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1 **TITLE I—PUBLIC SAFETY AND**
 2 **POLICING**

3 **SEC. 1001. SHORT TITLE.**

4 This title may be cited as the "Public Safety Partner-
 5 ship and Community Policing Act of 1994".

6 **SEC. 1002. PURPOSES.**

7 The purposes of this title are to—

8 (1) substantially increase the number of law en-
 9 forcement officers interacting directly with members
 10 of the community ("cops on the beat");

11 (2) provide additional and more effective train-
 12 ing to law enforcement officers to enhance their

1 problem solving, service, and other skills needed in
2 interacting with members of the community;

3 (3) encourage the development and implementa-
4 tion of innovative programs to permit members of
5 the community to assist State, Indian tribal govern-
6 ment, and local law enforcement agencies in the pre-
7 vention of crime in the community; and

8 (4) encourage the development of new tech-
9 nologies to assist State, Indian tribal government,
10 and local law enforcement agencies in reorienting
11 the emphasis of their activities from reacting to
12 crime to preventing crime,

13 by establishing a program of grants and assistance in fur-
14 therance of these objectives, including the authorization
15 for a period of 6 years of grants for the hiring and rehiring
16 of additional career law enforcement officers.

17 **SEC. 1003. COMMUNITY POLICING; "COPS ON THE BEAT".**

18 (a) IN GENERAL.—Title I of the Omnibus Crime
19 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
20 et seq.) is amended—

21 (1) by redesignating part Q as part R;

22 (2) by redesignating section 1701 as section
23 1801; and

24 (3) by inserting after part P the following new
25 part:

1 **“PART Q—PUBLIC SAFETY AND CITY POLICING;**
2 **‘COPS ON THE BEAT’**

3 **“SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND**
4 **COMMUNITY POLICING GRANTS.**

5 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
6 eral may make grants to States, units of local government,
7 Indian tribal governments, and other public and private
8 entities to increase police presence, to expand and improve
9 cooperative efforts between law enforcement agencies and
10 members of the community to address crime and disorder
11 problems, and otherwise to enhance public safety.

12 “(b) REHIRING AND HIRING GRANT PROJECTS.—
13 Grants made under subsection (a) may be used for pro-
14 grams, projects, and other activities to—

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

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

22 “(c) TROOPS-TO-COPS PROGRAMS.—(1) Grants made
23 under subsection (a) may be used to hire former members
24 of the Armed Forces to serve as career law enforcement
25 officers for deployment in community-oriented policing,

1 particularly in communities that are adversely affected by
2 a recent military base closing.

3 “(2) In this subsection, ‘former member of the Armed
4 Forces’ means a member of the Armed Forces of the Unit-
5 ed States who is involuntarily separated from the Armed
6 Forces within the meaning of section 1141 of title 10,
7 United States Code.

8 “(d) ADDITIONAL GRANT PROJECTS.—Grants made
9 under subsection (a) may include programs, projects, and
10 other activities to—

11 “(1) increase the number of law enforcement
12 officers involved in activities that are focused on
13 interaction with members of the community on
14 proactive crime control and prevention by redeploy-
15 ing officers to such activities;

16 “(2) provide specialized training to law enforce-
17 ment officers to enhance their conflict resolution,
18 mediation, problem solving, service, and other skills
19 needed to work in partnership with members of the
20 community;

21 “(3) increase police participation in multidisci-
22 plinary early intervention teams;

23 “(4) develop new technologies to assist State
24 and local law enforcement agencies in reorienting

1 the emphasis of their activities from reacting to
2 crime to preventing crime;

3 “(5) develop and implement innovative pro-
4 grams to permit members of the community to assist
5 State and local law enforcement agencies in the pre-
6 vention of crime in the community, such as a citi-
7 zens’ police academy, including programs designed
8 to increase the level of access to the criminal justice
9 system enjoyed by victims, witnesses, and ordinary
10 citizens by establishing decentralized satellite offices
11 (including video facilities) of principal criminal
12 courts buildings;

13 “(6) establish innovative programs to reduce,
14 and keep to a minimum, the amount of time that
15 law enforcement officers must be away from the
16 community while awaiting court appearances;

17 “(7) establish and implement innovative pro-
18 grams to increase and enhance proactive crime con-
19 trol and prevention programs involving law enforce-
20 ment officers and young persons in the community;

21 “(8) develop and establish new administrative
22 and managerial systems to facilitate the adoption of
23 community-oriented policing as an organization-wide
24 philosophy; and

1 “(9) establish, implement, and coordinate crime
2 prevention and control programs (involving law en-
3 forcement officers working with community mem-
4 bers) with other Federal programs that serve the
5 community and community members to better ad-
6 dress the comprehensive needs of the community and
7 its members.

8 “(e) PREFERENTIAL CONSIDERATION OF APPLICA-
9 TIONS FOR CERTAIN GRANTS.—In awarding grants under
10 this part, the Attorney General may give preferential con-
11 sideration, where feasible, to applications for hiring and
12 rehiring additional career law enforcement officers that
13 involve—

14 (1) a non-Federal contribution exceeding the 25
15 percent minimum under subsection (i); and

16 (2) hiring former members of the Armed Forces
17 to serve as career law enforcement officers under
18 subsection (c).

19 “(f) TECHNICAL ASSISTANCE.—(1) The Attorney
20 General may provide technical assistance to States, units
21 of local government, Indian tribal governments, and to
22 other public and private entities, in furtherance of the pur-
23 poses of the Public Safety Partnership and Community
24 Policing Act of 1994.

1 “(2) The technical assistance provided by the Attor-
2 ney General may include the development of a flexible
3 model that will define for State and local governments,
4 and other public and private entities, definitions and strat-
5 egies associated with community or problem-oriented po-
6 licing and methodologies for its implementation.

7 “(3) The technical assistance provided by the Attor-
8 ney General may include the establishment and operation
9 of training centers or facilities, either directly or by con-
10 tracting or cooperative arrangements. The functions of the
11 centers or facilities established under this paragraph may
12 include instruction and seminars for police executives,
13 managers, trainers and supervisors concerning community
14 or problem-oriented policing and improvements in police-
15 community interaction and cooperation that further the
16 purposes of the Public Safety Partnership and Community
17 Policing Act of 1994.

18 “(g) UTILIZATION OF COMPONENTS.—The Attorney
19 General may utilize any component or components of the
20 Department of Justice in carrying out this part.

21 “(h) MINIMUM AMOUNT.—Each qualifying State, to-
22 gether with grantees within the State, shall receive in each
23 fiscal year pursuant to subsection (a) not less than 0.5
24 percent of the total amount appropriated in the fiscal year
25 for grants pursuant to that subsection. In this subsection,

1 'qualifying State' means any State which has submitted
2 an application for a grant, or in which an eligible entity
3 has submitted an application for a grant, which meets the
4 requirements prescribed by the Attorney General and the
5 conditions set out in this part.

6 “(i) MATCHING FUNDS.—The portion of the costs of
7 a program, project, or activity provided by a grant under
8 subsection (a) may not exceed 75 percent, unless the At-
9 torney General waives, wholly or in part, the requirement
10 under this subsection of a non-Federal contribution to the
11 costs of a program, project, or activity. In relation to a
12 grant for a period exceeding 1 year for hiring or rehiring
13 career law enforcement officers, the Federal share shall
14 decrease from year to year for up to 5 years, looking to-
15 ward the continuation of the increased hiring level using
16 State or local sources of funding following the conclusion
17 of Federal support, as provided in an approved plan pur-
18 suant to section 1702(e)(8).

19 “(j) ALLOCATION OF FUNDS.—The funds available
20 under this part shall be allocated as provided in section
21 1001(a)(11)(B).

22 “(k) TERMINATION OF GRANTS FOR HIRING OFFI-
23 CERS.—The authority under subsection (a) of this section
24 to make grants for the hiring and rehiring of additional
25 career law enforcement officers shall lapse at the conclu-

1 sion of 6 years from the date of enactment of this part.
2 Prior to the expiration of this grant authority, the Attor-
3 ney General shall submit a report to Congress concerning
4 the experience with and effects of such grants. The report
5 may include any recommendations the Attorney General
6 may have for amendments to this part and related provi-
7 sions of law in light of the termination of the authority
8 to make grants for the hiring and rehiring of additional
9 career law enforcement officers.

10 **"SEC. 1702. APPLICATIONS.**

11 “(a) IN GENERAL.—No grant may be made under
12 this part unless an application has been submitted to, and
13 approved by, the Attorney General.

14 “(b) APPLICATION.—An application for a grant
15 under this part shall be submitted in such form, and con-
16 tain such information, as the Attorney General may pre-
17 scribe by regulation or guidelines.

18 “(c) CONTENTS.—In accordance with the regulations
19 or guidelines established by the Attorney General, each ap-
20 plication for a grant under this part shall—

21 “(1) include a long-term strategy and detailed
22 implementation plan that reflects consultation with
23 community groups and appropriate private and pub-
24 lic agencies and reflects consideration of the state-
25 wide strategy under section 503(a)(1);

1 “(2) demonstrate a specific public safety need;

2 “(3) explain the applicant’s inability to address
3 the need without Federal assistance;

4 “(4) identify related governmental and commu-
5 nity initiatives which complement or will be coordi-
6 nated with the proposal;

7 “(5) certify that there has been appropriate co-
8 ordination with all affected agencies;

9 “(6) outline the initial and ongoing level of
10 community support for implementing the proposal
11 including financial and in-kind contributions or
12 other tangible commitments;

13 “(7) specify plans for obtaining necessary sup-
14 port and continuing the proposed program, project,
15 or activity following the conclusion of Federal sup-
16 port;

17 “(8) if the application is for a grant for hiring
18 or rehiring additional career law enforcement offi-
19 cers, specify plans for the assumption by the appli-
20 cant of a progressively larger share of the cost in the
21 course of time, looking toward the continuation of
22 the increased hiring level using State or local
23 sources of funding following the conclusion of Fed-
24 eral support;

1 “(9) assess the impact, if any, of the increase
2 in police resources on other components of the crimi-
3 nal justice system; and

4 “(10) explain how the grant will be utilized to
5 reorient the affected law enforcement agency’s mis-
6 sion toward community-oriented policing or enhance
7 its involvement in or commitment to community-ori-
8 ented policing; and

9 **[NOTE: HOUSE STRONGLY DISAGREES**
10 **WITH THE FOLLOWING REWRITE OF PARA-**
11 **GRAPH (11)]**

12 “(11) if the application is for a grant for hiring
13 or rehiring additional career law enforcement offi-
14 cers, describe how the applicant will, to the extent
15 practicable, seek and recruit members of racial and
16 ethnic minority groups and women.

17 “(d) SPECIAL PROVISIONS.—

18 “(1) SMALL JURISDICTIONS.—Notwithstanding
19 any other provision of this part, in relation to appli-
20 cations under this part of units of local government
21 or law enforcement agencies having jurisdiction over
22 areas with population of less than 50,000, the Attor-
23 ney general may waive 1 or more of the require-
24 ments of subsection (c) and may otherwise make

1 special provisions to facilitate the expedited submission,
2 sion, processing, and approval of such applications.

3 “(2) SMALL GRANT AMOUNT.—Notwithstanding
4 any other provision of this part, in relation to appli-
5 cations under section 1701(d) for grants of less than
6 \$1,000,000, the Attorney General may waive 1 or
7 more of the requirements of subsection (c) and may
8 otherwise make special provisions to facilitate the ex-
9 pedited submission, processing, and approval of such
10 applications.

11 **“SEC. 1703. RENEWAL OF GRANTS.**

12 “(a) IN GENERAL.—Except for grants made for hir-
13 ing or rehiring additional career law enforcement officers,
14 a grant under this part may be renewed for up to 2 addi-
15 tional years after the first fiscal year during which a recip-
16 ient receives its initial grant, if the Attorney General de-
17 termines that the funds made available to the recipient
18 were used in a manner required under an approved appli-
19 cation and if the recipient can demonstrate significant
20 progress in achieving the objectives of the initial applica-
21 tion.

22 “(b) GRANTS FOR HIRING.—Grants made for hiring
23 or rehiring additional career law enforcement officers may
24 be renewed for up to 5 years, subject to the requirements
25 of subsection (a), but notwithstanding the limitation in

1 that subsection concerning the number of years for which
2 grants may be renewed.

3 “(c) MULTIYEAR GRANTS.—A grant for a period ex-
4 ceeding 1 year may be renewed as provided in this section,
5 except that the total duration of such a grant including
6 any renewals may not exceed 3 years, or 5 years if it is
7 a grant made for hiring or rehiring additional career law
8 enforcement officers.

9 **“SEC. 1704. LIMITATION ON USE OF FUNDS.**

10 “(a) NONSUPPLANTING REQUIREMENT.—Funds
11 made available under this part to States or units of local
12 government shall not be used to supplant State or local
13 funds, or, in the case of Indian tribal governments, funds
14 supplied by the Bureau of Indian Affairs, but shall be used
15 to increase the amount of funds that would, in the absence
16 of Federal funds received under this part, be made avail-
17 able from State or local sources, or in the case of Indian
18 tribal governments, from funds supplied by the Bureau of
19 Indian Affairs.

20 “(b) NON-FEDERAL COSTS.—

21 “(1) IN GENERAL.—States and units of local
22 government may use assets received through the As-
23 sets Forfeiture equitable sharing program to provide
24 the non-Federal share of the cost of programs,
25 projects, and activities funded under this part.

1 “(2) INDIAN TRIBAL GOVERNMENTS.—Funds
2 appropriated by the Congress for the activities of
3 any agency of an Indian tribal government or the
4 Bureau of Indian Affairs performing law enforce-
5 ment functions on any Indian lands may be used to
6 provide the non-Federal share of the cost of pro-
7 grams or projects funded under this part.

8 “(c) HIRING COSTS.—Funding provided under this
9 part for hiring or rehiring a career law enforcement officer
10 may not exceed \$75,000, unless the Attorney General
11 grants a waiver from this limitation.

12 **“SEC. 1705. PERFORMANCE EVALUATION.**

13 “(a) MONITORING COMPONENTS.—Each program,
14 project, or activity funded under this part shall contain
15 a monitoring component, developed pursuant to guidelines
16 established by the Attorney General. The monitoring re-
17 quired by this subsection shall include systematic identi-
18 fication and collection of data about activities, accomplish-
19 ments, and programs throughout the life of the program,
20 project, or activity and presentation of such data in a usa-
21 ble form.

22 “(b) EVALUATION COMPONENTS.—Selected grant re-
23 cipients shall be evaluated on the local level or as part
24 of a national evaluation, pursuant to guidelines established
25 by the Attorney General. Such evaluations may include as-

1 sessments of individual program implementations. In se-
2 lected jurisdictions that are able to support outcome eval-
3 uations, the effectiveness of funded programs, projects,
4 and activities may be required. Outcome measures may
5 include crime and victimization indicators, quality or life
6 measures, community perceptions, and police perceptions
7 of their own work.

8 “(c) PERIODIC REVIEW AND REPORTS.—The Attor-
9 ney General may require a grant recipient to submit to
10 the Attorney General the results of the monitoring and
11 evaluations required under subsections (a) and (b) and
12 such other data and information as the Attorney General
13 deems reasonably necessary.

14 **“SEC. 1706. REVOCATION OR SUSPENSION OF FUNDING.**

15 “If the Attorney General determines, as a result of
16 the reviews required by section 1705, or otherwise, that
17 a grant recipient under this part is not in substantial com-
18 pliance with the terms and requirements of an approved
19 grant application submitted under section 1702, the Attor-
20 ney General may revoke or suspend funding of that grant,
21 in whole or in part.

22 **“SEC. 1707. ACCESS TO DOCUMENTS.**

23 “(a) BY THE ATTORNEY GENERAL.—The Attorney
24 General shall have access for the purpose of audit and ex-
25 amination to any pertinent books, documents, papers, or

1 records of a grant recipient under this part and to the
2 pertinent books, documents, papers, or records of State
3 and local governments, persons, businesses, and other en-
4 tities that are involved in programs, projects, or activities
5 for which assistance is provided under this part.

6 “(b) BY THE COMPTROLLER GENERAL.—Subsection
7 (a) shall apply with respect to audits and examinations
8 conducted by the Comptroller General of the United
9 States or by an authorized representative of the Comptrol-
10 ler General.

11 **“SEC. 1708. GENERAL REGULATORY AUTHORITY.**

12 “The Attorney General may promulgate regulations
13 and guidelines to carry out this part.

14 **“SEC. 1709. DEFINITIONS.**

15 “In this part—

16 “ ‘career law enforcement officer’ means a per-
17 son hired on a permanent basis who is authorized by
18 law or by a State or local public agency to engage
19 in or supervise the prevention, detection, or inves-
20 tigation of violations of criminal laws.

21 “ ‘citizens’ police academy’ means a program
22 by local law enforcement agencies or private non
23 profit organizations in which citizens, especially
24 those who participate in neighborhood watch pro-
25 grams, are trained in ways of facilitating commu-

1 nication between the community and local law en-
2 forcement in the prevention of crime.’

3 “ ‘Indian tribe’ means a tribe, band, pueblo,
4 nation, or other organized group or community of
5 Indians, including an Alaska Native village (as de-
6 fined in or established under the Alaska Native
7 Claims Settlement Act (43 U.S.C. 1601 et seq.),
8 that is recognized as eligible for the special pro-
9 grams and services provided by the United States to
10 Indians because of their status as Indians.”.

11 (b) TECHNICAL AMENDMENT.—The table of contents
12 of title I of the Omnibus Crime Control and Safe Streets
13 Act of 1968 (42 U.S.C. 3711, et seq.) is amended by strik-
14 ing the item relating to part Q and inserting the following:

“PART Q—PUBLIC SAFETY AND COMMUNITY POLICING; ‘COPS ON THE
BEAT’

- “Sec. 1701. Authority to make public safety and community policing grants.
- “Sec. 1702. Applications.
- “Sec. 1703. Renewal of grants.
- “Sec. 1704. Limitation on use of funds.
- “Sec. 1705. Performance evaluation.
- “Sec. 1706. Revocation or suspension of funding.
- “Sec. 1707. Access to documents.
- “Sec. 1708. General regulatory authority.
- “Sec. 1709. Definition.

“PART R—TRANSITION; EFFECTIVE DATE; REPEALER

- “Sec. 1801. Continuation of rules, authorities, and proceedings.”.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
16 1001(a) of title I of the Omnibus Crime Control and Safe
17 Streets Act of 1968 (42 U.S.C. 3793) is amended—

1 (1) in paragraph (3) by striking “and O” and
2 inserting “O, P, and Q”; and

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

5 “(11)(A) There are authorized to be appropriated to
6 carry out part Q, to remain available until expended—

7 “(i) \$ _____ for fiscal year 1995;

8 “(ii) \$ _____ for fiscal year
9 1996;

10 “(iii) \$ _____ for fiscal year
11 1997;

12 “(iv) \$ _____ for fiscal year
13 1998; and

14 “(v) \$ _____ for fiscal year
15 1999.

