

utilize a complex web of bank accounts, Internet sites and other techniques to hide their illegal, criminal acts.

These foreign conspiracies often use financial institutions and Internet providers across the globe, including in the United States. Foreign governments enlist the assistance of Federal prosecutors to gather evidence from U.S. companies. These foreign governments routinely do the same for us in their countries.

Unfortunately, this process is not as easy as it may seem. Under current American law, foreign evidence requests must be processed in the district where the evidence resides. So an international fraud scheme that funneled money through a dozen banks across the United States would require assistance from a dozen U.S. Attorney's Offices and Federal courts. This imposes an unnecessary and costly burden on our criminal justice system.

The Foreign Evidence Request Efficiency Act simplifies this process by allowing foreign evidence requests to be streamlined through one single U.S. Attorney's office or perhaps a few offices if necessary. The act amends the Federal criminal code to allow evidence requests to be processed through a court with jurisdiction over the evidence, including where a bank or a communication provider is located. Under current law, only courts with jurisdiction over the offense may grant an order for disclosure of records.

S. 1289 does not change the types of evidence that may be requested by foreign governments nor weaken the procedures for obtaining the evidence. The act reduces paperwork, red tape and bureaucracy for obtaining the evidence. The bill also allows prosecutors to process foreign evidence requests more quickly. Delays in evidence collection can mean the difference between shutting down a criminal enterprise or watching it fade into the shadows.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, may I inquire of my colleague from Texas how many speakers he has remaining.

Mr. POE of Texas. We have one, Mr. LUNGREN, if he gets here, but other than that, he is the only other speaker.

Mr. SCHIFF. Mr. Speaker, I will reserve the balance of my time.

Mr. POE of Texas. Well, Mr. Speaker, I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, I would be happy to engage in a colloquy with my colleague if it would help Mr. LUNGREN. I appreciate his support on this legislation, and I have enjoyed the opportunity to work with Mr. LUNGREN on this. Of course, I want to particularly acknowledge my colleague in the Senate, SHELDON WHITEHOUSE, for his leadership as well as Senators SESSIONS and LEAHY. I'm hoping that this will take some of the burden off the U.S. Attorney's offices around this country and

speed our ability to handle these foreign requests, and thereby I hope we will see reciprocity in our requests of these other countries that they act expeditiously.

I would be happy to yield to my colleague.

Mr. POE of Texas. I thank the gentleman for yielding. As a former judge, sometimes the bureaucracy gets in the way of justice because of the fact that there are so many entities involved. Streamlining the process in this legislation will allow foreign governments to help us on international organized crime rings, yet protect the dignity of the Constitution as well.

I do not expect that Mr. LUNGREN will be here, so I would yield back to the gentleman.

Mr. SCHIFF. I thank the gentleman for yielding, and I know if Mr. LUNGREN were here, he would make some unnecessarily gracious remarks in my direction. They are reciprocated. Once again, I thank him for his work.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, today we live in a interconnected world where United States law enforcement agencies routinely help foreign law enforcement as they pursue criminal conduct outside their borders within the United States. I might add that U.S. law enforcement has an identical need for cooperation from their foreign counterparts. This cooperation is essential as we work together to build cases against international organized crime organizations, drug cartels, purveyors of child pornography on the Internet, and other criminal threats from outside our borders.

On a regular basis the United States receives requests for assistance in gathering evidence within our borders. For example, when French authorities collect relevant domestic evidence they may discover the likelihood of critical evidence within the United States. In such a case they would submit a request to us for financial records, Internet records, and various other kinds of evidence which they have determined to be relevant to making their case. U.S. Attorneys review the requests and then seek warrants for the evidence as appropriate. When the evidence is collected, the United States transmits it to French authorities, leading to prosecution in French courts.

Unfortunately, what should be a simple process is compounded by bureaucratic rules with unintended consequences. This is because under the existing rules, any foreign evidence request must be split up and sent to each district where the evidence exists. So take the French example I just gave, and imagine that the financial records sought are in banks in six different federal judicial districts, that the Internet records are in another five federal judicial districts, and that other documentary evidence is spread over another five districts. Under existing law, sixteen different U.S. Attorneys' Offices would have to work on the evidence request.

The Foreign Evidence Request Efficiency Act would address this problem by allowing such foreign evidence requests to be handled centrally, by a single or more limited number of U.S. Attorneys' offices as appropriate. Rather than sixteen U.S. Attorneys' offices being involved the entire operation would be coordinated by one United States Attorney's office.

