

NLWJC- Kagan

Counsel - Box 005 - Folder 013

Crime Act-Conditions on Grants

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

18-Oct-1995 04:59pm

TO: Dennis Burke

FROM: Elena Kagan
 Office of the Counsel

SUBJECT: crime bill

You're absolutely right: given the amendment to Subtitle A, section 20101 that you highlighted, the AG has no authority to condition grants on the existence of prisoner drug-testing programs. (Perhaps Congress realized how much free-floating authority the old version gave to the AG to condition grants.)

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

18-Oct-1995 08:03pm

TO: Elena Kagan

FROM: Dennis Burke
 Domestic Policy Council

SUBJECT: RE: crime bill

I think that is true because it is the only section that they completely took out from the authorization section. Thanks for looking at this for us. I will let you know how we do through the legislative route.

1. Grants - community policing
doesn't specifically state any conditions.
seems to leave discretion as to whether to award
grants up to AG.
(how is this done?)

*
"includes"
?

2. Grants for correctional facilities
eligibility - assurances re length of sentence, crime
victims, "Comprehensive correctional plan"
drug diversion programs?

3. Grants for alternate methods of punishment for young offenders

4. Grants for council of prevention council.

NB - @ to do w/ prisoners.

Wouldn't make sense to condition such things,
would it?

5. Payments to local govts

6. Model Intensive Court Programs

7. Family + Community Endeavor Schools Court Program

8. Assistance for Delinquent + At-Risk Youth

9. Police Recruitment grants

How much?

10. Local Partnership Act - Federal Payments

11. Community Economic Partnership Investment Funds

12. Community-based Justice Grants

13. Family Unity Demo Project

* 14. Substance Abuse Treatment in Fed Prisons

* 15. Residential Sub Abuse Treatment for State Prisoners

To be eligible to receive funds under this part, a State must agree to reg. analysis system testing.

⇒
(any hours
how to
when it
wants)

THE WHITE HOUSE
WASHINGTON

24 great pros

Now have broad express
authorization to req.
drug testing

Nov. 3

Curriculum -
Past
Present
Future } Vis comm.

past
changing

Prison building

could use mand
drug testing.

fin assurance -
emp. correctional pl.

↓
AG - part of a CCP -
drug testing

×
Cory may have
waited to allow
this.

AG may still have
discretion to do
Even tho conf. didn't
do it all.

Telecon - AFM.

Then last yr's crime bill
to cond. \$ sent to states
on prison testing for prison pops.

Strong Pres can do w/out
legislation?

Provision in bill -

can condition \$ on truth-in-sentencing
laws.

Rahm Emanuel asked us to look.
Memo to him.
Relatively soon.

(Not interested in
doing legislation)

What's a buy down
program?

~~XXXXXXXXXX~~

1 ~~SEC. 613.~~ None of the funds made available in this
 2 Act may be used for "USIA Television Marti Program"
 3 under the Television Broadcasting to Cuba Act or any
 4 other program of United States Government television
 5 broadcasts to Cuba, when it is made known to the Federal
 6 official having authority to obligate or expend such funds
 7 that such use would be inconsistent with the applicable
 8 provisions of the March 1995 Office of Cuba Broadcasting
 9 Reinventing Plan of the United States Information Agen-
 10 cy.

11 This Act may be cited as the "Departments of Com-
 12 merce, Justice, and State, the Judiciary, and Related
 13 Agencies Appropriations Act, 1996".

14 That the following sums are appropriated, out of any
 15 money in the Treasury not otherwise appropriated, for the
 16 fiscal year ending September 30, 1996, and for other pur-
 17 poses, namely:

18 **TITLE I—DEPARTMENT OF JUSTICE**

19 **GENERAL ADMINISTRATION**

20 **SALARIES AND EXPENSES**

21 For expenses necessary for the administration of the
 22 Department of Justice, \$74,282,000; including not to exceed
 23 \$3,317,000 for the Facilities Program 2000, and including
 24 \$5,000,000 for management and oversight of Immigration
 25 and Naturalization Service activities, both sums to remain

From SENATE-Passed
 version of CJS
 Appropriations
 Bill

1 available until expended: Provided, That not to exceed 45
 2 permanent positions and full-time equivalent workyears
 3 and \$7,477,000 shall be expended for the Department Lead-
 4 ership program: Provided further, That not to exceed 76
 5 permanent positions and 90 full-time equivalent workyears
 6 and \$9,487,000 shall be expended for the Executive Support
 7 program: Provided further, That the two aforementioned
 8 programs shall not be augmented by personnel details, tem-
 9 porary transfers of personnel on either a reimbursable or
 10 non-reimbursable basis or any other type of formal or infor-
 11 mal transfer or reimbursement of personnel or funds on ei-
 12 ther a temporary or long-term basis.

13 **(TRANSFER OF FUNDS)**

14 For the Joint Automated Booking Station,
 15 \$11,000,000 shall be made available until expended, to be
 16 derived by transfer from unobligated balances of the Work-
 17 ing Capital Fund in the Department of Justice.

18 **POLICE CORPS**

19 For police corps grants authorized by Public Law 103-
 20 322, \$10,000,000, to remain available until expended,
 21 which shall be derived from the Violent Crime Reduction
 22 Trust Fund.

23 **COUNTERTERRORISM FUND**

24 For necessary expenses, as determined by the Attorney
 25 General, \$26,898,000, to remain available until expended,
 26 to reimburse any Department of Justice organization for

1 (1) the costs incurred in reestablishing the operational ca-
 2 pability of an office or facility which has been damaged
 3 or destroyed as a result of the bombing of the Alfred P.
 4 Murrah Federal Building in Oklahoma City or any domes-
 5 tic or international terrorist incident, (2) the costs of pro-
 6 viding support to counter, investigate or prosecute domestic
 7 or international terrorism, including payment of rewards
 8 in connection with these activities, and (3) the costs of con-
 9 ducting a terrorism threat assessment of Federal agencies
 10 and their facilities: Provided, That funds provided under
 11 this section shall be available only after the Attorney Gen-
 12 eral notifies the Committees on Appropriations of the House
 13 of Representatives and the Senate in accordance with sec-
 14 tion 605 of this Act.

15 ADMINISTRATIVE REVIEW AND APPEALS

16 For expenses necessary for the administration of par-
 17 don and clemency petitions and immigration related activi-
 18 ties, \$72,319,000.

19 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
 20 REVIEW AND APPEALS

21 For activities authorized by section 130007 of Public
 22 Law 103-322, \$14,347,000, to remain available until ex-
 23 pended, which shall be derived from the Violent Crime Re-
 24 duction Trust Fund.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector Gen-
 3 eral in carrying out the provisions of the Inspector General
 4 Act of 1978, as amended, \$27,436,000; including not to ex-
 5 ceed \$10,000 to meet unforeseen emergencies of a confiden-
 6 tial character, to be expended under the direction of, and
 7 to be accounted for solely under the certificate of, the Attor-
 8 ney General; and for the acquisition, lease, maintenance
 9 and operation of motor vehicles without regard to the gen-
 10 eral purchase price limitation.

11 UNITED STATES PAROLE COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the United States Parole
 14 Commission as authorized by law, \$5,446,000.

15 LEGAL ACTIVITIES

16 SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES
 17 For expenses necessary for the legal activities of the
 18 Department of Justice, not otherwise provided for, includ-
 19 ing activities authorized by title X of the Civil Rights Act
 20 of 1964, and including not to exceed \$20,000 for expenses
 21 of collecting evidence, to be expended under the direction
 22 of, and to be accounted for solely under the certificate of,
 23 the Attorney General; and rent of private or Government-
 24 owned space in the District of Columbia; \$406,529,000; of
 25 which not to exceed \$10,000,000 for litigation support con-

1 tracts shall remain available until expended: Provided,
 2 That of the funds available in this appropriation, not to
 3 exceed \$22,618,000 shall remain available until expended
 4 for office automation systems for the legal divisions covered
 5 by this appropriation, and for the United States Attorneys,
 6 the Antitrust Division, and offices funded through "Salaries
 7 and Expenses", General Administration: Provided further,
 8 That of the total amount appropriated, not to exceed \$1,000
 9 shall be available to the United States National Central Bu-
 10 reau, INTERPOL, for official reception and representation
 11 expenses: Provided further, That notwithstanding 31 U.S.C.
 12 1342, the Attorney General may accept on behalf of the
 13 United States and credit to this appropriation, gifts of
 14 money, personal property and services, for the purpose of
 15 hosting the International Criminal Police Organization's
 16 (INTERPOL) American Regional Conference in the United
 17 States during fiscal year 1996.

