

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Cabinet Affairs
Series/Staff Member: Stephen Silverman and Phil Caplan
Subseries:

OA/ID Number: 4599
FolderID:

Folder Title:
Crime Bill [Folder 3]: [1]

Stack:	Row:	Section:	Shelf:	Position:
S	25	1	8	3

LAW ENFORCEMENT

STATE AND LOCAL

Community Police	8.995
Police Corps/Scholarships	.125
Criminal Records	.200
Rural Drug Grants	.240
Prosecutors	.080
Police Recruitment	.024
DNA	.040
Rural Drug Training	.005
Technical Assistance	.150
Byrne	1.000

SUBTOTAL FOR STATE & LOCAL LAW ENFORCEMENT	10.859
---	---------------

FEDERAL

DoJ/Crime Bill Implementation	.600
Treasury	.350
FBI	.250
DEA	.150
AUSA	.150
SCAMS	.020
Border Patrol	.400
DNA	.025

SUBTOTAL FOR FEDERAL LAW ENFORCEMENT	1.945
---	--------------

LAW ENFORCEMENT TOTAL	12.804
------------------------------	---------------

PRISONS

GRANT PROGRAM	6.500
ALIEN INCARCERATION	1.900

PRISONS TOTAL	8.400
----------------------	--------------

DRUG COURTS**DRUG COURTS TOTAL****1.400****PREVENTION**

Local Partnership	2.000
(Community Economic Partnerships)	
Model Intensive Grants	.900
Ounce + Schools	1.100
Violence Against Women	1.800
YES Grants	.900
Prison Treatment (State)	.300
Prison Treatment (Federal)	.125
Gang Prevention	.125
Midnight Sports	.040
Community Youth Academies	.040
Hope in Youth	.020
Gang Prevention Services	.020
Anticrime Youth Councils	.005
Boys and Girls Clubs	.030
Police Partnerships	.020
Safe Low-Income Housing	.010
Triads	.006
Olympic Youth Development	.050
Youth Violence Prevention	.050
Child Visitation	.030
Family Unity	.022

PREVENTION TOTAL**7.593****GRAND TOTAL - TRUST FUND SPENDING****30.197**

TITLE I—PUBLIC SAFETY AND POLICING

- Sec. 1001. Short title.
- Sec. 1002. Purposes.
- Sec. 1003. Community policing; “cops on the beat”.

TITLE II—PRISONS

Subtitle A—Grant Programs

To be supplied.

Subtitle B—Alien Incarceration

[REDACTED]

Subtitle C—____

- Sec. 2001. Prisoner's place of imprisonment.
- Sec. 2002. Prison impact assessments.
- Sec. 2003. Sentences to account for costs to the government of imprisonment, release, and probation.
- Sec. 2004. Application to prisoners to which prior law applies.
- Sec. 2005. Crediting of “good time”.
- Sec. 2006. Task force on prison construction standardization and techniques.
- Sec. 2007. Efficiency in law enforcement and corrections.
- Sec. 2008. Amendments to the department of education organization act and the national literacy act of 1991.
- Sec. 2009. appropriate remedies for prison overcrowding.
- Sec. 2010. Congressional approval of any expansion at lorton and congressional hearings on future needs.
- Sec. 2011. Awards of pell grants to prisoners prohibited.
- Sec. 2012. Education requirement for early release.

Subtitle D—Bail Posting Reporting

- Sec. 2101. Short title.
- Sec. 2102. Required reporting by criminal court clerks.

Subtitle E—Civil Rights of Institutionalized Persons.

- Sec. 2201. Civil rights of institutionalized persons.

Subtitle F—Notification of Release of Prisoners

- Sec. 2301. Notification of release of prisoners.

TITLE III—CRIME PREVENTION

Subtitle A—Ounce of Prevention Council.

- Sec. ____01. Ounce of prevention council.
- Sec. ____02. Ounce of prevention grant program.
- Sec. ____03. Authorization of appropriations.

Subtitle B—Youth Employment and Skills Crime Prevention

- Sec. 1081. Statement of purpose.
- Sec. 1082. Program authorized.
- Sec. 1083. Program target area.

- Sec. 1084. Participants.
- Sec. 1085. Allowable activities.
- Sec. 1086. Application for grants.
- Sec. 1087. Award priorities.
- Sec. 1088. Grant duration and number.
- Sec. 1089. Federal responsibilities.
- Sec. 1090. Authorization of appropriations.
- Sec. 1091. Sanctions.
- Sec. 1092. Labor standards.
- Sec. 1093. Regulations or guidelines.
- Sec. 1094. Waivers.
- Sec. 1095. Prohibition on private rights of action.
- Sec. 1096. Acceptance of gifts, and other matters.

Subtitle C—Model Intensive Grant Programs

- Sec. 1001. Grant authorization.
- Sec. 1002. Uses of funds.
- Sec. 1003. Program requirements.
- Sec. 1004. applications.
- Sec. 1005. Reports.
- Sec. 1006. Definitions.
- Sec. 1007. Authorization of appropriations.

Subtitle D—Child-centered Activities

- Sec. ____01. Child-centered activities.

Subtitle E—Police Partnerships for Children

- Sec. 1030. Definitions.
- Sec. 1031. Grant authority.
- Sec. 1032. Administration.
- Sec. 1033. Technical assistance, training, and evaluation.
- Sec. 1034. Authorization of appropriations.

Subtitle D—Midnight Sports

- Sec. 1038. Grants for midnight sports league anticrime programs.

Subtitle F—Assistance for Delinquent and At-Risk Youth

- Sec. 1051. Grant authority.
- Sec. 1052. Authorization of appropriations.

Subtitle G—Police Recruitment

- Sec. 1061. Grant authority.
- Sec. 1062. Authorization of appropriations.

Subtitle H—National Triad Program

- Sec. 1066. Purposes.
- Sec. 1067. National assessment and dissemination.
- Sec. 1068. Pilot programs.
- Sec. 1069. Training assistance, evaluation, and dissemination awards.
- Sec. 1070. Report.
- Sec. 1071. Authorization of appropriations.

3

Subtitle I—Local Partnership Act

To be supplied

Subtitle J—National Community Economic Partnership

CHAPTER 1—COMMUNITY ECONOMIC PARTNERSHIP INVESTMENT FUNDS

- Sec. 4911. Purpose.
- Sec. 4912. Provision of assistance.
- Sec. 4913. Approval of applications.
- Sec. 4914. Availability of lines of credit and use.
- Sec. 4915. Limitations on use of funds.
- Sec. 4916. Program priority for special emphasis programs.

