

106TH CONGRESS  
1ST SESSION

# S. 993

To prevent juvenile crime, provide for certain punishment of juvenile delinquents, and incapacitate violent juvenile criminals, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 10, 1999

Mr. BIDEN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To prevent juvenile crime, provide for certain punishment of juvenile delinquents, and incapacitate violent juvenile criminals, 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 “Juvenile Justice and  
5 Delinquency Prevention Act of 1999”.

6 **SEC. 2. BLOCK GRANT PROGRAM.**

7 (a) IN GENERAL.—Part R of title I of the Omnibus  
8 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
9 3796 et seq.) is amended to read as follows:

1     **“PART R—JUVENILE ACCOUNTABILITY BLOCK**

2                                 **GRANTS**

3     **“SEC. 1801. PROGRAM AUTHORIZED.**

4             “(a) IN GENERAL.—The Attorney General shall  
 5 make, subject to the availability of appropriations, grants  
 6 to States for use by States and units of local government  
 7 in planning, establishing, operating, coordinating, and  
 8 evaluating projects, directly or through grants and con-  
 9 tracts with public and private agencies, for the develop-  
 10 ment of more effective investigation, prosecution, and pun-  
 11 ishment (including the imposition of graduated sanctions)  
 12 of crimes or acts of delinquency committed by juveniles,  
 13 programs to improve the administration of justice for and  
 14 ensure accountability by juvenile offenders, and programs  
 15 to reduce the risk factors (such as truancy, drug or alcohol  
 16 use, and gang involvement) associated with juvenile crime  
 17 or delinquency.

18             “(b) USE OF GRANTS.—

19                     “(1) IN GENERAL.—Subject to paragraph (2),  
 20 grants under this section shall be used by States and  
 21 units of local government for the following purposes:

22                             “(A) Programs to enhance the identifica-  
 23 tion, investigation, prosecution, and punishment  
 24 of juvenile offenders, such as—

25                                     “(i) the utilization of graduated sanc-  
 26 tions;

1 “(ii) the utilization of short-term con-  
2 finement of juvenile offenders;

3 “(iii) the incarceration of violent juve-  
4 nile offenders for extended periods of time;

5 “(iv) the hiring of juvenile prosecu-  
6 tors, juvenile public defenders, juvenile  
7 judges, juvenile probation officers, and ju-  
8 venile correctional officers to implement  
9 policies to control juvenile crime and en-  
10 sure accountability of juvenile offenders;  
11 and

12 “(v) the development and implementa-  
13 tion of a coordinated, multiagency system  
14 for—

15 “(I) the comprehensive and co-  
16 ordinated booking, identification, and  
17 assessment of juveniles arrested or de-  
18 tained by law enforcement agencies,  
19 including the utilization of multi-  
20 agency facilities such as juvenile as-  
21 sessment centers; and

22 “(II) the coordinated delivery of  
23 support services for juveniles who  
24 have had or are at risk for contact  
25 with the juvenile or criminal systems,

1 including utilization of court-estab-  
2 lished local service delivery councils.

3 “(B) Programs that require juvenile of-  
4 fenders to make restitution to the victims of of-  
5 fenses committed by those juvenile offenders.

6 “(C) Programs that require juvenile of-  
7 fenders to attend and successfully complete  
8 school or vocational training as part of a sen-  
9 tence imposed by a court.

10 “(D) Programs that require juvenile of-  
11 fenders who are parents to demonstrate paren-  
12 tal responsibility by working and paying child  
13 support.

14 “(E) Programs that seek to curb or punish  
15 truancy.

16 “(F) Programs designed to collect, record,  
17 retain, and disseminate information useful in  
18 the identification, prosecution, and sentencing  
19 of juvenile offenders, such as criminal history  
20 information, fingerprints, DNA tests, and bal-  
21 listics tests.

22 “(G) The development and implementation  
23 of coordinated multijurisdictional or multi-  
24 agency programs for the identification, control,  
25 supervision, prevention, investigation, and treat-

1           ment of the most serious juvenile offenses and  
2           offenders, popularly known as a ‘SHOCAP Pro-  
3           gram’ (Serious Habitual Offenders Comprehen-  
4           sive Action Program).

