

remarks and knowledgeable comments. I thank my colleague from California (Mr. LANTOS) again for his continued interest and leadership in this subject area.

Madam Speaker, I urge all Members to support this resolution. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the resolution, H. Res. 558, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2004 THROUGH 2006

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3036) to authorize appropriations for the Department of Justice for fiscal years 2004 through 2006, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3036

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

(b) TABLE OF CONTENTS.—The table of contents of 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—KOBAYASHI 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.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2004.

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

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

(2) ADMINISTRATIVE REVIEW AND APPEALS.—For Administrative Review and Appeals: \$197,420,000 for administration of pardon and clemency petitions and for immigration-related activities.

(3) OFFICE OF INSPECTOR GENERAL.—For the Office of Inspector General: \$70,000,000, which shall include not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

(4) GENERAL LEGAL ACTIVITIES.—For General Legal Activities: \$665,346,000, which shall include—

(A) not less than \$4,000,000 for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals;

(B) not to exceed \$20,000 to meet unforeseen emergencies of a confidential character; and

(C) such sums as may be necessary for administrative expenses in accordance with the Radiation Exposure Compensation Act.

(5) ANTITRUST DIVISION.—For the Antitrust Division: \$141,898,000.

(6) UNITED STATES ATTORNEYS.—For United States Attorneys: \$1,556,784,000, which shall include not less than \$10,000,000 for the investigation and prosecution of intellectual property crimes, including software counterfeiting crimes, crimes identified in the No Electronic Theft (NET) Act (Public Law 105-147), and violations of laws prohibiting unsolicited commercial e-mail: *Provided*, That such amounts in the appropriations account "General Legal Services" as may be expended for such investigations or prosecutions shall count towards this minimum as though expended from this appropriations account.

(7) FEDERAL BUREAU OF INVESTIGATION.—For the Federal Bureau of Investigation: \$4,639,569,000, which shall include—

(A) not to exceed \$11,174,000 for construction, to remain available until expended;

(B) not to exceed \$70,000 to meet unforeseen emergencies of a confidential character; and

(C) such sums as may be necessary to assign employees to the Terrorism Threat Integration Center: *Provided*, That such amounts may only be expended for analyzing intelligence information.

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

(9) FEDERAL PRISON SYSTEM.—For the Federal Prison System, including the National Institute of Corrections: \$4,677,214,000.

(10) DRUG ENFORCEMENT ADMINISTRATION.—For the Drug Enforcement Administration: \$1,601,327,000, which shall include not to exceed \$70,000 to meet unforeseen emergencies of a confidential character.

(11) BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.—For the Bureau of Alcohol, Tobacco, Firearms and Explosives: \$851,987,000.

(12) FEES AND EXPENSES OF WITNESSES.—For Fees and Expenses of Witnesses: \$156,145,000 to remain available until expended, which shall include not to exceed \$6,000,000 for construction of protected witness safesites.

(13) INTERAGENCY CRIME AND DRUG ENFORCEMENT.—For Interagency Crime and Drug Enforcement: \$550,609,000, 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.

(14) FOREIGN CLAIMS SETTLEMENT COMMISSION.—For the Foreign Claims Settlement Commission: \$1,212,000.

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

(16) ASSETS FORFEITURE FUND.—For the Assets Forfeiture Fund: \$22,949,000 for expenses authorized by section 524 of title 28, United States Code.

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

(18) FEDERAL DETENTION TRUSTEE.—For the necessary expenses of the Federal Detention Trustee: \$814,097,000.

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

(20) NARROWBAND COMMUNICATIONS.—For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems: \$140,083,000.

(21) ADMINISTRATIVE EXPENSES FOR CERTAIN ACTIVITIES.—For the administrative expenses

of the Office of Justice Programs, the Office on Violence Against Women, and the Community Oriented Policing Services program, the following sums:

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

(B) \$13,622,000 for the Office on Violence Against Women.

(C) \$29,684,000 for the Community Oriented Policing Services program.

(22) LEGAL ACTIVITIES OFFICE AUTOMATION.—For necessary expenses related to office automation: \$33,240,000.

(23) COUNTERTERRORISM FUND.—For necessary expenses of the Counterterrorism Fund: \$1,000,000.

SEC. 102. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2005.

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

(1) GENERAL ADMINISTRATION.—For General Administration: \$186,551,000.

(2) ADMINISTRATIVE REVIEW AND APPEALS.—For Administrative Review and Appeals: \$202,518,000 for administration of pardon and clemency petitions and for immigration-related activities.

(3) OFFICE OF INSPECTOR GENERAL.—For the Office of Inspector General: \$71,400,000, which shall include not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

(4) GENERAL LEGAL ACTIVITIES.—For General Legal Activities: \$657,135,000, which shall include—

(A) not less than \$4,000,000 for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals;

(B) not to exceed \$20,000 to meet unforeseen emergencies of a confidential character; and

(C) such sums as may be necessary for administrative expenses in accordance with the Radiation Exposure Compensation Act.

(5) ANTITRUST DIVISION.—For the Antitrust Division: \$136,463,000.

(6) UNITED STATES ATTORNEYS.—For United States Attorneys: \$1,547,519,000, which shall include not less than \$10,000,000 for the investigation and prosecution of intellectual property crimes, including software counterfeiting crimes, crimes identified in the No Electronic Theft (NET) Act (Public Law 105-147), and violations of law, against unsolicited commercial e-mail: *Provided*, That such amounts in the appropriations account "General Legal Services" as may be expended for such investigations or prosecutions shall count towards this minimum as though expended from this appropriations account.

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

(A) not to exceed \$1,250,000 for construction, to remain available until expended;

(B) not to exceed \$70,000 to meet unforeseen emergencies of a confidential character; and

(C) such sums as may be necessary to assign employees to the Terrorism Threat Integration Center: *Provided*, That such amounts may only be expended for analyzing intelligence information.

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

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

(10) DRUG ENFORCEMENT ADMINISTRATION.—For the Drug Enforcement Administration: \$1,661,503,000, which shall include not to exceed \$70,000 to meet unforeseen emergencies of a confidential character.

(11) BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.—For the Bureau of Alcohol, Tobacco, Firearms and Explosives: \$868,857,000.

(12) FEES AND EXPENSES OF WITNESSES.—For Fees and Expenses of Witnesses: \$177,585,000 to remain available until expended, which shall include not to exceed \$6,000,000 for construction of 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.

(14) FOREIGN CLAIMS SETTLEMENT COMMISSION.—For the Foreign Claims Settlement Commission: \$1,220,000.

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

(16) ASSETS FORFEITURE FUND.—For the Assets Forfeiture Fund: \$21,759,000 for expenses authorized by section 524 of title 28, United States Code.

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

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

(19) JOINT AUTOMATED BOOKING SYSTEM.—For the necessary expenses of the Joint Automated Booking System: \$20,309,000.

(20) INTEGRATED AUTOMATED FINGERPRINT.—For the expenses necessary for Integrated Automated Fingerprint activities: \$5,054,000.

(21) NARROWBAND COMMUNICATIONS.—For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems: \$101,971,000.

(22) ADMINISTRATIVE EXPENSES FOR CERTAIN ACTIVITIES.—For the administrative expenses of the Office of Justice Programs, the Office on Violence Against Women, and the Community Oriented Policing Services program, the following sums:

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

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

(C) \$30,278,000 for the Community Oriented Policing Services program.

(23) LEGAL ACTIVITIES OFFICE AUTOMATION.—For necessary expenses related to office automation: \$80,510,000.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2006.

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

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

(2) ADMINISTRATIVE REVIEW AND APPEALS.—For Administrative Review and Appeals: \$206,568,000 for administration of pardon and clemency petitions and for immigration-related activities.

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

(4) GENERAL LEGAL ACTIVITIES.—For General Legal Activities: \$670,278,000, which shall include—

(A) not less than \$4,000,000 for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals;

(B) not to exceed \$20,000 to meet unforeseen emergencies of a confidential character; and

(C) such sums as may be necessary for administrative expenses in accordance with the Radiation Exposure Compensation Act.

(5) ANTITRUST DIVISION.—For the Antitrust Division: \$139,192,000.

(6) UNITED STATES ATTORNEYS.—For United States Attorneys: \$1,578,469,000, which shall include not less than \$10,000,000 for the investigation and prosecution of intellectual property crimes, including software counterfeiting crimes, crimes identified in the No Electronic Theft (NET) Act (Public Law 105-147), and violations of law, against unsolicited commercial e-mail: *Provided*, That such amounts in the appropriations account "General Legal Services" as may be expended for such investigations or prosecutions shall count towards this minimum as though expended from this appropriations account.

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

(A) not to exceed \$1,250,000 for construction, to remain available until expended;

(B) not to exceed \$70,000 to meet unforeseen emergencies of a confidential character; and

(C) such sums as may be necessary to assign employees to the Terrorism Threat Integration Center: *Provided*, That such amounts may only be expended for analyzing intelligence information.

(8) UNITED STATES MARSHALS SERVICE.—For the United States Marshals Service: \$758,310,000, which shall include not to exceed \$1,371,000 for construction, to remain available until expended.

(9) FEDERAL PRISON SYSTEM.—For the Federal Prison System, including the National Institute of Corrections: \$4,800,357,000.

(10) DRUG ENFORCEMENT ADMINISTRATION.—For the Drug Enforcement Administration: \$1,694,733,000, which shall include not to exceed \$70,000 to meet unforeseen emergencies of a confidential character.

(11) BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES.—For the Bureau of Alcohol, Tobacco, Firearms and Explosives: \$886,234,000.

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

(13) INTERAGENCY CRIME AND DRUG ENFORCEMENT.—For Interagency Crime and Drug Enforcement: \$592,245,000, 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.

(14) FOREIGN CLAIMS SETTLEMENT COMMISSION.—For the Foreign Claims Settlement Commission: \$1,244,000.

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

(16) ASSETS FORFEITURE FUND.—For the Assets Forfeiture Fund: \$22,194,000 for expenses authorized by section 524 of title 28, United States Code.

(17) UNITED STATES PAROLE COMMISSION.—For the United States Parole Commission: \$10,863,000.

(18) FEDERAL DETENTION TRUSTEE.—For the necessary expenses of the Federal Detention Trustee: \$957,586,000.

(19) JOINT AUTOMATED BOOKING SYSTEM.—For the necessary expenses of the Joint Automated Booking System: \$20,715,000.

(20) INTEGRATED AUTOMATED FINGERPRINT.—For the expenses necessary for Integrated Automated Fingerprint activities: \$5,155,000.

(21) NARROWBAND COMMUNICATIONS.—For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems: \$104,010,000.

(22) ADMINISTRATIVE EXPENSES FOR CERTAIN ACTIVITIES.—For the administrative expenses of the Office of Justice Programs, the Office on Violence Against Women, and the Community Oriented Policing Services program, the following sums:

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

(B) \$14,172,000 for the Office on Violence Against Women.

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

(23) LEGAL ACTIVITIES OFFICE AUTOMATION.—For necessary expenses related to office automation: \$82,120,000.

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.

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

(1) Subpart 1 of such part (42 U.S.C. 3751-3759) is repealed.

(2) Such part is further amended—

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

"Subpart 1—Edward Byrne Memorial Justice Assistance Grant Program";

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

"SEC. 500. NAME OF PROGRAM.

"(a) IN GENERAL.—The grant program established under this subpart shall be known as the 'Edward Byrne Memorial Justice Assistance Grant Program'.

"(b) REFERENCES TO FORMER PROGRAMS.—Any reference in a law, regulation, document, paper, or other record of the United States to the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, or to the Local Government Law Enforcement Block Grants program, shall be deemed to be a reference to the grant program referred to in subsection (a)."; and

(C) by inserting after section 500 the following new sections:

"SEC. 501. DESCRIPTION.

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—From amounts made available to carry out this subpart, the Attorney General may, in accordance with the formula established under section 505, make grants to States and units of local government, for use by the State or unit of local government to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following programs:

"(A) Law enforcement programs.

"(B) Prosecution and court programs.

"(C) Prevention and education programs.

"(D) Corrections and community corrections programs.

"(E) Drug treatment programs.

"(F) Planning, evaluation, and technology improvement programs.

"(2) RULE OF CONSTRUCTION.—Paragraph (1) shall be construed to ensure that a grant under that paragraph may be used for any

purpose for which a grant was authorized to be used under either or both of the programs specified in section 500(b), as those programs were in effect immediately before the enactment of this paragraph.

"(b) CONTRACTS AND SUBAWARDS.—A State or unit of local government may, in using a grant under this subpart for purposes authorized by subsection (a), use all or a portion of that grant to contract with or make one or more subawards to one or more—

"(1) neighborhood or community-based organizations that are private and nonprofit;

"(2) units of local government; or

"(3) tribal governments.

"(c) PROGRAM ASSESSMENT COMPONENT; WAIVER.—

"(1) Each program funded under this subpart shall contain a program assessment component, developed pursuant to guidelines established by the Attorney General, in coordination with the National Institute of Justice.

