 *(e) AUDITS AND REPORTS ON ATFE UNDERCOVER IN-*
15 *VESTIGATIVE OPERATIONS.—Section 102(b) of the Depart-*
16 *ment of Justice and Related Agencies Appropriations Act,*
17 *1993 (28 U.S.C. 533 note), as in effect pursuant to section*
18 *815(d) of the Antiterrorism and Effective Death Penalty*
19 *Act of 1996 (28 U.S.C. 533 note) shall apply with respect*
20 *to the Bureau of Alcohol, Tobacco, Firearms, and Explosives*
21 *and the undercover investigative operations of the Bureau*
22 *on the same basis as such section applies with respect to*
23 *any other agency and the undercover investigative oper-*
24 *ations of such agency.*

1 **SEC. 242. COORDINATION DUTIES OF ASSISTANT ATTORNEY**

2 **GENERAL.**

3 (a) *COORDINATE AND SUPPORT OFFICE FOR VICTIMS*
 4 *OF CRIME.*—Section 102 of the Omnibus Crime Control and
 5 *Safe Streets Act of 1968 (42 U.S.C. 3712) is amended in*
 6 *subsection (a)(5) by inserting after “the Bureau of Justice*
 7 *Statistics,” the following: “the Office for Victims of Crime,”.*

8 (b) *SETTING GRANT CONDITIONS AND PRIORITIES.*—
 9 *Such section is further amended in subsection (a)(6) by in-*
 10 *serting “, including placing special conditions on all*
 11 *grants, and determining priority purposes for formula*
 12 *grants” before the period at the end.*

13 **SEC. 243. SIMPLIFICATION OF COMPLIANCE DEADLINES**
 14 **UNDER SEX-OFFENDER REGISTRATION LAWS.**

15 (a) *COMPLIANCE PERIOD.*—A State shall not be treat-
 16 ed, for purposes of any provision of law, as having failed
 17 to comply with section 170101 (42 U.S.C. 14071) or 170102
 18 (42 U.S.C. 14072) of the Violent Crime Control and Law
 19 Enforcement Act of 1994 until 36 months after the date of
 20 the enactment of this Act, except that the Attorney General
 21 may grant an additional 24 months to a State that is mak-
 22 ing good faith efforts to comply with such sections.

23 (b) *TIME FOR REGISTRATION OF CURRENT AD-*
 24 *DRESS.*—Subsection (a)(1)(B) of such section 170101 is
 25 amended by striking “unless such requirement is termi-

1 nated under” and inserting “for the time period specified
2 in”.

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

4 (a) *SAFE STREETS ACT PROGRAMS.*—The following
5 provisions of title I of the Omnibus Crime Control and Safe
6 Streets Act of 1968 are repealed:

7 (1) *CRIMINAL JUSTICE FACILITY CONSTRUCTION*
8 *PILOT PROGRAM.*—Part F (42 U.S.C. 3769–3769d).

9 (2) *FAMILY SUPPORT.*—Part W (42 U.S.C.
10 3796jj–3796jj–7).

11 (3) *MATCHING GRANT PROGRAM FOR SCHOOL SE-*
12 *curity.*—Part AA (42 U.S.C. 3797a–3797e).

13 (b) *VIOLENT CRIME CONTROL AND LAW ENFORCE-*
14 *MENT ACT PROGRAMS.*—The following provisions of the
15 Violent Crime Control and Law Enforcement Act of 1994
16 are repealed:

17 (1) *LOCAL CRIME PREVENTION BLOCK GRANT*
18 *PROGRAM.*—Subtitle B of title III (42 U.S.C. 13751–
19 13758).

20 (2) *ASSISTANCE FOR DELINQUENT AND AT-RISK*
21 *YOUTH.*—Subtitle G of title III (42 U.S.C. 13801–
22 13802).

23 (3) *IMPROVED TRAINING AND TECHNICAL AUTO-*
24 *mation.*—Subtitle E of title XXI (42 U.S.C. 14151).