5           “(H) The development and implementation  
6           of coordinated multijurisdictional or multi-  
7           agency programs for the identification, control,  
8           supervision, prevention, investigation, and dis-  
9           ruption of youth gangs.

10          “(I) The construction or remodeling of  
11          short- and long-term facilities for juvenile of-  
12          fenders.

13          “(J) The development and implementation  
14          of technology, equipment, and training pro-  
15          grams for juvenile crime control, for law en-  
16          forcement officers, judges, prosecutors, proba-  
17          tion officers, and other court personnel who are  
18          employed by State and local governments, in  
19          furtherance of the purposes identified in this  
20          section.

21          “(K) Programs to seek to target, curb, and  
22          punish adults who knowingly and intentionally  
23          use a juvenile during the commission or at-  
24          tempted commission of a crime, including pro-  
25          grams that specifically provide for additional

1           punishments or sentence enhancements for  
2           adults who knowingly and intentionally use a  
3           juvenile during the commission or attempted  
4           commission of a crime.

5           “(L)(i) Hiring additional juvenile judges,  
6           probation officers, and court-appointed defend-  
7           ers, and funding pretrial services for juveniles,  
8           to ensure the smooth and expeditious adminis-  
9           tration of the juvenile justice system.

10          “(ii) Hiring additional prosecutors, so that  
11          more cases involving violent juvenile offenders  
12          can be prosecuted and backlogs reduced.

13          “(iii) Providing funding to enable prosecu-  
14          tors to address drug, gang, and youth violence  
15          problems more effectively.

16          “(iv) Providing funding for technology,  
17          equipment, and training to assist prosecutors in  
18          identifying and expediting the prosecution of  
19          violent juvenile offenders.

20          “(v) Providing funding to enable juvenile  
21          courts and juvenile probation offices to be more  
22          effective and efficient in holding juvenile offend-  
23          ers accountable and reducing recidivism.

24          “(vi) The establishment of court-based ju-  
25          venile justice programs that target young fire-

1 arms offenders through the establishment of ju-  
2 venile gun courts for the adjudication and pros-  
3 ecution of juvenile firearms offenders.

4 “(vii) The establishment of drug court pro-  
5 grams for juveniles so as to provide continuing  
6 judicial supervision over juvenile offenders with  
7 substance abuse problems and to provide the in-  
8 tegrated administration of other sanctions and  
9 services.

10 “(M) Juvenile prevention programs (such  
11 as curfews, youth organizations, antidrug pro-  
12 grams, antigang programs, and after-school ac-  
13 tivities) that include a rigorous, comprehensive  
14 evaluation component that measures the de-  
15 crease in risk factors associated with the juve-  
16 nile crime and delinquency and employs sci-  
17 entifically valid standards and methodologies.

18 “(N) Juvenile drug treatment programs.

19 “(2) ALLOCATION.—Of the total amount made  
20 available to a State or unit of local government  
21 under this section for a fiscal year—

22 “(A) not less than 25 percent shall be used  
23 for the purposes set forth in subparagraphs (A)  
24 through (I) of paragraph (1);

1 “(B) not less than 25 percent shall be used  
 2 for the purposes set forth in subparagraphs (J)  
 3 and (L) of paragraph (1); and

4 “(C) not less than 25 percent shall be used  
 5 for the purposes set forth in subparagraphs (M)  
 6 and (N) of paragraph (1).

7 “(c) ALLOCATION AND DISTRIBUTION OF STATE  
 8 GRANTS.—

9 “(1) IN GENERAL.—

10 “(A) STATE AND LOCAL DISTRIBUTION.—  
 11 Subject to subparagraph (B), of amounts made  
 12 available to the State, 30 percent may be re-  
 13 tained by the State for use pursuant to para-  
 14 graph (2) and 70 percent shall be reserved by  
 15 the State for local distribution pursuant to  
 16 paragraph (3).

