§ 13712. Report by Attorney General

Beginning on October 1, 1996, and each subsequent July 1 thereafter, the Attorney General shall report to the Congress on the implementation of this part, including a report on the eligibility of the States under sections 13703 and 13704 of this title, and the distribution and use of funds under this part.

(Pub. L. 103–322, title II, § 20112, as added Pub. L. 104–134, title I, § 101[(a)] [title I, § 114(a)], Apr. 26, 1996, 110 Stat. 1321, 1321–21; renumbered title I, Pub. L. 104–140, § 1(a), May 2, 1996, 110 Stat. 1327.)

§ 13713. Aimee's Law

(a) Short title

This section may be cited as ''Aimee's Law''.

(b) Definitions

Pursuant to regulations promulgated by the Attorney General hereunder, in this section:

(1) Dangerous sexual offense

The term ''dangerous sexual offense'' means any offense under State law for conduct that would constitute an offense under chapter 109A of title 18 had the conduct occurred in the special maritime and territorial jurisdiction of the United States or in a Federal prison.

(2) Murder

The term ''murder'' has the meaning given the term in part I of the Uniform Crime Reports of the Federal Bureau of Investigation.

(3) Rape

The term ''rape'' has the meaning given the term in part I of the Uniform Crime Reports of the Federal Bureau of Investigation.

(c) Penalty

(1) Single State

Pursuant to regulations promulgated by the Attorney General hereunder, in any case in which a criminal-records-reporting State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any one of those offenses in a State described in paragraph (3), it may, under subsection (d) of this section, apply to the Attorney General for $10,000, for its related apprehension and prosecution costs, and $22,500 per year (up to a maximum of 5 years), for its related incarceration costs with both amounts for costs adjusted annually for the rate of inflation.

(2) Multiple States

Pursuant to regulations promulgated by the Attorney General hereunder, in any case in which a criminal-records-reporting State convicts an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for any one or more of those offenses in more than one other State described in paragraph (3), it may, under subsection (d) of this section, apply to the Attorney General for $10,000, for its related apprehension and prosecution costs, and $22,500 per year (up to a maximum of 5 years), for its related incarceration costs with both amounts for costs adjusted annually for the rate of inflation.

(3) State described

Pursuant to regulations promulgated by the Attorney General hereunder, a State is described in this paragraph unless—

(A) the term of imprisonment imposed by the State on the individual described in paragraph (1) or (2), as applicable, was not less than the average term of imprisonment imposed for that offense in all States; or

(B) with respect to the individual described in paragraph (1) or (2), as applicable, the individual had served not less than 85 percent of the term of imprisonment to which that individual was sentenced for the prior offense.

For purposes of subparagraph (B), in a State that has indeterminate sentencing, the term of imprisonment to which that individual was sentenced for the prior offense shall be based on the lower of the range of sentences.

(d) State applications

In order to receive an amount under subsection (c) of this section, the chief executive of a State shall submit to the Attorney General an application, in such form and containing such information as the Attorney General may reasonably require, which shall include a certification that the State has convicted an individual of murder, rape, or a dangerous sexual offense, who has a prior conviction for one of those offenses in another State.

(e) Source of funds

(1) In general

Pursuant to regulations promulgated by the Attorney General hereunder, any amount under subsection (c) of this section shall be derived by reducing the amount of Federal law enforcement assistance funds received by the State pursuant to section 3755 of this title that convicted such individual of the prior offense before the distribution of the funds to the State. No amount described under this section shall be subject to section 3335(b) or 6503(d) of title 31 [1]

(2) Payment schedule

The Attorney General, in consultation with the chief executive of the State that convicted such individual of the prior offense, shall establish a payment schedule.

(f) Construction

Nothing in this section may be construed to diminish or otherwise affect any court ordered restitution.

(g) Exception

Pursuant to regulations promulgated by the Attorney General hereunder, this section does not apply if the individual convicted of murder, rape, or a dangerous sexual offense has been released from prison upon the reversal of a conviction for an offense described in subsection (c) of this section and subsequently been convicted for an offense described in subsection (c) of this section.

(h) Report

The Attorney General shall—

[1] So in original. Probably should be followed by a period.

(1) conduct a study evaluating the implementation of this section; and

(2) not later than October 1, 2006, submit to Congress a report on the results of that study.

(i) Collection of recidivism data

(1) In general

Beginning with calendar year 2002, and each calendar year thereafter, the Attorney General shall collect and maintain information relating to, with respect to each State (where practicable)—

(A) the number of convictions during that calendar year for—

(i) any dangerous sexual offense;

(ii) rape; and

(iii) murder; and

(B) the number of convictions described in subparagraph (A) that constitute second or subsequent convictions of the defendant of an offense described in that subparagraph.