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

3 **SEC. 245. ELIMINATION OF CERTAIN NOTICE AND HEARING**
 4 **REQUIREMENTS.**

5 *Part H of title I of the Omnibus Crime Control and*
 6 *Safe Streets Act of 1968 is amended as follows:*

7 (1) *NOTICE AND HEARING ON DENIAL OR TERMI-*
 8 *NATION OF GRANT.*—*Section 802 (42 U.S.C. 3783) of*
 9 *such part is amended—*

10 (A) *by striking subsections (b) and (c); and*

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

12 (2) *FINALITY OF DETERMINATIONS.*—*Section 803*
 13 *(42 U.S.C. 3784) of such part is amended—*

14 (A) *by striking “, after reasonable notice*
 15 *and opportunity for a hearing,”; and*

16 (B) *by striking “, except as otherwise pro-*
 17 *vided herein”.*

18 (3) *REPEAL OF APPELLATE COURT REVIEW.*—
 19 *Section 804 (42 U.S.C. 3785) of such part is repealed.*

20 **SEC. 246. AMENDED DEFINITIONS FOR PURPOSES OF OMNI-**
 21 **BUS CRIME CONTROL AND SAFE STREETS**
 22 **ACT OF 1968.**

23 *Section 901 of title I of the Omnibus Crime Control*
 24 *and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended*
 25 *as follows:*

1 (1) *INDIAN TRIBE*.—Subsection (a)(3)(C) of such
 2 section is amended by striking “(as that term is de-
 3 fined in section 103 of the Juvenile Justice and De-
 4 linquency Prevention Act of 1974 (42 U.S.C. 5603))”.

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

8 (3) *NEIGHBORHOOD OR COMMUNITY-BASED OR-*
 9 *GANIZATIONS*.—Subsection (a)(11) of such section is
 10 amended by striking “which” and inserting “, includ-
 11 ing faith-based, that”.

12 (4) *INDIAN TRIBE; PRIVATE PERSON*.—Sub-
 13 section (a) of such section is further amended—

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

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

18 (C) by adding at the end the following new
 19 paragraphs:

20 “(26) the term ‘Indian Tribe’ has the meaning
 21 given the term ‘Indian tribe’ in section 4(e) of the In-
 22 dian Self-Determination and Education Assistance
 23 Act (25 U.S.C. 450b(e)); and

24 “(27) the term ‘private person’ means any indi-
 25 vidual (including an individual acting in his official

1 *capacity) and any private partnership, corporation,*
 2 *association, organization, or entity (or any combina-*
 3 *tion thereof).’’.*

4 **SEC. 247. CLARIFICATION OF AUTHORITY TO PAY SUBSIST-**
 5 **ENCE PAYMENTS TO PRISONERS FOR HEALTH**
 6 **CARE ITEMS AND SERVICES.**

7 *Section 4006(b)(1) of title 18, United States Code, is*
 8 *amended—*

9 (1) *by striking “the Immigration and Natu-*
 10 *ralization Service” and inserting “the Department of*
 11 *Homeland Security”;*

12 (2) *by striking “shall not exceed the lesser of the*
 13 *amount” and inserting “shall be the amount billed,*
 14 *not to exceed the amount”;*

15 (3) *by striking “items and services” and all that*
 16 *follows through “the Medicare program” and insert-*
 17 *ing “items and services under the Medicare pro-*
 18 *gram”; and*

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

21 **SEC. 248. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
 22 **MENT.**

23 (a) *IN GENERAL.—Part A of title I of the Omnibus*
 24 *Crime Control and Safe Streets Act of 1968 is amended*

1 *by adding after section 104, as added by section 211 of this*
 2 *Act, the following new section:*

3 **“SEC. 105. OFFICE OF AUDIT, ASSESSMENT, AND MANAGE-**
 4 **MENT.**

5 *“(a) ESTABLISHMENT.—*

6 *“(1) IN GENERAL.—There is established within*
 7 *the Office an Office of Audit, Assessment, and Man-*
 8 *agement, headed by a Director appointed by the At-*
 9 *torney General.*

10 *“(2) PURPOSE.—The purpose of the Office shall*
 11 *be to carry out and coordinate performance audits of,*
 12 *take actions to ensure compliance with the terms of,*
 13 *and manage information with respect to, grants*
 14 *under programs covered by subsection (b).*

15 *“(3) EXCLUSIVITY.—The Office shall be the ex-*
 16 *clusive element of the Department of Justice, other*
 17 *than the Inspector General, performing functions and*
 18 *activities for the purpose specified in paragraph (2).*
 19 *There are hereby transferred to the Office all functions*
 20 *and activities, other than functions and activities of*
 21 *the Inspector General, for such purpose performed im-*
 22 *mediately before the date of the enactment of this Act*
 23 *by any other element of the Department.*