17 “(B) SPECIAL RULE.—The Attorney Gen-  
 18 eral may waive the requirements of this para-  
 19 graph with respect to any State in which the  
 20 criminal and juvenile justice services for delin-  
 21 quent or other youths are organized primarily  
 22 on a statewide basis, in which case not more  
 23 than 50 percent of funds shall be made avail-  
 24 able to all units of local government in that  
 25 State pursuant to paragraph (3).



1 “(2) LOCAL ELIGIBILITY AND DISTRIBUTION.—

2 “(A) COORDINATED LOCAL EFFORT.—

3 Prior to receiving a grant under this section, a  
4 unit of local government shall certify that it has  
5 or will establish a coordinated enforcement plan  
6 for reducing juvenile crime within the jurisdic-  
7 tion of the unit of local government, developed  
8 by a juvenile crime enforcement coalition, such  
9 coalition consisting of individuals within the ju-  
10 risdiction representing the police, sheriff, pros-  
11 ecutor, State or local probation services, juve-  
12 nile court, schools, business, and religious affili-  
13 ated, fraternal, nonprofit, or social service orga-  
14 nizations involved in crime prevention.

15 “(B) SPECIAL RULE.—The requirement of  
16 subparagraph (A) shall apply to an eligible unit  
17 that receives funds from the Attorney General  
18 under subparagraph (H), except that the cer-  
19 tification that would otherwise be made to the  
20 State shall be made to the Attorney General.

21 “(C) LOCAL DISTRIBUTION.—From  
22 amounts reserved for local distribution under  
23 paragraph (1), the State shall allocate to such  
24 units of local government an amount that bears

1 the same ratio to the aggregate amount of such  
 2 funds as—

3 “(i) the sum of—

4 “(I) the product of—

5 “(aa) two-thirds; multiplied  
 6 by

7 “(bb) the average law en-  
 8 forcement expenditure for such  
 9 unit of local government for the  
 10 3 most recent calendar years for  
 11 which such data is available; plus

12 “(II) the product of—

13 “(aa) one-third; multiplied  
 14 by

15 “(bb) the average annual  
 16 number of part 1 violent crimes  
 17 in such unit of local government  
 18 for the 3 most recent calendar  
 19 years for which such data is  
 20 available, bears to—

21 “(ii) the sum of the products deter-  
 22 mined under subparagraph (A) for all such  
 23 units of local government in the State.

24 “(D) EXPENDITURES.—The allocation any  
 25 unit of local government shall receive under

1 paragraph (1) for a payment period shall not  
2 exceed 100 percent of law enforcement expendi-  
3 tures of the unit for such payment period.

4 “(E) REALLOCATION.—The amount of any  
5 unit of local government’s allocation that is not  
6 available to such unit by operation of paragraph  
7 (2) shall be available to other units of local gov-  
8 ernment that are not affected by such operation  
9 in accordance with this subsection.

10 “(F) UNAVAILABILITY OF DATA FOR UNITS  
11 OF LOCAL GOVERNMENT.—If the State has rea-  
12 son to believe that the reported rate of part 1  
13 violent crimes or law enforcement expenditure  
14 for a unit of local government is insufficient or  
15 inaccurate, the State shall—

16 “(i) investigate the methodology used  
17 by the unit to determine the accuracy of  
18 the submitted data; and

19 “(ii) if necessary, use the best avail-  
20 able comparable data regarding the num-  
21 ber of violent crimes or law enforcement  
22 expenditure for the relevant years for the  
23 unit of local government.

24 “(G) LOCAL GOVERNMENT WITH ALLOCA-  
25 TIONS LESS THAN \$5,000.—If, under this sec-

1           tion, a unit of local government is allocated less  
2           than \$5,000 for a payment period, the amount  
3           allocated shall be expended by the State on  
4           services to units of local government whose al-  
5           lotment is less than such amount in a manner  
6           consistent with this part.

7           “(H)   DIRECT   GRANTS   TO   ELIGIBLE  
8           UNITS.—

9           “(i) IN GENERAL.—If a State does  
10          not qualify or apply for a grant under this  
11          section, by the application deadline estab-  
12          lished by the Attorney General, the Attor-  
13          ney General shall reserve not more than 70  
14          percent of the allocation that the State  
15          would have received for grants under this  
16          section under subsection (e) for such fiscal  
17          year to provide grants to eligible units that  
18          meet the requirements for funding under  
19          subparagraph (A).

