

1 (7) adding at the end the following:

2 “(f) DEFINITIONS.—For purposes of this rule—

3 “(1) ‘victim’ means any individual against
4 whom an offense has been committed for which a
5 sentence is to be imposed, but the right of allocution
6 under subdivision (c)(3)(E) may be exercised instead
7 by—

8 “(A) a parent or legal guardian if the vic-
9 tim is below the age of eighteen years or incom-
10 petent; or

11 “(B) one or more family members or rel-
12 atives designated by the court if the victim is
13 deceased or incapacitated;

14 if such person or persons are present at the sentenc-
15 ing hearing, regardless of whether the victim is
16 present; and

17 “(2) ‘crime of violence or sexual abuse’ means
18 a crime that involved the use or attempted or threat-
19 ened use of physical force against the person or
20 property of another, or a crime under chapter 109A
21 of title 18, United States Code.”

22 (c) EFFECTIVE DATE.—The amendments made by
23 subsection (b) shall become effective on December 1,
24 1994.

1 **SEC. 230102. SENSE OF THE SENATE CONCERNING THE**
2 **RIGHT OF A VICTIM OF A VIOLENT CRIME OR**
3 **SEXUAL ABUSE TO SPEAK AT AN OFFENDER'S**
4 **SENTENCING HEARING AND ANY PAROLE**
5 **HEARING.**

6 It is the sense of the Senate that—

7 (1) the law of a State should provide for a vic-
8 tim's right of allocution at a sentencing hearing and
9 at any parole hearing if the offender has been con-
10 victed of a crime of violence or sexual abuse;

11 (2) such a victim should have an opportunity
12 equivalent to the opportunity accorded to the of-
13 fender to address the sentencing court or parole
14 board and to present information in relation to the
15 sentence imposed or to the early release of the of-
16 fender; and

17 (3) if the victim is not able to or chooses not
18 to testify at a sentencing hearing or parole hearing,
19 the victim's parents, legal guardian, or family mem-
20 bers should have the right to address the court or
21 board.

22 **Subtitle B—Crime Victims' Fund**

23 **SEC. 230201. ALLOCATION OF FUNDS FOR COSTS AND**
24 **GRANTS.**

25 (a) **GENERALLY.**—Section 1402(d) of the Victims of
26 Crime Act of 1984 (42 U.S.C. 10601(d)) is amended by—

1 (1) striking paragraph (2) and inserting the
2 following:

3 “(2) the next \$10,000,000 deposited in the
4 Fund shall be available for grants under section
5 1404A.”;

6 (2) striking paragraph (3) and inserting the
7 following:

8 “(3) Of the remaining amount deposited in the
9 Fund in a particular fiscal year—

10 “(A) 48.5 percent shall be available for
11 grants under section 1403;

12 “(B) 48.5 percent shall be available for
13 grants under section 1404(a); and

14 “(C) 3 percent shall be available for grants
15 under section 1404(c).”;

16 (3) striking paragraph (4) and inserting the
17 following:

18 “(4) The Director may retain any portion of
19 the Fund that was deposited during a fiscal year
20 that is in excess of 110 percent of the total amount
21 deposited in the Fund during the preceding fiscal
22 year as a reserve for use in a year in which the
23 Fund falls below the amount available in the pre-
24 vious year. Such reserve may not exceed
25 \$20,000,000.”; and

1 (4) striking paragraph (5).

2 (b) CONFORMING CROSS REFERENCE.—Section
3 1402(g)(1) of the Victims of Crime Act of 1984 (42
4 U.S.C. 10601(g)(1)) is amended by striking “(d)(2)(D)”
5 and inserting “(d)(2)”.

6 (c) AMOUNTS AWARDED AND UNSPENT.—Section
7 1402(e) of the Victims of Crime Act of 1984 (42 U.S.C.
8 10601(e)) is amended to read as follows:

9 “(e) AMOUNTS AWARDED AND UNSPENT.—Any
10 sums awarded as part of a grant under this chapter that
11 remain unspent at the end of a fiscal year in which such
12 grant is made may be expended for the purposes for which
13 such grant is made at any time during the next succeeding
14 2 fiscal years, at the end of which year any remaining
15 unobligated funds shall be returned to the Fund.”.

16 **SEC. 230202. RELATIONSHIP OF CRIME VICTIM COMPENSA-**
17 **TION TO CERTAIN FEDERAL PROGRAMS.**

18 Section 1403 of the Victims of Crime Act of 1984
19 (42 U.S.C. 10602) is amended by adding at the end the
20 following new subsection:

21 “(e) Notwithstanding any other law, if the compensa-
22 tion paid by an eligible crime victim compensation pro-
23 gram would cover costs that a Federal program, or a fed-
24 erally financed State or local program, would otherwise
25 pay,—

1 “(1) such crime victim compensation program
2 shall not pay that compensation; and

3 “(2) the other program shall make its payments
4 without regard to the existence of the crime victim
5 compensation program.”.

6 **SEC. 230203. ADMINISTRATIVE COSTS FOR CRIME VICTIM**
7 **COMPENSATION.**

8 (a) **CREATION OF EXCEPTION.**—The final sentence
9 of section 1403(a)(1) of the Victims of Crime Act of 1984
10 (42 U.S.C. 10602(a)(1)) is amended by striking “A
11 grant” and inserting “Except as provided in paragraph
12 (3), a grant”.

13 (b) **REQUIREMENTS OF EXCEPTION.**—Section
14 1403(a) of the Victims of Crime Act of 1984 (42 U.S.C.
15 10602(a)) is amended by adding at the end the following
16 new paragraph:

17 “(3) Not more than 5 percent of a grant made under
18 this section may be used for the administration of the
19 State crime victim compensation program receiving the
20 grant.”.

21 **SEC. 230204. GRANTS FOR DEMONSTRATION PROJECTS.**

22 Section 1404(c)(1)(A) of the Victims of Crime Act
23 of 1984 (42 U.S.C. 10603(c)(1)(A)) is amended by insert-
24 ing “demonstration projects and” before “training”.

1 **SEC. 230205. ADMINISTRATIVE COSTS FOR CRIME VICTIM**
2 **ASSISTANCE.**

3 (a) **CREATION OF EXCEPTION.**—Section 1404(b)(2)
4 of the Victims of Crime Act of 1984 (42 U.S.C.
5 10603(b)(2)) is amended by striking “An eligible” and in-
6 serting “Except as provided in paragraph (3), an eligible”.

7 (b) **REQUIREMENTS OF EXCEPTION.**—Section
8 1404(b) of the Victims of Crime Act of 1984 (42 U.S.C.
9 10603(b)) is amended by adding at the end the following
10 new subsection:

11 “(3) Not more than 5 percent of sums received under
12 subsection (a) may be used for the administration of the
13 State crime victim assistance program receiving such
14 sums.”.

15 **SEC. 230206. MAINTENANCE OF EFFORT.**

16 Section 1407 of the Victims of Crime Act of 1984
17 (42 U.S.C. 10604) is amended by adding at the end the
18 following new subsection:

19 “(h) Each entity receiving sums made available under
20 this Act for administrative purposes shall certify that such
21 sums will not be used to supplant State or local funds,
22 but will be used to increase the amount of such funds that
23 would, in the absence of Federal funds, be made available
24 for these purposes.”.

1 **SEC. 230207. CHANGE OF DUE DATE FOR REQUIRED RE-**
2 **PORT.**

3 Section 1407(g) of the Victims of Crime Act of 1984
4 (42 U.S.C. 10604(g)) is amended by striking "and on De-
5 cember 31 every two years thereafter", and inserting "and
6 on June 30 every two years thereafter".

7 **SEC. 230208. AMENDMENT OF THE VICTIMS OF CRIME ACT.**

8 Section 1404(a)(5)(B) of the Victims of Crime Act
9 of 1984 (42 U.S.C. 10603(a)(5)(B)) is amended to read
10 as follows:

11 "(B) \$200,000 thereafter."

12 **TITLE XXIV—PROTECTIONS FOR**
13 **THE ELDERLY**

14 **SEC. 240001. MISSING ALZHEIMER'S DISEASE PATIENT**
15 **ALERT PROGRAM.**

16 (a) **GRANT.**—The Attorney General shall, subject to
17 the availability of appropriations, award a grant to an eli-
18 gible organization to assist the organization in paying for
19 the costs of planning, designing, establishing, and operat-
20 ing a Missing Alzheimer's Disease Patient Alert Program,
21 which shall be a locally based, proactive program to pro-
22 tect and locate missing patients with Alzheimer's disease
23 and related dementias.

24 (b) **APPLICATION.**—To be eligible to receive a grant
25 under subsection (a), an organization shall submit an ap-
26 plication to the Attorney General at such time, in such

1 manner, and containing such information as the Attorney
 2 General may require, including, at a minimum, an assur-
 3 ance that the organization will obtain and use assistance
 4 from private nonprofit organizations to support the pro-
 5 gram.

6 (c) ELIGIBLE ORGANIZATION.—The Attorney Gen-
 7 eral shall award the grant described in subsection (a) to
 8 a national voluntary organization that has a direct link
 9 to patients, and families of patients, with Alzheimer’s dis-
 10 ease and related dementias.

11 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 12 are authorized to be appropriated to carry out this
 13 section—

14 (1) \$ _____ for fiscal
 15 year 1995;

16 (2) \$ _____ for fiscal
 17 year 1996;

18 (3) \$ _____ for fiscal
 19 year 1997;

20 (4) \$ _____ for fiscal
 21 year 1998;

22 (5) \$ _____ for fiscal
 23 year 1999; and

24 (6) \$ _____ for fiscal
 25 year 2000.

1 **SEC. 240002. CRIMES AGAINST THE ELDERLY.**

2 (a) **IN GENERAL.**—Pursuant to its authority under
3 the Sentencing Reform Act of 1984 and section 21 of the
4 Sentencing Act of 1987 (including its authority to amend
5 the sentencing guidelines and policy statements) and its
6 authority to make such amendments on an emergency
7 basis, the United States Sentencing Commission shall en-
8 sure that the applicable guideline range for a defendant
9 convicted of a crime of violence against an elderly victim
10 is sufficiently stringent to deter such a crime, to protect
11 the public from additional crimes of such a defendant, and
12 to adequately reflect the heinous nature of such an of-
13 fense.

14 (b) **CRITERIA.**—In carrying out subsection (a), the
15 United States Sentencing Commission shall ensure that—

16 (1) the guidelines provide for increasingly se-
17 vere punishment for a defendant commensurate with
18 the degree of physical harm caused to the elderly
19 victim;

20 (2) the guidelines take appropriate account of
21 the vulnerability of the victim; and

22 (3) the guidelines provide enhanced punishment
23 for a defendant convicted of a crime of violence
24 against an elderly victim who has previously been
25 convicted of a crime of violence against an elderly

1 victim, regardless of whether the conviction occurred
2 in Federal or State court.

3 (c) DEFINITIONS.—In this section—

4 “crime of violence” means an offense under sec-
5 tion 113, 114, 1111, 1112, 1113, 1117, 2241, 2242,
6 or 2244 of title 18, United States Code.

7 “elderly victim” means a victim who is 65 years
8 of age or older at the time of an offense.

9 **SEC. 240003. SAFE SENIOR CORRIDORS GRANTS.**

10 (a) GENERAL AUTHORITY.—The Attorney General
11 may make grants to States, units of local governments,
12 Indian tribal governments, and other public agencies to
13 support pilot projects for controlling crime and ensuring
14 public safety in areas that have a high population density
15 of senior citizens or related special needs.

16 (b) PURPOSE OF GRANTS.—A pilot project grant
17 under subsection (a) shall have the explicit purpose of pro-
18 viding senior citizens with enhanced protections from
19 crime, particularly violent predatory crime, in geographic
20 areas where their population densities or their activities
21 make senior citizens particularly vulnerable.

22 (c) APPLICATIONS.—

23 (1) IN GENERAL.—The Attorney General shall
24 prescribe requirements for the manner of filing and
25 content of applications for funding under this part.

1 (2) CONTENTS.—An application under this sec-
2 tion shall, at a minimum—

3 (A) demonstrate innovative plans aimed at
4 establishing corridors of safety for senior citi-
5 zens by increasing the numbers, presence, and
6 watchfulness of law enforcement officers, com-
7 munity groups, and business owners and em-
8 ployees; and

9 (B) demonstrate the use of broad and di-
10 verse community-based volunteer efforts.

11 (d) REGULATIONS.—The Attorney General may pro-
12 mulgate any necessary regulations, definitions, and guide-
13 lines to govern the program authorized by this section.

14 (e) USE OF FUNDS.—The use of grant funds award-
15 ed under this section shall be governed by this section,
16 under such regulations and guidelines as may be issued
17 by the Attorney General.

18 (f) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated to carry out this
20 section—

21 (1) \$ _____ for fiscal
22 year 1995;

23 (2) \$ _____ for fiscal
24 year 1996;

101

1 (3) \$ _____ for fiscal
 2 year 1997;
 3 (4) \$ _____ for fiscal
 4 year 1998;
 5 (5) \$ _____ for fiscal
 6 year 1999; and
 7 (6) \$ _____ for fiscal
 8 year 2000,
 9 to remain available until expended.

10 **TITLE XXV—SENIOR CITIZENS**
 11 **AGAINST MARKETING SCAMS**

12 **SEC. 250001. SHORT TITLE.**

13 This Act may be cited as the “Senior Citizens
 14 Against Marketing Scams Act of 1994”.

15 **SEC. 250002. ENHANCED PENALTIES FOR TELEMARKETING**
 16 **FRAUD.**

17 (a) OFFENSE.—Part I of title 18, United States
 18 Code, is amended—

19 (1) by redesignating chapter 113A as chapter
 20 113B; and

21 (2) by inserting after chapter 113 the following
 22 new chapter:

23 **“CHAPTER 113A—TELEMARKETING FRAUD**

“Sec.

“2325. Definition.

“2326. Enhanced penalties.

“2327. Mandatory restitution.

1 **“§ 2325. Definition**

2 “In this chapter, ‘telemarketing’—

3 “(1) means a plan, program, promotion, or
4 campaign that is conducted to induce—

5 “(A) purchases of goods or services; or

6 “(B) participation in a contest or sweep-
7 stakes,8 by use of 1 or more interstate telephone calls initi-
9 ated either by a person who is conducting the plan,
10 program, promotion, or campaign or by a prospec-
11 tive purchaser or contest or sweepstakes participant;
12 but13 “(2) does not include the solicitation of sales
14 through the mailing of a catalog that—15 “(A) contains a written description or il-
16 lustration of the goods or services offered for
17 sale;18 “(B) includes the business address of the
19 seller;20 “(C) includes multiple pages of written
21 material or illustration; and22 “(D) has been issued not less frequently
23 than once a year,24 if the person making the solicitation does not solicit
25 customers by telephone but only receives calls initi-
26 ated by customers in response to the catalog and

1 during those calls take orders without further solici-
2 tation.

3 **“§ 2326. Enhanced penalties**

4 “A person that is convicted of an offense under sec-
5 tion 1028, 1029, 1341, 1342, 1343, or 1344 in connection
6 with the conduct of telemarketing—

7 “(1) may be imprisoned for a term of up to 5
8 years in addition to any term of imprisonment im-
9 posed under any of those sections, respectively; and

10 “(2) in the case of an offense under any of
11 those sections that—

12 “(A) victimized ten or more persons over
13 the age of 55; or

14 “(B) targeted persons over the age of 55,
15 may be imprisoned for a term of up to 10 years in
16 addition to any term of imprisonment imposed under
17 any of those sections, respectively.

18 **“§ 2327. Mandatory restitution**

19 “(a) IN GENERAL.—Notwithstanding section 3663,
20 and in addition to any other civil or criminal penalty au-
21 thorized by law, the court shall order restitution for any
22 offense under this chapter.

23 “(b) SCOPE AND NATURE OF ORDER.—

24 “(1) DIRECTIONS.—The order of restitution
25 under this section shall direct that—

1 “(A) the defendant pay to the victim
2 (through the appropriate court mechanism) the
3 full amount of the victim’s losses as determined
4 by the court, pursuant to paragraph ²~~2~~³; and

5 “(B) the United States Attorney enforce
6 the restitution order by all available and reason-
7 able means.

8 “(2) ENFORCEMENT BY VICTIM.—An order of
9 restitution may be enforced by a victim named in the
10 order to receive the restitution as well as by the
11 United States Attorney, in the same manner as a
12 judgment in a civil action.

13 “(3) DEFINITION.—For purposes of this sub-
14 section, the term ‘full amount of the victim’s losses’
15 means all losses suffered by the victim as a proxi-
16 mate result of the offense.

17 “(4) ORDER MANDATORY.—(A) The issuance of
18 a restitution order under this section is mandatory.

19 “(B) A court may not decline to issue an order
20 under this section because of—

21 “(i) the economic circumstances of the de-
22 fendant; or

23 “(ii) the fact that a victim has, or is enti-
24 tled to, receive compensation for his or her inju-

1 ries from the proceeds of insurance or any other
2 source.

3 “(C)(i) Notwithstanding subparagraph (A), the
4 court may take into account the economic cir-
5 cumstances of the defendant in determining the
6 manner in which and the schedule according to
7 which the restitution is to be paid.

8 “(ii) For purposes of this subparagraph, the
9 term ‘economic circumstances’ includes—

10 “(I) the financial resources and other as-
11 sets of the defendant;

12 “(II) projected earnings, earning capacity,
13 and other income of the defendant; and

14 “(III) any financial obligations of the de-
15 fendant, including obligations to dependents.

16 “(D) Subparagraph (A) does not apply if—

17 “(i) the court finds on the record that the
18 economic circumstances of the defendant do not
19 allow for the payment of any or some portion
20 of the amount of a restitution order, and do not
21 allow for the payment of any amount of a res-
22 titution order in the foreseeable future (under
23 any reasonable schedule of payments); and

1 “(ii) the court enters in its order the
2 amount of the victim’s losses, and provides a
3 nominal restitution award.

4 “(5) MORE THAN 1 OFFENDER.—When the
5 court finds that more than 1 offender has contrib-
6 uted to the loss of a victim, the court may make
7 each offender liable for payment of the full amount
8 of restitution or may apportion liability among the
9 offenders to reflect the level of contribution and eco-
10 nomic circumstances of each offender.

11 “(6) MORE THAN 1 VICTIM.—When the court
12 finds that more than 1 victim has sustained a loss
13 requiring restitution by an offender, the court shall
14 order full restitution of each victim but may provide
15 for different payment schedules to reflect the eco-
16 nomic circumstances of each victim.

17 “(7) PAYMENT SCHEDULE.—An order under
18 this section may direct the defendant to make a sin-
19 gle lump-sum payment or partial payments at speci-
20 fied intervals.

21 “(8) SETOFF.—Any amount paid to a victim
22 under this section shall be set off against any
23 amount later recovered as compensatory damages by
24 the victim from the defendant in—

25 “(A) any Federal civil proceeding; and

1 “(B) any State civil proceeding, to the ex-
2 tent provided by the law of the State.

3 “(9) EFFECT ON OTHER SOURCES OF COM-
4 PENSATION.—The issuance of a restitution order
5 shall not affect the entitlement of a victim to receive
6 compensation with respect to a loss from insurance
7 or any other source until the payments actually re-
8 ceived by the victim under the restitution order fully
9 compensate the victim for the loss.

10 “(10) CONDITION OF PROBATION OR SUPER-
11 VISED RELEASE.—Compliance with a restitution is-
12 sued under this section shall be a condition of any
13 probation or supervised release of a defendant. The
14 court may revoke probation or a term of supervised
15 release, modify the terms or conditions of probation
16 or a term of supervised release, hold the defendant
17 in contempt pursuant to section 3583(e), or suspend
18 the offender’s eligibility for any grant, contract,
19 loan, professional license, or commercial license pro-
20 vided by an agency of the United States or with ap-
21 propriated funds of the United States if the defend-
22 ant fails to comply with the order. In determining
23 whether to revoke probation or a term of supervised
24 release, modify the terms or conditions of probation
25 or supervised release or hold a defendant serving a

1 term of supervised release in contempt, the court
2 shall consider the defendant's employment status,
3 earning ability and financial resources, the willful-
4 ness of the defendant's failure to comply, and any
5 other circumstances that may have a bearing on the
6 defendant's ability to comply.

7 "(c) PROOF OF CLAIM.—

8 "(1) AFFIDAVIT.—Within 60 days after convic-
9 tion and, in any event, not later than 10 days prior
10 to sentencing, the United States Attorney (or the
11 United States Attorney's delegee), after consulting
12 with the victim, shall prepare and file an affidavit
13 with the court listing the amounts subject to restitu-
14 tion under this section. The affidavit shall be signed
15 by the United States Attorney (or the United States
16 Attorney's delegee) and the victim. Should the victim
17 object to any of the information included in the affi-
18 davit, the United States Attorney (or the United
19 States Attorney's delegee) shall advise the victim
20 that the victim may file a separate affidavit and
21 shall provide the victim with an affidavit form which
22 may be used to do so.

23 "(2) OBJECTION.—If, after the defendant has
24 been notified of the affidavit, no objection is raised
25 by the defendant, the amounts attested to in the af-

1 fidavit filed pursuant to paragraph (1) shall be en-
2 tered in the court's restitution order. If objection is
3 raised, the court may require the victim or the Unit-
4 ed States Attorney (or the United States Attorney's
5 delegee) to submit further affidavits or other sup-
6 porting documents, demonstrating the victim's
7 losses.

8 “(3) ADDITIONAL DOCUMENTATION AND TESTI-
9 MONY.—If the court concludes, after reviewing the
10 supporting documentation and considering the de-
11 fendant's objections, that there is a substantial rea-
12 son for doubting the authenticity or veracity of the
13 records submitted, the court may require additional
14 documentation or hear testimony on those questions.
15 The privacy of any records filed, or testimony heard,
16 pursuant to this section shall be maintained to the
17 greatest extent possible, and such records may be
18 filed or testimony heard in camera.

19 “(4) FINAL DETERMINATION OF LOSSES.—If
20 the victim's losses are not ascertainable by the date
21 that is 10 days prior to sentencing as provided in
22 paragraph (1), the United States Attorney (or the
23 United States Attorney's delegee) shall so inform the
24 court, and the court shall set a date for the final de-
25 termination of the victim's losses, not to exceed 90

1 days after sentencing. If the victim subsequently dis-
2 covers further losses, the victim shall have 60 days
3 after discovery of those losses in which to petition
4 the court for an amended restitution order. Such
5 order may be granted only upon a showing of good
6 cause for the failure to include such losses in the ini-
7 tial claim for restitutionary relief.

8 “(d) MODIFICATION OF ORDER.—A victim or the of-
9 fender may petition the court at any time to modify a res-
10 titution order as appropriate in view of a change in the
11 economic circumstances of the offender.

12 “(e) REFERENCE TO MAGISTRATE OR SPECIAL MAS-
13 TER.—The court may refer any issue arising in connection
14 with a proposed order of restitution to a magistrate or
15 special master for proposed findings of fact and rec-
16 ommendations as to disposition, subject to a de novo de-
17 termination of the issue by the court.

18 “(f) DEFINITION.—For purposes of this section, the
19 term ‘victim’ includes the individual harmed as a result
20 of a commission of a crime under this chapter, including,
21 in the case of a victim who is incompetent, incapacitated,
22 or deceased, the legal guardian of the victim or representa-
23 tive of the victim’s estate, another family member, or any
24 other person appointed as suitable by the court, but in

1 no event shall the defendant be named as such representa-
2 tive or guardian.”.

3 (b) TECHNICAL AMENDMENTS.—

4 (1) PART ANALYSIS.—The part analysis for
5 part I of title 18, United States Code, is amended
6 by striking the item relating to chapter 113A and
7 inserting the following:

“113A. Telemarketing fraud	2325
“113B. Terrorism	2331”.

8 (2) CHAPTER 113B.—The chapter heading for
9 chapter 113B of title 18, United States Code, as re-
10 designated by subsection (a)(1), is amended to read
11 as follows:

12 **“CHAPTER 113B—TERRORISM”.**

13 **SEC. 250003. INCREASED PENALTIES FOR FRAUD AGAINST**
14 **OLDER VICTIMS.**

15 (a) REVIEW.—The United States Sentencing Com-
16 mission shall review and, if necessary, amend the sentenc-
17 ing guidelines to ensure that victim related adjustments
18 for fraud offenses against older victims over the age of
19 55 are adequate.

20 (b) REPORT.—Not later than 180 days after the date
21 of enactment of this Act, the Sentencing Commission shall
22 report to Congress the result of its review under sub-
23 section (a).

1 SEC. 250004. REWARDS FOR INFORMATION LEADING TO
2 PROSECUTION AND CONVICTION.

3 Section 3059 of title 18, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 “(c)(1) In special circumstances and in the Attorney
7 General’s sole discretion, the Attorney General may make
8 a payment of up to \$10,000 to a person who furnishes
9 information unknown to the Government relating to a pos-
10 sible prosecution under section 2326 which results in a
11 conviction.

12 “(2) A person is not eligible for a payment under
13 paragraph (1) if—

14 “(A) the person is a current or former officer
15 or employee of a Federal, State, or local government
16 agency or instrumentality who furnishes information
17 discovered or gathered in the course of government
18 employment;

19 “(B) the person knowingly participated in the
20 offense;

21 “(C) the information furnished by the person
22 consists of an allegation or transaction that has been
23 disclosed to the public—

24 “(i) in a criminal, civil, or administrative
25 proceeding;

1 “(ii) in a congressional, administrative, or
2 General Accounting Office report, hearing,
3 audit, or investigation; or

4 “(iii) by the news media, unless the person
5 is the original source of the information; or

6 “(D) when, in the judgment of the Attorney
7 General, it appears that a person whose illegal ac-
8 tivities are being prosecuted or investigated could
9 benefit from the award.

10 “(3) For the purposes of paragraph (2)(C)(iii), the
11 term ‘original source’ means a person who has direct and
12 independent knowledge of the information that is fur-
13 nished and has voluntarily provided the information to the
14 Government prior to disclosure by the news media.

15 “(4) Neither the failure of the Attorney General to
16 authorize a payment under paragraph (1) nor the amount
17 authorized shall be subject to judicial review.”.