18 In addition, for reimbursement of expenses of the De-
 19 partment of Justice associated with processing cases under
 20 the National Childhood Vaccine Injury Act of 1986, not to
 21 exceed \$4,028,000, to be appropriated from the Vaccine In-
 22 jury Compensation Trust Fund, as authorized by section
 23 6601 of the Omnibus Budget Reconciliation Act, 1989, as
 24 amended by Public Law 101-512 (104 Stat. 1289).

1 VIOLENT CRIME REDUCTION PROGRAMS, GENERAL LEGAL
 2 ACTIVITIES

3 For the expeditious deportation of denied asylum ap-
 4 plicants, as authorized by section 130005 of Public Law
 5 103-322, \$2,991,000, to remain available until expended,
 6 which shall be derived from the Violent Crime Reduction
 7 Trust Fund.

8 SALARIES AND EXPENSES, ANTITRUST DIVISION

9 For expenses necessary for the enforcement of antitrust
 10 and kindred laws, \$69,143,000: Provided, That notwith-
 11 standing any other provision of law, not to exceed
 12 \$48,262,000 of offsetting collections derived from fees col-
 13 lected for premerger notification filings under the Hart-
 14 Scott-Rodino Antitrust Improvements Act of 1976 (15
 15 U.S.C. 18(a)) shall be retained and used for necessary ex-
 16 penses in this appropriation, and shall remain available
 17 until expended: Provided further, That the sum herein ap-
 18 propriated from the General Fund shall be reduced as such
 19 offsetting collections are received during fiscal year 1996,
 20 so as to result in a final fiscal year 1996 appropriation
 21 from the General Fund estimated at not more than
 22 \$20,881,000: Provided further, That any fees received in ex-
 23 cess of \$48,262,000 in fiscal year 1996, shall remain avail-
 24 able until expended, but shall not be available for obligation
 25 until October 1, 1996.

1 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

2 For necessary expenses of the Office of the United
3 States Attorneys, including intergovernmental agreements,
4 \$909,463,000, of which not to exceed \$2,500,000 shall be
5 available until September 30, 1997 for the purposes of (1)
6 providing training of personnel of the Department of Jus-
7 tice in debt collection, (2) providing services to the Depart-
8 ment of Justice related to locating debtors and their prop-
9 erty, such as title searches, debtor skiptracing, asset
10 searches, credit reports and other investigations, (3) paying
11 the costs of the Department of Justice for the sale of prop-
12 erty not covered by the sale proceeds, such as auctioneers'
13 fees and expenses, maintenance and protection of property
14 and businesses, advertising and title search and surveying
15 costs, and (4) paying the costs of processing and tracking
16 debts owed to the United States Government: Provided,
17 That of the total amount appropriated, not to exceed \$8,000
18 shall be available for official reception and representation
19 expenses: Provided further, That not to exceed \$10,000,000
20 of those funds available for automated litigation support
21 contracts and \$4,000,000 for security equipment shall re-
22 main available until expended.

23 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

24 ATTORNEYS

25 For activities authorized by sections 190001(b) and
26 190001(d) of Public Law 103-322, \$30,000,000, to remain

1 available until expended, which shall be derived from the
2 Violent Crime Reduction Trust Fund.

3 UNITED STATES TRUSTEE SYSTEM FUND

4 For the necessary expenses of the United States Trustee
5 Program, \$103,183,000, as authorized by 28 U.S.C.
6 589a(a), to remain available until expended, for activities
7 authorized by section 115 of the Bankruptcy Judges, United
8 States Trustees, and Family Farmer Bankruptcy Act of
9 1986 (Public Law 99-554), which shall be derived from the
10 United States Trustee System Fund: Provided, That depos-
11 its to the Fund are available in such amounts as may be
12 necessary to pay refunds due depositors: Provided further,
13 That, notwithstanding any other provision of law, not to
14 exceed \$44,191,000 of offsetting collections derived from fees
15 collected pursuant to section 589a(f) of title 28, United
16 States Code, as amended, shall be retained and used for nec-
17 essary expenses in this appropriation: Provided further,
18 That the \$103,183,000 herein appropriated from the United
19 States Trustee System Fund shall be reduced as such offset-
20 ting collections are received during fiscal year 1996, so as
21 to result in a final fiscal year 1996 appropriation from
22 such Fund estimated at not more than \$58,992,000: Pro-
23 vided further, That any of the aforementioned fees collected
24 in excess of \$44,191,000 in fiscal year 1996 shall remain
25 available until expended, but shall not be available for obli-
26 gation until October 1, 1996.

1 SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT

2 COMMISSION

3 For expenses necessary to carry out the activities of
4 the Foreign Claims Settlement Commission, including serv-
5 ices as authorized by 5 U.S.C. 3109, \$905,000.

6 SALARIES AND EXPENSES, UNITED STATES MARSHALS

7 SERVICE

8 For necessary expenses of the United States Marshals
9 Service; including the acquisition, lease, maintenance, and
10 operation of vehicles and aircraft, and the purchase of pas-
11 senger motor vehicles for police-type use without regard to
12 the general purchase price limitation for the current fiscal
13 year; \$439,639,000, as authorized by 28 U.S.C. 561(i), of
14 which not to exceed \$6,000 shall be available for official
15 reception and representation expenses.

16 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES

17 MARSHALS SERVICE

18 For activities authorized by section 190001(b) of Pub-
19 lic Law 103-322, \$15,000,000, to remain available until
20 expended, which shall be derived from the Violent Crime
21 Reduction Trust Fund.

22 FEDERAL PRISONER DETENTION

23 For expenses related to United States prisoners in the
24 custody of the United States Marshals Service as authorized
25 in 18 U.S.C. 4013, but not including expenses otherwise
26 provided for in appropriations available to the Attorney

1 General; \$295,331,000, as authorized by 28 U.S.C. 561(i),
2 to remain available until expended.

3 FEES AND EXPENSES OF WITNESSES

4 For expenses, mileage, compensation, and per diems
5 of witnesses, for expenses of contracts for the procurement
6 and supervision of expert witnesses, for private counsel ex-
7 penses, and for per diems in lieu of subsistence, as author-
8 ized by law, including advances, \$85,000,000, to remain
9 available until expended; of which not to exceed \$4,750,000
10 may be made available for planning, construction, renova-
11 tion, maintenance, remodeling, and repair of buildings and
12 the purchase of equipment incident thereto for protected
13 witness safesites; of which not to exceed \$1,000,000 may be
14 made available for the purchase and maintenance of ar-
15 mored vehicles for transportation of protected witnesses;
16 and of which not to exceed \$4,000,000 may be made avail-
17 able for the purchase, installation and maintenance of a
18 secure automated information network to store and retrieve
19 the identities and locations of protected witnesses.

20 COMMUNITY RELATIONS SERVICE

21 SALARIES AND EXPENSES

22 For necessary expenses of the Community Relations
23 Service, established by title X of the Civil Rights Act of
24 1964, \$10,638,000: Provided, That such additional funds
25 as may be necessary for the resettlement of Cuban and Hai-
26 tian entrants shall be available to the Community Relations

1 *Service, without fiscal year limitation, to be reimbursed*
 2 *from the Immigration Examinations Fee Account.*

3 *ASSETS FORFEITURE FUND*

4 *For expenses authorized by 28 U.S.C. 524(c)(1)(A)(ii),*
 5 *(B), (C), (F), and (G), as amended, \$35,000,000 to be de-*
 6 *rived from the Department of Justice Assets Forfeiture*
 7 *Fund.*

8 *RADIATION EXPOSURE COMPENSATION*

9 *ADMINISTRATIVE EXPENSES*

10 *For necessary administrative expenses in accordance*
 11 *with the Radiation Exposure Compensation Act,*
 12 *\$2,655,000.*

13 *PAYMENT TO RADIATION EXPOSURE COMPENSATION TRUST*
 14 *FUND*

15 *For payments to the Radiation Exposure Compensa-*
 16 *tion Trust Fund, \$16,264,000, to become available on Octo-*
 17 *ber 1, 1996.*

18 *INTERAGENCY LAW ENFORCEMENT*

19 *INTERAGENCY CRIME AND DRUG ENFORCEMENT*

20 *For necessary expenses for the detection, investigation,*
 21 *and prosecution of individuals involved in organized crime*
 22 *drug trafficking not otherwise provided for, to include inter-*
 23 *governmental agreements with State and local law enforce-*
 24 *ment agencies engaged in the investigation and prosecution*
 25 *of individuals involved in organized crime drug trafficking,*
 26 *\$359,843,000, of which \$50,000,000 shall remain available*