S. 1289 would not alter the type of evidence which may be sought and would therefore have no adverse impact on civil liberties. This legislation would merely eliminate an entirely unnecessary paperwork burden currently imposed on United States Attorneys.

Finally, I would suggest that our ability to better assist foreign law enforcement agencies will serve the interests of reciprocity when we ask for their assistance. We need to establish standards of evidence collection here in the United States as an example of what we ourselves expect in our own requests for cooperation of foreign agencies in our criminal investigations which involve foreign jurisdictions.

I ask for your support of this important bipartisan legislation.

Mr. Speaker, I urge passage of the bill and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the bill, S. 1289.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MANAGING ARSON THROUGH CRIMINAL HISTORY (MATCH) ACT OF 2009

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1727) to establish a national criminal arsonist and criminal bomber registry program and establish guidelines and incentives for States, territories and tribes to participate in such program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1727

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 "Managing Arson Through Criminal History (MATCH) Act of 2009".

SEC. 2. CRIMINAL ARSONIST AND CRIMINAL BOMBER REGISTRATION AND NOTIFICATION PROGRAM.

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

(1) NATIONAL CRIMINAL ARSONIST AND CRIMINAL BOMBER REGISTRY.—

(A) IN GENERAL.—The Attorney General shall maintain a national database at the Bureau of Alcohol, Tobacco, Firearms and Explosives for each criminal arsonist or criminal bomber. The database shall be known as the National Criminal Arsonist and Criminal Bomber Registry and shall be referred to in this section as the "National Registry". Such registry shall be used for law enforcement purposes only and information maintained in such registry may only be disclosed in connection with such purposes.

(B) ELECTRONIC FORWARDING.—The Attorney General shall ensure (through the national registry or otherwise) that updated information about a criminal arsonist or criminal bomber is immediately available to all relevant jurisdictions.

(C) NOTIFICATION TO JURISDICTIONS.—The Attorney General shall provide notification to a jurisdiction in which the offender resides or will reside, is an employee, or is a student. Immediately after the Attorney General receives information (or updated information) under this section from a jurisdiction for inclusion in the National Registry, with respect to a criminal arsonist or criminal bomber, the Attorney General shall ensure that such information (or updated information), other than any information exempted from disclosure by the Attorney General, is provided to each jurisdiction in which the offender resides or will reside, is an employee, or is a student.

(2) NATIONAL ARSONIST AND BOMBER INTERNET SITE.—

(A) IN GENERAL.—The Attorney General shall establish and maintain a national arsonist and bomber Internet site. The Internet site shall include relevant information for each criminal arsonist or criminal bomber. The Internet site shall allow law enforcement officers and fire safety officers to obtain relevant information for each criminal arsonist or criminal bomber by a single query for any given zip code or geographical radius set by the user in a form and with such limitations as may be established by the Attorney General and shall have such other field search capabilities as the Attorney General may provide.

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

(C) EXEMPTIONS FROM DISCLOSURE.—The Attorney General may exempt from disclosure on the Internet site established under this paragraph such information as the Attorney General deems appropriate.

(3) PROHIBITION ON ACCESS BY THE PUBLIC.—Information about a criminal arsonist or criminal bomber shall not be made available under paragraph (1) or (2) to the public.

(4) CORRECTION OF ERRORS.—The Attorney General shall establish guidelines for a process to seek correction of information included in the national database under paragraph (1) or the Internet site under paragraph (2) in the case that an individual contends such information is erroneous. Such guidelines shall provide for an adequate period for the individual to seek such correction of information.

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

(b) REGISTRY REQUIREMENTS FOR JURISDICTIONS.—

(1) JURISDICTION TO PARTICIPATE IN NATIONAL REGISTRY.—Each jurisdiction shall participate in the National Registry by providing information, with respect to criminal arsonists and criminal bombers, to the National Registry in accordance with this section. Such information, with respect to a criminal arsonist or criminal bomber, shall be provided by a jurisdiction—

(A) to the Attorney General for inclusion in the National Registry immediately after the criminal arsonist or criminal bomber provides information (or provides updated information), other than information exempted from disclosure by the Attorney General, to the jurisdiction under this section; and

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

(2) GUIDELINES AND REGULATIONS.—The Attorney General shall issue guidelines and regulations to interpret and implement this section.

