

111TH CONGRESS
1ST SESSION

H. R. 1727

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2009

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

AN ACT

To establish a national criminal arsonist and criminal bomber registry program and establish guidelines and incentives for States, territories and tribes to participate in such program.

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.**

2 This Act may be cited as the “Managing Arson
3 Through Criminal History (MATCH) Act of 2009”.

4 **SEC. 2. CRIMINAL ARSONIST AND CRIMINAL BOMBER REG-**
5 **ISTRATION AND NOTIFICATION PROGRAM.**

6 (a) NATIONAL CRIMINAL ARSONIST AND CRIMINAL
7 BOMBER REGISTRY AND INTERNET SITE.—

8 (1) NATIONAL CRIMINAL ARSONIST AND CRIMI-
9 NAL BOMBER REGISTRY.—

10 (A) IN GENERAL.—The Attorney General
11 shall maintain a national database at the Bu-
12 reau of Alcohol, Tobacco, Firearms and Explo-
13 sives for each criminal arsonist or criminal
14 bomber. The database shall be known as the
15 National Criminal Arsonist and Criminal
16 Bomber Registry and shall be referred to in
17 this section as the “National Registry”. Such
18 registry shall be used for law enforcement pur-
19 poses only and information maintained in such
20 registry may only be disclosed in connection
21 with such purposes.

22 (B) ELECTRONIC FORWARDING.—The At-
23 torney General shall ensure (through the na-
24 tional registry or otherwise) that updated infor-
25 mation about a criminal arsonist or criminal

1 bomber is immediately available to all relevant
2 jurisdictions.

3 (C) NOTIFICATION TO JURISDICTIONS.—

4 The Attorney General shall provide notification
5 to a jurisdiction in which the offender resides or
6 will reside, is an employee, or is a student. Im-
7 mediately after the Attorney General receives
8 information (or updated information) under this
9 section from a jurisdiction for inclusion in the
10 National Registry, with respect to a criminal
11 arsonist or criminal bomber, the Attorney Gen-
12 eral shall ensure that such information (or up-
13 dated information), other than any information
14 exempted from disclosure by the Attorney Gen-
15 eral, is provided to each jurisdiction in which
16 the offender resides or will reside, is an em-
17 ployee, or is a student.

18 (2) NATIONAL ARSONIST AND BOMBER INTER-
19 NET SITE.—

20 (A) IN GENERAL.—The Attorney General
21 shall establish and maintain a national arsonist
22 and bomber Internet site. The Internet site
23 shall include relevant information for each
24 criminal arsonist or criminal bomber. The
25 Internet site shall allow law enforcement offi-

1 cers and fire safety officers to obtain relevant
2 information for each criminal arsonist or criminal
3 bomber by a single query for any given zip
4 code or geographical radius set by the user in
5 a form and with such limitations as may be es-
6 tablished by the Attorney General and shall
7 have such other field search capabilities as the
8 Attorney General may provide.

9 (B) USE FOR LAW ENFORCEMENT PUR-
10 POSES ONLY.—The Internet site established
11 under subparagraph (1) shall include a warning
12 that information on the site is to be used for
13 law enforcement purposes only and may only be
14 disclosed in connection with such purposes. The
15 warning shall note that any action in violation
16 of the previous sentence may result in a civil or
17 criminal penalty.

18 (C) EXEMPTIONS FROM DISCLOSURE.—
19 The Attorney General may exempt from disclo-
20 sure on the Internet site established under this
21 paragraph such information as the Attorney
22 General deems appropriate.

23 (3) PROHIBITION ON ACCESS BY THE PUB-
24 LIC.—Information about a criminal arsonist or

1 criminal bomber shall not be made available under
2 paragraph (1) or (2) to the public.

3 (4) CORRECTION OF ERRORS.—The Attorney
4 General shall establish guidelines for a process to
5 seek correction of information included in the na-
6 tional database under paragraph (1) or the Internet
7 site under paragraph (2) in the case that an indi-
8 vidual contends such information is erroneous. Such
9 guidelines shall provide for an adequate period for
10 the individual to seek such correction of information.

11 (5) AUTHORIZATION OF APPROPRIATIONS.—In
12 addition to any amounts otherwise authorized to be
13 appropriated, there are authorized to be appro-
14 priated to the Attorney General, to carry out this
15 subsection, such sums as may be necessary for each
16 of the fiscal years 2010 through 2014.