18 **SEC. 250005. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated for the pur-
20 poses of carrying out this Act and the amendments made
21 by this Act—

22 (1) for the Federal Bureau of Investigation to
23 hire, equip, and train no fewer than ____ special
24 agents and support staff to investigate telemarketing
25 fraud cases—

1 (A) \$ _____ for fis-
2 cal year 1995;

3 (B) \$ _____ for fis-
4 cal year 1996;

5 (C) \$ _____ for fis-
6 cal year 1997;

7 (D) \$ _____ for fis-
8 cal year 1998;

9 (E) \$ _____ for fis-
10 cal year 1999; and

11 (F) \$ _____ for fis-
12 cal year 2000;

13 (2) to hire, equip, and train no fewer than _____
14 Department of Justice attorneys, assistant United
15 States Attorneys, and support staff to prosecute
16 telemarketing fraud cases—

17 (A) \$ _____ for fis-
18 cal year 1995;

19 (B) \$ _____ for fis-
20 cal year 1996;

21 (C) \$ _____ for fis-
22 cal year 1997;

23 (D) \$ _____ for fis-
24 cal year 1998;

1 (E) \$ _____ for fis-
2 cal year 1999; and

3 (F) \$ _____ for fis-
4 cal year 2000; and

5 (3) for the Department of Justice to conduct,
6 in cooperation with State and local law enforcement
7 agencies and senior citizen advocacy organizations,
8 public awareness and prevention initiatives for senior
9 citizens, such as seminars and training—

10 (A) \$ _____ for fis-
11 cal year 1995;

12 (B) \$ _____ for fis-
13 cal year 1996;

14 (C) \$ _____ for fis-
15 cal year 1997;

16 (D) \$ _____ for fis-
17 cal year 1998;

18 (E) \$ _____ for fis-
19 cal year 1999; and

20 (F) \$ _____ for fis-
21 cal year 2000; and

22 **SEC. 250006. BROADENING APPLICATION OF MAIL FRAUD**
23 **STATUTE.**

24 Section 1341 of title 18, United States Code, is
25 amended—

1 (1) by inserting "or deposits or causes to be de-
2 posited any matter or thing whatever to be sent or
3 delivered by any private or commercial interstate
4 carrier," after "Postal Service,"; and

5 (2) by inserting "or such carrier" after "causes
6 to be delivered by mail".

7 **SEC. 250007. FRAUD AND RELATED ACTIVITY IN CONNEC-**
8 **TION WITH ACCESS DEVICES.**

9 Section 1029 of title 18, United States Code, is
10 amended—

11 (1) in subsection (a)—

12 (A) by striking "or" at the end of para-
13 graph (3); and

14 (B) by inserting after paragraph (4) the
15 following new paragraphs:

16 "(5) knowingly and with intent to defraud ef-
17 fects transactions, with 1 or more access devices is-
18 sued to another person or persons, to receive pay-
19 ment or any other thing of value during any 1-year
20 period the aggregate value of which is equal to or
21 greater than \$1,000;

22 "(6) without the authorization of the issuer of
23 the access device, knowingly and with intent to de-
24 fraud solicits a person for the purpose of—

25 "(A) offering an access device; or

1 “(B) selling information regarding or an
2 application to obtain an access device; or

3 “(7) without the authorization of the credit
4 card system member or its agent, knowingly and
5 with intent to defraud causes or arranges for an-
6 other person to present to the member or its agent,
7 for payment, 1, or more evidences or records of
8 transactions made by an access device;”;

9 (2) in subsection (c)(1) by striking “(a)(2) or
10 (a)(3)” and inserting “(a) (2), (3), (5), (6), or (7)”;
11 and

12 (3) in subsection (e)—

13 (A) by striking “and” at the end of para-
14 graph (5);

15 (B) by striking the period at the end of
16 paragraph (6) and inserting “; and”; and

17 (C) by adding at the end the following new
18 paragraph:

19 “(7) the term ‘credit card system member’
20 means a financial institution or other entity that is
21 a member of a credit card system, including an en-
22 tity, whether affiliated with or identical to the credit
23 card issuer, that is the sole member of a credit card
24 system.”.

1 **SEC. 250008. INFORMATION NETWORK.**

2 (a) **HOTLINE.**—The Attorney General shall, subject
3 to the availability of appropriations, establish a national
4 toll-free hotline for the purpose of—

5 (1) providing general information on
6 telemarketing fraud to interested persons; and

7 (2) gathering information related to possible
8 violations of this Act.

9 (b) **ACTION ON INFORMATION GATHERED.**—The At-
10 torney General shall work in cooperation with the Federal
11 Trade Commission to ensure that information gathered
12 through the hotline shall be acted on in an appropriate
13 manner.

14 **TITLE XXVI—COMMISSION MEM-**
15 **BERSHIP AND APPOINTMENT**

16 **SEC. 260001. COMMISSION MEMBERSHIP AND APPOINT-**
17 **MENT.**

18 (a) **MEMBERSHIP.**—Section 211(B)(f) of Public Law
19 101-515 (104 Stat. 2123) is amended to read as follows:

20 “(f) **NUMBER AND APPOINTMENT.**—

21 “(1) **IN GENERAL.**—The Commission shall be
22 composed of 29 members as follows:

23 “(A) Nine individuals appointed from na-
24 tional law enforcement organizations represent-
25 ing law enforcement officers, of whom—

1 “(i) two shall be appointed by the
2 Speaker of the House of Representatives;

3 “(ii) two shall be appointed by the
4 majority leader of the Senate;

5 “(iii) two shall be appointed by the
6 minority leader of the House of Represent-
7 atives;

8 “(iv) two shall be appointed by the
9 minority leader of the Senate; and

10 “(v) one shall be appointed by the
11 President.

12 “(B) Nine individuals appointed from na-
13 tional law enforcement organizations represent-
14 ing law enforcement management, of whom—

15 “(i) two shall be appointed by the
16 Speaker of the House of Representatives;

17 “(ii) two shall be appointed by the
18 majority leader of the Senate;

19 “(iii) two shall be appointed by the
20 minority leader of the House of Represent-
21 atives;

22 “(iv) two shall be appointed by the
23 minority leader of the Senate; and

24 “(v) one shall be appointed by the
25 President.

1 “(C) Two individuals appointed with aca-
2 demic expertise regarding law enforcement is-
3 sues, of whom—

4 “(i) one shall be appointed by the
5 Speaker of the House of Representatives
6 and the majority leader of the Senate; and

7 “(ii) one shall be appointed by the mi-
8 nority leader of the Senate and the minor-
9 ity leader of the House of Representatives.

10 “(D) Two Members of the House of Rep-
11 resentatives, appointed by the Speaker and the
12 minority leader of the House of Representa-
13 tives.

14 “(E) Two Members of the Senate, ap-
15 pointed by the majority leader and the minority
16 leader of the Senate.

17 “(F) One individual from the Department
18 of Justice, appointed by the President.

19 “(G) Two individuals representing a State
20 or local governmental entity, such as a Gov-
21 ernor, mayor, or State attorney general, to be
22 appointed jointly by the majority leader and the
23 minority leader of the Senate.

24 “(H) Two individuals representing a State
25 or local governmental entity, such as a Gov-

1 ernor, mayor, or State attorney general, to be
2 appointed jointly by the Speaker and the minor-
3 ity leader of the House of Representatives.

4 “(2) COMPTROLLER GENERAL.—The Comptrol-
5 ler General shall serve in an advisory capacity and
6 shall oversee the methodology and approve of the
7 Commission study.

8 “(3) CHAIRPERSON.—Upon their appointment
9 the members of the Commission shall select one of
10 their number to act as chairperson.

11 “(4) APPOINTMENT DATE.—Members of the
12 Commission shall be appointed no later than 90 days
13 of the enactment of this Act.”

14 (b) REPORT.—Section 211(B)(p) of Public Law 101-
15 515 (104 Stat. 2124) is amended by striking “the expira-
16 tion” and all that follows through “this Act,” and insert-
17 ing “March 31, 1996.”

18 (c) REIMBURSEMENT.—

19 (1) Section 211(B)(i) of Public Law 101-515
20 (104 Stat. 2124) is amended by striking “non-reim-
21 bursable” and inserting “a reimbursable”.

22 (2) Section 211(b)(j) of Public Law 101-515
23 (104 Stat. 2124) is amended by adding after “Com-
24 mission” the following: “, on a reimbursable basis.”

1 **SEC. 260002. CONFORMING AMENDMENT.**

2 Section 3404(a) of Public Law 101-647 (42 U.S.C.
3 3721 note) is repealed.

4 **TITLE XXVII—PRESIDENTIAL**
5 **SUMMIT ON VIOLENCE AND**
6 **NATIONAL COMMISSION ON**
7 **CRIME PREVENTION AND**
8 **CONTROL**

9 **SEC. 270001. PRESIDENTIAL SUMMIT.**

10 Congress calls on the President to convene a national
11 summit on violence in America prior to convening the
12 Commission established under this title.

13 **SEC. 270002. ESTABLISHMENT; COMMITTEES AND TASK**
14 **FORCES; REPRESENTATION.**

15 (a) **ESTABLISHMENT AND APPOINTMENT OF MEM-**
16 **BERS.**—There is established a commission to be known as
17 the “National Commission on Crime Control and Preven-
18 tion”. The Commission shall be composed of 28 members
19 appointed as follows:

20 (1) 10 persons by the President, not more than
21 6 of whom shall be of the same major political party.

22 (2) 9 persons by the President pro tempore of
23 the Senate, 5 of whom shall be appointed on the rec-
24 ommendation of the Majority Leader of the Senate
25 and the chairman of the Committee on the Judiciary
26 of the Senate, and 4 of whom shall be appointed on

1 the recommendation of the Minority Leader of the
2 Senate and the ranking minority member of the
3 Committee on the Judiciary of the Senate.

4 (3) 9 persons appointed by the Speaker of the
5 House of Representatives, in consultation with the
6 chairman of the Committee on the Judiciary of the
7 House of Representatives, and 4 of whom shall be
8 appointed on the recommendation of the Minority
9 Leader of the House of Representatives, in consulta-
10 tion with the ranking member of the Committee on
11 the Judiciary.

12 (b) COMMITTEES AND TASK FORCES.—The Commis-
13 sion shall establish committees or task forces from among
14 its members for the examination of specific subject areas
15 and the carrying out of other functions or responsibilities
16 of the Commission, including committees or task forces
17 for the examination of the subject areas of crime and vio-
18 lence generally, the causes of the demand for drugs, vio-
19 lence in schools, and violence against women, as described
20 in subsections (b) through (e) of section 270004.

21 (c) REPRESENTATION.—(1) At least 1 member of the
22 Commission appointed by the President, at least 2 mem-
23 bers of the Commission appointed by the President pro
24 tempore of the Senate, and at least 2 members of the
25 Commission appointed by the Speaker of the House of

1 Representatives shall be persons well-qualified to partici-
2 pate in the Commission's examination of the subject area
3 of crime and violence generally, with education, training,
4 expertise, or experience in such areas as law enforcement,
5 law, sociology, psychology, social work, and ethnography
6 and urban poverty (including health care, housing, edu-
7 cation, and employment).

8 (2) At least 1 member of the Commission appointed
9 by the President, at least 2 members of the Commission
10 appointed by the President pro tempore of the Senate, and
11 at least 2 members of the Commission appointed by the
12 Speaker of the House of Representatives shall be persons
13 well-qualified to participate in the Commission's examina-
14 tion of the subject area of the causes of the demand for
15 drugs, with education, training, expertise, or experience in
16 such areas as addiction, biomedicine, sociology, psychol-
17 ogy, law, and ethnography and urban poverty (including
18 health care, housing, education, and employment).

19 (3) At least 1 member of the Commission appointed
20 by the President, at least 2 members of the Commission
21 appointed by the President pro tempore of the Senate, and
22 at least 2 members of the Commission appointed by the
23 Speaker of the House of Representatives shall be persons
24 well-qualified to participate in the Commission's examina-
25 tion of the subject area of violence in schools, with edu-

1 cation, training, expertise, or experience in such areas as
2 law nforcement, education, school governance policy and
3 teaching, law, sociology, psychology, and ethnography and
4 urban poverty (including health care, housing, education,
5 and employment).

6 (4) At least 1 member of the Commission appointed
7 by the President, at least 2 members of the Commission
8 appointed by the President pro tempore of the Senate, and
9 at least 2 members of the Commission appointed by the
10 Speaker of the House of Representatives shall be persons
11 well-qualified to participate in the Commission's examina-
12 tion of the subject area of violence against women, as sur-
13 vivors of violence, or as persons with education, training,
14 expertise, or experience in such areas as law enforcement,
15 law, judicial administration, prosecution, defense, victim
16 services or advocacy in sexual assault or domestic violence
17 cases (including medical services and counseling), and pro-
18 tection of victims' rights.

19 **SEC. 270003. PURPOSES.**

20 The purposes of the Commission are as follows:

21 (1) To develop a comprehensive proposal for
22 preventing and controlling crime and violence in the
23 United States, including cost estimates for imple-
24 menting any recommendations made by the Commis-
25 sion.

1 (2) To bring attention to successful models and
2 programs in crime prevention and crime control.

3 (3) To reach out beyond the traditional criminal
4 justice community for ideas for controlling and pre-
5 venting crime.

6 (4) To recommend improvements in the coordi-
7 nation of local, State, Federal, and international
8 crime control and prevention efforts, including ef-
9 forts relating to crime near international borders.

10 (5) To make a comprehensive study of the eco-
11 nomic and social factors leading to or contributing
12 to crime and violence, including the causes of illicit
13 drug use and other substance abuse, and to develop
14 specific proposals for legislative and administrative
15 actions to reduce crime and violence and the factors
16 that contribute to it.

17 (6) To recommend means of utilizing criminal
18 justice resources as effectively as possible, including
19 targeting finite correctional facility space to the
20 most serious and violent offenders, and considering
21 increased use of intermediate sanctions for offenders
22 who can be dealt with adequately by such means.

23 (7) To examine distinctive crime problems and
24 the impact of crime on members of minority groups,
25 Indians living on reservations, and other groups de-

1 fined by race, ethnicity, religion, age, disability, or
2 other characteristics, and to recommend specific re-
3 sponses to the distinctive crime problems of such
4 groups.

5 (8) To examine the problem of sexual assaults,
6 domestic violence, and other criminal and unlawful
7 acts that particularly affect women, and to rec-
8 ommend Federal, State, and local strategies for
9 more effectively preventing and punishing such
10 crimes and acts.

11 (9) To examine the treatment of victims in
12 Federal, State, and local criminal justice systems,
13 and to develop recommendations to enhance and
14 protect the rights of victims.

15 (10) To examine the ability of Federal, State,
16 and local criminal justice systems to administer
17 criminal law and criminal sanctions impartially with-
18 out discrimination on the basis of race, ethnicity, re-
19 ligion, gender, or other legally proscribed grounds,
20 and to make recommendations for correcting any de-
21 ficiencies in the impartial administration of justice
22 on these grounds.

23 (11) To examine the nature, scope, causes, and
24 complexities of violence in schools and to recommend
25 a comprehensive response to that problem.

1 **SEC. 270004. RESPONSIBILITIES OF THE COMMISSION.**

2 (a) **IN GENERAL.**—The responsibilities of the Com-
3 mission shall include such study and consultation as may
4 be necessary or appropriate to carry out the purposes set
5 forth in section 270003, including the specific measures
6 described in subsections (b) through (e) in relation to the
7 subject areas addressed in those subsections.

8 (b) **CRIME AND VIOLENCE GENERALLY.**—In address-
9 ing the subject of crime and violence generally, the activi-
10 ties of the Commission shall include the following:

11 (1) Reviewing the effectiveness of traditional
12 criminal justice approaches in preventing and con-
13 trolling crime and violence.

14 (2) Examining the impact that changes in Fed-
15 eral and State law have had in controlling crime and
16 violence.

17 (3) Examining the impact of changes in Fed-
18 eral immigration laws and policies and increased de-
19 velopment and growth along United States inter-
20 national borders on crime and violence in the United
21 States, particularly among the Nation's youth.

22 (4) Examining the problem of youth gangs and
23 providing recommendations as to how to reduce
24 youth involvement in violent crime.

25 (5) Examining the extent to which the use of
26 dangerous weapons in the commission of crime has

1 contributed to violence and murder in the United
2 States.

3 (6) Convening field hearings in various regions
4 of the country to receive testimony from a cross sec-
5 tion of criminal justice professionals, business lead-
6 ers, elected officials, medical doctors, and other per-
7 sons who wish to participate.

8 (7) Reviewing all segments of the Nation's
9 criminal justice systems, including the law enforce-
10 ment, prosecution, defense, judicial, and corrections
11 components in developing the crime control and pre-
12 vention proposal.

13 (c) CAUSES OF THE DEMAND FOR DRUGS.—In ad-
14 dressing the subject of the causes of the demand for drugs,
15 the activities of the Commission shall include the follow-
16 ing:

17 (1) Examining the root causes of illicit drug use
18 and abuse in the United States, including by compil-
19 ing existing research regarding those root causes,
20 and including consideration of the following factors:

21 (A) The characteristics of potential illicit
22 drug users and abusers or drug traffickers, in-
23 cluding age and social, economic, and edu-
24 cational backgrounds.

1 (B) Environmental factors that contribute
2 to illicit drug use and abuse, including the cor-
3 relation between unemployment, poverty, and
4 homelessness and drug experimentation and
5 abuse.

6 (C) The effects of substance use and abuse
7 by a relative or friend in contributing to the
8 likelihood and desire of an individual to experi-
9 ment with illicit drugs.

10 (D) Aspects of, and changes in cultural
11 values, attitudes and traditions that contribute
12 to illicit drug use and abuse.

13 (E) The physiological and psychological
14 factors that contribute to the desire for illicit
15 drugs.

16 (2) Evaluating Federal, State, and local laws
17 and policies on the prevention of drug abuse, control
18 of unlawful production, distribution and use of con-
19 trolled substances, and the efficacy of sentencing
20 policies with regard to those laws.

21 (3) Analyzing the allocation of resources among
22 interdiction of controlled substances entering the
23 United States, enforcement of Federal laws relating
24 to the unlawful production, distribution, and use of
25 controlled substances, education with regard to and

1 the prevention of the unlawful use of controlled sub-
2 stances, and treatment and rehabilitation of drug
3 abusers.

4 (4) Analyzing current treatment and rehabilita-
5 tion methods and making recommendations for im-
6 provements.

7 (5) Identifying any existing gaps in drug abuse
8 policy that result from the lack of attention to the
9 root causes of drug abuse.

10 (6) Assessing the needs of government at all
11 levels for resources and policies for reducing the
12 overall desire of individuals to experiment with and
13 abuse illicit drugs.

14 (7) Making recommendations regarding nec-
15 essary improvements in policies for reducing the use
16 of illicit drugs in the United States.

17 (d) VIOLENCE IN SCHOOLS.—In addressing the sub-
18 ject of violence in schools, the activities of the Commission
19 shall include the following:

20 (1) Defining the causes of violence in schools.

21 (2) Defining the scope of the national problem
22 of violence in schools.

23 (3) Providing statistics and data on the prob-
24 lem of violence in schools on a State-by-State basis.

1 (4) Investigating the problem of youth gangs
2 and their relation to violence in schools and provid-
3 ing recommendations on how to reduce youth in-
4 volvement in violent crime in schools.

5 (5) Examining the extent to which dangerous
6 weapons have contributed to violence and murder in
7 schools.

8 (6) Exploring the extent to which the school en-
9 vironment has contributed to violence in schools.

10 (7) Reviewing the effectiveness of current ap-
11 proaches in preventing violence in schools.

12 (e) VIOLENCE AGAINST WOMEN.—In addressing the
13 subject of sexual assault, domestic violence, and other
14 criminal and unlawful acts that particularly affect women,
15 the activities of the Commission shall include the follow-
16 ing:

17 (1) Evaluating the adequacy of, and making
18 recommendations regarding, current law enforce-
19 ment efforts at the Federal, State, and local levels
20 to reduce the incidence of such crimes and acts, and
21 to punish those responsible for such crimes and acts.

22 (2) Evaluating the adequacy of, and making
23 recommendations regarding, the responsiveness of
24 prosecutors and courts to such crimes and acts.

1 (3) Evaluating the adequacy of rules of evi-
2 dence, practice, and procedure to ensure the effective
3 prosecution and conviction of perpetrators of such
4 crimes and acts and to protect victims of such
5 crimes and acts from abuse in legal proceedings,
6 making recommendations, where necessary, to im-
7 prove those rules.

8 (4) Evaluating the adequacy of pretrial release,
9 sentencing, incarceration, and post-conviction release
10 in relation to such crimes and acts.

11 (5) Evaluating the adequacy of, and making
12 recommendations regarding, the adequacy of Federal
13 and State laws on sexual assault and the need for
14 a more uniform statutory response to sex offenses,
15 including sexual assaults and other sex offenses com-
16 mitted by offenders who are known or related by
17 blood or marriage to the victim.

18 (6) Evaluating the adequacy of, and making
19 recommendations regarding, the adequacy of Federal
20 and State laws on domestic violence and the need for
21 a more uniform statutory response to domestic vio-
22 lence.

23 (7) Evaluating the adequacy of, and making
24 recommendations regarding, the adequacy of current

1 education, prevention, and protective services for vic-
2 tims of such crimes and acts.

3 (8) Assessing the issuance, formulation, and en-
4 forcement of protective orders, whether or not relat-
5 ed to a criminal proceeding, and making rec-
6 ommendations for their more effective use in domes-
7 tic violence and stalking cases.

8 (9) Assessing the problem of stalking and rec-
9 ommending effective means of response to the prob-
10 lem.

11 (10) Evaluating the adequacy of, and making
12 recommendations regarding, programs for public
13 awareness and public dissemination of information
14 to prevent such crimes and acts.

15 (11) Evaluating the treatment of victims of
16 such crimes and acts in Federal, State, and local
17 criminal justice systems, and making recommenda-
18 tions designed to improve such treatment.

19 **SEC. 270005. ADMINISTRATIVE MATTERS.**

20 (a) **CHAIR.**—The President shall designate a member
21 of the Commission to chair the Commission.

22 (b) **NO ADDITIONAL PAY OR BENEFITS; PER**
23 **DIEM.**—Members of the Commission shall receive no pay
24 or benefits by reason of their service on the Commission,
25 but shall receive travel expenses, including per diem in lieu

1 of subsistence, at rates authorized for employees of agen-
2 cies under sections 5702 and 5703 of title 5, United
3 States Code.

4 (c) VACANCIES.—Vacancies on the Commission shall
5 be filled in the same manner as initial appointments.

6 (d) MEETINGS OPEN TO THE PUBLIC.—The Com-
7 mission shall be considered to be an agency for the pur-
8 poses of section 552b of title 5, United States Code, relat-
9 ing to the requirement that meetings of Federal agencies
10 be open to the public.

11 **SEC. 270006. STAFF AND SUPPORT SERVICES.**

12 (a) DIRECTOR.—With the approval of the Commis-
13 sion, the chairperson shall appoint a staff director for the
14 Commission.

15 (b) STAFF.—With the approval of the Commission,
16 the staff director may appoint and fix the compensation
17 of staff personnel for the Commission.

18 (c) CIVIL SERVICE LAWS.—The staff of the Commis-
19 sion shall be appointed without regard to the provisions
20 of title 5, United States Code, governing appointments in
21 the competitive service. Staff compensation may be set
22 without regard to the provisions of chapter 51 and sub-
23 chapter III of chapter 53 of that title relating to classifica-
24 tion and General Schedule pay rates, but in no event shall
25 any such personnel be compensated at a rate greater than

1 the rate of basic pay for level ES-4 of the Senior Execu-
2 tive Service Schedule under section 5382 of that title. The
3 staff director shall be paid at as rate not to exceed the
4 basic rate of pay for level V of the Executive Schedule.
5 The staff director may procure temporary and intermit-
6 tent services under section 3109(b) of that title.

7 (d) STAFF OF FEDERAL AGENCIES.—Upon the re-
8 quest of the Commission, the head of any Federal agency
9 may detail, on a reimbursable basis, personnel of that
10 agency to the Commission to assist in carrying out its du-
11 ties.

12 (e) PHYSICAL FACILITIES.—The Administrator of
13 the General Service Administration shall provide suitable
14 office space for the operation of the Commission. The fa-
15 cilities shall serve as the headquarters of the Commission
16 and shall include all necessary equipment and incidentals
17 required for proper functioning.

18 **SEC. 270007. POWERS.**

19 (a) HEARINGS.—For the purposes of carrying out
20 this title, the Commission may conduct such hearings, sit
21 and act at such times and places, take such testimony,
22 and receive such evidence, as the Commission considers
23 appropriate. The Commission may administer oaths before
24 the Commission.

1 (b) DELEGATION.—Any committee, task force, mem-
 2 ber, or agent, of the Commission may, if authorized by
 3 the Commission, take any action that the Commission is
 4 authorized to take under this title.

5 (c) ACCESS TO INFORMATION.—The Commission
 6 may request directly from any Federal agency or entity
 7 in the executive or legislative branch such information as
 8 is needed to carry out its functions.

9 (d) MAIL.—The Commission may use the United
 10 States mails in the same manner and under the same con-
 11 ditions as other Federal agencies.

12 **SEC. 270008. REPORT; TERMINATION.**

13 Not later than 2 years after the date on which the
 14 Commission is fully constituted under section 270001, the
 15 Commission shall submit a detailed report to the Congress
 16 and the President containing its findings and rec-
 17 ommendations. The Commission shall terminate 30 days
 18 after the submission of its report.

19 **SEC. 270009. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to carry out
 21 this title—

22 (1) \$ _____ for fiscal
 23 year 1995;

24 (2) \$ _____ for fiscal
 25 year 1996;

1 (3) \$ _____ for fiscal
2 year 1997;

3 (4) \$ _____ for fiscal
4 year 1998;

5 (5) \$ _____ for fiscal
6 year 1999; and

7 (6) \$ _____ for fiscal
8 year 2000.

