

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6155

To establish guidelines and incentives for States to establish criminal drug dealer registries and to require the Attorney General to establish a national criminal drug dealer registry and notification program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 21, 2006

Mr. PEARCE introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish guidelines and incentives for States to establish criminal drug dealer registries and to require the Attorney General to establish a national criminal drug dealer registry and notification program, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Communities Leading  
5 Everyone Away From Narcotics Through Online Warning  
6 Notification Act”, or the “CLEAN TOWN Act”.

1 **SEC. 2. DRUG DEALER REGISTRATION AND NOTIFICATION**  
2 **PROGRAM.**

3 (a) **REGISTRY REQUIREMENTS FOR JURISDIC-**  
4 **TIONS.—**

5 (1) **JURISDICTION TO MAINTAIN A REGISTRY.—**

6 Each jurisdiction shall establish and maintain a ju-  
7 risdiction-wide criminal drug dealer registry con-  
8 forming to the requirements of this section.

9 (2) **GUIDELINES AND REGULATIONS.—**The At-  
10 torney General shall issue guidelines and regulations  
11 to interpret and implement this section.

12 (b) **REGISTRY REQUIREMENTS FOR CRIMINAL DRUG**  
13 **DEALERS.—**

14 (1) **IN GENERAL.—**A criminal drug dealer shall  
15 register, and shall keep the registration current, in  
16 each jurisdiction where the dealer resides, where the  
17 dealer is an employee, and where the dealer is a stu-  
18 dent. For initial registration purposes only, a crimi-  
19 nal drug dealer shall also register in the jurisdiction  
20 in which convicted if such jurisdiction is different  
21 from the jurisdiction of residence.

22 (2) **INITIAL REGISTRATION.—**The criminal drug  
23 dealer shall initially register—

24 (A) before completing a sentence of impris-  
25 onment with respect to the offense giving rise  
26 to the registration requirement; or

1 (B) not later than three business days  
2 after being sentenced for that offense, if the  
3 criminal drug dealer is not sentenced to a term  
4 of imprisonment.

5 (3) KEEPING THE REGISTRATION CURRENT.—A  
6 criminal drug dealer shall, not later than three busi-  
7 ness days after each change of name, residence, em-  
8 ployment, or student status, appear in person in at  
9 least one jurisdiction involved pursuant to paragraph  
10 (1) and inform that jurisdiction of all changes in the  
11 information required for that dealer in the criminal  
12 drug dealer registry. That jurisdiction shall imme-  
13 diately provide the revised information to all other  
14 jurisdictions in which the dealer is required to reg-  
15 ister.

16 (4) INITIAL REGISTRATION OF CRIMINAL DRUG  
17 DEALERS UNABLE TO COMPLY WITH PARAGRAPH  
18 (2).—The Attorney General shall have the authority  
19 to specify the applicability of the requirements of  
20 this section to criminal drug dealers convicted before  
21 the date of the enactment of this Act or its imple-  
22 mentation in a particular jurisdiction, and to pre-  
23 scribe rules for the registration of any such criminal  
24 drug dealers and other categories of criminal drug

1 offenders who are unable to comply with paragraph  
2 (2).

3 (5) STATE PENALTY FOR FAILURE TO COM-  
4 PLY.—Each jurisdiction, other than a federally rec-  
5 ognized Indian tribe, shall provide a criminal penalty  
6 that includes a maximum term of imprisonment that  
7 is greater than one year for the failure of a criminal  
8 drug dealer to comply with the requirements of this  
9 section.

10 (6) LIMITED AUTHORITY TO EXEMPT CERTAIN  
11 DRUG DEALERS FROM REGISTRY REQUIREMENTS.—  
12 A jurisdiction shall have the authority to exempt a  
13 criminal drug dealer who has been convicted of a  
14 criminal drug dealing offense for the first time from  
15 the registration requirements under this section in  
16 exchange for such dealer’s substantial assistance in  
17 the investigation or prosecution of another person  
18 who has committed an offense. The jurisdiction shall  
19 revoke any such exemption and order the dealer to  
20 comply with the registration requirements of this  
21 section immediately upon cessation of active co-  
22 operation with the jurisdiction relating to such inves-  
23 tigation or prosecution. The Attorney General shall  
24 assure that any regulations promulgated under this  
25 section include guidelines that reflect the general ap-

1       appropriateness of exempting such a dealer from the  
2       registration requirements under this section.

