

108TH CONGRESS  
2D SESSION

# H. R. 3036

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IN THE SENATE OF THE UNITED STATES

MARCH 31, 2004

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

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## AN ACT

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

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

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

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

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

Sec. 1. Short title; table of contents.

**TITLE I—AUTHORIZATION OF APPROPRIATIONS**

Sec. 101. Authorization of appropriations for fiscal year 2004.  
 Sec. 102. Authorization of appropriations for fiscal year 2005.  
 Sec. 103. Authorization of appropriations for fiscal year 2006.

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

**Subtitle A—Assisting Law Enforcement and Criminal Justice Agencies**

Sec. 201. Merger of Byrne grant program and Local Law Enforcement Block Grant program.  
 Sec. 202. Clarification of number of recipients who may be selected in a given year to receive Public Safety Officer Medal of Valor.  
 Sec. 203. Congressional medal and plaque for public safety officers who responded to the attacks on the United States on September 11, 2001.  
 Sec. 204. Clarification of official to be consulted by Attorney General in considering application for emergency Federal law enforcement assistance.  
 Sec. 205. Clarification of uses for regional information sharing system grants.  
 Sec. 206. Integrity and enhancement of national criminal record databases.  
 Sec. 207. Extension of matching grant program for law enforcement armor vests.

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

Sec. 211. Office of Weed and Seed Strategies.

**Subtitle C—Assisting Victims of Crime**

Sec. 221. Grants to local nonprofit organizations to improve outreach services to victims of crime.  
 Sec. 222. Clarification and enhancement of certain authorities relating to Crime Victims Fund.  
 Sec. 223. Amounts received under crime victim grants may be used by State for training purposes.  
 Sec. 224. Clarification of authorities relating to Violence Against Women formula and discretionary grant programs.

- Sec. 225. Expansion of grant programs assisting enforcement of domestic violence cases to also assist enforcement of sexual assault cases.
- Sec. 226. Change of certain reports from annual to biennial.
- Sec. 227. Clarification of recipients and programs eligible for grants under Rural Domestic Violence and Child Abuse Enforcement Assistance program.

#### Subtitle D—Preventing Crime

- Sec. 231. Clarification of definition of violent offender for purposes of juvenile drug courts.
- Sec. 232. Changes to distribution and allocation of grants for drug courts.
- Sec. 233. Eligibility for grants under drug court grants program extended to courts that supervise non-offenders with substance abuse problems.
- Sec. 234. Term of Residential Substance Abuse Treatment program for local facilities.

#### Subtitle E—Other Matters

- Sec. 241. Changes to certain financial authorities.
- Sec. 242. Coordination duties of Assistant Attorney General.
- Sec. 243. Simplification of compliance deadlines under sex-offender registration laws.
- Sec. 244. Repeal of certain programs.
- Sec. 245. Elimination of certain notice and hearing requirements.
- Sec. 246. Amended definitions for purposes of Omnibus Crime Control and Safe Streets Act of 1968.
- Sec. 247. Clarification of authority to pay subsistence payments to prisoners for health care items and services.
- Sec. 248. Office of Audit, Assessment, and Management.
- Sec. 249. Community Capacity Development Office.
- Sec. 250. Office of Applied Law Enforcement Technology.
- Sec. 251. Availability of funds for grants.
- Sec. 252. Consolidation of financial management systems of Office of Justice Programs.
- Sec. 253. Authorization and change of COPS program to single grant program.
- Sec. 254. Clarification of persons eligible for benefits under Public Safety Officers' Death Benefits programs.
- Sec. 255. Research-based bullying prevention programs.

### TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Technical amendments relating to Public Law 107–56.
- Sec. 302. Miscellaneous technical amendments.
- Sec. 303. Minor substantive amendment relating to contents of FBI annual report.
- Sec. 304. Use of Federal training facilities.
- Sec. 305. Privacy officer.
- Sec. 306. Bankruptcy crimes.
- Sec. 307. Report to Congress on status of United States persons or residents detained on suspicion of terrorism.
- Sec. 308. Technical correction relating to definition used in “terrorism transcending national boundaries” statute.
- Sec. 309. Increased penalties and expanded jurisdiction for sexual abuse offenses in correctional facilities.