9 **TITLE XXVIII—SENTENCING**
10 **PROVISIONS**

11 **SEC. 280001. IMPOSITION OF SENTENCE.**

12 Section 3553(a)(4) of title 18, United States Code,
13 is amended to read as follows:

14 “(4) the kinds of sentence and the sentencing
15 range established for—

16 “(A) the applicable category of offense
17 committed by the applicable category of defend-
18 ant as set forth in the guidelines issued by the
19 Sentencing Commission pursuant to section
20 994(a)(1) of title 28, United States Code, and
21 that are in effect on the date the defendant is
22 sentenced; or

23 “(B) in the case of a violation of probation
24 or supervised release, the applicable guidelines
25 or policy statements issued by the Sentencing

1 Commission pursuant to section 994(a)(3) of
2 title 28, United States Code;”

3 **SEC. 280002. TECHNICAL AMENDMENT TO MANDATORY**
4 **CONDITIONS OF PROBATION.**

5 Section 3563(a)(3) of title 18, United States Code,
6 is amended by striking “possess illegal controlled sub-
7 stances” and inserting “unlawfully possess a controlled
8 substance”.

9 **SEC. 280003. DIRECTION TO UNITED STATES SENTENCING**
10 **COMMISSION REGARDING SENTENCING EN-**
11 **HANCEMENTS FOR HATE CRIMES.**

12 (a) **DEFINITION.**—In this section, “hate crime”
13 means a crime in which the defendant intentionally selects
14 a victim, or in the case of a property crime, the property
15 that is the object of the crime, because of the actual or
16 perceived race, color, religion, national origin, ethnicity,
17 gender, disability, or sexual orientation of any person.

18 (b) **SENTENCING ENHANCEMENT.**—Pursuant to sec-
19 tion 994 of title 28, United States Code, the United States
20 Sentencing Commission shall promulgate guidelines or
21 amend existing guidelines to provide sentencing enhance-
22 ments of not less than 3 offense levels for offenses that
23 the finder of fact at trial determines beyond a reasonable
24 doubt are hate crimes. In carrying out this section, the
25 United States Sentencing Commission shall ensure that

1 there is reasonable consistency with other guidelines, avoid
2 duplicative punishments for substantially the same of-
3 fense, and take into account any mitigating circumstances
4 that might justify exceptions.

5 **SEC. 280004. AUTHORIZATION OF PROBATION FOR PETTY**
6 **OFFENSES IN CERTAIN CASES.**

7 Section 3561(a)(3) of title 18, United States Code,
8 is amended by inserting "that is not a petty offense" be-
9 fore the period.

10 **SEC. 280005. FULL-TIME VICE CHAIRS OF THE UNITED**
11 **STATES SENTENCING COMMISSION.**

12 (a) ESTABLISHMENT OF POSITIONS.—Section 991
13 (a) of title 28, United States Code, is amended—

14 (1) in the second sentence by striking the pe-
15 riod and inserting "and two of whom shall be des-
16 ignated by the President as Vice Chairs.";

17 (2) in the fourth sentence by striking the period
18 and inserting ", and of the Chair and the two Vice
19 Chairs, no more than two shall be members of the
20 same political party."; and

21 (3) in the sixth sentence by striking "Chair-
22 man" and inserting "Chair, Vice Chairs,".

23 (b) TERMS AND COMPENSATION.—Section 992(c) of
24 title 28, United States Code, is amended—

1 (1) by amending the first sentence to read as
2 follows: "The Chair and Vice Chairs of the Commis-
3 sion shall hold full-time positions and shall be com-
4 pensated during their terms of office at the annual
5 rate at which judges of the United States courts of
6 appeals are compensated.";

7 (2) in the second sentence by striking "Chair-
8 man" and inserting "Chair and Vice Chairs"; and

9 (3) in the third sentence by striking "Chair-
10 man" and inserting "Chair and Vice Chairs,".

11 (c) TECHNICAL AMENDMENTS.—Chapter 58 of title
12 28, United States Code, is amended—

13 (1) by striking "Chairman" each place it ap-
14 pears and inserting "Chair";

15 (2) in the fifth sentence of section 991(a) by
16 striking "his" and inserting "the Attorney Gen-
17 eral's";

18 (3) in the fourth sentence of section 992(c) by
19 striking "his" and inserting "the judge's";

20 (4) in section 994(i)(2) by striking "he" and in-
21 serting "the defendant" and striking "his" and in-
22 serting "the defendant's"; and

23 (5) in section 996(a) by striking "him" and in-
24 serting "the Staff Director".

1 **SEC. 280006. COCAINE PENALTY STUDY.**

2 Not later than December 31, 1994, the United States
3 Sentencing Commission shall submit a report to Congress
4 on issues relating to sentences applicable to offenses in-
5 volving the possession or distribution of all forms of co-
6 caine. The report shall address the differences in penalty
7 levels that apply to different forms of cocaine and include
8 any recommendations that the Commission may have for
9 retention or modification of such differences in penalty
10 levels.

11 **TITLE XXIX—COMPUTER CRIME**

12 **SEC. 290001. COMPUTER ABUSE AMENDMENTS ACT OF 1994.**

13 (a) **SHORT TITLE.**—This subtitle may be cited as the
14 “Computer Abuse Amendments Act of 1994”.

15 (b) **PROHIBITION.**—Section 1030(a)(5) of title 18,
16 United States Code, is amended to read as follows:

17 “(5)(A) through means of a computer used in
18 interstate commerce or communications, knowingly
19 causes the transmission of a program, information,
20 code, or command to a computer or computer sys-
21 tem if—

22 “(i) the person causing the transmission
23 intends that such transmission will—

24 “(I) damage, or cause damage to, a
25 computer, computer system, network, in-
26 formation, data, or program; or

1 “(II) withhold or deny, or cause the
2 withholding or denial, of the use of a com-
3 puter, computer services, system or net-
4 work, information, data or program; and

5 “(ii) the transmission of the harmful com-
6 ponent of the program, information, code, or
7 command—

8 “(I) occurred without the authoriza-
9 tion of the persons or entities who own or
10 are responsible for the computer system re-
11 ceiving the program, information, code, or
12 command; and

13 “(II)(aa) causes loss or damage to one
14 or more other persons of value aggregating
15 \$1,000 or more during any 1-year period;
16 or

17 “(bb) modifies or impairs, or poten-
18 tially modifies or impairs, the medical ex-
19 amination, medical diagnosis, medical
20 treatment, or medical care of one or more
21 individuals; or

22 “(B) through means of a computer used in
23 interstate commerce or communication, knowingly
24 causes the transmission of a program, information,

1 code, or command to a computer or computer
2 system—

3 “(i) with reckless disregard of a substan-
4 tial and unjustifiable risk that the transmission
5 will—

6 “(I) damage, or cause damage to, a
7 computer, computer system, network, in-
8 formation, data or program; or

9 “(II) withhold or deny or cause the
10 withholding or denial of the use of a com-
11 puter, computer services, system, network,
12 information, data or program; and

13 “(ii) if the transmission of the harmful
14 component of the program, information, code,
15 or command—

16 “(I) occurred without the knowledge
17 and authorization of the persons or entities
18 who own or are responsible for the com-
19 puter system receiving the program, infor-
20 mation, code, or command; and

21 “(II)(aa) causes loss or damage to one
22 or more other persons of a value aggregat-
23 ing \$1,000 or more during any 1-year pe-
24 riod; or

1 “(bb) modifies or impairs, or poten-
2 tially modifies or impairs, the medical ex-
3 amination, medical diagnosis, medical
4 treatment, or medical care of one or more
5 individuals;”.

6 (c) PENALTY.—Section 1030(c) of title 18, United
7 States Code is amended—

8 (1) in paragraph (2)(B) by striking “and” after
9 the semicolon;

10 (2) in paragraph (3)(A) by inserting “(A)”
11 after “(a)(5)”;

12 (3) in paragraph (3)(B) by striking the period
13 at the end thereof and inserting “; and”; and

14 (4) by adding at the end the following new
15 paragraph:

16 “(4) a fine under this title or imprisonment for
17 not more than 1 year, or both, in the case of an of-
18 fense under subsection (a)(5)(B).”.

19 (d) CIVIL ACTION.—Section 1030 of title 18, United
20 States Code, is amended by adding at the end thereof the
21 following new subsection:

22 “(g) Any person who suffers damage or loss by rea-
23 son of a violation of the section, other than a violation
24 of subsection (a)(5)(B), may maintain a civil action
25 against the violator to obtain compensatory damages and

1 injunctive relief or other equitable relief. Damages for
2 violations of any subsection other than subsection
3 (a)(5)(A)(ii)(II)(bb) or (a)(5)(B)(ii)(II)(bb) are limited to
4 economic damages. No action may be brought under this
5 subsection unless such action is begun within 2 years of
6 the date of the act complained of or the date of the discov-
7 ery of the damage.”

8 (e) REPORTING REQUIREMENTS.—Section 1030 of
9 title 18 United States Code, is amended by adding at the
10 end the following new subsection:

11 “(h) The Attorney General and the Secretary of the
12 Treasury shall report to the Congress annually, during the
13 first 3 years following the date of the enactment of this
14 subsection, concerning investigations and prosecutions
15 under section 1030(a)(5) of title 18, United States
16 Code.”

17 (f) PROHIBITION.—Section 1030(a)(3) of title 18,
18 United States Code, is amended by inserting “adversely”
19 before “affects the use of the Government’s operation of
20 such computer”.

1 **TITLE XXX—PROTECTION OF**
2 **PRIVACY OF INFORMATION IN**
3 **STATE MOTOR VEHICLE**
4 **RECORDS**

5 **SEC. 300001. SHORT TITLE.**

6 This title may be cited as the “Driver’s Privacy
7 Protection Act of 1994”.

8 **SEC. 300002. PROHIBITION ON RELEASE AND USE OF CER-**
9 **TAIN PERSONAL INFORMATION FROM STATE**
10 **MOTOR VEHICLE RECORDS.**

11 (a) **IN GENERAL.**—Title 18, United States Code, is
12 amended by inserting after chapter 121 the following new
13 chapter:

14 **“CHAPTER 123—PROHIBITION ON RE-**
15 **LEASE AND USE OF CERTAIN PER-**
16 **SONAL INFORMATION FROM STATE**
17 **MOTOR VEHICLE RECORDS**

18 **“§ 2721. Prohibition on release and use of certain per-**
19 **sonal information from State motor vehi-**
20 **cle records**

21 **“(a) IN GENERAL.**—Except as provided in subsection
22 (b), a State department of motor vehicles, and any officer,
23 employee, or contractor, thereof, shall not knowingly dis-
24 close or otherwise make available to any person or entity

1 personal information about any individual obtained by the
2 department in connection with a motor vehicle record.

3 “(b) PERMISSIBLE USES.—Personal information re-
4 ferred to in subsection (a) shall be disclosed for use in
5 connection with matters of motor vehicle or driver safety
6 and theft, motor vehicle emissions, motor vehicle product
7 alterations, recalls, or advisories, performance monitoring
8 of motor vehicles and dealers by motor vehicle manufac-
9 turers, and removal of non-owner records from the original
10 owner records of motor vehicle manufacturers to carry out
11 the purposes of the Automobile Information Disclosure
12 Act, the Motor Vehicle Information and Cost Saving Act,
13 the National Traffic and Motor Vehicle Safety Act of
14 1966, the Anti-Car Theft Act of 1992, and the Clean Air
15 Act, and may be disclosed as follows:

16 “(1) For use by any government agency, includ-
17 ing any court or law enforcement agency, in carrying
18 out its functions, or any private person or entity act-
19 ing on behalf of a Federal, State, or local agency in
20 carrying out its functions.

21 “(2) For use in connection with matters of
22 motor vehicle or driver safety and theft; motor vehi-
23 cle emissions; motor vehicle product alterations, re-
24 calls, or advisories; performance monitoring of motor
25 vehicles, motor vehicle parts and dealers; motor vehi-

1 cle market research activities, including survey re-
2 search; and removal of non-owner records from the
3 original owner records of motor vehicle manufactur-
4 ers.

5 “(3) For use in the normal course of business
6 by a legitimate business or its agents, employees, or
7 contractors, but only—

8 “(A) to verify the accuracy of personal in-
9 formation submitted by the individual to the
10 business or its agents, employees, or contrac-
11 tors; and

12 “(B) if such information as so submitted is
13 not correct or is no longer correct, to obtain the
14 correct information, but only for the purposes
15 of preventing fraud by, pursuing legal remedies
16 against, or recovering on a debt or security in-
17 terest against, the individual.

18 “(4) For use in connection with any civil, crimi-
19 nal, administrative, or arbitral proceeding in any
20 Federal, State, or local court or agency or before
21 any self-regulatory body, including the service of
22 process, investigation in anticipation of litigation,
23 and the execution or enforcement of judgments and
24 orders, or pursuant to an order of a Federal, State,
25 or local court.

1 “(5) For use in research activities, and for use
2 in producing statistical reports, so long as the per-
3 sonal information is not published, redisclosed, or
4 used to contact individuals.

5 “(6) For use by any insurer or insurance sup-
6 port organization, or by a self-insured entity, or its
7 agents, employees, or contractors, in connection with
8 claims investigation activities, antifraud activities,
9 rating or underwriting.

10 “(7) For use in providing notice to the owners
11 of towed or impounded vehicles.

12 “(8) For use by any licensed private investiga-
13 tive agency or licensed security service for any pur-
14 pose permitted under this subsection.

15 “(9) For use by an employer or its agent or in-
16 surer to obtain or verify information relating to a
17 holder of a commercial driver's license that is re-
18 quired under the Commercial Motor Vehicle Safety
19 Act of 1986 (49 U.S.C. App. 2710 et seq.).

20 “(10) For use in connection with the operation
21 of private toll transportation facilities.

22 “(11) For any other use in response to requests
23 for individual motor vehicle records if the motor ve-
24 hicle department has provided in a clear and con-
25 spicuous manner on forms for issuance or renewal of

1 operator's permits, titles, registrations, or identifica-
2 tion cards, notice that personal information collected
3 by the department may be disclosed to any business
4 or individual, and has provided in a clear and con-
5 spicuous manner on such forms an opportunity to
6 prohibit such disclosures.

7 “(12) For bulk distribution for surveys, market-
8 ing or solicitations if the motor vehicle department
9 has implemented methods and procedures to ensure
10 that—

11 “(A) individuals are provided an oppor-
12 tunity, in a clear and conspicuous manner, to
13 prohibit such uses; and

14 “(B) the information will be used, rented,
15 or sold solely for bulk distribution for surveys,
16 marketing, and solicitations, and that surveys,
17 marketing, and solicitations will not be directed
18 at those individuals who have requested in a
19 timely fashion that they not be directed at
20 them.

21 “(13) For use by any requester, if the requester
22 demonstrates it has obtained the written consent of
23 the individual to whom the information pertains.

24 “(14) For any other use specifically authorized
25 under the law of the State that holds the record, if

1 such use is related to the operation of a motor vehi-
2 cle or public safety.

3 “(c) RESALE OR REDISCLOSURE.—An authorized re-
4 cipient of personal information (except a recipient under
5 subsection (b)(11) or (12)) may resell or redisclose the in-
6 formation only for a use permitted under subsection (b)
7 (but not for uses under subsection (b) (11) or (12)). An
8 authorized recipient under subsection (b)(11) may resell
9 or redisclose personal information for any purpose. An au-
10 thorized recipient under subsection (b)(12) may resell or
11 redisclose personal information pursuant to subsection
12 (b)(12). Any authorized recipient (except a recipient under
13 subsection (b) (11)) that resells or rediscloses personal in-
14 formation covered by this title must keep for a period of
15 5 years records identifying each person or entity that re-
16 ceives information and the permitted purpose for which
17 the information will be used and must make such records
18 available to the motor vehicle department upon request.

19 “(d) WAIVER PROCEDURES.—A State motor vehicle
20 department may establish and carry out procedures under
21 which the department or its agents, upon receiving a re-
22 quest for personal information that does not fall within
23 one of the exceptions in subsection (b), may mail a copy
24 of the request to the individual about whom the informa-
25 tion was requested, informing such individual of the re-

1 quest, together with a statement to the effect that the in-
2 formation will not be released unless the individual waives
3 such individual's right to privacy under this section.

4 **“§ 2722. Additional unlawful acts**

5 “(a) **PROCUREMENT FOR UNLAWFUL PURPOSE.**—It
6 shall be unlawful for any person knowingly to obtain or
7 disclose personal information, from a motor vehicle record,
8 for any use not permitted under section 2721(b) of this
9 title.

10 “(b) **FALSE REPRESENTATION.**—It shall be unlawful
11 for any person to make false representation to obtain any
12 personal information from an individual's motor vehicle
13 record.

14 **“§ 2723. Penalties**

15 “(a) **CRIMINAL FINE.**—A person who knowingly vio-
16 lates this chapter shall be fined under this title.

17 “(b) **VIOLATIONS BY STATE DEPARTMENT OF**
18 **MOTOR VEHICLES.**—Any State department of motor vehi-
19 cles that has a policy or practice of substantial noncompli-
20 ance with this chapter shall be subject to a civil penalty
21 imposed by the Attorney General of not more than \$5,000
22 a day for each day of substantial noncompliance.

23 **“§ 2724. Civil action**

24 “(a) **CAUSE OF ACTION.**—A person who knowingly
25 obtains, discloses or uses personal information, from a

1 motor vehicle record, for a purpose not permitted under
2 this chapter shall be liable to the individual to whom the
3 information pertains, who may bring a civil action in a
4 United States district court.

5 “(b) REMEDIES.—The court may award—

6 “(1) actual damages, but not less than liq-
7 uidated damages in the amount of \$2,500;

8 “(2) punitive damages upon proof of willful or
9 reckless disregard of the law;

10 “(3) reasonable attorneys’ fees and other litiga-
11 tion costs reasonably incurred; and

12 “(4) such other preliminary and equitable relief
13 as the court determines to be appropriate.

14 **“§ 2725. Definitions**

15 “In this chapter—

16 “(1) ‘motor vehicle record’ means any record
17 that pertains to a motor vehicle operator’s permit,
18 motor vehicle title, motor vehicle registration, or
19 identification card issued by a department of motor
20 vehicles;

21 “(2) ‘person’ means an individual, organization
22 or entity, but does not include a State or agency
23 thereof; and

24 “(3) ‘personal information’ means information
25 that identifies an individual, including an individ-

1 ual's photograph, social security number, driver
2 identification number, name, address (but not the 5-
3 digit zip code), telephone number, and medical or
4 disability information, but does not include informa-
5 tion on vehicular accidents, driving violations, and
6 driver's status."

7 (b) CLERICAL AMENDMENT.—The table of parts at
8 the beginning of part I of title 18, United States Code,
9 is amended by adding at the end the following new item:

 "123. Prohibition on release and use of certain personal information
 from State motor vehicle records 2271"

10 **SEC. 300003. EFFECTIVE DATE.**

11 The amendments made by section 300002 shall be-
12 come effective on the date that is 3 years after the date
13 of enactment of this Act. After the effective date, if a
14 State has implemented a procedure under section 2721(b)
15 (11) and (12) of title 18, United States Code, as added
16 by section 2902, for prohibiting disclosures or uses of per-
17 sonal information, and the procedure otherwise meets the
18 requirements of subsection (b) (11) and (12), the State
19 shall be in compliance with subsection (b) (11) and (12)
20 even if the procedure is not available to individuals until
21 they renew their license, title, registration or identification
22 card, so long as the State provides some other procedure
23 for individuals to contact the State on their own initiative
24 to prohibit such uses or disclosures. Prior to the effective

1 date, personal information covered by the amendment
2 made by section 30002 may be released consistent with
3 State law or practice.

4 **TITLE XXXI—VIOLENT CRIME**
5 **REDUCTION TRUST FUND**

6 **SEC. 31001. CREATION OF VIOLENT CRIME REDUCTION**
7 **TRUST FUND.**

8 (a) **VIOLENT CRIME REDUCTION TRUST FUND.—**

9 There is established a separate account in the Treasury,
10 known as the “Violent Crime Reduction Trust Fund” (re-
11 ferred to in this section as the “Fund”) into which shall
12 be transferred, in accordance with subsection (b), savings
13 realized from implementation of section 5 of the Federal
14 Workforce Restructuring Act of 1994 (5 U.S.C. 3101
15 note; Public Law 103–226).

16 (b) **TRANSFERS INTO THE FUND.—**On the first day
17 of the following fiscal years (or as soon thereafter as pos-
18 sible for fiscal year 1995), the following amounts shall be
19 transferred from the general fund to the Fund—

- 20 (1) for fiscal year 1995, \$2,423,000,000;
21 (2) for fiscal year 1996, \$4,287,000,000;
22 (3) for fiscal year 1997, \$5,000,000,000;
23 (4) for fiscal year 1998, \$5,500,000,000;
24 (5) for fiscal year 1999, \$6,500,000,000; and
25 (6) for fiscal year 2000, \$6,500,000,000.

1 (c) APPROPRIATIONS FROM THE FUND.—(1)
2 Amounts in the Fund may be appropriated exclusively for
3 the purposes authorized in this Act and for those expenses
4 authorized by any Act enacted before this Act that are
5 expressly qualified for expenditure from the Fund.

6 (2) Amounts appropriated under paragraph (1) and
7 outlays flowing from such appropriations shall not be
8 taken into account for purposes of any budget enforce-
9 ment procedures under the Balanced Budget and Emer-
10 gency Deficit Control Act of 1985 except section 251A of
11 that Act as added by subsection (g), or for purposes of
12 section 605(b) of the Congressional Budget Act of 1974.
13 Amounts of new budget authority and outlays under para-
14 graph (1) that are included in concurrent resolutions on
15 the budget shall not be taken into account for purposes
16 of sections 601(b), 606(b), and 606(c) of the Congres-
17 sional Budget Act of 1974, or for purposes of section 24
18 of House Concurrent Resolution 218 (One Hundred Third
19 Congress).

20 (d) LISTING OF THE FUND AMONG GOVERNMENT
21 TRUST FUNDS.—Section 1321(a) of title 31, United
22 States Code, is amended by inserting at the end the follow-
23 ing new paragraph:

24 “(91) Violent Crime Reduction Trust Fund.”

1 (e) REQUIREMENT FOR THE PRESIDENT TO REPORT
2 ANNUALLY ON THE STATUS OF THE TRUST FUND.—Sec-
3 tion 1105(a) of title 31, United States Code, is amended
4 by adding at the end the following new paragraphs:

5 “(30) information about the Violent Crime Re-
6 duction Trust Fund, including a separate statement
7 of amounts in that Trust Fund.

8 “(31) an analysis displaying, by agency, pro-
9 posed reductions in full-time equivalent positions
10 compared to the current year’s level in order to com-
11 ply with section 5 of the Federal Workforce Restruc-
12 turing Act of 1994.”

13 (f) ALLOCATION AND SUBALLOCATION OF AMOUNTS
14 IN THE FUND.—

15 (1) IN GENERAL.—Section 602(a) of the Con-
16 gressional Budget Act of 1974 is amended—

17 (A) in paragraph (1)(A) by striking “and”
18 at the end of clause (ii), by striking the semi-
19 colon and inserting a comma at the end of
20 clause (iii), and by adding after clause (iii) the
21 following:

22 “(iv) new budget authority from the
23 Violent Crime Reduction Trust Fund, and

24 “(v) outlays from the Violent Crime
25 Reduction Trust Fund;”;

1 (B) in paragraph (2) by striking "and" at
2 the end of subparagraph (B) and by adding
3 after subparagraph (C) the following:

4 "(D) new budget authority from the Vio-
5 lent Crime Reduction Trust Fund; and

6 "(E) outlays from the Violent Crime Re-
7 duction Trust Fund;"; and

8 (C) by adding at the end the following new
9 paragraph:

10 "(4) NO DOUBLE COUNTING.—Amounts allo-
11 cated among committees under clause (iv) or (v) of
12 paragraph (1)(A) or under subparagraph (D) or (E)
13 of paragraph (2) shall not be included within any
14 other allocation under that paragraph."

15 (2) FISCAL YEAR 1995.—The chairman of the
16 Committee on the Budget shall submit to the House
17 of Representatives or the Senate, as the case may
18 be, appropriately revised allocations under clauses
19 (iv) and (v) of paragraph (1)(A) or subparagraphs
20 (D) and (E) of paragraph (2) of section 602(a) of
21 the Congressional Budget Act of 1974 for fiscal year
22 1995 to carry out subsection (b)(1).

23 (g) VIOLENT CRIME REDUCTION TRUST FUND SE-
24 QUESTRATION.—

1 (1) SEQUESTRATION.—Part C of the Balanced
2 Budget and Emergency Deficit Control Act of 1985
3 is amended by adding after section 251 the following
4 new section:

5 **“SEC. 251A. SEQUESTRATION WITH RESPECT TO VIOLENT**
6 **CRIME REDUCTION TRUST FUND.**

7 “(a) SEQUESTRATION.—Within 15 days after Con-
8 gress adjourns to end a session, there shall be a sequestra-
9 tion to eliminate any budgetary excess in the Violent
10 Crime Reduction Trust Fund as described in subsection
11 (b).

12 “(b) ELIMINATING A BUDGETARY EXCESS.—

13 “(1) IN GENERAL.—Except as provided by
14 paragraph (2), appropriations from the Violent
15 Crime Reduction Trust Fund shall be reduced by a
16 uniform percentage necessary to eliminate any
17 amount by which estimated outlays in the budget
18 year from the Fund exceed the following levels of
19 outlays:

20 “(A) For fiscal year 1995, \$703,000,000.

21 “(B) For fiscal year 1996,
22 \$2,334,000,000.

23 “(C) For fiscal year 1997, \$3,936,000,000.

24 “(D) For fiscal year 1998,
25 \$4,904,000,000.

1 For fiscal year 1999, the comparable level for budg-
2 etary purposes shall be deemed to be
3 \$5,639,000,000. For fiscal year 2000, the com-
4 parable level for budgetary purposes shall be deemed
5 to be \$6,225,000,000.

6 “(2) SPECIAL OUTLAY ALLOWANCE.—If esti-
7 mated outlays from the Fund for a fiscal year ex-
8 ceed the level specified in paragraph (1) for that
9 year, that level shall be increased by the lesser of
10 that excess or 0.5 percent of that level.

11 “(c) LOOK-BACK.—If, after June 30, an appropria-
12 tion for the fiscal year in progress is enacted that causes
13 a budgetary excess in the Violent Crime Reduction Trust
14 Fund as described in subsection (b) for that year (after
15 taking into account any sequestration of amounts under
16 this section), the level set forth in subsection (b) for the
17 next fiscal year shall be reduced by the amount of that
18 excess.