16 “(B) Of funds available under part Q in any fiscal
17 year, up to 5 percent may be used for technical assistance
18 under section 1701(f) or for evaluations or studies carried
19 out or commissioned by the Attorney General in further-
20 ance of the purposes of part Q, or for administrative costs
21 by the Attorney General in furtherance of the purposes
22 of part Q. Of the remaining funds, 50 percent shall be
23 allocated for grants pursuant to applications submitted by
24 units of local government or law enforcement agencies
25 having jurisdiction over areas with populations exceeding

1 150,000 or by public and private entities that serve areas
2 with populations exceeding 150,000, and 50 percent shall
3 be allocated for grants pursuant to applications submitted
4 by units of local government or law enforcement agencies
5 having jurisdiction over areas with populations 150,000
6 or less or by public and private entities that serve areas
7 with populations 150,000 or less. Of the funds available
8 in relation to grants under part Q, at least 85 percent
9 shall be applied to grants for the purposes specified in sec-
10 tion 1701(b), and no more than 15 percent may be applied
11 to other grants in furtherance of the purposes of part Q.
12 In view of the extraordinary need for law enforcement as-
13 sistance in Indian country, an appropriate amount of
14 funds available under part Q shall be made available for
15 grants to Indian tribal governments or tribal law enforce-
16 ment agencies.

17 **TITLE II—PRISONS**

18 **Subtitle A—Conversion of Closed** 19 **Military Installations**

20 **SEC. 3021. CONVERSION OF CLOSED MILITARY INSTALLA-** 21 **TIONS INTO FEDERAL PRISON FACILITIES.**

22 (a) **STUDY OF SUITABLE BASES.**—The Secretary of
23 Defense and the Attorney General shall jointly conduct a
24 study of all military installations selected before the date
25 of enactment of this Act to be closed pursuant to a base

1 closure law for the purpose of evaluating the suitability
2 of any of these installations, or portions of these installa-
3 tions, for conversion into Federal prison facilities. As part
4 of the study, the Secretary and the Attorney General shall
5 identify the military installations so evaluated that are
6 most suitable for conversion into Federal prison facilities.

7 (b) **SUITABILITY FOR CONVERSION.**—In evaluating
8 the suitability of a military installation for conversion into
9 a Federal prison facility, the Secretary of Defense and the
10 Attorney General shall consider the estimated cost to con-
11 vert the installation into a prison facility, the proximity
12 of the installation to overcrowded Federal and State pris-
13 on facilities, and such other factors as the Secretary and
14 the Attorney General consider to be appropriate.

15 (c) **TIME FOR STUDY.**—The study required by sub-
16 section (a) shall be completed not later than 180 days
17 after the date of enactment of this Act.

18 (d) **DEFINITION.**—In this section, “base closure law”
19 means—

20 (1) the Defense Base Closure and Realignment
21 Act of 1990 (part A of title XXIX of Public Law
22 101–510; 10 U.S.C. 2687 note); and

23 (2) title II of the Defense Authorization
24 Amendments and Base Closure and Realignment
25 Act (Public Law 100–526; 10 U.S.C. 2687 note).

1 **Subtitle B—Alien Incarceration**

2 **SEC. 2403. INCARCERATION OF UNDOCUMENTED CRIMINAL**
3 **ALIENS.**

4 (a) INCARCERATION.—Section 242 of the Immigra-
5 tion and Nationality Act (8 U.S.C. 1252) is amended by
6 adding at the end the following new subsection:

7 “(j) INCARCERATION.—

8 “(1) If the chief executive officer of a State (or,
9 if appropriate, a political subdivision of the State)
10 exercising authority with respect to the incarceration
11 of an undocumented criminal alien submits a written
12 request to the Attorney General, the Attorney Gen-
13 eral shall, as determined by the Attorney General—

14 “(A) enter into a contractual arrangement
15 which provides for compensation to the State or
16 a political subdivision of the State, as may be
17 appropriate, with respect to the incarceration of
18 the undocumented criminal alien; or

19 “(B) take the undocumented criminal alien
20 into the custody of the Federal Government and
21 incarcerate the alien.

22 “(2) Compensation under paragraph (1)(A)
23 shall be the average cost of incarceration of a pris-
24 oner in the relevant State as determined by the At-
25 torney General.

1 “(3) For purposes of this subsection, the term
2 ‘undocumented criminal alien’ means an alien who—

3 “(A) has been convicted of a felony and
4 sentenced to a term of imprisonment; and

5 “(B)(i) entered the United States without
6 inspection or at any time or place other than as
7 designated by the Attorney General;

8 “(ii) was the subject of exclusion or depor-
9 tation proceedings at the time he or she was
10 taken into custody by the State or a political
11 subdivision of the State; or

12 “(iii) was admitted as a nonimmigrant and
13 at the time he or she was taken into custody by
14 the State or a political subdivision of the State
15 has failed to maintain the nonimmigrant status
16 in which the alien was admitted or to which it
17 was changed under section 248, or to comply
18 with the conditions of any such status.

19 “(4)(A) In carrying out paragraph (1), the At-
20 torney General shall give priority to the Federal in-
21 carceration of undocumented criminal aliens who
22 have committed aggravated felonies.

23 “(B) The Attorney General shall ensure that
24 undocumented criminal aliens incarcerated in Fed-
25 eral facilities pursuant to this subsection are held in

1 facilities which provide a level of security appro-
2 priate to the crimes for which they were convicted.

3 “(5) There is authorized to be appropriated
4 such sums as are necessary to carry out the require-
5 ments of this subsection for fiscal year 1995 and
6 thereafter, of which \$_____ shall be avail-
7 able, subject to the availability of appropriations,
8 from the Violent Crime Reduction Trust Fund es-
9 tablished in section 1115 of title 31, United States
10 Code.”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 subsection (a) shall take effect October 1, 1994.

13 (c) TERMINATION OF LIMITATION.—Notwithstanding
14 section 242(j)(5) of the Immigration and Nationality Act,
15 as added by subsection (a), the requirements of section
16 242(j) of the Immigration and Nationality Act, as added
17 by subsection (a), shall not be subject to the availability
18 of appropriations on and after October 1, 2003.

19 **Subtitle C—Drug Testing**

20 **SEC. 1305. POST-CONVICTION RELEASE DRUG TESTING—**

21 **FEDERAL OFFENDERS.**

22 (a) DRUG TESTING PROGRAM.—

23 (1) IN GENERAL.—Chapter 229 of title 18,
24 United States Code, is amended by adding at the
25 end the following new section:

1 **“§ 3608. Drug testing of Federal offenders on post-**
2 **conviction release**

3 “The Director of the Administrative Office of the
4 United States Courts, in consultation with the Attorney
5 General and the Secretary of Health and Human Services,
6 shall, subject to the availability of appropriations, estab-
7 lish a program of drug testing of Federal offenders on
8 post-conviction release. The program shall include such
9 standards and guidelines as the Director may determine
10 necessary to ensure the reliability and accuracy of the
11 drug testing programs. In each judicial district the chief
12 probation officer shall arrange for the drug testing of de-
13 fendants on post-conviction release pursuant to a convic-
14 tion for a felony or other offense described in section
15 3563(a)(4).”

16 (2) TECHNICAL AMENDMENT.—The chapter
17 analysis for chapter 229 of title 18, United States
18 Code, is amended by adding at the end the follow-
19 ing:

“3608. Drug testing of Federal offenders on post-conviction release.”

20 (b) CONDITIONS OF PROBATION.—Section 3563(a) of
21 title 18, United States Code, is amended—

22 (1) in paragraph (2) by striking “and” after
23 the semicolon;

24 (2) in paragraph (3) by striking the period and
25 inserting “; and”;

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

3 “(4) for a felony, a misdemeanor, or an infrac-
4 tion, that the defendant refrain from any unlawful
5 use of a controlled substance and submit to one drug
6 test within 15 days of release on probation and at
7 least 2 periodic drug tests thereafter (as determined
8 by the court) for use of a controlled substance, but
9 the condition stated in this paragraph may be ame-
10 liorated or suspended by the court for any individual
11 defendant if the defendant’s presentence report or
12 other reliable sentencing information indicates a low
13 risk of future substance abuse by the defendant.”;
14 and

15 (4) by adding at the end the following: “The re-
16 sults of a drug test administered in accordance with
17 paragraph (4) shall be subject to confirmation only
18 if the results are positive, the defendant is subject
19 to possible imprisonment for such failure, and either
20 the defendant denies the accuracy of such test or
21 there is some other reason to question the results of
22 the test. A defendant who tests positive may be de-
23 tained pending verification of a positive drug test re-
24 sult. A drug test confirmation shall be a urine drug
25 test confirmed using gas chromatography/mass spec-

1 trometry techniques or such test as the Director of
2 the Administrative Office of the United States
3 Courts after consultation with the Secretary of
4 Health and Human Services may determine to be of
5 equivalent accuracy. The court shall consider wheth-
6 er the availability of appropriate substance abuse
7 treatment programs, or an individual's current or
8 past participation in such programs, warrants an ex-
9 ception in accordance with United States Sentencing
10 Commission guidelines from the rule of section
11 3565(b), when considering any action against a de-
12 fendant who fails a drug test administered in ac-
13 cordance with paragraph (4).”.

14 (c) CONDITIONS OF SUPERVISED RELEASE.—Section
15 3583(d) of title 18, United States Code, is amended by
16 inserting after the first sentence the following: “The court
17 shall also order, as an explicit condition of supervised re-
18 lease, that the defendant refrain from any unlawful use
19 of a controlled substance and submit to a drug test within
20 15 days of release on supervised release and at least 2
21 periodic drug tests thereafter (as determined by the court)
22 for use of a controlled substance. The condition stated in
23 the preceding sentence may be ameliorated or suspended
24 by the court as provided in section 3563(a)(4). The results
25 of a drug test administered in accordance with the preced-

1 ing subsection shall be subject to confirmation only if the
2 results are positive, the defendant is subject to possible
3 imprisonment for such failure, and either the defendant
4 denies the accuracy of such test or there is some other
5 reason to question the results of the test. A drug test con-
6 firmation shall be a urine drug test confirmed using gas
7 chromatography/mass spectrometry techniques or such
8 test as the Director of the Administrative Office of the
9 United States Courts after consultation with the Secretary
10 of Health and Human Services may determine to be of
11 equivalent accuracy. The court shall consider whether the
12 availability of appropriate substance abuse treatment pro-
13 grams, or an individual's current or past participation in
14 such programs, warrants an exception in accordance with
15 United States Sentencing Commission guidelines from the
16 rule of section 3565(g) when considering any action
17 against a defendant who fails a drug test.”.

18 (d) CONDITIONS OF PAROLE.—Section 4209(a) of
19 title 18, United States Code, is amended by inserting after
20 the first sentence the following: “In every case, the Com-
21 mission shall also impose as a condition of parole that the
22 parolee pass a drug test prior to release and refrain from
23 any unlawful use of a controlled substance and submit to
24 at least 2 periodic drug tests (as determined by the Com-
25 mission) for use of a controlled substance. The condition

1 stated in the preceding sentence may be ameliorated or
2 suspended by the Commission for any individual parolee
3 if it determines that there is good cause for doing so. The
4 results of a drug test administered in accordance with the
5 provisions of the preceding sentence shall be subject to
6 confirmation only if the results are positive, the defendant
7 is subject to possible imprisonment for such failure, and
8 either the defendant denies the accuracy of such test or
9 there is some other reason to question the results of the
10 test. A drug test confirmation shall be a urine drug test
11 confirmed using gas chromatography/mass spectrometry
12 techniques or such test as the Director of the Administra-
13 tive Office of the United States Courts after consultation
14 with the Secretary of Health and Human Services may
15 determine to be of equivalent accuracy. The Commission
16 shall consider whether the availability of appropriate sub-
17 stance abuse treatment programs, or an individual's cur-
18 rent or past participation in such programs, warrants an
19 exception in accordance with United States Sentencing
20 Commission guidelines from the rule of section 3565(b)
21 when considering any action against a defendant who fails
22 a drug test.”.

**Subtitle D—BAIL POSTING
REPORTING**

**3 SEC. ____ . REPORTING OF CASH RECEIVED BY CRIMINAL
4 COURT CLERKS.**

5 (a) IN GENERAL.—Section 6050I of the Internal
6 Revenue Code of 1986 (relating to returns relating to cash
7 received in trade or business) is amended by adding at
8 the end the following new subsection:

9 “(g) CASH RECEIVED BY CRIMINAL COURT
10 CLERKS.—

11 “(1) IN GENERAL.—Every clerk of a Federal or
12 State criminal court who receives more than \$10,000
13 in cash as bail for any individual charged with a
14 specified criminal offense shall make a return de-
15 scribed in paragraph (2) (at such time as the Sec-
16 retary may by regulations prescribe) with respect to
17 the receipt of such bail.

18 “(2) RETURN.—A return is described in this
19 paragraph if such return—

20 “(A) is in such form as the Secretary may
21 prescribe, and

22 “(B) contains—

23 “(i) the name, address, and TIN of—

24 “(I) the individual charged with
25 the specified criminal offense, and

1 “(II) each person posting the bail
2 (other than a person licensed as a bail
3 bondsman),

4 “(ii) the amount of cash received,

5 “(iii) the date the cash was received,
6 and

7 “(iv) such other information as the
8 Secretary may prescribe.

9 “(3) SPECIFIED CRIMINAL OFFENSE.—For pur-
10 poses of this subsection, the term ‘specified criminal
11 offense’ means—

12 “(A) any Federal criminal offense involv-
13 ing a controlled substance,

14 “(B) racketeering (as defined in section
15 1951, 1952, or 1955 of title 18, United States
16 Code),

17 “(C) money laundering (as defined in sec-
18 tion 1956 or 1957 of such title), and

19 “(D) any State criminal offense substan-
20 tially similar to an offense described in sub-
21 paragraph (A), (B), or (C).

22 “(4) INFORMATION TO FEDERAL PROSECU-
23 TORS.—Each clerk required to include on a return
24 under paragraph (1) the information described in
25 paragraph (2)(B) with respect to an individual de-

1 scribed in paragraph (2)(B)(i)(I) shall furnish (at
2 such time as the Secretary may by regulations pre-
3 scribe) a written statement showing such informa-
4 tion to the United States Attorney for the jurisdic-
5 tion in which such individual resides and the jurisdic-
6 tion in which the specified criminal offense oc-
7 curred.

8 “(5) INFORMATION TO PAYORS OF BAIL.—Each
9 clerk required to make a return under paragraph (1)
10 shall furnish (at such time as the Secretary may by
11 regulations prescribe) to each person whose name is
12 required to be set forth in such return by reason of
13 paragraph (2)(B)(i)(II) a written statement
14 showing—

15 “(A) the name and address of the clerk’s
16 office required to make the return, and

17 “(B) the aggregate amount of cash de-
18 scribed in paragraph (1) received by such
19 clerk.”

20 (b) CONFORMING AMENDMENTS.—

21 (1) Clause (iv) of section 6724(d)(1)(B) of such
22 Code is amended to read as follows:

23 “(iv) section 6050I (a) or (g)(1) (re-
24 lating to cash received in trade or business,
25 etc.),”

1 (2) Subparagraph (K) of section 6724(d)(2) of
2 such Code is amended to read as follows:

3 “(K) section 6050I(e) or paragraph (4) or
4 (5) of section 6050I(g) (relating to cash re-
5 ceived in trade or business, etc.);;

6 “(3) The heading for section 6050I of such
7 Code is amended by striking “**BUSINESS**” and
8 inserting “**BUSINESS, ETC**”.

9 (4) The table of sections for subpart B of part
10 III of subchapter A of chapter A of chapter 61 of
11 such Code is amended by striking “business” and in-
12 sserting “business, etc” in the item relating to section
13 6050I.

14 (c) REGULATIONS.—The Secretary of the Treasury
15 or his delegate shall prescribe temporary regulations under
16 the amendments made by this section within 90 days after
17 the date of enactment of this Act.

18 (d) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on the 60th day after the
20 date the temporary regulations are prescribed under sub-
21 section (e).

1 **Subtitle E—Civil Rights of**
2 **Institutionalized Persons**

3 **SEC. 2201. CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS.**

4 (a) **EXHAUSTION OF ADMINISTRATIVE REMEDIES.—**

5 Section 7 of the Civil Rights of Institutionalized Persons
6 Act (42 U.S.C. 1997e) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “ninety
9 days” and inserting “120 days”; and

10 (B) in paragraph (2), by inserting before
11 the period at the end the following: “or are oth-
12 erwise fair and effective”; and

13 (2) in subsection (c)—

14 (A) in paragraph (1) by inserting before
15 the period at the end the following: “or are oth-
16 erwise fair and effective”; and

17 (B) in paragraph (2) by inserting before
18 the period at the end the following: “or is no
19 longer fair and effective”.

20 (b) **EFFECTIVE DATE.—**The amendments made by
21 subsection (a) shall take effect on the date of the enact-
22 ment of this Act.

1 **Subtitle F—Notification of Release**
2 **of Prisoners**

3 **SEC. 2301. NOTIFICATION OF RELEASE OF PRISONERS.**

4 (a) NOTICE REQUIREMENT.—Section 4042 of title
5 18, United States Code, is amended—

6 (1) by striking “The Bureau” and inserting

7 “(a) IN GENERAL.—The Bureau”;

8 (2) by striking “This section” and inserting

9 “(c) APPLICATION OF SECTION.—This section”;

10 (3) in paragraph (4) of subsection (a), as des-
11 ignated by paragraph (1)—

12 (A) by striking “Provide” and inserting

13 “provide”; and

14 (B) by striking the period at the end and
15 inserting “; and”;

16 (4) by inserting after paragraph (4) of sub-
17 section (a), as designated by paragraph (1), the fol-
18 lowing new paragraph:

19 “(5) provide notice of release of prisoners in ac-
20 cordance with subsection (b).”; and

21 (5) by inserting after subsection (a), as des-
22 ignated by paragraph (1), the following new sub-
23 section:

24 “(b) NOTICE OF RELEASE OF PRISONERS.—(1) At
25 least 5 days prior to the date on which a prisoner de-

1 scribed in paragraph (3) is to be released on supervised
2 release, or, in the case of a prisoner on supervised release,
3 at least 5 days prior to the date on which the prisoner
4 changes residence to a new jurisdiction, written notice of
5 the release or change of residence shall be provided to the
6 chief law enforcement officer of the State and of the local
7 jurisdiction in which the prisoner will reside. Notice prior
8 to release shall be provided by the Director of the Bureau
9 of Prisons. Notice concerning a change of residence follow-
10 ing release shall be provided by the probation officer re-
11 sponsible for the supervision of the released prisoner, or
12 in a manner specified by the Director of the Administra-
13 tive Office of the United States Courts. The notice re-
14 quirements under this subsection do not apply in relation
15 to a prisoner being protected under chapter 224.

16 “(2) A notice under paragraph (1) shall disclose—

17 “(A) the prisoner’s name;

18 “(B) the prisoner’s criminal history, including a
19 description of the offense of which the prisoner was
20 convicted; and

21 “(C) any restrictions on conduct or other condi-
22 tions to the release of the prisoner that are imposed
23 by law, the sentencing court, or the Bureau of Pris-
24 ons or any other Federal agency.

1 “(3) A prisoner is described in this paragraph if the
2 prisoner was convicted of—

3 “(A) a drug trafficking crime, as that term is
4 defined in section 924(c)(2); or

5 “(B) a crime of violence (as defined in section
6 924(c)(3)).

7 “(4) The notice provided under this section shall be
8 used solely for law enforcement purposes.”.

9 **Subtitle G—Miscellaneous**
10 **Provisions**

11 **SEC. 2001. PRISONER'S PLACE OF IMPRISONMENT.**

12 Paragraph (b) of section 3621 of title 18, United
13 States Code, is amended by inserting after subsection (5)
14 the following: “In designating the place of imprisonment
15 or making transfers under this subsection, there shall be
16 no favoritism given to prisoners of high social or economic
17 status.”.