3       (c) INFORMATION REQUIRED IN REGISTRATION.—

4             (1) PROVIDED BY THE DEALER.—A criminal  
5       drug dealer shall provide the following information  
6       to the appropriate official for inclusion in the crimi-  
7       nal drug dealer registry of a jurisdiction in which  
8       such dealer is required to register:

9             (A) The name of the dealer (including any  
10       alias used by the dealer).

11            (B) The Social Security number of the  
12       dealer.

13            (C) The address of each residence at which  
14       the dealer resides or will reside.

15            (D) The name and address of any place  
16       where the dealer is an employee or will be an  
17       employee.

18            (E) The name and address of any place  
19       where the dealer is a student or will be a stu-  
20       dent.

21            (F) The license plate number and a de-  
22       scription of any vehicle owned or operated by  
23       the dealer.

24            (G) Any other information required by the  
25       Attorney General.

1           (2) PROVIDED BY THE JURISDICTION.—The ju-  
2           risdiction in which a criminal drug dealer registers  
3           shall ensure that the following information is in-  
4           cluded in the registry for such dealer:

5                   (A) A physical description of the dealer.

6                   (B) The text of the provision of law defin-  
7           ing the criminal offense for which the dealer is  
8           registered.

9                   (C) The criminal history of the dealer, in-  
10          cluding the date of all arrests and convictions;  
11          the status of parole, probation, or supervised  
12          release; registration status; and the existence of  
13          any outstanding arrest warrants for the dealer.

14                  (D) A current photograph of the dealer.

15                  (E) A set of fingerprints and palm prints  
16          of the dealer.

17                  (F) A photocopy of a valid driver's license  
18          or identification card issued to the dealer by a  
19          jurisdiction.

20                  (G) Any other information required by the  
21          Attorney General.

22          (d) DURATION OF REGISTRATION REQUIREMENT.—

23          A criminal drug dealer shall keep the registration informa-  
24          tion provided under subsection (c) current for the full reg-  
25          istration period (excluding any time the dealer is in cus-

1 today or civilly committed). For purposes of this subsection,  
2 the full registration period—

3 (1) shall commence on the later of the date on  
4 which the dealer is convicted of a criminal drug deal-  
5 ing offense, the date on which the dealer is released  
6 from prison for such conviction, or the date on  
7 which such dealer is placed on parole, supervised re-  
8 lease, or probation for such conviction; and

9 (2) shall be—

10 (A) five years for a dealer who has been  
11 convicted of a criminal drug dealing offense for  
12 the first time;

13 (B) ten years for a dealer who has been  
14 convicted of a criminal drug dealing offense for  
15 the second time; and

16 (C) for the life of the dealer for a dealer  
17 who has been convicted of a criminal drug deal-  
18 ing offense more than twice.

19 (e) ANNUAL VERIFICATION.—Not less than once in  
20 each calendar year during the full registration period, a  
21 criminal drug dealer required to register under this section  
22 shall—

23 (1) appear in person at not less than one juris-  
24 diction in which such dealer is required to register;

1           (2) allow such jurisdiction to take a current  
2           photograph of the dealer; and

3           (3) while present at such jurisdiction, verify the  
4           information in each registry in which that dealer is  
5           required to be registered.

6           (f) DUTY TO NOTIFY CRIMINAL DRUG DEALERS OF  
7           REGISTRATION REQUIREMENTS AND TO REGISTER.—

8           (1) IN GENERAL.—An appropriate official shall,  
9           shortly before release of a criminal drug dealer from  
10          custody, or, if the dealer is not in custody, imme-  
11          diately after the sentencing of the dealer for the of-  
12          fense giving rise to the duty to register—

13                 (A) inform the dealer of the duties of the  
14                 dealer under this section and explain those du-  
15                 ties;

16                 (B) require the dealer to read and sign a  
17                 form stating that the duty to register has been  
18                 explained and that the dealer understands the  
19                 registration requirement; and

20                 (C) ensure that the dealer is registered.

21           (2) NOTIFICATION OF CRIMINAL DRUG DEAL-  
22           ERS WHO CANNOT COMPLY WITH PARAGRAPH (1).—  
23           The Attorney General shall prescribe rules for the  
24           notification of criminal drug dealers who cannot be



1 notified and registered in accordance with paragraph  
2 (1).