17 (b) REGISTRY REQUIREMENTS FOR JURISDIC-
18 TIONS.—

19 (1) JURISDICTION TO PARTICIPATE IN NA-
20 TIONAL REGISTRY.—Each jurisdiction shall partici-
21 pate in the National Registry by providing informa-
22 tion, with respect to criminal arsonists and criminal
23 bombers, to the National Registry in accordance
24 with this section. Such information, with respect to

1 a criminal arsonist or criminal bomber, shall be pro-
2 vided by a jurisdiction—

3 (A) to the Attorney General for inclusion
4 in the National Registry immediately after the
5 criminal arsonist or criminal bomber provides
6 information (or provides updated information),
7 other than information exempted from disclo-
8 sure by the Attorney General, to the jurisdic-
9 tion under this section; and

10 (B) in an electronic format as specified by
11 the Attorney General.

12 (2) GUIDELINES AND REGULATIONS.—The At-
13 torney General shall issue guidelines and regulations
14 to interpret and implement this section.

15 (c) REGISTRY REQUIREMENTS FOR CRIMINAL
16 ARSONISTS AND BOMBERS.—

17 (1) IN GENERAL.—A criminal arsonist or crimi-
18 nal bomber shall provide information described in
19 subsection (d)(1) to (and shall keep such informa-
20 tion current with) each jurisdiction where the crimi-
21 nal arsonist or criminal bomber resides, where the
22 criminal arsonist or criminal bomber is an employee,
23 and where the criminal arsonist or criminal bomber
24 is a student. For the initial provision of information
25 only, a criminal arsonist or criminal bomber shall

1 also provide such information to the jurisdiction in
2 which the arsonist or bomber was convicted if such
3 jurisdiction is different from the jurisdiction of resi-
4 dence.

5 (2) INITIAL REGISTRATION.—The criminal ar-
6 sonist or criminal bomber shall initially provide in-
7 formation described in subsection (d)(1)—

8 (A) before completing a sentence of impris-
9 onment with respect to the offense giving rise
10 to the registration requirement; or

11 (B) not later than 5 business days after
12 being sentenced for that offense, if the criminal
13 arsonist or criminal bomber is not sentenced to
14 a term of imprisonment.

15 (3) KEEPING THE REGISTRATION CURRENT.—A
16 criminal arsonist or criminal bomber shall, not later
17 than 10 business days after each change of name,
18 residence, employment, or student status, appear in
19 person in at least one jurisdiction involved pursuant
20 to paragraph (1) and inform that jurisdiction of all
21 changes in the information required for that crimi-
22 nal arsonist or criminal bomber for purposes of in-
23 clusion in the National Registry. That jurisdiction
24 shall immediately provide the revised information to
25 the National Registry.

1 (4) APPLICATION OF REGISTRATION REQUIRE-
2 MENTS.—

3 (A) OFFENDER REGISTRATION REQUIRE-
4 MENTS APPLICABLE ONLY PROSPECTIVELY AND
5 WITH NOTIFICATION.—A criminal arsonist or
6 criminal bomber is required to provide informa-
7 tion to a jurisdiction, and to keep such informa-
8 tion current, under this section for inclusion in
9 the National Registry only to the extent—

10 (i) that such criminal arsonist or
11 criminal bomber—

12 (I) was convicted of a criminal
13 offense involving arson or bombing on
14 or after the date of the enactment of
15 this Act; and

16 (II) was notified of such require-
17 ments in accordance with subsection
18 (g); and

19 (ii) the jurisdiction involved partici-
20 pates in the National Registry.

21 (B) JURISDICTION OF CONVICTION RE-
22 QUIRED TO SUBMIT INFORMATION ON OFFEND-
23 ERS CONVICTED BEFORE DATE OF ENACTMENT
24 AND ON THOSE NOT NOTIFIED.—

1 (i) GUIDELINES.—The Attorney Gen-
2 eral shall establish guidelines, in accord-
3 ance with the provisions of this subpara-
4 graph, under which each jurisdiction is re-
5 quired to provide to the National Registry
6 information described in subsection (d)(2)
7 with respect to—

8 (I) each criminal arsonist or
9 criminal bomber who was convicted in
10 such jurisdiction of a criminal offense
11 involving arson or bombing during the
12 10-year period ending on the date of
13 the enactment of this Act; and

14 (II) each criminal arsonist or
15 criminal bomber who was convicted on
16 or after the date of the enactment of
17 the Act in such jurisdiction of such an
18 offense and who has not been notified,
19 in accordance with subsection (g), of
20 the requirements to provide informa-
21 tion, and to keep such information
22 current, under this section.