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

(1) IN GENERAL.—A criminal arsonist or criminal bomber shall provide information described in subsection (d)(1) to (and shall keep such information current with) each jurisdiction where the criminal arsonist or criminal bomber resides, where the criminal arsonist or criminal bomber is an employee, and where the criminal arsonist or criminal bomber is a student. For the initial provision of information only, a criminal arsonist or criminal bomber shall also provide such information to the jurisdiction in which the arsonist or bomber was convicted if such jurisdiction is different from the jurisdiction of residence.

(2) INITIAL REGISTRATION.—The criminal arsonist or criminal bomber shall initially provide information described in subsection (d)(1)—

(A) before completing a sentence of imprisonment with respect to the offense giving rise to the registration requirement; or

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

(3) KEEPING THE REGISTRATION CURRENT.—A criminal arsonist or criminal bomber shall, not later than 10 business days after each change of name, residence, employment, or student status, appear in person in at least one jurisdiction involved pursuant to paragraph (1) and inform that jurisdiction of all changes in the information required for that criminal arsonist or criminal bomber for purposes of inclusion in the National Registry. That jurisdiction shall immediately provide the revised information to the National Registry.

(4) APPLICATION OF REGISTRATION REQUIREMENTS.—

(A) OFFENDER REGISTRATION REQUIREMENTS APPLICABLE ONLY PROSPECTIVELY AND WITH NOTIFICATION.—A criminal arsonist or criminal bomber is required to provide information to a jurisdiction, and to keep such information current, under this section for inclusion in the National Registry only to the extent—

(i) that such criminal arsonist or criminal bomber—

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

(II) was notified of such requirements in accordance with subsection (g); and

(ii) the jurisdiction involved participates in the National Registry.

(B) JURISDICTION OF CONVICTION REQUIRED TO SUBMIT INFORMATION ON OFFENDERS CONVICTED BEFORE DATE OF ENACTMENT AND ON THOSE NOT NOTIFIED.—

(i) GUIDELINES.—The Attorney General shall establish guidelines, in accordance with the provisions of this subparagraph, under which each jurisdiction is required to provide to the National Registry information described in subsection (d)(2) with respect to—

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

(II) each criminal arsonist or criminal bomber who was convicted on or after the date of the enactment of the Act in such jurisdiction of such an offense and who has not been notified, in accordance with subsection (g), of the requirements to provide informa-

tion, and to keep such information current, under this section.

(ii) NOTICE REQUIRED.—Under the guidelines established under clause (i), a jurisdiction shall be required to provide notice to each criminal arsonist or criminal bomber included in the National Registry pursuant to this subparagraph of such inclusion.

(5) ACTIONS TO BE TAKEN WHEN CRIMINAL ARSONIST OR CRIMINAL BOMBER FAILS TO COMPLY.—An appropriate official of each jurisdiction shall notify the Attorney General and appropriate law enforcement agencies of any failure by a criminal arsonist or criminal bomber to provide information, and keep such information current, under this section. The Attorney General shall revise the National Registry to reflect the nature of such failure. The appropriate official, the Attorney General, and each law enforcement agency involved shall take any appropriate action to ensure compliance.

(6) AUTHORITY TO EXEMPT CERTAIN PERSONS FROM REGISTRY REQUIREMENTS.—A jurisdiction shall have the authority to exempt a criminal arsonist or criminal bomber who has been convicted of the offense of arson or bombing in violation of the laws of the jurisdiction in which the offense was committed or the United States for the first time from the requirements to provide information, and keep such information current, under this section in exchange for the person's substantial assistance in the investigation or prosecution of another person who has committed an offense. The Attorney General shall ensure that any regulations promulgated under this section include guidelines that reflect the general appropriateness of exempting the person from the requirements of providing information, and keeping such information current, under this section.

(d) INFORMATION REQUIRED FOR INCLUSION IN NATIONAL REGISTRY.—

(1) PROSPECTIVE CONVICTIONS WITH NOTIFICATION.—

(A) PROVIDED BY ARSONIST OR BOMBER.—A criminal arsonist or criminal bomber convicted of a criminal offense involving arson or bombing on or after the date of the enactment of this Act shall provide the following information to the appropriate official of the jurisdiction involved for inclusion in the National Registry:

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

(ii) The Social Security number of the person.

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

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

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

(vi) The license plate number and a description of any vehicle owned or operated by the person.