19 “(d) WITHIN-SESSION SEQUESTRATION.—If an ap-
20 propriation for a fiscal year in progress is enacted (after
21 Congress adjourns to end the session for the budget year
22 and before July 1 of that fiscal year) that causes a budg-
23 etary excess in the Violent Crime Reduction Trust Fund
24 as described in subsection (b) for that year (after taking
25 into account any prior sequestration of amounts under

1 this section), 15 days later there shall be a sequestration
2 to eliminate that excess following the procedures set forth
3 in subsection (b).

4 “(e) PART-YEAR APPROPRIATIONS AND OMB ESTI-
5 MATES.—Paragraphs (4) and (7) of section 251(a) shall
6 apply to appropriations from, and sequestration of
7 amounts appropriated from, the Violent Crime Reduction
8 Trust Fund under this section in the same manner as
9 those paragraphs apply to discretionary appropriations
10 and sequestrations under that section.”

11 (2) REPORTS.—Section 254(g) of the Balanced
12 Budget and Emergency Deficit Control Act of 1985
13 is amended by redesignating paragraphs (4) and (5)
14 as paragraphs (5) and (6), respectively, and by in-
15 serting after paragraph (3) the following new para-
16 graph:

17 “(4) REPORTS ON SEQUESTRATION TO REDUCE
18 THE VIOLENT CRIME REDUCTION TRUST FUND.—
19 The final reports shall set forth for the budget year
20 estimates for each of the following:

21 “(A) The amount of budget authority ap-
22 propriated from the Violent Crime Reduction
23 Trust Fund and outlays resulting from those
24 appropriations.

1 “(B) The sequestration percentage and re-
2 ductions, if any, required under section 251A.”.

3 **SEC. 310002. CONFORMING REDUCTION IN DISCRETIONARY**
4 **SPENDING LIMITS.**

5 Upon enactment of this Act, the discretionary spend-
6 ing limits set forth in section 601(a)(2) of the Congres-
7 sional Budget Act of 1974 (2 U.S.C. 665(a)(2)) (as ad-
8 justed in conformance with section 251 of the Balanced
9 Budget and Emergency Deficit Control Act of 1985, and
10 in the Senate, with section 24 of House Concurrent Reso-
11 lution 218 (103d Congress)) for fiscal years 1995 through
12 1998 are reduced as follows:

13 (1) for fiscal year 1995, for the discretionary
14 category: \$2,423,000,000 in new budget authority
15 and \$703,000,000 in outlays;

16 (2) for fiscal year 1996, for the discretionary
17 category: \$4,287,000,000 in new budget authority
18 and \$2,334,000,000 in outlays;

19 (3) for fiscal year 1997, for the discretionary
20 category: \$5,000,000,000 in new budget authority
21 and \$3,936,000,000 in outlays; and

22 (4) for fiscal year 1998, for the discretionary
23 category: \$5,500,000,000 in new budget authority
24 and \$4,904,000,000 in outlays.

1 For fiscal year 1999, the comparable amount for budg-
2 etary purposes shall be deemed to be \$6,500,000,000 in
3 new budget authority and \$5,639,000,000 in outlays. For
4 fiscal year 2000, the comparable amount for budgetary
5 purposes shall be deemed to be \$6,500,000,000 in new
6 budget authority and \$6,225,000,000 in outlays.

7 **SEC. 310003. EXTENSION OF AUTHORIZATIONS OF APPRO-**
8 **PRIATIONS FOR FISCAL YEARS FOR WHICH**
9 **THE FULL AMOUNT AUTHORIZED IS NOT AP-**
10 **PROPRIATED.**

11 If, in making an appropriation under any provision
12 of this Act or amendment made by this Act that author-
13 izes the making of an appropriation for a certain purpose
14 for a certain fiscal year in a certain amount, the Congress
15 makes an appropriation for that purpose for that fiscal
16 year in a lesser amount, that provision or amendment shall
17 be considered to authorize the making of appropriations
18 for that purpose for later fiscal years in an amount equal
19 to the difference between the amount authorized to be ap-
20 propriated and the amount that has been appropriated.

21 **SEC. 310004. FLEXIBILITY IN MAKING OF APPROPRIATIONS.**

22 (a) **FEDERAL LAW ENFORCEMENT.**—In the making
23 of appropriations under any provision of this Act or
24 amendment made by this Act that authorizes the making
25 of an appropriation for a Federal law enforcement pro-

1 gram for a certain fiscal year in a certain amount out of
2 the Violent Crime Reduction Trust Fund, not to exceed
3 10 percent of that amount is authorized to be appro-
4 priated for that fiscal year for any other Federal law en-
5 forcement program for which appropriations are author-
6 ized by any other Federal law enforcement provision of
7 this Act or amendment made by this Act. The aggregate
8 reduction in the authorization for any particular Federal
9 law enforcement program may not exceed 10 percent of
10 the total amount authorized to be appropriated from the
11 Violent Crime Reduction Trust Fund for that program in
12 this Act.

13 (b) STATE AND LOCAL LAW ENFORCEMENT.—In the
14 making of appropriations under any provision of this Act
15 or amendment made by this Act that authorizes the mak-
16 ing of an appropriation for a State and local law enforce-
17 ment program for a certain fiscal year in a certain amount
18 out of the Violent Crime Reduction Trust Fund, not to
19 exceed 10 percent of that amount is authorized to be ap-
20 propriated for that fiscal year for any other State and
21 local law enforcement program for which appropriations
22 are authorized by any other State and local law enforce-
23 ment provision of this Act or amendment made by this
24 Act. The aggregate reduction in the authorization for any
25 particular State and local law enforcement program may

1 not exceed 10 percent of the total amount authorized to
2 be appropriated from the Violent Crime Reduction Trust
3 Fund for that program in this Act.

4 (c) PREVENTION.—In the making of appropriations
5 under any provision of this Act or amendment made by
6 this Act that authorizes the making of an appropriation
7 for a prevention program for a certain fiscal year in a cer-
8 tain amount out of the Violent Crime Reduction Trust
9 Fund, not to exceed 10 percent of that amount is author-
10 ized to be appropriated for that fiscal year for any other
11 prevention program for which appropriations are author-
12 ized by any other prevention provision of this Act or
13 amendment made by this Act. The aggregate reduction in
14 the authorization for any particular prevention program
15 may not exceed 10 program of the total amount author-
16 ized to be appropriated from the Violent Crime Reduction
17 Trust Fund for that program in this Act.

18 (d) DEFINITIONS.—In this section—

19 “Federal law enforcement program” includes
20 support of Federal law enforcement and prisons and
21 other correctional facilities and programs.

22 “prevention program” includes drug court pro-
23 grams administered by the Department of Justice
24 and other prevention programs administered by the
25 Department of Justice and other agencies.

1 “State and local law enforcement program” in-
2 cludes grants or other forms of assistance for State
3 and local law enforcement and prisons and other
4 correctional facilities and programs.

5 **TITLE XXXII—MISCELLANEOUS**
6 **Subtitle A—Increases in Penalties**

7 **SEC. 320101. INCREASED PENALTIES FOR ASSAULT.**

8 (a) CERTAIN OFFICERS AND EMPLOYEES.—Section
9 111 of title 18, United States Code, is amended—

10 (1) in subsection (a) by inserting “, where the
11 acts in violation of this section constitute only simple
12 assault, be fined under this title or imprisoned not
13 more than one year, or both, and in all other cases,”
14 after “shall”; and

15 (2) in subsection (b) by inserting “or inflicts
16 bodily injury” after “weapon”.

17 (b) FOREIGN OFFICIALS, OFFICIAL GUESTS, AND
18 INTERNATIONALLY PROTECTED PERSONS.—Section
19 112(a) of title 18, United States Code, is amended—

20 (1) by striking “not more than \$5,000” and in-
21 serting “under this title”;

22 (2) by inserting “, or inflicts bodily injury,”
23 after “weapon”; and

24 (3) by striking “not more than \$10,000” and
25 inserting “under this title”.

1 (c) MARITIME AND TERRITORIAL JURISDICTION.—

2 Section 113 of title 18, United States Code, is amended—

3 (1) in subsection (c)—

4 (A) by striking “of not more than \$1,000”

5 and inserting “under this title”; and

6 (B) by striking “five” and inserting “ten”;

7 and

8 (2) in subsection (e)—

9 (A) by striking “of not more than \$300”

10 and inserting “under this title”; and

11 (B) by striking “three” and inserting

12 “six”.

13 (d) CONGRESS, CABINET, OR SUPREME COURT.—

14 Section 351(e) of title 18, United States Code, is
15 amended—

16 (1) by striking “not more than \$5,000,” and in-
17 serting “under this title,”;

18 (2) by inserting “the assault involved in the use
19 of a dangerous weapon, or” after “if”;

20 (3) by striking “not more than \$10,000” and
21 inserting “under this title”; and

22 (4) by striking “for”.

23 (e) PRESIDENT AND PRESIDENT’S STAFF.—Section

24 1751(e) of title 18, United States Code, is amended—

1 (1) by striking "not more than \$10,000," both
2 places it appears and inserting "under this title,";

3 (2) by striking "not more than \$5,000," and in-
4 serting "under this title,"; and

5 (3) by inserting "the assault involved the use of
6 a dangerous weapon, or" after "if".

7 **SEC. 320102. INCREASED PENALTIES FOR MANSLAUGHTER.**

8 Section 1112 of title 18, United States Code, is
9 amended—

10 (1) in subsection (b)—

11 (A) by inserting "fined under this title or"
12 after "shall be" in the first undesignated para-
13 graph; and

14 (B) by inserting ", or both" after "years";

15 (2) by striking "not more than \$1,000" and in-
16 serting "under this title"; and

17 (3) by striking "three" and inserting "six".

18 **SEC. 320103. INCREASED PENALTIES FOR CIVIL RIGHTS**
19 **VIOLATIONS.**

20 (a) **CONSPIRACY AGAINST RIGHTS.**—Section 241 of
21 title 18, United States Code, is amended—

22 (1) by striking "not more than \$10,000" and
23 inserting "under this title";

24 (2) by inserting "from the acts committed in
25 violation of this section or if such acts include kid-

1 napping or an attempt to kidnap, aggravated sexual
2 abuse or an attempt to commit aggravated sexual
3 abuse, or an attempt to kill” after “results”;

4 (3) by striking “subject to imprisonment” and
5 inserting “fined under this title or imprisoned”; and

6 (4) by inserting “, or both” after “life”.

7 (b) DEPRIVATION OF RIGHTS.—Section 242 of title
8 18, United States Code, is amended—

9 (1) by striking “not more than \$1,000” and in-
10 serting “under this title”;

11 (2) by inserting “from the acts committed in
12 violation of this section or if such acts include the
13 use, attempted use, or threatened use of a dangerous
14 weapon, explosives, or fire,” after “bodily injury re-
15 sults”;

16 (3) by inserting “from the acts committed in
17 violation of this section or if such acts include kid-
18 napping or an attempt to kidnap, aggravated sexual
19 abuse, or an attempt to commit aggravated sexual
20 abuse, or an attempt to kill, shall be fined under this
21 title, or” after “death results”;

22 (4) by striking “shall be subject to imprison-
23 ment” and inserting “imprisoned”; and

24 (5) by inserting “, or both” after “life”.

1 (c) **FEDERALLY PROTECTED ACTIVITIES.**—Section
2 245(b) of title 18, United States Code, is amended in the
3 matter following paragraph (5)—

4 (1) by striking “not more than \$1,000” and in-
5 serting “under this title”;

6 (2) by inserting “from the acts committed in
7 violation of this section or if such acts include the
8 use, attempted use, or threatened use of a dangerous
9 weapon, explosives, or fire” after “bodily injury re-
10 sults;

11 (3) by striking “not more than \$10,000” and
12 inserting “under this title”;

13 (4) by inserting “from the acts committed in
14 violation of this section or if such acts include kid-
15 napping or an attempt to kidnap, aggravated sexual
16 abuse or an attempt to commit aggravated sexual
17 abuse, or an attempt to kill,” after “death results”;

18 (5) by striking “subject to imprisonment” and
19 inserting “fined under this title or imprisoned”; and

20 (6) by inserting “, or both” after “life”.

21 (d) **DAMAGE TO RELIGIOUS PROPERTY.**—Section
22 247 of title 18, United States Code, is amended—

23 (1) in subsection (c)(1) by inserting “from acts
24 committed in violation of this section or if such acts
25 include kidnapping or an attempt to kidnap, aggra-

1 vated sexual abuse or an attempt to commit aggra-
2 vated sexual abuse, or an attempt to kill" after
3 "death results";

4 (2) in subsection (c)(2)—

5 (A) by striking "serious"; and

6 (B) by inserting "from the acts committed
7 in violation of this section or if such acts in-
8 clude the use, attempted use, or threatened use
9 of a dangerous weapon, explosives, or fire"
10 after "bodily injury results"; and

11 (3) by amending subsection (e) to read as fol-
12 lows:

13 "(e) As used in this section, the term 'religious prop-
14 erty' means any church, synagogue, mosque, religious
15 cemetery, or other religious property."

16 (e) FAIR HOUSING ACT.—Section 901 of the Fair
17 Housing Act (42 U.S.C. 3631) is amended—

18 (1) in the caption by striking "bodily injury;
19 death";

20 (2) by striking "not more than \$1,000," and in-
21 serting "under this title";

22 (3) by inserting "from the acts committed in
23 violation of this section or if such acts include the
24 use, attempted use, or threatened use of a dangerous

1 weapon, explosives, or fire” after “bodily injury re-
2 sults”;

3 (4) by striking “not more than \$10,000,” and
4 inserting “under this title”;

5 (5) by inserting “from the acts committed in
6 violation of this section or if such acts include kid-
7 napping or an attempt to kidnap, aggravated sexual
8 abuse or an attempt to commit aggravated sexual
9 abuse, or an attempt to kill,” after “death results”;

10 (6) by striking “subject to imprisonment” and
11 inserting “fined under this title or imprisoned”; and

12 (7) by inserting “, or both” after “life”.

13 **SEC. 320104. PENALTIES FOR TRAFFICKING IN COUNTER-**
14 **FEIT GOODS AND SERVICES.**

15 (a) IN GENERAL.—Section 2320(a) of title 18, Unit-
16 ed States Code, is amended—

17 (1) in the first sentence—

18 (A) by striking “\$250,000 or imprisoned
19 not more than five years” and inserting
20 “\$2,000,000 or imprisoned not more than 10
21 years”; and

22 (B) by striking “\$1,000,000” and insert-
23 ing “\$5,000,000”; and

24 (2) in the second sentence—

1 (A) by striking "\$1,000,000 or imprisoned
2 not more than fifteen years" and inserting
3 "\$5,000,000 or imprisoned not more than 20
4 years"; and

5 (B) by striking "\$5,000,000" and insert-
6 ing "\$15,000,000".

7 (b) LAUNDERING MONETARY INSTRUMENTS.—Sec-
8 tion 1956(c)(7)(D) of title 18, United States Code, is
9 amended by striking "or section 2319 (relating to copy-
10 right infringement)," and inserting "section 2319 (relat-
11 ing to copyright infringement), or section 2320 (relating
12 to trafficking in counterfeit goods and services),".

13 **SEC. 320105. INCREASED PENALTY FOR CONSPIRACY TO**
14 **COMMIT MURDER FOR HIRE.**

15 Section 1958(a) of title 18, United States Code, is
16 amended by inserting "or who conspires to do so" before
17 "shall be fined" the first place it appears.

18 **SEC. 320106. INCREASED PENALTIES FOR ARSON.**

19 Section 844 of title 18, United States Code, is
20 amended—

21 (1) in subsection (f)—

22 (A) by striking "not more than ten years,
23 or fined not more than \$10,000" and inserting
24 "not more than 20 years, fined the greater of
25 the fine under this title or the cost of repairing

1 or replacing any property that is damaged or
2 destroyed,"; and

3 (B) by striking "not more than twenty
4 years, or fined not more than \$10,000" and in-
5 serting "not more than 40 years, fined the
6 greater of the fine under this title or the cost
7 of repairing or replacing any property that is
8 damaged or destroyed,";

9 (2) in subsection (h)—

10 (A) in the first sentence by striking "five
11 years" and inserting "5 years but not more
12 than 15 years"; and

13 (B) in the second sentence by striking "ten
14 years" and inserting "10 years but not more
15 than 25 years"; and

16 (3) in subsection (i)—

17 (A) by striking "not more than ten years
18 or fined not more than \$10,000" and inserting
19 "not more than 20 years, fined the greater of
20 the fine under this title or the cost of repairing
21 or replacing any property that is damaged or
22 destroyed,"; and

23 (B) by striking "not more than twenty
24 years or fined not more than \$20,000" and in-
25 serting "not more than 40 years, fined the

1 greater of the fine under this title or the cost
2 of repairing or replacing any property that is
3 damaged or destroyed.”

4 **SEC. 320107. INCREASED PENALTIES FOR DRUG TRAFFICK-**
5 **ING NEAR PUBLIC HOUSING.**

6 Section 419 of the Controlled Substances Act (21
7 U.S.C. 860) is amended—

8 (1) in subsection (a) by striking “playground,
9 or within” and inserting “playground, or housing fa-
10 cility owned by a public housing authority, or with-
11 in”; and

12 (2) in subsection (b) by striking “playground,
13 or within” and inserting “playground, or housing fa-
14 cility owned by a public housing authority, or with-
15 in”.

16 **SEC. 320108. TASK FORCE AND CRIMINAL PENALTIES RE-**
17 **LATING TO THE INTRODUCTION OF**
18 **NONINDIGENOUS SPECIES.**

19 (a) **TASK FORCE.**—

20 (1) **IN GENERAL.**—The Attorney General is au-
21 thorized to convene a law enforcement task force in
22 Hawaii to facilitate the prosecution of violations of
23 Federal laws, and laws of the State of Hawaii, relat-
24 ing to the wrongful conveyance, sale, or introduction
25 of nonindigenous plant and animal species.

1 (2) MEMBERSHIP.—(A) The task force shall be
2 composed of representatives of—

3 (i) the Office of the United States Attor-
4 ney for the District of Hawaii;

5 (ii) the United States Customs Service;

6 (iii) the Animal and Plant Health Inspec-
7 tion Service;

8 (iv) the Fish and Wildlife Service;

9 (v) the National Park Service;

10 (vi) the United States Forest Service;

11 (vii) the Military Customs Inspection Of-
12 fice of the Department of Defense;

13 (viii) the United States Postal Service;

14 (ix) the office of the Attorney General of
15 the State of Hawaii;

16 (x) the Hawaii Department of Agriculture;

17 (xi) the Hawaii Department of Land and
18 Natural Resources; and

19 (xii) such other individuals as the Attorney
20 General deems appropriate.

21 (B) The Attorney General shall, to the extent
22 practicable, select individuals to serve on the task
23 force who have experience with the enforcement of
24 laws relating to the wrongful conveyance, sale, or in-

1 roduction of nonindigenous plant and animal spe-
2 cies.

3 (3) DUTIES.—The task force shall—

4 (A) facilitate the prosecution of violations
5 of Federal and State laws relating to the con-
6 veyance, sale, or introduction of nonindigenous
7 plant and animal species into Hawaii; and

8 (B) make recommendations on ways to
9 strengthen Federal and State laws and law en-
10 forcement strategies designed to prevent the in-
11 troduction of nonindigenous plant and animal
12 species.

13 (4) REPORT.—The task force shall report to
14 the Attorney General, the Secretary of Agriculture,
15 the Secretary of the Interior, and to the Committee
16 on the Judiciary and Committee on Agriculture, Nu-
17 trition, and Forestry of the Senate and the Commit-
18 tee on the Judiciary, Committee on Agriculture, and
19 Committee on Merchant Marine and Fisheries of the
20 House of Representatives on—

21 (A) the progress of its enforcement efforts;
22 and

23 (B) the adequacy of existing Federal laws
24 and laws of the State of Hawaii that relate to

1 the introduction of nonindigenous plant and
2 animal species.

3 Thereafter, the task force shall make such reports as
4 the task force deems appropriate.

5 (5) CONSULTATION.—The task force shall con-
6 sult with Hawaii agricultural interests and rep-
7 resentatives of Hawaii conservation organizations
8 about methods of preventing the wrongful convey-
9 ance, sale, or introduction of nonindigenous plant
10 and animal species into Hawaii.

11 (b) CRIMINAL PENALTY.—

12 (1) IN GENERAL.—Chapter 83 of title 18, Unit-
13 ed States Code, is amended by inserting after sec-
14 tion 1716C the following new section:

15 **“§ 1716D. Nonmailable injurious animals, plant pests,**
16 **plants, and illegally taken fish, wildlife,**
17 **and plants**

18 “A person who knowingly deposits for mailing or de-
19 livery, or knowingly causes to be delivered by mail, accord-
20 ing to the direction thereon, or at any place at which it
21 is directed to be delivered by the person to whom it is
22 addressed, anything that section 3015 of title 39 declares
23 to be nonmailable matter shall be fined under this title,
24 imprisoned not more than 1 year, or both.”

1 (2) TECHNICAL AMENDMENT.—The chapter
2 analysis for chapter 83 of title 18, United States
3 Code, is amended by inserting after the item relating
4 to section 1716C the following new item:

“1716D. Nonmailable injurious animals, plant pests, plants, and illegally taken
fish, wildlife, and plants.”

5 **SEC. 320109. MILITARY MEDALS AND DECORATIONS.**

6 Section 704 of title 18, United States Code, is
7 amended—

8 (1) by striking “Whoever” and inserting (a) IN
9 GENERAL.—Whoever”;

10 (2) by striking “not more than \$250” and in-
11 serting “under this title”; and

12 (3) by adding at the end the following new sub-
13 section:

14 “(b) CONGRESSIONAL MEDAL OF HONOR.—

15 “(1) IN GENERAL.—If a decoration or medal in-
16 volved in an offense under subsection (a) is a Con-
17 gressional Medal of Honor, in lieu of the punishment
18 provided in that subsection, the offender shall be
19 fined under this title, imprisoned not more than 1
20 year, or both.

21 “(2) DEFINITIONS.—(A) As used in subsection
22 (a) with respect to a Congressional Medal of Honor,
23 ‘sells’ includes trades, barter, or exchanges for any-
24 thing of value.

1 “(B) As used in this subsection, ‘Congressional
2 Medal of Honor’ means a medal awarded under sec-
3 tion 3741 of title 10.”.

4 **Subtitle B—Extension of**
5 **Protection of Civil Rights Statutes**

6 **SEC. 320201. EXTENSION OF PROTECTION OF CIVIL RIGHTS**
7 **STATUTES.**

8 (a) **CONSPIRACY AGAINST RIGHTS.**—Section 241 of
9 title 18, United States Code, is amended by striking “in-
10 habitant of” and inserting “person in”.

11 (b) **DEPRIVATION OF RIGHTS UNDER COLOR OF**
12 **LAW.**—Section 242 of title 18, United States Code, is
13 amended—

14 (1) by striking “inhabitant of” and inserting
15 “person in”; and

16 (2) by striking “such inhabitant” and inserting
17 “such person”.

18 **Subtitle C—Audit and Report**

19 **SEC. 320301. AUDIT REQUIREMENT FOR STATE AND LOCAL**
20 **LAW ENFORCEMENT AGENCIES RECEIVING**
21 **FEDERAL ASSET FORFEITURE FUNDS.**

22 (a) **STATE REQUIREMENT.**—Section 524(c)(7) of
23 title 28, United States Code, is amended to read as fol-
24 lows:

1 “(D) a report for such fiscal year containing a
2 description of the administrative and contracting ex-
3 penses paid from the Fund under paragraph
4 (1)(A).”

5 **Subtitle D—Coordination**

6 **SEC. 320401. COORDINATION OF SUBSTANCE ABUSE TREAT-** 7 **MENT AND PREVENTION PROGRAMS.**

8 The Attorney General shall consult with the Sec-
9 retary of the Department of Health and Human Services
10 in establishing and carrying out the substance abuse treat-
11 ment and prevention components of the programs author-
12 ized under this Act, to assure coordination of programs,
13 eliminate duplication of efforts and enhance the effective-
14 ness of such services.

15 **Subtitle E—Gambling**

16 **SEC. 320501. CLARIFYING AMENDMENT REGARDING SCOPE** 17 **OF PROHIBITION AGAINST GAMBLING ON** 18 **SHIPS IN INTERNATIONAL WATERS.**

19 The paragraph of section 1081 of title 18, United
20 States Code, defining the term “gambling ship” is amend-
21 ed by adding at the end the following: “Such term does
22 not include a vessel with respect to gambling aboard such
23 vessel beyond the territorial waters of the United States
24 during a covered voyage (as defined in section 4472 of

1 the Internal Revenue Code of 1986 as in effect on January
2 1, 1994).”.

3 **Subtitle F—White Collar Crime**
4 **Amendments**

5 **SEC. 320601. RECEIVING THE PROCEEDS OF EXTORTION OR**
6 **KIDNAPPING.**

7 (a) **PROCEEDS OF EXTORTION.**—Chapter 41 of title
8 18, United States Code, is amended—

9 (1) by adding at the end the following new sec-
10 tion:

11 **“§ 880. Receiving the proceeds of extortion**

12 “A person who receives, possesses, conceals, or dis-
13 poses of any money or other property which was obtained
14 from the commission of any offense under this chapter
15 that is punishable by imprisonment for more than 1 year,
16 knowing the same to have been unlawfully obtained, shall
17 be imprisoned not more than 3 years, fined under this
18 title, or both.”; and

19 (2) in the table of sections, by adding at the
20 end the following new item:

“880. Receiving the proceeds of extortion.”.

21 (b) **RANSOM MONEY.**—Section 1202 of title 18, Unit-
22 ed States Code, is amended—

23 (1) by designating the existing matter as sub-
24 section “(a)”; and

25 (2) by adding the following new subsections:

1 “(b) A person who transports, transmits, or transfers
2 in interstate or foreign commerce any proceeds of a kid-
3 napping punishable under State law by imprisonment for
4 more than 1 year, or receives, possesses, conceals, or dis-
5 poses of any such proceeds after they have crossed a State
6 or United States boundary, knowing the proceeds to have
7 been unlawfully obtained, shall be imprisoned not more
8 than 10 years, fined under this title, or both.