24 *“(b) COVERED PROGRAMS.—The programs referred to*
 25 *in subsection (a) are the following:*

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

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

4 “(3) *Any other grant program carried out by the*
5 *Department of Justice that the Attorney General con-*
6 *siders appropriate.*

7 “(c) *PERFORMANCE AUDITS REQUIRED.—*

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

16 “(2) *RELATIONSHIP TO NIJ EVALUATIONS.—This*
17 *subsection does not affect the authority or duty of the*
18 *Director of the National Institute of Justice to carry*
19 *out overall evaluations of programs covered by sub-*
20 *section (b), except that such Director shall consult*
21 *with the Director of the Office in carrying out such*
22 *evaluations.*

23 “(3) *TIMING OF PERFORMANCE AUDITS.—The*
24 *performance audit required by paragraph (1) of a*

1 *grant selected under paragraph (1) shall be carried*
2 *out—*

3 *“(A) not later than the end of the grant pe-*
4 *riod, if the grant period is not more than 1 year;*
5 *and*

6 *“(B) at the end of each year of the grant pe-*
7 *riod, if the grant period is more than 1 year.*

8 *“(d) COMPLIANCE ACTIONS REQUIRED.—The Director*
9 *shall take such actions to ensure compliance with the terms*
10 *of a grant as the Director considers appropriate with re-*
11 *spect to each grant that the Director determines (in con-*
12 *sultation with the head of the element of the Department*
13 *of Justice concerned), through a performance audit under*
14 *subsection (a) or other means, is not in compliance with*
15 *such terms. In the case of a misuse of more than 1 percent*
16 *of the grant amount concerned, the Director shall, in addi-*
17 *tion to any other action to ensure compliance that the Di-*
18 *rector considers appropriate, ensure that the entity respon-*
19 *sible for such misuse ceases to receive any funds under any*
20 *program covered by subsection (b) until such entity repays*
21 *to the Attorney General an amount equal to the amounts*
22 *misused. The Director may, in unusual circumstances,*
23 *grant relief from this requirement to ensure that an inno-*
24 *cent party is not punished.*

1 “(e) *GRANT MANAGEMENT SYSTEM.*—*The Director*
 2 *shall establish and maintain, in consultation with the chief*
 3 *information officer of the Office, a modern, automated sys-*
 4 *tem for managing all information relating to the grants*
 5 *made under the programs covered by subsection (b).*

6 “(f) *AVAILABILITY OF FUNDS.*—*Not to exceed 5 percent*
 7 *of all funding made available for a fiscal year for the pro-*
 8 *grams covered by subsection (b) shall be reserved for the ac-*
 9 *tivities of the Office of Audit, Assessment, and Manage-*
 10 *ment.”.*

11 “(b) *EFFECTIVE DATE.*—*This section and the amend-*
 12 *ment made by this section take effect 90 days after the date*
 13 *of the enactment of this Act.*

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

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

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

20 “(a) *ESTABLISHMENT.*—

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

1 “(2) *PURPOSE.*—The purpose of the Office shall
2 be to provide training to actual and prospective par-
3 ticipants under programs covered by section 105(b) to
4 assist such participants in understanding the sub-
5 stantive and procedural requirements for partici-
6 pating in such programs.

7 “(3) *EXCLUSIVITY.*—The Office shall be the ex-
8 clusive element of the Department of Justice per-
9 forming functions and activities for the purpose speci-
10 fied in paragraph (2). There are hereby transferred to
11 the Office all functions and activities for such purpose
12 performed immediately before the date of the enact-
13 ment of this Act by any other element of the Depart-
14 ment.