"(2) The Attorney General may waive the requirement of paragraph (1) with respect to a program if, in the opinion of the Attorney General, the program is not of sufficient size to justify a full program assessment.

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

"(1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.

"(2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order—

"(A) vehicles, vessels, or aircraft;

"(B) luxury items;

"(C) real estate;

"(D) construction projects (other than penal or correctional institutions); or

"(E) any similar matters.

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

"(f) PERIOD.—The period of a grant made under this subpart shall be four years, except that renewals and extensions beyond that period may be granted at the discretion of the Attorney General.

"(g) RULE OF CONSTRUCTION.—Subparagraph (d)(1) shall not be construed to prohibit the use, directly or indirectly, of funds provided under this subpart to provide security at a public event, such as a political convention or major sports event, so long as such security is provided under applicable laws and procedures.

"SEC. 502. APPLICATIONS.

"To request a grant under this subpart, the chief executive officer of a State or unit of local government shall submit an application to the Attorney General within 90 days after the date on which funds to carry out this subpart are appropriated for a fiscal year, in such form as the Attorney General may require. Such application shall include the following:

"(1) A certification that Federal funds made available under this subpart will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.

"(2) An assurance that, not fewer than 30 days before the application (or any amendment to the application) was submitted to the Attorney General, the application (or

amendment) was submitted for review to the governing body of the State or unit of local government (or to an organization designated by that governing body).

“(3) An assurance that, before the application (or any amendment to the application) was submitted to the Attorney General—

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

“(B) an opportunity to comment on the application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure makes such an opportunity available.

“(4) An assurance that, for each fiscal year covered by an application, the applicant shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require.

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

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

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

“(C) there has been appropriate coordination with affected agencies; and

“(D) the applicant will comply with all provisions of this subpart and all other applicable Federal laws.

“SEC. 503. REVIEW OF APPLICATIONS.

“The Attorney General shall not finally disapprove any application (or any amendment to that application) submitted under this subpart without first affording the applicant reasonable notice of any deficiencies in the application and opportunity for correction and reconsideration.

“SEC. 504. RULES.

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

“SEC. 505. FORMULA.

“(a) ALLOCATION AMONG STATES.—

“(1) IN GENERAL.—Of the total amount appropriated for this subpart, the Attorney General shall, except as provided in paragraph (2), allocate—

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

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

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

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

“(i) the average annual number of part 1 violent crimes of the Uniform Crime Reports of the Federal Bureau of Investigation reported by such State for the three most recent years reported by such State to—

“(ii) the average annual number of such crimes reported by all States for such years.

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

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

“(B) using the amount remaining after carrying out subparagraph (A), carry out paragraph (1) in a manner that excludes each minimum allocation State, including the

population of and the crimes reported by such State.

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

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

“(2) 40 percent shall be for grants to be allocated under subsection (d).

“(c) ALLOCATION FOR STATE GOVERNMENTS.—

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

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

“(B) the total expenditure on criminal justice by the State government and units of local government within the State in such year.

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

“(d) ALLOCATIONS TO LOCAL GOVERNMENTS.—

“(1) IN GENERAL.—Of the amounts allocated under subsection (b)(2), grants for the purposes described in section 501 shall be made directly to units of local government within each State in accordance with this subsection, subject to subsection (e).

“(2) ALLOCATION.—

“(A) IN GENERAL.—From the amounts referred to in paragraph (1) with respect to a State (in this subsection referred to as the ‘local amount’), the Attorney General shall allocate to each unit of local government an amount which bears the same ratio to such share as the average annual number of part 1 violent crimes reported by such unit to the Federal Bureau of Investigation for the 3 most recent calendar years for which such data is available bears to the number of part 1 violent crimes reported by all units of local government in the State in which the unit is located to the Federal Bureau of Investigation for such years.

“(B) TRANSITIONAL RULE.—Notwithstanding subparagraph (A), for fiscal years 2005, 2006, and 2007, the Attorney General shall allocate the local amount to units of local government in the same manner that, under the Local Government Law Enforcement Block Grants program in effect immediately before the date of the enactment of this section, the reserved amount was allocated among reporting and nonreporting units of local government.

“(3) ANNEXED UNITS.—If a unit of local government in the State has been annexed since the date of the collection of the data used by the Attorney General in making allocations pursuant to this section, the Attorney General shall pay the amount that would have been allocated to such unit of local government to the unit of local government that annexed it.

“(4) RESOLUTION OF DISPARATE ALLOCATIONS.—(A) Notwithstanding any other provision of this subpart, if—

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

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

“(I) any one such specified geographically constituent unit of local government exceeds 150 percent of the amount allocated to the

unit of local government certified pursuant to clause (i); or

“(II) more than one such specified geographically constituent unit of local government exceeds 400 percent of the amount allocated to the unit of local government certified pursuant to clause (i),

then in order to qualify for payment under this subsection, the unit of local government certified pursuant to clause (i), together with any such specified geographically constituent units of local government described in clause (ii), shall submit to the Attorney General a joint application for the aggregate of funds allocated to such units of local government. Such application shall specify the amount of such funds that are to be distributed to each of the units of local government and the purposes for which such funds are to be used. The units of local government involved may establish a joint local advisory board for the purposes of carrying out this paragraph.

“(B) In this paragraph, the term ‘geographically constituent unit of local government’ means a unit of local government that has jurisdiction over areas located within the boundaries of an area over which a unit of local government certified pursuant to clause (i) has jurisdiction.

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

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

“(2) ALLOCATIONS UNDER \$10,000.—If the allocation under this section to a unit of local government is less than \$10,000 for any fiscal year, the direct grant to the State under subsection (c) shall be increased by the amount of such allocation, to be distributed (for the purposes described in section 501) among State police departments that provide criminal justice services to units of local government and units of local government whose allocation under this section is less than \$10,000.

“(3) NON-REPORTING UNITS.—No allocation under this section shall be made to a unit of local government that has not reported at least three years of data on part 1 violent crimes of the Uniform Crime Reports to the Federal Bureau of Investigation within the immediately preceding 10 years.

“(f) FUNDS NOT USED BY THE STATE.—If the Attorney General determines, on the basis of information available during any grant period, that any allocation (or portion thereof) under this section to a State for such grant period will not be required, or that a State will be unable to qualify or receive funds under this subpart, or that a State chooses not to participate in the program established under this subpart, then such State’s allocation (or portion thereof) shall be awarded by the Attorney General to units of local government, or combinations thereof, within such State, giving priority to those jurisdictions with the highest annual number of part 1 violent crimes of the Uniform Crime Reports reported by the unit of local government to the Federal Bureau of Investigation for the three most recent calendar years for which such data are available.

“(g) SPECIAL RULES FOR PUERTO RICO.—

“(1) ALL FUNDS SET ASIDE FOR COMMONWEALTH GOVERNMENT.—Notwithstanding any other provision of this subpart, the amounts allocated under subsection (a) to Puerto Rico, 100 percent shall be for direct grants to

the Commonwealth government of Puerto Rico.

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

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

SEC. 506. RESERVED FUNDS.

‘Of the total amount made available to carry out this subpart for a fiscal year, the Attorney General shall reserve not more than—

(1) \$20,000,000, for use by the National Institute of Justice in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement, of which \$1,000,000 shall be for use by the Bureau of Justice Statistics to collect data necessary for carrying out this subpart; and

(2) \$20,000,000, to be granted by the Attorney General to States and units of local government to develop and implement antiterrorism training programs.

SEC. 507. INTEREST-BEARING TRUST FUNDS.

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

(b) EXPENDITURES.—

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

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

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

(c) REPAID AMOUNTS.—Amounts received as repayments under this section shall be subject to section 108 of this title as if such amounts had not been granted and repaid. Such amounts shall be deposited in the Treasury in a dedicated fund for use by the Attorney General to carry out this subpart. Such funds are hereby made available to carry out this subpart.

SEC. 508. AUTHORIZATION OF APPROPRIATIONS.

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

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

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

(2) TARGETED GRANTS TO CURB MOTOR VEHICLE THEFT.—Subtitle B of title I of the Anti Car Theft Act of 1992 (42 U.S.C. 3750a–3750d) is repealed.

(c) CONFORMING AMENDMENTS.—

(1) CRIME IDENTIFICATION TECHNOLOGY ACT.—Subsection (c)(2)(G) of section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601) is amended by striking ‘such as’ and all that follows through ‘the M.O.R.E. program’ and inserting ‘such as the Edward Byrne Justice Assistance Grant Program and the M.O.R.E. program’.

(2) SAFE STREETS ACT.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

(A) in section 517 (42 U.S.C. 3763), in subsection (a)(1), by striking ‘pursuant to sec-

tion 511 or 515’ and inserting ‘pursuant to section 515’;

(B) in section 520 (42 U.S.C. 3766)—

(i) in subsection (a)(1), by striking ‘the program evaluations as required by section 501(c) of this part’ and inserting ‘program evaluations’;

(ii) in subsection (a)(2), by striking ‘evaluations of programs funded under section 506 (formula grants) and sections 511 and 515 (discretionary grants) of this part’ and inserting ‘evaluations of programs funded under section 505 (formula grants) and section 515 (discretionary grants) of this part’; and

(iii) in subsection (b)(2), by striking ‘programs funded under section 506 (formula grants) and section 511 (discretionary grants)’ and inserting ‘programs funded under section 505 (formula grants)’;

(C) in section 522 (42 U.S.C. 3766b)—

(i) in subsection (a), in the matter preceding paragraph (1), by striking ‘section 506’ and inserting ‘section 505’; and

(ii) in subsection (a)(1), by striking ‘an assessment of the impact of such activities on meeting the needs identified in the State strategy submitted under section 503’ and inserting ‘an assessment of the impact of such activities on meeting the purposes of subpart 1’;

(D) in section 801(b) (42 U.S.C. 3782(b)), in the matter following paragraph (5)—

(i) by striking ‘the purposes of section 501 of this title’ and inserting ‘the purposes of such subpart 1’; and

(ii) by striking ‘the application submitted pursuant to section 503 of this title’ and inserting ‘the application submitted pursuant to section 502 of this title’;

(E) in section 808 (42 U.S.C. 3789), by striking ‘the State office described in section 507 or 1408’ and inserting ‘the State office responsible for the trust fund required by section 507, or the State office described in section 1408.’;

(F) in section 901 (42 U.S.C. 3791), in subsection (a)(2), by striking ‘for the purposes of section 506(a)’ and inserting ‘for the purposes of section 505(a)’;

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

(i) in paragraph (1), by striking ‘section 506(a)’ and inserting ‘section 505(a)’;

(ii) in paragraph (2)—

(I) by striking ‘section 503(a)’ and inserting ‘section 502’; and

(II) by striking ‘section 506’ and inserting ‘section 505’;

(H) in section 1602 (42 U.S.C. 3796cc–1), in subsection (b), by striking ‘The office designated under section 507 of title I’ and inserting ‘The office responsible for the trust fund required by section 507’;

(I) in section 1702 (42 U.S.C. 3796dd–1), in subsection (c)(1), by striking ‘and reflects consideration of the statewide strategy under section 503(a)(1)’; and

(J) in section 1902 (42 U.S.C. 3796ff–1), in subsection (e), by striking ‘The Office designated under section 507’ and inserting ‘The office responsible for the trust fund required by section 507’.

(d) APPLICABILITY.—The amendments made by this section shall apply with respect to the first fiscal year beginning after the date of the enactment of this Act and each fiscal year thereafter.

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

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

SEC. 203. CONGRESSIONAL MEDAL AND PLAQUE FOR PUBLIC SAFETY OFFICERS WHO RESPONDED TO THE ATTACKS ON THE UNITED STATES ON SEPTEMBER 11, 2001.

(a) PURPOSE.—It is the purpose of this section—

(1) to commemorate the sacrifices made and service rendered to the United States by those public safety officers who responded to the attacks on the United States on September 11, 2001; and

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

(b) PRESENTATION AUTHORIZED.—

(1) IN GENERAL.—The Speaker of the House of Representatives and the President pro tempore of the Senate are authorized jointly to present, on behalf of the Congress—

(A) to individuals certified by the Attorney General pursuant to subsection (e), a bronze medal 1½ inches in diameter commemorating the service to the United States of those individuals; and

(B) to public agencies certified by the Attorney General pursuant to subsection (e), a plaque commemorating the service to the United States of the officers, employees, or agents of those agencies.

(2) DATE.—The presentation shall be made as close as feasible to the third anniversary of the attacks on the United States on September 11, 2001.

(3) NEXT OF KIN.—In the case of an individual certified by the Attorney General pursuant to subsection (e), the medal may be accepted by the next of kin of any such individual.

(c) DESIGN AND STRIKING.—

(1) CONSULTATION.—The Attorney General shall consult with the Institute of Heraldry of the Department of Defense regarding the design and artistry of the medal and the plaque authorized by this section. The Attorney General may also consider suggestions received by the Department of Justice regarding the design and artistry of the medal and the plaque, including suggestions made by persons not employed by the Department of Justice.