20          “(ii) AWARD BASIS.—In addition to  
21          the qualification requirements for direct  
22          grants for eligible units the Attorney Gen-  
23          eral may use the average amount allocated  
24          by the States to like governmental units as

1 a basis for awarding grants under this sec-  
2 tion.

3 “(I) USE OF CONSTRUCTION AND REMOD-  
4 ELING FUNDS BY UNITS OF LOCAL GOVERN-  
5 MENT.—Of amounts made available under this  
6 section to a unit of local government for pur-  
7 poses of construction or remodeling of short- or  
8 long-term facilities pursuant to subsection  
9 (b)(9)—

10 “(i) the unit of local government shall  
11 coordinate such expenditures with similar  
12 State expenditures;

13 “(ii) Federal funds shall constitute  
14 not more than 50 percent of the estimated  
15 construction or remodeling cost; and

16 “(iii) no funds expended pursuant to  
17 this clause may be used for the incarcer-  
18 ation of any offender who was more than  
19 21 years of age at the time of the offense  
20 or for construction, renovation, or expan-  
21 sion of facilities for such offenders, except  
22 that funds may be used to construct juve-  
23 nile facilities collocated with adult facili-  
24 ties, including separate buildings for juve-  
25 niles and separate juvenile wings, cells, or

1 areas collocated within an adult jail or  
2 lockup.

3 “(3) NONSUPPLANTATION.—Amounts made  
4 available under this section to the States (or units  
5 of local government in the State) shall not be used  
6 to supplant State or local funds (or in the case of  
7 Indian tribal governments, to supplant amounts pro-  
8 vided by the Bureau of Indian Affairs) but shall be  
9 used to increase the amount of funds that would in  
10 the absence of amounts received under this section,  
11 be made available from a State or local source, or  
12 in the case of Indian tribal governments, from  
13 amounts provided by the Bureau of Indian Affairs.

14 “(e) ALLOCATION OF GRANTS AMONG QUALIFYING  
15 STATES; RESTRICTIONS ON USE.—

16 “(1) ALLOCATION.—Amounts made available  
17 under this section shall be allocated as follows:

18 “(A) 0.5 percent shall be allocated to each  
19 eligible State.

20 “(B) The amount remaining after the allo-  
21 cation under subparagraph (A) shall be allo-  
22 cated proportionately based on the population  
23 that is less than 18 years of age in the eligible  
24 States.

1           “(2) RESTRICTIONS ON USE.—Amounts made  
2           available under this section shall be subject to the  
3           restrictions of subsections (a) and (b) of section 292  
4           of the Juvenile Justice and Delinquency Prevention  
5           Act of 1974, except that the penalties in section  
6           292(c) of such Act do not apply.

7           “(f) GRANTS TO INDIAN TRIBES.—

8           “(1) RESERVATION OF FUNDS.—Notwith-  
9           standing any other provision of law, from the  
10          amounts appropriated pursuant to section 299 of the  
11          Juvenile Justice and Delinquency Prevention Act of  
12          1974, for each fiscal year, the Attorney General  
13          shall reserve an amount equal to the amount to  
14          which all Indian tribes eligible to receive a grant  
15          under paragraph (3) would collectively be entitled, if  
16          such tribes were collectively treated as a State to  
17          carry out this subsection.

18          “(2) GRANTS TO INDIAN TRIBES.—From the  
19          amounts reserved under paragraph (1), the Attorney  
20          General shall make grants to Indian tribes for pro-  
21          grams pursuant to the permissible purposes under  
22          section 1801.

23          “(3) APPLICATIONS.—To be eligible to receive a  
24          grant under this subsection, an Indian tribe shall  
25          submit to the Attorney General an application in

1       such form and containing such information as the  
 2       Attorney General may by regulation require.”.