18 **SEC. 2002. PRISON IMPACT ASSESSMENTS.**

19 (a) **IN GENERAL.**—Chapter 303 of title 18, United
20 States Code, is amended by adding at the end the follow-
21 ing new section:

22 **“§ 4047. Prison impact assessments**

23 “(a) Any submission of legislation by the Judicial or
24 Executive branch which could increase or decrease the
25 number of persons incarcerated or in Federal penal insti-

1 tutions shall be accompanied by a prison impact statement
2 (as defined in subsection (b)).

3 “(b) The Attorney General shall, in consultation with
4 the Sentencing Commission and the Administrative Office
5 of the United States Courts, prepare and furnish prison
6 impact assessments under subsection (c) of this section,
7 and in response to requests from Congress for information
8 relating to a pending measure or matter that might affect
9 the number of defendants processed through the Federal
10 criminal justice system. A prison impact assessment on
11 pending legislation must be supplied within 21 days of any
12 request. A prison impact assessment shall include—

13 “(1) projections of the impact on prison, proba-
14 tion, and post prison supervision populations;

15 “(2) an estimate of the fiscal impact of such
16 population changes on Federal expenditures, includ-
17 ing those for construction and operation of correc-
18 tional facilities for the current fiscal year and 5 suc-
19 ceeding fiscal years;

20 “(3) an analysis of any other significant factor
21 affecting the cost of the measure and its impact on
22 the operations of components of the criminal justice
23 system; and

24 “(4) a statement of the methodologies and as-
25 sumptions utilized in preparing the assessment.

1 “(c) The Attorney General shall prepare and transmit
2 to the Congress, by March 1 of each year, a prison impact
3 assessment reflecting the cumulative effect of all relevant
4 changes in the law taking effect during the preceding cal-
5 endar year.”.

6 (b) TECHNICAL AMENDMENT.—The chapter analysis
7 for chapter 303 is amended by adding at the end the fol-
8 lowing new item:

“4047. Prison impact assessments.”.

9 **SEC. 2003. SENTENCES TO ACCOUNT FOR COSTS TO THE**
10 **GOVERNMENT OF IMPRISONMENT, RELEASE,**
11 **AND PROBATION.**

12 (a) IMPOSITION OF SENTENCE.—Section 3572(a) of
13 title 18, United States Code, is amended—

14 (1) by redesignating paragraphs (6) and (7) as
15 paragraphs (7) and (8), respectively; and

16 (2) by inserting after paragraph (5) the follow-
17 ing new paragraph:

18 “(6) the expected costs to the government of
19 any imprisonment, supervised release, or probation
20 component of the sentence;”.

21 (b) DUTIES OF THE SENTENCING COMMISSION.—
22 Section 994 of title 28, United States Code, is amended
23 by adding at the end the following new subsection:

24 “(y) The Commission, in promulgating guidelines
25 pursuant to subsection (a)(1), may include, as a compo-

1 nent of a fine, the expected costs to the Government of
2 any imprisonment, supervised release, or probation sen-
3 tence that is ordered.”

4 **SEC. 2004. APPLICATION TO PRISONERS TO WHICH PRIOR**
5 **LAW APPLIES.**

6 In the case of a prisoner convicted of an offense com-
7 mitted prior to November 1, 1987, the reference to super-
8 vised release in section 4042(b) of title 18, United States
9 Code, shall be deemed to be a reference to probation or
10 parole.

11 **SEC. 2005. CREDITING OF “GOOD TIME”.**

12 Section 3624 of title 18, United States Code, is
13 amended—

14 (1) by striking “he” each place it appears and
15 inserting “the prisoner”;

16 (2) by striking “his” each place it appears and
17 inserting “the prisoner’s”;

18 (3) in subsection (d) by striking “him” and in-
19 serting “the prisoner”; and

20 (4) in subsection (b)—

21 (A) in the first sentence by inserting
22 “(other than a prisoner serving a sentence for
23 a crime of violence)” after “A prisoner”; and

24 (B) by inserting after the first sentence
25 the following: “A prisoner who is serving a term

1 of imprisonment of more than 1 year for a
2 crime of violence, other than a term of impris-
3 onment for the duration of the prisoner's life,
4 may, at the discretion of the Bureau, receive
5 credit toward the service of the prisoner's sen-
6 tence, beyond the time served, of up to 54 days
7 at the end of each year of the prisoner's term
8 of imprisonment, beginning at the end of the
9 first year of the term, if the Bureau of Prisons
10 determines that, during that year, the prisoner
11 has displayed exemplary compliance with such
12 institutional disciplinary regulations.”.

13 **SEC. 2006. TASK FORCE ON PRISON CONSTRUCTION STAND-**
14 **ARDIZATION AND TECHNIQUES.**

15 (a) **TASK FORCE.**—The Director of the National In-
16 stitute of Corrections shall, subject to availability of ap-
17 propriations, establish a task force composed of Federal,
18 State, and local officials expert in prison construction, and
19 of at least an equal number of engineers, architects, and
20 construction experts from the private sector with expertise
21 in prison design and construction, including the use of
22 cost-cutting construction standardization techniques and
23 cost-cutting new building materials and technologies.

24 (b) **COOPERATION.**—The task force shall work in
25 close cooperation and communication with other State and

1 local officials responsible for prison construction in their
2 localities.

3 (c) PERFORMANCE REQUIREMENTS.—The task force
4 shall work to—

5 (1) establish and recommend standardized con-
6 struction plans and techniques for prison and prison
7 component construction; and

8 (2) evaluate and recommend new construction
9 technologies, techniques, and materials,

10 to reduce prison construction costs at the Federal, State,
11 and local levels and make such construction more efficient.

12 (d) DISSEMINATION.—The task force shall dissemi-
13 nate information described in subsection (c) to State and
14 local officials involved in prison construction, through
15 written reports and meetings.

16 (e) PROMOTION AND EVALUATION.—The task force
17 shall—

18 (1) work to promote the implementation of
19 cost-saving efforts at the Federal, State, and local
20 levels;

21 (2) evaluate and advise on the results and effec-
22 tiveness of such cost-saving efforts as adopted,
23 broadly disseminating information on the results;
24 and

1 (3) to the extent feasible, certify the effective-
2 ness of the cost-savings efforts.

3 **SEC. 2007. EFFICIENCY IN LAW ENFORCEMENT AND COR-**
4 **RECTIONS.**

5 (a) **IN GENERAL.**—In the administration of each
6 grant program funded by appropriations authorized by
7 this Act or by an amendment made by this Act, the Attor-
8 ney General shall encourage—

9 (1) innovative methods for the low-cost con-
10 struction of facilities to be constructed, converted, or
11 expanded and the low-cost operation of such facili-
12 ties and the reduction of administrative costs and
13 overhead expenses; and

14 (2) the use of surplus Federal property.

15 (b) **ASSESSMENT OF CONSTRUCTION COMPONENTS**
16 **AND DESIGNS.**—The Attorney General may make an as-
17 sessment of the cost efficiency and utility of using modu-
18 lar, prefabricated, precast, and pre-engineered construc-
19 tion components and designs for housing nonviolent crimi-
20 nals.

21 **SEC. 2008. AMENDMENTS TO THE DEPARTMENT OF EDU-**
22 **CATION ORGANIZATION ACT AND THE NA-**
23 **TIONAL LITERACY ACT OF 1991.**

24 (a) **TECHNICAL AMENDMENT.**—The matter preced-
25 ing paragraph (1) of section 214(d) of the Department

1 of Education Organization Act (20 U.S.C. 3423a(d)) is
2 amended by striking “under subsection (a)” and inserting
3 “under subsection (c)”.

4 (b) ESTABLISHMENT OF A PANEL AND USE OF
5 FUNDS.—Section 601 of the National Literacy Act of
6 1991 (20 U.S.C. 1211-2) is amended by—

7 (1) by redesignating subsection (g) as sub-
8 section (i); and

9 (2) by inserting after subsection (f) the follow-
10 ing new subsections:

11 “(g) PANEL.—The Secretary is authorized to consult
12 with and convene a panel of experts in correctional edu-
13 cation, including program administrators and field-based
14 professionals in adult corrections, juvenile services, jails,
15 and community corrections programs, to—

16 “(1) develop measures for evaluating the effec-
17 tiveness of the programs funded under this section;
18 and

19 “(2) evaluate the effectiveness of such pro-
20 grams.”.

21 “(h) USE OF FUNDS.—Notwithstanding any other
22 provision of law, the Secretary may use not more than
23 five percent of funds appropriated under subsection (i) in
24 any fiscal year to carry out grant-related activities such

1 as monitoring, technical assistance, and replication and
2 dissemination.”.

3 **SEC. 2009. APPROPRIATE REMEDIES FOR PRISON OVER-**
4 **CROWDING.**

5 (a) AMENDMENT OF TITLE 18, UNITED STATES
6 CODE.—Subchapter C of chapter 229 of part 2 of title
7 18, United States Code, is amended by adding at the end
8 the following new section:

9 **“§ 3626. Appropriate remedies with respect to prison**
10 **crowding**

11 **“(a) REQUIREMENT OF SHOWING WITH RESPECT TO**
12 **THE PLAINTIFF IN PARTICULAR.—**

13 **“(1) HOLDING.—**A Federal court shall not hold
14 prison or jail crowding unconstitutional under the
15 eighth amendment except to the extent that an indi-
16 vidual plaintiff inmate proves that the crowding
17 causes the infliction of cruel and unusual punish-
18 ment of that inmate.

19 **“(2) RELIEF.—**The relief in a case described in
20 paragraph (1) shall extend no further than nec-
21 essary to remove the conditions that are causing the
22 cruel and unusual punishment of the plaintiff in-
23 mate.

24 **“(b) INMATE POPULATION CEILINGS.—**

1 “(1) REQUIREMENT OF SHOWING WITH RE-
2 SPECT TO PARTICULAR PRISONERS.—A Federal
3 court shall not place a ceiling on the inmate popu-
4 lation of any Federal, State, or local detention facil-
5 ity as an equitable remedial measure for conditions
6 that violate the eighth amendment unless crowding
7 is inflicting cruel and unusual punishment on par-
8 ticular identified prisoners.

9 “(2) RULE OF CONSTRUCTION.—Paragraph (1)
10 shall not be construed to have any effect on Federal
11 judicial power to issue equitable relief other than
12 that described in paragraph (1), including the re-
13 quirement of improved medical or health care and
14 the imposition of civil contempt fines or damages,
15 where such relief is appropriate.

16 “(c) PERIODIC REOPENING.—Each Federal court
17 order or consent decree seeking to remedy an eighth
18 amendment violation shall be reopened at the behest of
19 a defendant for recommended modification at a minimum
20 of 2-year intervals.”.

21 (b) APPLICATION OF AMENDMENT.—Section 3626 of
22 title 18, United States Code, as added by paragraph (1),
23 shall apply to all outstanding court orders on the date of
24 enactment of this Act. Any State or municipality shall be

1 entitled to seek modification of any outstanding eighth
2 amendment decree pursuant to that section.

3 (c) TECHNICAL AMENDMENT.—The subchapter anal-
4 ysis for subchapter C of chapter 229 of title 18, United
5 States Code, is amended by adding at the end the follow-
6 ing new item:

“3626. Appropriate remedies with respect to prison crowding.”.

7 (d) SUNSET PROVISION.—This section and the
8 amendments made by this section are repealed effective
9 as of the date that is 5 years after the date of enactment
10 of this Act.

11 **SEC. 2010. CONGRESSIONAL APPROVAL OF ANY EXPANSION**
12 **AT LORTON AND CONGRESSIONAL HEARINGS**
13 **ON FUTURE NEEDS.**

14 (a) CONGRESSIONAL APPROVAL.—Notwithstanding
15 any other provision of law, the existing prison facilities
16 and complex at the District of Columbia Corrections Facil-
17 ity at Lorton, Virginia, shall not be expanded unless such
18 expansion has been approved by the Congress under the
19 authority provided to Congress in section 446 of the Dis-
20 trict of Columbia Self-Government and Governmental Re-
21 organization Act.

22 (b) SENATE HEARINGS.—The Senate directs the
23 Subcommittee on the District of Columbia of the Commit-
24 tee on Appropriations of the Senate to conduct hearings
25 regarding expansion of the prison complex in Lorton, Vir-

1 ginia, prior to any approval granted pursuant to sub-
2 section (a). The subcommittee shall permit interested par-
3 ties, including appropriate officials from the County of
4 Fairfax, Virginia, to testify at such hearings.

5 (c) DEFINITION.—For purposes of this section, the
6 terms “expanded” and “expansion” mean any alteration
7 of the physical structure of the prison complex that is
8 made to increase the number of inmates incarcerated at
9 the prison.

10 **SEC. 2011. AWARDS OF PELL GRANTS TO PRISONERS PRO-**
11 **HIBITED.**

12 (a) IN GENERAL.—Section 401(b)(8) of the Higher
13 Education Act of 1965 (20 U.S.C. 1070a(b)(8)) is amend-
14 ed to read as follows:

15 “(8) No basic grant shall be awarded under this sub-
16 part to any individual who is incarcerated in any Federal
17 or State penal institution.”

18 (b) APPLICATION OF AMENDMENT.—The amendment
19 made by this section shall apply with respect to the first
20 award year beginning after the date of enactment of this
21 Act and each award year thereafter.

22 **SEC. 2012. EDUCATION REQUIREMENT FOR EARLY RE-**
23 **LEASE.**

24 Section 3624(b) of title 18, United States Code, is
25 amended—

1 (1) by inserting “(1)” after “behavior.—”;

2 (2) by striking “Such credit toward service of
3 sentence vests at the time that it is received. Credit
4 that has vested may not later be withdrawn, and
5 credit that has not been earned may not later be
6 granted.” and inserting “Credit that has not been
7 earned may not later be granted.”; and

8 (3) by adding at the end the following:

9 “(2) Credit toward a prisoner’s service of sentence
10 shall not be vested unless the prisoner has earned or is
11 making satisfactory progress toward a high school diploma
12 or an equivalent degree.

13 “(3) The Attorney General shall ensure that the Bu-
14 reau of Prisons has in effect an optional General Edu-
15 cational Development program for inmates who have not
16 earned a high school diploma or its equivalent.

17 “(4) Exemptions to the General Educational Develop-
18 ment requirement may be made as deemed appropriate by
19 the Director of the Federal Bureau of Prisons.”.

20 **TITLE III—CRIME PREVENTION**
21 **Subtitle A—Ounce of Prevention**
22 **Council**

23 **SEC. ___01. OUNCE OF PREVENTION COUNCIL.**

24 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—There is established an
2 Ounce of Prevention Council (referred to in this title
3 as the “Council”), the members of which—

4 (A) shall include the Attorney General, the
5 Secretary of Education, the Secretary of Health
6 and Human Services, the Secretary of Housing
7 and Urban Development, the Secretary of
8 Labor, the Secretary of Agriculture, the Sec-
9 retary of the Treasury, the Secretary of the In-
10 terior, and the Director of the Office of Na-
11 tional Drug Control Policy; and

12 (B) may include other officials of the exec-
13 utive branch as directed by the President.

14 (2) CHAIR.—The President shall designate the
15 Chair of the Council from among its members (re-
16 ferred to in this title as the “Chair”).

17 (3) STAFF.—The Council may employ any nec-
18 cessary staff to carry out its functions, and may dele-
19 gate any of its functions or powers to a member or
20 members of the Council.

21 (b) PROGRAM COORDINATION.—For any program au-
22 thorized under the Violent Crime Control and Law En-
23 forcement Act of 1994, the Ounce of Prevention Council
24 Chair, only at the request of the Council member with ju-
25 risdiction over that program, may coordinate that pro-

1 gram, in whole or in part, through the Council. In relation
 2 to such designated programs, the Chair, with the concur-
 3 rence of the Council, may waive, to the extent necessary
 4 for program coordination, any guideline, directive, or other
 5 administrative requirement not required by, issued pursu-
 6 ant to, or issued to enforce any statute. The Council may
 7 not waive any requirement that enforces any constitutional
 8 or statutory right of an individual, including any require-
 9 ments under title VI of the Civil Rights Act of 1964, sec-
 10 tion 504 of the Rehabilitation Act of 1973, title IX of the
 11 Education Amendments of 1972, and the Americans with
 12 Disabilities Act of 1990.

13 (c) ADMINISTRATIVE RESPONSIBILITIES AND POW-
 14 ERS.—In addition to the program coordination provided
 15 in subsection (b), the Council shall be responsible for such
 16 functions as coordinated planning, development of a com-
 17 prehensive crime prevention program catalogue, provision
 18 of assistance to communities and community-based orga-
 19 nizations seeking information regarding crime prevention
 20 programs and integration^{ed} program service delivery, and
 21 development of strategies for program integration and
 22 grant simplification. ^{The Council shall have the authority to} In consultation with the Council, the
 23 Chair may issue regulations and guidelines to carry out
 24 this subtitle and programs administered by or coordinated
 25 through the Council.

✓
 audit the expenditure of funds received by grantees under programs administered by or coordinated through the Council.

1 **SEC. ___02. OUNCE OF PREVENTION GRANT PROGRAM.**

2 (a) **IN GENERAL.**—The Council may make grants
3 for—

4 (1) summer and after-school (including weekend
5 and holiday) education and recreation programs;

6 (2) mentoring, tutoring, and other programs in-
7 volving participation by adult role models (such as
8 D.A.R.E. America);

9 (3) programs assisting and promoting employ-
10 ability and job placement; and

11 (4) prevention and treatment programs to re-
12 duce substance abuse, child abuse, and adolescent
13 pregnancy, including outreach programs for at-risk
14 families.

15 (b) **APPLICANTS.**—Applicants may be Indian tribal
16 governments, cities, counties, or other municipalities,
17 school boards, colleges and universities, private nonprofit
18 entities, or consortia of eligible applicants. Applicants
19 must show that a planning process has occurred that has
20 involved organizations, institutions, and residents of tar-
21 get areas, including young people, and that there has been
22 cooperation between neighborhood-based entities, munic-
23 ipality-wide bodies, and local private-sector representatives.
24 Applicants must demonstrate the substantial involvement
25 of neighborhood-based entities in the carrying out of the
26 proposed activities. Proposals must demonstrate that a

1 broad base of collaboration and coordination will occur in
2 the implementation of the proposed activities, involving co-
3 operation among youth-serving organizations, schools,
4 health and social service providers, employers, law enforce-
5 ment professionals, local government, and residents of tar-
6 get areas, including young people. Applications shall be
7 geographically based in particular neighborhood or sec-
8 tions of municipalities or particular segments of rural
9 areas, and applications shall demonstrate how programs
10 will serve substantial proportions of children and youth
11 resident in the target area with activities designed to have
12 substantial impact on their lives.

13 (c) FEDERAL SHARE.—

14 (1) IN GENERAL.—The Federal share of a
15 grant made under this part may not exceed 75 per-
16 cent of the total costs of the projects described in
17 the applications submitted under subsection (b) for
18 the fiscal year for which the projects receive assist-
19 ance under this title.

20 (2) WAIVER.—The Council may waive the 25
21 percent matching requirement under paragraph (1)
22 upon making a determination that a waiver is equi-
23 table in view of the financial circumstances affecting
24 the ability of the applicant to meet that requirement.

1 (3) NON-FEDERAL SHARE.—The non-Federal
2 share of such costs may be in cash or in kind, fairly
3 evaluated, including plant, equipment, and services.