1 *until expended: Provided, That any amounts obligated from*
 2 *appropriations under this heading may be used under au-*
 3 *thorities available to the organizations reimbursed from this*
 4 *appropriation: Provided further, That any unobligated bal-*
 5 *ances remaining available at the end of the fiscal year shall*
 6 *revert to the Attorney General for reallocation among par-*
 7 *ticipating organizations in succeeding fiscal years, subject*
 8 *to the reprogramming procedures described in section 605*
 9 *of this Act.*

10 *FEDERAL BUREAU OF INVESTIGATION*

11 *SALARIES AND EXPENSES*

12 *For expenses necessary for detection, investigation, and*
 13 *prosecution of crimes against the United States; including*
 14 *purchase for police-type use of not to exceed 1,815 passenger*
 15 *motor vehicles of which 1,300 will be for replacement only,*
 16 *without regard to the general purchase price limitation for*
 17 *the current fiscal year, and hire of passenger motor vehicles;*
 18 *acquisition, lease, maintenance and operation of aircraft;*
 19 *and not to exceed \$70,000 to meet unforeseen emergencies*
 20 *of a confidential character, to be expended under the direc-*
 21 *tion of, and to be accounted for solely under the certificate*
 22 *of, the Attorney General; \$2,304,171,000, of which not to*
 23 *exceed \$50,000,000 for automated data processing and tele-*
 24 *communications and technical investigative equipment and*
 25 *\$1,000,000 for undercover operations shall remain available*

1 until September 30, 1997; of which not less than
 2 \$121,345,000 shall be for counterterrorism investigations,
 3 foreign counterintelligence, and other activities related to
 4 our national security; of which not to exceed \$98,400,000
 5 shall remain available until expended; and of which not to
 6 exceed \$10,000,000 is authorized to be made available for
 7 making payments or advances for expenses arising out of
 8 contractual or reimbursable agreements with State and
 9 local law enforcement agencies while engaged in cooperative
 10 activities related to violent crime, terrorism, organized
 11 crime, and drug investigations; and of which \$1,500,000
 12 shall be available to maintain an independent program of-
 13 fice dedicated solely to the relocation of the Criminal Justice
 14 Information Services Division and the automation of fin-
 15 gerprint identification services: Provided, That not to ex-
 16 ceed \$45,000 shall be available for official reception and
 17 representation expenses.

18 VIOLENT CRIME REDUCTION PROGRAMS

19 For activities authorized by Public Law 103-322 or
 20 Senate bill 735 as passed by the Senate on June 7, 1995,
 21 \$202,500,000, to remain available until expended, which
 22 shall be derived from the Violent Crime Reduction Trust
 23 Fund, of which \$50,000,000 shall be for activities author-
 24 ized in section 521(a)(1) of Senate bill 735; of which
 25 \$42,820,000 shall be for activities authorized in section
 26 521(a)(2) of said Act; of which \$13,900,000 shall be for ac-

1 tivities authorized in section 521(a)(5) of said Act; and of
 2 which \$88,280,000 shall be for activities authorized in sec-
 3 tion 521(a)(7) of said Act; of which \$5,500,000 shall be for
 4 activities authorized by section 210306 of Public Law 103-
 5 322; and of which \$2,000,000 shall be for activities author-
 6 ized by section 210501 of Public Law 103-322.

7 CONSTRUCTION

8 For necessary expenses to construct or acquire build-
 9 ings and sites by purchase, or as otherwise authorized by
 10 law (including equipment for such buildings); conversion
 11 and extension of federally-owned buildings; and prelimi-
 12 nary planning and design of projects; \$98,800,000, to re-
 13 main available until expended.

14 DRUG ENFORCEMENT ADMINISTRATION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Drug Enforcement Ad-
 17 ministration, including not to exceed \$70,000 to meet un-
 18 foreseen emergencies of a confidential character, to be ex-
 19 pended under the direction of, and to be accounted for solely
 20 under the certificate of, the Attorney General; expenses for
 21 conducting drug education and training programs, includ-
 22 ing travel and related expenses for participants in such pro-
 23 grams and the distribution of items of token value that pro-
 24 mote the goals of such programs; purchase of not to exceed
 25 1,208 passenger motor vehicles, of which 1,178 will be for
 26 replacement only, for police-type use without regard to the

1 *general purchase price limitation for the current fiscal year;*
 2 *and acquisition, lease, maintenance, and operation of air-*
 3 *craft; \$790,000,000, of which not to exceed \$1,800,000 for*
 4 *research and \$15,000,000 for transfer to the Drug Diversion*
 5 *Control Fee Account for operating expenses shall remain*
 6 *available until expended, and of which not to exceed*
 7 *\$4,000,000 for purchase of evidence and payments for infor-*
 8 *mation, not to exceed \$4,000,000 for contracting for ADP*
 9 *and telecommunications equipment, and not to exceed*
 10 *\$2,000,000 for technical and laboratory equipment shall re-*
 11 *main available until September 30, 1997, and of which not*
 12 *to exceed \$50,000 shall be available for official reception*
 13 *and representation expenses.*

14 *VIOLENT CRIME REDUCTION PROGRAMS*

15 *For activities authorized by section 524(b) of Senate*
 16 *bill 735 as passed by the Senate on June 7, 1995,*
 17 *\$60,000,000, to remain available until expended, which*
 18 *shall be derived from the Violent Crime Reduction Trust*
 19 *Fund.*

20 *IMMIGRATION AND NATURALIZATION SERVICE*

21 *SALARIES AND EXPENSES*

22 *For expenses, not otherwise provided for, necessary for*
 23 *the administration and enforcement of the laws relating to*
 24 *immigration, naturalization, and alien registration, in-*
 25 *cluding not to exceed \$50,000 to meet unforeseen emer-*
 26 *gencies of a confidential character, to be expended under*

1 *the direction of, and to be accounted for solely under the*
 2 *certificate of, the Attorney General; purchase for police-type*
 3 *use (not to exceed 813 of which 177 are for replacement*
 4 *only) without regard to the general purchase price limita-*
 5 *tion for the current fiscal year, and hire of passenger motor*
 6 *vehicles; acquisition, lease, maintenance and operation of*
 7 *aircraft; and research related to immigration enforcement;*
 8 *\$953,934,000, of which not to exceed \$400,000 for research*
 9 *shall remain available until expended, and of which not to*
 10 *exceed \$10,000,000 shall be available for costs associated*
 11 *with the training program for basic officer training: Pro-*
 12 *vided, That none of the funds available to the Immigration*
 13 *and Naturalization Service shall be available for adminis-*
 14 *trative expenses to pay any employee overtime pay in an*
 15 *amount in excess of \$25,000 during the calendar year begin-*
 16 *ning January 1, 1996: Provided further, That uniforms*
 17 *may be purchased without regard to the general purchase*
 18 *price limitation for the current fiscal year: Provided fur-*
 19 *ther, That not to exceed \$5,000 shall be available for official*
 20 *reception and representation expenses: Provided further,*
 21 *That the Attorney General may transfer to the Department*
 22 *of Labor and the Social Security Administration not to ex-*
 23 *ceed \$10,000,000 for programs to verify the immigration*
 24 *status of persons seeking employment in the United States:*
 25 *Provided further, That the Office of Public Affairs at the*

1 *Immigration and Naturalization Service shall conduct its*
 2 *business in areas only relating to its central mission, in-*
 3 *cluding: research, analysis, and dissemination of informa-*
 4 *tion, through the media and other communications outlets,*
 5 *relating to the activities of the Immigration and Natu-*
 6 *ralization Service: Provided further, That the Office of Con-*
 7 *gressional Relations at the Immigration and Naturaliza-*
 8 *tion Service shall conduct business in areas only relating*
 9 *to its central mission, including: providing services to Mem-*
 10 *bers of Congress relating to constituent inquiries and re-*
 11 *quests for information; and working with the relevant con-*
 12 *gressional committees on proposed legislation affecting im-*
 13 *migration matters.*

14 **VIOLENT CRIME REDUCTION PROGRAMS**

15 *For activities authorized by sections 130005, 130006,*
 16 *and 130007 of Public Law 103-322, \$165,362,000, to re-*
 17 *main available until expended, which shall be derived from*
 18 *the Violent Crime Reduction Trust Fund, of which*
 19 *\$20,360,000 shall be for expeditious deportation of denied*
 20 *asylum applicants, \$104,463,000 for improving border con-*
 21 *trols, and \$40,539,000 for expanded special deportation*
 22 *proceedings.*

23 **BORDER PATROL**

24 **SALARIES AND EXPENSES**

25 *For expenses necessary for Border Patrol Operations,*
 26 *\$489,200,000, to remain available until expended.*