23 (ii) NOTICE REQUIRED.—Under the
24 guidelines established under clause (i), a
25 jurisdiction shall be required to provide no-

1 tice to each criminal arsonist or criminal
2 bomber included in the National Registry
3 pursuant to this subparagraph of such in-
4 clusion.

5 (5) ACTIONS TO BE TAKEN WHEN CRIMINAL
6 ARSONIST OR CRIMINAL BOMBER FAILS TO COM-
7 PLY.—An appropriate official of each jurisdiction
8 shall notify the Attorney General and appropriate
9 law enforcement agencies of any failure by a crimi-
10 nal arsonist or criminal bomber to provide informa-
11 tion, and keep such information current, under this
12 section. The Attorney General shall revise the Na-
13 tional Registry to reflect the nature of such failure.
14 The appropriate official, the Attorney General, and
15 each law enforcement agency involved shall take any
16 appropriate action to ensure compliance.

17 (6) AUTHORITY TO EXEMPT CERTAIN PERSONS
18 FROM REGISTRY REQUIREMENTS.—A jurisdiction
19 shall have the authority to exempt a criminal arson-
20 ist or criminal bomber who has been convicted of the
21 offense of arson or bombing in violation of the laws
22 of the jurisdiction in which the offense was com-
23 mitted or the United States for the first time from
24 the requirements to provide information, and keep
25 such information current, under this section in ex-

1 change for the person's substantial assistance in the
2 investigation or prosecution of another person who
3 has committed an offense. The Attorney General
4 shall ensure that any regulations promulgated under
5 this section include guidelines that reflect the gen-
6 eral appropriateness of exempting the person from
7 the requirements of providing information, and keep-
8 ing such information current, under this section.

9 (d) INFORMATION REQUIRED FOR INCLUSION IN NA-
10 TIONAL REGISTRY.—

11 (1) PROSPECTIVE CONVICTIONS WITH NOTIFI-
12 CATION.—

13 (A) PROVIDED BY ARSONIST OR BOMB-
14 ER.—A criminal arsonist or criminal bomber
15 convicted of a criminal offense involving arson
16 or bombing on or after the date of the enact-
17 ment of this Act shall provide the following in-
18 formation to the appropriate official of the ju-
19 risdiction involved for inclusion in the National
20 Registry:

21 (i) The name of the person (including
22 any alias used by the person).

23 (ii) The Social Security number of the
24 person.

1 (iii) The address of each residence at
2 which the person resides or will reside.

3 (iv) The name and address of any
4 place where the person is an employee or
5 will be an employee.

6 (v) The name and address of any
7 place where the person is a student or will
8 be a student.

9 (vi) The license plate number and a
10 description of any vehicle owned or oper-
11 ated by the person.

12 (vii) Any other information required
13 by the Attorney General.

14 (B) PROVIDED BY THE JURISDICTION.—
15 The jurisdiction to which a criminal arsonist or
16 criminal bomber described in subparagraph (A)
17 provides information shall ensure that the fol-
18 lowing information, with respect to such arson-
19 ist or bomber, is provided to the National Reg-
20 istry:

21 (i) The information described in sub-
22 paragraph (A), as provided by the arsonist
23 or bomber.

24 (ii) A physical description of the per-
25 son.

1 (iii) The text of the provision of law
2 defining the criminal offense for which the
3 person is required to be registered under
4 this section.

5 (iv) A current photograph of the per-
6 son.

7 (v) A set of fingerprints and palm
8 prints of the person.

9 (vi) A photocopy of a valid driver's li-
10 cense or identification card issued to the
11 person by a jurisdiction.

12 (vii) Any other information required
13 by the Attorney General.

14 (2) PROVIDED BY JURISDICTION OF CONVIC-
15 TIONS IN CASE OF CONVICTIONS BEFORE DATE OF
16 ENACTMENT AND FAILURES TO NOTIFY.—Each ju-
17 risdiction in which a criminal arsonist or criminal
18 bomber described in subclause (I) or (II) of sub-
19 section (c)(4)(B)(i) was convicted shall ensure that
20 the following information is provided to the National
21 Registry:

22 (A) The name of the criminal arsonist or
23 criminal bomber (including any alias used by
24 the person).