CHAPTER 2—Emerging Community Development Corporations

- Sec. 4921. Community development corporation improvement grants.
- Sec. 4922. Emerging community development corporation revolving loan funds.

CHAPTER 3—MISCELLANEOUS PROVISIONS

- Sec. 4931. Definitions.
- Sec. 4932. Authorization of appropriations.
- Sec. 4933. Prohibition.

Subtitle K—Gang Prevention Services for Boys and Girls

- Sec. 1099H. Program authority.
- Sec. 1099I. Program requirements.
- Sec. 1099J. Eligible providers.
- Sec. 1099K. Eligible participants.
- Sec. 1099L. Applications process.
- Sec. 1099M. Evaluation.
- Sec. 1099N. Authorization of appropriations.

Subtitle L—Olympic Youth Development Centers

- Sec. 5143. Olympic youth development centers.

Subtitle M—Anticrime Youth Councils

- Sec. 1099O. Purpose.
- Sec. 1099P. Authority to make grants.
- Sec. 1099Q. Applications for grants.
- Sec. 1099R. Selection of grant recipients.
- Sec. 1099S. Authorization of appropriations.

Subtitle N—Boys and Girls Clubs in Public Housing

- Sec. 1099AA. Establishment.
- Sec. 1099BB. Report.
- Sec. 1099CC. Authorization of appropriations.

Subtitle O—Community-Based Justice Grants for Local Prosecutors

- Sec. 1099DD. Grant authorization.
- Sec. 1099EE. Use of funds.
- Sec. 1099FF. Applications.

4

- Sec. 1099GG. Allocation of funds; limitations on grants.
- Sec. 1099HH. Award of grants.
- Sec. 1099II. Reports.
- Sec. 1099JJ. Authorization of appropriations.
- Sec. 1099KK. Definitions.

Subtitle P—Child Safety

- Sec. 4001. Short title.
- Sec. 4002. Purpose.
- Sec. 4003. Demonstration grants for supervised visitation centers.
- Sec. 4004. Demonstration grant application.
- Sec. 4005. Evaluation of demonstration projects.
- Sec. 4006. Special grants to study the effect of supervised visitation on sexually abused or severely physically abused children.
- Sec. 4007. Reporting.
- Sec. 4008. Authorization of appropriations.

Subtitle Q—Family Unity Demonstration Project

- Sec. 4101. Short title.
- Sec. 4102. Purpose.
- Sec. 4103. Definitions.
- Sec. 4104. Authorization of appropriations.

CHAPTER 1—GRANTS TO STATES

- Sec. 4111. Authority to make grants.
- Sec. 4112. Eligibility to receive grants.
- Sec. 4113. Report.

CHAPTER 2—FAMILY UNITY DEMONSTRATION PROJECT FOR FEDERAL PRISONERS

- Sec. 4121. Authority of the attorney general.
- Sec. 4122. Requirements.

Subtitle R—Substance Abuse Treatment in Federal Prisons

- Sec. 2001. Substance abuse treatment in Federal prisons.

Subtitle S—Residential Substance Abuse Treatment for State Prisoners

- Sec. 2301. Residential substance abuse treatment for State prisoners.

Subtitle T—Hope in Youth Program

- Sec. 1099A. Program authority.
- Sec. 1099B. Program requirements.
- Sec. 1099C. Eligible providers.
- Sec. 1099D. Applications.
- Sec. 1099E. Evaluation.
- Sec. 1099F. Definition.
- Sec. 1099G. Authorization of appropriations.

TITLE IV—VIOLENCE AGAINST WOMEN

To be supplied.

TITLE V—DRUG COURTS

- Sec. 1041. Drug courts.
- Sec. 1042. Study by the general accounting office.

TITLE VI—DEATH PENALTY

- Sec. 201. Short title.
- Sec. 202. Constitutional procedures for the imposition of the sentence of death.
- Sec. 203. Specific offenses for which death penalty is authorized.
- Sec. 204. Applicability to uniform code of military justice.
- Sec. 205. Death penalty for murder by a Federal prisoner.
- Sec. 206. Death penalty for civil rights murders.
- Sec. 207. Death penalty for the murder of Federal law enforcement officials.
- Sec. 208. New offense for the indiscriminate use of weapons to further drug conspiracies.
- Sec. 209. Foreign murder of United States nationals.
- Sec. 210. Death penalty for rape and child molestation murders.
- Sec. 211. Death penalty for sexual exploitation of children.
- Sec. 212. Murder by escaped prisoners.
- Sec. 213. Death penalty for gun murders during Federal crimes of violence and drug trafficking crimes.
- Sec. 214. Homicides and attempted homicides involving firearms in Federal facilities.
- Sec. 215. Alien smuggling.
- Sec. 216. Death penalty for the murder of State or local officials assisting Federal law enforcement officials and State correctional officers.
- Sec. 217. Protection of court officers and jurors.
- Sec. 218. Prohibition of retaliatory killings of witnesses, victims, and informants.
- Sec. 219. Protection of jurors and witnesses in capital cases.
- Sec. 220. Death penalty for the murder of State officials assisting Federal law enforcement officials.
- Sec. 221. Death penalty for murder of Federal witnesses.
- Sec. 222. Offenses of violence against maritime navigation or fixed platforms.
- Sec. 223. Torture.
- Sec. 224. Violence at airports serving international civil aviation.
- Sec. 225. Terrorist death penalty act.
- Sec. 226. Weapons of mass destruction.
- Sec. 5008. Enhanced penalties for alien smuggling.

TITLE VII—MANDATORY LIFE IMPRISONMENT FOR PERSONS
CONVICTED OF CERTAIN FELONIES

- Sec. 501. Mandatory life imprisonment for persons convicted of certain felonies.
- Sec. 502. Limited grant of authority to bureau of prisons.

TITLE VIII—APPLICABILITY OF MANDATORY MINIMUM
PENALTIES IN CERTAIN CASES

To be supplied.

TITLE IX—DRUG CONTROL INCREASED PENALTIES

- Sec. 1501. Enhancement of penalties for drug trafficking in prisons.
- Sec. 1502. Anabolic steroids penalties.
- Sec. 1503. Increased penalties for drug-dealing in “drug-free” zones.

- Sec. 1504. Enhanced penalties for illegal drug use in Federal prisons and for smuggling drugs into Federal prisons.