(2) Report

The Attorney General shall submit to Congress—

(A) a report, by not later than 6 months after January 5, 2006, that provides national estimates of the nature and extent of recidivism (with an emphasis on interstate recidivism) by State inmates convicted of murder, rape, and dangerous sexual offenses;

(B) a report, by not later than October 1, 2007, and October 1 of each year thereafter, that provides statistical analysis and criminal history profiles of interstate recidivists identified in any State applications under this section; and

(C) reports, at regular intervals not to exceed every five years, that include the information described in paragraph (1).

(j) Effective date

This section shall take effect on January 1, 2002.

(Pub. L. 106–386, div. C, §2001, Oct. 28, 2000, 114 Stat. 1539; Pub. L. 109–162, title XI, §1170, Jan. 5, 2006, 119 Stat. 3122; Pub. L. 109–271, §8(m), Aug. 12, 2006, 120 Stat. 767.)

CODIFICATION

January 5, 2006, referred to in subsec. (i)(2)(A), was in the original ''the date of enactment of this Act'', which was translated as meaning the date of enactment of Pub. L. 109–162, which enacted subsec. (i)(2) of this section, to reflect the probable intent of Congress.

Section was enacted as Aimee's Law and also as part of the Victims of Trafficking and Violence Protection Act of 2000, and not as part of the Violent Crime Control and Law Enforcement Act of 1994 which enacted this chapter.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–162, §1170(1), substituted ''Pursuant to regulations promulgated by the Attorney General hereunder, in this section'' for ''In this section'' in introductory provisions.

Subsec. (c)(1). Pub. L. 109–162, §1170(1), (2), substituted ''Pursuant to regulations promulgated by the Attorney General hereunder, in any case'' for ''In any case'', ''a criminal-records-reporting State'' for ''a State'' the first place appearing, and ''(3), it may, under subsection (d) of this section, apply to the Attorney General for $10,000, for its related apprehension and prosecution costs, and $22,500 per year (up to a maximum of 5 years), for its related incarceration costs with both amounts for costs adjusted annually for the rate of inflation'' for ''(3), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to the State that convicted the individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense''.

Subsec. (c)(2). Pub. L. 109–162, §1170(1), (2), substituted ''Pursuant to regulations promulgated by the Attorney General hereunder, in any case'' for ''In any case'', ''a criminal-records-reporting State'' for ''a State'', and ''(3), it may, under subsection (d) of this section, apply to the Attorney General for $10,000, for its related apprehension and prosecution costs, and $22,500 per year (up to a maximum of 5 years), for its related incarceration costs with both amounts for costs adjusted annually for the rate of inflation'' for ''(3), the Attorney General shall transfer an amount equal to the costs of incarceration, prosecution, and apprehension of that individual, from Federal law enforcement assistance funds that have been allocated to but not distributed to each State that convicted such individual of the prior offense, to the State account that collects Federal law enforcement assistance funds of the State that convicted that individual of the subsequent offense''.

Subsec. (c)(3). Pub. L. 109–162, §1170(1), (3)(A), substituted ''Pursuant to regulations promulgated by the Attorney General hereunder, a State'' for ''A State'' and ''unless'' for ''if'' in introductory provisions.

Subsec. (c)(3)(A). Pub. L. 109–162, §1170(3)(B)(iii), (C), inserted ''not'' before ''less'' and struck out ''convicted by the State is'' after ''as applicable, was''.

Pub. L. 109–162, §1170(3)(B)(ii), which directed amendment of par. (3) by striking ''individuals convicted of the offense for which,'' was executed by striking ''individuals convicted of the offense for which'' after ''imposed by the State on'' to reflect the probable intent of Congress, because there was no comma after ''which''.

Pub. L. 109–162, §1170(3)(B)(i), which directed that ''average'' be struck out, was executed by striking out ''average'' the first place appearing, after ''(A) the'', to reflect the probable intent of Congress.

Subsec. (c)(3)(B). Pub. L. 109–162, §1170(3)(C), inserted ''not'' before ''less''.

Subsec. (d). Pub. L. 109–162, §1170(4), struck out ''transferred'' after ''receive an amount''.

Subsec. (e)(1). Pub. L. 109–271 substituted ''section 3755'' for ''section 3756''.

Pub. L. 109–162, §1170(1), (4), (5), substituted ''Pursuant to regulations promulgated by the Attorney General hereunder, any amount'' for ''Any amount transferred'', inserted ''pursuant to section 3756 of this title'' before ''that convicted'', inserted ''No amount described under this section shall be subject to section 3335(b) or 6503(d) of title 31'' at end, and struck out former last sentence which read as follows: ''The Attorney General shall provide the State with an opportunity to select the specific Federal law enforcement assistance funds to be so reduced (other than Federal crime victim assistance funds).''

Subsec. (g). Pub. L. 109–162, §1170(1), substituted ''Pursuant to regulations promulgated by the Attorney General hereunder, this section does not apply'' for ''This section does not apply''.