15 “(b) *MEANS.*—The Director shall, in coordination with
16 the heads of the other elements of the Office of Justice Pro-
17 grams, carry out the purpose of the Office through the fol-
18 lowing means:

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

23 “(2) *Providing information, training, and tech-
24 nical assistance.*

1 “(3) *Providing support for inter- and intra-*
 2 *agency task forces and other agreements and for as-*
 3 *essment of the effectiveness of programs, projects, ap-*
 4 *proaches, or practices.*

5 “(4) *Providing in the assessment of the effective-*
 6 *ness of neighborhood and community-based law en-*
 7 *forcement and crime prevention strategies and tech-*
 8 *niques, in coordination with the National Institute of*
 9 *Justice.*

10 “(5) *Any other similar means.*

11 “(c) *LOCATIONS.—Training referred to in subsection*
 12 *(a) shall be provided on a regional basis to groups of such*
 13 *participants. In a case in which remedial training is ap-*
 14 *propriate, as recommended by the Director or the head of*
 15 *any element of the Office of Justice Programs, such training*
 16 *may be provided on a local basis to a single such partici-*
 17 *pant.*

18 “(d) *BEST PRACTICES.—The Director shall—*

19 “(1) *identify grants under which clearly bene-*
 20 *ficial outcomes were obtained, and the characteristics*
 21 *of those grants that were responsible for obtaining*
 22 *those outcomes; and*

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

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

(b) *EFFECTIVE DATE.*—This section and the amendment made by this section take effect 90 days after the date of the enactment of this Act.

8 SEC. 250. OFFICE OF APPLIED LAW ENFORCEMENT TECH-
9 NOLOGY.

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

14 “SEC. 107. OFFICE OF APPLIED LAW ENFORCEMENT TECH-
15 NOLOGY.

16 “(a) *ESTABLISHMENT.*—*There is established within*
17 *the Office an Office of Applied Law Enforcement Tech-*
18 *nology, headed by a Director appointed by the Attorney*
19 *General. The purpose of the Office shall be to provide leader-*
20 *ship and focus to those grants of the Department of Justice*
21 *that are made for the purpose of using or improving law*
22 *enforcement computer systems.*

23 “(b) *DUTIES.*—In carrying out the purpose of the Of-
24 *rice, the Director shall—*

1 “(1) *establish clear minimum standards for com-*
 2 *puter systems that can be purchased using amounts*
 3 *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 date*
 9 *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 this*
 14 *Act, the following new section:*

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

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

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

24 ***“(2) TREATMENT OF REPROGRAMMED FUNDS.—***
 25 *DOJ grant funds for a fiscal year that are repro-*

1 *grammed in a later fiscal year shall be treated for*
 2 *purposes of paragraph (1) as DOJ grant funds for*
 3 *such later fiscal year.*

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

10 *“(c) DEFINITION.—In this section, the term ‘DOJ*
 11 *grant funds’ means, for a fiscal year, amounts appropriated*
 12 *for activities of the Department of Justice in carrying out*
 13 *grant programs for that fiscal year.*

14 *“(d) APPLICABILITY.—This section applies to DOJ*
 15 *grant funds for fiscal years beginning with fiscal year*
 16 *2004.”.*

17 *(b) EFFECTIVE DATE.—This section and the amend-*
 18 *ment made by this section take effect 90 days after the date*
 19 *of the enactment of this Act.*

20 **SEC. 252. CONSOLIDATION OF FINANCIAL MANAGEMENT**
 21 **SYSTEMS OF OFFICE OF JUSTICE PROGRAMS.**

22 *(a) CONSOLIDATION OF ACCOUNTING ACTIVITIES AND*
 23 *PROCUREMENT ACTIVITIES.—The Assistant Attorney Gen-*
 24 *eral of the Office of Justice Programs shall ensure that—*

1 (1) *all accounting activities for all elements of*
 2 *the Office of Justice Programs are carried out under*
 3 *the direct management of the Office of the Comp-*
 4 *troller; and*

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

8 (b) *FURTHER CONSOLIDATION OF PROCUREMENT AC-*
 9 *TIVITIES.—The Assistant Attorney General shall ensure*
 10 *that, on and after September 30, 2007—*

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

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

17 (c) *CONSOLIDATION OF FINANCIAL MANAGEMENT SYS-*
 18 *TEMS.—The Assistant Attorney General shall ensure that,*
 19 *on and after September 30, 2010, all financial management*
 20 *activities (including human resources, payroll, and ac-*
 21 *counting activities, as well as procurement activities) of all*
 22 *elements of the Office are carried out through a single finan-*
 23 *cial management system.*

24 (d) *ACHIEVING COMPLIANCE.—*

1 (1) *SCHEDULE.*—*The Assistant Attorney General*
 2 *shall undertake a scheduled consolidation of oper-*
 3 *ations to achieve compliance with the requirements of*
 4 *this section.*