1 (B) The Social Security number of the per-
2 son.

3 (C) The most recent known address of the
4 residence at which the person has resided.

5 (D) A physical description of the person.

6 (E) The text of the provision of law defin-
7 ing the criminal offense for which the person is
8 convicted.

9 (F) A set of fingerprints and palm prints
10 of the person, if available to the jurisdiction.

11 (G) A photocopy of a valid driver's license
12 or identification card issued to the person by a
13 jurisdiction, if available.

14 (H) Any other information required by the
15 Attorney General.

16 (e) DURATION OF REGISTRATION REQUIREMENT;
17 EXPUNGING REGISTRIES OF INFORMATION FOR CERTAIN
18 JUVENILE CRIMINALS.—

19 (1) DURATION OF REGISTRATION REQUIRE-
20 MENT.—A criminal arsonist or criminal bomber shall
21 keep the registration information provided under
22 subsection (d)(1)(A) current for the full registration
23 period (excluding any time the person is in custody).
24 For purposes of this subsection, the full registration
25 period—

1 (A) shall commence on the later of the
2 date on which the person is convicted of an of-
3 fense of arson or bombing in violation of the
4 laws of the jurisdiction in which the offense was
5 committed or the United States, the date on
6 which the person is released from prison for
7 such conviction, or the date on which the per-
8 son is placed on parole, supervised release, or
9 probation for such conviction; and

10 (B) shall be—

11 (i) five years for a person who has
12 been convicted of such an offense for the
13 first time;

14 (ii) ten years for a person who has
15 been convicted of such an offense for the
16 second time; and

17 (iii) for the life of the person for a
18 person who has been convicted of such an
19 offense more than twice.

20 (2) EXPUNGING REGISTRIES OF INFORMATION
21 FOR CERTAIN JUVENILE CRIMINALS.—

22 (A) IN GENERAL.—In the case of a crimi-
23 nal arsonist or criminal bomber described in
24 subparagraph (B), the Attorney General shall
25 expunge the National Registry of information

1 related to such criminal arsonist or criminal
2 bomber as of the date that is 5 years after the
3 last day of the applicable full registration period
4 under paragraph (1).

5 (B) CRIMINAL ARSONIST OR CRIMINAL
6 BOMBER DESCRIBED.—For purposes of sub-
7 paragraph (A), a criminal arsonist or criminal
8 bomber described in this subparagraph is a
9 criminal arsonist or criminal bomber who—

10 (i) was a juvenile tried as an adult for
11 the offense giving rise to the duty to reg-
12 ister under this section; and

13 (ii) was not convicted of any other
14 criminal felony during the period beginning
15 on the first day of the applicable full reg-
16 istration period under paragraph (1) and
17 ending on the last day of the 5-year period
18 described in subparagraph (A).

19 (C) APPLICATION TO OTHER DATA-
20 BASES.—The Attorney General shall establish a
21 process to ensure that each entity that receives
22 information under subsection (i) with respect to
23 a criminal arsonist or criminal bomber de-
24 scribed in subparagraph (B) shall expunge the
25 applicable database of such information as of

1 the date that is 5 years after the last day of the
2 applicable full registration period under para-
3 graph (1).

4 (f) ANNUAL VERIFICATION.—Not less than once in
5 each calendar year during the full registration period, a
6 criminal arsonist or criminal bomber required to provide
7 information to a jurisdiction under this section shall—

8 (1) appear in person at not less than one such
9 jurisdiction;

10 (2) allow such jurisdiction to take a current
11 photograph of the person; and

12 (3) while present at such jurisdiction, verify the
13 information contained in the National Registry for
14 such person.

15 (g) DUTY TO NOTIFY CRIMINAL ARSONISTS AND
16 CRIMINAL BOMBERS OF REGISTRATION REQUIREMENTS
17 AND TO REGISTER.—

18 (1) IN GENERAL.—An appropriate official shall,
19 shortly before release of a criminal arsonist or crimi-
20 nal bomber from custody, or, if the person is not in
21 custody, immediately after the sentencing of the per-
22 son for the offense giving rise to the duty to register
23 under this section—

24 (A) inform the person of the duties of the
25 person under this section and explain those du-

ties in a manner that the person can understand in light of the person's native language, mental capability, and age;

(B) ensure that the person understands the registration requirement, and if so, require the person to read and sign a form stating that the duty to register has been explained and that the person understands the registration requirement;

(C) if the person is unable to understand the registration requirements, the official shall sign a form stating that the person is unable to understand the registration requirements; and

(D) ensure that the person is registered.