3 (g) PUBLIC ACCESS TO CRIMINAL DRUG DEALER IN-  
4 FORMATION THROUGH THE INTERNET.—

5 (1) IN GENERAL.—Except as provided in this  
6 subsection, each jurisdiction shall make available on  
7 the Internet, in a manner that is readily accessible  
8 to all jurisdictions and to the public, all information  
9 about each criminal drug dealer in the registry. The  
10 jurisdiction shall maintain the Internet site in a  
11 manner that will permit the public to obtain relevant  
12 information for each such dealer by a single query  
13 for any given zip code or geographic radius set by  
14 the user. The jurisdiction shall also include in the  
15 design of its Internet site all field search capabilities  
16 needed for full participation in the National criminal  
17 drug dealer public Internet site established under  
18 subsection (i) and shall participate in that website as  
19 provided by the Attorney General.

20 (2) MANDATORY EXEMPTIONS.—A jurisdiction  
21 shall exempt from public disclosure, with respect to  
22 information about a criminal drug dealer—

23 (A) the identity of any victim of an of-  
24 fense;

1 (B) the Social Security number of the  
2 criminal drug dealer;

3 (C) any reference to arrests of the criminal  
4 drug dealer that did not result in conviction;  
5 and

6 (D) any other information exempted from  
7 public disclosure by the Attorney General.

8 (3) OPTIONAL EXEMPTIONS.—A jurisdiction  
9 may exempt from public disclosure, with respect to  
10 information about a criminal drug dealer—

11 (A) any information about the dealer in-  
12 volving conviction for an offense other than the  
13 offense or offenses for which the dealer is reg-  
14 istered;

15 (B) the name of an employer of the dealer;

16 (C) the name of an educational institution  
17 where the dealer is a student;

18 (D) any information about the dealer if the  
19 dealer is participating in a witness protection  
20 program and the release of such information  
21 could jeopardize the safety of the dealer or any  
22 other individual; and

23 (E) any other information identified as an  
24 optional exemption from public disclosure by  
25 the Attorney General.

1           (4) LINKS.—An Internet site established by a  
2 jurisdiction pursuant to paragraph (1) shall include,  
3 to the extent practicable, links to substance abuse  
4 education resources.

5           (5) CORRECTION OF ERRORS.—An Internet site  
6 established by a jurisdiction pursuant to paragraph  
7 (1) shall include instructions on how to seek correc-  
8 tion of information that an individual contends is er-  
9 roneous.

10          (6) WARNING.—An Internet site established by  
11 a jurisdiction pursuant to paragraph (1) shall in-  
12 clude a warning that information on the site should  
13 not be used to unlawfully injure, harass, or commit  
14 a crime against any individual named in the registry  
15 or residing or working at any reported address. The  
16 warning shall note that any such action could result  
17 in civil or criminal penalties.

18          (h) NATIONAL CRIMINAL DRUG DEALER REG-  
19 ISTRY.—

20           (1) IN GENERAL.—The Attorney General shall  
21 maintain a national database at the Federal Bureau  
22 of Investigation for each criminal drug dealer and  
23 any other person required to register in a jurisdic-  
24 tion’s criminal drug dealer registry under subsection

1 (a). The database shall be known as the National  
2 Criminal Drug Dealer Registry.

3 (2) ELECTRONIC FORWARDING.—The Attorney  
4 General shall ensure (through the National Criminal  
5 Drug Dealer Registry or otherwise) that updated in-  
6 formation about a criminal drug dealer is imme-  
7 diately transmitted by electronic forwarding to all  
8 relevant jurisdictions.

9 (i) NATIONAL CRIMINAL DRUG DEALER PUBLIC  
10 INTERNET SITE.—The Attorney General shall establish  
11 and maintain a national criminal drug dealer public Inter-  
12 net site. The Internet site shall include relevant informa-  
13 tion for each criminal drug dealer and other person listed  
14 on a jurisdiction’s Internet site under subsection (g). The  
15 Internet site shall allow the public to obtain relevant infor-  
16 mation for each such offender by a single query for any  
17 given zip code or geographical radius set by the user in  
18 a form and with such limitations as may be established  
19 by the Attorney General and shall have such other field  
20 search capabilities as the Attorney General may provide.