1 **VIOLENT CRIME REDUCTION PROGRAMS**

2 *Section 245(i) of the Immigration and Nationality Act*
 3 *(8 U.S.C. 1255(i)) is amended—*

4 *(1) in the second sentence of paragraph (1), by*
 5 *striking “five” and inserting “ten”; and*

6 *(2) in paragraph (3), by inserting before the pe-*
 7 *riod at the end the following: “or, notwithstanding*
 8 *any other provision of law, may be deposited as off-*
 9 *setting collections in the Immigration and Natu-*
 10 *ralization Service “Salaries and Expenses” appro-*
 11 *priations account to be available to support border*
 12 *enforcement and control programs”.*

13 *The amendments made by this section shall apply to*
 14 *funds remitted with applications for adjustment of status*
 15 *which were filed on or after the date of enactment of this*
 16 *Act.*

17 *For activities authorized by section 130016 of Public*
 18 *Law 103-322, \$10,300,000, to remain available until ex-*
 19 *pendent, which shall be derived from the Violent Crime Re-*
 20 *duction Trust Fund.*

21 **CONSTRUCTION**

22 *For planning, construction, renovation, equipping and*
 23 *maintenance of buildings and facilities necessary for the ad-*
 24 *ministration and enforcement of the laws relating to immi-*
 25 *gration, naturalization, and alien registration, not other-*

1 wise provided for, \$35,000,000, to remain available until
2 expended.

3 *FEDERAL PRISON SYSTEM*

4 *SALARIES AND EXPENSES*

5 *For expenses necessary for the administration, oper-*
6 *ation, and maintenance of Federal penal and correctional*
7 *institutions, including purchase (not to exceed 853, of which*
8 *559 are for replacement only) and hire of law enforcement*
9 *and passenger motor vehicles; and for the provision of tech-*
10 *nical assistance and advice on corrections related issues to*
11 *foreign governments; \$2,574,578,000: Provided, That there*
12 *may be transferred to the Health Resources and Services*
13 *Administration such amounts as may be necessary, in the*
14 *discretion of the Attorney General, for direct expenditures*
15 *by that Administration for medical relief for inmates of*
16 *Federal penal and correctional institutions: Provided fur-*
17 *ther, That the Director of the Federal Prison System (FPS),*
18 *where necessary, may enter into contracts with a fiscal*
19 *agent/fiscal intermediary claims processor to determine the*
20 *amounts payable to persons who, on behalf of the FPS, fur-*
21 *nish health services to individuals committed to the custody*
22 *of the FPS: Provided further, That uniforms may be pur-*
23 *chased without regard to the general purchase price limita-*
24 *tion for the current fiscal year: Provided further, That not*
25 *to exceed \$6,000 shall be available for official reception and*

1 *representation expenses: Provided further, That not to ex-*
2 *ceed \$50,000,000 for the activation of new facilities shall*
3 *remain available until September 30, 1997: Provided fur-*
4 *ther, That of the amounts provided for Contract Confine-*
5 *ment, not to exceed \$20,000,000 shall remain available*
6 *until expended to make payments in advance for grants,*
7 *contracts and reimbursable agreements and other expenses*
8 *authorized by section 501(c) of the Refugee Education As-*
9 *sistance Act of 1980 for the care and security in the United*
10 *States of Cuban and Haitian entrants: Provided further,*
11 *That no funds appropriated in this Act shall be used to*
12 *privatize any Federal prison facilities located in Forrest*
13 *City, Arkansas, and Yazoo City, Mississippi.*

14 *VIOLENT CRIME REDUCTION PROGRAMS*

15 *For substance abuse treatment in Federal prisons as*
16 *authorized by section 32001(e) of Public Law 103-322,*
17 *\$13,500,000, to remain available until expended, which*
18 *shall be derived from the Violent Crime Reduction Trust*
19 *Fund.*

20 *NATIONAL INSTITUTE OF CORRECTIONS*

21 *For carrying out the provisions of sections 4351-4353*
22 *of title 18, United States Code, which established a National*
23 *Institute of Corrections, and for the provision of technical*
24 *assistance and advice on corrections related issues,*
25 *\$8,000,000, to remain available until expended.*

1 *BUILDINGS AND FACILITIES*

2 *For planning, acquisition of sites and construction of*
 3 *new facilities; leasing the Oklahoma City Airport Trust Fa-*
 4 *cility; purchase and acquisition of facilities and remodeling*
 5 *and equipping of such facilities for penal and correctional*
 6 *use, including all necessary expenses incident thereto, by*
 7 *contract or force account; and constructing, remodeling,*
 8 *and equipping necessary buildings and facilities at existing*
 9 *penal and correctional institutions, including all necessary*
 10 *expenses incident thereto, by contract or force account;*
 11 *\$349,410,000, to remain available until expended, of which*
 12 *not to exceed \$14,074,000 shall be available to construct*
 13 *areas for inmate work programs: Provided, That labor of*
 14 *United States prisoners may be used for work performed*
 15 *under this appropriation: Provided further, That not to ex-*
 16 *ceed 10 percent of the funds appropriated to "Buildings and*
 17 *Facilities" in this Act or any other Act may be transferred*
 18 *to "Salaries and Expenses," Federal Prison System upon*
 19 *notification by the Attorney General to the Committees on*
 20 *Appropriations of the House of Representatives and the*
 21 *Senate in compliance with provisions set forth in section*
 22 *605 of this Act: Provided further, That of the total amount*
 23 *appropriated, not to exceed \$22,351,000 shall be available*
 24 *for the renovation and construction of United States Mar-*
 25 *shals Service prisoner holding facilities.*

1 *FEDERAL PRISON INDUSTRIES, INCORPORATED*

2 *The Federal Prison Industries, Incorporated, is hereby*
 3 *authorized to make such expenditures, within the limits of*
 4 *funds and borrowing authority available, and in accord*
 5 *with the law, and to make such contracts and commitments,*
 6 *without regard to fiscal year limitations as provided by sec-*
 7 *tion 9104 of title 31, United States Code, as may be nec-*
 8 *essary in carrying out the program set forth in the budget*
 9 *for the current fiscal year for such corporation, including*
 10 *purchase of (not to exceed five for replacement only) and*
 11 *hire of passenger motor vehicles.*

12 *LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL*
 13 *PRISON INDUSTRIES, INCORPORATED*

14 *Not to exceed \$3,559,000 of the funds of the corporation*
 15 *shall be available for its administrative expenses, and for*
 16 *services as authorized by 5 U.S.C. 3109, to be computed*
 17 *on an accrual basis to be determined in accordance with*
 18 *the corporation's current prescribed accounting system, and*
 19 *such amounts shall be exclusive of depreciation, payment*
 20 *of claims, and expenditures which the said accounting sys-*
 21 *tem requires to be capitalized or charged to cost of commod-*
 22 *ities acquired or produced, including selling and shipping*
 23 *expenses, and expenses in connection with acquisition, con-*
 24 *struction, operation, maintenance, improvement, protec-*
 25 *tion, or disposition of facilities and other property belong-*
 26 *ing to the corporation or in which it has an interest.*

1 OFFICE OF JUSTICE PROGRAMS

2 JUSTICE ASSISTANCE

3 For grants, contracts, cooperative agreements, and
 4 other assistance authorized by title I of the Omnibus Crime
 5 Control and Safe Streets Act of 1968, as amended, and the
 6 Missing Children's Assistance Act, as amended, including
 7 salaries and expenses in connection therewith, and with the
 8 Victims of Crime Act of 1984, as amended, \$102,345,000,
 9 to remain available until expended, as authorized by section
 10 1001 of title I of the Omnibus Crime Control and Safe
 11 Streets Act, as amended by Public Law 102-534 (106 Stat.
 12 3524).