3   **SEC. 3. AUTHORITY TO MAKE GRANTS TO PROSECUTORS’**  
 4                   **OFFICES TO COMBAT GANG CRIME AND**  
 5                   **YOUTH VIOLENCE.**

6       Section 31702 of subtitle Q of title III of the Violent  
 7   Crime Control and Law Enforcement Act of 1994 (42  
 8   U.S.C. 13862) is amended—

9           (1) in paragraph (3), by striking “and” at the  
 10   end;

11          (2) in paragraph (4), by striking the period at  
 12   the end and inserting a semicolon; and

13          (3) by adding at the end the following:

14           “(5) to allow the hiring of additional prosecu-  
 15   tors, so that more cases can be prosecuted and back-  
 16   logs reduced;

17           “(6) to provide funding to enable prosecutors to  
 18   address drug, gang, and youth violence problems  
 19   more effectively;

20           “(7) to provide funding to assist prosecutors  
 21   with funding for technology, equipment, and training  
 22   to assist prosecutors in reducing the incidence of,  
 23   and increase the successful identification and speed  
 24   of prosecution of young violent offenders; and



1           “(8) to provide funding to assist prosecutors in  
 2           their efforts to engage in community prosecution,  
 3           problem solving, and conflict resolution techniques  
 4           through collaborative efforts with police, school offi-  
 5           cials, probation officers, social service agencies, and  
 6           community organizations.”.

7   **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

8           (a) IN GENERAL.—Section 299 of the Juvenile Jus-  
 9           tice and Delinquency Prevention Act of 1974 (42 U.S.C.  
 10          5671) is amended by striking subsections (a), (b), and (c)  
 11          and inserting the following:

12          “(a) IN GENERAL.—There are authorized to be ap-  
 13          propriated to carry out this title \$1,000,000,000 for each  
 14          of fiscal years 2000 through 2004.

15          “(b) ALLOCATION OF APPROPRIATIONS.—Of the  
 16          amount made available under subsection (a) for each fiscal  
 17          year—

18                 “(1) \$450,000,000 is authorized to be expended  
 19                 for programs under section 1801 of part R of title  
 20                 I of the Omnibus Crime Control and Safe Streets  
 21                 Act of 1968 (42 U.S.C. 3796 et seq.)—

22                 “(2) \$175,000,000 is authorized to be expended  
 23                 for State formula grants under part B of this title;

24                 “(3) \$175,000,000 is authorized to be expended  
 25                 for grants under title V of this Act;

1           “(4) \$50,000,000 is authorized to be made  
2           available to the National Institute for Juvenile Jus-  
3           tice and Delinquency Prevention for research, dem-  
4           onstration, and evaluation;

5           “(5) \$100,000,000 is authorized to be expended  
6           to carry out the purposes of parts A, C, D, E, and  
7           G of this title; and

8           “(6) \$50,000,000 is authorized to be expended  
9           for grants to prosecutors and courts under section  
10          31702 of subtitle Q of title III of the Violent Crime  
11          Control and Law Enforcement Act of 1994 (42  
12          U.S.C. 13862).

13          “(c) AVAILABILITY.—Amounts made available under  
14          this section shall remain available until expended.”.

15          (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
16          Title II of the Juvenile Justice and Delinquency Preven-  
17          tion Act of 1974 (42 U.S.C. 5711 et seq.) is amended—

18                 (1) in section 221(b)(2), in the second sentence,  
19                 by striking “described in section 299(c)(1)” and in-  
20                 serting “responsible for supervising the preparation  
21                 and administration of the State plan submitted  
22                 under section 223”;

23                 (2) in section 222(a)(2)(B), by striking “section  
24                 299(a) (1) and (3)” and inserting “section 299”;  
25                 and

1           (3) in section 223(a)(1), by striking “the State  
2           agency described in section 299(c)(1) as the sole  
3           agency” and inserting “the State agency respon-  
4           sible”.

5 **SEC. 5. RUNAWAY AND HOMELESS YOUTH.**

6           (a) IN GENERAL.—Section 372(a)(3) of the Juvenile  
7 Justice and Delinquency Prevention Act of 1974 (42  
8 U.S.C. 5714b(a)(3)) is amended by striking “unit of gen-  
9 eral local government” and inserting “unit of local govern-  
10 ment”.