9 “(c) For purposes of this section, the term ‘State’ has
10 the meaning set forth in section 245(d) of this title.”.

11 **SEC. 320602. RECEIVING THE PROCEEDS OF A POSTAL ROB-**
12 **BERY.**

13 Section 2114 of title 18, United States Code, is
14 amended—

15 (1) by striking “whoever” and inserting:

16 “(a) ASSAULT.—A person who”; and

17 (2) by adding at the end the following new
18 subsection:

19 “(b) RECEIPT, POSSESSION, CONCEALMENT, OR DIS-
20 POSAL OF PROPERTY.—A person who receives, possesses,
21 conceals, or disposes of any money or other property that
22 has been obtained in violation of this section, knowing the
23 same to have been unlawfully obtained, shall be impris-
24 oned not more than 10 years, fined under this title, or
25 both.”.

1 SEC. 320603. CRIMES BY OR AFFECTING PERSONS EN-
2 GAGED IN THE BUSINESS OF INSURANCE
3 WHOSE ACTIVITIES AFFECT INTERSTATE
4 COMMERCE.

5 (a) IN GENERAL.—Chapter 47 of title 18, United
6 States Code, is amended by adding at the end the follow-
7 ing new sections:

8 “§1033. Crimes by or affecting persons engaged in
9 the business of insurance whose activi-
10 ties affect interstate commerce

11 “(a)(1) Whoever is engaged in the business of insur-
12 ance whose activities affect interstate commerce and
13 knowingly, with the intent to deceive, makes any false ma-
14 terial statement or report or willfully and materially
15 overvalues any land, property or security—

16 “(A) in connection with any financial reports or
17 documents presented to any insurance regulatory of-
18 ficial or agency or an agent or examiner appointed
19 by such official or agency to examine the affairs of
20 such person, and

21 “(B) for the purpose of influencing the actions
22 of such official or agency or such an appointed agent
23 or examiner,

24 shall be punished as provided in paragraph (2).

25 “(2) The punishment for an offense under paragraph
26 (1) is a fine as established under this title or imprison-

1 ment for not more than 10 years, or both, except that
2 the term of imprisonment shall be not more than 15 years
3 if the statement or report or overvaluing of land, property,
4 or security jeopardized the safety and soundness of an in-
5 surer and was a significant cause of such insurer being
6 placed in conservation, rehabilitation, or liquidation by an
7 appropriate court.

8 “(b)(1) Whoever—

9 “(A) acting as, or being an officer, director,
10 agent, or employee of, any person engaged in the
11 business of insurance whose activities affect inter-
12 state commerce, or

13 “(B) is engaged in the business of insurance
14 whose activities affect interstate commerce or is in-
15 volved (other than as an insured or beneficiary
16 under a policy of insurance) in a transaction relating
17 to the conduct of affairs of such a business,

18 willfully embezzles, abstracts, purloins, or misappropriates
19 any of the moneys, funds, premiums, credits, or other
20 property of such person so engaged shall be punished as
21 provided in paragraph (2).

22 “(2) The punishment for an offense under paragraph
23 (1) is a fine as provided under this title or imprisonment
24 for not more than 10 years, or both, except that if such
25 embezzlement, abstraction, purloining, or misappropria-

1 tion described in paragraph (1) jeopardized the safety and
2 soundness of an insurer and was a significant cause of
3 such insurer being placed in conservation, rehabilitation,
4 or liquidation by an appropriate court, such imprisonment
5 shall be not more than 15 years. If the amount or value
6 so embezzled, abstracted, purloined, or misappropriated
7 does not exceed \$5,000, whoever violates paragraph (1)
8 shall be fined as provided in this title or imprisoned not
9 more than one year, or both.

10 “(c)(1) Whoever is engaged in the business of insur-
11 ance and whose activities affect interstate commerce or is
12 involved (other than as an insured or beneficiary under
13 a policy of insurance) in a transaction relating to the con-
14 duct of affairs of such a business, knowingly makes any
15 false entry of material fact in any book, report, or state-
16 ment of such person engaged in the business of insurance
17 with intent to deceive any person, including any officer,
18 employee, or agent of such person engaged in the business
19 of insurance, any insurance regulatory official or agency,
20 or any agent or examiner appointed by such official or
21 agency to examine the affairs of such person, about the
22 financial condition or solvency of such business shall be
23 punished as provided in paragraph (2).

24 “(2) The punishment for an offense under paragraph
25 (1) is a fine as provided under this title or imprisonment

1 for not more than 10 years, or both, except that if the
2 false entry in any book, report, or statement of such per-
3 son jeopardized the safety and soundness of an insurer
4 and was a significant cause of such insurer being placed
5 in conservation, rehabilitation, or liquidation by an appro-
6 priate court, such imprisonment shall be not more than
7 15 years.

8 “(d) Whoever, by threats or force or by any threaten-
9 ing letter or communication, corruptly influences, ob-
10 structs, or impedes or endeavors corruptly to influence, ob-
11 struct, or impede the due and proper administration of
12 the law under which any proceeding involving the business
13 of insurance whose activities affect interstate commerce
14 is pending before any insurance regulatory official or
15 agency or any agent or examiner appointed by such official
16 or agency to examine the affairs of a person engaged in
17 the business of insurance whose activities affect interstate
18 commerce, shall be fined as provided in this title or impris-
19 oned not more than 10 years, or both.

20 “(e)(1)(A) Any individual who has been convicted of
21 any criminal felony involving dishonesty or a breach of
22 trust, or who has been convicted of an offense under this
23 section, and who willfully engages in the business of insur-
24 ance whose activities affect interstate commerce or partici-

1 pates in such business, shall be fined as provided in this
2 title or imprisoned not more than 5 years, or both.

3 “(B) Any individual who is engaged in the business
4 of insurance whose activities affect interstate commerce
5 and who willfully permits the participation described in
6 subparagraph (A) shall be fined as provided in this title
7 or imprisoned not more than 5 years, or both.

8 “(2) A person described in paragraph (1)(A) may en-
9 gage in the business of insurance or participate in such
10 business if such person has the written consent of any in-
11 surance regulatory official authorized to regulate the in-
12 surer, which consent specifically refers to this subsection.

13 “(f) As used in this section—

14 “(1) the term ‘business of insurance’ means—

15 “(A) the writing of insurance, or

16 “(B) the reinsuring of risks,

17 by an insurer, including all acts necessary or inci-
18 dental to such writing or reinsuring and the activi-
19 ties of persons who act as, or are, officers, directors,
20 agents, or employees of insurers or who are other
21 persons authorized to act on behalf of such persons;

22 “(2) the term ‘insurer’ means any entity the
23 business activity of which is the writing of insurance
24 or the reinsuring of risks, and includes any person

1 who acts as, or is, an officer, director, agent, or em-
2 ployee of that business;

3 “(3) the term ‘interstate commerce’ means—

4 “(A) commerce within the District of Co-
5 lumbia, or any territory or possession of the
6 United States;

7 “(B) all commerce between any point in
8 the State, territory, possession, or the District
9 of Columbia and any point outside thereof;

10 “(C) all commerce between points within
11 the same State through any place outside such
12 State; or

13 “(D) all other commerce over which the
14 United States has jurisdiction; and

15 “(4) the term ‘State’ includes any State, the
16 District of Columbia, the Commonwealth of Puerto
17 Rico, the Northern Mariana Islands, the Virgin Is-
18 lands, American Samoa, and the Trust Territory of
19 the Pacific Islands.

20 **“§ 1034. Civil penalties and injunctions for violations**
21 **of section 1033**

22 “(a) The Attorney General may bring a civil action
23 in the appropriate United States district court against any
24 person who engages in conduct constituting an offense
25 under section 1033 and, upon proof of such conduct by

1 a preponderance of the evidence, such person shall be sub-
2 ject to a civil penalty of not more than \$50,000 for each
3 violation or the amount of compensation which the person
4 received or offered for the prohibited conduct, whichever
5 amount is greater. If the offense has contributed to the
6 decision of a court of appropriate jurisdiction to issue an
7 order directing the conservation, rehabilitation, or liquida-
8 tion of an insurer, such penalty shall be remitted to the
9 appropriate regulatory official for the benefit of the policy-
10 holders, claimants, and creditors of such insurer. The im-
11 position of a civil penalty under this subsection does not
12 preclude any other criminal or civil statutory, common
13 law, or administrative remedy, which is available by law
14 to the United States or any other person.

15 “(b) If the Attorney General has reason to believe
16 that a person is engaged in conduct constituting an of-
17 fense under section 1033, the Attorney General may peti-
18 tion an appropriate United States district court for an
19 order prohibiting that person from engaging in such con-
20 duct. The court may issue an order prohibiting that person
21 from engaging in such conduct if the court finds that the
22 conduct constitutes such an offense. The filing of a peti-
23 tion under this section does not preclude any other remedy
24 which is available by law to the United States or any other
25 person.”

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 47 of such title is amended by adding at the
3 end the following new items:

“1033. Crimes by or affecting persons engaged in the business of insurance
whose activities affect interstate commerce.

“1034. Civil penalties and injunctions for violations of section 1033.”

4 **SEC. 320604. MISCELLANEOUS AMENDMENTS TO TITLE 18,**
5 **UNITED STATES CODE.**

6 (a) TAMPERING WITH INSURANCE REGULATORY
7 PROCEEDINGS.—Section 1515(a)(1) of title 18, United
8 States Code, is amended—

9 (1) by striking “or” at the end of subparagraph
10 (B);

11 (2) by inserting “or” at the end of subpara-
12 graph (C); and

13 (3) by adding at the end thereof the following
14 new subparagraph:

15 “(D) a proceeding involving the business of
16 insurance whose activities affect interstate com-
17 merce before any insurance regulatory official
18 or agency or any agent or examiner appointed
19 by such official or agency to examine the affairs
20 of any person engaged in the business of insur-
21 ance whose activities affect interstate com-
22 merce; or”.

23 (b) LIMITATIONS.—Section 3293 of such title is
24 amended by inserting “1033,” after “1014,”.

1 (c) OBSTRUCTION OF CRIMINAL INVESTIGATIONS.—
2 Section 1510 of title 18, United States Code, is amended
3 by adding at the end the following new subsection:

4 “(d)(1) Whoever—

5 “(A) acting as, or being, an officer, director,
6 agent or employee of a person engaged in the busi-
7 ness of insurance whose activities affect interstate
8 commerce, or

9 “(B) is engaged in the business of insurance
10 whose activities affect interstate commerce or is in-
11 volved (other than as an insured or beneficiary
12 under a policy of insurance) in a transaction relating
13 to the conduct of affairs of such a business,

14 with intent to obstruct a judicial proceeding, directly or
15 indirectly notifies any other person about the existence or
16 contents of a subpoena for records of that person engaged
17 in such business or information that has been furnished
18 to a Federal grand jury in response to that subpoena, shall
19 be fined as provided by this title or imprisoned not more
20 than 5 years, or both.

21 “(2) As used in paragraph (1), the term ‘subpoena
22 for records’ means a Federal grand jury subpoena for
23 records that has been served relating to a violation of, or
24 a conspiracy to violate, section 1033 of this title.”

1 **SEC. 320605. FEDERAL DEPOSIT INSURANCE ACT AMEND-**
2 **MENT.**

3 Section 19(a) of the Federal Deposit Insurance Act
4 (12 U.S.C. 1829(a)) is amended in paragraph
5 (2)(A)(i)(I)—

6 (1) by striking “or 1956”; and

7 (2) by inserting “1517, 1956, or 1957”.

8 **SEC. 320606. FEDERAL CREDIT UNION ACT AMENDMENTS.**

9 Section 205(d) of the Federal Credit Union Act (12
10 U.S.C. 1785(d)) is amended to read as follows:

11 “(d) PROHIBITION.—

12 “(1) IN GENERAL.—Except with prior written
13 consent of the Board—

14 “(A) any person who has been convicted of
15 any criminal offense involving dishonesty or a
16 breach of trust, or has agreed to enter into a
17 pretrial diversion or similar program in connec-
18 tion with a prosecution for such offense, may
19 not—

20 “(i) become, or continue as, an insti-
21 tution-affiliated party with respect to any
22 insured credit union; or

23 “(ii) otherwise participate, directly or
24 indirectly, in the conduct of the affairs of
25 any insured credit union; and

1 “(B) any insured credit union may not
2 permit any person referred to in subparagraph
3 (A) to engage in any conduct or continue any
4 relationship prohibited under such subpara-
5 graph.

6 “(2) MINIMUM 10-YEAR PROHIBITION PERIOD
7 FOR CERTAIN OFFENSES.—

8 “(A) IN GENERAL.—If the offense referred
9 to in paragraph (1)(A) in connection with any
10 person referred to in such paragraph is—

11 “(i) an offense under—

12 “(I) section 215, 656, 657, 1005,
13 1006, 1007, 1008, 1014, 1032, 1344,
14 1517, 1956, or 1957 of title 18,
15 United States Code; or

16 “(II) section 1341 or 1343 of
17 such title which affects any financial
18 institution (as defined in section 20 of
19 such title); or

20 “(ii) the offense of conspiring to com-
21 mit any such offense,

22 the Board may not consent to any exception to
23 the application of paragraph (1) to such person
24 during the 10-year period beginning on the date

1 the conviction or the agreement of the person
2 becomes final.

3 “(B) EXCEPTION BY ORDER OF SENTENC-
4 ING COURT.—

5 “(i) IN GENERAL.—On motion of the
6 Board, the court in which the conviction or
7 the agreement of a person referred to in
8 subparagraph (A) has been entered may
9 grant an exception to the application of
10 paragraph (1) to such person if granting
11 the exception is in the interest of justice.

12 “(ii) PERIOD FOR FILING.—A motion
13 may be filed under clause (i) at any time
14 during the 10-year period described in sub-
15 paragraph (A) with regard to the person
16 on whose behalf such motion is made.

17 “(3) PENALTY.—Whoever knowingly violates
18 paragraph (1) or (2) shall be fined not more than
19 \$1,000,000 for each day such prohibition is violated
20 or imprisoned for not more than 5 years, or both.”.

21 **SEC. 320607. ADDITION OF PREDICATE OFFENSES TO FI-**
22 **NANCIAL INSTITUTIONS REWARDS STATUTE.**

23 Section 3059A of title 18, United States Code, is
24 amended—

25 (1) by inserting “225,” after “215”;

1 (2) by striking "or" before "1344"; and

2 (3) by inserting ", or 1517" after "1344".

3 **SEC. 320608. DEFINITION OF SAVINGS AND LOAN ASSOCIA-**
4 **TION" FOR PURPOSES OF THE OFFENSE OF**
5 **BANK ROBBERY AND RELATED OFFENSES.**

6 Section 2113 of title 18, United States Code, is
7 amended by adding at the end the following new sub-
8 section:

9 "(h) As used in this section, the term 'savings and
10 loan association' means—

11 "(1) a Federal savings association or State sav-
12 ings association (as defined in section 3(b) of the
13 Federal Deposit Insurance Act (12 U.S.C. 1813(b)))
14 having accounts insured by the Federal Deposit In-
15 surance Corporation; and

16 "(2) a corporation described in section
17 3(b)(1)(C) of the Federal Deposit Insurance Act (12
18 U.S.C. 1813(b)(1)(C)) that is operating under the
19 laws of the United States."

20 **SEC. 320609. DEFINITION OF 1-YEAR PERIOD FOR PUR-**
21 **POSES OF THE OFFENSE OF OBSTRUCTION**
22 **OF A FEDERAL AUDIT.**

23 Section 1516(b) of title 18, United States Code, is
24 amended—

- 1 (1) by striking “section the term” and inserting
2 “section—
3 “(1) the term”;
4 (2) by striking the period at the end and insert-
5 ing a semicolon; and
6 (3) by adding at the end the following new
7 paragraph:
8 “(2) the term ‘in any 1 year period’ has the
9 meaning given to the term ‘in any one-year period’
10 in section 666.”.

11 **Subtitle G—Safer Streets and** 12 **Neighborhoods**

13 **SEC. 320701. SHORT TITLE.**

14 This subtitle may be cited as the “Safer Streets and
15 Neighborhoods Act of 1994”.

16 **SEC. 320702. LIMITATION ON GRANT DISTRIBUTION.**

17 (a) **AMENDMENT.**—Section 510(b) of title I of the
18 Omnibus Crime Control and Safe Streets Act of 1968 (42
19 U.S.C. 3760(b)) is amended by inserting “non-Federal”
20 after “with”.

21 (b) **EFFECTIVE DATE.**—The amendment made by
22 subsection (a) shall take effect on October 1, 1994.

1 **Subtitle H—Recreational Hunting**
2 **Safety**

3 **SEC. 320801. SHORT TITLE.**

4 This subtitle may be cited as the “Recreational Hunt-
5 ing Safety and Preservation Act of 1994”.

6 **SEC. 320802. OBSTRUCTION OF A LAWFUL HUNT.**

7 It is a violation of this section intentionally to engage
8 in any physical conduct that significantly hinders a lawful
9 hunt.

10 **SEC. 320803. CIVIL PENALTIES.**

11 (a) **IN GENERAL.**—A person who violates section
12 320802 shall be assessed a civil penalty in an amount com-
13 puted under subsection (b).

14 (b) **COMPUTATION OF PENALTY.**—The penalty shall
15 be—

16 (1) not more than \$10,000, if the violation in-
17 volved the use of force or violence, or the threatened
18 use of force or violence, against the person or prop-
19 erty of another person; and

20 (2) not more than \$5,000 for any other viola-
21 tion.

22 (c) **RELATIONSHIP TO OTHER PENALTIES.**—The
23 penalties established by this section shall be in addition
24 to other criminal or civil penalties that may be levied

1 against the person as a result of an activity in violation
2 of section 320802.

3 (d) PROCEDURE.—Upon receipt of—

4 (1) a written complaint from an officer, em-
5 ployee, or agent of the Forest Service, Bureau of
6 Land Management, National Park Service, United
7 States Fish and Wildlife Service, or other Federal
8 agency that a person violated section 320802; or

9 (2) a sworn affidavit from an individual and a
10 determination by the Secretary that the statement
11 contains sufficient factual allegations to create a
12 reasonable belief that a violation of section 320802
13 has occurred;

14 the Secretary may request the Attorney General of the
15 United States to institute a civil action for the imposition
16 and collection of the civil penalty under this section.

17 (e) USE OF PENALTY MONEY COLLECTED.—After
18 deduction of costs attributable to collection, money col-
19 lected from penalties shall be—

20 (1) deposited into the trust fund established
21 pursuant to the Act entitled “An Act to provide that
22 the United States shall aid the States in wildlife-res-
23 toration projects, and for other purposes”, approved
24 September 2, 1937 (16 U.S.C. 669) (commonly
25 known as the “Pitman-Robertson Wildlife Restora-

1 tion Act”), to support the activities authorized by
2 such Act and undertaken by State wildlife manage-
3 ment agencies; or

4 (2) used in such other manner as the Secretary
5 determines will enhance the funding and implemen-
6 tation of—

7 (A) the North American Waterfowl Man-
8 agement Plan signed by the Secretary of the In-
9 terior and the Minister of Environment for
10 Canada in May 1986; or

11 (B) a similar program that the Secretary
12 determines will enhance wildlife management—

13 (i) on Federal lands; or

14 (ii) on private or State-owned lands
15 when the efforts will also provide a benefit
16 to wildlife management objectives on Fed-
17 eral lands.

18 **SEC. 320804. OTHER RELIEF.**

19 Injunctive relief against a violation of section 320802
20 may be sought by—

21 (1) the head of a State agency with jurisdiction
22 over fish or wildlife management;

23 (2) the Attorney General of the United States;

24 or

1 (3) any person who is or would be adversely af-
2 fected by the violation.

3 **SEC. 320805. RELATIONSHIP TO STATE AND LOCAL LAW**
4 **AND CIVIL ACTIONS.**

5 This subtitle does not preempt a State law or local
6 ordinance that provides for civil or criminal penalties for
7 conduct that violates this subtitle.

8 **SEC. 320806. REGULATIONS.**

9 The Secretary may issue such regulations as are nec-
10 essary to carry out this subtitle.

11 **SEC. 320807. RULE OF CONSTRUCTION.**

12 Nothing in this subtitle shall be construed to impair
13 a right guaranteed to a person under the first article of
14 amendment to the Constitution or limit any legal remedy
15 for forceful interference with a person's lawful participa-
16 tion in speech or peaceful assembly.

17 **SEC. 320808. DEFINITIONS.**

18 As used in this subtitle:

19 (1) **FEDERAL LANDS.**—The term “Federal
20 lands” means—

21 (A) national forests;

22 (B) public lands;

23 (C) national parks; and

24 (D) wildlife refuges.

1 (2) **LAWFUL HUNT.**—The term “lawful hunt”
2 means the taking or harvesting (or attempted taking
3 or harvesting) of wildlife or fish, on Federal lands,
4 which—

5 (A) is lawful under the laws applicable in
6 the place it occurs; and

7 (B) does not infringe upon a right of an
8 owner of private property.

9 (3) **NATIONAL FOREST.**—The term “national
10 forest” means lands included in the National Forest
11 System (as defined in section 11(a) of the Forest
12 and Rangeland Renewable Resources Planning Act
13 of 1974 (16 U.S.C. 1609(a))).

14 (4) **NATIONAL PARK.**—The term “national
15 park” means lands and waters included in the na-
16 tional park system (as defined in section 2(a) of the
17 Act entitled “An Act to facilitate the management of
18 the National Park System and miscellaneous areas
19 administered in connection with that system, and for
20 other purposes”, approved August 8, 1953 (16
21 U.S.C. 1c(a))).

22 (5) **PUBLIC LANDS.**—The term “public lands”
23 has the same meaning as is provided in section
24 103(e) of the Federal Land Policy and Management
25 Act of 1976 (43 U.S.C. 1702(e)).

1 (6) SECRETARY.—The term “Secretary”
2 means—

3 (A) the Secretary of Agriculture with re-
4 spect to national forests; and

5 (B) the Secretary of the Interior with re-
6 spect to—

7 (i) public lands;

8 (ii) national parks; and

9 (iii) wildlife refuges.

10 (7) WILDLIFE REFUGE.—The term “wildlife
11 refuge” means lands and waters included in the Na-
12 tional Wildlife Refuge System (as established by sec-
13 tion 4 of the National Wildlife Refuge System Ad-
14 ministration Act of 1966 (16 U.S.C. 668dd)).

15 (8) CONDUCT.—The term “conduct” does not
16 include speech protected by the first article of
17 amendment to the Constitution.

18 **Subtitle I—Other Provisions**

19 **SEC. 320901. WIRETAPS.**

20 Section 2511(1) of title 18, United States Code, is
21 amended—

22 (1) by striking “or” at the end of paragraph

23 (c);

24 (2) by inserting “or” at the end of paragraph

25 (d); and

1 (3) by adding after paragraph (d) the following
2 new paragraph:

3 “(e)(i) intentionally discloses, or endeavors to
4 disclose, to any other person the contents of any
5 wire, oral, or electronic communication, intercepted
6 by means authorized by sections 2511(2)(A)(ii),
7 2511(b)–(c), 2511(e), 2516, and 2518 of this sub-
8 chapter, (ii) knowing or having reason to know that
9 the information was obtained through the intercep-
10 tion of such a communication in connection with a
11 criminal investigation, (iii) having obtained or re-
12 ceived the information in connection with a criminal
13 investigation, and (iv) with intent to improperly ob-
14 struct, impede, or interfere with a duly authorized
15 criminal investigation.”

16 **SEC. 320902. THEFT OF MAJOR ARTWORK.**

17 (a) OFFENSE.—Chapter 31 of title 18, United States
18 Code, is amended by adding at the end the following new
19 section:

20 **“§ 668. Theft of major artwork**

21 “(a) DEFINITIONS.—In this section—

22 “‘museum’ means an organized and permanent
23 institution, the activities of which affect interstate or
24 foreign commerce, that—

25 “(A) is situated in the United States;

1 “(B) is established for an essentially edu-
2 cational or aesthetic purpose;

3 “(C) has a professional staff; and

4 “(D) owns, utilizes, and cares for tangible
5 objects that are exhibited to the public on a
6 regular schedule.

7 “‘object of cultural heritage’ means an object
8 that is—

9 “(A) over 100 years old, and worth in ex-
10 cess of \$5,000; or

11 “(B) worth at least \$100,000.”.

12 “(b) OFFENSES.—A person who—

13 “(1) steals or obtains by fraud from the care,
14 custody, or control of a museum any object of cul-
15 tural heritage; or

16 “(2) knowing that an object of cultural heritage
17 has been stolen or obtained by fraud, if in fact the
18 object was stolen or obtained from the care, custody,
19 or control of a museum (whether or not that fact is
20 known to the person), receives, conceals, exhibits, or
21 disposes of the object,

22 shall be fined under this title, imprisoned not more than
23 10 years, or both.”.

1 (b) PERIOD OF LIMITATION.—Chapter 213 of title
2 18, United States Code, is amended by adding at the end
3 the following new section:

4 **“§ 3294. Theft of major artwork**

5 “No person shall be prosecuted, tried, or punished
6 for a violation of or conspiracy to violate section 668 un-
7 less the indictment is returned or the information is filed
8 within 20 years after the commission of the offense.”.

9 (d) TECHNICAL AMENDMENTS.—

10 (1) CHAPTER 31.—The chapter analysis for
11 chapter 31 of title 18, United States Code, is
12 amended by adding at the end the following new
13 item:

“668. Theft of major artwork.”.

14 (2) CHAPTER 213.—The chapter analysis for
15 chapter 213 of title 18, United States Code, is
16 amended by adding at the end the following new
17 item:

“3294. Theft of major artwork.”.

18 **SEC. 320903. ADDITION OF ATTEMPTED ROBBERY, KIDNAP-**
19 **PING, SMUGGLING, AND PROPERTY DAMAGE**
20 **OFFENSES TO ELIMINATE INCONSISTENCIES**
21 **AND GAPS IN COVERAGE.**

22 (a) ROBBERY AND BURGLARY.—(1) Section 2111 of
23 title 18, United States Code, is amended by inserting “or
24 attempts to take” after “takes”.