(2) NOTIFICATION OF CRIMINAL ARSONISTS AND CRIMINAL BOMBERS WHO CANNOT COMPLY WITH PARAGRAPH (1).—The Attorney General shall prescribe rules to ensure the notification and registration of criminal arsonists and criminal bombers in accordance with paragraph (1) who cannot be notified and registered at the time set forth in paragraph (1).

(h) DEVELOPMENT AND AVAILABILITY OF REGISTRY MANAGEMENT AND WEBSITE SOFTWARE.—

1 (1) DUTY TO DEVELOP AND SUPPORT.—The
2 Attorney General shall develop and support software
3 to enable jurisdictions to participate in the National
4 Registry and the national Internet site established
5 under subsection (a)(2).

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

8 (A) immediate exchange of information
9 among jurisdictions through the national Inter-
10 net site established under subsection (a)(2);

11 (B) access over the Internet by authorized
12 persons to appropriate information, including
13 the number of registered criminal arsonists or
14 criminal bombers in each jurisdiction on a cur-
15 rent basis; and

16 (C) full compliance with the requirements
17 of this section.

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

22 (i) PERIOD FOR IMPLEMENTATION BY JURISDIC-
23 TIONS.—

24 (1) DEADLINE.—To be in compliance with this
25 section, a jurisdiction shall participate in the Na-

1 tional Registry in accordance with this section before
2 the later of—

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

5 (B) one year after the date on which the
6 software described in subsection (h) is made
7 available to such jurisdiction.

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

11 (3) FAILURE OF JURISDICTION TO COMPLY.—
12 For any fiscal year after the expiration of the dead-
13 line specified in paragraph (1) (and any extension
14 under paragraph (2)), a jurisdiction that fails, as de-
15 termined by the Attorney General, to substantially
16 implement this section shall, at the discretion of the
17 Attorney General, be subject to not more than a 10
18 percent reduction of the funds that would otherwise
19 be allocated for that fiscal year to the jurisdiction
20 under subpart 1 of part E of title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968 (42
22 U.S.C. 3750 et seq.), whether characterized as the
23 Edward Byrne Memorial State and Local Law En-
24 forcement Assistance Programs, the Local Govern-
25 ment Law Enforcement Block Grants Program, the

1 Edward Byrne Memorial Justice Assistance Grant
2 Program, or otherwise.

3 (j) ELECTION BY INDIAN TRIBES.—

4 (1) ELECTION.—

5 (A) IN GENERAL.—A federally recognized
6 Indian tribe may, by resolution or other enact-
7 ment of the tribal council or comparable gov-
8 ernmental body, elect to carry out this section
9 as a jurisdiction subject to its provisions.

10 (B) IMPLEMENTATION.—If a tribe does
11 not, within one year of the enactment of this
12 Act, make an election to take on these duties,
13 it shall, by resolution or other enactment of the
14 tribal council or comparable governmental body,
15 enter into a cooperative agreement to arrange
16 for a jurisdiction to carry out any function of
17 the tribe under this section until such time as
18 the tribe elects to carry out this section.

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

21 (A) NONDUPLICATION.—A tribe subject to
22 this section is not required to duplicate func-
23 tions under this section which are fully carried
24 out by another jurisdiction or jurisdictions with-
25 in which the territory of the tribe is located.

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

4 (i) arrange for the tribe to carry out
5 any function of such a jurisdiction under
6 this section with respect to criminal
7 arsonists or criminal bombers subject to
8 the tribe’s jurisdiction; and

9 (ii) arrange for such a jurisdiction to
10 carry out any function of the tribe under
11 this section with respect to criminal
12 arsonists and criminal bombers subject to
13 the tribe’s jurisdiction.

14 (3) LAW ENFORCEMENT AUTHORITY IN INDIAN
15 COUNTRY.—Enforcement of this section in Indian
16 country, as defined in section 1151 of title 18,
17 United States Code, shall be carried out by Federal,
18 tribal, and State governments under existing juris-
19 dictional authorities.

20 (k) IMMUNITY FOR GOOD FAITH CONDUCT.—The
21 Federal Government, jurisdictions, political subdivisions of
22 jurisdictions, and their agencies, officers, employees, and
23 agents shall be immune from liability for good faith con-
24 duct under this section.