Sec. 310. Expanded jurisdiction for contraband offenses in correctional facilities.

Sec. 311. Magistrate judge's authority to continue preliminary hearing.

Sec. 312. Recognizing the 40th anniversary of the founding of the Lawyers' Committee for Civil Rights Under Law and supporting the designation of an Equal Justice Day.

#### TITLE IV—KODY MANDELL ACT

Sec. 401. Short title.

Sec. 402. Findings.

Sec. 403. Establishment of an Office in the Department of Justice to undertake specific steps to facilitate the capture of terrorists who have harmed American citizens overseas and to ensure that all American victims of overseas terrorism are treated equally.

Sec. 404. Authorization of appropriations.

#### TITLE V—MATTERS RELATING TO INTELLIGENCE AND COUNTERINTELLIGENCE

Sec. 501. FBI Office of Counterintelligence.

## 1                   **TITLE I—AUTHORIZATION OF 2                   APPROPRIATIONS**

### 3                   **SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR FIS- 4                   CAL YEAR 2004.**

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

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

12                   (2) ADMINISTRATIVE REVIEW AND APPEALS.—  
13                   For Administrative Review and Appeals:  
14                   \$197,420,000 for administration of pardon and  
15 clemency petitions and for immigration-related ac-  
16 tivities.

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

15 (C) such sums as may be necessary for ad-  
16 ministrative expenses in accordance with the  
17 Radiation Exposure Compensation Act.

1 Law 105–147), and violations of laws prohibiting  
2 unsolicited commercial e-mail: *Provided*, That such  
3 amounts in the appropriations account “General  
4 Legal Services” as may be expended for such inves-  
5 tigations or prosecutions shall count towards this  
6 minimum as though expended from this appropria-  
7 tions account.

8 (7) FEDERAL BUREAU OF INVESTIGATION.—

9 For the Federal Bureau of Investigation:  
10 \$4,639,569,000, which shall include—

11 (A) not to exceed \$11,174,000 for con-  
12 struction, to remain available until expended;

13 (B) not to exceed \$70,000 to meet unfore-  
14 seen emergencies of a confidential character;  
15 and

16 (C) such sums as may be necessary to as-  
17 sign employees to the Terrorism Threat Inte-  
18 gration Center: *Provided*, That such amounts  
19 may only be expended for analyzing intelligence  
20 information.

21 (8) UNITED STATES MARSHALS SERVICE.—For  
22 the United States Marshals Service: \$733,843,000,  
23 which shall include not to exceed \$14,066,000 for  
24 construction, to remain available until expended.

18 (13) INTERAGENCY CRIME AND DRUG EN-  
19 FORCEMENT.—For Interagency Crime and Drug  
20 Enforcement: \$550,609,000, for expenses not other-  
21 wise provided for, for the investigation and prosecu-  
22 tion of persons involved in organized crime drug  
23 trafficking, except that any funds obligated from ap-  
24 propriations authorized by this paragraph may be

1       used under authorities available to the organizations  
2       reimbursed from such funds.

3               (14) FOREIGN CLAIMS SETTLEMENT COMMIS-  
4       SION.—For the Foreign Claims Settlement Commis-  
5       sion: \$1,212,000.

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

8               (16) ASSETS FORFEITURE FUND.—For the As-  
9       sets Forfeiture Fund: \$22,949,000 for expenses au-  
10       thorized by section 524 of title 28, United States  
11       Code.

12               (17) UNITED STATES PAROLE COMMISSION.—  
13       For the United States Parole Commission:  
14       \$11,051,000.