5 (2) *SPECIFIC REQUIREMENTS.*—*With respect to*
 6 *achieving compliance with the requirements of—*

7 (A) *subsection (a), the consolidation of oper-*
 8 *ations shall be initiated not later than October*
 9 *1, 2003; and*

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

16 ***TITLE III—MISCELLANEOUS*** 17 ***PROVISIONS***

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

19 ***LAW 107–56.***

20 (a) *STRIKING SURPLUS WORDS.*—

21 (1) *Section 2703(c)(1) of title 18, United States*
 22 *Code, is amended by striking “or” at the end of sub-*
 23 *paragraph (C).*

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

4 **(b) PUNCTUATION AND GRAMMAR CORRECTIONS.—**
 5 *Section 2516(1)(q) of title 18, United States Code, is*
 6 *amended—*

7 *(1) by striking the semicolon after the first close*
 8 *parenthesis; and*

9 *(2) by striking “sections” and inserting “sec-*
 10 *tion”.*

11 **(c) CROSS REFERENCE CORRECTION.—***Section 322 of*
 12 *Public Law 107–56 is amended, effective on the date of the*
 13 *enactment of that section, by striking “title 18” and insert-*
 14 *ing “title 28”.*

15 **(d) CAPITALIZATION CORRECTION.—***Subsections (a)*
 16 *and (b) of section 2703 of title 18, United States Code, are*
 17 *each amended by striking “CONTENTS OF WIRE OR ELEC-*
 18 *TRONIC” and inserting “CONTENTS OF WIRE OR ELEC-*
 19 *TRONIC”.*

20 **SEC. 302. MISCELLANEOUS TECHNICAL AMENDMENTS.**

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

24 **(b) DUPLICATE SECTION NUMBERS.—***The second sec-*
 25 *tion 540C in chapter 33 of title 28, United States Code,*

1 *is redesignated as section 540D, and the item relating to*
 2 *that section in the table of sections at the beginning of that*
 3 *chapter is redesignated as section 540D and by moving it*
 4 *so that it follows the item relating to section 540C.*

5 (c) *TABLE OF SECTIONS OMISSION.*—*The table of sec-*
 6 *tions at the beginning of chapter 203 of title 18, United*
 7 *States Code, is amended by inserting after the item relating*
 8 *to section 3050 the following new item:*

“3051. Powers of Special Agents of Bureau of Alcohol, Tobacco, Firearms, and Ex-
plosives.”.

9 (d) *REPEAL OF DUPLICATIVE PROGRAM.*—*Section*
 10 *40155 of Public Law 103–322 is repealed.*

11 **SEC. 303. MINOR SUBSTANTIVE AMENDMENT RELATING TO**
 12 **CONTENTS OF FBI ANNUAL REPORT.**

13 *Section 540D(b)(1)(A) of title 28, United States Code,*
 14 *as redesignated by section 302(b), is further amended by*
 15 *inserting “and the number of such personnel who receive*
 16 *danger pay under section 151 of the Foreign Relations Au-*
 17 *thorization Act, Fiscal Years 1990 and 1991 (5 U.S.C. 5928*
 18 *note)” after “year”.*

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

20 (a) *FEDERAL TRAINING FACILITIES.*—*Unless specifi-*
 21 *cally authorized in writing by the Attorney General, the*
 22 *Department of Justice (and each entity within it) shall use*
 23 *for any predominately internal training or conference meet-*

1 *ing only a facility that does not require a payment to a*
 2 *private entity for use of the facility.*

3 (b) *ANNUAL REPORT.*—*The Attorney General shall*
 4 *prepare an annual report to the Chairmen and ranking mi-*
 5 *nority members of the Committees on the Judiciary of the*
 6 *Senate and of the House of Representatives that details each*
 7 *training and conference meeting that requires specific au-*
 8 *thorization under subsection (a). The report shall include*
 9 *an explanation of why the facility was chosen, and a break-*
 10 *down of any expenditures incurred in excess of the cost of*
 11 *conducting the training or meeting at a facility that did*
 12 *not require such authorization.*

13 **SEC. 305. PRIVACY OFFICER.**

14 (a) *IN GENERAL.*—*The Attorney General shall des-*
 15 *ignate a senior official in the Department of Justice to as-*
 16 *sume primary responsibility for privacy policy.*

17 (b) *RESPONSIBILITIES.*—*The responsibilities of such*
 18 *official shall include—*