1 (1) CRIMINAL ARSONIST AND CRIMINAL BOMBER
2 MANAGEMENT ASSISTANCE PROGRAM.—

3 (1) IN GENERAL.—The Attorney General shall,
4 subject to appropriations, establish and implement a
5 Criminal Arsonist and Bomber Management Assist-
6 ance program (in this subsection referred to as the
7 “Assistance Program”), under which the Attorney
8 General shall award grants to jurisdictions to offset
9 the costs of implementing the other provisions of
10 this section.

11 (2) APPLICATION.—The chief executive of a ju-
12 risdiction desiring a grant under this subsection,
13 with respect to a fiscal year, shall for each such fis-
14 cal year submit to the Attorney General an applica-
15 tion in such form and containing such information
16 as the Attorney General may require.

17 (3) INCREASED GRANT PAYMENTS FOR PROMPT
18 COMPLIANCE.—A jurisdiction that, as determined by
19 the Attorney General, has substantially implemented
20 the other provisions of this section not later than
21 two years after the date of the enactment of this Act
22 is eligible for a bonus payment in addition to the
23 amount of grant funds available to such jurisdiction
24 under paragraph (1). The Attorney General may,
25 with respect to a jurisdiction, make such a bonus

1 payment to the jurisdiction for the first fiscal year
2 beginning after the date such determination is made.
3 The amount of the bonus payment shall be as fol-
4 lows:

5 (A) In the case of a determination that the
6 jurisdiction has substantially implemented this
7 section by a date that is not later than the date
8 that is one year after the date of the enactment
9 of this Act, 10 percent of the total grant funds
10 available to the jurisdiction under paragraph
11 (1) for such fiscal year.

12 (B) In the case of a determination that the
13 jurisdiction has substantially implemented this
14 section by a date that is later than one year
15 after the date of the enactment of this Act, but
16 not later than the date that is two years after
17 such date of enactment, 5 percent of such total.

18 (4) AUTHORIZATION OF APPROPRIATIONS.—In
19 addition to any amounts otherwise authorized to be
20 appropriated, there are authorized to be appro-
21 priated to the Attorney General, to be available to
22 carry out this subsection, such sums as may be nec-
23 essary for each of the fiscal years 2010 through
24 2014.

25 (m) DEFINITIONS.—For purposes of this section:

1 (1) CRIMINAL ARSONIST.—The term “criminal
2 arsonist” means an individual who is convicted of
3 any criminal offense for committing arson, attempt-
4 ing arson, or conspiracy to commit arson in violation
5 of the laws of the jurisdiction in which such offense
6 was committed or the United States. Such term
7 shall not include a juvenile who is convicted of such
8 an offense unless such juvenile was tried as an adult
9 for such offense.

10 (2) CRIMINAL BOMBER.—The term “criminal
11 bomber” means an individual who is convicted of
12 any criminal offense for committing a bombing, at-
13 tempting a bombing, or conspiracy to commit a
14 bombing in violation of the laws of the jurisdiction
15 in which such offense was committed or the United
16 States. Such term shall not include a juvenile who
17 is convicted of such an offense unless such juvenile
18 was tried as an adult for such offense.

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

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

4 (5) FIRE SAFETY OFFICER.—The term “fire
5 safety officer” means an individual serving in an of-
6 ficial capacity as a fire investigator, or other arson
7 or bomber investigator, as defined by the jurisdiction
8 for the purposes of this section.

9 (6) JURISDICTION.—The term “jurisdiction”
10 means any of the following:

11 (A) A State.

12 (B) The District of Columbia.

13 (C) The Commonwealth of Puerto Rico.

14 (D) Guam.

15 (E) American Samoa.

16 (F) The Northern Mariana Islands.

17 (G) The United States Virgin Islands.

18 (H) To the extent provided and subject to
19 the requirements of subsection (j), a federally
20 recognized Indian tribe.

21 (7) LAW ENFORCEMENT OFFICER.—The term
22 “law enforcement officer” has the meaning given
23 such term in section 1204 of the Omnibus Crime
24 Control and Safe Street Act of 1968 (42 U.S.C.
25 3796b).

(9) RESIDES.—The term “resides” means, with respect to an individual, the location of the individual’s home or other place where the individual habitually lives.

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

Passed the House of Representatives September 30,
2009.

Attest: LORRAINE C. MILLER,
Clerk.