13 VIOLENT CRIME REDUCTION PROGRAMS, JUSTICE

14 ASSISTANCE

15 For assistance (including amounts for administrative
 16 costs for management and administration, which amounts
 17 shall be transferred to and merged with the "Justice Assist-
 18 ance" account) authorized by the Violent Crime Control and
 19 Law Enforcement Act of 1994, Public Law 103-322 ("the
 20 1994 Act"); the Omnibus Crime Control and Safe Streets
 21 Act of 1968, as amended ("the 1968 Act"); and the Victims
 22 of Child Abuse Act of 1990, as amended ("the 1990 Act"),
 23 \$242,900,000, to remain available until expended, which
 24 shall be derived from the Violent Crime Reduction Trust
 25 Fund; of which \$30,000,000 shall be for the Local Crime
 26 Prevention Block Grant Program, as authorized by section

1 30201 of the Violent Crime Control and Law Enforcement
 2 Act of 1994; \$6,000,000 shall be for the Court Appointed
 3 Special Advocate Program, as authorized by section 218 of
 4 the 1990 Act; \$750,000 for Child Abuse Training Programs
 5 for Judicial Personnel and Practitioners, as authorized by
 6 section 224 of the 1990 Act; \$130,000,000 for Grants to
 7 Combat Violence Against Women to States, units of local
 8 governments and Indian tribal governments, as authorized
 9 by section 1001(a)(18) of the 1968 Act; \$28,000,000 for
 10 Grants to Encourage Arrest Policies to States, units of local
 11 governments and Indian tribal governments, as authorized
 12 by section 1001(a)(19) of the 1968 Act; \$7,000,000 for
 13 Rural Domestic Violence and Child Abuse Enforcement As-
 14 sistance Grants, as authorized by section 40295 of the 1994
 15 Act; \$1,000,000 for training programs to assist probation
 16 and parole officers who work with released sex offenders,
 17 as authorized by section 40152(c) of the Violent Crime Con-
 18 trol and Law Enforcement Act of 1994; \$500,000 for Fed-
 19 eral victim's counselors, as authorized by section 40114 of
 20 that Act; \$50,000 for grants for televised testimony, as au-
 21 thorized by section 1001(a)(7) of the Omnibus Crime Con-
 22 trol and Safe Streets Act of 1968; \$200,000 for the study
 23 of State databases on the incidence of sexual and domestic
 24 violence, as authorized by section 40292 of the Violent
 25 Crime Control and Law Enforcement Act of 1994;

1 \$1,500,000 for national stalker and domestic violence reduc-
 2 tion, as authorized by section 40603 of that Act;
 3 \$27,000,000 for grants for residential substance abuse treat-
 4 ment for State prisoners pursuant to section 1001(a)(17)
 5 of the 1968 Act; \$10,000,000 for grants for rural drug en-
 6 forcement assistance pursuant to section 1001(a)(9) of the
 7 1968 Act; and \$900,000 for the Missing Alzheimer's Disease
 8 Patient Alert Program, as authorized by section 240001(d)
 9 of the 1994 Act: Provided further, That any balances for
 10 these programs shall be transferred to and merged with this
 11 appropriation.

12 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

13 For grants, contracts, cooperative agreements, and
 14 other assistance authorized by part E of title I of the Omni-
 15 bus Crime Control and Safe Streets Act of 1968, as amend-
 16 ed, for State and Local Narcotics Control and Justice As-
 17 sistance Improvements, notwithstanding the provisions of
 18 section 511 of said Act, \$300,000,000, to remain available
 19 until expended, as authorized by section 1001 of title I of
 20 said Act, as amended by Public Law 102-534 (106 Stat.
 21 3524): Provided, That not more than \$30,000,000 shall be
 22 made available to carry out the provisions of chapter A of
 23 subpart 2 of part E of title I of said Act, for discretionary
 24 grants under the Edward Byrne Memorial State and Local
 25 Law Enforcement Assistance Programs: Provided further,
 26 That not more than \$250,000,000 shall be made available

1 to carry out the provisions of subpart 1, part E of title
 2 I of said Act, for formula grants under the Edward Byrne
 3 Memorial State and Local Law Enforcement Assistance
 4 Programs: Provided further, That balances of amounts ap-
 5 propriated prior to fiscal year 1995 under the authorities
 6 of this account shall be transferred to and merged with this
 7 account.

8 To carry out chapter A of subpart 2 of part E of title
 9 I of the Omnibus Crime Control and Safe Streets Act of
 10 1968, for discretionary grants under the Edward Byrne Me-
 11 morial State and Local Law Enforcement Assistance Pro-
 12 grams, \$50,000,000, which shall be derived from the Violent
 13 Crime Reduction Trust Fund.

14 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND LOCAL
 15 LAW ENFORCEMENT ASSISTANCE

16 For assistance (including amounts for administrative
 17 costs for management and administration, which amounts
 18 shall be transferred to and merged with the "Justice Assist-
 19 ance" account) authorized by the Violent Crime Control and
 20 Law Enforcement Act of 1994, Public Law 103-322 ("the
 21 1994 Act"); the Omnibus Crime Control and Safe Streets
 22 Act of 1968, as amended ("the 1968 Act"); and the Victims
 23 of Child Abuse Act of 1990, as amended ("the 1990 Act"),
 24 \$3,097,100,000, to remain available until expended, which
 25 shall be derived from the Violent Crime Reduction Trust
 26 Fund; of which \$1,690,000,000 shall be for Public Safety

1 *Partnership and Community Policing pursuant to title I*
 2 *of the Violent Crime Control and Law Enforcement Act of*
 3 *1994; \$100,000,000 shall be for drug courts pursuant to title*
 4 *V of the 1994 Act; \$25,000,000 for grants to upgrade crimi-*
 5 *nal records, as authorized by section 106(b) of the Brady*
 6 *Handgun Violence Prevention Act of 1993, as amended, and*
 7 *section 4(b) of the National Child Protection Act of 1993;*
 8 *\$225,000,000 as authorized by section 1001 of title I of the*
 9 *1968 Act, which shall be available to carry out the provi-*
 10 *sions of subpart 1, part E of title I of the 1968 Act, notwith-*
 11 *standing section 511 of said Act, for the Edward Byrne Me-*
 12 *morial State and Local Law Enforcement Assistance Pro-*
 13 *grams; \$300,000,000 for the State Criminal Alien Assist-*
 14 *ance Program, as authorized by section 242(j) of the Immi-*
 15 *gration and Nationality Act, as amended; \$15,000,000 for*
 16 *Youthful Offender Incarceration Grants, as authorized by*
 17 *section 1001(a)(16) of the 1968 Act; \$2,000,000 for the*
 18 *Ounce of Prevention Council pursuant to subtitle A of title*
 19 *III of the Violent Crime Control and Law Enforcement Act*
 20 *(Public Law 103-322); \$726,800,000 for Violent Offender*
 21 *Incarceration and Truth in Sentencing Incentive Grants*
 22 *pursuant to subtitle A of title II of the Violent Crime Con-*
 23 *trol and Law Enforcement Act of 1994 (as amended by sec-*
 24 *tion 114 of this Act); \$1,000,000 for grants to States and*
 25 *units of local government for projects to improve DNA anal-*

1 *ysis, as authorized by section 1001(a)(22) of the 1968 Act;*
 2 *\$9,000,000 for Improved Training and Technical Automa-*
 3 *tion Grants, as authorized by section 210501(c)(1) of the*
 4 *1994 Act; \$1,200,000 for Law Enforcement Family Support*
 5 *Programs, as authorized by section 1001(a)(21) of the 1968*
 6 *Act; \$1,100,000 for Motor Vehicle Theft Prevention Pro-*
 7 *grams, as authorized by section 220002(h) of the 1994 Act;*
 8 *\$1,000,000 for Gang Investigation Coordination and Infor-*
 9 *mation Collection, as authorized by section 150006 of the*
 10 *1994 Act: Provided, That funds made available in fiscal*
 11 *year 1996 under subpart 1 of part E of title I of the Omni-*
 12 *bus Crime Control and Safe Streets Act of 1968, as amend-*
 13 *ed, may be obligated for programs to assist States in the*
 14 *litigation processing of death penalty Federal habeas corpus*
 15 *petitions: Provided further, That any 1995 balances for*
 16 *these programs shall be transferred to and merged with this*
 17 *appropriation: Provided further, That if a unit of local gov-*
 18 *ernment uses any of the funds made available under this*
 19 *title to increase the number of law enforcement officers, the*
 20 *unit of local government will achieve a net gain in the num-*
 21 *ber of law enforcement officers who perform nonadministra-*
 22 *tive public safety service.*

23 **WEED AND SEED PROGRAM FUND**

24 *For necessary expenses, including salaries and related*
 25 *expenses of the Executive Office for Weed and Seed, to im-*
 26 *plement "Weed and Seed" program activities, \$43,500,000,*

1 of which \$43,500,000 shall be derived from discretionary
 2 grants provided under the Edward Byrne Memorial State
 3 and Local Law Enforcement Assistance Programs funded
 4 by the Violent Crime Reduction Trust Fund, to remain
 5 available until expended for intergovernmental agreements,
 6 including grants, cooperative agreements, and contracts,
 7 with State and local law enforcement agencies engaged in
 8 the investigation and prosecution of violent crimes and
 9 drug offenses in "Weed and Seed" designated communities,
 10 and for either reimbursements or transfers to appropriation
 11 accounts of the Department of Justice and other Federal
 12 agencies which shall be specified by the Attorney General
 13 to execute the "Weed and Seed" program strategy: Provided,
 14 That funds designated by Congress through language for
 15 other Department of Justice appropriation accounts for
 16 "Weed and Seed" program activities shall be managed and
 17 executed by the Attorney General through the Executive Of-
 18 fice for Weed and Seed: Provided further, That the Attorney
 19 General may direct the use of other Department of Justice
 20 funds and personnel in support of "Weed and Seed" pro-
 21 gram activities only after the Attorney General notifies the
 22 Committees on Appropriations of the House of Representa-
 23 tives and the Senate in accordance with section 605 of this
 24 Act.