19 (1) *assuring that the use of technologies sustain,*
 20 *and do not erode, privacy protections relating to the*
 21 *use, collection, and disclosure of personally identifi-*
 22 *able information;*

23 (2) *assuring that personally identifiable infor-*
 24 *mation contained in systems of records is handled in*

1 *full compliance with fair information practices as set*
2 *out in section 552a of title 5, United States Code;*

3 *(3) evaluating legislative and regulatory pro-*
4 *posals involving collection, use, and disclosure of per-*
5 *sonally identifiable information by the Federal Gov-*
6 *ernment;*

7 *(4) conducting a privacy impact assessment of*
8 *proposed rules of the Department on the privacy of*
9 *personally identifiable information, including the*
10 *type of personally identifiable information collected*
11 *and the number of people affected;*

12 *(5) preparing a report to Congress on an annual*
13 *basis on activities of the Department that affect pri-*
14 *vacv, including complaints of privacy violations, im-*
15 *plementation of section 552a of title 5, United States*
16 *Code, internal controls, and other relevant matters;*

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

22 *(A) integrity, which means guarding*
23 *against improper information modification or*
24 *destruction, and includes ensuring information*
25 *nonrepudiation and authenticity;*

1 (B) *confidentially, which means preserving*
2 *authorized restrictions on access and disclosure,*
3 *including means for protecting personal privacy*
4 *and proprietary information;*

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

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

11 (7) *advising the Attorney General and the Direc-*
12 *tor of the Office of Management and Budget on infor-*
13 *mation security and privacy issues pertaining to*
14 *Federal Government information systems.*

15 (c) *REVIEW.—The Department of Justice shall review*
16 *its policies to assure that the Department treats personally*
17 *identifiable information in its databases in a manner that*
18 *complies with applicable Federal law on privacy.*

19 **SEC. 306. BANKRUPTCY CRIMES.**

20 *The Director of the Executive Office for United States*
21 *Trustees shall prepare an annual report to the Congress de-*
22 *tailing—*

23 (1) *the number and types of criminal referrals*
24 *made by the United States Trustee Program;*

25 (2) *the outcomes of each criminal referral;*

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

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

9 **SEC. 307. REPORT TO CONGRESS ON STATUS OF UNITED**
10 **STATES PERSONS OR RESIDENTS DETAINED**
11 **ON SUSPICION OF TERRORISM.**

12 *Not less often than once every 12 months, the Attorney*
13 *General shall submit to Congress a report on the status of*
14 *United States persons or residents detained, as of the date*
15 *of the report, on suspicion of terrorism. The report shall—*

16 (1) *specify the number of persons or residents so*
17 *detained; and*

18 (2) *specify the standards developed by the De-*
19 *partment of Justice for recommending or determining*
20 *that a person should be tried as a criminal defendant*
21 *or should be designated as an enemy combatant.*

1 ***TITLE IV—DNA DATABASE***
 2 ***ENHANCEMENT***

3 ***SEC. 401. SHORT TITLE.***

4 *This title may be cited as the “DNA Database En-*
 5 *hancement Act”.*

6 ***SEC. 402. INCLUSION OF DNA SAMPLES FROM ALL PERSONS***
 7 ***CONVICTED OF VIOLENT FELONIES.***

8 *Section 2(b) of the DNA Analysis Backlog Elimination*
 9 *Act of 2000 (42 U.S.C. 14135(b)) is amended in paragraph*
 10 *(3) by inserting before the semicolon at the end the fol-*
 11 *lowing: “, provided that each violent felony under the law*
 12 *of that State shall be treated for purposes of this section*
 13 *as a qualifying State offense”.*

14 ***SEC. 403. AUTHORIZATION FOR STATES TO UPLOAD DNA***
 15 ***SAMPLES COLLECTED IN A LAWFUL MANNER.***

16 *Section 210304(a) of the Violent Crime Control and*
 17 *Law Enforcement Act of 1994 (42 U.S.C. 14132(a)) is*
 18 *amended—*

19 *(1) in paragraph (1), by inserting “arrested for*
 20 *or” before “convicted of crimes”;*

21 *(2) in paragraph (3), by striking “and” at the*
 22 *end;*

23 *(3) in paragraph (4), by striking the period at*
 24 *the end and inserting “; and”; and*

1 (4) *by adding at the end the following new para-*
2 *graph:*

3 “(5) *analyses of DNA samples from other per-*
4 *sons, as authorized under the laws of the jurisdiction*
5 *in which the samples were collected.*”.