11          (b) AUTHORIZATION OF APPROPRIATIONS.—

12           (1) TECHNICAL AMENDMENTS.—

13                   (A) ERROR RESULTING FROM REDESIGNA-  
14           TION.—

15                           (i) IN GENERAL.—Section 3(i) of Pub-  
16                   lic Law 102–586 (106 Stat. 5026) is  
17                   amended by striking “Section 366” and in-  
18                   serting “Section 385”.

19                           (ii) EFFECTIVE DATE.—The amend-  
20                   ment made by clause (i) shall take effect  
21                   as if included in the amendments made by  
22                   Public Law 102–586.

23                   (B) ERROR RESULTING FROM REF-  
24           ERENCES TO NONEXISTENT PROVISIONS OF  
25           LAW.—

(i) IN GENERAL.—Section 40155 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1922) is amended by striking “is amended—” and all that follows through “after section 315” and inserting the following: “is amended by adding at the end”.

(ii) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the amendments made by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1796 et seq.).

(2) REAUTHORIZATIONS.—

(A) IN GENERAL.—Section 385 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5751) (as amended by section 3(i) of Public Law 102–586 (106 Stat. 5026) (as amended by subsection (a)(1)(A) of this subsection)) is amended—

(i) in subsection (a)—

(I) in paragraph (1), by striking “1993 and such sums as may be necessary for fiscal years 1994, 1995,

1                   and 1996” and inserting “2000 and  
2                   such sums as may be necessary for  
3                   each of fiscal years 2001, 2002, 2003,  
4                   and 2004”; and

5                   (II) in paragraph (3), by striking  
6                   subparagraphs (A) through (D) and  
7                   inserting the following:

8                   “(A) for fiscal year 2000, not less than  
9                   \$1,055,406;

10                  “(B) for fiscal year 2001, not less than  
11                  \$1,108,177;

12                  “(C) for fiscal year 2002, not less than  
13                  \$1,163,585; and

14                  “(D) for fiscal year 2003, not less than  
15                  \$1,163,585.”;

16                  (ii) in subsection (b), by striking  
17                  “1993 and such sums as may be necessary  
18                  for fiscal years 1994, 1995, and 1996”  
19                  and inserting “2000 and such sums as  
20                  may be necessary for each of fiscal years  
21                  2001, 2002, 2003, and 2004”; and

22                  (iii) in subsection (c), by striking  
23                  “1993, 1994, 1995, and 1996” and insert-  
24                  ing “2000, 2001, 2002, 2003, and 2004”.

1 (B) ADDITIONAL REAUTHORIZATION.—  
 2 Section 316 of part A of the Runaway and  
 3 Homeless Youth Act (42 U.S.C. 5712d) (as  
 4 added by section 40155 of the Violent Crime  
 5 Control and Law Enforcement Act of 1994 (as  
 6 amended by paragraph (1)(B) of this sub-  
 7 section)) is—

8 (i) redesignated as section 315 of part  
 9 A of the Runaway and Homeless Youth  
 10 Act; and

11 (ii) amended by striking subsection (c)  
 12 and inserting the following:

13 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 14 are authorized to be appropriated to carry out this section  
 15 such sums as may be necessary for each of fiscal years  
 16 2000, 2001, 2002, 2003, and 2004.”.

17 **SEC. 6. GUN BAN FOR DANGEROUS JUVENILE OFFENDERS.**

18 (a) DEFINITION.—Section 921(a)(20) of title 18,  
 19 United States Code, is amended—

20 (1) by inserting “(A)” after “(20)”;

21 (2) by redesignating subparagraphs (A) and  
 22 (B) as clauses (i) and (ii), respectively;

23 (3) by striking “What constitutes” and all that  
 24 follows through the period at the end of the para-  
 25 graph and inserting the following:

1       “(B) For purposes of subsections (d), (g), and (s) of  
 2 section 922, the term ‘act of juvenile delinquency’ means  
 3 an adjudication of delinquency based on a finding of the  
 4 commission of an act by a person before the eighteenth  
 5 birthday of that person that, if committed by an adult,  
 6 would be a serious drug offense or violent felony (as de-  
 7 fined in section 3559(c)(2)), on or after the date of enact-  
 8 ment of this subparagraph.