1 JUVENILE JUSTICE PROGRAMS

2 For grants, contracts, cooperative agreements, and
 3 other assistance authorized by the Juvenile Justice and De-
 4 linquency Prevention Act of 1974, as amended, including
 5 salaries and expenses in connection therewith to be trans-
 6 ferred to and merged with the appropriations for Justice
 7 Assistance, \$164,000,000, to remain available until ex-
 8 pended, as authorized by section 299 of part I of title II
 9 and section 506 of title V of the Act, as amended by Public
 10 Law 102-586, of which: (1) \$100,000,000 shall be available
 11 for expenses authorized by parts A, B, and C of title II
 12 of the Act; (2) \$30,000,000 shall be available for expenses
 13 authorized by sections 281 and 282 of part D of title II
 14 of the Act for prevention and treatment programs relating
 15 to juvenile gangs, of which \$20,000,000 shall be derived
 16 from the discretionary grants provided under the Edward
 17 Byrne Memorial State and Local Law Enforcement Assist-
 18 ance Programs funded by the Violent Crime Reduction
 19 Trust Fund; (3) \$10,000,000 shall be available for expenses
 20 authorized by section 285 of part E of title II of the Act;
 21 (4) \$4,000,000 shall be available for expenses authorized by
 22 part G of title II of the Act for juvenile mentoring pro-
 23 grams; and (5) \$20,000,000 shall be available for expenses
 24 authorized by title V of the Act for incentive grants for local
 25 delinquency prevention programs.

1 *In addition, for grants, contracts, cooperative agree-*
 2 *ments, and other assistance authorized by the Victims of*
 3 *Child Abuse Act of 1990, as amended, \$4,500,000, to remain*
 4 *available until expended, as authorized by section 214B, of*
 5 *the Act: Provided, That balances of amounts appropriated*
 6 *prior to fiscal year 1995 under the authorities of this ac-*
 7 *count shall be transferred to and merged with this account.*

8 *PUBLIC SAFETY OFFICERS BENEFITS*

9 *For payments authorized by part L of title I of the*
 10 *Omnibus Crime Control and Safe Streets Act of 1968 (42*
 11 *U.S.C. 3796), as amended, such sums as are necessary, to*
 12 *remain available until expended, as authorized by section*
 13 *6093 of Public Law 100-690 (102 Stat. 4339-4340), and,*
 14 *in addition, \$2,134,000, to remain available until ex-*
 15 *pended, for payments as authorized by section 1201(b) of*
 16 *said Act.*

17 *GENERAL PROVISIONS—DEPARTMENT OF JUSTICE*

18 *SEC. 101. In addition to amounts otherwise made*
 19 *available in this title for official reception and representa-*
 20 *tion expenses, a total of not to exceed \$45,000 from funds*
 21 *appropriated to the Department of Justice in this title shall*
 22 *be available to the Attorney General for official reception*
 23 *and representation expenses in accordance with distribu-*
 24 *tions, procedures, and regulations established by the Attor-*
 25 *ney General.*

1 *SEC. 102. Subject to section 102(b) of the Department*
 2 *of Justice and Related Agencies Appropriations Act, 1993,*
 3 *as amended by section 112 of this Act, authorities contained*
 4 *in Public Law 96-132, "The Department of Justice Appro-*
 5 *priation Authorization Act, Fiscal Year 1980," shall re-*
 6 *main in effect until the termination date of this Act or until*
 7 *the effective date of a Department of Justice Appropriation*
 8 *Authorization Act, whichever is earlier.*

9 *SEC. 103. None of the funds appropriated by this title*
 10 *shall be available to pay for an abortion, except where the*
 11 *life of the mother would be endangered if the fetus were car-*
 12 *ried to term, or in the case of rape: Provided, That should*
 13 *this prohibition be declared unconstitutional by a court of*
 14 *competent jurisdiction, this section shall be null and void.*

15 *SEC. 104. None of the funds appropriated under this*
 16 *title shall be used to require any person to perform, or fa-*
 17 *cilitate in any way the performance of, any abortion.*

18 *SEC. 105. Nothing in the preceding section shall re-*
 19 *move the obligation of the Director of the Bureau of Prisons*
 20 *to provide escort services necessary for a female inmate to*
 21 *receive such service outside the Federal facility: Provided,*
 22 *That nothing in this section in any way diminishes the*
 23 *effect of section 104 intended to address the philosophical*
 24 *beliefs of individual employees of the Bureau of Prisons.*

1 *SEC. 106. Notwithstanding any other provision of law,*
 2 *not to exceed \$10,000,000 of the funds made available in*
 3 *the Act may be used to pay rewards and shall not be subject*
 4 *to spending limitations contained in sections 3059 and*
 5 *3072 of title 18, United States Code: Provided, That any*
 6 *reward of \$100,000 or more, up to a maximum of*
 7 *\$2,000,000, may not be made without the personal approval*
 8 *of the President or the Attorney General and such approval*
 9 *may not be delegated.*

10 *SEC. 107. Not to exceed 5 percent of any appropriation*
 11 *made available for the current fiscal year for the Depart-*
 12 *ment of Justice in this Act, including those derived from*
 13 *the Violent Crime Reduction Trust Fund, may be trans-*
 14 *ferred between such appropriations, but no such appropria-*
 15 *tion, except as otherwise specifically provided, shall be in-*
 16 *creased by more than 10 percent by any such transfers: Pro-*
 17 *vided, That any transfer pursuant to this section shall be*
 18 *treated as a reprogramming of funds under section 605 of*
 19 *this Act and shall not be available for obligation or expendi-*
 20 *ture except in compliance with the procedures set forth in*
 21 *that section.*

22 *SEC. 108. For fiscal year 1996 and each fiscal year*
 23 *thereafter, amounts in the Federal Prison System's Com-*
 24 *missary Fund, Federal Prisons, which are not currently*
 25 *needed for operations, shall be kept on deposit or invested*

1 *in obligations of, or guaranteed by, the United States and*
 2 *all earnings on such investments shall be deposited in the*
 3 *Commissary Fund.*

4 *SEC. 109. Section 524(c)(9) of title 28, United States*
 5 *Code, is amended by adding subparagraph (E), as follows:*

6 “(E) Subject to the notification procedures contained
 7 in section 605 of Public Law 103-121, and after satisfying
 8 the transfer requirement in subparagraph (B) of this para-
 9 graph, any excess unobligated balance remaining in the
 10 Fund on September 30, 1995 shall be available to the Attor-
 11 ney General, without fiscal year limitation, for any Federal
 12 law enforcement, litigative/prosecutive, and correctional ac-
 13 tivities, or any other authorized purpose of the Department
 14 of Justice. Any amounts provided pursuant to this subpara-
 15 graph may be used under authorities available to the orga-
 16 nization receiving the funds.”

17 *SEC. 110. Hereafter, notwithstanding any other provi-*
 18 *sion of law—*

19 (1) *no transfers may be made from Department*
 20 *of Justice accounts other than those authorized in this*
 21 *Act, or in previous or subsequent appropriations Acts*
 22 *for the Department of Justice, or in part II of title*
 23 *28 of the United States Code, or in section 10601 of*
 24 *title 42 of the United States Code; and*

1 (2) no appropriation account within the Depart-
 2 ment of Justice shall have its allocation of funds con-
 3 trolled by other than an apportionment issued by the
 4 Office of Management and Budget or an allotment
 5 advice issued by the Department of Justice.

6 SEC. 111. (a) Section 1930(a)(6) of title 28, United
 7 States Code, is amended by striking "a plan is confirmed
 8 or".

9 (b) Section 589a(b)(5) of such title is amended by
 10 striking ";" and inserting, "until a reorganization plan is
 11 confirmed;"

12 (c) Section 589a(f) of such title is amended—

13 (1) in paragraph (2) by striking "." and insert-
 14 ing, "until a reorganization plan is confirmed;"; and

15 (2) by inserting after paragraph (2) the follow-
 16 ing new paragraph:

17 "(3) 100 percent of the fees collected under sec-
 18 tion 1930(a)(6) of this title after a reorganization
 19 plan is confirmed."