21 (j) NOTIFICATION PROCEDURES.—Under a criminal  
22 drug dealer registration program established by a jurisdic-  
23 tion pursuant to subsection (a), immediately after a crimi-  
24 nal drug dealer registers or updates a registration, an ap-  
25 propriate official in the jurisdiction shall provide the infor-

1 mation in the registry (other than information exempted  
2 from disclosure by the Attorney General) about that of-  
3 fender to the following:

4 (1) The Attorney General, who shall include  
5 that information in the National Criminal Drug  
6 Dealer Registry or other appropriate databases.

7 (2) Appropriate law enforcement agencies (in-  
8 cluding probation agencies, if appropriate), and each  
9 school and public housing agency, in each area in  
10 which the offender resides, is an employee, or is a  
11 student.

12 (3) Each jurisdiction where the offender re-  
13 sides, is an employee, or is a student, and each juris-  
14 diction from or to which a change of residence, em-  
15 ployment, or student status occurs.

16 (4) Any organization, company, or individual  
17 who requests such notification pursuant to proce-  
18 dures established by the jurisdiction.

19 (k) ACTIONS TO BE TAKEN WHEN CRIMINAL DRUG  
20 DEALER FAILS TO COMPLY.—Under a criminal drug deal-  
21 er registration program established by a jurisdiction pur-  
22 suant to subsection (a), an appropriate official of the juris-  
23 diction shall notify the Attorney General and appropriate  
24 law enforcement agencies of any failure by a criminal drug  
25 dealer to comply with the requirements of the criminal

1 drug dealer registry for such jurisdiction, and shall revise  
2 the registry to reflect the nature of such failure. The ap-  
3 propriate official, the Attorney General, and each such law  
4 enforcement agency shall take any appropriate action to  
5 ensure compliance.

6 (I) DEVELOPMENT AND AVAILABILITY OF REGISTRY  
7 MANAGEMENT AND WEBSITE SOFTWARE.—

8 (1) DUTY TO DEVELOP AND SUPPORT.—The  
9 Attorney General shall, in consultation with the ju-  
10 risdictions, develop and support software to enable  
11 jurisdictions to establish and operate uniform crimi-  
12 nal drug dealer registries and Internet sites.

13 (2) CRITERIA.—The software described in para-  
14 graph (1) should facilitate—

15 (A) immediate exchange of information  
16 among jurisdictions;

17 (B) public access over the Internet to ap-  
18 propriate information, including the number of  
19 registered criminal drug dealers in each juris-  
20 diction on a current basis;

21 (C) full compliance with the requirements  
22 of this section; and

23 (D) communication of information as re-  
24 quired under subsection (j).

1           (3) DEADLINE.—The Attorney General shall  
2           make the first complete edition of this software  
3           available to jurisdictions not later than two years  
4           after the date of the enactment of this Act.

5           (m) PERIOD FOR IMPLEMENTATION BY JURISDIC-  
6           TIONS.—

7           (1) DEADLINE.—To be in compliance with this  
8           section, a jurisdiction shall implement this section  
9           before the later of—

10           (A) three years after the date of the enact-  
11           ment of this Act; or

12           (B) one year after the date on which the  
13           software described in subsection (l) is made  
14           available to such jurisdiction.

15           (2) EXTENSIONS.—The Attorney General may  
16           authorize not more than two one-year extensions of  
17           the deadline under paragraph (1).

18           (n) FAILURE OF JURISDICTION TO COMPLY.—

19           (1) IN GENERAL.—For any fiscal year after the  
20           deadline described in subsection (m), a jurisdiction  
21           that fails, as determined by the Attorney General, to  
22           substantially implement this section shall not receive  
23           10 percent of the funds that would otherwise be allo-  
24           cated for that fiscal year to the jurisdiction under  
25           subpart 1 of part E of title I of the Omnibus Crime

1 Control and Safe Streets Act of 1968 (42 U.S.C.  
2 3750 et seq.).

3 (2) STATE CONSTITUTIONALITY.—

4 (A) IN GENERAL.—When evaluating  
5 whether a jurisdiction has substantially imple-  
6 mented this section, the Attorney General shall  
7 consider whether the jurisdiction is unable to  
8 substantially implement this section because of  
9 a demonstrated inability to implement certain  
10 provisions that would place the jurisdiction in  
11 violation of its constitution, as determined by a  
12 ruling of the jurisdiction’s highest court.