TITLE X—DRUNK DRIVING PROVISIONS

- Sec. 1601. Short title.
Sec. 1602. State laws applied in areas of Federal jurisdiction.
Sec. 5115. Driving while intoxicated prosecution program.

TITLE XI—GUN CRIME PENALTIES

- Sec. 401. Enhanced penalty for use of a semiautomatic firearm during a crime of violence or a drug trafficking crime.
Sec. 402. Enhanced penalty for second offense of using an explosive to commit a felony.
Sec. 403. Smuggling firearms in aid of drug trafficking.
Sec. 404. Theft of firearms and explosives.
Sec. 405. Revocation of supervised release.
Sec. 406. Revocation of probation.
Sec. 407. Increased penalty for knowingly making false, material Statement in connection with the acquisition of a firearm from a licensed dealer.
Sec. 408. Possession of explosives by felons and others.
Sec. 409. Summary destruction of explosives subject to forfeiture.
Sec. 410. Elimination of outmoded language relating to parole.
Sec. 411. Prohibition against transactions involving stolen firearms which have moved in interstate or foreign commerce.
Sec. 412. Using a firearm in the commission of counterfeiting or forgery.
Sec. 413. Enhanced penalties for firearms possession by violent felons and serious drug offenders.
Sec. 414. Receipt of firearms by nonresident.
Sec. 416. Theft of firearms or explosives from licensee.
Sec. 417. Disposing of explosives to prohibited persons.
Sec. 418. Clarification of "burglary" under the armed career criminal statute.
Sec. 419. Increased penalty for interstate gun trafficking.
Sec. 415. Firearms and explosives conspiracy.

TITLE XII—TERRORISM

- Sec. 717. Extension of the statute of limitation for certain terrorism offenses.
Sec. 715. Jurisdiction over crimes against United States nationals on certain foreign ships.
Sec. 721. Counterfeiting United States currency abroad.
Sec. 724. Sentencing guidelines increase for terrorist crimes.

TITLE XIII—ALIENS

Subtitle A—Deportation of Criminal Aliens

To be supplied

Subtitle B—Asylum

- Sec. 1311. Asylum.

Subtitle C—Immigration and Border Enforcement

- Sec. 1321. Expedited deportation for denied asylum applicants.

- Sec. 1322. Improving border controls.
- Sec. 1323. Expanded special deportation proceedings.
- Sec. 1324. Construction of ins service processing centers to detain criminal aliens.
- Sec. 1325. Authority to accept certain assistance.

TITLE XIV—YOUTH VIOLENCE

- Sec. 1101. Prosecution as adults of certain juveniles for crimes of violence.
- Sec. 1102. Commencement of juvenile proceeding.
- Sec. 1103. Separation of juvenile from adult offenders.

TITLE XV—CRIMINAL STREET GANGS

- Sec. 603. Criminal street gangs.

CHAPTER 26—CRIMINAL STREET GANGS

- Sec. 614. Adult prosecution of serious juvenile offenders.
- Sec. 614. Increased penalties for employing children to distribute drugs near schools and playgrounds.
- Sec. 616. Increased penalties for travel act crimes involving violence and conspiracy to commit contract killings.
- Sec. 618. Addition of anti-gang Byrne grant funding objective.

TITLE XVI—CHILD PORNOGRAPHY

- Sec. 824. Penalties for international trafficking in child pornography.
- Sec. 825. Sense of Congress concerning State legislation regarding child pornography.
- Sec. 826. Sense of Congress concerning interpretation of Federal child pornography statute.

TITLE XVII—JACOB WETTERLING CRIMES AGAINST CHILDREN REGISTRATION ACT

- Sec. 1301. Establishment of program.

TITLE XVIII—MISSING AND EXPLOITED CHILDREN

- Sec. 4301. Short title.
- Sec. 4302. Purpose.
- Sec. 4303. Establishment of task force.

TITLE XIX—FIREARMS

To be supplied

TITLE XX—RURAL CRIME

Subtitle A—Drug Trafficking in Rural Areas

- Sec. 1401. Authorizations for rural law enforcement agencies.
- Sec. 1402. Rural drug enforcement task forces.
- Sec. 1403. Rural drug enforcement training.
- Sec. 1404. More agents for the drug enforcement administration.

Subtitle B—Drug Free Truck Stops and Safety Rest Areas

- Sec. 1411. Drug free truck stops and safety rest areas.

TITLE XXI—PROVISIONS RELATING TO POLICE OFFICERS

Subtitle A—Law Enforcement Family Support

Sec. 1101. Law enforcement family support.

TITLE XXII—IMPROVED TRAINING AND TECHNICAL AUTOMATION

Sec. 1031. Improved training and technical automation.

TITLE XXIII—DNA IDENTIFICATION

Sec. 1001. Short title.

Sec. 1002. Funding to improve the quality and availability of dna analyses for law enforcement identification purposes.

Sec. 1003. Quality assurance and proficiency testing standards.

Sec. 1004. Index to facilitate law enforcement exchange of dna identification information.

Sec. 1005. Federal bureau of investigation.

Sec. 1006. Authorization of appropriations.

TITLE XXIV—MOTOR VEHICLE THEFT PREVENTION

Sec. 1901. Short title.

Sec. 1902. Motor vehicle theft prevention program.

Sec. 1903. Altering or removing motor vehicle identification numbers.

TITLE XXV—VICTIMS OF CRIME

Subtitle A—Victims of Crime

Sec. 101. Victim's right of allocution in sentencing.

Sec. 102. Sense of the senate concerning the right of a victim of a violent crime or sexual abuse to speak at an offender's sentencing hearing and any parole hearing.

Subtitle B—Crime Victims' Fund

Sec. 111. Allocation of funds for costs and grants.

Sec. 112. Relationship of crime victim compensation to certain Federal programs.

Sec. 113. Administrative costs for crime victim compensation.

Sec. 114. Grants for demonstration projects.

Sec. 115. Administrative costs for crime victim assistance.

Sec. 116. Maintenance of effort.

Sec. 117. Change of due date for required report.

TITLE XXVI—PROTECTIONS FOR THE ELDERLY

Sec. 2001. Missing alzheimer's disease patient alert program.

Sec. 2002. Crimes against the elderly.

TITLE XXVII—SENIOR CITIZENS AGAINST MARKETING SCAMS

Sec. 3901. Short title.