1 (2) Section 2112 of title 18, United States Code, is
2 amended by inserting "or attempts to rob" after "robs".

3 (3) Section 2114 of title 18, United States Code, is
4 amended by inserting "or attempts to rob" after "robs".

5 (b) KIDNAPPING.—Section 1201(d) of title 18,
6 United States Code, is amended by striking "Whoever at-
7 tempts to violate subsection (a)(4) or (a)(5)" and insert-
8 ing "Whoever attempts to violate subsection (a)".

9 (c) SMUGGLING.—Section 545 of title 18, United
10 States Code, is amended by inserting "or attempts to
11 smuggle or clandestinely introduce" after "smuggles, or
12 clandestinely introduces".

13 (d) MALICIOUS MISCHIEF.—(1) Section 1361 of title
14 18, United States Code, is amended—

15 (A) by inserting "or attempts to commit any of
16 the foregoing offenses" before "shall be punished",
17 and

18 (B) by inserting "or attempted damage" after
19 "damage" each place it appears.

20 (2) Section 1362 of title 18, United States Code, is
21 amended by inserting "or attempts willfully or maliciously
22 to injure or destroy" after "willfully or maliciously injures
23 or destroys".

24 (3) Section 1366 of title 18, United States Code, is
25 amended—

1 (A) by inserting "or attempts to damage" after
2 "damages" each place it appears;

3 (B) by inserting "or attempts to cause" after
4 "causes"; and

5 (C) by inserting "or would if the attempted of-
6 fense had been completed have exceeded" after "ex-
7 ceeds" each place it appears.

8 **SEC. 320904. GUN-FREE SCHOOL ZONES.**

9 Section 922(q) of title 18, United States Code, is
10 amended—

11 (1) by redesignating paragraphs (1), (2), and
12 (3) as paragraphs (2), (3), and (4), respectively; and

13 (2) by inserting after "(q)" the following new
14 paragraph:

15 "(1) The Congress finds and declares that—

16 "(A) crime, particularly crime involving drugs
17 and guns, is a pervasive, nationwide problem;

18 "(B) crime at the local level is exacerbated by
19 the interstate movement of drugs, guns, and crimi-
20 nal gangs;

21 "(C) firearms and ammunition move easily in
22 interstate commerce and have been found in increas-
23 ing numbers in and around schools, as documented
24 in numerous hearings in both the Judiciary Commit-

1 tee of the House of Representatives and Judiciary
2 Committee of the Senate;

3 “(D) in fact, even before the sale of a firearm,
4 the gun, its component parts, ammunition, and the
5 raw materials from which they are made have con-
6 siderably moved in interstate commerce;

7 “(E) while criminals freely move from State to
8 State, ordinary citizens and foreign visitors may fear
9 to travel to or through certain parts of the country
10 due to concern about violent crime and gun violence,
11 and parents may decline to send their children to
12 school for the same reason;

13 “(F) the occurrence of violent crime in school
14 zones has resulted in a decline in the quality of edu-
15 cation in our country;

16 “(G) this decline in the quality of education has
17 an adverse impact on interstate commerce and the
18 foreign commerce of the United States;

19 “(H) States, localities, and school systems find
20 it almost impossible to handle gun-related crime by
21 themselves; even States, localities, and school sys-
22 tems that have made strong efforts to prevent, de-
23 tect, and punish gun-related crime find their efforts
24 unavailing due in part to the failure or inability of

1 other States or localities to take strong measures;
2 and

3 “(I) Congress has power, under the interstate
4 commerce clause and other provisions of the Con-
5 stitution, to enact measures to ensure the integrity
6 and safety of the Nation’s schools by enactment of
7 this subsection.”

8 **SEC. 320905. INTERSTATE WAGERING.**

9 Section 1301 of title 18, United States Code, is
10 amended by inserting “or, being engaged in the business
11 of procuring for a person in 1 State such a ticket, chance,
12 share, or interest in a lottery, gift, enterprise or similar
13 scheme conducted by another State (unless that business
14 is permitted under an agreement between the States in
15 question or appropriate authorities of those States), know-
16 ingly transmits in interstate or foreign commerce informa-
17 tion to be used for the purpose of procuring such a ticket,
18 chance, share, or interest;” after “scheme;”.

19 **SEC. 320906. SENSE OF CONGRESS WITH RESPECT TO VIO-**
20 **LENCE AGAINST TRUCKERS.**

21 It is the sense of Congress that—

22 (1) when there is Federal jurisdiction, Federal
23 authorities should prosecute to the fullest extent of
24 the law murders, rapes, burglaries, kidnappings and
25 assaults committed against commercial truckers; and

1 (2) appropriate Federal agencies should ac-
2 knowledge this problem and place a priority on eval-
3 uating how best to prevent these crimes and appre-
4 hend those involved, and continue to coordinate their
5 activities with multi-jurisdictional authorities to
6 combat violent crimes committed against truckers..

7 **SEC. 320907. SENSE OF THE SENATE REGARDING A STUDY**
8 **ON OUT-OF-WEDLOCK BIRTHS.**

9 It is the sense of the Senate that—

10 (1) the Secretary of Health and Human Serv-
11 ices, in consultation with the National Center for
12 Health Statistics, should prepare an analysis of the
13 causes of the increase in out-of-wedlock births, and
14 determine whether there is any historical precedent
15 for such increase, as well as any equivalent among
16 foreign nations, and

17 (2) the Secretary of Health and Human Serv-
18 ices should report to Congress within 12 months
19 after the date of the enactment of this Act on the
20 Secretary's analysis of the out-of-wedlock problem
21 and its causes, as well as possible remedial measures
22 that could be taken.

1 **SEC. 320908. SENSE OF THE SENATE REGARDING THE ROLE**
2 **OF THE UNITED NATIONS IN INTERNATIONAL**
3 **ORGANIZED CRIME CONTROL.**

4 It is the sense of the Senate that—

5 (1) the United States should encourage the de-
6 velopment of a United Nations Convention on Orga-
7 nized Crime; and

8 (2) the United Nations should—

9 (A) provide significant additional resources
10 to the Commission on Crime Prevention and
11 Criminal Justice;

12 (B) consider an expansion of the Commis-
13 sion's role and authority; and

14 (C) seek a cohesive approach to the inter-
15 national organized crime problem.

16 **SEC. 320909. OPTIONAL VENUE FOR ESPIONAGE AND RE-**
17 **LATED OFFENSES.**

18 (a) **IN GENERAL.**—Chapter 211 of title 18, United
19 States Code, is amended by inserting after section 3238
20 the following new section:

21 **“§ 3239. Optional venue for espionage and related of-**
22 **fenses**

23 “The trial for any offense involving a violation, begun
24 or committed upon the high seas or elsewhere out of the
25 jurisdiction of any particular State or district, of—

1 “(2) the defendant knew that the property was
2 of such character;
3 such element may be established by proof that the defend-
4 ant, after or as a result of an official representation as
5 to the nature of the property, believed the property to be
6 embezzled, robbed, stolen, converted, taken, altered, coun-
7 terfeited, falsely made, forged, or obliterated.

8 “(b) For purposes of this section, the term ‘official
9 representation’ means any representation made by a Fed-
10 eral law enforcement officer (as defined in section 115)
11 or by another person at the direction or with the approval
12 of such an officer.”.

13 (b) TECHNICAL AMENDMENT.—The table of sections
14 of chapter 1 of title 18, United States Code, is amended
15 by adding at the end the following new item:

“21. Stolen or counterfeit nature of property for certain crimes defined.”.

16 **SEC. 320911. MISUSE OF INITIALS “DEA”.**

17 (a) AMENDMENT.—Section 709 of title 18, United
18 States Code, is amended—

19 (1) in the thirteenth unnumbered paragraph by
20 striking “words—” and inserting “words; or”; and

21 (2) by inserting after the thirteenth unnum-
22 bered paragraph the following new paragraph:

23 “A person who, except with the written permission
24 of the Administrator of the Drug Enforcement Adminis-
25 tration, knowingly uses the words ‘Drug Enforcement Ad-

1 ministration' or the initials 'DEA' or any colorable imita-
2 tion of such words or initials, in connection with any ad-
3 vertisement, circular, book, pamphlet, software or other
4 publication, play, motion picture, broadcast, telecast, or
5 other production, in a manner reasonably calculated to
6 convey the impression that such advertisement, circular,
7 book, pamphlet, software or other publication, play, mo-
8 tion picture, broadcast, telecast, or other production is ap-
9 proved, endorsed, or authorized by the Drug Enforcement
10 Administration;”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 subsection (a) shall become effective on the date that is
13 90 days after the date of enactment of this Act.

14 **SEC. 320912. DEFINITION OF LIVESTOCK.**

15 Section 2311 of title 18, United States Code, is
16 amended by inserting after the second paragraph relating
17 to the definition of “cattle” the following new paragraph:

18 “‘livestock’ means any domestic animals raised for
19 home use, consumption, or profit, such as horses, pigs,
20 llamas, goats, fowl, sheep, buffalo, and cattle, or the car-
21 casses thereof.”.

22 **SEC. 320913. ASSET FORFEITURE.**

23 (a) AMENDMENT.—Section 524(c)(1) of title 28,
24 United States Code, is amended—

1 (1) by redesignating subparagraph (H) as sub-
2 paragraph (I); and

3 (2) by inserting after subparagraph (G) the fol-
4 lowing new subparagraph:

5 “(H) the payment of State and local property taxes
6 on forfeited real property that accrued between the date
7 of the violation giving rise to the forfeiture and the date
8 of the forfeiture order; and”.

9 (b) APPLICATION OF AMENDMENT.—The amendment
10 made by subsection (a) shall apply to all claims pending
11 at the time of or commenced subsequent to the date of
12 enactment of this Act.

13 **SEC. 320914. CLARIFICATION OF DEFINITION OF A “COURT**
14 **OF THE UNITED STATES” TO INCLUDE THE**
15 **DISTRICT COURTS FOR GUAM, THE NORTH-**
16 **ERN MARIANA ISLANDS, AND THE VIRGIN IS-**
17 **LANDS.**

18 (a) IN GENERAL.—Chapter 1 of title 18, United
19 States Code, is amended by adding at the end the follow-
20 ing new section:

21 **“§ 23. Court of the United States defined**

22 “As used in this title, except where otherwise ex-
23 pressly provided the term ‘court of the United States’ in-
24 cludes the District Court of Guam, the District Court for

1 the Northern Mariana Islands, and the District Court of
2 the Virgin Islands.”.

3 (b) TECHNICAL AMENDMENT.—The chapter analysis
4 for chapter 1 of title 18, United States Code, is amended
5 by adding at the end the following new item:

“23. Court of the United States defined.”.

6 **SEC. 320915. LAW ENFORCEMENT PERSONNEL.**

7 It is the sense of the Senate that law enforcement
8 personnel should not be reduced and calls upon the Presi-
9 dent of the United States to exempt Federal law enforce-
10 ment positions from Executive Order 12839 and other Ex-
11 ecutive memoranda mandating reductions in the Federal
12 workforce.

13 **SEC. 320916. AUTHORITY TO INVESTIGATE VIOLENT**
14 **CRIMES AGAINST TRAVELERS.**

15 (a) IN GENERAL.—Chapter 33 of title 28, United
16 States Code, is amended by adding at the end the follow-
17 ing new section:

18 **“§ 540A. Investigation of violent crimes against trav-**
19 **elers**

20 “(a) IN GENERAL.—At the request of an appropriate
21 law enforcement official of a State or political subdivision,
22 the Attorney General and Director of the Federal Bureau
23 of Investigation may assist in the investigation of a felony
24 crime of violence in violation of the law of any State in

1 which the victim appears to have been selected because
2 he or she is a traveler.

3 “(b) FOREIGN TRAVELERS.—In a case in which the
4 traveler who is a victim of a crime described in subsection
5 (a) is from a foreign nation, the Attorney General and
6 Director of the Federal Bureau of Investigation, and,
7 when appropriate, the Secretary of State shall assist the
8 prosecuting and law enforcement officials of a State or
9 political subdivision to the fullest extent possible in secur-
10 ing from abroad such evidence or other information as
11 may be needed for the effective investigation and prosecu-
12 tion of the crime.

13 “(c) DEFINITIONS.—In this section—

14 “‘felony crime of violence’ means an offense
15 punishable by more than one year in prison that has
16 as an element the use, attempted use, or threatened
17 use of physical force against the person of another.

18 “‘State’ means a State, the District of Colum-
19 bia, and any commonwealth, territory, or possession
20 of the United States.

21 “‘traveler’ means a victim of a crime of vio-
22 lence who is not a resident of the State in which the
23 crime of violence occurred.”

1 (b) TECHNICAL AMENDMENT.—The chapter analysis
2 for chapter 33 of title 28, United States Code, is amended
3 by adding at the end the following new item:

“540A. Investigation of violent crimes against travelers.”

4 **SEC. 320917. EXTENSION OF STATUTE OF LIMITATIONS FOR**
5 **ARSON.**

6 (a) IN GENERAL.—Section 844(i) of title 18, United
7 States Code, is amended by adding at the end the follow-
8 ing: “No person shall be prosecuted, tried, or punished
9 for any noncapital offense under this subsection unless the
10 indictment is found or the information is instituted within
11 10 years after the date on which the offense was commit-
12 ted.”

13 (b) APPLICATION OF AMENDMENT.—The amendment
14 made by subsection (a) shall not apply to any offense de-
15 scribed in the amendment that was committed more than
16 5 years prior to the date of enactment of this Act.

17 **SEC. 320918. SENSE OF CONGRESS CONCERNING CHILD**
18 **CUSTODY AND VISITATION RIGHTS.**

19 It is the sense of the Congress that in determining
20 child custody and visitation rights, the courts should take
21 into consideration the history of drunk driving that any
22 person involved in the determination may have.

1 **SEC. 320919. EDWARD BYRNE MEMORIAL FORMULA GRANT**
2 **PROGRAM.**

3 Nothing in this Act shall be construed to prohibit or
4 exclude the expenditure of appropriations to grant recipi-
5 ents that would have been or are eligible to receive grants
6 under subpart 1 of part E of the Omnibus Crime Control
7 and Safe Streets Act of 1968.

8 **SEC. 320920. SENSE OF THE SENATE REGARDING LAW DAY**
9 **U.S.A.**

10 It is the sense of the Senate that in celebration of
11 "Law Day, U.S.A.", May 1, 1995, the grateful people of
12 this Nation should give special emphasis to all law enforce-
13 ment personnel of the United States, and the grateful peo-
14 ple of this Nation should acknowledge the unflinching and
15 devoted service law enforcement personnel perform as
16 such personnel help preserve domestic tranquillity and
17 guarantee the legal rights of all individuals of this Nation.

18 **SEC. 320921. FIRST TIME DOMESTIC VIOLENCE OFFENDER**
19 **REHABILITATION PROGRAM.**

20 (a) **SENTENCE OF PROBATION.**—Section 3561 of title
21 18, United States Code, is amended—

22 (1) by redesignating subsection (b) as sub-
23 section (c); and

24 (2) by inserting the following new subsection
25 after subsection (a):

1 “(b) DOMESTIC VIOLENCE OFFENDERS.—A defend-
2 ant who has been convicted for the first time of a domestic
3 violence crime shall be sentenced to a term of probation
4 if not sentenced to a term of imprisonment. The term ‘do-
5 mestic violence crime’ means a crime of violence for which
6 the defendant may be prosecuted in a court of the United
7 States in which the victim or intended victim is the spouse,
8 former spouse, intimate partner, former intimate partner,
9 child, or former child of the defendant, or any relative de-
10 fendant, child, or former child of the defendant, or any
11 other relative of the defendant.”

12 (b) CONDITIONS OF PROBATION.—Section 3563(a) of
13 title 18, United States Code, is amended by—

14 (1) striking “and” at the end of paragraph (2);

15 (2) striking the period at the end of paragraph

16 (3) and inserting “; and”; and

17 (3) by inserting the following new paragraph:

18 “(4) for a domestic violence crime as defined in
19 section 3561(b) by a defendant convicted of such an
20 offense for the first time that the defendant attend
21 a public, private, or private non-profit offender reha-
22 bilitation program that has been approved by the
23 court, in consultation with a State Coalition Against
24 Domestic Violence or other appropriate experts, if
25 an approved program is readily available within a

1 50-mile radius of the legal residence of the defend-
2 ant.”

3 (c) SUPERVISED RELEASE.—Section 3583 of title 18,
4 United States Code, is amended—

5 (1) in subsection (a) by inserting “or if the de-
6 fendant has been convicted for the first time of a do-
7 mestic violence crime as defined in section 3561(b)”
8 after “statute”; and

9 (2) in subsection (d) by inserting the following
10 after the first sentence: “The court shall order as an
11 explicit condition of supervised release for a defend-
12 ant convicted for the first time of a domestic vio-
13 lence crime as defined in section 3561(b) that the
14 defendant attend a public, private, or private non-
15 profit offender rehabilitation program that has been
16 approved by the court, in consultation with a State
17 Coalition Against Domestic Violence or other appro-
18 priate experts, if an approved program is readily
19 available within a 50-mile radius of the legal resi-
20 dence of the defendant.”

21 **SEC. 320922. DISPLAY OF FLAGS AT HALFSTAFF.**

22 (a) PUBLIC LAW 87-726.—The first section of Pub-
23 lic Law 87-726 (36 U.S.C. 167) is amended—

24 (1) by striking “(2)” and inserting “(3)”;

1 (2) by inserting after clause (1) the following
2 new clause: “(2) directing the officials of the Gov-
3 ernment to display at halfstaff the flag of the United
4 States on all Government buildings on such day, as
5 provided by section 3(m) of the Act of June 22,
6 1942 (Chapter 435; 56 Stat. 377; 36 U.S.C. 175),”;

7 (3) by striking “(3)” and inserting “(4)”; and

8 (4) by inserting in paragraph (4) “, including
9 the display at half-staff of the flag of the United
10 States” after “activities”.

11 (b) ACT OF JUNE 22, 1942.—Section 3(m) of the Act
12 of June 22, 1942 (Chapter 435; 56 Stat. 377; 36 U.S.C.
13 175) is amended by inserting “The flag shall be flown at
14 half-staff on Peace Officers Memorial Day, unless that day
15 is also Armed Forces Day.” after “a Member of Con-
16 gress.”.

17 **SEC. 320923. FINANCIAL INSTITUTION FRAUD.**

18 Section 528 of Public Law 101-509, approved No-
19 vember 5, 1990, is amended by striking “with the author-
20 ity of the Resolution Trust Corporation or its successor”
21 at the end of subsection (b)(2) and inserting “on Decem-
22 ber 31, 2004”.

1 **SEC. 320924. DEFINITION OF "PARENT" FOR THE PURPOSES**
2 **OF THE OFFENSE OF KIDNAPPING.**

3 Section 1201 of title 18, United States Code, is
4 amended by adding at the end the following new sub-
5 section:

6 "(h) As used in this section, the term 'parent' does
7 not include a person whose parental rights with respect
8 to the victim of an offense under this section have been
9 terminated by a final court order."

10 **SEC. 320925. NATIONAL CENTER FOR CRIMINAL JUSTICE**
11 **RESEARCH AND EDUCATION.**

12 (a) **ESTABLISHMENT.**—The Attorney General shall
13 establish, at a qualified institution of post-secondary edu-
14 cation, a National Center for Criminal Justice Research
15 and Education (referred to as the "Center") as a means
16 of developing, demonstrating, and implementing model
17 criminal justice practices and policies.

18 (b) **PROGRAM AND ACTIVITIES.**—The Center, under
19 guidelines established by the Attorney General, shall—

20 (1) provide criminal justice, drug treatment,
21 and correctional education related research and de-
22 velopment, instruction, technical assistance, and
23 training, evaluation, and demonstration activities in-
24 volving the 5 existing and approved Federal, State,
25 and county correctional facilities in Jefferson Coun-
26 ty, Texas, as a means of demonstrating effective

1 model programs, policies, and practices suitable for
2 replication throughout the United States;

3 (2) carry out a program of research, develop-
4 ment, demonstration, evaluation, education, training,
5 and technical assistance involving applicable innova-
6 tive technologies and approaches; and

7 (3) provide appropriate pre-employment and
8 continuing education programs and services to the
9 personnel of the participating correctional facilities,
10 and when appropriate, other agencies.

11 (c) ACCEPTANCE OF SUPPORT.—The Center shall be
12 authorized to accept funding, in-kind services, and other
13 forms of support from private and public agencies to carry
14 out its purposes under this section.

15 (d) GENERAL AUTHORITIES.—The Attorney General
16 may issue guidelines, make grants, and enter into con-
17 tracts and cooperative agreements with States, units of
18 local government, Indian tribal governments, and other
19 public and private entities or individuals as appropriate
20 to carry out this section.

21 (e) REVOCATION OR SUSPENSION OF FUNDING.—
22 The Attorney General may revoke or suspend funding in
23 whole or in part, if the recipient of Federal assistance
24 under this section is not in substantial compliance with

1 the terms or requirements of any applicable grant, con-
2 tract, or cooperative agreement.

3 (f) DEFINITION.—In this section, “qualified institu-
4 tion of post-secondary education” means a university sys-
5 tem-related institution with experience and currently ac-
6 tive in criminal justice related educational activities, lo-
7 cated in Jefferson County, Texas.

8 (g) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this
10 section—

11 (1) \$ _____ for
12 fiscal year 1995;

13 (2) \$ _____ for
14 fiscal year 1996;

15 (3) \$ _____ for
16 fiscal year 1997;

17 (4) \$ _____ for
18 fiscal year 1998;

19 (5) \$ _____ for
20 fiscal year 1999; and

21 (6) \$ _____ for
22 fiscal year 2000,

23 to remain available until expended.

1 **SEC. 320926. HATE CRIME STATISTICS ACT.**

2 Subsection (b)(1) of the first section of the Hate
3 Crime Statistics Act (28 U.S.C. 534 note) is amended by
4 inserting "disability," after "religion,".

5 **SEC. 320927. EXEMPTION FROM BRADY BACKGROUND**
6 **CHECK REQUIREMENT OF RETURN OF HAND-**
7 **GUN TO OWNER.**

8 Section 922(s)(1) of title 18, United States Code, is
9 amended in the first sentence by inserting "(other than
10 the return of a handgun to the person from whom it was
11 received)" after "handgun".

12 **SEC. 320928. AMENDMENT OF THE NATIONAL CHILD PRO-**
13 **TECTION ACT OF 1993.**

14 (a) **PROTECTION OF THE ELDERLY AND INDIVID-**
15 **UALS WITH DISABILITIES.—**

16 (1) **BACKGROUND CHECKS.—**Section 3(a)(1) of
17 the National Child Protection Act of 1993 (42
18 U.S.C. 5119a) is amended by striking "an individ-
19 ual's fitness to have responsibility for the safety and
20 well-being of children" and inserting "the provider's
21 fitness to have responsibility for the safety and well-
22 being of children, the elderly, or individuals with dis-
23 abilities".

24 (2) **GUIDELINES.—**Section 3(b) of the National
25 Child Protection Act of 1993 (42 U.S.C. 5119b(b))
26 is amended—

1 (A) in paragraph (1)(E)—

2 (i) by striking “child” the first place
3 it appears and inserting “person”; and

4 (ii) by striking “child” the second
5 place it appears; and

6 (B) in paragraph (4) by striking “an indi-
7 vidual’s fitness to have responsibility for the
8 safety and well-being of children” and inserting
9 “the provider’s fitness to have responsibility for
10 the safety and well-being of children, the elder-
11 ly, or individuals with disabilities”.

12 (3) DEFINITION OF CARE.—Section 5 of the
13 National Child Protection Act of 1993 (42 U.S.C.
14 5119c(5)) is amended—

15 (A) by amending paragraph (5) to read as
16 follows:

17 “(5) the term ‘care’ means the provision of
18 care, treatment, education, training, instruction, su-
19 pervision, or recreation to children, the elderly, or
20 individuals with disabilities;” and

21 (B) in paragraph (8) by striking “child
22 care” each place it appears and inserting
23 “care”.

24 (b) INFORMATION REQUIRED TO BE REPORTED.—
25 Section 2(a) of the National Child Protection Act of 1993

1 (42 U.S.C. 5119(a)) is amended by adding at the end “A
2 criminal justice agency may satisfy the requirement of this
3 subsection by reporting or indexing all felony and serious
4 misdemeanor arrests and dispositions.”.

5 (c) CLARIFICATION OF IMMUNITY PROVISION.—Sec-
6 tion 3(d) of the National Child Protection Act of 1993
7 (42 U.S.C. 5119a(d)) is amended by inserting “(other
8 than itself)” after “failure of a qualified entity”.

9 (d) DEFRAYMENT OF COSTS TO VOLUNTEERS OF
10 CONDUCTING BACKGROUND CHECKS.—Section 4(b) of
11 the National Child Abuse Prevention Act (42 U.S.C.
12 5119b(b)) is amended—

13 (1) by striking “and” at the end of subpara-
14 graph (C);

15 (2) by striking the period at the end of sub-
16 paragraph (D) and inserting “; and”; and

17 (3) by adding at the end the following new sub-
18 paragraph:

19 “(E) to assist the State in paying all or part of
20 the cost to the State of conducting background
21 checks on persons who are employed by or volunteer
22 with a public, not-for-profit, or voluntary qualified
23 entity to reduce the amount of fees charged for such
24 background checks.”.

1 (e) FEES.—Section 3(e) of the National Child Protec-
2 tion Act of 1993 is amended by striking “the actual cost”
3 and inserting “eighteen dollars, respectively, or the actual
4 cost, whichever is less,”.

5 (f) COSTS OF THE FBI.—Funds authorized to be ap-
6 propriated to the Federal Bureau of Investigation under
7 section ____ of this Act may be used to pay all or part
8 of the cost to the Federal Bureau of Investigation of car-
9 rying out the National Child Abuse Prevention Act, in-
10 cluding the cost of conducting background checks on per-
11 sons who are employed by or volunteer with a public, not-
12 for-profit, or voluntary qualified entity to reduce the
13 amount of fees charged for such background checks.