(2) STRIKING.—After such consultation, the Attorney General shall strike such medals and produce such plaques as may be required to carry out this section.

(d) ELIGIBILITY REQUIREMENTS.—

(1) INDIVIDUALS.—

(A) IN GENERAL.—To be eligible to be 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))—

(i) who was present in New York, Virginia, or Pennsylvania on September 11, 2001;

(ii) who participated in the response that day to the terrorist attacks on the World Trade Center, the terrorist attack on the Pentagon, or the terrorist attack that resulted in the crash of the fourth airplane in Pennsylvania; and

(iii) who died as a result of such participation.

(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.

(2) AGENCIES.—To be eligible to be presented the plaque referred to in subsection (b), a public agency must have had at least one officer, employee, or agent who is eligible under paragraph (1) or who would be so eligible but for the requirement of subparagraph (A)(iii) of that paragraph.

(3) APPLICATION; DETERMINATION.—To establish the eligibility required by paragraphs (1) or (2), the head of a public agency must present to the Attorney General an application with such supporting documentation as

the Attorney General may require to support such eligibility and, in the case of the eligibility of an individual, with information on next of kin. The Attorney General shall determine, through the documentation provided and, if necessary, independent investigation, whether the requirements of paragraphs (1) or (2) have been established.

(e) CERTIFICATION.—The Attorney General shall, within 12 months after the date of the enactment of this Act, certify to the Speaker of the House of Representatives and the President pro tempore of the Senate the names of individuals eligible to receive the medal and public agencies eligible to receive the plaque.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 204. CLARIFICATION OF OFFICIAL TO BE CONSULTED BY ATTORNEY GENERAL IN CONSIDERING APPLICATION FOR EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.

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

SEC. 205. CLARIFICATION OF USES FOR REGIONAL INFORMATION SHARING SYSTEM GRANTS.

Section 1301(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h(b)), as most recently amended by section 701 of the USA PATRIOT Act (Public Law 107-56; 115 Stat. 374), is amended—

(1) in paragraph (1), by inserting “regional” before “information sharing systems”;

(2) by amending paragraph (3) to read as follows:

“(3) establishing and maintaining a secure telecommunications system for regional information sharing between Federal, State, and local law enforcement agencies;”;

(3) by striking “(5)” at the end of paragraph (4).

SEC. 206. INTEGRITY AND ENHANCEMENT OF NATIONAL CRIMINAL RECORD DATABASES.

(a) DUTIES OF DIRECTOR.—Section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732) is amended—

(1) in subsection (b), by inserting after the third sentence the following new sentence: “The Director shall be responsible for the integrity of data and statistics and shall protect against improper or illegal use or disclosure.”;

(2) by amending paragraph (19) of subsection (c) to read as follows:

“(19) provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of State criminal history and related records, support the development and enhancement of national systems of criminal history and related records including the National Criminal History Background Check System, the National Incident-Based Reporting System, and the records of the National Crime Information Center, facilitate State participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records;”;

(3) in subsection (d)—

(A) by striking “and” at the end of paragraph (4);

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

(C) by adding at the end the following:

“(6) confer and cooperate with Federal statistical agencies as needed to carry out the purposes of this part, including by entering

into cooperative data sharing agreements in conformity with all laws and regulations applicable to the disclosure and use of data.”.

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

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

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

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

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

SEC. 211. OFFICE OF WEED AND SEED STRATEGIES.

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

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

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

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

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

“SEC. 104. WEED AND SEED STRATEGIES.

“(a) IN GENERAL.—From amounts made available under section 103(c), the Director of the Office of Weed and Seed Strategies may implement strategies, to be known as Weed and Seed strategies, to prevent, control, and reduce violent crime, criminal drug-related activity, and gang activity in designated Weed-and-Seed communities. Each such strategy shall involve both of the following activities:

“(1) WEEDING.—Activities, to be known as Weeding activities, which shall include promoting and coordinating a broad spectrum of community efforts (especially those of law enforcement agencies and prosecutors) to arrest, and to sanction or incarcerate, persons in that community who participate or engage in violent crime, criminal drug-related activity, and other crimes that threaten the quality of life in that community.

“(2) SEEDING.—Activities, to be known as Seeding activities, which shall include promoting and coordinating a broad spectrum of community efforts (such as drug abuse education, mentoring, and employment counseling) to provide—

“(A) human services, relating to prevention, intervention, or treatment, for at-risk individuals and families; and

“(B) community revitalization efforts, including enforcement of building codes and development of the economy.

“(b) GUIDELINES.—The Director shall issue guidelines for the development and implementation of Weed and Seed strategies under this section. The guidelines shall ensure that the Weed and Seed strategy for a community referred to in subsection (a) shall—

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

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

“(i) appropriate law enforcement agencies; and

“(ii) other public and private agencies, and neighborhood and community-based organizations, interested in criminal justice and community-based development and revitalization in the community; and

“(B) in a voting capacity, both—

“(i) the Drug Enforcement Administration’s special agent in charge for the jurisdiction encompassing the community; and

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

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

“(3) incorporate a community-policing component that shall serve as a bridge between the Weeding activities under subsection (a)(1) and the Seeding activities under subsection (a)(2).

“(c) DESIGNATION.—For a community to be designated as a Weed-and-Seed community for purposes of subsection (a)—

“(1) the United States Attorney for the District encompassing the community must certify to the Director that—

“(A) the community suffers from consistently high levels of crime or otherwise is appropriate for such designation;

“(B) the Weed and Seed strategy proposed, adopted, or implemented by the steering committee has a high probability of improving the criminal justice system within the community and contains all the elements required by the Director; and

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

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

“(d) APPLICATION.—An application for designation as a Weed-and-Seed community for purposes of subsection (a) shall be submitted to the Director by the steering committee of the community in such form, and containing such information and assurances, as the Director may require. The application shall propose—

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

“(A) the active involvement of the United States Attorney for the District encompassing the community, the Drug Enforcement Administration’s special agent in charge for the jurisdiction encompassing the community, and other Federal law enforcement agencies operating in the vicinity;

“(B) a significant community-oriented policing component; and

“(C) demonstrated coordination with complementary neighborhood and community-based programs and initiatives; and

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

“(e) GRANTS.—

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

“(2) USES.—For each grant under this subsection, the community receiving that grant—

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

“(B) may not use any of the grant amounts for construction, except that the Assistant

Attorney General may authorize use of grant amounts for incidental or minor construction, renovation, or remodeling.

“(3) LIMITATIONS.—A community may not receive grants under this subsection (or fall within such a community)—

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

“(B) for more than 5 separate fiscal years, except that the Assistant Attorney General may, in single increments and only upon a showing of extraordinary circumstances, authorize grants for not more than 3 additional separate fiscal years; or

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

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

“(A) to the extent practicable, the distribution of such grants is geographically equitable and includes both urban and rural areas of varying population and area; and

“(B) priority is given to communities that clearly and effectively coordinate crime prevention programs with other Federal programs in a manner that addresses the overall needs of such communities.

“(5) FEDERAL SHARE.—(A) Subject to subparagraph (B), the Federal share of a grant under this subsection may not exceed 75 percent of the total costs of the projects described in the application for which the grant was made.

“(B) The requirement of subparagraph (A)—

“(i) may be satisfied in cash or in kind; and

“(ii) may be waived by the Assistant Attorney General upon a determination that the financial circumstances affecting the applicant warrant a finding that such a waiver is equitable.

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

(b) ABOLISHMENT OF EXECUTIVE OFFICE OF WEED AND SEED; TRANSFERS OF FUNCTIONS.—(1) ABOLISHMENT.—The Executive Office of Weed and Seed is abolished.

(2) TRANSFER.—There are hereby transferred to the Office of Weed and Seed Strategies all functions and activities performed immediately before the date of the enactment of this Act by the Executive Office of Weed and Seed Strategies.

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect 90 days after the date of the enactment of this Act.

Subtitle C—Assisting Victims of Crime

SEC. 221. GRANTS TO LOCAL NONPROFIT ORGANIZATIONS TO IMPROVE OUTREACH SERVICES TO VICTIMS OF CRIME.

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

(1) in paragraph (1)—

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

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

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

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

“(C) for nonprofit neighborhood and community-based victim service organizations

and coalitions to improve outreach and services to victims of crime.”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

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

(ii) by striking “and” at the end;

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

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

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

SEC. 222. CLARIFICATION AND ENHANCEMENT OF CERTAIN AUTHORITIES RELATING TO CRIME VICTIMS FUND.

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

(1) AUTHORITY TO ACCEPT GIFTS.—Subsection (b)(5) of such section is amended by striking the period at the end and inserting the following: “, which the Director is hereby authorized to accept for deposit into the Fund, except that the Director is not hereby authorized to accept any such gift, bequest, or donation that—

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

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

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

(3) AUTHORITY TO MAKE GRANTS TO INDIAN TRIBES FOR VICTIM ASSISTANCE PROGRAMS.—Subsection (g) of such section is amended—

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

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

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

“(2) The Attorney General may use 5 percent of the funds available under subsection (d)(2) (prior to distribution) for grants to Indian tribes to establish victim assistance programs, as appropriate.”.

SEC. 223. AMOUNTS RECEIVED UNDER CRIME VICTIM GRANTS MAY BE USED BY STATE FOR TRAINING PURPOSES.

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

(b) CRIME VICTIM ASSISTANCE.—Section 1404(b)(3) of such Act (42 U.S.C. 10603(b)(3)) is amended by inserting after “may be used for” the following: “training purposes and”.

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

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

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

(c) CLARIFICATION OF STATE GRANTS.—Section 2007 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-1), as redesignated pursuant to the amendment made by subsection (b), is amended—

(1) in subsection (a), by striking “to States” and all that follows through “tribal governments”;

(2) in subsection (b)—

(A) in each of paragraphs (2) and (3), by striking “1/4” and inserting “1/3”; and

(B) in paragraph (4), by striking “in Indian country”;

(3) in subsection (c)(3)(A), by striking “police” and inserting “law enforcement”; and

(4) in subsection (d)—

(A) in the second sentence, by inserting after “each application” the following: “submitted by a State”; and

(B) in the third sentence, by striking “An application” and inserting “In addition, each application submitted by a State or tribal government”.

(d) CHANGE FROM ANNUAL TO BIENNIAL REPORTING.—Section 2009(b) of such Act (42 U.S.C. 3796gg-3), as redesignated pursuant to the amendment made by subsection (b), is amended by striking “Not later than” and all that follows through “the Attorney General shall submit” and inserting the following: “Not later than one month after the end of each even-numbered fiscal year, the Attorney General shall submit”.

(e) AVAILABILITY OF FORENSIC MEDICAL EXAMS.—Section 2100 of such Act (42 U.S.C. 3796gg-4), as redesignated pursuant to the amendment made by subsection (b), is amended by adding at the end the following new subsections:

“(c) USE OF FUNDS.—A State or Indian tribal government may use Federal grant funds under this part to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams by any State or Indian tribal government that requires victims of sexual assault to seek reimbursement for such exams from their insurance carriers.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”.

(f) TECHNICAL AMENDMENT.—The heading for Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended to read as follows:

“PART T—GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN”.

SEC. 225. EXPANSION OF GRANT PROGRAMS ASSISTING ENFORCEMENT OF DOMESTIC VIOLENCE CASES TO ALSO ASSIST ENFORCEMENT OF SEXUAL ASSAULT CASES.

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

(1) in subsection (a), by striking “to treat domestic violence as a serious violation” and inserting “to treat domestic violence and sexual assault as serious violations”;

(2) in subsection (b)—

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

(B) in paragraph (3), by striking “domestic violence cases” and inserting “domestic violence and sexual assault cases”; and

(C) in paragraph (6), by striking “about domestic violence” and inserting “about domestic violence and sexual assault”; and

(3) in subsection (d), by striking “In this section, the term” and inserting “In this part—

“(1) the term ‘sexual assault’ has the meaning given the term in section 2008; and

“(2) the term”.

(b) APPLICATIONS.—Section 2102(b) of such Act (42 U.S.C. 3796hh-1(b)) is amended in

each of paragraphs (1) and (2) by inserting after "involving domestic violence" the following: "or sexual assault".

(c) RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE.—Section 40295(a) of the Violence Against Women Act of 1994 (title IV of the Violent Crime Control and Law Enforcement Act of 1994; 42 U.S.C. 13971(a)) is amended in each of paragraphs (1) and (2) by striking "domestic violence and dating violence (as defined in section 2003)" and inserting "domestic violence, sexual assault, and dating violence (as such terms are defined in section 2008)".

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

(a) STALKING AND DOMESTIC VIOLENCE.—Section 40610 of the Violence Against Women Act of 1994 (title IV of the Violent Crime Control and Law Enforcement Act of 1994; 42 U.S.C. 14039) is amended by striking "The Attorney General shall submit to the Congress an annual report, beginning one year after the date of the enactment of this Act, that provides" and inserting "Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides".