20 SEC. 112. Public Law 102-395, section 102 is amend-
 21 ed as follows: (1) in subsection (b)(1) strike "years 1993,
 22 1994, and 1995" and insert "year 1996"; (2) in subsection
 23 (b)(1)(C) strike "years 1993, 1994, and 1995" and insert
 24 "year 1996"; and (3) in subsection (b)(5)(A) strike "years
 25 1993, 1994, and 1995" and insert "year 1996".

1 SEC. 113. Public Law 101-515 (104 Stat. 2112; 28
 2 U.S.C. 534 note) is amended by inserting "and criminal
 3 justice information" after "for the automation of finger-
 4 print identification".

5 **SEC. 114. VIOLENT OFFENDER INCARCERATION AND TRUTH**
 6 **IN SENTENCING GRANTS.**

7 Subtitle A of title II of the Violent Crime Control and
 8 Law Enforcement Act of 1994 is amended to read as follows:

9 **"Subtitle A—Violent Offender In-**
 10 **carceration and Truth in Sen-**
 11 **tencing Incentive Grants**

12 **"SEC. 20101. GRANTS FOR CORRECTIONAL FACILITIES.**

13 "(a) GRANT AUTHORIZATION.—The Attorney General
 14 may make grants to individual States and to States orga-
 15 nized as multi-State compacts to construct, develop, expand,
 16 modify, operate, or improve correctional facilities, includ-
 17 ing prisons and jails, or boot camp facilities and other low
 18 cost correctional facilities for nonviolent offenders that can
 19 free conventional prison space for the confinement of violent
 20 offenders, to ensure that prison cell space is available for
 21 the confinement of violent offenders and to implement truth
 22 in sentencing laws for sentencing violent offenders.

23 "(b) ELIGIBILITY.—To be eligible to receive a grant
 24 under this subtitle, a State or States organized as multi-



1 State compacts shall submit an application to the Attorney
2 General that includes—

3 “(1)(A) except as provided in subparagraph (B),
4 assurances that the State or States, have imple-
5 mented, or will implement, correctional policies and
6 programs, including truth in sentencing laws that en-
7 sure that violent offenders serve a substantial portion
8 of the sentences imposed, that are designed to provide
9 sufficiently severe punishment for violent offenders,
10 including violent juvenile offenders, and that the pris-
11 on time served is appropriately related to the deter-
12 mination that the inmate is a violent offender and for
13 a period of time deemed necessary to protect the pub-
14 lic;

15 “(B) in the case of a State that on the date of
16 enactment of the Department of Justice Appropria-
17 tions Act, 1996 practices indeterminant sentencing, a
18 demonstration that average times served for the of-
19 fenses of murder, rape, robbery, and assault in the
20 State exceed by at least 10 percent the national aver-
21 age of time served for such offenses in all of the
22 States;

23 “(2) assurances that the State or States have im-
24 plemented policies that provide for the recognition of
25 the rights and needs of crime victims;

1 “(3) assurances that funds received under this
2 section will be used to construct, develop, expand,
3 modify, operate, or improve conventional correctional
4 facilities;

5 “(4) assurances that the State or States have in-
6 volved counties and other units of local government,
7 when appropriate, in the construction, development,
8 expansion, modification, operation, or improvement
9 of correctional facilities designed to ensure the incar-
10 ceration of violent offenders, and that the State or
11 States will share funds received under this section
12 with counties and other units of local government,
13 taking into account the burden placed on the units of
14 local government when they are required to confine
15 sentenced prisoners because of overcrowding in State
16 prison facilities;

17 “(5) assurances that funds received under this
18 section will be used to supplement, not supplant,
19 other Federal, State, and local funds;

20 “(6) assurances that the State or States have im-
21 plemented, or will implement not later than 18
22 months after the date of enactment of the Department
23 of Justice Appropriations Act, 1996, policies to deter-
24 mine the veteran status of inmates and to ensure that

1 *incarcerated veterans receive the veterans benefits to*
 2 *which they are entitled; and*

3 *“(7) if applicable, documentation of the multi-*
 4 *State compact agreement that specifies the construc-*
 5 *tion, development, expansion, modification, operation,*
 6 *or improvement of correctional facilities.*

7 **“SEC. 20102. TRUTH IN SENTENCING INCENTIVE GRANTS.**

8 *“(a) TRUTH IN SENTENCING GRANT PROGRAM.—Fifty*
 9 *percent of the total amount of funds appropriated to carry*
 10 *out this subtitle for each of fiscal years 1996, 1997, 1998,*
 11 *1999, and 2000 shall be made available for truth in sentenc-*
 12 *ing incentive grants. To be eligible to receive such a grant,*
 13 *a State must meet the requirements of section 20101(b) and*
 14 *shall demonstrate that the State—*

15 *“(1) has in effect laws that require that persons*
 16 *convicted of violent crimes serve not less than 85 per-*
 17 *cent of the sentence imposed;*

18 *“(2) since 1993—*

19 *“(A) has increased the percentage of con-*
 20 *vinced violent offenders sentenced to prison;*

21 *“(B) has increased the average prison time*
 22 *that will be served in prison by convicted violent*
 23 *offenders sentenced to prison; and*

24 *“(C) has in effect at the time of application*
 25 *laws requiring that a person who is convicted of*

1 *a violent crime shall serve not less than 85 per-*
 2 *cent of the sentence imposed if—*

3 *“(i) the person has been convicted on 1*
 4 *or more prior occasions in a court of the*
 5 *United States or of a State of a violent*
 6 *crime or a serious drug offense; and*

7 *“(ii) each violent crime or serious drug*
 8 *offense was committed after the defendant’s*
 9 *conviction of the preceding violent crime or*
 10 *serious drug offense; or*

11 *“(3) in the case of a State that on the date of*
 12 *enactment of the Department of Justice Appropria-*
 13 *tions Act, 1996 practices indeterminant sentencing, a*
 14 *demonstration that average times served for the of-*
 15 *fenses of murder, rape, robbery, and assault in the*
 16 *State exceed by at least 10 percent the national aver-*
 17 *age of time served for such offenses in all of the*
 18 *States.*

19 **“(b) ALLOCATION OF TRUTH IN SENTENCING INCEN-**
 20 **TIVE FUNDS.—***The amount available to carry out this sec-*
 21 *tion for any fiscal year shall be allocated to each eligible*
 22 *State in the ratio that the number of part 1 violent crimes*
 23 *reported by such State to the Federal Bureau of Investiga-*
 24 *tion for the previous year bears to the number of part 1*

1 *violent crimes reported by all States to the Federal Bureau*
2 *of Investigation for the previous year.*

3 **“SEC. 20103. VIOLENT OFFENDER INCARCERATION GRANTS.**

4 **“(a) VIOLENT OFFENDER INCARCERATION GRANT**
5 **PROGRAM.—***Fifty percent of the total amount of funds ap-*
6 *propriated to carry out this subtitle for each of fiscal years*
7 *1996, 1997, 1998, 1999, and 2000 shall be made available*
8 *for violent offender incarceration grants. To be eligible to*
9 *receive such a grant, a State or States must meet the re-*
10 *quirements of section 20101(b).*

11 **“(b) ALLOCATION OF VIOLENT OFFENDER INCARCER-**
12 **ATION FUNDS.—***Funds made available to carry out this sec-*
13 *tion shall be allocated as follows:*

14 **“(1) 0.6 percent shall be allocated to each eligible**
15 *State, except that the United States Virgin Islands,*
16 *American Samoa, Guam, and the Northern Mariana*
17 *Islands each shall be allocated 0.05 percent.*

18 **“(2) The amount remaining after application of**
19 *paragraph (1) shall be allocated to each eligible State*
20 *in the ratio that the number of part 1 violent crimes*
21 *reported by such State to the Federal Bureau of In-*
22 *vestigation for the previous year bears to the number*
23 *of part 1 violent crimes reported by all States to the*
24 *Federal Bureau of Investigation for the previous year.*

1 **“SEC. 20104. RULES AND REGULATIONS.**

2 **“(a) IN GENERAL.—***Not later than 90 days after the*
3 *date of enactment of the Department of Justice Appropria-*
4 *tions Act, 1996, the Attorney General shall issue rules and*
5 *regulations regarding the uses of grant funds received under*
6 *this subtitle.*

7 **“(b) BEST AVAILABLE DATA.—***If data regarding part*
8 *1 violent crimes in any State for the previous year is un-*
9 *available or substantially inaccurate, the Attorney General*
10 *shall utilize the best available comparable data regarding*
11 *the number of violent crimes for the previous year for the*
12 *State for the purposes of allocation of funds under this sub-*
13 *title.*

14 **“SEC. 20105. DEFINITIONS.**

15 **“In this subtitle—**

16 **“(1) the term ‘part 1 violent crimes’ means mur-**
17 *der and non-negligent manslaughter, forcible rape,*
18 *robbery, and aggravated assault as reported to the*
19 *Federal Bureau of Investigation for purposes of the*
20 *Uniform Crime Reports;*

21 **“(2) the term ‘State’ or ‘States’ means a State,**
22 *the District of Columbia, the Commonwealth of Puer-*
23 *to Rico, the United States Virgin Islands, American*
24 *Samoa, Guam, and the Northern Mariana Islands;*
25 *and*

1 “(3) the term ‘indeterminate sentencing’ means a
2 system by which the court has discretion in imposing
3 the actual length of the sentence, up to the statutory
4 maximum, and an administrative agency, or the
5 court, controls release between court-ordered mini-
6 mum and maximum sentence.”.