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

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

21               (20) NARROWBAND COMMUNICATIONS.—For  
22       the costs of conversion to narrowband communica-  
23       tions, including the cost for operation and mainte-  
24       nance of Land Mobile Radio legacy systems:  
25       \$140,083,000.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(13) INTERAGENCY CRIME AND DRUG ENFORCEMENT.—For Interagency Crime and Drug Enforcement: \$580,632,000, for expenses not otherwise provided for, for the investigation and prosecution of persons involved in organized crime drug trafficking, except that any funds obligated from appropriations authorized by this paragraph may be used under authorities available to the organizations reimbursed from such funds.

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

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

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

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

(18) FEDERAL DETENTION TRUSTEE.—For the necessary expenses of the Federal Detention Trustee: \$938,810,000.

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

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

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

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

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

## 1 SEC. 103. AUTHORIZATION OF APPROPRIATIONS FOR FIS-

2 **CAL YEAR 2006.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(C) \$31,343,000 for the Community Oriented Policing Services program.

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

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

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

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

22 (2) Such part is further amended—

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

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

**5 "SEC. 500. NAME OF PROGRAM.**

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

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

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

## 18 "SEC. 501. DESCRIPTION.

19        "(a) GRANTS AUTHORIZED.—

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

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

- 4               “(A) Law enforcement programs.
- 5               “(B) Prosecution and court programs.
- 6               “(C) Prevention and education programs.
- 7               “(D) Corrections and community corre-  
8               tions programs.
- 9               “(E) Drug treatment programs.
- 10               “(F) Planning, evaluation, and technology  
11               improvement programs.

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

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

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

1           “(2) units of local government; or  
2           “(3) tribal governments.

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

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

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

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

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

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

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

3               “(A) vehicles, vessels, or aircraft;  
4               “(B) luxury items;  
5               “(C) real estate;  
6               “(D) construction projects (other than  
7               penal or correctional institutions); or  
8               “(E) any similar matters.

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

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

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

22      **“SEC. 502. APPLICATIONS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 **“SEC. 504. RULES.**

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

9 **“SEC. 505. FORMULA.**

10 “(a) ALLOCATION AMONG STATES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

5           “(c) ALLOCATION FOR STATE GOVERNMENTS.—

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

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

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

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

21           “(d) ALLOCATIONS TO LOCAL GOVERNMENTS.—

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

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

3 **“(2) ALLOCATION.—**

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

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

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

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

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

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

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

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

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

3 “(II) more than one such specified  
4 geographically constituent unit of local  
5 government exceeds 400 percent of the  
6 amount allocated to the unit of local gov-  
7 ernment certified pursuant to clause (i),

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 **“SEC. 506. RESERVED FUNDS.**

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

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

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

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

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

5       “(b) EXPENDITURES.—

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

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

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

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

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

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

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

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

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

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

19 (c) CONFORMING AMENDMENTS.—

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

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

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

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

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

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

1                     tionary grants)” and inserting “programs  
2                     funded under section 505 (formula  
3                     grants);  
4                     (C) in section 522 (42 U.S.C. 3766b)—  
5                         (i) in subsection (a), in the matter  
6                     preceding paragraph (1), by striking “sec-  
7                     tion 506” and inserting “section 505”; and  
8                         (ii) in subsection (a)(1), by striking  
9                     “an assessment of the impact of such ac-  
10                     tivities on meeting the needs identified in  
11                     the State strategy submitted under section  
12                     503” and inserting “an assessment of the  
13                     impact of such activities on meeting the  
14                     purposes of subpart 1”;  
15                     (D) in section 801(b) (42 U.S.C. 3782(b)),  
16                     in the matter following paragraph (5)—  
17                         (i) by striking “the purposes of sec-  
18                     tion 501 of this title” and inserting “the  
19                     purposes of such subpart 1”; and  
20                         (ii) by striking “the application sub-  
21                     mitted pursuant to section 503 of this  
22                     title” and inserting “the application sub-  
23                     mitted pursuant to section 502 of this  
24                     title”;