Subsec. (i)(1). Pub. L. 109–162, §1170(6), substituted ''State (where practicable)'' for ''State'' in introductory provisions.

Subsec. (i)(2). Pub. L. 109–162, §1170(7), added par. (2) and struck out heading and text of former par. (2). Text read as follows: ''Not later than March 1, 2003, and on March 1 of each year thereafter, the Attorney General shall submit to Congress a report, which shall include—

''(A) the information collected under paragraph (1) with respect to each State during the preceding calendar year; and

''(B) the percentage of cases in each State in which an individual convicted of an offense described in paragraph (1)(A) was previously convicted of another such offense in another State during the preceding calendar year.''

PART B—MISCELLANEOUS PROVISIONS

§ 13721. Task force on prison construction standardization and techniques

(a) Task force

The Director of the National Institute of Corrections shall, subject to availability of appropriations, establish a task force composed of Federal, State, and local officials expert in prison construction, and of at least an equal number of engineers, architects, and construction experts from the private sector with expertise in prison design and construction, including the use of cost-cutting construction standardization techniques and cost-cutting new building materials and technologies.

(b) Cooperation

The task force shall work in close cooperation and communication with other State and local officials responsible for prison construction in their localities.

(c) Performance requirements

The task force shall work to—

(1) establish and recommend standardized construction plans and techniques for prison and prison component construction; and

(2) evaluate and recommend new construction technologies, techniques, and materials,

to reduce prison construction costs at the Federal, State, and local levels and make such construction more efficient.

(d) Dissemination

The task force shall disseminate information described in subsection (c) of this section to State and local officials involved in prison construction, through written reports and meetings.

(e) Promotion and evaluation

The task force shall—

(1) work to promote the implementation of cost-saving efforts at the Federal, State, and local levels;

(2) evaluate and advise on the results and effectiveness of such cost-saving efforts as adopted, broadly disseminating information on the results; and

(3) to the extent feasible, certify the effectiveness of the cost-savings efforts.

(Pub. L. 103–322, title II, § 20406, Sept. 13, 1994, 108 Stat. 1826.)

§ 13722. Efficiency in law enforcement and corrections

(a) In general

In the administration of each grant program funded by appropriations authorized by this Act or by an amendment made by this Act, the Attorney General shall encourage—

(1) innovative methods for the low-cost construction of facilities to be constructed, converted, or expanded and the low-cost operation of such facilities and the reduction of administrative costs and overhead expenses; and

(2) the use of surplus Federal property.

(b) Assessment of construction components and designs

The Attorney General may make an assessment of the cost efficiency and utility of using modular, prefabricated, precast, and pre-engineered construction components and designs for housing nonviolent criminals.

(Pub. L. 103–322, title II, § 20407, Sept. 13, 1994, 108 Stat. 1826.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 103–322, Sept. 13, 1994, 108 Stat. 1796, known as the Violent Crime Control and Law Enforcement Act of 1994. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of this title and Tables.

§ 13723. Congressional approval of any expansion at Lorton and congressional hearings on future needs

(a) Congressional approval

Notwithstanding any other provision of law, the existing prison facilities and complex at the District of Columbia Corrections Facility at Lorton, Virginia, shall not be expanded unless such expansion has been approved by the Congress under the authority provided to Congress in section 446 of the District of Columbia Home Rule Act.

(b) Senate hearings

The Senate directs the Subcommittee on the District of Columbia of the Committee on Appropriations of the Senate to conduct hearings regarding expansion of the prison complex in Lorton, Virginia, prior to any approval granted pursuant to subsection (a) of this section. The subcommittee shall permit interested parties, including appropriate officials from the County of Fairfax, Virginia, to testify at such hearings.

(c) "Expanded" and "expansion" defined

For purposes of this section, the terms ''expanded'' and ''expansion'' mean any alteration of the physical structure of the prison complex that is made to increase the number of inmates incarcerated at the prison.

(Pub. L. 103–322, title II, § 20410, Sept. 13, 1994, 108 Stat. 1828; Pub. L. 105–33, title XI, § 11717(b), Aug. 5, 1997, 111 Stat. 786.)

REFERENCES IN TEXT

Section 446 of the District of Columbia Home Rule Act, referred to in subsec. (a), is section 446 of Pub. L. 93–198, title IV, Dec. 24, 1973, 87 Stat. 801, as amended, which is not classified to the Code.

AMENDMENTS

1997—Subsec. (a). Pub. L. 105–33 substituted ''District of Columbia Home Rule Act'' for ''District of Columbia Self-Government and Governmental Reorganization Act''.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105–33 effective Oct. 1, 1997, except as otherwise provided in title XI of Pub. L. 105–33, see section 11721 of Pub. L. 105–33, set out as a