Sec. 3903. Enhanced penalties for telemarketing fraud.

Sec. 3904. Forfeiture of fraud proceeds.

Sec. 3905. Increased penalties for fraud against older victims.

Sec. 3906. Rewards for information leading to prosecution and conviction.

- Sec. 3907. Authorization of appropriations.
- Sec. 3908. Broadening application of mail fraud statute.
- Sec. 3909. Fraud and related activity in connection with access devices.
- Sec. 3910. Information network.

TITLE XXVIII—COMMISSION MEMBERSHIP AND APPOINTMENT

- Sec. 3026. Commission membership and appointment.
- Sec. 3027. Conforming amendment.

TITLE XXIX—VIOLENT CRIME REDUCTION TRUST FUND

[REDACTED]

TITLE XXX—MISCELLANEOUS

Subtitle A—Increases in Penalties

- Sec. 2901. Increased penalties for assault.
- Sec. 2902. Increased penalties for manslaughter.
- Sec. 2903. Increased penalties for civil rights violations.
- Sec. 2904. Penalties for trafficking in counterfeit goods and services.
- Sec. 2905. Increased penalty for conspiracy to commit murder for hire.

Subtitle B—Extension of Protection of Civil Rights Statutes

- Sec. 2911. Extension of protection of civil rights statutes.

Subtitle C—Audit and Report

- Sec. 2921. Audit requirement for State and local law enforcement agencies receiving Federal asset forfeiture funds.
- Sec. 2922. Report to Congress on administrative and contracting expenses.

Subtitle D—Gambling

- Sec. 2931. Criminal history record information for the enforcement of laws relating to gaming.
- Sec. 2932. Clarifying amendment regarding scope of prohibition against gambling on ships in international waters.

Subtitle E—White Collar Crime Amendments

- Sec. 2941. Receiving the proceeds of extortion or kidnapping.
- Sec. 2942. Receiving the proceeds of a postal robbery.

Subtitle F—Safer Streets and Neighborhoods

- Sec. 2951. Short title.
- Sec. 2952. Limitation on grant distribution.

Subtitle G—Other Provisions

- Sec. 2965. Wiretaps.
- Sec. 2966. Theft of major artwork.
- Sec. 2969. Addition of attempted robbery, kidnapping, smuggling, and property damage offenses to eliminate inconsistencies and gaps in coverage.
- Sec. 2972. Gun-free school zones.

Sec. 5105. Task force and criminal penalties relating to the introduction of
nonindigenous species.

Sec. 5109. Interstate wagering.

Sec. 5130. Solicitation of minor to commit crime.

Sec. —. Assaults Against Children

TITLE I—PUBLIC SAFETY AND POLICING

SEC. 1001. SHORT TITLE.

This title may be cited as the “Public Safety Partnership and Community Policing Act of 1994”.

SEC. 1002. PURPOSES.

The purposes of this title are to—

(1) substantially increase the number of law enforcement officers interacting directly with members of the community (“cops on the beat”);

(2) provide additional and more effective training to law enforcement officers to enhance their problem solving, service, and other skills needed in interacting with members of the community;

(3) encourage the development and implementation of innovative programs to permit members of the community to assist State and local law enforcement agencies in the prevention of crime in the community; and

(4) encourage the development of new technologies to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime,

1 by establishing a program of grants and assistance in fur-
2 therance of these objectives, including the authorization
3 for a period of 6 years of grants for the hiring and rehiring
4 of additional career law enforcement officers.

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

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

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

10 (2) by redesignating section 1701 as section
11 1801; and

12 (3) by inserting after part P the following new
13 part:

14 **"PART Q—PUBLIC SAFETY AND CITY POLICING;**
15 **'COPS ON THE BEAT'**

16 **"SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND**
17 **COMMUNITY POLICING GRANTS.**

18 "(a) GRANT AUTHORIZATION.—The Attorney Gen-
19 eral may make grants to States and units of local govern-
20 ment, and to other public and private entities, to increase
21 police presence, to expand and improve cooperative efforts
22 between law enforcement agencies and members of the
23 community to address crime and disorder problems, and
24 otherwise to enhance public safety.

1 “(b) REHIRING AND HIRING GRANT PROJECTS.—

2 Grants made under subsection (a) may be used for pro-
3 grams, projects, and other activities to—

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

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

11 “(c) TROOPS-TO-COPS PROGRAMS.—(1) Grants made
12 under subsection (a) may be used to hire former members
13 of the Armed Forces to serve as career law enforcement
14 officers for deployment in community-oriented policing,
15 particularly in communities that are adversely affected by
16 a recent military base closing.

17 “(2) In this subsection, ‘former member of the Armed
18 Forces’ means a member of the Armed Forces of the Unit-
19 ed States who is involuntarily separated from the Armed
20 Forces within the meaning of section 1141 of title 10,
21 United States Code.

22 “(d) ADDITIONAL GRANT PROJECTS.—Grants made
23 under subsection (a) may include programs, projects, and
24 other activities to—

1 “(1) increase the number of law enforcement
2 officers involved in activities that are focused on
3 interaction with members of the community on
4 proactive crime control and prevention by redeploy-
5 ing officers to such activities;

6 “(2) provide specialized training to law enforce-
7 ment officers to enhance their conflict resolution,
8 mediation, problem solving, service, and other skills
9 needed to work in partnership with members of the
10 community;

11 “(3) increase police participation in multidisci-
12 plinary early intervention teams;

13 “(4) develop new technologies to assist State
14 and local law enforcement agencies in reorienting
15 the emphasis of their activities from reacting to
16 crime to preventing crime;

17 “(5) develop and implement innovative pro-
18 grams to permit members of the community to assist
19 State and local law enforcement agencies in the pre-
20 vention of crime in the community, such as a citi-
21 zens’ police academy, including programs designed
22 to increase the level of access to the criminal justice
23 system enjoyed by victims, witnesses, and ordinary
24 citizens by establishing decentralized satellite offices

1 (including video facilities) of principal criminal
2 courts buildings;

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

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

11 “(8) develop and establish new administrative
12 and managerial systems to facilitate the adoption of
13 community-oriented policing as an organization-wide
14 philosophy; and

15 “(9) establish, implement, and coordinate crime
16 prevention and control programs (involving law en-
17 forcement officers working with community mem-
18 bers) with other Federal programs that serve the
19 community and community members to better ad-
20 dress the comprehensive needs of the community and
21 its members.