6 **SEC. 404. REQUIREMENT THAT LAW ENFORCEMENT OFFI-**
7 **CERS BE ABLE TO COMPARE COLLECTED DNA**
8 **SAMPLES WITH NATIONAL DATABASE.**

9 *Section 2(b) of the DNA Analysis Backlog Elimination*
10 *Act of 2000 (42 U.S.C. 14135(b)), as amended by section*
11 *402, is further amended—*

12 (1) *by striking “and” at the end of paragraph*
13 *(4);*

14 (2) *by striking the period at the end of para-*
15 *graph (5) and inserting “; and”; and*

16 (3) *by adding at the end the following new para-*
17 *graph:*

18 “(6) *include a certification that the State does*
19 *not, by statute, rule, or regulation, prohibit or limit*
20 *the comparison by a law enforcement officer of (A)*
21 *the results of a DNA analysis carried out on a DNA*
22 *sample lawfully obtained by such officer with (B) the*
23 *information in such Combined DNA Index System.*”.

1 **SEC. 405. REAUTHORIZATION OF DNA BACKLOG GRANT**
 2 **PROGRAM.**

3 *Section 2(j) of the DNA Analysis Backlog Elimination*
 4 *Act of 2000 (42 U.S.C. 14135(j)) is amended—*

5 *(1) in paragraph (1)—*

6 *(A) by striking “and” at the end of sub-*
 7 *paragraph (B);*

8 *(B) by striking the period at the end of sub-*
 9 *paragraph (C) and inserting “; and”; and*

10 *(C) by adding at the end the following:*

11 *“(D) such sums as many be necessary for*
 12 *fiscal years after fiscal year 2003.”; and*

13 *(2) in paragraph (2)—*

14 *(A) by striking “and” at the end of sub-*
 15 *paragraph (C);*

16 *(B) by striking the period at the end of sub-*
 17 *paragraph (D) and inserting “; and”; and*

18 *(C) by adding at the end the following:*

19 *“(E) such sums as many be necessary for*
 20 *fiscal years after fiscal year 2004.”.*

21 **TITLE V—KOBY MANDELL ACT**

22 **SEC. 501. SHORT TITLE.**

23 *This title may be cited as the “Koby Mandell Act of*
 24 *2003”.*

25 **SEC. 502. FINDINGS.**

26 *The Congress finds the following:*

1 (1) Numerous American citizens have been mur-
2 dered or maimed by terrorists around the world, in-
3 cluding more than one hundred murdered since 1968
4 in terrorist attacks occurring in Israel or in terri-
5 tories administered by Israel or in territories admin-
6 istered by the Palestinian Authority.

7 (2) Some American citizens who have been vic-
8 tims of terrorism overseas, especially those harmed by
9 terrorists operating from areas administered by the
10 Palestinian Authority, have not received from the
11 United States Government services equal to those re-
12 ceived by other such victims of overseas terrorism.

13 (3) The United States Government has not de-
14 voted adequate efforts or resources to the apprehension
15 of terrorists who have harmed American citizens over-
16 seas, particularly in cases involving terrorists oper-
17 ating from areas administered by the Palestinian Au-
18 thority. Monetary rewards for information leading to
19 the capture of terrorists overseas, which the govern-
20 ment advertises in regions where the terrorists are be-
21 lieved to be hiding, have not been advertised in areas
22 administered by the Palestinian Authority.

23 (4) This situation is especially grave in the
24 areas administered by the Palestinian Authority, be-
25 cause many terrorists involved in the murders of

1 *Americans are walking free there; some of these ter-*
 2 *rorists have been given positions in the Palestinian*
 3 *Authority security forces or other official Palestinian*
 4 *Authority agencies; and a number of schools, streets,*
 5 *and other public sites have been named in honor of*
 6 *terrorists who were involved in the murder of Ameri-*
 7 *cans.*

8 *(5) To remedy these and related problems, an of-*
 9 *fice should be established within the Department of*
 10 *Justice for the purpose of ensuring equally vigorous*
 11 *efforts to capture all terrorists who have harmed*
 12 *American citizens overseas and equal treatment for*
 13 *all American victims of overseas terrorism.*