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

(B) PROVIDED BY THE JURISDICTION.—The jurisdiction to which a criminal arsonist or criminal bomber described in subparagraph (A) provides information shall ensure that the following information, with respect to such arsonist or bomber, is provided to the National Registry:

(i) The information described in subparagraph (A), as provided by the arsonist or bomber.

(ii) A physical description of the person.

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

(iv) A current photograph of the person.

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

(vi) A photocopy of a valid driver's license or identification card issued to the person by a jurisdiction.

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

(2) PROVIDED BY JURISDICTION OF CONVICTIONS IN CASE OF CONVICTIONS BEFORE DATE OF ENACTMENT AND FAILURES TO NOTIFY.—Each jurisdiction in which a criminal arsonist or criminal bomber described in subclause (I) or (II) of subsection (c)(4)(B)(i) was convicted shall ensure that the following information is provided to the National Registry:

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

(B) The Social Security number of the person.

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

(D) A physical description of the person.

(E) The text of the provision of law defining the criminal offense for which the person is convicted.

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

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

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

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

(1) DURATION OF REGISTRATION REQUIREMENT.—A criminal arsonist or criminal bomber shall keep the registration information provided under subsection (d)(1)(A) current for the full registration period (excluding any time the person is in custody). For purposes of this subsection, the full registration period—

(A) shall commence on the later of the date on which the person is convicted of an offense of arson or bombing in violation of the laws of the jurisdiction in which the offense was committed or the United States, the date on which the person is released from prison for such conviction, or the date on which the person is placed on parole, supervised release, or probation for such conviction; and

(B) shall be—

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

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

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

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

(A) IN GENERAL.—In the case of a criminal arsonist or criminal bomber described in subparagraph (B), the Attorney General shall expunge the National Registry of information related to such criminal arsonist or criminal bomber as of the date that is 5 years after the last day of the applicable full registration period under paragraph (1).

(B) CRIMINAL ARSONIST OR CRIMINAL BOMBER DESCRIBED.—For purposes of subparagraph (A), a criminal arsonist or criminal bomber described in this subparagraph is a criminal arsonist or criminal bomber who—

(i) was a juvenile tried as an adult for the offense giving rise to the duty to register under this section; and

(ii) was not convicted of any other criminal felony during the period beginning on the first day of the applicable full registration period under paragraph (1) and ending on the last day of the 5-year period described in subparagraph (A).

(C) APPLICATION TO OTHER DATABASES.—The Attorney General shall establish a process to ensure that each entity that receives information under subsection (i) with respect to a criminal arsonist or criminal bomber described in subparagraph (B) shall expunge the applicable database of such information as of the date that is 5 years after the last day of the applicable full registration period under paragraph (1).

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

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

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

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

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

(1) IN GENERAL.—An appropriate official shall, shortly before release of a criminal arsonist or criminal bomber from custody, or, if the person is not in custody, immediately after the sentencing of the person for the offense giving rise to the duty to register under this section—

(A) inform the person of the duties of the person under this section and explain those duties in a manner that the person can understand in light of the person's native language, mental capability, and age;

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

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

(D) ensure that the person is registered.

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

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

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

(2) CRITERIA.—The software described in paragraph (1) should facilitate—

(A) immediate exchange of information among jurisdictions through the national Internet site established under subsection (a)(2);

(B) access over the Internet by authorized persons to appropriate information, including the number of registered criminal arsonists or criminal bombers in each jurisdiction on a current basis; and

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

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

(i) PERIOD FOR IMPLEMENTATION BY JURISDICTIONS.—

(1) DEADLINE.—To be in compliance with this section, a jurisdiction shall participate in the National Registry in accordance with this section before the later of—

(A) three years after the date of the enactment of this Act; or

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

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

(3) FAILURE OF JURISDICTION TO COMPLY.—For any fiscal year after the expiration of the deadline specified in paragraph (1) (and any extension under paragraph (2)), a jurisdiction that fails, as determined by the Attorney General, to substantially implement this section shall, at the discretion of the Attorney General, be subject to not more than a 10 percent reduction of the funds that would otherwise be allocated for that fiscal year to the jurisdiction under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(j) ELECTION BY INDIAN TRIBES.—

(1) ELECTION.—

(A) IN GENERAL.—A federally recognized Indian tribe may, by resolution or other enactment of the tribal council or comparable governmental body, elect to carry out this section as a jurisdiction subject to its provisions.