4 (4) NONSUPPLANTING REQUIREMENT.—Funds
5 made available under this title to a governmental en-
6 tity shall not be used to supplant State or local
7 funds, or in the case of Indian tribal governments,
8 funds supplied by the Bureau of Indian Affairs, but
9 shall be used to increase the amount of funds that
10 would, in the absence of Federal funds received
11 under this title, be made available from State or
12 local sources, or in the case of Indian tribal govern-
13 ments, from funds supplied by the Bureau of Indian
14 Affairs.

15 (5) EVALUATION.—The Council shall conduct a
16 thorough evaluation of the programs assisted under
17 this title.

18 **SEC. ___ 03. DEFINITION.**

19 In this subtitle, "Indian tribe" means a tribe, band,
20 pueblo, nation, or other organized group or community of
21 Indians, including an Alaska Native village (as defined in
22 or established under the Alaska Native Claims Settlement
23 Act (43 U.S.C. 1601 et seq.), that is recognized as eligible
24 for the special programs and services provided by the

1 United States to Indians because of their status as Indi-
2 ans.

3 **SEC. ____ 04. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to carry out
5 this subtitle _____ for each of fiscal years 1995,
6 1996, 1997, 1998, 1999, and 2000.

7 **Subtitle B—Youth Employment and**
8 **Skills Crime Prevention**

9 **SEC. ____ . YOUTH EMPLOYMENT AND SKILLS CRIME PRE-**
10 **VENTION GRANTS.**

11 (a) IN GENERAL.—Part H of title IV of the Job
12 Training Partnership Act (29 U.S.C. 1782 et seq.) is
13 amended—

14 (1) by striking section 495;

15 (2) by redesignating sections 496, 497, 498,
16 and 498A as sections 495, 496, 497, and 497A, re-
17 spectively;

18 (3) by striking “this part” each place it appears
19 and inserting “the provisions of this part other than
20 section 498”; and

21 (4) by adding at the end the following new sec-
22 tion:

1 "SEC. 498. YOUTH EMPLOYMENT AND SKILLS CRIME PRE-
2 VENTION GRANTS.

3 "(a) STATEMENT OF PURPOSE.—The purpose of this
4 section is to test the proposition that crime can be reduced
5 in neighborhoods with high incidences of crime and pov-
6 erty through a saturation jobs program, offered either sep-
7 arately or in conjunction with the services provided for
8 under other sections of the Youth Fair Chance Program,
9 that provides employment opportunities leading to perma-
10 nent unsubsidized employment for disadvantaged young
11 adults in those neighborhoods.

12 "(b) PROGRAM AUTHORIZATION.—The Secretary, in
13 conjunction with the Attorney General and the Secretary
14 of Housing and Urban Development and in consultation
15 with other appropriate Federal officials, may make Youth
16 Employment and Skills Crime Prevention grants author-
17 ized under this section to eligible entities for the purpose
18 of providing a job saturation program for youth in target
19 areas, as determined under subsection (c), to reduce
20 crime.

21 "(c) PROGRAM TARGET AREA.—The target area of
22 each grant shall be a neighborhood that—

23 "(1) is an area with severe crime problems, in-
24 cluding a high incidence of violent crime or drug
25 trafficking;

1 “(2) is a high poverty area (as defined in sec-
2 tion 497A(2)) or set of contiguous high poverty
3 areas;

4 “(3) is an area with a population consistent
5 with the requirements of section 494(b)(1)(B), ex-
6 cept that in appropriate circumstances, the Sec-
7 retary, in conjunction with the Attorney General and
8 the Secretary of Housing and Urban Development,
9 may waive this limitation; and

10 “(4) meets the requirements of a participating
11 community under section 497A(1).

12 “(d) PARTICIPANTS.—

13 “(1) ELIGIBLE POPULATION.—Young adults re-
14 siding or attending school in a target area shall be
15 eligible to participate in programs under this section
16 if such individuals are 16 through 25 years of age.
17 In certain circumstances, as determined by the Sec-
18 retary in conjunction with the Attorney General and
19 Secretary of Housing and Urban Development,
20 youths aged 14 or 15 may also be eligible to partici-
21 pate.

22 “(2) RESPONSIBLE BEHAVIOR BY PARTICI-
23 PANTS.—Continued participation in a program
24 under this section shall be conditioned, during par-
25 ticipation in the program, on—

1 “(A) avoiding crime, including illegal drug
2 use;

3 “(B) regular attendance and satisfactory
4 performance at work;

5 “(C) paying child support when paternity
6 has been established and the participant has an
7 income;

8 “(D) in-school young adults remaining in
9 school until graduation; and

10 “(E) encouraging eligible participants who
11 have dropped out of high school and who have
12 not obtained a General Equivalency Diploma
13 (GED) to return to school or an alternative
14 education program.

15 “(e) APPLICATION FOR GRANTS.—

16 “(1) IN GENERAL.—To be eligible to receive a
17 grant under this title, a chief elected official (as de-
18 scribed in section 493(c)), on behalf of a target area
19 meeting the criteria set forth in subsection (c), shall
20 apply to the Secretary of Labor for a Youth Employ-
21 ment and Skills Crime Prevention grant by submit-
22 ting an application that contains a plan for reducing
23 crime by substantially increasing employment levels
24 of young adults in the area.

1 “(2) CONTENTS.—A plan under paragraph (1)
2 shall—

3 “(A) describe the private sector, nonprofit,
4 and public sector components of the target
5 area’s job saturation strategy to reduce crime
6 by substantially increasing the employment lev-
7 els of young adults in that area, and describe,
8 to the extent practicable, the nature of the em-
9 ployment opportunities that will be generated in
10 the target areas;

11 “(B) describe the outcomes that will be
12 used to evaluate the local success of the pro-
13 gram, including reducing crime and substance
14 abuse and increasing employment for young
15 adults in the target area;

16 “(C) specify the organization that shall ad-
17 minister the program;

18 “(D) describe the public/private partner-
19 ship that will promote collaboration between the
20 State and local governments; local job training,
21 education, employment, and public housing
22 agencies and authorities; local residents, com-
23 munity-based organizations, and nonprofit orga-
24 nizations; and local community policing, gang

1 prevention activities and juvenile justice or de-
2 linquency prevention initiatives;

3 “(E) describe how the public and private
4 sectors will work together to assist young adults
5 to make the transition from subsidized to
6 unsubsidized jobs;

7 “(F) describe the extent of the local com-
8 mitment of resources to the program, including
9 the commitment of substantial resources by the
10 last year of the program; and

11 “(G) provide such other information as the
12 Secretary, in conjunction with the Attorney
13 General and the Secretary of Housing and
14 Urban Development, may require.

15 “(f) AWARD PRIORITIES.—In evaluating the applica-
16 tions submitted for Youth Employment and Skills Crime
17 Prevention grants, the Secretary and the Attorney General
18 and Secretary of Housing and Urban Development shall
19 give priority to applications that—

20 “(1) demonstrate extensive community support
21 and linkages to crime prevention and substance
22 abuse programs;

23 “(2) target areas that include public and as-
24 sisted housing projects and their residents;

1 “(3) demonstrate that the target area has de-
2 veloped a comprehensive strategy to integrate pro-
3 grams funded under this section with other federally
4 funded youth employment and training programs, as
5 well as education programs, operating in the same
6 area;

7 “(4) demonstrate a sufficient commitment on
8 the part of employers to provide jobs for youth as
9 specified in subsection (g) to qualify that area as a
10 site that will test the proposition that a saturation
11 jobs program, provided either separately or in con-
12 junction with the education and training services
13 provided for under other sections of the Youth Fair
14 Chance Program, would have a significant effect on
15 decreasing crime in the target area;

16 “(5) target areas with the highest crime, unem-
17 ployment, and poverty rates; or

18 “(6) include as a target area an area receiving
19 assistance pursuant to other sections of the Youth
20 Fair Chance Program.

21 “(g) JOB SATURATION AGREEMENTS.—A grant re-
22 cipient receiving funds under the Youth Employment and
23 Skills Crime Prevention Program shall enter into a job
24 saturation agreement with the Secretary, which agreement
25 shall—

1 “(1) require the grant recipient to saturate the
2 targeted areas with employment opportunities with
3 for-profit, nonprofit, and public employers that are
4 likely to lead to permanent, unsubsidized employ-
5 ment for youths who agree to condition their partici-
6 pation on the criteria established in subsection
7 (d)(2);

8 “(2) specify the conditions under which funds
9 provided under this section will be used to provide
10 wage subsidies to employers, which conditions
11 shall—

12 “(A) encourage private sector employers to
13 employ participants, with an emphasis on op-
14 portunities that provide advanced or specialized
15 training;

16 “(B) require private employers, during the
17 course of a participant’s subsidized employ-
18 ment, to gradually increase their funding of
19 that participant’s wages;

20 “(C) encourage, if practicable, the provi-
21 sion of a structured and integrated work and
22 learning experience, which may include compo-
23 nents of the School-to-Work Opportunities Act
24 of 1994;

1 “(D) encourage assistance to nonprofit em-
2 ployers and public agencies to employ partici-
3 pants in projects designed to address commu-
4 nity needs, such as projects to enhance neigh-
5 borhood infrastructure, to modernize public
6 housing, and to provide other community serv-
7 ices;

8 “(E) limit the duration of all subsidized
9 employment for a participant to not more than
10 2,080 hours;

11 “(F) require that the subsidized employ-
12 ment provided to any such youth who is still en-
13 rolled in high school shall not exceed 20 hours
14 per week during the school year; and

15 “(G) contain such other terms and condi-
16 tions as the Secretary in conjunction with the
17 Attorney General and the Secretary of Housing
18 and Urban Development require; and

19 “(3) provide that the grant recipient will make
20 additional services available, including counseling,
21 job development and placement, followup, and sup-
22 portive services, to facilitate the transition of partici-
23 pating youth and young adults to permanent
24 unsubsidized employment.

25 “(h) GRANT RECIPIENT, DURATION AND NUMBER.—

1 “(1) GRANT RECIPIENT.—Grants under this
2 section may be awarded only to the service delivery
3 area in which the target area is located.

4 “(2) DURATION OF GRANTS.—Grants shall be
5 for 1 year, and be renewable for each of the 4 suc-
6 ceeding years based on conditions established by the
7 Secretary in conjunction with the Attorney General
8 and the Secretary of Housing and Urban Develop-
9 ment.

10 “(3) NUMBER OF GRANTS.—There shall be no
11 more than 20 grants awarded under this section. At
12 least 2 of, and not less than 20 percent of the num-
13 ber of, the grants awarded under the Youth Employ-
14 ment and Skills Crime Prevention Program shall be
15 in target areas that are also receiving funding under
16 other provisions of this part.

17 “(i) FEDERAL RESPONSIBILITIES.—

18 “(1) IN GENERAL.—The Secretary, in conjunc-
19 tion with the Attorney General and the Secretary of
20 Housing and Urban Development, shall establish a
21 system of performance measures for assessing pro-
22 grams established pursuant to this section.

23 “(2) EVALUATION.—The Secretary, in conjunc-
24 tion with the Attorney General and the Secretary of
25 Housing and Urban Development, shall conduct a

1 rigorous national evaluation of Youth Employment
2 and Skills Crime Prevention grants funded under
3 this section that will track and assess the effective-
4 ness of those programs, and include an evaluation of
5 the extent to which such grants reduced crime and
6 substance abuse and increased employment and
7 earnings. The evaluation may include cost-benefit
8 analyses and shall utilize sound statistical methods
9 and techniques. The evaluation and any interim re-
10 ports that may be done shall be transmitted to Con-
11 gress.

12 “(3) TECHNICAL ASSISTANCE.—The Secretary,
13 in conjunction with the Attorney General and the
14 Secretary of Housing and Urban Development, may
15 provide appropriate technical assistance to carry out
16 Youth Employment and Skills Crime Prevention
17 grants under this section.

18 “(4) ADMINISTRATION.—The technical assist-
19 ance, administration, and evaluations authorized by
20 this section may be carried out directly by the Sec-
21 retary or through grants, contracts, or other cooper-
22 ative arrangements with the Attorney General, the
23 Secretary of Housing and Urban Development, or
24 other entities or agencies.”

1 (b) LIMITATION ON PROVISION OF FUNDS FOR SUB-
 2 SIDIZED EMPLOYMENT.—Section 141(k) of the Job
 3 Training Partnership Act is amended by inserting “and
 4 part H of title IV” before the period.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There are authorized to be
 7 appropriated to carry out section 498 of the Job
 8 Training Partnership Act, as added by subsection
 9 (a), \$ _____ for fiscal year 1995, \$ _____
 10 for fiscal year 1996, \$ _____ for fiscal year
 11 1997, \$ _____ for fiscal year 1998,
 12 \$ _____ for fiscal year 1999, and \$ _____
 13 for fiscal year 2000.

14 (2) AVAILABILITY OF FUNDS.—Funds appro-
 15 priated pursuant to this subsection shall remain
 16 available for obligation until expended.

17 (3) EVALUATIONS AND TECHNICAL ASSIST-
 18 ANCE.—Of the amounts appropriated under para-
 19 graph (1) for a fiscal year, the Secretary of Labor,
 20 in conjunction with the Attorney General and the
 21 Secretary of Housing and Urban Development, may
 22 reserve not more than 5 percent of such amounts for
 23 the fiscal year to carry out section 498(i) of the Job
 24 Training Partnership Act as added by subsection
 25 (a).

78 A**SEC. 1094. WAIVERS.**

The Secretary of Labor in conjunction with the Attorney General and the Secretary of Housing and Urban Development may prescribe regulations or guidelines that establish criteria for waiver of application requirements of programs to the extent that they duplicate or conflict with the requirements specified in similar laws.

SEC. 1095. PROHIBITION ON PRIVATE RIGHTS OF ACTION.

Nothing in this subtitle shall be construed to establish a right for any person to bring an action to obtain services under this subtitle.

SEC. 1096. ACCEPTANCE OF GIFTS, AND OTHER MATTERS.

The Secretaries and Attorney General are authorized, in carrying out this subtitle, to accept, purchase, or lease in the name of the Department of Justice or the Department of Labor or the Department of Housing and Urban Development, and employ or dispose of in furtherance of the purposes of this subtitle, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise, and to accept voluntary and uncompensated services notwithstanding the provisions of section 1342 of title 31, United States Code.

Subtitle C—Model Intensive Grant Programs

SEC. 1001. GRANT AUTHORIZATION.

(a) ESTABLISHMENT.—

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1 (1) IN GENERAL.—The Attorney General may
2 award grants to not more than 15 chronic high in-
3 tensive crime areas to develop comprehensive model
4 crime prevention programs that—

5 (A) involve and utilize a broad spectrum of
6 community resources, including nonprofit com-
7 munity organizations, law enforcement organi-
8 zations, and appropriate State and Federal
9 agencies, including the State educational agen-
10 cies;

11 (B) attempt to relieve conditions that en-
12 courage crime; and

13 (C) provide meaningful and lasting alter-
14 natives to involvement in crime.

15 (2) CONSULTATION WITH THE OUNCE OF PRE-
16 VENTION COUNCIL.—The Attorney General may
17 consult with the Ounce of Prevention Council in
18 awarding grants under paragraph (1).

19 (b) PRIORITY.—In awarding grants under subsection
20 (a), the Attorney General shall give priority to proposals
21 that—

22 (1) are innovative in approach to the prevention
23 of crime in a specific area;

24 (2) vary in approach to ensure that compari-
25 sons of different models may be made; and

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1 (3) coordinate crime prevention programs fund-
2 ed under this program with other existing Federal
3 programs to address the overall needs of commu-
4 nities that benefit from grants received under this
5 title.

6 **SEC. 1002. USES OF FUNDS.**

7 (a) **IN GENERAL.**—Funds awarded under this sub-
8 title may be used only for purposes described in an ap-
9 proved application. The intent of grants under this subtitle
10 is to fund intensively comprehensive crime prevention pro-
11 grams in chronic high intensive crime areas.

12 (b) **GUIDELINES.**—The Attorney General shall issue
13 and publish in the Federal Register guidelines that de-
14 scribe suggested purposes for which funds under approved
15 programs may be used.

16 (c) **EQUITABLE DISTRIBUTION OF FUNDS.**—In dis-
17 bursing funds under this subtitle, the Attorney General
18 shall ensure the distribution of awards equitably on a geo-
19 graphic basis, including urban and rural areas of varying
20 population and geographic size.

21 **SEC. 1003. PROGRAM REQUIREMENTS.**

22 (a) **DESCRIPTION.**—An applicant shall include a de-
23 scription of the distinctive factors that contribute to
24 chronic violent crime within the area proposed to be served
25 by the grant. Such factors may include lack of alternative

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1 activities and programs for youth, deterioration or lack of
2 public facilities, inadequate public services such as public
3 transportation, street lighting, community-based sub-
4 stance abuse treatment facilities, or employment services
5 offices, and inadequate police or public safety services,
6 equipment, or facilities.

7 (b) **COMPREHENSIVE PLAN.**—An applicant shall in-
8 clude a comprehensive, community-based plan to attack
9 intensively the principal factors identified in subsection
10 (a). Such plans shall describe the specific purposes for
11 which funds are proposed to be used and how each pur-
12 pose will address specific factors. The plan also shall speci-
13 fy how local nonprofit organizations, government agencies,
14 private businesses, citizens groups, volunteer organiza-
15 tions, and interested citizens will cooperate in carrying out
16 the purposes of the grant.

17 (c) **EVALUATION.**—An applicant shall include an
18 evaluation plan by which the success of the plan will be
19 measured, including the articulation of specific, objective
20 indicia of performance, how the indicia will be evaluated,
21 and a projected timetable for carrying out the evaluation.

22 **SEC. 1004. APPLICATIONS.**

23 To request a grant under this subtitle the chief local
24 elected official of an area shall—

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1 (1) prepare and submit to the Attorney General
2 an application in such form, at such time, and in ac-
3 cordance with such procedures, as the Attorney Gen-
4 eral shall establish; and

5 (2) provide an assurance that funds received
6 under this subtitle shall be used to supplement, not
7 supplant, non-Federal funds that would otherwise be
8 available for programs funded under this subtitle.

9 **SEC. 1005. REPORTS.**

10 Not later than December 31, 1998, the Attorney
11 General shall prepare and submit to the Committees on
12 the Judiciary of the House and Senate an evaluation of
13 the model programs developed under this subtitle and
14 make recommendations regarding the implementation of
15 a national crime prevention program.

16 **SEC. 1006. DEFINITIONS.**

17 In this subtitle:

18 “chief local elected official” means an official
19 designated under regulations issued by the Attorney
20 General. The criteria used by the Attorney General
21 in promulgating such regulations shall ensure ad-
22 ministrative efficiency and accountability in the ex-
23 penditure of funds and execution of funded projects
24 under this subtitle.

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1 "chronic high intensity crime area" means an
2 area meeting criteria adopted by the Attorney Gen-
3 eral by regulation that, at a minimum, define areas
4 with—

5 (A) consistently high rates of violent crime
6 as reported in the Federal Bureau of Investiga-
7 tion's "Uniform Crime Reports", and

8 (B) chronically high rates of poverty as de-
9 termined by the Bureau of the Census.

10 "State" means a State, the District of Colum-
11 bia, the Commonwealth of Puerto Rico, the United
12 States Virgin Islands, American Samoa, Guam, and
13 the Northern Mariana Islands.

14 **SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated to carry out
16 this subtitle \$_____ for each of fiscal years 1995,
17 1996, 1997, 1998, and 1999.