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

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

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

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

16 (ii) in paragraph (2)—

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

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

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

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

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

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

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

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

5 (a) PURPOSE.—It is the purpose of this section—  
6       (1) to commemorate the sacrifices made and  
7       service rendered to the United States by those public  
8       safety officers who responded to the attacks on the  
9       United States on September 11, 2001; and

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

12 (b) PRESENTATION AUTHORIZED.—

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

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

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

## 8 (c) DESIGN AND STRIKING.—

22 (d) ELIGIBILITY REQUIREMENTS.—

23 (1) INDIVIDUALS.—

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

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

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

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

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

16 (B) RULE OF CONSTRUCTION.—An individual who was killed in one of the attacks referred to in subparagraph (A)(ii) shall be deemed, for purposes of that subparagraph, to have participated in the response.

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

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

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

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

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

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

12       Section 1301(b) of the Omnibus Crime Control and  
13 Safe Streets Act of 1968 (42 U.S.C. 3796h(b)), as most  
14 recently amended by section 701 of the USA PATRIOT  
15 Act (Public Law 107-56; 115 Stat. 374), is amended—  
16           (1) in paragraph (1), by inserting “regional”  
17           before “information sharing center.”

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

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

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

1 **SEC. 206. INTEGRITY AND ENHANCEMENT OF NATIONAL**2 **CRIMINAL RECORD DATABASES.**3 (a) DUTIES OF DIRECTOR.—Section 302 of the Om-  
4 nibus Crime Control and Safe Streets Act of 1968 (42  
5 U.S.C. 3732) is amended—6 (1) in subsection (b), by inserting after the  
7 third sentence the following new sentence: “The Di-  
8 rector shall be responsible for the integrity of data  
9 and statistics and shall protect against improper or  
10 illegal use or disclosure.”;11 (2) by amending paragraph (19) of subsection  
12 (c) to read as follows:13 “(19) provide for improvements in the accuracy,  
14 quality, timeliness, immediate accessibility, and inte-  
15 gration of State criminal history and related records,  
16 support the development and enhancement of na-  
17 tional systems of criminal history and related  
18 records including the National Criminal History  
19 Background Check System, the National Incident-  
20 Based Reporting System, and the records of the Na-  
21 tional Crime Information Center, facilitate State  
22 participation in national records and information  
23 systems, and support statistical research for critical  
24 analysis of the improvement and utilization of crimi-  
25 nal history records;”; and

26 (3) in subsection (d)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18                        “(B) in a voting capacity, both—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7                   “(e) GRANTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(B) The requirement of subparagraph (A)—  
4       “(i) may be satisfied in cash or in kind;  
5       and

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

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

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

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

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

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

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

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

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

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

15 (1) in paragraph (1)—

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

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

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

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

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

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

3 (2) in paragraph (2)—

4 (A) in subparagraph (A)—

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

8 (ii) by striking “and” at the end;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1       (c) CLARIFICATION OF STATE GRANTS.—Section  
2 2007 of the Omnibus Crime Control and Safe Streets Act  
3 of 1968 (42 U.S.C. 3796gg–1), as redesignated pursuant  
4 to the amendment made by subsection (b), is amended—  
5               (1) in subsection (a), by striking “to States”  
6 and all that follows through “tribal governments”;  
7               (2) in subsection (b)—  
8                       (A) in each of paragraphs (2) and (3), by  
9 striking “1/54” and inserting “1/53”; and  
10                       (B) in paragraph (4), by striking “in In-  
11 dian country”;  
12               (3) in subsection (c)(3)(A), by striking “police”  
13 and inserting “law enforcement”; and  
14               (4) in subsection (d)—  
15                       (A) in the second sentence, by inserting  
16 after “each application” the following: “sub-  
17 mitted by a State”; and  
18                       (B) in the third sentence, by striking “An  
19 application” and inserting “In addition, each  
20 application submitted by a State or tribal gov-  
21 ernment”.  
22       (d) CHANGE FROM ANNUAL TO BIENNIAL REPORT-  
23 ING.—Section 2009(b) of such Act (42 U.S.C. 3796gg–  
24 3), as redesignated pursuant to the amendment made by  
25 subsection (b), is amended by striking “Not later than”