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

(2) COOPERATION BETWEEN TRIBAL AUTHORITIES AND OTHER JURISDICTIONS.—

(A) NONDUPLICATION.—A tribe subject to this section is not required to duplicate functions under this section which are fully carried out by another jurisdiction or jurisdictions within which the territory of the tribe is located.

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

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

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

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

(k) IMMUNITY FOR GOOD FAITH CONDUCT.—The Federal Government, jurisdictions, political subdivisions of jurisdictions, and their agencies, officers, employees, and agents shall be immune from liability for good faith conduct under this section.

(l) CRIMINAL ARSONIST AND CRIMINAL BOMBER MANAGEMENT ASSISTANCE PROGRAM.—

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

(2) APPLICATION.—The chief executive of a jurisdiction desiring a grant under this subsection, with respect to a fiscal year, shall for each such fiscal year submit to the Attorney General an application in such form and containing such information as the Attorney General may require.

(3) INCREASED GRANT PAYMENTS FOR PROMPT COMPLIANCE.—A jurisdiction that, as determined by the Attorney General, has substantially implemented the other provisions of this section not later than two years after the date of the enactment of this Act is eligible for a bonus payment in addition to the amount of grant funds available to such jurisdiction under paragraph (1). The Attorney General may, with respect to a jurisdiction, make such a bonus payment to the jurisdiction for the first fiscal year beginning after the date such determination is made. The amount of the bonus payment shall be as follows:

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

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

(4) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts otherwise authorized to be appropriated, there are authorized to be appropriated to the Attorney General, to be available to carry out this subsection, such sums as may be necessary for each of the fiscal years 2010 through 2014.

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

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

(2) CRIMINAL BOMBER.—The term “criminal bomber” means an individual who is convicted of any criminal offense for committing a bombing, attempting a bombing, or conspiracy to commit a bombing in violation of the laws of the jurisdiction in which such offense was committed or the United States. Such term shall not include a juvenile who is convicted of such an offense unless such juvenile was tried as an adult for such offense.

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

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

(5) FIRE SAFETY OFFICER.—The term “fire safety officer” means an individual serving in an official capacity as a fire investigator,

or other arson or bomber investigator, as defined by the jurisdiction for the purposes of this section.

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

- (A) A State.
- (B) The District of Columbia.
- (C) The Commonwealth of Puerto Rico.
- (D) Guam.
- (E) American Samoa.
- (F) The Northern Mariana Islands.
- (G) The United States Virgin Islands.
- (H) To the extent provided and subject to the requirements of subsection (j), a federally recognized Indian tribe.

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

(8) NATIONAL REGISTRY.—The terms “National Registry” and “arsonist and bomber registry” mean the registry of criminal arsonists and criminal bombers established under subsection (a)(1).

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SCHIFF) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SCHIFF. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the Managing Arson Through Criminal History Act, the MATCH Act, and am very proud to join Congresswoman MARY BONO MACK in sponsoring this important legislation and who has led the charge on this for several years now. I want to congratulate you on your perseverance. This, I think, will be a very important and powerful tool in bringing arsonists to justice.

Our collaboration on this issue stems from a painful understanding of the devastation that arson can cause and has caused in both of our districts. In fact, as we debate this bill today, firefighters are still mopping up the last vestiges of the Station fire which has burned thousands and thousands of acres in the Angeles Forest in the past month and resulted in the tragic death of two firefighters. The fire was deliberately set, and the perpetrator is still at large. The bill before us today would create a nationwide registry of arsonists to help fire investigators find arsonists and prevent additional fires.

Because arsonists commit their crimes in secret, arson is among the most difficult of crimes to investigate. According to FBI statistics, only about 18 percent of arsons from 2008 have been “cleared” by an arrest. In the wake of a fire, investigators are faced with the daunting challenge of piecing together evidence from a scorched tract of land or a house. The Station fire, for example, is a 250-square-mile crime scene. Investigators have isolated where they believe the blaze originated, but there have been no arrests thus far, despite the offer of a \$150,000 reward.

I know from firsthand experience the difficulty of an arson investigation. When I was an Assistant U.S. Attorney in Los Angeles in the late 1980s and early 1990s, I prosecuted an individual who started fires in the San Bernardino Forest. The arsonist followed a pattern. He used a distinct incendiary device made from a cigarette with matches taped around it. He would drive through the forest and throw the cigarette with the matches taped around it into the brush. The cigarette would burn down to the matches, ignite the matches, which would ignite the brush. The cigarette was basically like a slow fuse. By the time the brush caught on fire, he was far away from the point of origin of the fire.