9       “(C)(i) What constitutes a conviction of a crime de-  
 10 scribed in subparagraph (A) or an adjudication of juvenile  
 11 delinquency shall be determined in accordance with law  
 12 of the jurisdiction in which the proceedings were held.

13       “(ii) Any State conviction or adjudication of delin-  
 14 quency that has been expunged or set aside for which a  
 15 person has been pardoned or has had civil rights restored  
 16 by the jurisdiction in which the conviction or adjudication  
 17 of delinquency occurred shall nevertheless be considered  
 18 a conviction or adjudication of delinquency unless—

19               “(I) the expunction, set-aside, pardon, or res-  
 20 toration of civil rights is directed to a specific per-  
 21 son;

22               “(II) the State authority granting the  
 23 expunction, set aside, pardon, or restoration of civil  
 24 rights has expressly determined that the cir-  
 25 cumstances regarding the conviction and the per-

1 son's record and reputation are such that the person  
 2 will not act in a manner dangerous to public safety;  
 3 and

4 “(III) the expunction, set aside, pardon, or res-  
 5 toration of civil rights expressly authorizes the per-  
 6 son to ship, transport, receive, or possess firearms.

7 “(iii) The requirement of this subparagraph for an  
 8 individualized restoration of rights shall apply whether or  
 9 not, under State law, the person's civil rights were taken  
 10 away by virtue of the conviction or adjudication.”.

11 (b) PROHIBITION.—Section 922 of title 18, United  
 12 States Code is amended—

13 (1) in subsection (d)—

14 (A) in paragraph (8), by striking “or” at  
 15 the end;

16 (B) in paragraph (9), by striking the pe-  
 17 riod at the end and inserting “; or”; and

18 (C) by inserting after paragraph (9) the  
 19 following:

20 “(10) who has committed an act of juvenile de-  
 21 linquency.”;

22 (2) in subsection (g)—

23 (A) in paragraph (8), by striking “or” at  
 24 the end;



1 (B) in paragraph (9), by striking the pe-  
 2 riod at the end and inserting “; or”, and

3 (C) by inserting after paragraph (9) the  
 4 following:

5 “(10) who has committed an act of juvenile de-  
 6 linquency.”; and

7 (3) in subsection (s)(3)(B)—

8 (A) in clause (vi), by striking “and” at the  
 9 end;

10 (B) in clause (vii), by adding “and” after  
 11 the semicolon; and

12 (C) by inserting after clause (vii) the fol-  
 13 lowing:

14 “(viii) has not committed an act of ju-  
 15 venile delinquency.”.

16 **SEC. 7. EXTENSION OF VIOLENT CRIME REDUCTION TRUST**  
 17 **FUND.**

18 (a) IN GENERAL.—Section 310001(b) of the Violent  
 19 Crime Control and Law Enforcement Act of 1994 (42  
 20 U.S.C. 14211(b)) is amended—

21 (1) in paragraph (5), by striking “and” at the  
 22 end;

23 (2) in paragraph (6), by striking the period at  
 24 the end and inserting a semicolon; and

25 (3) by adding at the end the following:

1           “(7) for fiscal year 2001, \$4,400,000,000; and  
2           “(8) for fiscal year 2002, \$4,500,000,000.”.

3           (b) CONFORMING DISCRETIONARY SPENDING CAP  
4 REDUCTION.—Upon enactment of this Act, the discre-  
5 tionary spending limits for fiscal years 2001 and 2002 set  
6 forth in section 251(c) of the Balanced Budget and Emer-  
7 gency Deficit Control Act of 1985 (2 U.S.C. 901(c)) are  
8 reduced as follows:

9           (1) For fiscal year 2001, \$4,400,000,000 in  
10          new budget authority and \$5,981,000,000 in out-  
11          lays.

12          (2) For fiscal year 2002, \$4,500,000,000 in  
13          new budget authority and \$4,530,000,000 in out-  
14          lays.

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