1 ~~Subtitle C~~ **Prevention, Diagnosis,**
 2 **and Treatment of Tuberculosis**
 3 **in Correctional Institutions.**

NOTE:
 Appears
 as subtitle V

4 **SEC. 5121. PREVENTION, DIAGNOSIS, AND TREATMENT OF**
 5 **TUBERCULOSIS IN CORRECTIONAL INSTITU-**
 6 **TIONS**

7 (a) **GUIDELINES.**—The Attorney General, in con-
 8 sultation with the Secretary of Health and Human Serv-
 9 ices and the Director of the National Institute of Correc-
 10 tions, shall develop and disseminate to appropriate enti-
 11 ties, including State and local correctional institutions and
 12 the Immigration and Naturalization Service, guidelines for
 13 the prevention, diagnosis, treatment, and followup care of
 14 tuberculosis among inmates of correctional institutions
 15 and persons held in holding facilities operated by or under
 16 contract with the Immigration and Naturalization Service.

17 (b) **COMPLIANCE.**—The Attorney General shall en-
 18 sure that prisons in the Federal prison system and holding
 19 facilities operated by or under contract with the Immigra-
 20 tion and Naturalization Service comply with the guidelines
 21 described in subsection (a).

22 (c) **GRANTS.**—

23 (1) **IN GENERAL.**—The Attorney General shall
 24 make grants to State and local correction authorities
 25 and public health authorities to assist in establishing

1 and operation programs for the prevention, diag
 2 nosis, treatment, and followup care of tuberculosis
 3 among inmates of correctional institutions.

4 (2) FEDERAL SHARE.—The Federal share of
 5 funding of a program funded with a grant under
 6 paragraph (1) shall not exceed 50 percent.

7 (3) AUTHORIZATION OF APPROPRIATIONS.—
 8 There is authorized to be appropriated \$_____ to
 9 ~~carry out this section.~~

10 **Subtitle D—Child-centered**
 11 **Activities**

12 **SEC. ___01. CHILD-CENTERED ACTIVITIES.**

13 (a) SHORT TITLE.—This section may be cited as the
 14 “Community Youth Services and Supervision Grant Pro-
 15 gram Act of 1994”.

16 (b) DEFINITIONS.—In this section—

17 “child” means a person who is not younger
 18 than 5 and not older than 18 years old.

19 “community-based organization” means a pri-
 20 vate, locally initiated, community-based organization
 21 that—

22 (A) is a nonprofit organization, as defined
 23 in section 103(23) of the Juvenile Justice and
 24 Delinquency Prevention Act of 1974 (42 U.S.C.
 25 5603(23)); and

1 (B) is operated by a consortium of service
2 providers, consisting of representatives of 5 or
3 more of the following categories of persons:

4 (i) Residents of the community.

5 (ii) Business and civic leaders actively
6 involved in providing employment and busi-
7 ness development opportunities in the com-
8 munity.

9 (iii) Educators.

10 (iv) Religious organizations (which
11 shall not provide any sectarian instruction
12 or sectarian worship in connection with an
13 activity funded under this title).

14 (v) Law enforcement agencies.

15 (vi) Public housing agencies.

16 (vii) Other public agencies.

17 (viii) Other interested parties.

18 "eligible community" means an area identified
19 pursuant to subsection (e).

20 "Indian tribe" means a tribe, band, pueblo, na-
21 tion, or other organized group or community of Indi-
22 ans, including an Alaska Native village (as defined
23 in or established under the Alaska Native Claims
24 Settlement Act (43 U.S.C. 1601 et seq.), that is rec-
25 ognized as eligible for the special programs and serv-

1 ices provided by the United States to Indians be-
2 cause of their status as Indians.

3 “poverty line” means the income official poverty
4 line (as defined by the Office of Management and
5 Budget, and revised annually in accordance with sec-
6 tion 673(2) of the Community Services Block Grant
7 Act (42 U.S.C. 9902(2)) applicable to a family of
8 the size involved.

9 “public school” means a public elementary
10 school, as defined in section 1201(i) of the Higher
11 Education Act of 1965 (20 U.S.C. 1141(i)), and a
12 public secondary school, as defined in section
13 1201(d) of that Act.

14 “Secretary” means the Secretary of Health and
15 Human Services.

16 “State” means a State, the District of Colum-
17 bia, the Commonwealth of Puerto Rico, the Com-
18 monwealth of the Northern Mariana Islands, Amer-
19 ican Samoa, Guam, and the United States Virgin Is-
20 lands.

21 (c) PROGRAM AUTHORITY.—

22 (1) IN GENERAL.—

23 (A) ALLOCATIONS FOR STATES AND IN-
24 DIAN COUNTRY.—For any fiscal year in which
25 the sums appropriated to carry out this section

1 equal or exceed \$20,000,000, from the sums
2 appropriated to carry out this subsection, the
3 Secretary shall allocate, for grants under sub-
4 paragraph (B) to community-based organiza-
5 tions in each State, an amount bearing the
6 same ratio to such sums as the number of chil-
7 dren in the State who are from families with in-
8 comes below the poverty line bears to the num-
9 ber of children in all States who are from fami-
10 lies with incomes below the poverty line. In view
11 of the extraordinary need for assistance in In-
12 dian country, an appropriate amount of funds
13 available under this subtitle shall be made avail-
14 able for such grants in Indian country.

15 (B) GRANTS TO COMMUNITY-BASED ORGA-
16 NIZATIONS FROM ALLOCATIONS.—For such a
17 fiscal year, the Secretary may award grants
18 from the appropriate State or Indian country
19 allocation determined under subparagraph (A)
20 on a competitive basis to eligible community-
21 based organizations to pay for the Federal
22 share of assisting eligible communities to de-
23 velop and carry out programs in accordance
24 with this section.

1 (C) REALLOCATION.—If, at the end of
2 such a fiscal year, the Secretary determines
3 that funds allocated for community-based orga-
4 nizations in a State or Indian country under
5 subparagraph (B) remain unobligated, the Sec-
6 retary may use such funds to award grants to
7 eligible community-based organizations in an-
8 other State or Indian country to pay for such
9 Federal share. In awarding such grants, the
10 Secretary shall consider the need to maintain
11 geographic diversity among the recipients of
12 such grants. Amounts made available through
13 such grants shall remain available until ex-
14 pended.

15 (2) OTHER FISCAL YEARS.—For any fiscal year
16 in which the sums appropriated to carry out this
17 section are less than \$20,000,000, the Secretary
18 may award grants on a competitive basis to eligible
19 community-based organizations to pay for the Fed-
20 eral share of assisting eligible communities to de-
21 velop and carry out programs in accordance with
22 this section.

23 (d) PROGRAM REQUIREMENTS.—

24 (1) LOCATION.—A community-based organiza-
25 tion that receives a grant under this section to assist

1 in carrying out such a program shall ensure that the
2 program is carried out—

3 (A) when appropriate, in the facilities of a
4 public school during nonschool hours; or

5 (B) in another appropriate local facility in
6 a State or Indian country, such as a college or
7 university, a local or State park or recreation
8 center, church, or military base, that is—

9 (i) in a location that is easily acces-
10 sible to children in the community; and

11 (ii) in compliance with all applicable
12 local ordinances.

13 (2) USE OF FUNDS.—Such community-based
14 organization—

15 (A) shall use funds made available through
16 the grant to provide, to children in the eligible
17 community, services and activities that—

18 (i) shall include supervised sports pro-
19 grams, and extracurricular and academic
20 programs, that are offered—

21 (I) after school and on weekends
22 and holidays, during the school year;
23 and

24 (II) as daily full-day programs
25 (to the extent available resources per-

1 mit) or as part-day programs, during
2 the summer months;

3 (B) in providing such extracurricular and
4 academic programs, shall provide programs
5 such as curriculum-based supervised edu-
6 cational, work force preparation, entrepreneur-
7 ship, cultural, health programs, social activities,
8 [arts and crafts programs, dance programs, tu-] CUT
9 torial and mentoring programs, and other relat-
10 ed activities;

11 (C) may use—

12 (i) such funds for minor renovation of
13 facilities that are in existence prior to the
14 operation of the program and that are nec-
15 essary for the operation of the program for
16 which the organization receives the grant,
17 purchase of sporting and recreational
18 equipment and supplies, reasonable costs
19 for the transportation of participants in
20 the program, hiring of staff, provision of
21 meals for such participants, provision of
22 health services consisting of an initial basic
23 physical examination, provision of first aid
24 and nutrition guidance, family counselling,

1 parental training, and substance abuse
2 treatment where appropriate; and

3 (ii) not more than 5 percent of such
4 funds to pay for the administrative costs of
5 the program; and

6 (D) may not use such funds to provide sec-
7 tarian worship or sectarian instruction.

8 (e) ELIGIBLE COMMUNITY IDENTIFICATION.—

9 (1) IDENTIFICATION.—To be eligible to receive
10 a grant under this section, a community-based orga-
11 nization shall identify an eligible community to be
12 assisted under this section.

13 (2) CRITERIA.—Such eligible community shall
14 be an area that meets such criteria with respect to
15 significant poverty and significant juvenile delin-
16 quency, and such additional criteria, as the Sec-
17 retary may by regulation require.

18 (f) APPLICATIONS.—

19 (1) APPLICATION REQUIRED.—To be eligible to
20 receive a grant under this section, a community-
21 based organization shall submit an application to the
22 Secretary at such time, in such manner, and accom-
23 panied by such information, as the Secretary may
24 reasonably require, and obtain approval of such ap-
25 plication.

1 (2) CONTENTS OF APPLICATION.—Each appli-
2 cation submitted pursuant to paragraph (1) shall—

3 (A) describe the activities and services to
4 be provided through the program for which the
5 grant is sought;

6 (B) contain an assurance that the commu-
7 nity-based organization will spend grant funds
8 received under this section in a manner that the
9 community-based organization determines will
10 best accomplish the objectives of this section;

11 (C) contain a comprehensive plan for the
12 program that is designed to achieve identifiable
13 goals for children in the eligible community;

14 (D) set forth measurable goals and out-
15 comes for the program that—

16 (i) will—

17 (I) where appropriate, make a
18 public school the focal point of the eli-
19 gible community; or

20 (II) make a local facility de-
21 scribed in subsection (d)(1)(B) such a
22 focal point; and

23 (ii) may include reducing the percent-
24 age of children in the eligible community
25 that enter the juvenile justice system, in-

1 creasing the graduation rates, school at-
2 tendance, and academic success of children
3 in the eligible community, and improving
4 the skills of program participants;

5 (E) provide evidence of support for accom-
6 plishing such goals and outcomes from—

7 (i) community leaders;

8 (ii) businesses;

9 (iii) local educational agencies;

10 (iv) local officials;

11 (v) State officials;

12 (vi) Indian tribal government officials;

13 and

14 (vii) other organizations that the com-
15 munity-based organization determines to
16 be appropriate;

17 (F) contain an assurance that the commu-
18 nity-based organization will use grant funds re-
19 ceived under this section to provide children in
20 the eligible community with activities and serv-
21 ices that shall include supervised sports pro-
22 grams, and extracurricular and academic pro-
23 grams, in accordance with subparagraphs (A)
24 and (B) of subsection (d)(2);

1 (G) contain a list of the activities and serv-
2 ices that will be offered through the program
3 for which the grant is sought and sponsored by
4 private nonprofit organizations, individuals, and
5 groups serving the eligible community,
6 including—

7 (i) extracurricular and academic pro-
8 grams, such as programs described in sub-
9 section (d)(2)(B); and

10 (ii) activities that address specific
11 needs in the community;

12 (H) demonstrate the manner in which the
13 community-based organization will make use of
14 the resources, expertise, and commitment of
15 private entities in carrying out the program for
16 which the grant is sought;

17 (I) include an estimate of the number of
18 children in the eligible community expected to
19 be served pursuant to the program;

20 (J) include a description of charitable pri-
21 vate resources, and all other resources, that will
22 be made available to achieve the goals of the
23 program;

24 (K) contain an assurance that the commu-
25 nity-based organization will use competitive pro-

1 cedures when purchasing, contracting, or other-
2 wise providing for goods, activities, or services
3 to carry out programs under this section;

4 (L) contain an assurance that the program
5 will maintain a staff-to-participant ratio (in-
6 cluding volunteers) that is appropriate to the
7 activity or services provided by the program;

8 (M) contain an assurance that the pro-
9 gram will maintain an average attendance rate
10 of not less than 75 percent of the participants
11 enrolled in the program, or will enroll additional
12 participants in the program;

13 (N) contain an assurance that the commu-
14 nity-based organization will comply with any
15 evaluation under subsection (m), any research
16 effort authorized under Federal law, and any
17 investigation by the Secretary;

18 (O) contain an assurance that the commu-
19 nity-based organization shall prepare and sub-
20 mit to the Secretary an annual report regarding
21 any program conducted under this section;

22 (P) contain an assurance that the program
23 for which the grant is sought will, to the maxi-
24 mum extent possible, incorporate services that

1 are provided solely through non-Federal private
2 or nonprofit sources; and

3 (Q) contain an assurance that the commu-
4 nity-based organization will maintain separate
5 accounting records for the program.

6 (3) PRIORITY.—In awarding grants to carry out
7 programs under this section, the Secretary shall give
8 priority to community-based organizations who sub-
9 mit applications that demonstrate the greatest effort
10 in generating local support for the programs.

11 (g) ELIGIBILITY OF PARTICIPANTS.—

12 (1) IN GENERAL.—To the extent possible, each
13 child who resides in an eligible community shall be
14 eligible to participate in a program carried out in
15 such community that receives assistance under this
16 section.

17 (2) ELIGIBILITY.—To be eligible to participate
18 in a program that receives assistance under this sec-
19 tion, a child shall provide the express written ap-
20 proval of a parent or guardian, and shall submit an
21 official application and agree to the terms and condi-
22 tions of participation in the program.

23 (3) NONDISCRIMINATION.—(A) In selecting
24 children to participate in a program that receives as-
25 sistance under this section, a community-based orga-

1 nization shall not discriminate on the basis of race,
2 color, religion, sex, national origin, or disability.

3 (B) In selecting children to participate in a pro-
4 gram that receives assistance under this section, a
5 community-based organization may find a child ineli-
6 gible to participate in such a program if the organi-
7 zation determines that the child has behavior prob-
8 lems that pose an unacceptable risk of injury or ill-
9 ness to other participants or has a physical or men-
10 tal disability so serious that the child would be un-
11 able to participate in the program.

12 (h) PEER REVIEW PANEL.—

13 (1) ESTABLISHMENT.—The Secretary may es-
14 tablish a peer review panel that shall be comprised
15 of individuals with demonstrated experience in de-
16 signing and implementing community-based pro-
17 grams.

18 (2) COMPOSITION.—A peer review panel shall
19 include at least 1 representative from each of the
20 following:

21 (A) A community-based organization.

22 (B) A local government.

23 (C) A school district.

24 (D) The private sector.

25 (E) A charitable organization.

1 (F) A representative of the United States
2 Olympic Committee, at the option of the Sec-
3 retary.

4 (3) FUNCTIONS.—A peer review panel shall
5 conduct the initial review of all grant applications
6 received by the Secretary under subsection (f), make
7 recommendations to the Secretary regarding—

8 (A) grant funding under this section; and

9 (B) a design for the evaluation of pro-
10 grams assisted under this section.

11 (i) INVESTIGATIONS AND INSPECTIONS.—The Sec-
12 retary may conduct such investigations and inspections as
13 may be necessary to ensure compliance with the provisions
14 of this section.

15 (j) PAYMENTS; FEDERAL SHARE; NON-FEDERAL
16 SHARE.—

17 (1) PAYMENTS.—The Secretary shall, subject to
18 the availability of appropriations, pay to each com-
19 munity-based organization having an application ap-
20 proved under subsection (f) the Federal share of the
21 costs of developing and carrying out programs de-
22 scribed in subsection (c).

23 (2) FEDERAL SHARE.—The Federal share of
24 such costs shall be no more than—

1 (A) 75 percent for each of fiscal years
2 1995 and 1996;

3 (B) 70 percent for fiscal year 1997; and

4 (C) 60 percent for fiscal year 1998 and
5 thereafter.

6 (3) NON-FEDERAL SHARE.—

7 (A) IN GENERAL.—The non-Federal share
8 of such costs may be in cash or in kind, fairly
9 evaluated, including plant, equipment, and serv-
10 ices (including the services described in sub-
11 section (f)(2)(P)), and funds appropriated by
12 the Congress for the activity of any agency of
13 an Indian tribal government or the Bureau of
14 Indian Affairs on any Indian lands may be used
15 to provide the non-Federal share of the costs of
16 programs or projects funded under this subtitle.

17 (B) SPECIAL RULE.—At least 15 percent
18 of the non-Federal share of such costs shall be
19 provided from private or nonprofit sources.

20 (k) EVALUATION.—The Secretary shall conduct a
21 thorough evaluation of the programs assisted under this
22 section, which shall include an assessment of—

23 (1) the number of children participating in each
24 program assisted under this section;

25 (2) the academic achievement of such children;

1 (3) school attendance and graduation rates of
2 such children; and

3 (4) the number of such children being processed
4 by the juvenile justice system.

5 (1) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$_____ for each of fiscal years 1995, 1996, 1997,
8 and 1998.

9 **Subtitle E—Police Partnerships for** 10 **Children**

11 **SEC. 1030. DEFINITIONS.**

12 In this subtitle—

13 “Indian tribe” means a tribe, band, pueblo, na-
14 tion, or other organized group or community of Indi-
15 ans, including an Alaska Native village (as defined
16 in or established under the Alaska Native Claims
17 Settlement Act (43 U.S.C. 1601 et seq.), that is rec-
18 ognized as eligible for the special programs and serv-
19 ices provided by the United States to Indians be-
20 cause of their status as Indians.

21 “partnership” means a cooperative arrangement
22 or association involving one or more law enforcement
23 agencies, and one or more public or private agencies
24 that provide child or family services; and

1 “State” means a State, the District of Colum-
2 bia, the Commonwealth of Puerto Rico, the United
3 States Virgin Islands, American Samoa, Guam, and
4 the Northern Mariana Islands.

5 **SEC. 1031. GRANT AUTHORITY.**

6 (a) **PARTNERSHIP GRANTS.—**

7 (1) **IN GENERAL.—**The Attorney General, in
8 consultation with the Secretary of Health and
9 Human Services, may make grants to partnerships
10 for—

11 (A) teams or units involving both specially
12 trained law enforcement professionals and child
13 or family services professionals of the partner-
14 ship that on a 24-hour basis respond to or deal
15 with violent incidents in which a child is in-
16 volved as a perpetrator, witness, or victim;

17 (B) training for law enforcement officers
18 regarding behavior, psychology, family systems,
19 and community culture and attitudes that is
20 relevant to dealing with children who are in-
21 volved in violent incidents or at risk of involve-
22 ment in such incidents, or with families of such
23 children;

24 (C) programs for children and families
25 that are designed jointly by the law enforce-

1 ment and child or family services components of
 2 the partnership, including programs providing
 3 24-hour response to crisis situations affecting
 4 children, in-school programs (including
 5 D.A.R.E America), after-school activity and
 6 neighborhood recreation programs, parent sup-
 7 port groups that are led jointly by child or fam-
 8 ily services and law enforcement personnel,
 9 mentoring programs, and programs that pro-
 10 vide training in nonviolent conflict resolution;
 11 and

12 (D) regularly scheduled case conferences
 13 by the team of child or family services profes-
 14 sionals and law enforcement officers described
 15 in subparagraph (A).

16 (2) CONSULTATION WITH OUNCE OF PREVEN-
 17 TION COUNCIL.—The Attorney General may consult
 18 with the Ounce of Prevention Council in awarding
 19 grants under paragraph (1).