Catching someone like that who doesn’t have a traditional motive to set a fire or commit a crime is extremely challenging. Eventually, using video surveillance, law enforcement made an arrest.

We discovered in the course of the investigation that the suspect had a history of setting fires using the same distinct incendiary device made from a cigarette with matches taped around it. We didn’t discover that information in an electronic database or even in the suspect’s criminal record. The information was eventually found before the trial, stored in a box in his former parole officer’s basement.

If we had a national arsonist registry at the time, we would have known of convicted arsonists who lived in the region. We would have known of their modus operandi. We might have been able to stop him before he set several of the later fires. Keeping records in your basement is not a sound investigative law enforcement strategy. The national arsonist registry created by the MATCH Act is.

The MATCH Act would create a national registry of arsonists that is similar but more extensive than what three States have right now. Currently, three States, including California, maintain such registries, but they are very limited. Arsonists can and do cross State lines to start fires. They don’t necessarily contain updated information about the arsonist’s current address, their place of employment, where they go to school and a myriad of other pieces of information that could be useful to investigators.

Under the MATCH Act, a convicted arsonist would be required to register

with the State in which they reside and provide updated biographical information, along with a photograph and information on the cars that they own. No information in this registry would be publicly available. The information would only be accessible to law enforcement and fire investigators.

Last year, the Congressional Budget Office scored the cost of implementing the act at \$17 million over 5 years, that is, if we fully fund a small authorization to offset the costs to States in setting up the program. Given the millions and millions we spend fighting wildfires and the billions, literally billions, in property damage due to arson, this is a reasonable investment to save lives in the future.

The House passed this legislation overwhelmingly in 2007, but unfortunately it was never enacted. It didn't clear the Senate. As my constituents can attest, though, the problem of arson is not going away. And so we press on for this bill that will assist investigators and, we hope, prevent arson fires in the future.

I urge my colleagues to support the bill and reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1727, the Managing Arson Through Criminal History Act of 2009, referred to as the MATCH Act. I commend my colleagues from California, Congresswoman BONO MACK and Congressman SCHIFF, for their hard work on this legislation. My colleagues from California know better than anyone the devastation that arson causes.

The California Station fire has now burned over 160,000 acres, or 251 square miles. The cost for fighting this fire alone stands at \$82 million. The price tag is expected to go over \$100 million. Eighty-nine homes have been burned and, sadly, two firefighters have been killed. Investigators now believe this fire was intentionally set based upon evidence found near the fire's origin.

Many arsonists begin by starting small fires and then escalate to larger and larger fires to satisfy their excitement. Yet only 17.1 percent of arson offenses result in convictions nationwide. Unfortunately, the evidence needed to convict these arsonists is often destroyed by the fire itself. And as arsonists become more sophisticated in their techniques, identifying and prosecuting them becomes more challenging. Each year, an estimated 267,000 fires are caused by arson. That's right, 267,000. In recent years, arson has been used to burn churches and used by violent activists to protest urban sprawl.

But the ongoing threat remains those who set fires to get a rush and to feed a compulsion. We call those folks "arsonists." Fires have not only caused recent property damage throughout the country and the taking of human lives, not only in California, but this

year, two Houston firefighters have been killed fighting fires.

We may never be able to prevent wildfires, but we can implement tools to help prevent arsonists, particularly serial arsonists, from eluding law enforcement and escaping punishment. This will help in capturing them and sending them to prison when convicted.

The MATCH Act creates a national arson registry and requires criminal arsonists to report where they live, where they work and, yes, even where they go to school. In addition, the act requires the national database to include finger and palm print and an up-to-date photograph. The act limits access to information contained in the registry to only law enforcement and fire officials. It exempts juveniles who are adjudicated delinquent from the registry.

The MATCH Act will assist law enforcement officials with identifying and apprehending arsonists, particularly serial arsonists, and ecoterrorists.

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. SCHIFF. Mr. Speaker, I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield as much time as she wishes to my colleague from California (Mrs. BONO MACK).

Mrs. BONO MACK. Mr. Speaker, I thank my colleague, Mr. POE, for the time. I am pleased also to rise in support of the Managing Arson Through Criminal History, or MATCH Act, H.R. 1727.