14 **SEC. 503. ESTABLISHMENT OF AN OFFICE IN THE DEPART-**
 15 **MENT OF JUSTICE TO UNDERTAKE SPECIFIC**
 16 **STEPS TO FACILITATE THE CAPTURE OF TER-**
 17 **RORISTS WHO HAVE HARMED AMERICAN CITI-**
 18 **ZENS OVERSEAS AND TO ENSURE THAT ALL**
 19 **AMERICAN VICTIMS OF OVERSEAS TER-**
 20 **RORISM ARE TREATED EQUALLY.**

21 *The President shall establish within the Department*
 22 *of Justice an office (hereinafter in this title the “Office”)*
 23 *to carry out the following activities:*

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

4 (A) *rewards are offered to capture all ter-*
5 *rorists involved in harming American citizens*
6 *overseas, regardless of the terrorists' country of*
7 *origin or residence;*

8 (B) *such rewards are prominently adver-*
9 *tised in the mass media and public sites in all*
10 *countries or regions where such terrorists reside;*

11 (C) *the names and photographs and sus-*
12 *pects in all such cases are included on a web*
13 *site; and*

14 (D) *the names of the specific organizations*
15 *claiming responsibility for terrorist attacks men-*
16 *tioned on the site are included in the descrip-*
17 *tions of those attacks.*

18 (2) *The Office shall establish and administer a*
19 *program which will provide notification for American*
20 *victims of overseas terrorism or their immediate fam-*
21 *ily to update them on the status of efforts to capture*
22 *the terrorists who harmed them.*

23 (3) *The Office shall work with the other United*
24 *States government agencies to expand legal restric-*
25 *tions on the ability of murderers to reap profits from*

1 *books or movies concerning their crimes—the “Son of*
2 *Sam” laws that currently exist in many States, so as*
3 *to ensure that terrorists who harm American citizens*
4 *overseas are unable to profit from book or movie sales*
5 *in the United States.*

6 *(4) The Office shall endeavor to determine if ter-*
7 *rorists who have harmed American citizens overseas*
8 *are serving in their local police or security forces.*
9 *Whenever it is found that terrorists who have harmed*
10 *American citizens overseas are serving in their local*
11 *police or security forces, the Office shall alert those*
12 *United States Government agencies involved in pro-*
13 *viding assistance, directly or indirectly, to those*
14 *forces, and shall request of those agencies that all such*
15 *assistance be halted until the aforementioned terror-*
16 *ists are removed from their positions.*

17 *(5) The Office shall undertake a comprehensive*
18 *assessment of the pattern of United States indict-*
19 *ments and prosecution of terrorists who have harmed*
20 *American citizens overseas, in order to determine the*
21 *reasons for the absence of indictments of terrorists re-*
22 *siding in some regions, such as the territories con-*
23 *trolled by the Palestinian Authority. The Office’s as-*
24 *essment shall then be provided to the Attorney Gen-*
25 *eral, together with its recommendations.*

1 (6) *The Office shall endeavor to monitor public*
2 *actions by governments and regimes overseas per-*
3 *taining to terrorists who have harmed American citi-*
4 *zens, such as naming of schools, streets, or other pub-*
5 *lic institutions or sites after such terrorists. In such*
6 *instances, the Office shall encourage other United*
7 *States Government agencies to halt their provision of*
8 *assistance, directly or indirectly, to those institutions.*

9 (7) *In cases where terrorists who have harmed*
10 *Americans overseas, and are subsequently released*
11 *from incarceration abroad, are eligible for further*
12 *prosecution in the United States, the Office shall co-*
13 *ordinate with other government agencies to seek the*
14 *transfer of those terrorists to the United States for*
15 *further prosecution.*

16 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) *IN GENERAL.*—*There are authorized to be appro-*
18 *priated for fiscal year 2003 and subsequent fiscal years such*
19 *sums as may be necessary to carry out this title.*

20 (b) *AVAILABILITY.*—*Amounts appropriated under sub-*
21 *section (a) are authorized to remain available until ex-*
22 *pendent.*

Union Calendar No. 246

108TH CONGRESS
2D SESSION

H. R. 3036

[Report No. 108-426]

A BILL

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

FEBRUARY 24, 2004

Reported with an amendment, committed to the Com-
mittee of the Whole House on the State of the Union,
and ordered to be printed