13 (B) EFFORTS.—If the circumstances arise  
14 under subparagraph (A), then the Attorney  
15 General and the jurisdiction involved shall make  
16 good faith efforts to accomplish substantial im-  
17 plementation of this section and to reconcile  
18 any conflicts between this section and the juris-  
19 diction’s constitution. In considering whether  
20 compliance with the requirements of this section  
21 would likely violate the jurisdiction’s constitu-  
22 tion or an interpretation thereof by the jurisdic-  
23 tion’s highest court, the Attorney General shall  
24 consult with the chief executive and chief legal  
25 officer of the jurisdiction concerning the juris-



1           diction’s interpretation of the jurisdiction’s con-  
2           stitution and rulings thereon by the jurisdic-  
3           tion’s highest court.

4           (C) ALTERNATIVE PROCEDURES.—If a ju-  
5           risdiction is unable to substantially implement  
6           this section because of a limitation imposed by  
7           the jurisdiction’s constitution, the Attorney  
8           General may determine that the jurisdiction is  
9           in compliance with this section if the jurisdic-  
10          tion has made, or is in the process of imple-  
11          menting, reasonable alternative procedures or  
12          accommodations, which are consistent with the  
13          purposes of this section.

14          (D) FUNDING REDUCTION.—If a jurisdic-  
15          tion determined to be in compliance under sub-  
16          paragraph (C) does not comply with the alter-  
17          native procedures or accommodations described  
18          in such subparagraph, then the jurisdiction  
19          shall be subject to a funding reduction as speci-  
20          fied in paragraph (1).

21          (3) REALLOCATION.—Amounts not allocated  
22          under a program referred to in this subsection to a  
23          jurisdiction for failure to substantially implement  
24          this section shall be reallocated under that program  
25          to jurisdictions that have not failed to substantially

1 implement this section or may be reallocated to a ju-  
2 risdiction from which they were withheld to be used  
3 solely for the purpose of implementing this section.

4 (4) RULE OF CONSTRUCTION.—The provisions  
5 of this section that are cast as directions to jurisdic-  
6 tions or their officials constitute, in relation to  
7 States, only conditions required to avoid the reduc-  
8 tion of Federal funding under this subsection.

9 (o) ELECTION BY INDIAN TRIBES.—

10 (1) ELECTION.—

11 (A) IN GENERAL.—A federally recognized  
12 Indian tribe may, by resolution or other enact-  
13 ment of the tribal council or comparable gov-  
14 ernmental body—

15 (i) elect to carry out this section as a  
16 jurisdiction subject to its provisions; or

17 (ii) elect to delegate its functions  
18 under this section to another jurisdiction  
19 or jurisdictions within which the territory  
20 of the tribe is located and to provide access  
21 to its territory and such other cooperation  
22 and assistance as may be needed to enable  
23 such other jurisdiction or jurisdictions to  
24 carry out and enforce the requirements of  
25 this section.

1 (B) IMPUTED ELECTION IN CERTAIN  
2 CASES.—A tribe shall be treated as if it had  
3 made the election described in subparagraph  
4 (A)(ii) if—

5 (i) it is a tribe subject to the law en-  
6 forcement jurisdiction of a State under  
7 section 1162 of title 18, United States  
8 Code;

9 (ii) the tribe does not make an elec-  
10 tion under subparagraph (A) within one  
11 year of the date of the enactment of this  
12 Act or rescinds an election under subpara-  
13 graph (A)(i); or

14 (iii) the Attorney General determines  
15 that the tribe has not substantially imple-  
16 mented the requirements of this section  
17 and is not likely to become capable of  
18 doing so within a reasonable amount of  
19 time.

20 (2) COOPERATION BETWEEN TRIBAL AUTHORI-  
21 TIES AND OTHER JURISDICTIONS.—

22 (A) NONDUPLICATION.—A tribe subject to  
23 this section is not required to duplicate func-  
24 tions under this section which are fully carried

1 out by another jurisdiction or jurisdictions with-  
2 in which the territory of the tribe is located.

3 (B) COOPERATIVE AGREEMENTS.—A tribe  
4 may, through cooperative agreements with such  
5 a jurisdiction or jurisdictions—

6 (i) arrange for the tribe to carry out  
7 any function of such a jurisdiction under  
8 this section with respect to criminal drug  
9 dealers subject to the tribe’s jurisdiction;  
10 and

11 (ii) arrange for such a jurisdiction to  
12 carry out any function of the tribe under  
13 this section with respect to criminal drug  
14 dealers subject to the tribe’s jurisdiction.