20 (b) GRANTS FOR POLICE RESIDENCE IN HIGH
 21 CRIME AREAS.—The Secretary of Housing and Urban De-
 22 velopment, in consultation with the Attorney General, may
 23 make grants to States, Indian tribal governments, units
 24 of local government, public housing authorities, owners of
 25 federally assisted housing, and owners of housing in high

1 crime areas in order to provide dwelling units to law en-
2 forcement officers without charge or at a substantially re-
3 duced rent for the purpose of providing greater security
4 for residents of high crime areas.

5 **SEC. 1032. ADMINISTRATION.**

6 (a) USE OF COMPONENTS.—The Attorney General
7 may utilize any component or components of the Depart-
8 ment of Justice in carrying out this subtitle.

9 (b) REGULATORY AUTHORITY.—The Attorney Gen-
10 eral, for the purposes of section 1031(a), and the Sec-
11 retary of Housing and Urban Development, for purposes
12 of section 1031(b), may issue regulations and guidelines
13 to carry out this subtitle, including specifications concern-
14 ing application requirements, selection criteria, duration
15 and renewal of grants, evaluation requirements, matching
16 funds, limitation of administrative expenses, submission of
17 reports by grantees, recordkeeping by grantees, and access
18 to books, records, and documents maintained by grantees
19 or other persons for purposes of audit or examination.

20 (c) APPLICATIONS.—In addition to any other require-
21 ments that may be specified by the Attorney General—

22 (1) an application for a grant under section
23 1031(a) shall—

24 (A) certify that the applicant is a partner-
25 ship as defined in section 1030, or a law en-

1 enforcement agency or public or private child or
2 family services agency that is participating in a
3 partnership and seeking support on behalf of
4 the partnership;

5 (B) ensure that the head of the law en-
6 forcement agency and the head of the child and
7 family services organization agree to the estab-
8 lishment of the partnership and that the law
9 enforcement agency and the child and family
10 services organization in the partnership will co-
11 operate in carrying out the program;

12 (C) include a long-term strategy and de-
13 tailed implementation plan;

14 (D) certify that the Federal support pro-
15 vided under this subtitle will be used to supple-
16 ment, and not supplant, State and local sources
17 of funding that would otherwise be available,
18 and in the case of Indian tribal governments,
19 funds supplied by the Bureau of Indian Affairs;

20 (E) identify any related governmental or
21 community initiatives which complement or will
22 be coordinated with the proposal; and

23 (F) specify plans for obtaining necessary
24 support and continuing the proposed program
25 following the conclusion of Federal support;

1 (2) in addition to any other requirements that
2 may be specified by the Secretary of Housing and
3 Urban Development, an application for a grant
4 under section 1031(b) shall—

5 (A) certify that there has been appropriate
6 consultation with the employing agency of any
7 law enforcement officer who is to be provided
8 with a dwelling unit;

9 (B) identify any related governmental or
10 community initiatives which complement or will
11 be coordinated with the proposal;

12 (C) certify that the Federal support pro-
13 vided will be used to supplement, and not sup-
14 plant, State, Indian tribal government, and
15 local sources of funding that would otherwise be
16 available; and

17 (D) provide assurances that local police of-
18 ficers will not be required to reside in resi-
19 dences funded under this subtitle.

20 (d) MATCHING FUNDS.—The portion of the costs of
21 a program provided by a grant under this subtitle may
22 not exceed 75 percent, unless the Attorney General, for
23 purposes of section 1031(a), or the Secretary of Housing
24 and Urban Development, for purposes of section 1031(b),
25 waives, wholly or in part, the requirement under this sub-

1 section of a non-Federal contribution to the costs of a
2 program. Funds appropriated by the Congress for the ac-
3 tivity of any agency of an Indian tribal government or of
4 the Bureau of Indian Affairs on any Indian lands may
5 be used to provide the non-Federal share of the programs
6 funded under this subtitle.

7 (e) IN-KIND CONTRIBUTIONS.—The Attorney Gen-
8 eral shall accept the value of in-kind contributions made
9 by the grant recipient as a part or all of the non-Federal
10 share of grants.

11 (f) FUNDING PRIORITY.—In making grants under
12 section 1031(a), the Attorney General shall give priority
13 to applications by partnerships involving law enforcement
14 agencies that engage in community-oriented policing for
15 programs assisting distressed communities or populations
16 with a high incidence of violence affecting children.

17 **SEC. 1033. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
18 **UATION.**

19 (a) TECHNICAL ASSISTANCE AND TRAINING.—The
20 Attorney General may provide technical assistance and
21 training to further the purposes of this subtitle.

22 (b) EVALUATIONS.—In addition to any evaluation re-
23 quirements that may be prescribed for grantees, the Attor-
24 ney General may carry out or make arrangements for eval-

1 uations of programs that receive support under this sub-
2 title.

3 (c) ADMINISTRATION.—The technical assistance,
4 training, and evaluations authorized by this section may
5 be carried out directly by the Attorney General, or through
6 grants, contracts, or other cooperative arrangements with
7 other entities.

8 **SEC. 1034. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated \$_____ for fiscal year 1995, and such sums
11 as may be necessary for each of fiscal years 1996 through
12 1999 to carry out this subtitle.

13 (b) LIMITATION.—Not more than 35 percent of the
14 funds made available in a fiscal year for this subtitle may
15 be expended for grants under section 1031(b).

16 **Subtitle F—Midnight Sports**

17 **SEC. 1038. GRANTS FOR MIDNIGHT SPORTS LEAGUE**
18 **ANTICRIME PROGRAMS.**

19 (a) AUTHORITY.—

20 (1) IN GENERAL.—The Secretary of Housing
21 and Urban Development, in consultation with the
22 Attorney General of the United States, the Secretary
23 of Labor, and the Secretary of Education, shall
24 make grants, to the extent that amounts are ap-
25 proved in appropriations under subsection (k), to eli-

1 gible entities to assist such entities in carrying out
2 midnight sports league programs meeting the re-
3 quirements of subsection (d).

4 (2) CONSULTATION WITH OUNCE OF PREVEN-
5 TION COUNCIL.—The Attorney General may consult
6 with the Ounce of Prevention Council in awarding
7 grants under paragraph (1).

8 (b) ELIGIBLE ENTITIES.—

9 (1) IN GENERAL.—Grants under subsection (a)
10 may be made only to the following eligible entities:

11 (A) Entities eligible under section 520(b)
12 of the Cranston-Gonzalez National Affordable
13 Housing Act (42 U.S.C. 11903a(b)) for a grant
14 under section 520(a) of that Act.

15 (B) Nonprofit organizations providing
16 crime prevention, employment counseling, job
17 training, or other educational services.

18 (C) Nonprofit organizations providing fed-
19 erally assisted low-income housing.

20 (2) PROHIBITION ON SECOND GRANTS.—A
21 grant under subsection (a) may not be made to an
22 eligible entity if the entity previously received a
23 grant under such subsection.

1 (c) USE OF GRANT AMOUNTS.—Any eligible entity
2 that receives a grant under subsection (a) may use the
3 grant only—

4 (1) to establish or carry out a midnight sports
5 league program under subsection (d);

6 (2) for salaries for administrators and staff of
7 the program;

8 (3) for other administrative costs of the pro-
9 gram, except that not more than 5 percent of the
10 grant may be used for such administrative costs;
11 and

12 (4) for costs of training and assistance provided
13 under subsection (d).

14 (d) PROGRAM REQUIREMENTS.—Each eligible entity
15 receiving a grant under subsection (a) shall establish a
16 midnight sports league program as follows:

17 (1) The program shall establish a sports league
18 of not less than 80 players.

19 (2) Not less than 50 percent of the players in
20 the sports league shall be residents of federally as-
21 sisted low-income housing.

22 (3) The program shall be designed to serve pri-
23 marily youths and young adults from a neighborhood
24 or community whose population has not less than 2

1 of the following characteristics (in comparison with
2 national averages):

3 (A) A substantial problem regarding use or
4 sale of illegal drugs.

5 (B) A high incidence of crimes committed
6 by youths or young adults.

7 (C) A high incidence of persons infected
8 with the human immunodeficiency virus or sex-
9 ually transmitted diseases.

10 (D) A high incidence of pregnancy, or a
11 high birth rate, among adolescents.

12 (E) A high unemployment rate for youths
13 and young adults.

14 (F) A high rate of high school dropouts.

15 (4) The program shall require each player in
16 the league to attend employment counseling, job
17 training, and other educational classes provided
18 under the program, which shall be held in conjunc-
19 tion with league sports games at or near the site of
20 the games.

21 (5) The program shall serve only youths and
22 young adults who demonstrate a need for such coun-
23 seling, training, and education provided by the pro-
24 gram, in accordance with criteria for demonstrating
25 need, which shall be established by the Secretary of

1 Housing and Urban Development, in consultation
2 with the Attorney General, the Secretary of Labor,
3 and the Secretary of Education. ✓

4 (6) The program shall obtain sponsors for each
5 team in the sports league. Sponsors shall be private
6 individuals or businesses in the neighborhood or
7 community served by the program who make finan-
8 cial contributions to the program and participate in
9 or supplement the employment, job training, and
10 educational services provided to the players under
11 the program with additional training or educational
12 opportunities.

13 (7) The program shall comply with any criteria
14 established by the Secretary of Housing and Urban
15 Development in consultation with the Attorney Gen-
16 eral, the Secretary of Labor, and the Secretary of
17 Education.

18 (e) GRANT AMOUNT LIMITATIONS.—

19 (1) PRIVATE CONTRIBUTIONS.—The Secretary
20 of Housing and Urban Development, in consultation
21 with the Attorney General, the Secretary of Labor,
22 and the Secretary of Education, may not make a
23 grant under subsection (a) to an eligible entity that
24 applies for a grant under subsection (f) unless the
25 applicant entity certifies to the Secretary of Housing

1 and Urban Development, or the Attorney General,
2 that the entity will supplement the grant amounts
3 with amounts of funds from non-Federal sources, as
4 follows:

5 (A) In each of the first 2 years that
6 amounts from the grant are disbursed (under
7 paragraph (5)), an amount sufficient to provide
8 not less than 35 percent of the cost of carrying
9 out the midnight sports league program.

10 (B) In each of the last 3 years that
11 amounts from the grant are disbursed, an
12 amount sufficient to provide not less than 50
13 percent of the cost of carrying out the midnight
14 sports league program.

15 (2) NON-FEDERAL FUNDS.—For purposes of
16 this subsection, the term “funds from non-Federal
17 sources” includes amounts from nonprofit organiza-
18 tions, public housing agencies, States, units of local
19 government, and Indian housing authorities, private
20 contributions, any salary paid to staff (other than
21 from grant amounts under subsection (a)) to carry
22 out the program of the eligible entity, in-kind con-
23 tributions to carry out the program (as determined
24 by the Secretary of Housing and Urban Develop-
25 ment, in consultation with the Attorney General, the

1 Secretary of Labor, and the Secretary of Edu-
2 cation), the value of any donated material, equip-
3 ment, or building, the value of any lease on a build-
4 ing, the value of any utilities provided, and the value
5 of any time and services contributed by volunteers to
6 carry out the program of the eligible entity. Funds
7 appropriated by the Congress for the activity of any
8 agency of an Indian tribal government or of the Bu-
9 reau of Indian Affairs on any Indian lands may be
10 used to provide the non-Federal share of the costs
11 of programs funded under this subtitle.

12 (3) PROHIBITION ON SUBSTITUTION OF
13 FUNDS.—Grants made under subsection (a), and
14 amounts provided by States and units of local gov-
15 ernment to supplement the grants, may not be used
16 to replace other public funds previously used, or des-
17 ignated for use, under this section.

18 (4) MAXIMUM AND MINIMUM GRANT
19 AMOUNTS.—The Secretary of Housing and Urban
20 Development, in consultation with the Attorney Gen-
21 eral, the Secretary of Labor, and the Secretary of
22 Education, may not make a grant under subsection
23 (a) to any single eligible entity in an amount less
24 than \$50,000 or exceeding \$250,000.

1 (5) DISBURSEMENT.—Each grant made under
2 subsection (a)(1) shall be disbursed to the eligible
3 entity receiving the grant over the 5-year period be-
4 ginning on the date that the entity is selected to re-
5 ceive the grant, as follows:

6 (A) In each of the first 2 years of such 5-
7 year period, 23 percent of the total grant
8 amount shall be disbursed to the entity.

9 (B) In each of the last 3 years of such 5-
10 year period, 18 percent of the total grant
11 amount shall be disbursed to the entity.

12 (f) APPLICATIONS.—To be eligible to receive a grant
13 under subsection (a), an eligible entity shall submit to the
14 Secretary of Housing and Urban Development an applica-
15 tion in the form and manner required by the Secretary
16 of Housing and Urban Development, in consultation with
17 the Attorney General, the Secretary of Labor, and the Sec-
18 retary of Education, which shall include—

19 (1) a description of the midnight sports league
20 program to be carried out by the entity, including a
21 description of the employment counseling, job train-
22 ing, and other educational services to be provided;

23 (2) letters of agreement from service providers
24 to provide training and counseling services required

1 under subsection (d) and a description of such serv-
2 ice providers;

3 (3) letters of agreement providing for facilities
4 for sports games and counseling, training, and edu-
5 cational services required under subsection (d) and
6 a description of the facilities;

7 (4) a list of persons and businesses from the
8 community served by the program who have ex-
9 pressed interest in sponsoring, or have made com-
10 mitments to sponsor, a team in the midnight sports
11 league; and

12 (5) evidence that the neighborhood or commu-
13 nity served by the program meets the requirements
14 of subsection (d)(3).

15 (g) SELECTION.—The Secretary of Housing and
16 Urban Development, in consultation with the Attorney
17 General, the Secretary of Labor, and the Secretary of
18 Education, shall select eligible entities that submit appli-
19 cations under subsection (f) to receive grants under sub-
20 section (a). The Secretary of Housing and Urban Develop-
21 ment, in consultation with the Attorney General, the Sec-
22 retary of Labor, and the Secretary of Education, shall es-
23 tablish criteria for selection of applicants to receive such
24 grants. The criteria shall include a preference for selection

1 of eligible entities carrying out midnight sports league pro-
2 grams in suburban and rural areas.

3 (h) REPORTS.—The Secretary of Housing and Urban
4 Development, in consultation with the Attorney General,
5 the Secretary of Labor, and the Secretary of Education,
6 shall require each eligible entity receiving a grant under
7 subsection (a) to submit for each year in which grant
8 amounts are received by the entity, a report describing the
9 activities carried out with such amounts.

10 (i) STUDY.—To the extent amounts are provided
11 under appropriation Acts pursuant to subsection (k)(2),
12 the Secretary of Housing and Urban Development, in con-
13 sultation with the Attorney General, the Secretary of
14 Labor, and the Secretary of Education, shall make a grant
15 to one entity qualified to carry out a study under this sub-
16 section. The entity shall use such grant to carry out a
17 scientific study of the effectiveness of midnight sports
18 league programs under subsection (d) of eligible entities
19 receiving grants under subsection (a). The Secretary of
20 Housing and Urban Development, in consultation with the
21 Attorney General, the Secretary of Labor, and the Sec-
22 retary of Education, shall require such entity to submit
23 a report describing the study and any conclusions and rec-
24 ommendations resulting from the study to the Congress
25 and the Secretary of Housing and Urban Development

1 and the Attorney General not later than the expiration of
2 the 2-year period beginning on the date that the grant
3 under this subsection is made.

4 (j) DEFINITIONS.—For purposes of this section—

5 “eligible entity” means an entity described
6 under subsection (b)(1);

7 “federally assisted low-income housing” has the
8 meaning given the term in section 5126 of the Pub-
9 lic and Assisted Housing Drug Elimination Act of
10 1990; and

11 “State” means a State, the District of Colum-
12 bia, the Commonwealth of Puerto Rico, the United
13 States Virgin Islands, American Samoa, Guam, and
14 the Northern Mariana Islands.

15 (k) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated—

17 (1) for grants under subsection (a), \$ _____
18 for each of fiscal years 1995, 1996, 1997, 1998, and
19 1999; and

20 (2) for a study grant under subsection (i),
21 \$ _____ for fiscal year 1995.

22 **Subtitle G—Assistance for** 23 **Delinquent and At-Risk Youth**

24 **SEC. 1051. GRANT AUTHORITY.**

25 (a) GRANTS.—

1 (1) IN GENERAL.—In order to prevent the com-
2 mission of crimes or delinquent acts by juveniles, the
3 Attorney General may make grants to public or pri-
4 vate nonprofit organizations to support the develop-
5 ment and operation of projects to provide residential
6 services to youth, aged 11 to 19, who—

7 (i) have dropped out of school;

8 (ii) have come into contact with the
9 juvenile justice system; or

10 (iii) are at risk of dropping out of
11 school or coming into contact with the ju-
12 venile justice system.

13 (2) CONSULTATION WITH THE OUNCE OF PRE-
14 VENTION COUNCIL.—The Attorney General may con-
15 sult with the Ounce of Prevention Council in making
16 grants under paragraph (1).

17 (3) SERVICES.—Such services shall include ac-
18 tivities designed to—

19 (A) increase the self-esteem of such youth;

20 (B) assist such youth in making healthy
21 and responsible choices;

22 (C) improve the academic performance of
23 such youth pursuant to a plan jointly developed
24 by the applicant and the school which each such
25 youth attends or should attend; and

1 (D) provide such youth with vocational and
2 life skills.

3 (b) APPLICATIONS.—

4 (1) IN GENERAL.—A public agency or private
5 nonprofit organization which desires a grant under
6 this section shall submit an application at such time
7 and in such manner as the Attorney General may
8 prescribe.

9 (2) CONTENTS.—An application under para-
10 graph (1) shall include—

11 (A) a description of the program developed
12 by the applicant, including the activities to be
13 offered;

14 (B) a detailed discussion of how such pro-
15 gram will prevent youth from committing
16 crimes or delinquent acts;

17 (C) evidence that such program—

18 (i) will be carried out in facilities
19 which meet applicable State and local laws
20 with regard to safety;

21 (ii) will include academic instruction,
22 approved by the State, Indian tribal gov-
23 ernment, or local educational agency,
24 which meets or exceeds State, Indian tribal

1 government, and local standards and cur-
2 ricular requirements; and

3 (iii) will include instructors and other
4 personnel who possess such qualifications
5 as may be required by applicable State or
6 local laws; and

7 (D) specific, measurable outcomes for
8 youth served by the program.

9 (c) CONSIDERATION OF APPLICATIONS.—Not later
10 than 60 days following the submission of applications, the
11 Attorney General shall—

12 (1) approve each application and disburse the
13 funding for each such application; or

14 (2) disapprove the application and inform the
15 applicant of such disapproval and the reasons there-
16 for.

17 (d) REPORTS.—A grantee under this section shall an-
18 nually submit a report to the Attorney General that de-
19 scribes the activities and accomplishments of such pro-
20 gram, including the degree to which the specific youth out-
21 comes are met.

22 (e) DEFINITIONS.—In this subtitle—

23 “Indian tribe” means a tribe, band, pueblo, na-
24 tion, or other organized group or community of Indi-
25 ans, including Alaska Native village (as defined in or

1 established under the Alaska Native Claims Settle-
2 ment Act (43 U.S.C. 1601 et seq.), that is recog-
3 nized as eligible for the special programs and serv-
4 ices provided by the United States to Indians be-
5 cause of their status as Indians.

6 "State" means a State, the District of Colum-
7 bia, the Commonwealth of Puerto Rico, the United
8 States Virgin Islands, American Samoa, Guam, and
9 the Northern Mariana Islands.