(b) SAFE HAVENS FOR CHILDREN.—Section 1301(d)(1) of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 10420(d)(1)) is amended in the matter preceding subparagraph (A) by striking "Not later than 1 year after the last day of the first fiscal year commencing on or after the date of the enactment of this Act, and not later than 180 days after the last day of each fiscal year thereafter," and inserting "Not later than one month after the end of each even-numbered fiscal year,".

SEC. 227. CLARIFICATION OF RECIPIENTS AND PROGRAMS ELIGIBLE FOR GRANTS UNDER RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE PROGRAM.

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

(1) in subsection (a), in the matter preceding paragraph (1), by striking "to States, Indian tribal governments, and local governments of rural States, and to other public or private entities of rural States" and inserting "to States, Indian tribal governments, local governments, and public or private entities, for programs serving rural areas or rural communities"; and

(2) in subsection (b)—

(A) by inserting "(1) the term" before "'Indian tribe' means";

(B) by striking "Indians." and all that follows through the period at the end and inserting "Indians; and

"(2) the terms 'rural area' and 'rural community' have the meanings given those terms in section 491(k)(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11408(k)(2)).".

Subtitle D—Preventing Crime

SEC. 231. CLARIFICATION OF DEFINITION OF VIOLENT OFFENDER FOR PURPOSES OF JUVENILE DRUG COURTS.

Section 2953(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797u-2(b)) is amended in the matter preceding paragraph (1) by striking "an offense that" and inserting "a felony-level offense that".

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

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

(b) TECHNICAL ASSISTANCE AND TRAINING.—Such section is further amended by adding at the end the following new subsection:

"(b) TECHNICAL ASSISTANCE AND TRAINING.—Unless one or more applications submitted by any State or unit of local government within such State (other than an Indian tribe) for a grant under this part has been funded in any fiscal year, such State, together with eligible applicants within such State, shall be provided targeted technical assistance and training by the Community Capacity Development Office to assist such State and such eligible applicants to successfully compete for future funding under this part.".

SEC. 233. ELIGIBILITY FOR GRANTS UNDER DRUG COURT GRANTS PROGRAM EXTENDED TO COURTS THAT SUPERVISE NON-OFFENDERS WITH SUBSTANCE ABUSE PROBLEMS.

Section 2951(a)(1) of such Act (42 U.S.C. 3797u(a)(1)) is amended by striking "offenders with substance abuse problems" and inserting "offenders, and other individuals under the jurisdiction of the court, with substance abuse problems".

SEC. 234. TERM OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM FOR LOCAL FACILITIES.

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

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

"(1) directed at the substance abuse problems of the prisoners; and

"(2) intended to develop the cognitive, behavioral, and other skills of prisoners in order to address the substance abuse and related problems of prisoners.".

Subtitle E—Other Matters

SEC. 241. CHANGES TO CERTAIN FINANCIAL AUTHORITIES.

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

(1) by striking "section 6503(d)" and inserting "sections 3335(b) or 6503(d)"; and

(2) by striking "section 6503" and inserting "sections 3335(b) or 6503".

(b) SOUTHWEST BORDER PROSECUTOR INITIATIVE INCLUDED AMONG SUCH EXEMPTED PROGRAMS.—Section 204(f) of such Act is further amended by striking "pursuant to section 501(a)" and inserting "pursuant to the Southwest Border Prosecutor Initiative (as carried out pursuant to paragraph (3) (117 Stat. 64) under the heading relating to Community Oriented Policing Services of the Department of Justice Appropriations Act, 2003 (title I of division B of Public Law 108-7), or as carried out pursuant to any subsequent authority) or section 501(a)".

(c) FUNDS AVAILABLE FOR ATFE MAY BE USED FOR AIRCRAFT, BOATS, AMMUNITION, FIREARMS, FIREARMS COMPETITIONS, AND ANY AUTHORIZED ACTIVITY.—Section 530C(b) of title 28, United States Code, is amended—

(1) in paragraph (2), in each of subparagraphs (A) and (B), by inserting "for the Bureau of Alcohol, Tobacco, Firearms, and Explosives," before "for the Drug Enforcement Administration,"; and

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

"(8) BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES.—Funds available to the Attorney General for the Bureau of Alcohol, Tobacco, Firearms, and Explosives may

be used for the conduct of all its authorized activities.".

(d) AUDITS AND REPORTS ON ATFE UNDERCOVER INVESTIGATIVE OPERATIONS.—Section 102(b) of the Department of Justice and Related Agencies Appropriations Act, 1993 (28 U.S.C. 533 note), as in effect pursuant to section 815(d) of the Antiterrorism and Effective Death Penalty Act of 1996 (28 U.S.C. 533 note) shall apply with respect to the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the undercover investigative operations of the Bureau on the same basis as such section applies with respect to any other agency and the undercover investigative operations of such agency.

SEC. 242. COORDINATION DUTIES OF ASSISTANT ATTORNEY GENERAL.

(a) COORDINATE AND SUPPORT OFFICE FOR VICTIMS OF CRIME.—Section 102 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712) is amended in subsection (a)(5) by inserting after "the Bureau of Justice Statistics," the following: "the Office for Victims of Crime,".

(b) SETTING GRANT CONDITIONS AND PRIORITIES.—Such section is further amended in subsection (a)(6) by inserting ", including placing special conditions on all grants, and determining priority purposes for formula grants" before the period at the end.

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

(a) COMPLIANCE PERIOD.—A State shall not be treated, for purposes of any provision of law, as having failed to comply with section 170101 (42 U.S.C. 14071) or 170102 (42 U.S.C. 14072) of the Violent Crime Control and Law Enforcement Act of 1994 until 36 months after the date of the enactment of this Act, except that the Attorney General may grant an additional 24 months to a State that is making good faith efforts to comply with such sections.

(b) TIME FOR REGISTRATION OF CURRENT ADDRESS.—Subsection (a)(1)(B) of such section 170101 is amended by striking "unless such requirement is terminated under" and inserting "for the time period specified in".

SEC. 244. REPEAL OF CERTAIN PROGRAMS.

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

(1) CRIMINAL JUSTICE FACILITY CONSTRUCTION PILOT PROGRAM.—Part F (42 U.S.C. 3769-3769d).

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

(b) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT PROGRAMS.—The following provisions of the Violent Crime Control and Law Enforcement Act of 1994 are repealed:

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

(2) ASSISTANCE FOR DELINQUENT AND AT-RISK YOUTH.—Subtitle G of title III (42 U.S.C. 13801-13802).

(3) IMPROVED TRAINING AND TECHNICAL AUTOMATION.—Subtitle E of title XXI (42 U.S.C. 14151).

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

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

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

(1) NOTICE AND HEARING ON DENIAL OR TERMINATION OF GRANT.—Section 802 (42 U.S.C. 3783) of such part is amended—

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

(B) by striking "(a)" before "Whenever,".

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

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

(B) by striking “, except as otherwise provided herein”.

(3) REPEAL OF APPELLATE COURT REVIEW.—Section 804 (42 U.S.C. 3785) of such part is repealed.

SEC. 246. AMENDED DEFINITIONS FOR PURPOSES OF OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.

Section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended as follows:

(1) INDIAN TRIBE.—Subsection (a)(3)(C) of such section is amended by striking “(as that term is defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603))”.

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

(3) NEIGHBORHOOD OR COMMUNITY-BASED ORGANIZATIONS.—Subsection (a)(11) of such section is amended by striking “which” and inserting “, including faith-based, that”.

(4) INDIAN TRIBE; PRIVATE PERSON.—Subsection (a) of such section is further amended—

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

(B) in paragraph (25) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

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

“(27) the term ‘private person’ means any individual (including an individual acting in his official capacity) and any private partnership, corporation, association, organization, or entity (or any combination thereof).”.

SEC. 247. CLARIFICATION OF AUTHORITY TO PAY SUBSISTENCE PAYMENTS TO PRISONERS FOR HEALTH CARE ITEMS AND SERVICES.

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

(1) in subsection (a) by inserting after “The Attorney General” the following: “or the Secretary of Homeland Security, as applicable.”; and

(2) in subsection (b)(1)—

(A) by striking “the Immigration and Naturalization Service” and inserting “the Department of Homeland Security”;

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

(C) by striking “items and services” and all that follows through “the Medicare program” and inserting “items and services under the Medicare program”; and

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

SEC. 248. OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.

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

“SEC. 105. OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established within the Office an Office of Audit, Assessment, and Management, headed by a Director appointed by the Attorney General. In carrying out the functions of the Office, the Director shall be subject to the authority, direction, and control of the Attorney General. Such authority, direction, and control

may be delegated only to the Assistant Attorney General, without redelegation.

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

“(3) EXCLUSIVITY.—The Office shall be the exclusive element of the Department of Justice, other than the Inspector General, performing functions and activities for the purpose specified in paragraph (2). There are hereby transferred to the Office all functions and activities, other than functions and activities of the Inspector General, for such purpose performed immediately before the date of the enactment of this Act by any other element of the Department.

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

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

“(2) Any grant program carried out by the Office of Justice Programs.

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

“(c) PERFORMANCE AUDITS REQUIRED.—

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

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

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

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

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

“(d) COMPLIANCE ACTIONS REQUIRED.—The Director shall take such actions to ensure compliance with the terms of a grant as the Director considers appropriate with respect to each grant that the Director determines (in consultation with the head of the element of the Department of Justice concerned), through a performance audit under subsection (a) or other means, is not in compliance with such terms. In the case of a misuse of more than 1 percent of the grant amount concerned, the Director shall, in addition to any other action to ensure compliance that the Director considers appropriate, ensure that the entity responsible for such misuse ceases to receive any funds under any program covered by subsection (b) until such entity repays to the Attorney General an amount equal to the amounts misused. The Director may, in unusual circumstances, grant relief from this requirement to ensure that an innocent party is not punished.

“(e) GRANT MANAGEMENT SYSTEM.—The Director shall establish and maintain, in consultation with the chief information officer of the Office, a modern, automated system for managing all information relating to the grants made under the programs covered by subsection (b).

“(f) AVAILABILITY OF FUNDS.—Not to exceed 5 percent of all funding made available for a fiscal year for the programs covered by

subsection (b) shall be reserved for the activities of the Office of Audit, Assessment, and Management as authorized by this section.”.

(b) EFFECTIVE DATE.—This section and the amendment made by this section take effect 90 days after the date of the enactment of this Act.

SEC. 249. COMMUNITY CAPACITY DEVELOPMENT OFFICE.

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

“SEC. 106. COMMUNITY CAPACITY DEVELOPMENT OFFICE.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established within the Office a Community Capacity Development Office, headed by a Director appointed by the Attorney General. In carrying out the functions of the Office, the Director shall be subject to the authority, direction, and control of the Attorney General. Such authority, direction, and control may be delegated only to the Assistant Attorney General, without redelegation.

“(2) PURPOSE.—The purpose of the Office shall be to provide training to actual and prospective participants under programs covered by section 105(b) to assist such participants in understanding the substantive and procedural requirements for participating in such programs.

“(3) EXCLUSIVITY.—The Office shall be the exclusive element of the Department of Justice performing functions and activities for the purpose specified in paragraph (2). There are hereby transferred to the Office all functions and activities for such purpose performed immediately before the date of the enactment of this Act by any other element of the Department.

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

“(1) Promoting coordination of public and private efforts and resources within or available to States, units of local government, and neighborhood and community-based organizations.

“(2) Providing information, training, and technical assistance.

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

“(4) Providing in the assessment of the effectiveness of neighborhood and community-based law enforcement and crime prevention strategies and techniques, in coordination with the National Institute of Justice.

“(5) Any other similar means.

“(c) LOCATIONS.—Training referred to in subsection (a) shall be provided on a regional basis to groups of such participants. In a case in which remedial training is appropriate, as recommended by the Director or the head of any element of the Department, such training may be provided on a local basis to a single such participant.

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

“(1) identify grants under which clearly beneficial outcomes were obtained, and the characteristics of those grants that were responsible for obtaining those outcomes; and

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

“(e) AVAILABILITY OF FUNDS.—Not to exceed 5 percent of all funding made available for a fiscal year for the programs covered by section 105(b) shall be reserved for the activities of the Community Capacity Development Office as authorized by this section.”.

(b) EFFECTIVE DATE.—This section and the amendment made by this section take effect

90 days after the date of the enactment of this Act.

SEC. 250. OFFICE OF APPLIED LAW ENFORCEMENT TECHNOLOGY.

(a) IN GENERAL.—Part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding after section 106, as added by section 249 of this Act, the following new section:

“SEC. 107. OFFICE OF APPLIED LAW ENFORCEMENT TECHNOLOGY.

“(a) ESTABLISHMENT.—There is established within the Office an Office of Applied Law Enforcement Technology, headed by a Director appointed by the Attorney General. The purpose of the Office shall be to provide leadership and focus to those grants of the Department of Justice that are made for the purpose of using or improving law enforcement computer systems.