15 (p) IMMUNITY FOR GOOD FAITH CONDUCT.—The  
16 Federal Government, jurisdictions, political subdivisions of  
17 jurisdictions, and their agencies, officers, employees, and  
18 agents shall be immune from liability for good faith con-  
19 duct under this section.

20 **SEC. 3. CRIMINAL DRUG DEALER MANAGEMENT ASSIST-**  
21 **ANCE PROGRAM.**

22 (a) IN GENERAL.—The Attorney General shall estab-  
23 lish and implement a Criminal Drug Dealer Management  
24 Assistance program (in this section referred to as the  
25 “CDDMA program”), under which the Attorney General

1 may award a grant to a jurisdiction to offset the costs  
2 of implementing section 2.

3 (b) APPLICATION.—The chief executive of a jurisdic-  
4 tion desiring a grant under this section shall, on an annual  
5 basis, submit to the Attorney General an application in  
6 such form and containing such information as the Attor-  
7 ney General may require.

8 (c) BONUS PAYMENTS FOR PROMPT COMPLIANCE.—  
9 A jurisdiction that, as determined by the Attorney Gen-  
10 eral, has substantially implemented section 2 not later  
11 than two years after the date of the enactment of this Act  
12 is eligible for a bonus payment. The Attorney General may  
13 make such a payment under the CDDMA program for the  
14 first fiscal year beginning after that determination. The  
15 amount of the bonus payment shall be—

16 (1) 10 percent of the total received by the juris-  
17 diction under the CDDMA program for the pre-  
18 ceding fiscal year, if that implementation is not later  
19 than one year after the date of enactment of this  
20 Act; and

21 (2) 5 percent of such total, if such implementa-  
22 tion is not later than two years after such date of  
23 enactment.

24 (d) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
25 tion to any amounts otherwise authorized to be appro-

1 priated, there are authorized to be appropriated to the At-  
2 torney General, to be available only for the CDDMA pro-  
3 gram, such sums as may be necessary for each of the fiscal  
4 years 2007 through 2012.

5 **SEC. 4. DEFINITIONS.**

6 For the purposes of this Act:

7 (1) **CRIMINAL DRUG DEALER.**—The term  
8 “criminal drug dealer” means an individual who is  
9 convicted of any criminal offense for manufacturing,  
10 distributing, dispensing, or possessing with the in-  
11 tent to manufacture, distribute, or dispense, a con-  
12 trolled substance (as such term is defined in section  
13 102(6) of the Controlled Substances Act (21 U.S.C.  
14 802(6)).

15 (2) **CRIMINAL DRUG DEALER REGISTRY.**—The  
16 term “criminal drug dealer registry” means a reg-  
17 istry of criminal drug dealers, and a notification pro-  
18 gram, maintained by a jurisdiction.

19 (3) **CRIMINAL OFFENSE.**—The term “criminal  
20 offense” means a State, local, tribal, foreign, or mili-  
21 tary offense (to the extent specified by the Secretary  
22 of Defense under section 115(a)(8)(C)(i) of Public  
23 Law 105–119 (10 U.S.C. 951 note)) or other crimi-  
24 nal offense.

1           (4) EMPLOYEE.—The term “employee” includes  
2           an individual who is self-employed or works for any  
3           other entity, whether compensated or not.

4           (5) JURISDICTION.—The term “jurisdiction”  
5           means any of the following: —

6                   (A) A State.

7                   (B) The District of Columbia.

8                   (C) The Commonwealth of Puerto Rico.

9                   (D) Guam.

10                  (E) American Samoa.

11                  (F) The Northern Mariana Islands.

12                  (G) The United States Virgin Islands.

13                  (H) To the extent provided and subject to  
14                  the requirements of section 2(o), a federally  
15                  recognized Indian tribe.

16           (6) RESIDES.—The term “resides” means, with  
17           respect to an individual, the location of the individ-  
18           ual’s home or other place where the individual habit-  
19           ually lives.

20           (7) STUDENT.—The term “student” means an  
21           individual who enrolls in or attends an educational  
22           institution (whether public or private), including a  
23           secondary school, trade or professional school, and  
24           institution of higher education.

○