22 “(e) PREFERENTIAL CONSIDERATION OF APPLICA-
23 TIONS FOR CERTAIN GRANTS.—In awarding grants under
24 this part, the Attorney General may give preferential con-
25 sideration, where feasible, to applications for hiring and

1 rehiring additional career law enforcement officers that
2 involve—

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

5 (2) hiring former members of the Armed Forces
6 to serve as career law enforcement officers under
7 subsection (c).

8 “(f) TECHNICAL ASSISTANCE.—(1) The Attorney
9 General may provide technical assistance to States and
10 units of local government, and to other public and private
11 entities, in furtherance of the purposes of the Public Safe-
12 ty Partnership and Community Policing Act of 1994.

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

19 “(3) The technical assistance provided by the Attor-
20 ney General may include the establishment and operation
21 of training centers or facilities, either directly or by con-
22 tracting or cooperative arrangements. The functions of the
23 centers or facilities established under this paragraph may
24 include instruction and seminars for police executives,
25 managers, trainers and supervisors concerning community

1 or problem-oriented policing and improvements in police-
2 community interaction and cooperation that further the
3 purposes of the Public Safety Partnership and Community
4 Policing Act of 1994.

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

8 “(h) MINIMUM AMOUNT.—Each qualifying State, to-
9 gether with grantees within the State, shall receive in each
10 fiscal year pursuant to subsection (a) not less than 0.5
11 percent of the total amount appropriated in the fiscal year
12 for grants pursuant to that subsection. In this subsection,
13 ‘qualifying State’ means any State which has submitted
14 an application for a grant, or in which an eligible entity
15 has submitted an application for a grant, which meets the
16 requirements prescribed by the Attorney General and the
17 conditions set out in this part.

18 “(i) MATCHING FUNDS.—The portion of the costs of
19 a program, project, or activity provided by a grant under
20 subsection (a) may not exceed 75 percent, unless the At-
21 torney General waives, wholly or in part, the requirement
22 under this subsection of a non-Federal contribution to the
23 costs of a program, project, or activity. In relation to a
24 grant for a period exceeding 1 year for hiring or rehiring
25 career law enforcement officers, the Federal share shall

1 decrease from year to year for up to 5 years, looking to-
2 ward the continuation of the increased hiring level using
3 State or local sources of funding following the conclusion
4 of Federal support, as provided in an approved plan pur-
5 suant to section 1702(c)(8).

6 “(j) ALLOCATION OF FUNDS.—The funds available
7 under this part shall be allocated as provided in section
8 1001(a)(11)(B).

9 “(k) TERMINATION OF GRANTS FOR HIRING OFFI-
10 CERS.—The authority under subsection (a) of this section
11 to make grants for the hiring and rehiring of additional
12 career law enforcement officers shall lapse at the conclu-
13 sion of 6 years from the date of enactment of this part.
14 Prior to the expiration of this grant authority, the Attor-
15 ney General shall submit a report to Congress concerning
16 the experience with and effects of such grants. The report
17 may include any recommendations the Attorney General
18 may have for amendments to this part and related provi-
19 sions of law in light of the termination of the authority
20 to make grants for the hiring and rehiring of additional
21 career law enforcement officers.

22 **“SEC. 1702. APPLICATIONS.**

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

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

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

8 “(1) include a long-term strategy and detailed
9 implementation plan that reflects consultation with
10 community groups and appropriate private and pub-
11 lic agencies and reflects consideration of the state-
12 wide strategy under section 503(a)(1);

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

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

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

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

21 “(6) outline the initial and ongoing level of
22 community support for implementing the proposal
23 including financial and in-kind contributions or
24 other tangible commitments;

1 “(7) specify plans for obtaining necessary sup-
2 port and continuing the proposed program, project,
3 or activity following the conclusion of Federal sup-
4 port;

5 “(8) if the application is for a grant for hiring
6 or rehiring additional career law enforcement offi-
7 cers, specify plans for the assumption by the appli-
8 cant of a progressively larger share of the cost in the
9 course of time, looking toward the continuation of
10 the increased hiring level using State or local
11 sources of funding following the conclusion of Fed-
12 eral support;

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

16 “(10) explain how the grant will be utilized to
17 reorient the affected law enforcement agency’s mis-
18 sion toward community-oriented policing or enhance
19 its involvement in or commitment to community-ori-
20 ented policing; and

21

22

23 “(11) if the application is for a grant for hiring
24 or rehiring additional career law enforcement offi-
25 cers, describe how the applicant will, to the extent

1 practicable, seek and recruit members of racial and
2 ethnic minority groups and women.

3 “(d) SPECIAL PROVISIONS.—

4 “(1) SMALL JURISDICTIONS.—Notwithstanding
5 any other provision of this part, in relation to appli-
6 cations under this part of units of local government
7 or law enforcement agencies having jurisdiction over
8 areas with population of less than 50,000, the Attor-
9 ney general may waive 1 or more of the require-
10 ments of subsection (c) and may otherwise make
11 special provisions to facilitate the expedited submis-
12 sion, processing, and approval of such applications.

13 “(2) SMALL GRANT AMOUNT.—Notwithstanding
14 any other provision of this part, in relation to appli-
15 cations under section 1701(d) for grants of less than
16 \$1,000,000, the Attorney General may waive 1 or
17 more of the requirements of subsection (c) and may
18 otherwise make special provisions to facilitate the ex-
19 pedited submission, processing, and approval of such
20 applications.

21 **“SEC. 1703. RENEWAL OF GRANTS.**

22 “(a) IN GENERAL.—Except for grants made for hir-
23 ing or rehiring additional career law enforcement officers,
24 a grant under this part may be renewed for up to 2 addi-
25 tional years after the first fiscal year during which a recip-

1 ient receives its initial grant, if the Attorney General de-
2 termines that the funds made available to the recipient
3 were used in a manner required under an approved appli-
4 cation and if the recipient can demonstrate significant
5 progress in achieving the objectives of the initial applica-
6 tion.

7 “(b) GRANTS FOR HIRING.—Grants made for hiring
8 or rehiring additional career law enforcement officers may
9 be renewed for up to 5 years, subject to the requirements
10 of subsection (a), but notwithstanding the limitation in
11 that subsection concerning the number of years for which
12 grants may be renewed.