“(b) DUTIES.—In carrying out the purpose of the Office, the Director shall—

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

“(2) ensure that recipients of such grants use such systems to participate in crime reporting programs administered by the Department.”

(b) EFFECTIVE DATE.—This section and the amendment made by this section take effect 90 days after the date of the enactment of this Act.

SEC. 251. AVAILABILITY OF FUNDS FOR GRANTS.

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

“SEC. 108. AVAILABILITY OF FUNDS.

“(a) PERIOD FOR AWARDING GRANT FUNDS.—

“(1) IN GENERAL.—Unless otherwise specifically provided in an authorization, DOJ grant funds for a fiscal year shall remain available to be awarded and distributed to a grantee only in that fiscal year and the three succeeding fiscal years, subject to paragraphs (2) and (3). DOJ grant funds not so awarded and distributed shall revert to the Treasury.

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

“(3) TREATMENT OF DEOBLIGATED FUNDS.—If DOJ grant funds were obligated and then deobligated, the period of availability that applies to those grant funds under paragraph (1) shall be extended by a number of days equal to the number of days from the date on which those grant funds were obligated to the date on which those grant funds were deobligated.

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

“(c) DEFINITION.—In this section, the term ‘DOJ grant funds’ means, for a fiscal year, amounts appropriated for activities of the Department of Justice in carrying out grant programs for that fiscal year.

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

(b) EFFECTIVE DATE.—This section and the amendment made by this section take effect 90 days after the date of the enactment of this Act.

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

(a) CONSOLIDATION OF ACCOUNTING ACTIVITIES AND PROCUREMENT ACTIVITIES.—The As-

stant Attorney General of the Office of Justice Programs shall ensure that—

(1) all accounting activities for all elements of the Office of Justice Programs are carried out under the direct management of the Office of the Comptroller; and

(2) all procurement activities for all elements of the Office are carried out under the direct management of the Office of Administration.

(b) FURTHER CONSOLIDATION OF PROCUREMENT ACTIVITIES.—The Assistant Attorney General shall ensure that, on and after September 30, 2007—

(1) all procurement activities for all elements of the Office are carried out through a single management office; and

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

(c) CONSOLIDATION OF FINANCIAL MANAGEMENT SYSTEMS.—The Assistant Attorney General shall ensure that, on and after September 30, 2010, all financial management activities (including human resources, payroll, and accounting activities, as well as procurement activities) of all elements of the Office are carried out through a single financial management system.

(d) ACHIEVING COMPLIANCE.—

(1) SCHEDULE.—The Assistant Attorney General shall undertake a scheduled consolidation of operations to achieve compliance with the requirements of this section.

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

(A) subsection (a), the consolidation of operations shall be initiated not later than 90 days after the date of the enactment of this Act; and

(B) subsections (b) and (c), the consolidation of operations shall be initiated not later than September 30, 2005, and shall be carried out by the Office of Administration, in consultation with the Chief Information Officer and the Office of Audit, Assessment, and Management.

SEC. 253. AUTHORIZATION AND CHANGE OF COPS PROGRAM TO SINGLE GRANT PROGRAM.

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

(1) by amending subsection (a) to read as follows:

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

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

(3) by redesignating subsection (d) as subsection (b), and in that subsection—

(A) by striking “ADDITIONAL GRANT PROJECTS.—Grants made under subsection (a) may include programs, projects, and other activities to—” and inserting “USES OF GRANT AMOUNTS.—The purposes for which grants made under subsection (a) may be made are—”;

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

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

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

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

“(3) procure equipment, technology, or support systems, or pay overtime, to in-

crease the number of officers deployed in community-oriented policing;

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

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

“(B) security assessments;

“(C) security training of personnel and students;

“(D) coordination with local law enforcement; and

“(E) any other measure that, in the determination of the Attorney General, may provide a significant improvement in security.”;

(D) by amending paragraph (8) (as so redesignated) to read as follows:

“(8) develop new technologies, including interoperable communications technologies, modernized criminal record technology, and forensic technology, to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime and to train law enforcement officers to use such technologies.”;

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

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

(6) by adding at the end the following new subsection:

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

“(1) the portion of the costs of a program provided by that grant may not exceed 50 percent;

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

“(3) the Attorney General may provide, in the guidelines implementing this section, for the requirement of paragraph (1) to be waived or altered in the case of a recipient with a financial need for such a waiver or alteration.”;

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

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

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

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

“(ii) \$1,027,176,000 for fiscal year 2005; and

“(iii) \$1,047,119,000 for fiscal year 2006.”;

(2) in subparagraph (B)—

(A) by striking “section 1701(f)” and insert-

ing “section 1701(d)”;

(B) by striking the third sentence.

SEC. 254. CLARIFICATION OF PERSONS ELIGIBLE FOR BENEFITS UNDER PUBLIC SAFETY OFFICERS’ DEATH BENEFITS PROGRAMS.

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

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

(2) by inserting after paragraph (6) the following new paragraph:

“(7) ‘member of a rescue squad or ambulance crew’ means an officially recognized or designated public employee member of a rescue squad or ambulance crew;”;

(3) in paragraph (4) by striking “and” and all that follows through the end and inserting a semicolon.

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

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

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

“(l) before the enactment of that law was entitled to receive that benefit; and

“(2) by reason of the retroactive effective date of that law is no longer entitled to receive that benefit,

“the Bureau may suspend or end activities to collect that benefit if the Bureau determines that collecting that benefit is impractical or would cause undue hardship to that individual.”.

(d) DESIGNATION OF BENEFICIARY.—Section 1201(a)(4) of such Act (42 U.S.C. 3796(a)(4)) is amended to read as follows:

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

“(A) in the case of a claim made on or after the date that is 90 days after the date of the enactment of this subparagraph, to the individual designated by such officer as beneficiary under this section in such officer’s most recently executed designation of beneficiary on file at the time of death with such officer’s public safety agency, organization, or unit, provided that such individual survived such officer; or

“(B) if there is no individual qualifying under subparagraph (A), to the individual designated by such officer as beneficiary under such officer’s most recently executed life insurance policy, provided that such individual survived such officer; or”.

SEC. 255. RESEARCH-BASED BULLYING PREVENTION PROGRAMS.

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

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. TECHNICAL AMENDMENTS RELATING TO PUBLIC LAW 107-56.

(a) STRIKING SURPLUS WORDS.—

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

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

(b) PUNCTUATION AND GRAMMAR CORRECTIONS.—Section 2516(1)(q) of title 18, United States Code, is amended—

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

(2) by striking “sections” and inserting “section”.

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

(d) CAPITALIZATION CORRECTION.—Subsections (a) and (b) of section 2703 of title 18,

United States Code, are each amended by striking “CONTENTS OF WIRE OR ELECTRONIC” and inserting “CONTENTS OF WIRE OR ELECTRONIC”.

SEC. 302. MISCELLANEOUS TECHNICAL AMENDMENTS.

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

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

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

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

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

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

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

SEC. 304. USE OF FEDERAL TRAINING FACILITIES.

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

(b) ANNUAL REPORT.—The Attorney General shall prepare an annual report to the Chairmen and ranking minority members of the Committees on the Judiciary of the Senate and of the House of Representatives that details each training and conference meeting that requires specific authorization under subsection (a). The report shall include an explanation of why the facility was chosen, and a breakdown of any expenditures incurred in excess of the cost of conducting the training or meeting at a facility that did not require such authorization.

SEC. 305. PRIVACY OFFICER.

(a) IN GENERAL.—The Attorney General shall designate a senior official in the Department of Justice to assume primary responsibility for privacy policy.

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

(1) assuring that the use of technologies sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personally identifiable information;

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

(3) evaluating legislative and regulatory proposals involving collection, use, and disclosure of personally identifiable information by the Federal Government;

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

(5) preparing a report to Congress on an annual basis on activities of the Department that affect privacy, including complaints of privacy violations, implementation of section 552a of title 5, United States Code, internal controls, and other relevant matters;

(6) ensuring that the Department protects personally identifiable information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

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

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

(C) availability, which means ensuring timely and reliable access to and use of that information; and

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

(7) advising the Attorney General and the Director of the Office of Management and Budget on information security and privacy issues pertaining to Federal Government information systems.

(c) REVIEW.—The Department of Justice shall review its policies to assure that the Department treats personally identifiable information in its databases in a manner that complies with applicable Federal law on privacy.

SEC. 306. BANKRUPTCY CRIMES.

The Director of the Executive Office for United States Trustees shall prepare an annual report to the Congress detailing—

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

(2) the outcomes of each criminal referral;

(3) for any year in which the number of criminal referrals is less than for the prior year, an explanation of the decrease; and

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

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

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

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

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

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

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

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

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

SEC. 309. INCREASED PENALTIES AND EXPANDED JURISDICTION FOR SEXUAL ABUSE OFFENSES IN CORRECTIONAL FACILITIES.

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

(1) Subsections (a) and (b) of section 2241.

(2) The first sentence of subsection (c) of section 2241.

(3) Section 2242.

(4) Subsections (a) and (b) of section 2243.

(5) Subsections (a) and (b) of section 2244.

(b) INCREASED PENALTIES.—

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

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

SEC. 310. EXPANDED JURISDICTION FOR CONTRABAND OFFENSES IN CORRECTIONAL FACILITIES.

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

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

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

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.

(a) FINDINGS.—Congress finds that—

(1) on June 21, 1963, President John F. Kennedy and Attorney General Robert F. Kennedy convened 244 members of the National, State, and local private bar to provide legal representation to remedy racial discrimination against minority communities;

(2) without President Kennedy's vision for racial justice, the bar would have remained silent in the face of vocal resistance by Southern State legislatures against desegregation;

(3) for more than 4 decades, the Lawyers' Committee for Civil Rights Under Law (hereinafter in this section referred to as “Lawyers' Committee”) has worked to advance the civil rights of African-Americans and other racial and ethnic minority communities in the areas of environmental protection, employment, affirmative action, fair housing, education, and voting;

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

(5) the Lawyers' Committee fought for passage of the Civil Rights Act of 1964, Voting Rights Act of 1965 and the 1982 Amendments, Fair Housing Act of 1988, Civil Rights Act of

1991, and National Voter Registration Act of 1993;

(6) the Lawyers' Committee secured a landmark, unanimous United States Supreme Court decision that strengthened first amendment protections for peaceful political boycotts in *Claiborne Hardware Co. v. NAACP*;

(7) the Lawyers' Committee created a police community relations program in 1965 that recruited African-Americans for law enforcement positions and eased tensions between law enforcement officers and African-American communities;

(8) the Lawyers' Committee defended the students of Jackson State University following police shootings upon a peaceful demonstration that killed 2 persons and wounded a dozen others;

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

(10) the Lawyers' Committee recruited attorneys from the local bar to represent African-Americans who could not obtain legal counsel during the 1960s;

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

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

(13) the Lawyers' Committee developed the Southern African Project, which provided legal assistance to thousands of political detainees and technical assistance in resisting pro-apartheid legislation for more than 20 years and which monitored elections in Namibia in 1989 and elections in South Africa in 1994;

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

(15) the Lawyers' Committee litigated a series of cases from the 1970s to the present that desegregated police and fire departments throughout the Nation, notably in the State of Mississippi and in Miami, Birmingham, Cleveland, Nassau County, Buffalo, and Houston;

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

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

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

(19) the Lawyers' Committee coordinated a Church Burning Project in the 1990s to provide free legal assistance to churches that were destroyed during a bitter rampage of racially motivated church burnings;

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

(21) June 21, 2003 is the 40th anniversary of the founding of the Lawyers' Committee.

(b) RECOGNITION.—Pursuant to the findings in subsection (a), Congress—

(1) recognizes that these accomplishments of the Lawyers' Committee reflect the tremendous commitment to implementing justice that President Kennedy embarked on 40 years ago;

(2) recognizes the achievements of the Lawyers' Committee, as its staff and pro bono attorneys, clients, and friends commemorate and celebrate its 40th anniversary; and

(3) supports the designation of an appropriate day as “Equal Justice Day” in honor of the dedicated work of the Lawyers' Committee and the many hours of pro bono service offered by lawyers and law firms throughout this country to secure justice and equal opportunity for all.

TITLE IV—KOBY MANDELL ACT

SEC. 401. SHORT TITLE.

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

SEC. 402. FINDINGS.

The Congress finds the following:

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

(2) Some American citizens who have been victims of terrorism overseas have not received from the United States Government services equal to those received by other such victims of overseas terrorism.

(3) The United States Government has not devoted adequate efforts or resources to the apprehension of terrorists who have harmed American citizens overseas. Monetary rewards for information leading to the capture of terrorists overseas, which the government advertises in regions where the terrorists are believed to be hiding, have not been advertised adequately.

(4) To remedy these and related problems, an office should be established within the Department of Justice for the purpose of ensuring equally vigorous efforts to capture all terrorists who have harmed American citizens overseas and equal treatment for all American victims of overseas terrorism.