10 **SEC. 1052. AUTHORIZATION OF APPROPRIATIONS.**

11 For grants under section 1051, there are authorized
12 to be appropriated \$_____ for each of the fiscal years
13 1995 through 1999.

14 **Subtitle H—Police Recruitment**

15 **SEC. 1061. GRANT AUTHORITY.**

16 (a) GRANTS.—

17 (1) IN GENERAL.—The Attorney General may
18 make grants to qualified community organizations to
19 assist in meeting the costs of qualified programs
20 which are designed to recruit and retain applicants
21 to police departments.

22 (2) CONSULTATION WITH THE OUNCE OF PRE-
23 VENTION COUNCIL.—The Attorney General may con-
24 sult with the Ounce of Prevention Council in making
25 grants under paragraph (1).

1 (b) QUALIFIED COMMUNITY ORGANIZATIONS.—An
2 organization is a qualified community organization which
3 is eligible to receive a grant under subsection (a) if the
4 organization—

5 (1) is a non-profit organization; and

6 (2) has training and experience in—

7 (A) working with a police department and
8 with teachers, counselors, and similar person-
9 nel,

10 (B) providing services to the community in
11 which the organization is located,

12 (C) developing and managing services and
13 techniques to recruit individuals to become
14 members of a police department and to assist
15 such individuals in meeting the membership re-
16 quirements of police departments,

17 (D) developing and managing services and
18 techniques to assist in the retention of appli-
19 cants to police departments, and

20 (E) developing other programs that con-
21 tribute to the community.

22 (c) QUALIFIED PROGRAMS.—A program is a qualified
23 program for which a grant may be made under subsection
24 (a) if the program is designed to recruit and train individ-

1 uals from underrepresented neighborhoods and localities
2 and if—

3 (1) the overall design of the program is to re-
4 cruit and retain applicants to a police department;

5 (2) the program provides recruiting services
6 which include tutorial programs to enable individuals
7 to meet police force academic requirements and to
8 pass entrance examinations;

9 (3) the program provides counseling to appli-
10 cants to police departments who may encounter
11 problems throughout the application process; and

12 (4) the program provides retention services to
13 assist in retaining individuals to stay in the applica-
14 tion process of a police department.

15 (d) APPLICATIONS.—To qualify for a grant under
16 subsection (a), a qualified organization shall submit an ap-
17 plication to the Attorney General in such form as the At-
18 torney General may prescribe. Such application shall—

19 (1) include documentation from the applicant
20 showing—

21 (A) the need for the grant;

22 (B) the intended use of grant funds;

23 (C) expected results from the use of grant
24 funds; and

1 (D) demographic characteristics of the
2 population to be served, including age, disabil-
3 ity, race, ethnicity, and languages used; and

4 (2) contain assurances satisfactory to the Attor-
5 ney General that the program for which a grant is
6 made will meet the applicable requirements of the
7 program guidelines prescribed by the Attorney Gen-
8 eral under subsection (i).

9 (e) ACTION BY THE ATTORNEY GENERAL.—Not later
10 than 60 days after the date that an application for a grant
11 under subsection (a) is received, the Attorney General
12 shall consult with the police department which will be in-
13 volved with the applicant and shall—

14 (1) approve the application and disburse the
15 grant funds applied for; or

16 (2) disapprove the application and inform the
17 applicant that the application is not approved and
18 provide the applicant with the reasons for the dis-
19 approval.

20 (f) GRANT DISBURSEMENT.—The Attorney General
21 shall disburse funds under a grant under subsection (a)
22 in accordance with regulations of the Attorney General
23 which shall ensure—

24 (1) priority is given to applications for areas
25 and organizations with the greatest showing of need;

1 (2) that grant funds are equitably distributed
2 on a geographic basis; and

3 (3) the needs of underserved populations are
4 recognized and addressed.

5 (g) GRANT PERIOD.—A grant under subsection (a)
6 shall be made for a period not longer than 3 years.

7 (h) GRANTEE REPORTING.—(1) For each year of a
8 grant period for a grant under subsection (a), the recipient
9 of the grant shall file a performance report with the Attor-
10 ney General explaining the activities carried out with the
11 funds received and assessing the effectiveness of such ac-
12 tivities in meeting the purpose of the recipient's qualified
13 program.

14 (2) If there was more than one recipient of a grant,
15 each recipient shall file such report.

16 (3) The Attorney General shall suspend the funding
17 of a grant, pending compliance, if the recipient of the
18 grant does not file the report required by this subsection
19 or uses the grant for a purpose not authorized by this
20 section.

21 (i) GUIDELINES.—The Attorney General shall, by
22 regulation, prescribe guidelines on content and results for
23 programs receiving a grant under subsection (a). Such
24 guidelines shall be designed to establish programs which
25 will be effective in training individuals to enter instruc-

1 tional programs for police departments and shall include
2 requirements for—

3 (1) individuals providing recruiting services;

4 (2) individuals providing tutorials and other
5 academic assistance programs;

6 (3) individuals providing retention services; and

7 (4) the content and duration of recruitment, re-
8 tention, and counseling programs and the means and
9 devices used to publicize such programs.

10 **SEC. 1062. AUTHORIZATION OF APPROPRIATIONS.**

11 For grants under section 1061 there are authorized
12 to be appropriated \$_____ for each of fiscal years
13 1995, 1996, 1997, 1998, and through 1999.

14 **Subtitle I—National Triad Program**

15 **SEC. 1066. PURPOSES.**

16 The purposes of this subtitle are—

17 (1) to support a coordinated effort among law
18 enforcement, older Americans organizations, and so-
19 cial service agencies to stem the tide of violence
20 against older Americans and support media and
21 nonmedia strategies aimed at increasing both public
22 understanding of the problem and the older Ameri-
23 cans' skills in preventing crime against themselves
24 and their property; and

1 (2) to address the problem of crime against
2 older Americans in a systematic and effective man-
3 ner by promoting and expanding collaborative crime
4 prevention programs, such as the Triad model, that
5 assist law enforcement agencies and older Americans
6 in implementing specific strategies for crime preven-
7 tion, victim assistance, citizen involvement, and pub-
8 lic education.

9 **SEC. 1067. NATIONAL ASSESSMENT AND DISSEMINATION.**

10 (a) IN GENERAL.—The Attorney General, in con-
11 sultation with the Assistant Secretary for Aging, shall con-
12 duct a qualitative and quantitative national assessment
13 of—

14 (1) the nature and extent of crimes committed
15 against older Americans and the effect of such
16 crimes on the victims;

17 (2) the numbers, extent, and impact of violent
18 crimes and nonviolent crimes (such as frauds and
19 “scams”) against older Americans and the extent of
20 unreported crimes;

21 (3) the collaborative needs of law enforcement,
22 health, and social service organizations, focusing on
23 prevention of crimes against older Americans, to
24 identify, investigate, and provide assistance to vic-
25 tims of those crimes; and

1 (4) the development and growth of strategies to
2 respond effectively to the matters described in para-
3 graphs (1), (2), and (3).

4 (b) MATTERS TO BE ADDRESSED.—The national as-
5 sessment made pursuant to subsection (a) shall address—

6 (1) the analysis and synthesis of data from a
7 broad range of sources in order to develop accurate
8 information on the nature and extent of crimes
9 against older Americans, including identifying and
10 conducting such surveys and other data collection ef-
11 forts as are needed and designing a strategy to keep
12 such information current over time;

13 (2) institutional and community responses to el-
14 derly victims of crime, focusing on the problems as-
15 sociated with fear of victimization, abuse of older
16 Americans, and hard-to-reach older Americans who
17 are in poor health, are living alone or without family
18 nearby, or living in high crime areas;

19 (3) special services and responses required by
20 elderly victims;

21 (4) whether the experience of older Americans
22 with some service organizations differs markedly
23 from that of younger populations;

1 (5) the kinds of programs that have proven use-
2 ful in reducing victimization of older Americans
3 through crime prevention activities and programs;

4 (6) the kinds of programs that contribute to
5 successful coordination among public sector agencies
6 and community organizations in reducing victimiza-
7 tion of older Americans; and

8 (7) the research agenda needed to develop a
9 comprehensive understanding of the problems of
10 crimes against older Americans, including the
11 changes that can be anticipated in the crimes them-
12 selves and appropriate responses as the society in-
13 creasingly ages.

14 (c) AVOIDANCE OF DUPLICATION.—In conducting
15 the assessment under subsection (a), the Attorney Gen-
16 eral, in consultation with the Assistant Secretary of Aging,
17 shall draw upon the findings of existing studies and avoid
18 duplication of efforts that have previously been made.

19 (d) DISSEMINATION.—Based on the results of the na-
20 tional assessment and analysis of successful or promising
21 strategies in dealing with the problems described in sub-
22 section (b) and other problems, including coalition efforts
23 such as the Triad programs described in section 1066, the
24 Attorney General, in consultation with the Assistant Sec-
25 retary of Aging, shall disseminate the results through re-

1 ports, publications, clearinghouse services, public service
2 announcements, and programs of evaluation, demonstra-
3 tion, training, and technical assistance.

4 **SEC. 1068. PILOT PROGRAMS.**

5 (a) AWARDS.—The Attorney General, in consultation
6 with the Assistant Secretary of Aging, shall make grants
7 to coalitions of local law enforcement agencies and older
8 Americans to assist in the development of programs and
9 execute field tests of particularly promising strategies for
10 crime prevention services and related services based on the
11 concepts of the Triad model, which can then be evaluated
12 and serve as the basis for further demonstration and edu-
13 cation programs.

14 (b) TRIAD COOPERATIVE MODEL.—(1) Subject to
15 paragraph (2), a pilot program funded under this section
16 shall consist of a cooperative model, which calls for the
17 participation of the sheriff, at least 1 police chief, and a
18 representative of at least 1 older Americans' organization
19 within a county and may include participation by general
20 service coalitions of law enforcement, victim service, and
21 senior citizen advocate service organizations. If there ex-
22 ists within the applicant county an area agency on aging
23 as defined in section 102(17) of the Older Americans Act
24 of 1965, the applicant county must include the agency as
25 an organizational component in its program.

1 (2) If there is not both a sheriff and a police chief
2 in a county or if the sheriff or a police chief do not partici-
3 pate, a pilot program funded under this section shall in-
4 clude in the place of the sheriff or police chief another
5 key law enforcement official in the county such as a local
6 prosecutor.

7 (c) APPLICATION.—A coalition that desires to estab-
8 lish a pilot program under this section shall submit to the
9 Attorney General an application that includes—

10 (1) a description of the community and its sen-
11 ior citizen population;

12 (2) assurances that Federal funds received
13 under this title shall be used to provide additional
14 and appropriate education and services to the com-
15 munity's older Americans;

16 (3) a description of the extent of involvement of
17 each organizational component (chief, sheriff (or
18 other law enforcement official), and senior organiza-
19 tion representative) and focus of the program;

20 (4) a comprehensive plan including—

21 (A) a description of the crime problems
22 facing older Americans and need for expanded
23 law enforcement and victim assistance services;

24 (B) a description of the types of projects
25 to be developed or expanded;

1 (C) a plan for an evaluation of the results
2 of the program;

3 (D) a description of the resources (includ-
4 ing matching funds, in-kind services, and other
5 resources) available in the community to imple-
6 ment the program's development or expansion;

7 (E) a description of the gaps that cannot
8 be filled with existing resources;

9 (F) an explanation of how the requested
10 grant will be used to fill those gaps; and

11 (G) a description of the means and meth-
12 ods the applicant will use to reduce criminal
13 victimization of older persons; and

14 (5) funding requirements for implementing a
15 comprehensive plan.

16 (d) DISTRIBUTION OF GRANT AWARDS.—The Attor-
17 ney General, in consultation with the Assistant Secretary
18 for Aging, shall attempt, to the extent practicable, to
19 achieve an equitable geographic distribution of grant
20 awards for pilot programs authorized under this subtitle.

21 (e) POST-GRANT PERIOD REPORT.—A grant recipi-
22 ent under this section shall, not later than 6 months after
23 the conclusion of the grant period, submit to the Attorney
24 General a report that—

1 (1) describes the composition of organizations
2 that participated in the pilot program;

3 (2) identifies problem areas encountered during
4 the course of the pilot program;

5 (3) provides data comparing the types and fre-
6 quency of criminal activity before and after the
7 grant period and the effect of such criminal activity
8 on older Americans in the community; and

9 (4) describes the grant recipient's plans and
10 goals for continuance of the program after the grant
11 period.

12 **SEC. 1069. TRAINING ASSISTANCE, EVALUATION, AND DIS-**
13 **SEMINATION AWARDS.**

14 In conjunction with the national assessment under
15 section 1067—

16 (1) the Attorney General, in consultation with
17 the Assistant Secretary for Aging, shall make
18 awards to organizations with demonstrated ability to
19 provide training and technical assistance in estab-
20 lishing crime prevention programs based on the
21 Triad model, for purposes of aiding in the establish-
22 ment and expansion of pilot programs under this
23 section;

1 (2) the Attorney General, in consultation with
2 the Assistant Secretary of Aging, shall make awards
3 to research organizations, for the purposes of—

4 (A) evaluating the effectiveness of selected
5 pilot programs; and

6 (B) conducting the research and develop-
7 ment identified through the national assessment
8 as being critical; and

9 (3) the Attorney General, in consultation with
10 the Assistant Secretary for Aging, shall make
11 awards to public service advertising coalitions, for
12 the purposes of mounting a program of public serv-
13 ice advertisements to increase public awareness and
14 understanding of the issues surrounding crimes
15 against older Americans and promoting ideas or pro-
16 grams to prevent them.

17 **SEC. 1070. REPORT.**

18 The Attorney General, in consultation with the As-
19 sistant Secretary for Aging, and the Director of the Na-
20 tional Institute of Justice shall submit to Congress an an-
21 nual report (which may be included with the report sub-
22 mitted under section 102(b) of title I of the Omnibus
23 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
24 3712(b))) describing the results of the pilot programs con-
25 ducted under section 1068.

1 **SEC. 1071. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated—

3 (1) \$_____ to the Attorney General for the
4 purpose of making pilot program awards in that
5 amount under section 1068;

6 (2) \$_____ to the Attorney General for the
7 purpose of funding the national training and tech-
8 nical assistance effort under sections 1967 and
9 1068;

10 (3) \$_____ to the Attorney General and to
11 the Administration on Aging, for the purpose of de-
12 veloping public service announcements under sec-
13 tions 1067 and 1069;

14 (4) \$_____ to the Attorney General for the
15 purposes of conducting the national assessment,
16 evaluating pilot programs, and carrying out the re-
17 search agenda under sections 1067 and 1069; and

18 (5) to the extent that funds are not otherwise
19 available for the purpose, such sums as are nec-
20 essary to pay the administrative costs of carrying
21 out this subtitle.

22 **Subtitle J—Local Partnership Act**

23 **SEC. 1075. ESTABLISHMENT OF PAYMENT PROGRAM.**

24 (a) ESTABLISHMENT OF PROGRAM.—Title 31,
25 United States Code, is amended by inserting after chapter
26 65 the following:

1 **"CHAPTER 67—FEDERAL PAYMENTS**

"Sec.

"6701. Payments to local governments.

"6702. Local Government Fiscal Assistance Fund.

"6703. Qualification for payment.

"6704. State area allocations; allocations and payments to territorial governments.

"6705. Local government allocations.

"6706. Income gap multiplier.

"6707. State variation of local government allocations.

"6708. Adjustments of local government allocations.

"6709. Information used in allocation formulas.

"6710. Public participation.

"6711. Prohibited discrimination.

"6712. Discrimination proceedings.

"6713. Suspension and termination of payments in discrimination proceedings.

"6714. Compliance agreements.

"6715. Enforcement by the Attorney General of prohibitions on discrimination.

"6716. Civil action by a person adversely affected.

"6717. Judicial review.

"6718. Audits, investigations, and reviews.

"6719. Reports.

"6720. Definitions and application.

2 **"§ 6701. Payments to local governments**

3 "(a) PAYMENT AND USE.—

4 "“(1) PAYMENT.—The Secretary of the Treasury
5 shall pay to each unit of general local government
6 which qualifies for a payment under this chapter an
7 amount equal to the sum of any amounts allocated
8 to the government under this chapter for each pay-
9 ment period. The Secretary shall pay such amount
10 out of the Local Government Fiscal Assistance Fund
11 under section 6702.

12 “(2) USE.—Amounts paid to a unit of general
13 local government under this section shall be used by
14 that unit for carrying out one or more programs of
15 the unit related to—

1 “(A) education to prevent crime;

2 “(B) substance abuse treatment to prevent
3 crime;

4 “(C) coordination of crime prevention pro-
5 grams funded under this title with other exist-
6 ing Federal programs to meet the overall needs
7 of communities that benefit from funds received
8 under this section; or

9 “(D) job program to prevent crime.

10 “(b) TIMING OF PAYMENTS.—They shall pay each
11 amount allocated under this chapter to a unit of general
12 local government for a payment period by the later of 60
13 days after the date the amount is available or the first
14 day of the payment period.

15 “(c) ADJUSTMENTS.—(1) Subject to paragraph (2),
16 the Secretary shall adjust a payment under this chapter
17 to a unit of general local government to the extent that
18 a prior payment to the government was more or less than
19 the amount required to be paid.

20 “(2) The Secretary may increase or decrease under
21 this subsection a payment to a unit of local government
22 only if the Secretary determines the need for the increase
23 or decrease, or the unit requests the increase or decrease,
24 within one year after the end of the payment period for
25 which the payment was made.

1 “(d) RESERVATION FOR ADJUSTMENTS.—The Sec-
2 retary may reserve a percentage of not more than 0.5 per-
3 cent of the amount under this section for a payment pe-
4 riod for all units of general local government in a State
5 if the Secretary considers the reserve is necessary to en-
6 sure the availability of sufficient amounts to pay adjust-
7 ments after the final allocation of amounts among the
8 units of general local government in the State.

9 “(e) REPAYMENT OF UNEXPENDED AMOUNTS.—

10 “(1) REPAYMENT REQUIRED.—A unit of gen-
11 eral local government shall repay to the Secretary,
12 by not later than November 15, 1995, any amount
13 that is—

14 “(A) paid to the unit from amounts appro-
15 priated for fiscal year 1995 under the authority
16 of this section; and

17 “(B) not expended by the unit by October
18 31, 1995.

19 “(2) DEPOSIT OF AMOUNTS REPAID.—Amounts
20 received by the Secretary as repayments under this
21 subsection shall be deposited in the general fund of
22 the Treasury as miscellaneous receipts.

23 “(f) EXPENDITURE WITH DISADVANTAGED BUSI-
24 NESS ENTERPRISES.—

1 “(1) GENERAL RULE.—Of amounts paid to a
2 unit of general local government under this chapter
3 for a payment period, not less than 10 percent of
4 the total combined amounts obligated by the unit for
5 contracts and subcontracts shall be expended with—

6 “(A) small business concerns controlled by
7 socially and economically disadvantaged individ-
8 uals and women; and

9 “(B) historically Black colleges and univer-
10 sities and colleges and universities having a stu-
11 dent body in which more than 20 percent of the
12 students are Hispanic Americans or Native
13 Americans.

14 “(2) EXCEPTION.—Paragraph (1) shall not
15 apply to amounts paid to a unit of general local gov-
16 ernment to the extent the unit determines that the
17 paragraph does not apply through a process that
18 provides for public participation.