14 (g) GUIDELINES.—

15 (1) IN GENERAL.—The Attorney General, in
16 consultation with Federal, State, and local officials,
17 including officials responsible for criminal history
18 record systems, and representatives of public and
19 private care organizations and health, legal, and so-
20 cial welfare organizations, shall develop guidelines
21 for the adoption of appropriate safeguards by care
22 providers and by States for protecting children, the
23 elderly, or individuals with disabilities from abuse.

24 (2) MATTERS TO BE ADDRESSED.—In develop-
25 ing guidelines under paragraph (1), the Attorney

1 General shall address the availability, cost, timeli-
2 ness, and effectiveness of criminal history back-
3 ground checks and recommend measures to ensure
4 that fees for background checks do not discourage
5 volunteers from participating in care programs.

6 (3) DISSEMINATION.—The Attorney General
7 shall, subject to the availability of appropriations,
8 disseminate the guidelines to State and local officials
9 and to public and private care providers.

10 (h) CHANGE OF REPORT DEADLINE.—Section
11 2(f)(2) of the National Child Protection Act of 1993 (42
12 U.S.C. 5119(f)(2)) is amended by striking “1 year” and
13 inserting “2 years”.

14 (i) CHANGE OF IMPLEMENTATION DEADLINE.—Sec-
15 tion 2(b)(2)(A) of the National Child Protection Act of
16 1993 (42 U.S.C. 5119(b)(2)(A)) is amended by striking
17 “3 years” and inserting “5 years”.

18 (j) DEFINITION OF CHILD ABUSE CASES AND INDI-
19 VIDUALS WITH DISABILITIES.—Section 5 of the National
20 Child Protection Act of 1993 (42 U.S.C. 5119c) is
21 amended—

22 (1) by redesignating paragraph (6), (7), (8),
23 and (9) as paragraph (8), (9), (10), and (11), re-
24 spectively; and

1 (2) by inserting after paragraph (5) the follow-
2 ing new paragraphs:

3 “(6) the term ‘identifiable child abuse crime
4 case’ means a case that can be identified by the au-
5 thorized criminal justice agency of the State as in-
6 volving a child abuse crime by reference to the statu-
7 tory citation or descriptive label of the crime as it
8 appears in the criminal history record;

9 “(7) the term ‘individuals with disabilities’
10 means persons with a mental or physical impairment
11 who require assistance to perform one or more daily
12 living tasks;”.

13 **SEC. 320929. TENNESSEE VALLEY AUTHORITY LAW EN-**
14 **FORCEMENT PERSONNEL.**

15 The Tennessee Valley Authority Act of 1933 (16
16 U.S.C. 831 et seq.) is amended by inserting after section
17 4 the following new section:

18 “SEC. 4A. LAW ENFORCEMENT.—(a) DESIGNATION
19 OF LAW ENFORCEMENT AGENTS.—The Board may des-
20 ignate employees of the corporation to act as law enforce-
21 ment agents in the area of jurisdiction described in sub-
22 section (c).

23 “(b) DUTIES AND POWERS.—

24 “(1) DUTIES.—A law enforcement agent des-
25 ignated under subsection (a) shall maintain law and

1 order and protect persons and property in the area
2 of jurisdiction described in subsection (c) and pro-
3 tect property and officials and employees of the cor-
4 poration outside that area.

5 “(2) POWERS.—In the performance of duties
6 described in paragraph (1), a law enforcement agent
7 designated under subsection (a) may—

8 “(A) make arrests without warrant for any
9 offense against the United States committed in
10 the agent’s presence, or for any felony cog-
11 nizable under the laws of the United States if
12 the agent has probable cause to believe that the
13 person to be arrested has committed or is com-
14 mitting such a felony;

15 “(B) execute any warrant or other process
16 issued by a court or officer of competent juris-
17 diction for the enforcement of any Federal law
18 or regulation issued pursuant to law in connec-
19 tion with the investigation of an offense de-
20 scribed in subparagraph (A);

21 “(C) conduct an investigation of an offense
22 described in subparagraph (A) in the absence of
23 investigation of the offense by any Federal law
24 enforcement agency having investigative juris-

1 diction over the offense or with the concurrence
2 of that agency; and

3 “(D) carry firearms in carrying out any
4 activity described in subparagraph (A), (B), or
5 (C).

6 “(c) AREA OF JURISDICTION.—A law enforcement
7 agent designated under subsection (a) shall be authorized
8 to exercise the law enforcement duties and powers de-
9 scribed in subsection (b)—

10 “(1) on any lands or facilities owned or leased
11 by the corporation or within such adjoining areas in
12 the vicinities of such lands or facilities as may be de-
13 termined by the board under subsection (e); and

14 “(2) on other lands or facilities—

15 “(A) when the person to be arrested is in
16 the process of fleeing from such lands, facilities,
17 or adjoining areas to avoid arrest;

18 “(B) in conjunction with the protection of
19 property or officials or employees of the cor-
20 poration on or within lands or facilities other
21 than those owned or leased by the corporation;
22 or

23 “(C) in cooperation with other Federal,
24 State, or local law enforcement agencies.

1 “(d) FEDERAL INVESTIGATIVE JURISDICTION AND
2 STATE CIVIL AND CRIMINAL JURISDICTION NOT PRE-
3 EMPTED.—Nothing in this section shall be construed to—

4 “(1) limit or restrict the investigative jurisdic-
5 tion of any Federal law enforcement agency; or

6 “(2) affect any right of a State or a political
7 subdivision thereof to exercise civil and criminal ju-
8 risdiction on or within lands or facilities owned or
9 leased by the corporation.

10 “(e) DETERMINATION OF ADJOINING AREAS.—

11 “(1) IN GENERAL.—The board shall determine
12 and may from time-to-time modify the adjoining
13 areas for each facility or particular area of land, or
14 for individual categories of such facilities or lands,
15 for the purposes of subsection (c)(1).

16 “(2) NOTICE.—A notice and description of each
17 adjoining area determination or modification of a de-
18 termination made under paragraph (1) shall be pub-
19 lished in the Federal Register.

20 “(f) QUALIFICATIONS AND TRAINING.—The board, in
21 consultation with the Attorney General, shall adopt quali-
22 fication and training standards for law enforcement
23 agents designated under subsection (a).

24 “(g) RELATION TO OTHER LAW.—A law enforcement
25 agent designated under subsection (a) shall not be consid-

1 ered to be a law enforcement officer of the United States
2 for the purposes of any other law, and no law enforcement
3 agent designated under subsection (a) or other employee
4 of the corporation shall receive an increase in compensa-
5 tion solely on account of this section.

6 “(h) RELATIONSHIP WITH ATTORNEY GENERAL.—
7 The duties and powers of law enforcement agents des-
8 igned under subsection (a) that are described in sub-
9 section (b) shall be exercised in accordance with guidelines
10 approved by the Attorney General.”

11 **SEC. 320930. CRIMINAL JUSTICE AND SUBSTANCE ABUSE**
12 **TREATMENT TRAINING.**

13 (a) ESTABLISHMENT.—The Attorney General shall
14 establish a Criminal Justice and Substance Abuse Treat-
15 ment and Prevention Training Center (referred to as the
16 “Center”) to develop and implement a program for train-
17 ing dislocated defense industry-related workers for careers
18 in law enforcement, substance abuse treatment and coun-
19 seling, and related criminal justice fields, and to carry out
20 such other activities as may be required, such as creating
21 a model database on related innovative and cost-effective
22 distance learning techniques and technologies or facilitat-
23 ing placement of trainees and graduates.

1 (b) OPERATION.—The Center and its programs shall
2 be operated by a consortium of not fewer than 2 qualified
3 institutions of postsecondary education.

4 (c) PROGRAM AND ACTIVITIES.—The Center, under
5 guidelines established by the Attorney General, shall—

6 (1) provide criminal justice and substance
7 abuse treatment training, related research and devel-
8 opment, instruction, technical assistance, evaluation,
9 and demonstration activities involving the dislocated
10 defense workers;

11 (2) establish a program of research, develop-
12 ment, demonstration, evaluation, education, training,
13 and technical assistance involving applicable innova-
14 tive technologies and approaches; and

15 (3) provide such training and continuing edu-
16 cation programs and services to dislocated defense
17 industry workers.

18 (d) ACCEPTANCE OF SUPPORT.—The Center shall be
19 authorized to accept funding, in-kind services, and other
20 forms of support from private and public agencies to carry
21 out its purposes under this section.

22 (e) COORDINATION OF ACTIVITIES.—All activities of
23 the Center shall be coordinated with other appropriate and
24 related Federal, federally assisted, State, Indian tribal,

1 local, and private nonprofit activities to avoid duplication
2 of effort.

3 (f) GENERAL AUTHORITIES.—The Attorney General
4 may issue guidelines and make grants, enter into contracts
5 and cooperative agreements with States, units of local gov-
6 ernment, Indian tribal governments, and other public and
7 private entities or individuals as appropriate to carry out
8 this section.

9 (g) REVOCATION OR SUSPENSION OF FUNDING.—
10 The Attorney General may revoke or suspend funding in
11 whole or in part if the recipient of Federal assistance
12 under this section is not in substantial compliance with
13 the terms or requirements of any applicable grant, con-
14 tract, or cooperative agreement.

15 (h) DEFINITION.—In this section “qualified institu-
16 tion of postsecondary education” means a university sys-
17 tem-related institution or college with experience and cur-
18 rently active in criminal justice related educational activi-
19 ties, located in Jefferson County, Texas, or in the vicinity
20 of Huntsville, Texas.

21 (i) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to carry out this
23 section—

24 (1) \$ _____ for fiscal
25 year 1995;

- 1 (2) \$ _____ for fiscal
2 year 1996;
3 (3) \$ _____ for fiscal
4 year 1997;
5 (4) \$ _____ for fiscal
6 year 1998;
7 (5) \$ _____ for fiscal
8 year 1999; and
9 (6) \$ _____ for fiscal
10 year 2000.

11 **SEC. 320932. ASSISTANT UNITED STATES ATTORNEY RESI-**
12 **DENCY.**

13 Section 545(a) of title 28, United States Code, is
14 amended—

15 (1) by striking “and assistant United States at-
16 torney”; and

17 (2) by inserting the following after the first sen-
18 tence: “Each assistant United States attorney shall
19 reside in the district for which he or she is appointed
20 or within 25 miles thereof.”.

1 **TITLE XXXIII—TECHNICAL**
2 **CORRECTIONS**

3 **SEC. 330001. AMENDMENTS RELATING TO FEDERAL FINAN-**
4 **CIAL ASSISTANCE FOR LAW ENFORCEMENT.**

5 (a) **CROSS REFERENCE CORRECTIONS.**—Section 506
6 of title I of the Omnibus Crime Control and Safe Streets
7 Act of 1968 (42 U.S.C. 3756) is amended—

8 (1) in subsection (a) by striking “Of” and in-
9 serting “Subject to subsection (f), of”;

10 (2) in subsection (c) by striking “subsections
11 (b) and (c)” and inserting “subsection (b)”;

12 (3) in subsection (e) by striking “or (e)” and
13 inserting “or (f)”; and

14 (4) in subsection (f)(1)—

15 (A) in subparagraph (A)—

16 (i) by striking “, taking into consider-
17 ation subsection (e) but”; and

18 (ii) by striking “this subsection,” and
19 inserting “this subsection”; and

20 (B) in subparagraph (B) by striking
21 “amount” and inserting “funds”.

22 (b) **CORRECTIONAL OPTIONS GRANTS.**—(1) Section
23 515(b) of title I of the Omnibus Crime Control and Safe
24 Streets Act of 1968 is amended—

1 (A) by striking “subsection (a)(1) and (2)” and
2 inserting “paragraphs (1) and (2) of subsection
3 (a)”; and

4 (B) in paragraph (2) by striking “States” and
5 inserting “public agencies”.

6 (2) Section 516 of title I of the Omnibus Crime Con-
7 trol and Safe Streets Act of 1968 is amended—

8 (A) in subsection (a) by striking “for section”
9 each place it appears and inserting “shall be used to
10 make grants under section”; and

11 (B) in subsection (b) by striking “section
12 515(a)(1) or (a)(3)” and inserting “paragraph (1)
13 or (3) of section 515(a)”.

14 (3) Section 1001(a)(5) of title I of the Omnibus
15 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
16 3793(a)(5)) is amended by inserting “(other than chapter
17 B of subpart 2)” after “and E”.

18 (c) DENIAL OR TERMINATION OF GRANT.—Section
19 802(b) of title I of the Omnibus Crime Control and Safe
20 Streets Act of 1968 (42 U.S.C. 3783(b)) is amended by
21 striking “M,,” and inserting “M,”.

22 (d) DEFINITIONS.—Section 901(a)(21) of title I of
23 the Omnibus Crime Control and Safe Streets Act of 1968
24 (42 U.S.C. 3791(21)) is amended by adding a semicolon
25 at the end.

1 (e) PUBLIC SAFETY OFFICERS DISABILITY BENE-
2 FITS.—Title I of the Omnibus Crime Control and Safe
3 Streets Act of 1968 (42 U.S.C. 3796) is amended—

4 (1) in section 1201—

5 (A) in subsection (a) by striking “sub-
6 section (g)” and inserting “subsection (h),”;

7 and

8 (B) in subsection (b)—

9 (i) by striking “subsection (g)” and
10 inserting “subsection (h);”;

11 (ii) by striking “personal”; and

12 (iii) in the first proviso by striking
13 “section” and inserting “subsection”; and

14 (2) in section 1204(3) by striking “who was re-
15 sponding to a fire, rescue or police emergency”.

16 (f) HEADINGS.—(1) The heading for part M of title
17 I of the Omnibus Crime Control and Safe Streets Act of
18 1968 (42 U.S.C. 3797) is amended to read as follows:

19 “PART M—REGIONAL INFORMATION SHARING SYSTEMS”.

20 (2) The heading for part O of title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
22 3797) is amended to read as follows:

23 “PART O—RURAL DRUG ENFORCEMENT”.

24 (g) TABLE OF CONTENTS.—The table of contents of
25 title I of the Omnibus Crime Control and Safe Streets Act
26 of 1968 is amended—

1 (1) in the item relating to section 501 by strik-
2 ing "Drug Control and System Improvement Grant"
3 and inserting "drug control and system improvement
4 grant";

5 (2) in the item relating to section 1403 by
6 striking "Application" and inserting "Applications";
7 and

8 (3) in the items relating to part O by redesign-
9 ating sections 1401 and 1402 as sections 1501 and
10 1502, respectively.

11 (h) OTHER TECHNICAL AMENDMENTS.—Title I of
12 the Omnibus Crime Control and Safe Streets Act of 1968
13 is amended—

14 (1) in section 202(c)(2)(E) by striking
15 "crime,," and inserting "crime,";

16 (2) in section 302(c)(19) by striking a period at
17 the end and inserting a semicolon;

18 (3) in section 602(a)(1) by striking "chapter
19 315" and inserting "chapter 319";

20 (4) in section 603(a)(6) by striking "605" and
21 inserting "606";

22 (5) in section 605 by striking "this section"
23 and inserting "this part";

24 (6) in section 606(b) by striking "and Statis-
25 tics" and inserting "Statistics";

1 (7) in section 801(b)—

2 (A) by striking “parts D,” and inserting
3 “parts”;

4 (B) by striking “part D” each place it ap-
5 pears and inserting “subpart 1 of part E”;

6 (C) by striking “403(a)” and inserting
7 “501”; and

8 (D) by striking “403” and inserting
9 “503”;

10 (8) in the first sentence of section 802(b) by
11 striking “part D,” and inserting “subpart 1 of part
12 E or under part”;

13 (9) in the second sentence of section 804(b) by
14 striking “Prevention or” and inserting “Prevention,
15 or”;

16 (10) in section 808 by striking “408, 1308,”
17 and inserting “507”;

18 (11) in section 809(c)(2)(H) by striking “805”
19 and inserting “804”;

20 (12) in section 811(e) by striking “Law En-
21 forcement Assistance Administration” and inserting
22 “Bureau of Justice Assistance”;

23 (13) in section 901(a)(3) by striking “and,”
24 and inserting “, and”;

(14) in section 1001(c) by striking “parts” and inserting “part”.

(i) CONFORMING AMENDMENT TO OTHER LAW.—

Section 4351(b) of title 18, United States Code, is amended by striking “Administrator of the Law Enforcement Assistance Administration” and inserting “Director of the Bureau of Justice Assistance”.

SEC. 330002. GENERAL TITLE 18 CORRECTIONS.

(a) SECTION 1031.—Section 1031(g)(2) of title 18, United States Code, is amended by striking “a government” and inserting “a Government”.

(b) SECTION 208.—Section 208(c)(1) of title 18, United States Code, is amended by striking “Banks” and inserting “banks”.

(c) SECTION 1007.—The heading for section 1007 of title 18, United States Code, is amended by striking “Transactions” and inserting “transactions”.

(d) SECTION 1014.—Section 1014 of title 18, United States Code, is amended by striking the comma that follows a comma.

(e) ELIMINATION OF OBSOLETE CROSS REFERENCE.—Section 3293 of title 18, United States Code, is amended by striking “1008,”.

(f) ELIMINATION OF DUPLICATE SUBSECTION DESIGNATION.—Section 1031 of title 18, United States Code,

1 is amended by redesignating the second subsection (g) as
2 subsection (h).

3 (g) TECHNICAL AMENDMENT TO PART ANALYSIS
4 FOR PART I.—The item relating to chapter 33 in the part
5 analysis for part I of title 18, United States Code, is
6 amended by striking “701” and inserting “700”.

7 (h) AMENDMENT TO SECTION 924(a)(1)(B).—Section
8 924(a)(1)(B) of title 18, United States Code, is amended
9 by striking “(q)” and inserting “(r)”.

10 (i) PUNCTUATION CORRECTION.—Section
11 207(c)(2)(A)(ii) of title 18, United States Code, is amend-
12 ed by striking the semicolon at the end and inserting a
13 comma.

14 (j) CHAPTER ANALYSIS CORRECTION.—The chapter
15 analysis for chapter 223 of title 18, United States Code,
16 is amended by adding at the end the following:

“3509. Child Victims’ and child witnesses’ rights.”

17 (k) Elimination of Superfluous Comma.—Section
18 3742(b) of title 18, United States Code, is amended by
19 striking “Government,” and inserting “Government”.

20 SEC. 330003. CORRECTIONS OF ERRONEOUS CROSS REF-
21 ERENCES AND MISDESIGNATIONS.

22 (a) SECTION 1791 OF TITLE 18.—Section 1791(b)
23 of title 18, United States Code, is amended by striking
24 “(c)” each place it appears and inserting “(d)”.

1 (b) SECTION 2703 OF TITLE 18.—Section 2703(d)
2 of title 18, United States Code, is amended by striking
3 “section 3126(2)(A)” and inserting “section 3127(2)(A)”.

4 (c) SECTION 666 OF TITLE 18.—Section 666(d) of
5 title 18, United States Code, is amended—

6 (1) by redesignating the second paragraph (4)
7 as paragraph (5);

8 (2) by striking “and” at the end of paragraph
9 (3); and

10 (3) by striking the period at the end of para-
11 graph (4) and inserting “; and”.

12 (d) SECTION 4247 OF TITLE 18.—Section 4247(h)
13 of title 18, United States Code, is amended by striking
14 “subsection (e) of section 4241, 4243, 4244, 4245, or
15 4246,” and inserting “subsection (e) of section 4241,
16 4244, 4245, or 4246, or subsection (f) of section 4243,”.

17 (e) SECTION 408 OF THE CONTROLLED SUB-
18 STANCE.—Section 408(b)(2)(A) of the Controlled Sub-
19 stances Act (21 U.S.C. 848(b)(2)(A)) is amended by strik-
20 ing “subsection (d)(1)” and inserting “subsection (c)(1)”.

21 (f) MARITIME DRUG LAW ENFORCEMENT ACT.—(1)
22 Section 994(h) of title 28, United States Code, is amended
23 by striking “section 1 of the Act of September 15, 1980
24 (21 U.S.C. 955a)” each place it appears and inserting

1 "the Maritime Drug Law Enforcement Act (46 U.S.C.
2 App. 1901 et seq.)".

3 (2) Section 924(e) of title 18, United States Code,
4 is amended by striking "the first section or section 3 of
5 Public Law 96-350 (21 U.S.C. 955a et seq.)" and insert-
6 ing "the Maritime Drug Law Enforcement Act (46 U.S.C.
7 App. 1901 et seq.)".

8 (g) SECTION 2596 OF THE CRIME CONTROL ACT OF
9 1990.—Section 2596(d) of the Crime Control Act of 1990
10 is amended, effective retroactively to the date of enact-
11 ment of such Act, by striking "951(c)(1)" and inserting
12 "951(c)(2)".

13 **SEC. 330004. REPEAL OF OBSOLETE PROVISIONS IN TITLE**

14 **18.**

15 Title 18, United States Code, is amended—

16 (1) in section 212 by striking "or of any Na-
17 tional Agricultural Credit Corporation," and by
18 striking "or National Agricultural Credit Corpora-
19 tions,";

20 (2) in section 213 by striking "or examiner of
21 National Agricultural Credit Corporations";

22 (3) in section 709 by striking the seventh and
23 thirteenth paragraphs;

24 (4) in section 711 by striking the second para-
25 graph;

1 (5) by striking section 754 and amending the
2 chapter analysis for chapter 35 by striking the item
3 relating to section 754;

4 (6) in sections 657 and 1006 by striking "Re-
5 construction Finance Corporation," and striking
6 "Farmers' Home Corporation,";

7 (7) in section 658 by striking "Farmers' Home
8 Corporation,";

9 (8) in section 1013 by striking "; or by any Na-
10 tional Agricultural Credit Corporation";

11 (9) in section 1160 by striking "white person"
12 and inserting "non-Indian";

13 (10) in section 1698 by striking the second
14 paragraph;

15 (11) by striking sections 1904 and 1908 and
16 amending the chapter analysis for chapter 93 by
17 striking the items relating to those sections;

18 (12) in section 1909 by inserting "or" before
19 "farm credit examiner" and by striking "or an ex-
20 aminer of National Agricultural Credit Corpora-
21 tions,";

22 (13) by striking sections 2157 and 2391 and
23 amending the chapter analysis for chapter 105 and
24 for 115, respectively, by striking the items relating
25 to those sections;

1 (14) in section 2257 by striking the subsections
2 (f) and (g) that were enacted by Public Law 100-
3 690;

4 (15) in section 3113 by striking the third para-
5 graph;

6 (16) in section 3281 by striking "except for of-
7 fenses barred by the provisions of law existing on
8 August 4, 1939";

9 (17) in section 443 by striking "or (3) five
10 years after 12 o'clock noon of December 31, 1946,";

11 (18) in sections 542, 544, and 545 by striking
12 "the Philippine Islands,"; and

13 (19) in section 1073—

14 (A) by striking "or which, in the case of
15 New Jersey, is a high misdemeanor under the
16 laws of said State,"; and

17 (B) by striking "or which in the case of
18 New Jersey, is a high misdemeanor under the
19 laws of said State,".

20 **SEC. 330005. CORRECTION OF DRAFTING ERROR IN THE**
21 **FOREIGN CORRUPT PRACTICES ACT.**

22 Section 104(a)(3) of the Foreign Corrupt Practices
23 Act of 1977 (15 U.S.C. 78dd-2) is amended by striking
24 "issuer" and inserting "domestic concern".

1 **SEC. 330006. ELIMINATION OF REDUNDANT PENALTY PRO-**
2 **VISION IN 18 U.S.C. 1116.**

3 Section 1116(a) of title 18, United States Code, is
4 amended by striking “, and any such person who is found
5 guilty of attempted murder shall be imprisoned for not
6 more than twenty years”.

7 **SEC. 330007. ELIMINATION OF REDUNDANT PENALTY.**

8 Section 1864(c) of title 18, United States Code, is
9 amended by striking “(b) (3), (4), or (5)” and inserting
10 “(b)(5)”.

11 **SEC. 330008. CORRECTIONS OF MISSPELLINGS AND GRAM-**
12 **MATICAL ERRORS.**

13 Title 18, United States Code, is amended—

14 (1) in section 513(c)(4) by striking “association
15 or persons” and inserting “association of persons”;

16 (2) in section 1956(e) by striking
17 “Evironmental” and inserting “Environmental”;

18 (3) in section 3125—

19 (A) in subsection (a)(2) by striking “use”
20 and the quotation mark that immediately fol-
21 lows it and inserting “use;”;

22 (B) by realigning the matter in subsection
23 (a)(2) that begins with “may have installed”
24 and ends with “section 3123 of this title” so
25 that it is flush to the left margin; and

1 (C) by striking "provider for" and insert-
2 ing "provider of" in subsection (d);

3 (4) in section 3731 by striking "order of a dis-
4 trict courts" and inserting "order of a district
5 court" in the second undesignated paragraph;

6 (5) in section 151 by striking "mean" and in-
7 serting "means";

8 (6) in section 208(b) by inserting "if" after
9 "(4)";

10 (7) in section 209(d) by striking "under the
11 terms of the chapter 41" and inserting "under the
12 terms of chapter 41";

13 (8) in section 1014 by inserting a comma after
14 "National Credit Union Administration Board"; and

15 (9) in section 3291 by striking "the afore-men-
16 tioned" and inserting "such".

17 **SEC. 330009. OTHER TECHNICAL AMENDMENTS.**

18 (a) SECTION 419 OF CONTROLLED SUBSTANCES
19 ACT.—Section 419(b) of the Controlled Substances Act
20 (21 U.S.C. 860(b)) is amended by striking "years Pen-
21 alties" and inserting "years. Penalties".

22 (b) SECTION 667.—Section 667 of title 18, United
23 States Code, is amended by adding at the end the follow-
24 ing: "The term 'livestock' has the meaning set forth in
25 section 2311 of this title."

1 (c) SECTION 1114.—Section 1114 of title 18, United
2 States Code, is amended by striking “or any other officer,
3 agency, or employee of the United States” and inserting
4 “or any other officer or employee of the United States or
5 any agency thereof”.

6 (d) Section 408 of Controlled Substances Act.—Sec-
7 tion 408(q)(8) of the Controlled Substances Act (21
8 U.S.C. 848(q)(8)) is amended by striking “applications,
9 for writ” and inserting “applications for writ”.