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

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

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

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

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

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

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

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

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

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

17 (2) in subsection (b)—

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

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

1 (C) in paragraph (6), by striking “about  
2 domestic violence” and inserting “about domes-  
3 tic violence and sexual assault”; and  
4 (3) in subsection (d), by striking “In this sec-  
5 tion, the term” and inserting “In this part—  
6 “(1) the term ‘sexual assault’ has the meaning  
7 given the term in section 2008; and  
8 “(2) the term”.

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

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

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

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

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

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

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

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

9 (2) in subsection (b)—

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

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

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

## **Subtitle D—Preventing Crime**

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

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

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

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

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

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

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

1 **SEC. 233. ELIGIBILITY FOR GRANTS UNDER DRUG COURT**

2                   **GRANTS PROGRAM EXTENDED TO COURTS**  
3                   **THAT SUPERVISE NON-OFFENDERS WITH**  
4                   **SUBSTANCE ABUSE PROBLEMS.**

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

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

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

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

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

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

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

3        **Subtitle E—Other Matters**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (2) in subsection (b)(1)—

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

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

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

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

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

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

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

19        "(a) ESTABLISHMENT.—

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

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

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

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

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

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

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

1           “(3) Any other grant program carried out by  
2       the Department of Justice that the Attorney General  
3       considers appropriate.

4       “(c) PERFORMANCE AUDITS REQUIRED.—

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

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

20       “(3) TIMING OF PERFORMANCE AUDITS.—The  
21      performance audit required by paragraph (1) of a  
22      grant selected under paragraph (1) shall be carried  
23      out—

1                   “(A) not later than the end of the grant  
2                   period, if the grant period is not more than 1  
3                   year; and

4                   “(B) at the end of each year of the grant  
5                   period, if the grant period is more than 1 year.

6               “(d) COMPLIANCE ACTIONS REQUIRED.—The Direc-  
7               tor shall take such actions to ensure compliance with the  
8               terms of a grant as the Director considers appropriate  
9               with respect to each grant that the Director determines  
10       (in consultation with the head of the element of the De-  
11       partment of Justice concerned), through a performance  
12       audit under subsection (a) or other means, is not in com-  
13       pliance with such terms. In the case of a misuse of more  
14       than 1 percent of the grant amount concerned, the Direc-  
15       tor shall, in addition to any other action to ensure compli-  
16       ance that the Director considers appropriate, ensure that  
17       the entity responsible for such misuse ceases to receive any  
18       funds under any program covered by subsection (b) until  
19       such entity repays to the Attorney General an amount  
20       equal to the amounts misused. The Director may, in un-  
21       usual circumstances, grant relief from this requirement to  
22       ensure that an innocent party is not punished.

23               “(e) GRANT MANAGEMENT SYSTEM.—The Director  
24       shall establish and maintain, in consultation with the chief  
25       information officer of the Office, a modern, automated

1 system for managing all information relating to the grants  
2 made under the programs covered by subsection (b).

3       “(f) AVAILABILITY OF FUNDS.—Not to exceed 5 per-  
4 cent of all funding made available for a fiscal year for the  
5 programs covered by subsection (b) shall be reserved for  
6 the activities of the Office of Audit, Assessment, and Man-  
7 agement as authorized by this section.”.

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

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

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

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

17       “(a) ESTABLISHMENT.—

18           “(1) IN GENERAL.—There is established within  
19           the Office a Community Capacity Development Of-  
20           fice, headed by a Director appointed by the Attorney  
21           General. In carrying out the functions of the Office,  
22           the Director shall be subject to the authority, direc-  
23           tion, and control of the Attorney General. Such au-  
24           thority, direction, and control may be delegated only

1 to the Assistant Attorney General, without redele-  
2 gation.