As a Member from California, I was heartened by the support that our delegation received from this House during the Station fire that recently swept through our State, tragically killing two heroic firefighters. As many of you know and have just heard, some of these fires are being investigated as arson.

In what is sadly becoming an annual occurrence, we are faced with the threat of catastrophic wildfires that cause millions of dollars in damage and threaten life. It is when we learn that the first sparks of these fires were caused by arsonists that our greatest fears are realized, that someone would maliciously and purposely start a fire.

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These events are reminders of the urgency with which we need to act in passing H.R. 1727, as this legislation was inspired by events in my county, Riverside County, which I'm very proud to represent.

Nearly 3 years ago, my community was devastated by the Esperanza fire, also an arson-caused fire, that cost five heroic U.S. Forest Service firefighters their lives. I, like all of my colleagues in this House, am anxious to provide all of the tools and support we can to combat despicable acts like arson.

Multiple conversations and meetings with firefighters and chiefs in my dis-

trict led to the creation of this bill. They told me how a central database would provide them with invaluable information in tracking arsonists, more especially serial arsonists. More help is needed in the tracking of this dangerous crime. Even though arson fires account for a majority of the fires in the U.S., the arrest and conviction rate is only 20 percent.

It is our duty as Members of the Congress to provide the tools and infrastructure we can to aid in both the prevention of this crime and speedy apprehension of those who choose to commit it.

It is my sincere belief that the MATCH Act will make a meaningful difference in the way that we approach and deal with arson offenders by establishing a registry for law enforcement.

I would like to especially thank Chairmen CONYERS and SCOTT and Ranking Members SMITH and GOHMERT of the Judiciary Committee. They worked to ensure that this legislation was expeditiously moved through the legislative process and that legitimate concerns were addressed.

I would also like to thank the House leadership on both sides of the aisle for their efforts and hard work in bringing the bill before us today.

And finally, I, too, would like to thank my fellow Californian, my dear friend, ADAM SCHIFF for his partnership on this important issue. I can think of no better colleague in the House of Representatives to work with than I found in ADAM SCHIFF.

So I thank you very much, and I urge passage of this critically important bill.

Mr. SCHIFF. Mr. Speaker, may I inquire how many more speakers my colleague from Texas has.

Mr. POE of Texas. We have no other speakers, and I yield back the balance of my time.

Mr. SCHIFF. Mr. Speaker, I thank my colleague Representative BONO MACK for all of her work on this issue. It's been a pleasure working together.

I think when we had the bill come up in committee last session and the Burbank fire chief, Tracy Pancini, testified, he pointed out really how this bill will be of great service to investigators by pointing to the case of someone who was a serial arsonist in New York, who set fire to many carpports, for whatever reason, for whatever perverse thrill, as my colleague from Texas pointed out some of these arsonists seem to get by setting fires. He was well-known to authorities in New York and he moved to California where he was unknown, and when there were a series of carpport fires in California, California authorities didn't necessarily connect it to what happened in New York.

With a national registry, we can connect these events and we can connect the dots, and not only, I hope, put away some of these arsonists, but maybe more importantly deter arsonists who, if they know that they are being tracked and are being followed by this registry, will think twice before they set additional fires.

So, with that, I want to once again thank my colleague and urge the House to support this bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. SCHIFF) that the House suspend the rules and pass the bill, H.R. 1727, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SUPPORTING A REMEMBRANCE DAY FOR HOMICIDE VICTIMS

Mr. SCHIFF. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 757) supporting the goals and ideals of a National Day of Remembrance for Homicide Victims.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 757

Whereas homicide is a devastating epidemic in this Nation, destroying families and communities;

Whereas women are disproportionately victims of homicide perpetrated by intimate partners;

Whereas intimate partner homicide is the leading cause of death for African-American women ages 15-45;

Whereas, on average, 3 women per day are murdered by their current or former husbands or partners and the Centers for Disease Control and Prevention finds that women experience 2,000,000 injuries from intimate partner violence each year;

Whereas according to the Centers for Disease Control and Prevention, the cost of intimate partner violence exceeded \$5,800,000,000 in 2003;

Whereas, for the years 1976 to 2005 combined, among all homicide victims, females were particularly at risk for intimate killings and sex-related homicides, with 64.8 percent of all female homicide victims during that time being murdered by an intimate partner;