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

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

20 “(a) NONSUPPLANTING REQUIREMENT.—Funds
21 made available under this part to States or units of local
22 government shall not be used to supplant State or local
23 funds, or, in the case of Indian tribes, funds supplied by
24 the Department of the Interior, but shall be used to in-
25 crease the amount of funds that would, in the absence of

1 Federal funds received under this part, be made available
2 from State or local sources, or in the case of Indian tribes,
3 from funds supplied by the Department of the Interior.

4 “(b) NON-FEDERAL COSTS.—

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

12 “(2) INDIAN TRIBES.—Funds appropriated by
13 the Congress for the activities of any agency of an
14 Indian tribal government or the United States Gov-
15 ernment performing law enforcement functions on
16 any Indian lands may be used to provide the non-
17 Federal share of the cost of programs or projects
18 funded under this part.

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

23 **“SEC. 1705. PERFORMANCE EVALUATION.**

24 “(a) MONITORING COMPONENTS.—Each program,
25 project, or activity funded under this part shall contain

1 a monitoring component, developed pursuant to guidelines
2 established by the Attorney General. The monitoring re-
3 quired by this subsection shall include systematic identi-
4 fication and collection of data about activities, accomplish-
5 ments, and programs throughout the life of the program,
6 project, or activity and presentation of such data in a usa-
7 ble form.

8 “(b) EVALUATION COMPONENTS.—Selected grant re-
9 cipients shall be evaluated on the local level or as part
10 of a national evaluation, pursuant to guidelines established
11 by the Attorney General. Such evaluations may include as-
12 sessments of individual program implementations. In se-
13 lected jurisdictions that are able to support outcome eval-
14 uations, the effectiveness of funded programs, projects,
15 and activities may be required. Outcome measures may
16 include crime and victimization indicators, quality of life
17 measures, community perceptions, and police perceptions
18 of their own work.

19 “(c) PERIODIC REVIEW AND REPORTS.—The Attor-
20 ney General may require a grant recipient to submit to
21 the Attorney General the results of the monitoring and
22 evaluations required under subsections (a) and (b) and
23 such other data and information as the Attorney General
24 deems reasonably necessary.

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

2 “If the Attorney General determines, as a result of
3 the reviews required by section 1705, or otherwise, that
4 a grant recipient under this part is not in substantial com-
5 pliance with the terms and requirements of an approved
6 grant application submitted under section 1702, the Attor-
7 ney General may revoke or suspend funding of that grant,
8 in whole or in part.

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

10 “(a) BY THE ATTORNEY GENERAL.—The Attorney
11 General shall have access for the purpose of audit and ex-
12 amination to any pertinent books, documents, papers, or
13 records of a grant recipient under this part and to the
14 pertinent books, documents, papers, or records of State
15 and local governments, persons, businesses, and other en-
16 tities that are involved in programs, projects, or activities
17 for which assistance is provided under this part.

18 “(b) BY THE COMPTROLLER GENERAL.—Subsection
19 (a) shall apply with respect to audits and examinations
20 conducted by the Comptroller General of the United
21 States or by an authorized representative of the Comptrol-
22 ler General.

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

24 “The Attorney General may promulgate regulations
25 and guidelines to carry out this part.

1 **"SEC. 1709. DEFINITIONS.**

2 "In this part—

3 " 'career law enforcement officer' means a per-
4 son hired on a permanent basis who is authorized by
5 law or by a State or local public agency to engage
6 in or supervise the prevention, detection, or inves-
7 tigation of violations of criminal laws.

8 " 'citizens' police academy' means a program
9 by local law enforcement agencies or private non
10 profit organizations in which citizens, especially
11 those who participate in neighborhood watch pro-
12 grams, are trained in ways of facilitating commu-
13 nication between the community and local law en-
14 forcement in the prevention of crime.' "

15 (b) TECHNICAL AMENDMENT.—The table of contents
16 of title I of the Omnibus Crime Control and Safe Streets
17 Act of 1968 (42 U.S.C. 3711, et seq.) is amended by strik-
18 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."

1 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
2 1001(a) of title I of the Omnibus Crime Control and Safe
3 Streets Act of 1968 (42 U.S.C. 3793) is amended—

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

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

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

10 “(i) _____ for fiscal year 1995;

11 “(ii) _____ for fiscal year 1996;

12 “(iii) _____ for fiscal year 1997;

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

14 “(v) _____ for fiscal year 1999.

15 “(B) Of funds available under part Q in any fiscal
16 year, up to 5 percent may be used for technical assistance
17 under section 1701(f) or for evaluations or studies carried
18 out or commissioned by the Attorney General in further-
19 ance of the purposes of part Q, or for administrative costs
20 by the Attorney General in furtherance of the purposes
21 of part Q. Of the remaining funds, 50 percent shall be
22 allocated for grants pursuant to applications submitted by
23 units of local government or law enforcement agencies
24 having jurisdiction over areas with populations exceeding
25 150,000, and 50 percent shall be allocated for other appli-

1 cations. Of the funds available in relation to grants under
2 part Q, at least 85 percent shall be applied to grants for
3 the purposes specified in section 1701(b), and no more
4 than 15 percent may be applied to other grants in further-
5 ance of the purposes of part Q. In view of the extraor-
6 dinary need for law enforcement assistance in Indian
7 country, an appropriate amount of funds available under
8 part Q shall be made available for grants to Indian tribes
9 or tribal law enforcement agencies.

10

TITLE II—PRISONS

Subtitle A - Grant Programs

To Be Supplied

Subtitle B—9 ~~SEC. 2403.~~ INCARCERATION OF UNDOCUMENTED CRIMINAL

10

ALIENS.