7 **“SEC. 20106. AUTHORIZATION OF APPROPRIATIONS.**

8 “*There are authorized to be appropriated to carry out*
9 *this subtitle—*

10 “(1) \$1,000,000,000 for fiscal year 1996;

11 “(2) \$1,150,000,000 for fiscal year 1997;

12 “(3) \$2,100,000,000 for fiscal year 1998;

13 “(4) \$2,200,000,000 for fiscal year 1999; and

14 “(5) \$2,270,000,000 for fiscal year 2000.”.

15 **SEC. 115.** *Notwithstanding provisions of 41 U.S.C.*
16 *353 or any other provision of law, the Federal Prison Sys-*
17 *tem may enter into contracts and other agreements with*
18 *private entities for the confinement of Federal prisoners for*
19 *a period not to exceed 3 years and 7 additional option*
20 *years.*

21 **SEC. 116.** *Public Law 101-246 (104 Stat. 42) is*
22 *amended by inserting “or Federal Bureau of Investigation”*
23 *after “Drug Enforcement Administration”.*

24 **SEC. 117.** (a) *Except as provided in subsection (b), the*
25 *restrictions on the commercial sale of goods and services*

1 *produced or provided by the Federal Prison Industries pro-*
2 *vided in section 1761 of title 18, United States Code, and*
3 *any other provision of law shall not apply.*

4 (b) *Goods or services may not be sold commercially*
5 *pursuant to subsection (a) unless the President certifies that*
6 *the sale of such goods or services will not result in the loss*
7 *of jobs in the private sector or adversely effect the sale of*
8 *private sector goods or services sold on a local or regional*
9 *basis.*

10 (c) *This section shall not be construed as authorizing*
11 *the appropriations of any additional appropriations.*

12 **SEC. 118. PROVISION RELATING TO VOTER REGISTRA-**
13 **TION.—**(a) *IN GENERAL.—Subsection (b) of section 4 of the*
14 *National Voter Registration Act of 1993 (42 U.S.C. 1973gg-*
15 *2(b)) is amended by striking “March 11, 1993” each place*
16 *it appears and inserting “August 1, 1994”.*

17 (b) **EFFECTIVE DATE.**—*The amendments made by sub-*
18 *section (a) shall take effect as if included in the provisions*
19 *of the National Voter Registration Act of 1993.*

20 **SEC. 119. (a) STATE COMPATIBILITY WITH FEDERAL**
21 **BUREAU OF INVESTIGATION SYSTEMS.—**(1) *The Attorney*
22 *General shall make funds available to the chief executive*
23 *officer of each State to carry out the activities described*
24 *in paragraph (2).*

1 (2) *USES.*—*The executive officer of each State shall use*
 2 *the funds made available under this subsection in conjunc-*
 3 *tion with units of local government, other States, or com-*
 4 *binations thereof, to carry out all or part of a program to*
 5 *establish, develop, update, or upgrade—*

6 (A) *computerized identification systems that are*
 7 *compatible and integrated with the databases of the*
 8 *National Crime Information Center of the Federal*
 9 *Bureau of Investigation;*

10 (B) *ballistics identification programs that are*
 11 *compatible and integrated with the Drugfire Program*
 12 *of the Federal Bureau of Investigation;*

13 (C) *the capability to analyze deoxyribonucleic*
 14 *acid (DNA) in a forensic laboratory in ways that are*
 15 *compatible and integrated with the combined DNA*
 16 *Identification System (CODIS) of the Federal Bureau*
 17 *of Investigation; and*

18 (D) *automated fingerprint identification systems*
 19 *that are compatible and integrated with the Inte-*
 20 *grated Automated Fingerprint Identification System*
 21 *(IAFIS) of the Federal Bureau of Investigation.*

22 (b) *ELIGIBILITY.*—*To be eligible to receive a grant*
 23 *under this section, a State shall require that each person*
 24 *convicted of a felony of a sexual nature shall provide a sam-*
 25 *ple of blood, saliva, or other specimen necessary to conduct*

1 *a DNA analysis consistent with the standards established*
 2 *for DNA testing by the Director of the Federal Bureau of*
 3 *Investigation.*

4 (c) *INTERSTATE COMPACTS.*—*A State may enter into*
 5 *a compact or compacts with another State or States to*
 6 *carry out this section.*

7 (d) *ALLOCATION.*—*The Attorney General shall allocate*
 8 *the funds appropriated under subsection (e) to each State*
 9 *based on the following formula:*

10 (1) *.25 percent shall be allocated to each of the*
 11 *participating States.*

12 (2) *Of the total funds remaining after the alloca-*
 13 *tion under paragraph (1), each State shall be allo-*
 14 *cated an amount that bears the same ratio to the*
 15 *amount of such funds as the population of such State*
 16 *bears to the population of all States.*

17 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 18 *hereby appropriated to carry out this section \$60,000,000*
 19 *for fiscal year 1996.*

20 **SEC. 120. EVALUATION OF CRIME PREVENTION PROGRAMS**
 21 **AND DEVELOPMENT OF NATIONAL CRIME**
 22 **PREVENTION RESEARCH AND EVALUATION**
 23 **STRATEGY**

24 (a) *EVALUATION OF CRIME PREVENTION PRO-*
 25 *GRAMS.*—*The Attorney General shall provide, directly or*

1 through grants and contracts, for the comprehensive and
 2 thorough evaluation of the effectiveness of the following pro-
 3 grams funded by this title:

4 (1) *The Local Crime Prevention Block Grant*
 5 *program under subtitle B of title III of the Violent*
 6 *Crime Control and Law Enforcement Act of 1994.*

7 (2) *The Weed and Seed Program.*

8 (3) *The Youth Gangs Program under part D of*
 9 *title II of the Juvenile Justice and Delinquency Pre-*
 10 *vention Act of 1974.*

11 (b) *NATIONAL CRIME PREVENTION RESEARCH AND*
 12 *EVALUATION STRATEGY.—*

13 (1) *STRATEGY.—Not later than 9 months after*
 14 *the date of enactment of this Act, the Attorney Gen-*
 15 *eral shall formulate and publish a unified national*
 16 *crime prevention research and evaluation strategy*
 17 *that will result in timely reports to Congress and to*
 18 *State and local governments regarding the impact*
 19 *and effectiveness of the crime and violence prevention*
 20 *initiatives described in subsection (a).*

21 (2) *STUDIES.—Consistent with the strategy de-*
 22 *veloped pursuant to paragraph (1), the Attorney Gen-*
 23 *eral may use crime prevention research and evalua-*
 24 *tion funds reserved under subsection (e) to conduct*
 25 *studies and demonstrations regarding the effectiveness*

1 of crime prevention programs and strategies that are
 2 designed to achieve the same purposes as the pro-
 3 grams under this section, without regard to whether
 4 such programs receive Federal funding.

5 (c) *EVALUATION AND RESEARCH CRITERIA.—*

6 (1) *INDEPENDENT EVALUATIONS AND RE-*
 7 *SEARCH.—Evaluations and research studies con-*
 8 *ducted pursuant to this section shall be independent*
 9 *in nature, and shall employ rigorous and scientif-*
 10 *ically recognized standards and methodologies.*

11 (2) *CONTENT OF EVALUATIONS.—Evaluations*
 12 *conducted pursuant to this section shall include meas-*
 13 *ures of—*

14 (A) *reductions in delinquency, juvenile*
 15 *crime, youth gang activity, youth substance*
 16 *abuse, and other high risk-factors;*

17 (B) *reductions in risk factors in young peo-*
 18 *ple that contribute to juvenile violence, including*
 19 *academic failure, excessive school absenteeism,*
 20 *and dropping out of school;*

21 (C) *reductions in risk factors in the commu-*
 22 *nity, schools, and family environments that con-*
 23 *tribute to juvenile violence; and*