Whereas one-third of all murdered females are victims of intimate partner homicide annually, with separated females having the highest homicide rate;

Whereas intimate partner violence resulted in 1,544 deaths in 2004, and of those deaths, 25 percent were males and 75 percent were females;

Whereas the time that a victim of domestic violence leaves a violent situation is the most dangerous time for a victim and increases his or her likelihood of becoming a victim of homicide;

Whereas homicide is the second leading cause of traumatic death for pregnant women and recently pregnant women, accounting for nearly 31 percent of maternal injury deaths;

Whereas numerous agencies across this country provide support to the families of homicide victims and the tireless work of agency staff and volunteers is worthy of acknowledgment; and

Whereas victims of domestic violence-related homicides should be remembered during the National Day of Remembrance for Homicide Victims to honor their memories: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of a National Day of Remembrance for Homicide Victims; and

(2) acknowledges the epidemic of intimate partner homicide in this Nation, its disproportionate impact on women, and the work of agencies across this country to address this epidemic and provide support and resources to all survivors of victims of homicide, including the families of intimate partner homicide.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. SCHIFF) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. SCHIFF. I yield myself such time as I may consume.

Mr. Speaker, this resolution expresses support for the goals and ideals of a National Day of Remembrance for Homicide Victims.

On Friday, September 25, 2009, the third annual observance of the National Day of Remembrance for Homicide Victims was held in Washington, D.C., and across the country. This year's observance was organized by the National Organization of Parents of Murdered Children, Mothers Against Drunk Driving, and the Maryland Crime Victims' Resource Center.

Every year, families lose loved ones to senseless acts of violence. Along with their loved ones, these families lose hopes and dreams for the future. Not only are mothers, fathers, sisters, and brothers affected by the sudden loss of a family member, the lives of friends, coworkers, and neighbors can also be changed forever.

In 2008 alone, over 14,000 individuals lost their lives as a result of violent homicide. Over half of these murder victims were killed by acquaintances, such as a neighbor, friend, or boyfriend.

After the initial shock, as friends and neighbors resume their daily lives, family members are left to deal with their grief and loss and become overwhelmed with picking up the pieces of their lives.

The National Day of Remembrance for Murder Victims acknowledges the long-term trauma families and friends experience after a loved one is murdered and focuses on the importance of providing support, guidance, and counseling to survivors of homicide.

While families deal with their grief, they're also confronted with trying to find some sense of justice through the criminal justice system. The complex-

ities and delays in resolving a criminal case frequently add to their feelings of anger and resentment.

The National Day of Remembrance sends a powerful message to these families and friends alike that we as a Nation remember their loss, honor their courage, and are committed to helping them move on with their lives.

The National Day of Remembrance reminds us that murder impacts each and every one of us and every community across the country. This day also reminds us to rededicate ourselves to working to prevent the violence that destroys lives and devastates families.

I'd like to thank the lead cosponsors of this resolution, DONNA EDWARDS of Maryland and TED POE of Texas, for their leadership in making sure that last week's National Day of Remembrance is honored by Congress.

I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 757 honors a National Day of Remembrance for Homicide Victims. Sadly, thousands of lives are lost due to homicide every year in our Nation. Surviving parents, spouses, family, and friends courageously rebuild their lives while searching for answers and closure for the tragic death of someone they cared about.

I want to commend my friend, the gentlelady from Maryland, DONNA EDWARDS, for introducing this resolution. She has a long-time history of working with victims and victims' families, even before she came to our institution, the House of Representatives.

This National Day of Remembrance for Homicide Victims honors the lives of those who are lost to murder. It also commits communities, agencies, and other groups towards the goal of rebuilding the survivors' lives and preventing these tragedies in the future.

Since 2000, more than 114,000 Americans have been murdered in our Nation. It is important we remind survivors, family survivors, that we have not forgotten their loved ones and that they are not alone.

The broad bipartisan support for this day of remembrance demonstrates that we are united in our commitment to comfort sufferers and prevent the violence that leads to these tragedies.

This resolution also brings attention to the disturbing issue of spousal or partner abuse in homicides. On average, three women per day are murdered by their current or former husbands. From 1976 to 2005, more than 64 percent of female homicide victims in the United States were murdered by an intimate partner.

According to the National Institute of Justice, intimate partner homicide has declined significantly in the past 25 years. The NIJ cautions, however, that although these declines are truly significant, the statistics may mask the