10 **SEC. 330010. CORRECTION OF ERRORS FOUND DURING**
11 **CODIFICATION.**

12 Title 18, United States Code, is amended—

13 (1) in section 212 by striking “218” and insert-
14 ing “213”;

15 (2) in section 1917—

16 (A) by striking “Civil Service Commission”
17 and inserting “Office of Personnel Manage-
18 ment”; and

19 (B) by striking “the Commission” in para-
20 graph (1) and inserting “such Office”;

21 (3) by transferring the subchapter analysis for
22 each subchapter of each of chapters 227 and 229 to
23 follow the heading of that subchapter;

24 (4) so that the heading of section 1170 reads
25 as follows:

1 **“§ 1170. Illegal trafficking in Native American human**
2 **remains and cultural items”;**

3 (5) so that the item relating to section 1170 in
4 the chapter analysis for chapter 53 reads as follows:

“1170. Illegal trafficking in Native American human remains and cultural
items.”;

5 (6) in section 3509(a) by striking paragraph
6 (11) and redesignating paragraphs (12) and (13) as
7 paragraphs (11) and (12), respectively;

8 (7) in section 3509—

9 (A) by striking “subdivision” each place it
10 appears and inserting “subsection”; and

11 (B) by striking “government” each place it
12 appears and inserting “Government”;

13 (8) in section 2252(a)(3)(B) by striking
14 “materails” and inserting “materials”;

15 (9) in section 14 by striking “45,” and “608,
16 611, 612,”;

17 (10) in section 3059A—

18 (A) in subsection (b) by striking “this sub-
19 section” and inserting “subsection”; and

20 (B) in subsection (c) by striking “this sub-
21 section” and inserting “subsection”;

22 (11) in section 1761(c)—

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

1 (B) by inserting "and" at the end of para-
2 graph (3); and

3 (C) by striking the period at the end of
4 paragraph (2)(B) and inserting a semicolon;
5 (12) in the chapter analysis for chapter 11—

6 (A) in the item relating to section 203 by
7 inserting a comma after "officers" and by strik-
8 ing the comma after "others"; and

9 (B) in the item relating to section 204 by
10 inserting "the" before "United States Court of
11 Appeals for the Federal Circuit";

12 (13) in the chapter analysis for chapter 23, in
13 the item relating to section 437, by striking the pe-
14 riod immediately following "Indians";

15 (14) in the chapter analysis for the beginning
16 of chapter 25, in the item relating to section 491,
17 by striking the period immediately following "paper
18 used as money";

19 (15) in section 207(a)(3) by striking "Clarifica-
20 tion of Restrictions" and inserting "Clarification of
21 restrictions";

22 (16) in section 176 by striking "the govern-
23 ment" and inserting "the Government";

24 (17) in section 3059A(e)(2)(iii) by striking
25 "backpay" and inserting "back pay"; and

1 (18) by adding a period at the end of the item
2 relating to section 3059A in the chapter analysis for
3 chapter 203.

4 **SEC. 330011. PROBLEMS RELATED TO EXECUTION OF**
5 **PRIOR AMENDMENTS.**

6 (a) **INCORRECT REFERENCE.**—Section 2587(b) of
7 Public Law 101-647 is amended, effective as of the date
8 on which that section took effect, by striking “The chapter
9 heading for” and inserting “The chapter analysis for”.

10 (b) **LACK OF PUNCTUATION IN STRICKEN LAN-**
11 **GUAGE.**—Section 46(b) of the Criminal Law and Proce-
12 dure Technical Amendments Act of 1986 is amended, ef-
13 fective as of the date on which that section took effect,
14 so that—

15 (A) in paragraph (1), the matter proposed to be
16 stricken from the beginning of section 201(b) of title
17 18, United States Code, reads “(b) Whoever, di-
18 rectly”; and

19 (B) in paragraph (2), a comma, rather than a
20 semicolon, appears after “his lawful duty” in the
21 matter to be stricken from paragraph (3) of section
22 201(b) of that title.

23 (c) **BIOLOGICAL WEAPONS.**—(1) Section 3(b) of the
24 Biological Weapons Anti-Terrorism Act of 1989 is amend-

1 ed, effective as of the date on which that section took ef-
2 fect, by striking "2516(c)" and inserting "2516(1)(c)".

3 (2) The item in the part analysis for part I of title
4 18, United States Code, that relates to chapter 10 is
5 amended by striking "Weapons" and inserting "weapons".

6 (d) PLACEMENT OF NEW SECTION.—Section 404(a)
7 of Public Law 101-630 is amended, effective on the date
8 such section took effect, by striking "adding at the end
9 thereof" each place it appears and inserting "inserting
10 after section 1169".

11 (e) ELIMINATION OF ERRONEOUS CHARACTERIZA-
12 TION OF MATTER INSERTED.—Section 225(a) of Public
13 Law 101-647 is Amended, effective as of the date on
14 which that section took effect, by striking "new rule".

15 (f) CLARIFICATION OF PLACEMENT OF AMEND-
16 MENT.—Section 1205(c) of Public Law 101-647 is amend-
17 ed, effective as of the date on which that section took ef-
18 fect, by inserting "at the end" after "adding".

19 (g) ELIMINATION OF DUPLICATE AMENDMENT.—
20 Section 1606 of Public Law 101-647 (amending section
21 1114 of title 18, United States Code) is repealed effective
22 as of the date of enactment of that section.

23 (h) ERROR IN AMENDMENT PHRASING.—Section
24 3502 of Public Law 101-647 is amended, effective as of

1 the date on which that section took effect, by striking
2 “10” and inserting “ten”.

3 (i) CLARIFICATION THAT AMENDMENTS WERE TO
4 TITLE 18.—Sections 3524, 3525, and 3528 of Public Law
5 101-647 are each amended, effective as of the date on
6 which those sections took effect, by inserting “of title 18,
7 United States Code” before “is amended”.

8 (j) CORRECTION OF PARAGRAPH REFERENCE.—Sec-
9 tion 3527 of Public Law 101-647 is amended, effective
10 as of the date on which that section took effect, by striking
11 “4th” and inserting “5th”.

12 (k) REPEAL OF OBSOLETE TECHNICAL CORRECTION
13 TO SECTION 1345.—Section 3542 of Public Law 101-647
14 is repealed, effective as of the date of its enactment.

15 (l) REPEAL OF OBSOLETE TECHNICAL CORRECTION
16 TO SECTION 1956.—Section 3557(2)(E) of Public Law
17 101-647 is repealed, effective as of the date of its enact-
18 ment.

19 (m) CLARIFICATION OF PLACEMENT OF AMEND-
20 MENTS.—Public Law 101-647 is amended, effective as of
21 the date of its enactment—

22 (1) in section 3564(1) by inserting “each place
23 it appears” after the quotation mark following
24 “2251” the first place it appears; and

1 (2) in section 3565(3)(A) by inserting “each
2 place it appears” after the quotation mark following
3 “subchapter”.

4 (n) CORRECTION OF WORD QUOTED IN AMEND-
5 MENT.—Section 3586(1) of Public Law 101-647 is
6 amended, effective as of the date on which that section
7 took effect, by striking “finēs” and inserting “fine”.

8 (o) ELIMINATION OF OBSOLETE TECHNICAL AMEND-
9 MENT TO SECTION 4013.—Section 3599 of Public Law
10 101-647 is repealed, effective as of the date of its enact-
11 ment.

12 (p) CORRECTION OF DIRECTORY LANGUAGE.—Sec-
13 tion 3550 of Public Law 101-647 is amended, effective
14 as of the date on which that section took effect, by striking
15 “not more than”.

16 (q) REPEAL OF DUPLICATE PROVISIONS.—(1) Sec-
17 tion 3568 of Public Law 101-647 is repealed, effective as
18 of the date on which that section took effect.

19 (2) Section 1213 of Public Law 101-647 is repealed,
20 effective as of the date on which that section took effect.

21 (r) CORRECTION OF WORDS QUOTED IN AMEND-
22 MENT.—Section 2531(3) of Public Law 101-647 is
23 amended, effective as of the date on which that section
24 took effect, by striking “1679(c)(2)” and inserting
25 “1679a(c)(2)”.

1 (s) FORFEITURE.—(1) Section 1401 of Public Law
2 101-647 is amended, effective as of the date on which that
3 section took effect—

4 (A) by inserting a comma after “, 5316”; and

5 (B) by inserting “the first place it appears”
6 after the quotation mark following “5313(a)”.

7 (2) Section 2525(a)(2) of Public Law 101-647 is
8 amended, effective as of the date on which that section
9 took effect, by striking “108(3)” and inserting “2508(3)”.

10 **SEC. 330012. AMENDMENT TO SECTION 1956 OF TITLE 18 TO**
11 **ELIMINATE DUPLICATE PREDICATE CRIMES.**

12 Section 1956 of title 18, United States Code, is
13 amended in subsection (c)(7)(E), by striking the period
14 that follows a period.

15 **SEC. 330013. AMENDMENTS TO PART V OF TITLE 18.**

16 Part V of title 18, United States Code, is amended—

17 (1) by inserting after the heading for that part
18 the following:

19 **“CHAPTER 601—IMMUNITY**
20 **OF WITNESSES”;**

21 (2) in section 6001(1)—

22 (A) by striking “Atomic Energy Commis-
23 sion” and inserting “Nuclear Regulatory Com-
24 mission”; and

1 (B) by striking "the Subversive Activities,
2 Control Board,"

3 (3) by striking "part" the first place it appears
4 and inserting "chapter"; and

5 (4) by striking "part" each other place it ap-
6 pears and inserting "title".

7 **SEC. 330014. UPDATE OF CROSS REFERENCE.**

8 Section 408(n)(11) of the Controlled Substances Act
9 is amended by striking "section 405" and inserting "sec-
10 tion 418".

11 **SEC. 330015. CORRECTION OF ERROR IN AMENDATORY**
12 **LANGUAGE.**

13 Section 1904 of Public Law 101-647 is amended, ef-
14 fective as of the date on which that section took effect,
15 by striking "by inserting a new subsection (e) as follows"
16 and inserting "so that subsection (e) reads as follows".

17 **SEC. 330016. CORRECTION OF MISLEADING AND OUT-**
18 **MODED FINE AMOUNTS IN OFFENSES UNDER**
19 **TITLE 18.**

20 Title 18, United States Code, is amended—

21 (1)(A) in sections 1693, 1694, 1695, and 1696
22 by striking "not more than \$50" and inserting
23 "under this title";

24 (B) in sections 333, 489, 754, 1303, 1699,
25 1701, 1703, 1710, 1723, 1726, 1730, and 2390 by

1 striking "not more than \$100" and inserting "under
2 this title";

3 (C) in sections 1697 and 1698 by striking "not
4 more than \$150" and inserting "under this title";

5 (D) in sections 1165 and 2279 by striking "not
6 more than \$200" and inserting "under this title";

7 (E) in sections 701, 702, 703, 704, 705, 706,
8 707, 708, 710, 711, 711a, 713, 715, 1164, and
9 1858 by striking "not more than \$250" each place
10 it appears and inserting "under this title";

11 (F) in sections 916, 1501, 1502, 1719, 1725,
12 and 1861 by striking "not more than \$300" and in-
13 serting "under this title";

14 (G) in sections 4, 41, 42, 46, 47, 112, 154,
15 244, 288, 290, 336, 475, 501, 502, 755, 872, 875,
16 876, 877, 917, 1013, 1018, 1024, 1154, 1155,
17 1156, 1382, 1541, 1700, 1703, 1704, 1707, 1712,
18 1713, 1720, 1721, 1722, 1729, 1731, 1734, 1752,
19 1793, 1856, 1857, 1863, 1912, 1913, 1922, 2074,
20 2195, and 2511 by striking "not more than \$500"
21 each place it appears and inserting "under this
22 title";

23 (H) in sections 81, 210, 211, 215, 217, 242,
24 245, 291, 292, 439, 442, 480, 483, 484, 490, 491,
25 494, 495, 503, 507, 510, 594, 595, 596, 597, 598,

1 599, 604, 605, 641, 643, 645, 646, 647, 648, 649,
2 650, 651, 652, 653, 654, 655, 656, 657, 658, 659,
3 661, 662, 665, 712, 751, 752, 756, 795, 796, 797,
4 836, 844, 871, 875, 876, 877, 879, 911, 912, 913,
5 924, 957, 959, 961, 1003, 1012, 1021, 1025, 1026,
6 1071, 1112, 1163, 1262, 1263, 1264, 1301, 1302,
7 1304, 1306, 1341, 1342, 1343, 1361, 1363, 1384,
8 1504, 1508, 1509, 1657, 1705, 1706, 1707, 1711,
9 1715, 1716, 1733, 1738, 1761, 1762, 2276, 2277,
10 2278, 2382, and 2389 by striking "not more than
11 \$1,000" each place it appears and inserting "under
12 this title";

13 (I) in sections 331, 482, 486, 499, 755, 873,
14 958, 1016, 1154, 1156, 1381, 1542, 1543, 1544,
15 1545, 1586, 1621, 1622, 1702, 1708, 1709, 1920,
16 1921, 1923, 2071, 2193, 2233, 2386, and 2424 by
17 striking "not more than \$2,000" each place it ap-
18 pears and inserting "under this title";

19 (J) in sections 431, 432, 479, 960, 1859, 1901,
20 1911, and 1959 by striking "not more than \$3,000"
21 and inserting "under this title";

22 (K) in sections 35, 81, 112, 152, 153, 155,
23 212, 213, 214, 285, 334, 351, 435, 436, 438, 471,
24 472, 473, 476, 477, 478, 481, 485, 487, 488, 497,
25 498, 505, 506, 508, 509, 541, 542, 543, 544, 546,

1 547, 548, 549, 550, 551, 552, 592, 593, 602, 603,
2 606, 607, 642, 655, 658, 659, 660, 661, 663, 751,
3 799, 844, 872, 874, 875, 876, 877, 878, 914, 915,
4 924, 953, 954, 956, 1004, 1010, 1011, 1015, 1017,
5 1025, 1028, 1071, 1073, 1074, 1163, 1169, 1231,
6 1265, 1363, 1421, 1422, 1423, 1424, 1425, 1426,
7 1427, 1428, 1429, 1461, 1462, 1463, 1465, 1503,
8 1505, 1506, 1507, 1510, 1581, 1582, 1583, 1584,
9 1585, 1588, 1658, 1659, 1717, 1732, 1735, 1737,
10 1751, 1906, 1907, 1908, 1909, 1915, 1991, 2072,
11 2073, 2113, 2217, 2152, 2197, 2231, 2244, 2314,
12 2316, 2317, 2344, and 2701 by striking "not more
13 than \$5,000" each place it appears and inserting
14 "under this title";
15 (L) in sections 33, 224, 231, 241, 245, 246,
16 286, 289, 332, 335, 337, 351, 371, 437, 440, 441,
17 493, 496, 500, 510, 545, 595, 599, 600, 601, 641,
18 664, 665, 667, 757, 792, 793, 798, 844, 892, 893,
19 894, 924, 952, 955, 962, 963, 964, 965, 966, 967,
20 970, 1001, 1002, 1003, 1019, 1020, 1022, 1023,
21 1027, 1082, 1084, 1115, 1202, 1361, 1362, 1364,
22 1365, 1385, 1461, 1462, 1464, 1587, 1623, 1654,
23 1656, 1735, 1737, 1751, 1902, 1903, 1904, 1910,
24 1951, 1952, 1953, 1954, 1958, 1992, 2101, 2113,
25 2153, 2154, 2155, 2156, 2231, 2232, 2271, 2274,

1 2275, 2314, 2315, 2383, 2386, 2387, 2388, and
2 2512 by striking "not more than \$10,000" each
3 place it appears and inserting "under this title";

4 (M) in section 1028 by striking "not more than
5 \$15,000" and inserting "under this title";

6 (N) in sections 844, 878, 1728, 1955, 1958,
7 2321, 2384, and 2385 by striking "not more than
8 \$20,000" each place it appears and inserting "under
9 this title";

10 (O) in sections 32, 114, 753, 1028, 1365, 1512,
11 1792, and 2118 by striking "not more than
12 \$25,000" each place it appears and inserting "under
13 this title";

14 (P) in section 2118 by striking "not more than
15 \$35,000" and inserting "under this title";

16 (Q) in sections 1365, 1958, and 2118 by strik-
17 ing "not more than \$50,000" and inserting "under
18 this title";

19 (R) in section 951 by striking "not more than
20 \$75,000" and inserting "under this title";

21 (S) in sections 32, 1167, 1365, 2251, and 2344
22 by striking "not more than \$100,000" each place it
23 appears and inserting "under this title";

24 (T) in section 2251 by striking "not more than
25 \$200,000" and inserting "under this title"; and

1 (U) in sections 1158, 1167, 1512, 1513, 2251,
2 2318, 2320, and 2701 by striking "not more than
3 \$250,000" and inserting "under this title";

4 (2)(A) in sections 3 and 373 by inserting "(not-
5 withstanding section 3571)" before "fined not more
6 than one-half";

7 (B) in section 113 by striking "fine of not more
8 than" through the immediately following dollar
9 amount each place it appears and inserting "a fine
10 under this title";

11 (C) in sections 115, 513, 709, 831, 1366, 1511
12 and 1959 by striking "of not more than" through
13 the immediately following dollar amount each place
14 it appears and inserting "under this title";

15 (D) in section 201 by inserting "under this title
16 or" after "be fined"; and by inserting "whichever is
17 greater," before "or imprisoned";

18 (E) in section 402 by striking "fine" the first
19 place it appears and inserting "a fine under this
20 title";

21 (F) in section 443 by striking "shall, if a cor-
22 poration, be fined not more than \$50,000, and, if a
23 natural person, be fined not more than \$10,000"
24 and inserting "shall be fined under this title";

1 (G) in sections 643, 644, 645, 647, 648, 649,
2 650, 651, 652, 653, and 1711 by inserting "under
3 this title or" after "be fined" the first place it ap-
4 pears; and by inserting ", whichever is greater," be-
5 fore "or imprisoned the first place it appears;

6 (H) in sections 646 and 654 by inserting
7 "under this title or" after "be fined" the first place
8 it appears; and by inserting "whichever is greater,"
9 before "or imprisoned" the first place it appears;

10 (I) in section 1029 by striking "of not more
11 than" through the immediately following dollar
12 amount each place it appears and inserting "under
13 this title"; and by inserting ", whichever is greater,"
14 before "or imprisonment" each place it appears;

15 (J) in section 2381 by inserting "under this
16 title but" before "not less than \$10,000"; and

17 (K) in section 3146(b)(1)(A)(iv) by striking
18 "fine under this chapter" and inserting "fined under
19 this title".

20 **SEC. 330017. TECHNICAL CORRECTIONS TO TITLE 31**
21 **CRIMES.**

22 (a) TITLE 31, U.S.C., AMENDMENTS.—

23 (1) Section 5321(a)(5)(A) of title 31, United
24 States Code, is amended by inserting "any violation
25 of" after "causing".

1 (2) Section 5324(a) of title 31, United States
2 Code, is amended—

3 (A) by striking “section 5313(a), section
4 5325, or the regulations issued thereunder or
5 section 5325 or regulations prescribed under
6 such section 5325” each place it appears and
7 inserting “section 5313(a) or 5325 or any regu-
8 lation prescribed under any such section”; and

9 (B) by striking “with respect to such
10 transaction”.

11 (b) AMENDMENT RELATING TO TITLE 31, U.S.C.—

12 (1) Effective as of the date of enactment of the
13 Annunzio-Wylie Anti-Money Laundering Act, section
14 1517(b) of that Act is amended by striking “5314”
15 and inserting “5318”.

16 (2) Section 5239 of the Revised Statutes of the
17 United States is amended by redesignating the sec-
18 ond subsection (c) (as added by section 1502(a) of
19 the Annunzio-Wylie Anti-Money Laundering Act) as
20 subsection (d).

21 **SEC. 330018. REPEAL OF SUPERFLUOUS STATUTE OF LIMITATION AND TRANSFER OF CHILD ABUSE**
22 **STATUTE OF LIMITATION.**
23

24 (a) IN GENERAL.—Section 3283 of title 18, United
25 States Code, is amended to read as follows:

1 **“§ 3283. Child abuse offenses**

2 “No statute of limitations that would otherwise pre-
3 clude prosecution for an offense involving the sexual or
4 physical abuse of a child under the age of 18 years shall
5 preclude such prosecution before the child reaches the age
6 of 25 years.”.

7 (b) **CONFORMING REPEAL.**—Section 3509(k) of title
8 18, United States Code, is amended by striking the sub-
9 section heading and the first sentence and inserting “**STAY**
10 **OF CIVIL ACTION.**—”.

11 (c) **TECHNICAL AMENDMENT.**—The item in the chap-
12 ter analysis for chapter 213 of title 18, United States
13 Code, that relates to section 3283 is amended to read as
14 follows:

“3283. Child abuse offenses.”.

15 **SEC. 330019. TECHNICAL ERRORS IN SECTION 1956.**

16 (a) **TECHNICAL CORRECTIONS.**—Section 1956 of title
17 18, United States Code, is amended—

18 (1) in subsection (c)(7)(B)(iii) by inserting a
19 close parenthesis after “1978”;

20 (2) by redesignating the second subsection (g)
21 as subsection (h); and

22 (3) in subsection (a)(2) by inserting “not more
23 than” before “\$500,000”.

24 (b) **CROSS REFERENCE CORRECTION.**—Section
25 1956(c)(7)(D) of title 18, United States Code is amended

1 by striking "section 9(c) of the Food Stamp Act of 1977"
2 and inserting "section 15 of the Food Stamp Act of
3 1977".

4 **SEC. 330020. TECHNICAL ERROR.**

5 Section 1957(f)(1) of title 18, United States Code,
6 is amended by striking the comma that follows a comma.

7 **SEC. 330021. CONFORMING SPELLING OF VARIANTS OF**
8 **"KIDNAP".**

9 Title 18, United States Code, is amended—

10 (1) by striking "kidnaping" each place it ap-
11 pears and inserting "kidnapping"; and

12 (2) by striking "kidnaped" each place it ap-
13 pears and inserting "kidnapped".

14 **SEC. 330022. MARGIN ERROR.**

15 Section 2512(2) of title 18, United States Code, is
16 amended by realigning the matter that begins with "to
17 send through" and ends with "electronic communications"
18 so that it is flush to the left margin.

19 **SEC. 330023. TECHNICAL CORRECTIONS RELATING TO SEC-**
20 **TION 248 OF TITLE 18, UNITED STATES CODE.**

21 (a) **IN GENERAL.**—Chapter 13 of title 18, United
22 States Code, is amended—

23 (1) in the chapter analysis so that the item re-
24 lating to section 248 reads as follows:

"248. Freedom of access to clinic entrances.";

1 (2) so that the heading of section 248 reads as
2 follows:

3 **“§ 248. Freedom of access to clinic entrances”**; and

4 (3) in section 248(b) by inserting “, notwith-
5 standing section 3571,” before “be not more than
6 \$25,000”:

7 (b) **EFFECTIVE DATE.**—The amendments made by
8 this subsection (a) shall take effect on the date of enact-
9 ment of the Freedom of Access to Clinic Entrances Act
10 of 1994.

11 **SEC. 330024. TECHNICAL AMENDMENTS NECESSITATED BY**
12 **THE ENACTMENT OF THE DOMESTIC CHEMI-**
13 **CAL DIVERSION CONTROL ACT OF 1993.**

14 (a) **MISSING CONJUNCTION.**—Section 102(39)(A)(iv)
15 of the Controlled Substances Act (21 U.S.C.
16 802(39)(A)(iv)) is amended by striking the period at the
17 end and inserting “; or”.

18 (b) **PUNCTUATION AND INDENTATION CORREC-**
19 **TION.**—Section 102(34) of the Controlled Substances Act
20 is amended—

21 (1) by moving subparagraphs (V) and (W) two
22 ems toward the left margin;

23 (2) in subparagraph (V) by striking “b” and in-
24 serting “B”; and

1 (3) in subparagraph (W) by striking "n" the
2 first place it appears and inserting "N".

3 (c) ERRONEOUS CROSS REFERENCES.—

4 (1) Section 5(a) of the Domestic Chemical Di-
5 version Control Act of 1993 is amended by striking
6 "section 1505(a)" and inserting "section 4".

7 (2) Section 9(b) of the Domestic Chemical Di-
8 version Control Act of 1993 is amended by striking
9 "Controlled Substances Act" and inserting "Con-
10 trolled Substances Import and Export Act".

11 (d) CORRECTION OF AMENDATORY LANGUAGE.—

12 (1) Section 2(a)(4)(B) of the Domestic Chemi-
13 cal Diversion Control Act of 1993 is amended by in-
14 serting "the first place it appears" before the semi-
15 colon.

16 (2) Section 5(b)(3) of the Domestic Chemical
17 Diversion Control Act of 1993 is amended by strik-
18 ing "at the end" and inserting "after paragraph
19 (4)".

20 (e) MISSING CONFORMING AMENDMENT.—Section
21 304(g) of the Controlled Substances Act is amended by
22 inserting "or chemical" after "such substance" in the last
23 sentence.

24 (f) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect as of the date that is 120

1 days after the date of enactment of the Domestic Chemical
2 Diversion Control Act of 1993.

3 **SEC. 330025. VICTIMS OF CRIME ACT.**

4 (a) **INCORRECT SECTION REFERENCE.**—Section
5 1402(d)(3) of the Victims of Crime Act of 1984 (42
6 U.S.C. 10601(d)(3)) is amended by striking “1404(a)”
7 and inserting “1404A”.

8 (b) **MISSING TEXT.**—Section 1403(b)(1) of the Vic-
9 tims of Crime Act of 1984 (42 U.S.C. 10602(b)(1)) is
10 amended by inserting after “domestic violence” the follow-
11 ing: “for—

12 (A) medical expenses attributable to a
13 physical injury resulting from compensable
14 crime, including expenses for mental health
15 counseling and care;

16 (B) loss of wages attributable to a phys-
17 ical injury resulting from a compensable crime;
18 and

19 (C) funeral expenses attributable to a
20 death resulting from a compensable crime”.

Sec. 330026

TECHNICAL AMENDMENT TO FEDERAL RULES OF CRIMINAL PROCEDURE

Rule 46(i)(1) of the Federal Rules of Criminal Procedure for the United States Courts is amended by striking “18 U.S.C. § 3144” and inserting “18 U.S.C. § 3142”.