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

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

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

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

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

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

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

12        “(5) Any other similar means.

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

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

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

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

1        “(e) AVAILABILITY OF FUNDS.—Not to exceed 5 per-  
2 cent of all funding made available for a fiscal year for the  
3 programs covered by section 105(b) shall be reserved for  
4 the activities of the Community Capacity Development Of-  
5 fice as authorized by this section.”.

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

9 **SEC. 250. OFFICE OF APPLIED LAW ENFORCEMENT TECH-**

10                   **NOLOGY.**

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 106, as added by section 249 of  
14 this Act, the following new section:

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

16                   **NOLOGY.**

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

24        “(b) DUTIES.—In carrying out the purpose of the Of-  
25 fice, the Director shall—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 SEC. 252. CONSOLIDATION OF FINANCIAL MANAGEMENT  
8 SYSTEMS OF OFFICE OF JUSTICE PROGRAMS.

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

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

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

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

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

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

11 (d) ACHIEVING COMPLIANCE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 “(B) security assessments;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1               “(ii) \$1,027,176,000 for fiscal year 2005; and  
2               “(iii) \$1,047,119,000 for fiscal year 2006.”;  
3       and

4 (2) in subparagraph (B)—

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

7 (B) by striking the third sentence.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 4           **LAW 107-56.**

##### 5           (a) **STRIKING SURPLUS WORDS.—**

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

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

##### 12           (b) **PUNCTUATION AND GRAMMAR CORRECTIONS.—**

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

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

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

19           (c) **CROSS REFERENCE CORRECTION.**—Section 322  
20           of Public Law 107-56 is amended, effective on the date  
21           of the enactment of that section, by striking “title 18”  
22           and inserting “title 28”.

23           (d) **CAPITALIZATION CORRECTION.**—Subsections (a)  
24           and (b) of section 2703 of title 18, United States Code,  
25           are each amended by striking “CONTENTS OF WIRE OR

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (2) the outcomes of each criminal referral;

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

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

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

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

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

11                  (2) specify the standards developed by the Department  
12   of Justice for recommending or determining that a person should be tried as a criminal  
13   defendant or should be designated as an enemy combatant.

16   **SEC. 308. TECHNICAL CORRECTION RELATING TO DEFINITION USED IN “TERRORISM TRANSCENDING NATIONAL BOUNDARIES” STATUTE.**

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

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

23                  (2) in subsection (b)(2), by inserting “or foreign” after “interstate”.

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

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

10 (1) Subsections (a) and (b) of section 2241.  
11 (2) The first sentence of subsection (c) of sec-  
12 tion 2241.  
13 (3) Section 2242.  
14 (4) Subsections (a) and (b) of section 2243.  
15 (5) Subsections (a) and (b) of section 2244.

16 (b) INCREASED PENALTIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 1   **TITLE IV—KOBY MANDELL ACT**

### 2   **SEC. 401. SHORT TITLE.**

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

### 5   **SEC. 402. FINDINGS.**

6       The Congress finds the following:

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

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

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

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

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

### 3 SEC. 403. ESTABLISHMENT OF AN OFFICE IN THE DEPART-

4 MENT OF JUSTICE TO UNDERTAKE SPECIFIC  
5 STEPS TO FACILITATE THE CAPTURE OF TER-  
6 RORISTS WHO HAVE HARMED AMERICAN  
7 CITIZENS OVERSEAS AND TO ENSURE THAT  
8 ALL AMERICAN VICTIMS OF OVERSEAS TER-  
9 RORISM ARE TREATED EQUALLY.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“535A. Office of Counterintelligence.”.

Passed the House of Representatives March 30,  
2004.

Attest:

JEFF TRANDAHL,

*Clerk.*