19 “(3) DEFINITIONS.—For purposes of this
20 subsection—

21 “(A) the term ‘small business concern’ has
22 the meaning such term has under section 3 of
23 the Small Business Act; and

24 “(B) the term ‘socially and economically
25 disadvantaged individuals’ has the meaning

1 such term has under section 8(d) of the Small
2 Business Act and relevant subcontracting regu-
3 lations promulgated pursuant to that section.

4 “(g) NONSUPPLANTING REQUIREMENT.—(1) Funds
5 made available under this chapter to units of local govern-
6 ment shall not be used to supplant State or local funds,
7 but will be used to increase the amount of funds that
8 would, in the absence of funds under this chapter, be made
9 available from State or local sources.

10 “(2) The total level of funding available to a unit of
11 local government for accounts serving eligible purposes
12 under this chapter in the fiscal year immediately preceding
13 receipt of a grant under this chapter shall be designated
14 the ‘base level account’ for the fiscal year in which grant
15 is received. Grants under this chapter in a given fiscal year
16 shall be reduced on a dollar for dollar basis to the extent
17 that a unit of local government reduces its base level ac-
18 count in that fiscal year.

19 “(3) The Secretary shall issue regulations to imple-
20 ment this subsection.

21 **“§ 6702. Local Government Fiscal Assistance Fund**

22 “(a) ADMINISTRATION OF FUND.—The Department
23 of the Treasury has a Local Government Fiscal Assistance
24 Fund, which consists of amounts appropriated to the
25 Fund.

1 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Fund \$_____

3 for fiscal years 1995 and 1996.

4 “§ 6703. Qualification for payment

5 “(a) IN GENERAL.—Under regulations issued by the
6 Secretary, a unit of general local government qualifies for
7 a payment under this chapter for a payment period only
8 after establishing to the satisfaction of the Secretary
9 that—

10 “(1) the government will establish a trust fund
11 in which the government will deposit all payments
12 received under this chapter;

13 “(2) the government will use amounts in the
14 trust fund (including interest) during a reasonable
15 period specified in the regulations issued by the
16 Secretary;

17 “(3) the government will expend the payments
18 so received, in accordance with the laws and proce-
19 dures that are applicable to the expenditure of reve-
20 nues of the government;

21 “(4) if at least 25 percent of the pay of individ-
22 uals employed by the government in a public em-
23 ployee occupation is paid out of the trust fund, indi-
24 viduals in the occupation any part of whose pay is
25 paid out of the trust fund will receive pay at least

1 equal to the prevailing rate of pay for individuals
2 employed in similar public employee occupations by
3 the government;

4 “(5) if at least 25 percent of the costs of a con-
5 struction project are paid out of the trust fund, la-
6 borers and mechanics employed by contractors or
7 subcontractors on the project will receive pay at
8 least equal to the prevailing rate of pay for similar
9 construction in the locality as determined by the
10 Secretary of Labor under the Act of March 3, 1931
11 (46 Stat. 1494 et seq.; popularly known as the
12 Davis-Bacon Act), and the Secretary of Labor shall
13 act on labor standards under this paragraph in a
14 manner that is in accordance with Reorganization
15 Plan No. 14 of 1950 (64 Stat. 1267) and section 2
16 of the Act of June 13, 1934 (48 Stat. 948);

17 “(6) the government will use accounting, audit,
18 and fiscal procedures that conform to guidelines
19 which shall be prescribed by the Secretary after con-
20 sultation with the Comptroller General of the United
21 States;

22 “(7) after reasonable notice to the government,
23 the government will make available to the Secretary
24 and the Comptroller General of the United States,
25 with the right to inspect, records the Secretary rea-

1 sonably requires to review compliance with this
2 chapter or the Comptroller General of the United
3 States reasonably requires to review compliance and
4 operations under section 6718(b); and

5 “(8) the government will make reports the Sec-
6 retary reasonably requires, in addition to the annual
7 reports required under section 6719(b).

8 “(b) REVIEW BY GOVERNORS.—A unit of general
9 local government shall give the chief executive officer of
10 the State in which the government is located an oppor-
11 tunity for review and comment before establishing compli-
12 ance with subsection (a).

13 “(c) SANCTIONS FOR NONCOMPLIANCE.—(1) If the
14 Secretary decides that a unit of general local government
15 has not complied substantially with subsection (a) or regu-
16 lations prescribed under subsection (a), the Secretary shall
17 notify the government. The notice shall state that if the
18 government does not take corrective action by the 60th
19 day after the date the government receives the notice, the
20 Secretary will withhold additional payments to the govern-
21 ment for the current payment period and later payment
22 periods until the Secretary is satisfied that the
23 government—

24 “(A) has taken the appropriate corrective ac-
25 tion; and

1 “(B) will comply with subsection (a) and regu-
2 lations prescribed under subsection (a).

3 “(2) Before giving notice under paragraph (1), the
4 Secretary shall give the chief executive officer of the unit
5 of general local government reasonable notice and an op-
6 portunity for a proceeding.

7 “(3) The Secretary may make a payment to a unit
8 of general local government notified under paragraph (1)
9 only if the Secretary is satisfied that the government—

10 “(A) has taken the appropriate corrective ac-
11 tion; and

12 “(B) will comply with subsection (a) and regu-
13 lations prescribed under subsection (a).

14 **“§ 6704. State area allocations; allocations and pay-**
15 **ments to territorial governments**

16 “(a) FORMULA ALLOCATION BY STATE.—For each
17 payment period, the Secretary shall allocate to each State
18 out of the amount appropriated for the period under the
19 authority of section 6702(b) (minus the amounts allocated
20 to territorial governments under subsection (e) for the
21 payment period) an amount bearing the same ratio to the
22 amount appropriated (minus such amounts allocated
23 under subsection (e)) as the amount allocated to the State
24 under this section bears to the total amount allocated to
25 all States under this section. The Secretary shall—

1 “(1) determine the amount allocated to the
2 State under subsection (b) or (c) of this section and
3 allocate the larger amount to the State; and

4 “(2) allocate the amount allocated to the State
5 to units of general local government in the State
6 under sections 6705 and 6706.

7 “(b) GENERAL FORMULA.—(1) The amount allocated
8 to a State under this subsection for a payment period is
9 the amount bearing the same ratio to \$5,300,000,000
10 as—

11 “(A) the population of the State, multiplied by
12 the general tax effort factor of the State (deter-
13 mined under paragraph (2)), multiplied by the rel-
14 ative income factor of the State (determined under
15 paragraph (3)), multiplied by the relative rate of the
16 labor force unemployed in the State (determined
17 under paragraph (4)); bears to

18 “(B) the sum of the products determined under
19 subparagraph (A) of this paragraph for all States.

20 “(2) The general tax effort factor of a State for a
21 payment period is—

22 “(A) the net amount of State and local taxes of
23 the State collected during the years used by the Sec-
24 retary of Commerce in the most recent Bureau of
25 the Census general determination of State and local

1 taxes made before the beginning of the payment
2 period; divided by

3 “(B) the total income of individuals, as deter-
4 mined by the Secretary of Commerce for national in-
5 come accounts purposes, attributed to the State for
6 the same years.

7 “(3) The relative income factor of a State is a frac-
8 tion in which—

9 “(A) the numerator is the per capita income of
10 the United States; and

11 “(B) the denominator is the per capita income
12 of the State.

13 “(4) The relative rate of the labor force unemployed
14 in a State is a fraction in which—

15 “(A) the numerator is the percentage of the
16 labor force of the State that is unemployed (as de-
17 termined by the Secretary of Labor for general sta-
18 tistical purposes); and

19 “(B) the denominator is the percentage of the
20 labor force of the United States that is unemployed
21 (as determined by the Secretary of Labor for general
22 statistical purposes).

23 “(c) ALTERNATIVE FORMULA.—The amount allo-
24 cated to a State under this subsection for a payment pe-
25 riod is the total amount the State would receive if—

1 “(1) \$1,166,666,667 were allocated among the
2 States on the basis of population by allocating to
3 each State an amount bearing the same ratio to the
4 total amount to be allocated under this paragraph as
5 the population of the State bears to the population
6 of all States;

7 “(2) \$1,166,666,667 were allocated among the
8 States on the basis of population inversely weighted
9 for per capita income, by allocating to each State an
10 amount bearing the same ratio to the total amount
11 to be allocated under this paragraph as—

12 “(A) the population of the State, multi-
13 plied by a fraction in which—

14 “(i) the numerator is the per capita
15 income of all States; and

16 “(ii) the denominator is the per capita
17 income of the State; bears to

18 “(B) the sum of the products determined
19 under subparagraph (A) for all States;

20 “(3) \$600,000,000 were allocated among the
21 States on the basis of income tax collections by allo-
22 cating to each State an amount bearing the same
23 ratio to the total amount to be allocated under this
24 paragraph as the income tax amount of the State

1 (determined under subsection (d)(1)) bears to the
2 sum of the income tax amounts of all States;

3 “(4) \$600,000,000 were allocated among the
4 States on the basis of general tax effort by allocat-
5 ing to each State an amount bearing the same ratio
6 to the total amount to be allocated under this para-
7 graph as the general tax effort amount of the State
8 (determined under subsection (d)(2)) bears to the
9 sum of the general tax effort amounts of all States;

10 “(5) \$600,000,000 were allocated among the
11 States on the basis of unemployment by allocating to
12 each State an amount bearing the same ratio to the
13 total amount to be allocated under this paragraph
14 as—

15 “(A) the labor force of the State, multi-
16 plied by a fraction in which—

17 “(i) the numerator is the percentage
18 of the labor force of the State that is un-
19 employed (as determined by the Secretary
20 of Labor for general statistical purposes);
21 and

22 “(ii) the denominator is the percent-
23 age of the labor force of the United States
24 that is unemployed (as determined by the

1 Secretary of Labor for general statistical
2 purposes);

3 bears to

4 “(B) the sum of the products determined
5 under subparagraph (A) for all States; and

6 “(6) \$1,166,666,667 were allocated among the
7 States on the basis of urbanized population by allo-
8 cating to each State an amount bearing the same
9 ratio to the total amount to be allocated under this
10 paragraph as the urbanized population of the State
11 bears to the urbanized population of all States. In
12 this paragraph, the term ‘urbanized population’
13 means the population of an area consisting of a
14 central city or cities of at least 50,000 inhabitants
15 and the surrounding closely settled area for the city
16 or cities considered as an urbanized area by the Sec-
17 retary of Commerce for general statistical purposes.

18 “(d) INCOME TAX AMOUNT AND TAX EFFORT
19 AMOUNT.—(1) The income tax amount of a State for a
20 payment period is 15 percent of the net amount collected
21 during the calendar year ending before the beginning of
22 the payment period from the tax imposed on the income
23 of individuals by the State and described as a State in-
24 come tax under section 164(a)(3) of the Internal Revenue
25 Code of 1986 (26 U.S.C. 164(a)(3)). The income tax

1 amount for a payment period shall be at least 1 percent
2 but not more than 6 percent of the United States Govern-
3 ment individual income tax liability attributed to the State
4 for the taxable year ending during the last calendar year
5 ending before the beginning of the payment period. The
6 Secretary shall determine the Government income tax li-
7 ability attributed to the State on the same basis as the
8 Secretary of the Treasury determines that liability for gen-
9 eral statistical purposes.

10 “(2) The general tax effort amount of a State for
11 a payment period is the amount determined by
12 multiplying—

13 “(A) the net amount of State and local taxes of
14 the State collected during the years used by the Sec-
15 retary of Commerce in the most recent Bureau of
16 the Census general determination of State and local
17 taxes made before the beginning of the payment
18 period; by

19 “(B) the general tax effort factor of the State
20 determined under subsection (b)(2).

21 “(e) ALLOCATION FOR PUERTO RICO, GUAM, AMER-
22 ICAN SAMOA, AND THE VIRGIN ISLANDS.—(1)(A) For
23 each payment period for which funds are available for allo-
24 cation under this chapter, the Secretary shall allocate to
25 each territorial government an amount equal to the prod-

1 uct of 1 percent of the amount of funds available for allo-
2 cation multiplied by the applicable territorial percentage.

3 “(B) For the purposes of this paragraph, the applica-
4 ble territorial percentage of a territory is equal to the
5 quotient resulting from the division of the territorial popu-
6 lation of such territory by the sum of the territorial popu-
7 lation for all territories.

8 “(2) The governments of the territories shall make
9 payments to local governments within their jurisdiction
10 from sums received under this subsection as they consider
11 appropriate.

12 “(3) For purposes of this subsection—

13 “(A) the term ‘territorial government’
14 means the government of a territory;

15 “(B) the term ‘territory’ means Puerto
16 Rico, Guam, American Samoa, and the Virgin
17 Islands; and

18 “(C) the term ‘territorial population’
19 means the most recent population for each ter-
20 ritory as determined by the Bureau of Census.

21 **“§ 6705. Local government allocations**

22 “(a) INDIAN TRIBES AND ALASKAN NATIVES VIL-
23 LAGES.—If there is in a State an Indian tribe or Alaskan
24 native village having a recognized governing body carrying
25 out substantial governmental duties and powers, the Sec-

1 retary shall allocate to the tribe or village, out of the
2 amount allocated to the State under section 6704, an
3 amount bearing the same ratio to the amount allocated
4 to the State as the population of the tribe or village bears
5 to the population of the State. The Secretary shall allocate
6 amounts under this subsection to Indian tribes and Alas-
7 kan native villages in a State before allocating amounts
8 to units of general local government in the State under
9 subsection (b).

10 “(b) OTHER LOCAL GOVERNMENT ALLOCATIONS.—

11 (1) The Secretary shall allocate among the units of general
12 local government in a State (other than units receiving
13 allocations under subsection (a)) the amount allocated to
14 the State under section 6704 (as that amount is reduced
15 by allocations under subsection (a)). Of the amount to be
16 allocated, the Secretary shall allocate a portion equal to
17 $\frac{1}{2}$ of such amount in accordance with section 6706(1),
18 and shall allocate a portion equal to $\frac{1}{2}$ of such amount
19 in accordance with section 6706(2). A unit of general local
20 government shall receive an amount equal to the sum of
21 amounts allocated to the unit from each portion.

22 “(2) From each portion to be allocated to units of
23 local government in a State under paragraph (1), the Sec-
24 retary shall allocate to a unit an amount bearing the same
25 ratio to the funds to be allocated as—

1 “(A) the population of the unit, multiplied by
2 the general tax effort factor of the unit (determined
3 under paragraph (3)), multiplied by the income gap
4 of the unit (determined under paragraph (4)), bears
5 to

6 “(B) the sum of the products determined under
7 subparagraph (A) for all units in the State for which
8 the income gap for that portion under paragraph (4)
9 is greater than zero.

10 “(3)(A) Except as provided in subparagraph (C), the
11 general tax effort factor of a unit of general local govern-
12 ment for a payment period is—

13 “(i) the adjusted taxes of the unit; divided by

14 “(ii) the total income attributed to the unit.

15 “(B) If the amount determined under subparagraphs
16 (A) (i) and (ii) for a unit of general local government is
17 less than zero, the general tax effort factor of the unit
18 is deemed to be zero.

19 “(C)(i) Except as otherwise provided in this subpara-
20 graph, the adjusted taxes of a unit of general local govern-
21 ment are the taxes imposed by the unit for public purposes
22 (except employee and employer assessments and contribu-
23 tions to finance retirement and social insurance systems
24 and other special assessments for capital outlay), as deter-
25 mined by the Secretary of Commerce for general statistical

1 purposes and adjusted (under regulations of the Sec-
2 retary) to exclude amounts properly allocated to education
3 expenses.

4 “(ii) The Secretary shall, for purposes of clause (i),
5 include that part of sales taxes transferred to a unit of
6 general local government that are imposed by a county
7 government in the geographic area of which is located the
8 unit of general local government as taxes imposed by the
9 unit for public purposes if—

10 “(I) the county government transfers any part
11 of the revenue from the taxes to the unit of general
12 local government without specifying the purpose for
13 which the unit of general local government may ex-
14 pend the revenue; and

15 “(II) the chief executive officer of the State no-
16 tifies the Secretary that the taxes satisfy the re-
17 quirements of this clause.

18 “(iii) The adjusted taxes of a unit of general local
19 government shall not exceed the maximum allowable ad-
20 justed taxes for that unit.

21 “(iv) The maximum allowable adjusted taxes for a
22 unit of general local government is the allowable adjusted
23 taxes of the unit minus the excess adjusted taxes of the
24 unit.

1 “(v) The allowable adjusted taxes of a unit of general
2 government is the greater of—

3 “(I) the amount equal to 2.5, multiplied by the
4 per capita adjusted taxes of all units of general local
5 government of the same type in the State, multiplied
6 by the population of the unit; or

7 “(II) the amount equal to the population of the
8 unit, multiplied by the sum of the adjusted taxes of
9 all units of municipal local government in the State,
10 divided by the sum of the populations of all the units
11 of municipal local government in the State.

12 “(vi) The excess adjusted taxes of a unit of general
13 local government is the amount equal to—

14 “(I) the adjusted taxes of the unit, minus

15 “(II) 1.5 multiplied by the allowable adjusted
16 taxes of the unit;

17 except that if this amount is less than zero then the excess
18 adjusted taxes of the unit is deemed to be zero.

19 “(vii) For purposes of this subparagraph—

20 “(I) the term ‘per capita adjusted taxes of all
21 units of general local government of the same type’
22 means the sum of the adjusted taxes of all units of
23 general local government of the same type divided by
24 the sum of the populations of all units of general
25 local government of the same type; and

1 “(II) the term ‘units of general local govern-
2 ment of the same type’ means all townships if the
3 unit of general local government is a township, all
4 municipalities if the unit of general local government
5 is a municipality, all counties if the unit of general
6 local government is a county, or all unified city/
7 county governments if the unit of general local gov-
8 ernment is a unified city/county government.

9 “(4)(A) Except as provided in subparagraph (B), the
10 income gap of a unit of general local government is—

11 “(i) the number which applies under section
12 6706, multiplied by the per capita income of the
13 State in which the unit is located; minus

14 “(ii) the per capita income of the geographic
15 area of the unit.

16 “(B) If the amount determined under subparagraph
17 (A) for a unit of general local government is less than
18 zero, then the relative income factor of the unit is deemed
19 to be zero.

20 “(c) SMALL GOVERNMENT ALLOCATIONS.—If the
21 Secretary decides that information available for a unit of
22 general local government with a population below a num-
23 ber (of not more than 500) prescribed by the Secretary
24 is inadequate, the Secretary may allocate to the unit, in
25 lieu of any allocation under subsection (b) for a payment

1 period, an amount bearing the same ratio to the total
2 amount to be allocated under subsection (b) for the period
3 for all units of general local government in the State as
4 the population of the unit bears to the population of all
5 units in the State.

6 **“§ 6706. Income gap multiplier**

7 “For purposes of determining the income gap of a
8 unit of general local government under section
9 6705(b)(4)(A), the number which applies is—

10 “(1) 1.6, with respect to $\frac{1}{2}$ of any amount allo-
11 cated under section 6704 to the State in which the
12 unit is located; and

13 “(2) 1.2, with respect to the remainder of such
14 amount.

15 **“§ 6707. State variation of local government alloca-**
16 **tions**

17 “(a) STATE FORMULA.—A State government may
18 provide by law for the allocation of amounts among units
19 of general local government in the State on the basis of
20 population multiplied by the general tax effort factors or
21 income gaps of the units of general local government de-
22 termined under sections 6705 (a) and (b) or a combination
23 of those factors. A State government providing for a vari-
24 ation of an allocation formula provided under sections
25 6705 (a) and (b) shall notify the Secretary of the variation