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.

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

(1) The Office shall create the Bringing Terrorists to Justice program, and in so doing will ensure that—

(A) rewards are offered to capture all terrorists involved in harming American citizens overseas, regardless of the terrorists' country of origin or residence;

(B) such rewards are prominently advertised in the mass media and public sites in all countries or regions where such terrorists reside;

(C) the names and photographs and suspects in all such cases are included on a web site; and

(D) the names of the specific organizations claiming responsibility for terrorist attacks mentioned on the site are included in the descriptions of those attacks.

(2) The Office shall establish and administer a program which will provide notification for American victims of overseas terrorism or their immediate family to update them on the status of efforts to capture the terrorists who harmed them.

(3) The Office shall work with the other United States government agencies to expand legal restrictions on the ability of murderers to reap profits from books or movies concerning their crimes—the “Son of Sam” laws that currently exist in many States, so as to ensure that terrorists who harm American citizens overseas are unable to profit from book or movie sales in the United States.

(4) The Office shall endeavor to determine if terrorists who have harmed American citizens overseas are serving in their local police or security forces. Whenever it is found that terrorists who have harmed American citizens overseas are serving in their local police or security forces, the Office shall alert those United States Government agencies involved in providing assistance, directly or indirectly, to those forces, and shall request of those agencies that all such assistance be halted until the aforementioned terrorists are removed from their positions.

(5) The Office shall undertake a comprehensive assessment of the pattern of United States indictments and prosecution of terrorists who have harmed American citizens overseas, in order to determine the reasons for the absence of indictments of terrorists residing in some regions. The Office’s assessment shall then be provided to the Attorney General, together with its recommendations.

(6) The Office shall endeavor to monitor public actions by governments and regimes overseas pertaining to terrorists who have harmed American citizens, such as naming of schools, streets, or other public institutions or sites after such terrorists. In such instances, the Office shall encourage other United States Government agencies to halt their provision of assistance, directly or indirectly, to those institutions.

(7) In cases where terrorists who have harmed Americans overseas, and are subsequently released from incarceration abroad, are eligible for further prosecution in the United States, the Office shall coordinate with other government agencies to seek the transfer of those terrorists to the United States for further prosecution.

SEC. 404. AUTHORIZATION OF APPROPRIATIONS.

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

(b) AVAILABILITY.—Amounts appropriated under subsection (a) are authorized to remain available until expended.

TITLE V—MATTERS RELATING TO INTELLIGENCE AND COUNTERINTELLIGENCE

SEC. 501. FBI OFFICE OF COUNTERINTELLIGENCE.

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

“§ 535A. Office of Counterintelligence

“Subject to the supervision of the Attorney General, the Director of the Federal Bureau of Investigation may establish an Office of Counterintelligence within the Bureau to investigate potential espionage activities within the Bureau.”

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

“535A. Office of Counterintelligence.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from New York (Mr. WEINER) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3036 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3036, the Department of Justice Appropriations Authorization Act for Fiscal Years 2004 through 2006.

During the 107th Congress, I was pleased to secure bipartisan passage of the 21st century Department of Justice Authorization Appropriations Act, which comprehensively reauthorized the Department of Justice for the first time since 1979. During consideration of that legislation, I committed to pursuing a regular authorization process to ensure that the Committee on the Judiciary provides the Department of Justice with clear guidance and continuing oversight.

With an annual budget of around \$20 billion and a workforce of more than 100,000 employees, the Department of Justice is an enormous institution. Its importance has only increased since the tragic events of September 11, 2001.

As chairman of the Committee on the Judiciary, I have worked to provide the Department with the necessary resources to assess, prevent, and punish terrorist acts that threaten America’s domestic security while preserving our civil liberties. The committee has also worked to ensure that the Department’s structure, management, and priorities are tailored to best fulfill its numerous other missions.

Over the last several months, the committee has conducted several hearings to identify the needs and priorities of the department. These hearings reflected the committee’s continuing commitment to oversee all of the Department’s activities. This bill reflects the information obtained in those hearings.

H.R. 3036 is divided into five titles. The first title authorizes the Department of Justice appropriations for fiscal years 2004 through 2006. With minor exceptions, these authorizations generally reflect the President’s budget request.

Title II makes numerous improvement and upgrades to the Department’s grant program. Most importantly, it combines the current Byrne formula grant, Byrne discretionary grant, and Local Law Enforcement Block Grant programs into one Byrne Memorial Justice Assistance Grant Program with an authorization similar to the amount appropriated for all three programs in recent years and a formula that closely follows current law. The administration has requested

this consolidation as a way of better serving State and local governments.

It reauthorizes the COPS program while recasting it as one single block grant program covering all of its current purposes so local governments will need only to file one COPS application for any of these purposes. I believe that this will greatly improve the efficiency of the COPS program.

Among other changes, title II provides for new auditing and training capacity for all DOJ grant programs to eliminate waste, fraud, and abuse. It provides the first statutory authorization for the Weed and Seed Program. It establishes a congressional medal and plaque for individuals in units that responded to the 9/11 attacks. And, finally, this reauthorizes the bulletproof vest program.

Title III makes a variety of miscellaneous changes to other aspects of the Department of Justice. It requires DOJ to use existing Federal facilities for training and conferences as opposed to paying for private facilities. It also establishes a dedicated privacy officer at the Department to ensure that the Department utilizes technologies that do not erode privacy protection relating to the use, collection and disclosure of personally identifiable information.

Modeled after the privacy officer this committee established in the Department of Homeland Security, this provision advances the committee’s uncompromising commitment to the preservation of civil liberties at the Department.

Title IV establishes a new office within DOJ designed to assist in the capture of terrorists who harm Americans overseas.

Title V provides a statutory authorization to the already existing FBI Office of Counterintelligence.

I introduce this legislation with the support of the gentleman from Michigan (Mr. CONYERS), and I have worked closely with him on it in every step of the way. Bipartisan cooperation was the hallmark of this legislation in the last Congress, and I am pleased that this spirit of bipartisanship continued in this Congress. We have also worked closely with the appropriators to meet their concerns.

H.R. 3036 provides the Department with the tools, resources and direction necessary to operate efficiently and effectively. By identifying solutions to the growing challenges faced by Federal law enforcement, this committee and Congress will be the strong partner the Department needs as we work for the safety and security of all Americans.

I urge my colleagues to support this bill.

Madam Speaker, I reserve the balance of my time.

Mr. WEINER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, first I would like to extend my thanks and gratitude to the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), for making this part of the hallmark of the

Committee on the Judiciary that we are going to start to continue to have reauthorization bills on the floor for DOJ. I think that is an important thing. For too long it has gone without.

This is a large, important bill and an important part of our government. Now the next step is to have it under regular orders, to have the bill open for amendments, to have the people have the opportunity to offer suggestions. They are a diverse element of this bill. I think it would serve this body well to have an active debate about some of the elements therein and be able to go through the regular process of amendments to perfect the bill even further.

This bill has some very excellent provisions, not the least of which, as the chairman mentioned, is the reauthorization for the first time in a while of the COPS program. The COPS program is by just about every measure a success. It is one of those programs that is extraordinarily democratic, with a small D. Small towns, big cities have all benefited from the police hirings that have gone on.

This is something that transcends politics. It transcends regions. While we can have a debate, and we often do, where criminologists suggest why crime might be going down nationwide, we have academics that have taken a look at it, at the end of the day I believe it is because we in the Federal Government got off the sidelines with the COPS program and started to provide funding for States and localities to provide law enforcement officials.

Now we have a situation where there are over 110,000 cops presently funded to walk the beat all over the country with funding provided by this Congress. This bill would reauthorize it and improve it.

It is not an accident that this has broad bipartisan support. A coalition of Members just recently wrote to the Appropriations Committee urging that the COPS components be fully funded. It includes the gentleman from Michigan (Mr. STUPAK), the gentleman from Minnesota (Mr. RAMSTAD), the gentleman from New Jersey (Mr. ANDREWS), the gentleman from Pennsylvania (Mr. PLATTS), the gentleman from Pennsylvania (Mr. HOLDEN), the gentleman from Florida (Mr. KELLER), the gentleman from New York (Mr. QUINN), and myself.

It should be pointed out, though, that the President for the second year in a row included zero dollars and zero cents in his budget for the hiring components of the COPS program.

We have heard over and over again the Attorney General and the Deputy of Homeland Security Secretary say homeland security starts in our home towns. We go periodically to higher levels of alert where we tell our local law enforcement officials, our local first responders, you have got to absorb more responsibility. Yet, at the same time, we in the Federal Government have been reluctant to provide that

funding. This authorization bill changes that with a program that would provide over the course of the bill \$3 billion worth of funding.

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Another provision that is included in this bill that is long overdue is getting our Department of Justice off the sidelines in another issue, and that is, that increasingly, by dint of terrorism overseas, U.S. citizens are dying. And simply put, the enforcement, the indictment, the investigation of those crimes is not happening.

We have seen 36 Americans murdered by Palestinian terrorists alone since the Oslo Accords have been signed; yet there have been zero indictments. There have been no real rewards. Suspects' names and faces have not been listed by the Justice Department. The Koby Mandell Act, which was authored by the gentleman from New Jersey (Mr. ANDREWS) and included in this bill, changes that; but there are things that are not included in this bill that if it would have been open rule, we would have had an opportunity to include

In 2000, we in this Congress recognized that we had a real problem after a GAO study showed that increasingly very realistic-looking badges were falling into the hands of those that should not have them. This is before September 11. A person can today go on to the Internet and search for collectible badges, and they can find realistic ones that are so realistic that they can pass for NYPD badges, Customs Department, FBI and all kinds of others. The reason is, although it is illegal to possess a badge like that, there are some very big loopholes that you can drive a truck through.

For example, if you are a collector and you certify that you are, you can purchase one of these badges. If you are someone that is using it for a movie or an entertainment purpose, you can get one of these badges. There is even an exemption in the law, a loophole in the law, if you want to use the badge for recreational purposes. Now I do not know how sophisticated a game of cops and robbers someone is interested in playing, but this is a very serious issue in the context of so many check points that we have now, so many security lines that people have to cross. These badges have caused a problem.

Over 1,200 times in New York City alone, someone has used a fake badge for illicit purposes. This is a very easy loophole to close. I would have liked the provision to have been included in the bill. It would have been a nice thing to offer, and I believe it would have had the support of this House.

If you are a collector, you can still get a badge. It has to be encased in Lucite, very simple. If you are someone who is in a movie or a film production, you have to go to the law enforcement authority wherever you are shooting and get them to sign off that you are using this badge for that purpose, and there absolutely should not be an ex-

emption for "recreational purposes." These badges are being used in some cases by true collectors; but in many cases, they are being used for illegal and illicit purposes.

Madam Speaker, I yield 4 minutes to the gentleman from Indiana (Mr. VISCLOSKEY).

Mr. VISCLOSKEY. Madam Speaker, I thank the gentleman for yielding me the time.

Madam Speaker, I rise today in strong support of the Department of Justice Reauthorization Act, which includes the text of H.R. 1708, the Bulletproof Vest Partnership Grant program.

I would begin my remarks by thanking my dear colleague, the gentleman from New Jersey (Mr. LOBIONDO), the sponsor of H.R. 1708. I have given him my heartfelt gratitude for his leadership on this issue.

I also want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentleman from South Carolina (Chairman COBLE), the gentleman from Michigan (Mr. CONYERS), the ranking members, as well as the gentleman from Virginia (Mr. SCOTT), for all of their support and cooperation in this endeavor.

Madam Speaker, I first authored and introduced the Bulletproof Vest Partnership Grant Act with the gentleman from New Jersey (Mr. LOBIONDO) in 1997 after meeting with northwest Indiana police officers and hearing that many gang members and drug dealers had the bulletproof vests while many police officers did not. I was even more troubled to learn that the reasons so many officers did not have access to bulletproof vests was because of their prohibitive expense.

As my colleagues know, the purpose of the Bulletproof Vest Partnership Grant program is to protect the lives of law enforcement officers by helping States and local governments equip them with vests. Many departments simply cannot afford to purchase vests for all of their officers, a fact which sometimes forces officers to purchase their own.

Unfortunately, between 1992 and the year 2001, 594 police officers were shot and killed in the line of duty. Of those slain, roughly half were not wearing bulletproof vests because their departments could not afford them.

This act, among other things, recognizes that the lack of protective body armor is even more evident not only in large cities, but in small rural departments. Statistics show that officers in smaller departments are much less likely to have vests than their counterparts in large metropolitan departments. That is why, in order to make sure that no community is left out, half of the funds in the vest partnership act are reserved for jurisdictions with fewer than 100,000 residents.

In closing, the police officers who risk their lives for all of us are mothers and fathers. They are sons and daughters. It is our obligation to the officers and their families to give them access

to the equipment that will safeguard them; and, again, I appreciate the gentleman from New Jersey's (Mr. LOBIONDO) leadership and the chairman's leadership on this issue and ask for support of the legislation.

Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Madam Speaker, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) very much for his leadership on this, and I thank the gentleman from Indiana (Mr. VISCLOSKEY) for his partnership.

We joined in 1997 after similar incidents in our districts, totally separated, joined us together on this particular issue. I urge my colleagues to support this. It is something that will make a difference in real terms in people's lives.

The legislation reauthorizes the grant program until 2007. The current authorization is set to expire this year.

Congress has overwhelmingly approved the program twice before, first in the 105th and then in the 106th. In the 105th Congress, at that point in time, I had two groups within my district, Vest-A-Cop and Shield of Blue, that were raising money to provide vests for police officers basically by sub sales and bake sales and raising a dollar at a time. We recognized through a very tragic incident where a corrections officer at Bayside State Prison, Officer Fred Baker, while on duty was stabbed in the back by an inmate. He did not have a protective vest. We can only speculate if Officer Baker would be alive today, but many of us believe that he would be.

After that incident, the gentleman from Indiana (Mr. VISCLOSKEY) and I got together, drafted the legislation and went to work on it; and we are very pleased that our colleagues were able to support it.

This Bulletproof Vest Partnership Act program has directly benefited every U.S. State and territory. A bulletproof vest is one of the most important pieces of equipment an officer can have. Many times, it can mean the difference between life and death.

Every day, law enforcement officers are confronted by violent criminals armed with deadly weapons. While many officers wear vests to protect themselves, an alarming number of officers across the United States are not afforded the same protection because of budget constraints.

The Bulletproof Vest Partnership Act Grant program has helped State and local law enforcement purchase these vests and in response has saved countless thousands of lives. In 2002 alone, the Bulletproof Vest Partnership Grant Act has provided \$25 million to State law enforcement agencies across America. This program has provided more than 700,000 of these life-saving vests since its inception in the beginning of the program; and in turn, in this last year, the program has helped fund

more than 188,000 new vests, giving vital protection to thousands of law enforcement officers nationwide.

I again thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his support and the gentleman from Indiana (Mr. VISCLOSKEY), and I urge my colleagues to support the legislation.

Mr. WEINER. Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the distinguished gentleman from New York for yielding me the time.

I rise only to speak to the COPS program that over the years we have seen, not only has it been enthusiastically received by the Members of Congress, but it has been received enthusiastically where it counts, in the local municipalities, counties, cities and rural areas where, had it not been for the COPS program implemented under the Clinton administration, many of these individuals would be without the necessary security and law enforcement that they need.

In the backdrop of 9/11, many of us view the COPS program as a rainy-day umbrella, if you will, of local communities in providing them with the resources that they could not pay for themselves.

Particularly, in large cities, even cities like Houston, we are finding that increasingly large numbers of our police officers are reaching retirement age, and we are not able to fill those spots as quickly as we would like. Particularly after 9/11, and even in the last couple of weeks and days, we have noted a high number of reported terrorist activity, some that has been intercepted, which of course, as a member of the Select Committee on Homeland Security, I am gratified for; but we are seeing a large amount of those activities occurring around the world.

Certainly the United States is equally vulnerable; and I believe in this time it is important that we promote a program that has proven to be successful, and that is, the utilization of Federal dollars to supplement the hiring of those in local communities that are part of law enforcement.

The other issue that comes up repeatedly now in these recent days after 9/11 is a large amount of dollars that local law enforcement are spending when the alerts go up and the delay in the reimbursement money sometimes promised by the Federal Government. It would certainly be helpful if they already had the necessary police officers already staffed, as opposed to using excessive overtime.

So I just ask my colleagues that as we proceed with this legislation that we look to promote that language to provide for more support of the COPS program.

I do want to note, however, the importance of language dealing with the assistance of victims of crime, particular grants to local nonprofit organizations to improve outreach to services to victims of crime.

In my own community right now, there is a terrible trial proceeding with the allegations of a mother that bludgeoned to death two of her children and wounded an infant child of hers on the basis of allegations and defense that she is making, but the point is that family is in disarray, and they are victims of crime; and they will need the outreach services, particularly now for the injured child, remaining child that is alive and the father and family members that are suffering from this terrible, terrible crime that has occurred. Victims are lonely, isolated; and this particular provision in order to outreach to those victims is very, very important.

I would ask my colleagues to consider these matters and ask that we work on these points as we move through the legislation.

Madam Speaker, I rise in support of this legislation, H.R. 3036, to Authorize Appropriations for the Department of Justice for Fiscal Year 2004–2006. I contributed in marking this bill up in Full Judiciary Committee in September of last year.

I firmly believe that the Department of Justice should receive the full support of Congress and should be properly funded to provide essential protection for the American people. The missions of the various branches of the Department of Justice are even more important since September 11, 2001. This important Federal agency must have our full support to adequately carry out its mission.

My staunch support of the Department of Justice and all agencies that also carry out duties essential to our homeland security and public safety does not imply that I believe these agencies should not adhere to strict standards and be asked to live up to lofty goals that should be standard for our nation. The Law Enforcement and Criminal Justice Agencies, Bureau of Justice Statistics, the Office of Justice Programs, and the Criminal Division must comport themselves with expert efficiency.

The Office of Justice Programs, OJP, is responsible for a variety of criminal justice programs including several that are of particular interest to me: juvenile justice, violence against women and crime prevention related to homeland security. OJP assumes the important responsibility of preventing and controlling crimes. I am a firm believer in eliminating crime before it starts. I applaud OJP's efforts to cooperate with many Federal agencies to rebuild neighborhoods, control gang activity, and prevent drug trafficking.

With these objectives are commendable there is a need to get results. There is still high incidence of drug trafficking, gang membership, juvenile crime, and violent crime. For example, according to the Bureau of Justice statistics in my home State of Texas in 2000, there were 122,155 violent crimes. Of which, 77,306 were aggravated assaults, 35,348 were robberies, and 8,169 were forcible rapes. These numbers need to decline. I look forward to hearing the testimony from the Office of Justice Programs to hear we can reduce these high crime rates.

Finally, the Criminal Division of the Department of Justice is also a multi-faceted criminal justice organization with a homeland security segment. Within the many organizations of the

criminal division is a counterterrorism and domestic security section. The Criminal Division also handles cases related to child obscenity and international crime.

The many criminal areas investigated by the Department of Justice Criminal Division and the other agencies we are hearing testimony from today are prime possibilities for discrimination and violations of civil liberties. For example, within each of these organizations there are disparities in minority hiring.

In the U.S. Marshal, for instance, 35 of the current 94 Marshals are women or minorities, and there are currently lawsuits pending against the Marshals regarding discrimination, although women and minorities do comprise a substantial portion of the leadership committees within the Marshals. There also needs to be a greater effort in racial sensitivity training.

We also need to do more to hire more minorities and women in the Department of Justice. For example, a recent OPM study found that while African-Americans generally exceeded their relevant civilian labor force representation in 16 Federal executive departments, less than 16 percent of those employed by the DOJ were African-American. And while the DOJ consisted of 37.7 percent women, that number was over 9 percent unrepresentative of what it should have been based on hiring practices of women in the civilian work force.

As we consider authorizing these various agencies, we must ensure they are not guilty of violating civil liberties in the course of their duties. Racial profiling is one example of an unacceptable criminal investigation technique. Racial profiling is a very serious problem in our criminal justice system. Although African-Americans make up only 14 percent of the population nationwide, they account for 72 percent of all routine traffic stops.

An ACLU analysis of Maryland State Police data showed that 73 percent of cars stopped and searched on Interstate 95 between Baltimore and Delaware from January 1995 through September 1997 were those of African-Americans, despite the fact that only 14 percent of those driving along that stretch were Black. Moreover, police found nothing in 70 percent of those searches. Similarly, in Florida, 70 percent of the persons stopped on I-95 were African-American, even though they made up less than 10 percent of the driving population. Data also shows that Hispanics are similarly targeted disproportionately by law enforcement agencies across the Nation.

For the reasons above-stated, I support this bill, Madam Speaker.

Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. COX), the chairman of the Select Committee on Homeland Security.

Mr. COX. Madam Speaker, I rise in strong support of the Department of Justice authorization bill, and I commend the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentleman from Michigan (Ranking Member CONYERS) for their leadership and their bipartisan cooperation on this vital function of our national government.

Madam Speaker, I also rise for the purpose of engaging in a colloquy with my good friend, the chairman of the Committee on the Judiciary.

The Department of Justice bill contains a provision which limits the Federal Bureau of Investigation's participation in the Terrorism Threat Integration Center as follows: the provision states that funding will be provided "as may be necessary to assign employees to the Terrorism Threat Integration Center: provided, that such amounts may only be expended for analyzing intelligence information."

I understand the intent of this language is to ensure that TTIC does not become a domestic surveillance or collection agency. However, I want to be clear that there was no intention to create barriers to information sharing between the FBI and TTIC and between and among other partners in TTIC, such as the Department of Homeland Security.

Since September 11, Congress and the gentleman from Wisconsin (Chairman SENSENBRENNER) have worked tirelessly to tear down these information-sharing barriers. I want to be sure that this provision will in no way interfere with TTIC's right to receive information from the FBI or its responsibility to provide information to the FBI and the Department of Homeland Security. TTIC's partnership with DHS is critical to the Department's mission to prevent terrorist attacks.

In addition, it may be appropriate for the FBI to assign employees to TTIC to assist in the administration and management of TTIC, and I understand that it is not the chairman's intent through this language to limit such FBI's participation and assistance. Is my understanding of this provision accurate?

Mr. SENSENBRENNER. Madam Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. The answer to the gentleman's question is yes.

Mr. COX. Madam Speaker, I thank the chairman.

Mr. WEINER. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Madam Speaker, I thank my friend from New York for yielding me the time.

I would like to express my appreciation to the gentleman from Wisconsin (Chairman SENSENBRENNER), the gentleman from Michigan (Ranking Member CONYERS), and especially the gentleman from New York (Mr. WEINER) for the outstanding efforts in including in this worthy piece of legislation a provision that has been called the Koby Mandell Act.

Koby Mandell was a 13-year-old boy in May of 2001 who until he was in fourth grade had lived in the United States in Maryland and his family moved to Israel. In May of 2001, Kolbe and a friend of his went hiking, and they were never to return.

During their youthful enjoyment of a hiking outing, Kolbe and his friend were stoned to death by Palestinian terrorists. Now, when an American citizen leaves this country for purposes of living somewhere else, he or she certainly should not leave behind the protection of justice.

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Unfortunately for Koby Mandell and his family, the concept that passes for justice in the occupied territories did not protect him. Because since the time of his murder, there has been no meaningful investigation or prosecution to bring to justice those who committed this murder. When our citizens travel around the world and are not protected by the law of other places, it is our responsibility to step forward and protect them. That is what this language does.

I especially want to thank the gentleman from New York (Mr. WEINER), without whose active participation this would not have happened. He used his considerable legislative skills to shepherd through the committee, with the cooperation of the chairman and ranking member, this language.

Here is what it means. The Department of Justice will set up an office that will offer and enforce rewards for those who murder Americans when they are on foreign soil, irrespective of where they are on foreign soil. This office will monitor the outcome of any prosecution or incarceration of a person who has murdered an American citizen. If such a person is released from a prison in another land or is not properly dealt with in another land, this office will have responsibility to extradite and bring to trial in this country a person who has committed a crime against an American citizen, to the extent that our laws would permit such a prosecution.

This office will be, further, responsible for making sure that if any official authorities that may have been complicit in the murder of the American are still in place, that is to say, if people who are security agents or police officers responsible for the murder of an American citizen are still in place, that appropriate diplomatic and economic actions would be taken against the government that sponsors those authorities. Sadly, in many parts of the world, those who wear the cloak of authority are responsible for criminal acts, murderous acts against Americans and other innocent people.

This provision will by no means stop the murder of innocent Americans when they travel abroad, but it will provide us with a new and meaningful tool that will bring to justice those who would commit such heinous acts against innocent people. It is sad that a 13-year-old boy had to give his life, but it is inspiring that his sacrifice of his life has led this institution to consider this very worthy provision.

Again, I am very grateful to the chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), to the

ranking member, the gentleman from Michigan (Mr. CONYERS), and especially to the gentleman from New York (Mr. WEINER) for their skill in including this measure in the underlying legislation. I hope that we will continue to work together as Republicans and Democrats to see that this newly created office will be properly funded so that it may do the job I just talked about.

No American should be without the protection of justice, irrespective of where he or she travels in the world. I believe this is an important provision to help ensure that promise. Once again, I thank the leaders for including it in the bill.

Mr. WEINER. Madam Speaker, I yield myself such time as I may consume.

I wanted to conclude the way I began, by offering my thanks to Chairman SENSENBRENNER. He has made this Committee on the Judiciary one that functions in a no-nonsense fashion. We legislate. We very often disagree on issues, but they are all heard. And I think he has also done an excellent job in protecting the prerogatives of the committee, making sure that important things like the funding of the Judiciary, of the Justice Department, is not left entirely to the appropriators and that we have an opportunity to craft a bill.