11

(a) INCARCERATION.—Section 242 of the Immigration
and Nationality Act (8 U.S.C. 1252) is amended by adding
at the end the following:

14 “(j) INCARCERATION.—

15

“(1) If the chief ^{executive officer} ~~official~~ of the ^a State (or, if ap-
propriate, a political subdivision of the State) exercis-
ing authority with respect to the incarceration of an
undocumented criminal alien ~~(sentenced to a deter-~~
~~minate term of imprisonment)~~ submits a written re-
quest to the Attorney General, the Attorney General
shall, as determined by the Attorney General—

22

23

24

25

“(A) enter into a contractual arrangement
which provides for compensation to the State or
a political subdivision of the State, as may be
appropriate, with respect to the incarceration of

1 such undocumented criminal alien for ~~such de-~~
 2 ~~terminate sentence of imprisonment, or~~

3 "(B) take ~~the~~ ^{such} undocumented criminal alien
 4 into the custody of the Federal Government and
 5 incarcerate such alien for ~~such determinate sen-~~
 6 ~~tence of imprisonment.~~

7 "(2) Compensation under paragraph (1)(A) shall
 8 ~~be determined by the Attorney General and may not~~
 9 ~~exceed the median~~ ^{average} cost of incarceration of a prisoner
 10 in ~~all maximum security facilities in the~~ ^{relevant} United
 11 States ^{Attorney General.} as determined by the ~~Bureau of Justice Statis-~~
 12 ~~tics.~~

13 "(3) For purposes of this subsection, the term
 14 'undocumented criminal alien' means an alien who—

15 "(A) has been convicted of a felony and sen-
 16 tenced to a term of imprisonment, and

17 "(B)(i) entered the United States without
 18 inspection or at any time or place other than as
 19 designated by the Attorney General,

20 "(ii) was the subject of exclusion or deporta-
 21 tion proceedings at the time he or she was taken
 22 into custody by the State or a political subdivi-
 23 sion of the State, or

24 "(iii) was admitted as a nonimmigrant and
 25 at the time he or she was taken into custody by

(c) Authority of Appropriation.

There are authorized to be appropriated ~~Subsequent~~ ~~to~~ carry out the purposes of this subsection, of which ~~shall~~ shall be available from the Violent Crime Reduction Trust Fund in section 1115 of title 31, United States Code.

2717

Attachment

1 the State or a political subdivision of the State
2 has failed to maintain the nonimmigrant status
3 in which the alien was admitted or to which it
4 was changed under section 248, or to comply
5 with the conditions of any such status.

6 "(4)(A) In carrying out paragraph (1), the At-
7 torney General shall give priority to the Federal in-
8 carceration of undocumented criminal aliens who
9 have committed aggravated felonies.

10 "(B) The Attorney General shall ensure that un-
11 documented criminal aliens incarcerated in Federal
12 facilities pursuant to this subsection are held in fa-
13 cilities which provide a level of security appropriate
14 to the crimes for which they were convicted."

15 (b) EFFECTIVE DATE.—The amendments made by this
16 section shall take effect October 1, 1994.

17 (d) LIMITATION.—The authority created in section
18 242(j) of the Immigration and Nationality Act (as added
19 by subsection (a)) shall be subject to appropriation until
20 October 1, ²⁰⁰³1998.

11 **Subtitle** _____12 **SEC. 2001. PRISONER'S PLACE OF IMPRISONMENT.**

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

19 **SEC. 2002. PRISON IMPACT ASSESSMENTS.**

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

23 **"§ 4047. Prison impact assessments**

24 "(a) Any submission of legislation by the Judicial or
25 Executive branch which could increase or decrease the

23

1 number of persons incarcerated or in Federal penal insti-
2 tutions shall be accompanied by a prison impact statement
3 (as defined in subsection (b)).

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

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

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

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

~~20~~ 24

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

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

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

 “4047. Prison impact assessments.”.

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

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

16 (1) by redesignating paragraphs (6) and (7) as
17 paragraphs (7) and (8), respectively; and

18 (2) by inserting after paragraph (5) the follow-
19 ing new paragraph:

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

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

1 “(v) The Commission, in promulgating guidelines
2 pursuant to subsection (a)(1), may include, as a compo-
3 nent of a fine, the expected costs to the Government of
4 any imprisonment, supervised release, or probation sen-
5 tence that is ordered.”.

6 **SEC. 2004. APPLICATION TO PRISONERS TO WHICH PRIOR**
7 **LAW APPLIES.**

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

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

14 Section 3624 of title 18, United States Code, is
15 amended—

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

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

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

22 (4) in subsection (b)—

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

26

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

15 **SEC. 2006. TASK FORCE ON PRISON CONSTRUCTION STAND-**
16 **ARDIZATION AND TECHNIQUES.**

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

1 (b) COOPERATION.—The task force shall work in
2 close cooperation and communication with other State and
3 local officials responsible for prison construction in their
4 localities.

5 (c) PERFORMANCE REQUIREMENTS.—The task force
6 shall work to—

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

10 (2) evaluate and recommend new construction
11 technologies, techniques, and materials,

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

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

18 (e) PROMOTION AND EVALUATION.—The task force
19 shall—

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

23 (2) evaluate and advise on the results and effec-
24 tiveness of such cost-saving efforts as adopted,

28

1 broadly disseminating information on the results;
2 and

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

5 **SEC. 2007. EFFICIENCY IN LAW ENFORCEMENT AND COR-**
6 **RECTIONS.**

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

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

16 (2) the use of surplus Federal property.

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

1 SEC. 2008. AMENDMENTS TO THE DEPARTMENT OF EDU-
2 CATION ORGANIZATION ACT AND THE NA-
3 TIONAL LITERACY ACT OF 1991.

4 (a) TECHNICAL AMENDMENT.—The matter preced-
5 ing paragraph (1) of section 214(d) of the Department
6 of Education Organization Act (20 U.S.C. 3423a(d)) is
7 amended by striking “under subsection (a)” and inserting
8 “under subsection (c)”.

9 (b) ESTABLISHMENT OF A PANEL AND USE OF
10 FUNDS.—Section 601 of the National Literacy Act of
11 1991 (20 U.S.C. 1211-2) is amended by—

12 (1) by redesignating subsection (g) as sub-
13 section (i); and

14 (2) by inserting after subsection (f) the follow-
15 ing new subsections:

16 “(g) PANEL.—The Secretary is authorized to consult
17 with and convene a panel of experts in correctional edu-
18 cation, including program administrators and field-based
19 professionals in adult corrections, juvenile services, jails,
20 and community corrections programs, to—

21 “(1) develop measures for evaluating the effec-
22 tiveness of the programs funded under this section;
23 and

24 “(2) evaluate the effectiveness of such pro-
25 grams.”.

1 “(h) USE OF FUNDS.—Notwithstanding any other
2 provision of law, the Secretary may use not more than
3 five percent of funds appropriated under subsection (i) in
4 any fiscal year to carry out grant-related activities such
5 as monitoring, technical assistance, and replication and
6 dissemination.”.