I would now encourage our colleagues in the other body to get going. They have many of these provisions they are also looking at. I understand they are going to take up this bill. I would urge them to do so quickly. And I think that we should, as the chairman said, get in the habit of treating this agency like others. There are sticky issues, but I think we have shown in the Committee on the Judiciary that we can navigate them.

I do want to make reference to one point, because many of my colleagues have mentioned it in passing. There is a great deal of controversy, I think much of it overblown, about the PATRIOT Act. I think supporters of the PATRIOT Act have wildly overstated its impact, and detractors have wildly overstated the impositions put on Americans. But I think the chairman deserves credit for fully funding the Inspector General's Office, with particular attention being paid to making sure that PATRIOT Act investigations are being done in an aboveboard way that does not violate the rights of Americans and that as we review the PATRIOT Act as it prepares to sunset that we have a full arsenal of information at our disposal.

I wanted to also offer my thanks to some members of the staff here at the on the Democratic side of the Committee on the Judiciary, Sampak Garg, Perry Apelbaum, Ted Kalo, Bobby Vas-sar, Greg Barnes, and Marc Dunkelman of my staff. In particular, I would like to offer my gratitude to Lamar Robertson, who has been my counsel on the Committee on the Judiciary for years now and has done so with remarkable

aplomb, remarkable intellect, with a great sense of humor. He will be missed by those of us with whom he serves in the House, and this part in particular that deals with the COPS program is a testament to his hard work.

With that, I offer my thanks to the chairman, and I urge a "yes" vote.

Madam Speaker, I have no further requests for time. I yield back the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield myself the balance of my time.

Madam speaker, I, too, would like to thank the staff that worked very hard to negotiate this bill to get the overwhelming bipartisan support that it receives.

Let me say that this is a work in progress, as was the DOJ reauthorization bill that the Congress passed and the President signed last Congress, which was the first Department of Justice reauthorization that had been done since 1979.

The gentleman from New York has a legitimate concern about the sale of fake law enforcement badges. Let me say that we had hoped to include some language relative to that issue in this bill, but the devil was in the details and we could not agree upon the details before the bill came to the floor.

That does not put the issue to bed forever. When we deal with this issue in conference, I am hopeful that we will be able to get some language inserted into the final bill that goes down to the White House that deals with fake badges, because this is a very legitimate issue and there ought to be additional penalties for those who use fake badges over and above the penalties for impersonating a police officer.

So I am hopeful that the other body will deal with this issue promptly.

It does make some very beneficial improvements to how the Department of Justice deals with its grant programs, particularly with relationship to law enforcement. It does reauthorize the bulletproof vest program. And the material that has been inserted in the bill that the gentleman from New Jersey (Mr. ANDREWS) talked about, about an extraterritorial application when crimes are committed against a United States citizen and the law enforcement of the host country will not deal with that issue, I think are vitally important.

So this bill is a tremendous step in the right direction. It is a good bill. It will be made better as we continue working on it, and I am hopeful that before this Congress adjourns that it will be signed into law. I urge a "yes" vote.

Mr. VISCLOSKEY. Madam Speaker. I rise today in strong support of H.R. 3036, the Department of Justice Reauthorization Act, which includes the text of my legislation, H.R. 1708, the reauthorization of the successful Bulletproof Vest Partnership Grant Program.

At the outset of my remarks, I would like to thank Chairman SENSENBRENNER and Chair-

man COBLE as well as Ranking Member of the full Committee Mr. CONYERS and the Ranking Member of the Crime Subcommittee Mr. SCOTT for their past support and efforts on behalf of this important legislation. I would also be remiss if I did not express my heartfelt gratification and thanks to the gentleman from New Jersey, Mr. LOBIONDO, the lead cosponsor of H.R. 1708.

Madam Speaker, I am very excited to be on the floor of the House once again to reauthorize the Bulletproof Vest Partnership Grant Act for a second time. As you know, the original measure was approved by this body with an overwhelming majority in the 105th Congress. Due to the success of the program, it was reauthorized for an additional 3 years in the 106th Congress. Section 207 of today's measure will reauthorize this program, once again, through fiscal year 2007.

If could take a step back Mr. Speaker, I first authored and introduced the Bulletproof Vest Partnership Grant Act in November 1997 after meeting with Northwest Indiana police chiefs and hearing that many gang members and drug dealers had the protection of bulletproof vests, while many police officers did not. I was even more troubled to learn the reason why so many officers do not have access to bulletproof vests. During a visit I made to the local chapter of the Fraternal Order of Police in Dyer, Indiana, officers explained to me that bulletproof vests are prohibitively expensive. A good vest can cost upwards of \$500. Many small departments, as well as some larger ones, simply cannot afford to purchase vests for all of their officers, a fact which sometimes forces officers to purchase their own. My original legislation quickly gained overwhelming bipartisan support in this body, due to the fact that similar problems were being experienced by local police departments all across the United States and President Clinton signed the legislation into law in June of 1998 as P.L. 105-181.

Northwest Indiana's police officers work hard to keep the public safe, often at great personal risk to themselves. I am committed to securing the safety equipment these brave men and women need, so they can do their jobs and keep our communities safe. The Bulletproof Vest Partnership Grant Program has been effective in saving the lives of law enforcement officers. According to statistics provided by the Lake County, Indiana, Sheriff's Department, bulletproof vests secured under this program have saved the lives of 18 police officers in that county alone.

Between 1999 through the end of 2003, 23 different law enforcement entities throughout my District have purchased a total of 1,119 vests to protect their police officers. Whether it is the largest city in my District, Gary, with a population of nearly 103,000 people and a current force of 296 police officers purchasing 678 vests, the Town of Merrillville, with a population of 30,500 and a current force of 52 police officers purchasing 89 vests, or in the cases of a smaller police department, like St. John Indiana, with a population of 8,300 and a force of 14 fulltime officers purchasing 34 vests for their officers, this program has worked to protect the lives of those who protect us.

As you know, the purpose of the Bulletproof Vest Partnership Grant Program is to protect the lives of law enforcement officers by helping States and local governments equip them

with bulletproof vests. Bulletproof vests and body armor have saved thousands of lives since the introduction of the modern bulletproof material, however, they cannot protect the lives of those who do not have access to them. Unfortunately, between 1992 and 2001, 594 police officers were gunned down in the line of duty. Of those slain, roughly half were not wearing bulletproof vests because sadly, their departments could not afford to provide them with these lifesaving pieces of equipment. The Federal Bureau of Investigation has estimated that the risk of fatality from a firearm for officers not wearing body armor is 14 times higher than for officers wearing body armor. The Fraternal Order of Police have stated that, "body armor is one of the most important pieces of equipment an officer can have and often mean the difference between life and death." According to the IACP/Dupont Kevlar Survivors Club, there are over 2,750 law enforcement officers in the United States who are alive today thanks to the bulletproof vests they were wearing.

The Bulletproof Vest Partnership Grant Program has directly benefited every State and territory of the United States. This critical program provides State, local, and tribal law enforcement officers with needed protection by aiding the purchase of protective equipment. More than 700,000 bulletproof vests are worn today as a direct result of this program.

The Act also recognizes that the lack of protective body armor is even more evident in small, rural police departments. Statistics show that officers in smaller departments are much less likely to have vests than their counterparts in large metropolitan departments. H.R. 1708, the text of which is included in Section 207 of this legislation, would meet the goal of saving officers' lives by reauthorizing the current grant program within the Justice Department for an additional 3 years, providing 50–50 matching grants to State and local law enforcement agencies. These grants are targeted to jurisdictions where most officers do not currently have access to vests, and they are designed to be free of the red tape that often characterizes other grant programs. That is why, in order to make sure that no community is left out of the program, half of the funds are reserved for jurisdictions with fewer than 100,000 residents.

In closing, the police officers who risk their lives are mothers and fathers, and they are sons and daughters. It is our obligation, to the officers and their families, to give them access to the equipment that will safeguard their lives. This legislation is intended to create a partnership with State and local law enforcement agencies in order to make sure that every police officer who needs a bulletproof vest gets one.

I thank Madam Speaker and urge my colleagues to support the underlying bill.

Mr. CONYERS. Madam Speaker, I rise in support of this legislation. I first would like to commend Chairman SENSENBRENNER for reasserting the Judiciary Committee's jurisdiction over the Department of Justice with this bill. In the past few years, the Justice Department has become increasingly resistant to congressional oversight, either refusing to answer questions or answering them vaguely at best. Fortunately, we worked together at the Committee level to address our concerns with the Department and arrived at the bill before us today.

While the bill has numerous provisions that are worth notice, I would like to concentrate on a few. First, the bill reauthorizes the COPS office. We all know that this Clinton administration program has been increasingly vital in day-to-day crime prevention and crime solving. That is why COPS has received the praise of the Fraternal Order of Police, the largest law enforcement organization in the country. Local policing also is the backbone in our war on terrorism, as community officers are more likely to know the witnesses and more likely to be trusted by community residents who have information about potential attacks. This bill provides over \$1 billion per year for three fiscal years for this important program.

The bill also includes language offered by my colleague Rep. ADAM SCHIFF to require the Attorney General to submit reports to Congress on the number of persons detained on suspicion of terrorism. This is important because the Department has thwarted congressional and judicial efforts to obtain justification for terrorism detainees. In the past few years, the Department's Office of the Inspector General has found that the Department and its components had abused terrorism suspects, pushing them into walls, leaving them in legal limbo, and depriving them of access to family or counsel. With these reports, elected representatives can better determine whether the Department is overstepping its bounds again.

Third, the bill gives the Office of the Inspector General over \$70 million for its responsibilities. In the past few years, the OIG has been diligent in overseeing the Department's war on terrorism, issuing reports on 9/11 detainees and pushing the Department to change how its procedures for handling terrorism suspects. The bill provides that the increased funding should be used largely for continuing their PATRIOT Act-related functions.

Finally, the bill recognizes the 40th anniversary of the founding of the Lawyers' Committee for Civil Rights Under Law. It was President Kennedy's vision that brought members of the bar together to fight for the civil rights of all Americans. The Lawyers' Committee continues that fight and deserves our recognition and thanks.

I urge my colleagues to vote "yes" on this legislation.

Mr. ACEVEDO-VILÁ. Madam Speaker, I rise in strong support of the Department of Justice Reauthorization Act. I commend Judiciary Chairman SENSENBRENNER, Ranking Member CONYERS, and other members of the Judiciary Committee for their diligent work on this bill. This bill makes important changes and adjustments to current law, which I believe will bring greater safety to our communities and ensure better and more efficient administration of crime-fighting programs.

There are two specific provisions of this Act that I would like to highlight.

The Reauthorization of the Bulletproof Vest Partnership Grant Act is an important step in assuring the safety of law enforcement officers throughout the Nation. It has been through this program that thousands of police officers, including many in Puerto Rico, have received the critical personal safety protection of bulletproof vests. While the threat of gun violence will continue to endanger our police, the reauthorization of this grant program will continue the reduction of firearms injuries and deaths to our Nation's law enforcement officers.

Additionally, there is language in H.R. 3036 that is of great importance to Puerto Rico. Un-

like in the States, the Commonwealth government centrally carries out the vast majority of law enforcement functions. The Commonwealth's budget for 2005 calls for \$752 million to support the 22,500 Commonwealth police officers who have the primary responsibility for law enforcement on the island, and they are joined by approximately 4,000 officers at the municipal level. For this reason, the disbursement of funds under law enforcement grant programs, such as the local law enforcement block grant and the Byrne Memorial Justice Assistance Grant, should be to the Commonwealth government. Under this scenario, the Commonwealth government then disburses funds to the municipal police forces as appropriate. This bill recognizes this unique structure, and includes language that appropriately directs the local law enforcement grants to the Commonwealth government.

Again, I greatly appreciate the leadership of Chairman SENSENBRENNER and his colleagues on the Judiciary Committee in bringing this important bill to the floor. I strongly support this legislation, and urge my colleagues to do likewise.

Mr. SENSENBRENNER. Madam Speaker, yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 3036, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

WELFARE REFORM EXTENSION ACT OF 2004

Mr. HERGER. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 2231) to reauthorize the Temporary Assistance for Needy Families block grant program through June 30, 2004, and for other purposes.

The Clerk read as follows:

S. 2231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Welfare Reform Extension Act of 2004".

SEC. 2. EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM THROUGH JUNE 30, 2004.

(a) IN GENERAL.—Activities authorized by part A of title IV of the Social Security Act, and by sections 510, 1108(b), and 1925 of such Act, shall continue through June 30, 2004, in the manner authorized for fiscal year 2002, notwithstanding section 1902(e)(1)(A) of such Act, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the third quarter of fiscal year 2004 at the level provided for such activities through the third quarter of fiscal year 2002.

(b) CONFORMING AMENDMENT.—Section 403(a)(3)(H)(ii) of the Social Security Act (42