7 **SEC. 2009. APPROPRIATE REMEDIES FOR PRISON OVER-**
8 **CROWDING.**

9 (a) AMENDMENT OF TITLE 18, UNITED STATES
10 CODE.—Subchapter C of chapter 229 of part 2 of title
11 18, United States Code, is amended by adding at the end
12 the following new section:

13 **“§ 3626. Appropriate remedies with respect to prison**
14 **crowding**

15 “(a) REQUIREMENT OF SHOWING WITH RESPECT TO
16 THE PLAINTIFF IN PARTICULAR.—

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

23 “(2) RELIEF.—The relief in a case described in
24 paragraph (1) shall extend no further than nec-
25 essary to remove the conditions that are causing the

1 cruel and unusual punishment of the plaintiff in-
2 mate.

3 “(b) INMATE POPULATION CEILINGS.—

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

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

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

24 “(b) APPLICATION OF AMENDMENT.—Section 3626 of
25 title 18, United States Code, as added by paragraph (1),

22

1 shall apply to all outstanding court orders on the date of
2 enactment of this Act. Any State or municipality shall be
3 entitled to seek modification of any outstanding eighth
4 amendment decree pursuant to that section.

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

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

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

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

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

24 (b) SENATE HEARINGS.—The Senate directs the
25 Subcommittee on the District of Columbia of the Commit-

33

tee on Appropriations of the Senate to conduct hearings regarding expansion of the prison complex in Lorton, Virginia, prior to any approval granted pursuant to subsection (a). The subcommittee shall permit interested parties, including appropriate officials from the County of Fairfax, Virginia, to testify at such hearings.

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

SEC. 2011. AWARDS OF PELL GRANTS TO PRISONERS PROHIBITED.

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

“(8) No basic grant shall be awarded under this subpart to any individual who is incarcerated in any Federal or State penal institution.”.

(b) APPLICATION OF AMENDMENT.—The amendment made by this section shall apply with respect to the first academic year beginning after the date of enactment of this Act.

34

1 **SEC. 2012. EDUCATION REQUIREMENT FOR EARLY RE-**
2 **LEASE.**

3 Section 3624(b) of title 18, United States Code, is
4 amended—

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

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

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

13 “(2) Credit toward a prisoner’s service of sentence
14 shall not be vested unless the prisoner has earned a high
15 school diploma or an equivalent degree.

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

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

D o 35

1 **Subtitle B—BAIL POSTING**
2 **REPORTING**

3 **SEC. 2101. SHORT TITLE.**

4 This title may be cited as the “Illegal Drug Profits
5 Act of 1994”.

6 **SEC. 2102. REQUIRED REPORTING BY CRIMINAL COURT**
7 **CLERKS.**

8 (a) **IN GENERAL.**—Each clerk of a Federal or State
9 criminal court shall report to the Internal Revenue Serv-
10 ice, in a form and manner as prescribed by the Secretary
11 of the Treasury, the name and taxpayer identification
12 number of—

13 (1) any individual charged with any criminal of-
14 fense who posts cash bail, or on whose behalf cash
15 bail is posted, in an amount exceeding \$10,000; and

16 (2) any individual or entity (other than a li-
17 censed bail bonding individual or entity) posting
18 such cash bail for or on behalf of such individual.

19 (b) **CRIMINAL OFFENSES.**—For purposes of sub-
20 section (a), the term “criminal offense” means—

21 (1) any Federal criminal offense involving a
22 controlled substance;

23 (2) racketeering (as defined in section 1951,
24 1952, or 1955 of title 18, United States Code);

36

1 (3) money laundering (as defined in section
2 1956 or 1957 of title 18, United States Code); and

3 (4) any violation of State criminal law involving
4 an offense substantially similar to an offense de-
5 scribed in paragraph (1), (2), or (3).

6 (c) COPY TO PROSECUTORS.—Each clerk shall sub-
7 mit a copy of each report of cash bail described in sub-
8 section (a) to—

9 (1) the office of the United States Attorney;
10 and

11 (2) the office of the local prosecuting attorney,
12 for the jurisdiction in which the defendant resides
13 (and the jurisdiction in which the criminal offense
14 occurred, if different).

15 (d) REGULATIONS.—The Secretary of the Treasury
16 shall promulgate such regulations as are necessary within
17 90 days of the date of enactment of this Act.

18 (e) EFFECTIVE DATE.—This section shall become ef-
19 fective 60 days after the date of the promulgation of regu-
20 lations under subsection (d).

Σ ♥ 37

1 **Subtitle ~~9~~—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) PROCEEDINGS IN FORMA PAUPERIS.—Section
21 1915(d) of title 28, United States Code, is amended to
22 read as follows:

23 “(d) The court may request an attorney to represent
24 any such person unable to employ counsel and may dis-

34

1 miss the case if the allegation of poverty is untrue or is
2 frivolous or malicious.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 subsections (a) and (b) shall take effect on the date of
5 the enactment of this Act.

6 **Subtitle D—Notification of Release**
7 **of Prisoners**

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

9 (a) NOTICE REQUIREMENT.—Section 4042 of title
10 18, United States Code, is amended—

11 (1) by striking “The Bureau” and inserting
12 “(a) IN GENERAL.—The Bureau”;

13 (2) by striking “This section” and inserting
14 “(c) APPLICATION OF SECTION.—This section”;

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

17 (A) by striking “Provide” and inserting
18 “provide”; and

19 (B) by striking the period at the end and
20 inserting “; and”;

21 (4) by inserting after paragraph (4) of sub-
22 section (a), as designated by paragraph (1), the fol-
23 lowing new paragraph:

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



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

4 “(b) NOTICE OF RELEASE OF PRISONERS.—(1) At
5 least 5 days prior to the date on which a prisoner de-
6 scribed in paragraph (3) is to be released on supervised
7 release, or, in the case of a prisoner on supervised release,
8 at least 5 days prior to the date on which the prisoner
9 changes residence to a new jurisdiction, written notice of
10 the release or change of residence shall be provided to the
11 chief law enforcement officer of the State and of the local
12 jurisdiction in which the prisoner will reside. Notice prior
13 to release shall be provided by the Bureau of Prisons. No-
14 tice concerning a change of residence following release
15 shall be provided by the probation officer responsible for
16 the supervision of the released prisoner, or in a manner
17 specified by the Director of the Administrative Office of
18 the United States Courts. The notice requirements under
19 this subsection do not apply in relation to a prisoner being
20 protected under chapter 224.

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

22 “(A) the prisoner’s name;

23 “(B) the prisoner’s criminal history, including a
24 description of the offense of which the prisoner was
25 convicted; and

40

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

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

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

9 “(B) a crime of violence (as defined in section
10 924(c)(3)).

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