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1991 CRIME BILL SUMMARY

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SUMMARY

S. 1241, Violent Crime Control Act of 1991

Passed Senate 71-26, July 11, 1991

DPC Staff Contact: Mary Ann Hill (4-3232)

dpc

Democratic Policy Committee
United States Senate
Washington, D.C. 20510

George J. Mitchell, Chairman
Thomas A. Daschle, Co-Chairman
Monica Healy, Staff Director

Summary

S. 1241, the Senate's comprehensive crime bill, attacks violent and drug-related crime from both sides — prevention and punishment.

To prevent crime before it occurs, the bill includes initiatives such as:

- increased funding for 10,000 new local law enforcement officers, the police officers and prosecutors on the front lines of the fight against crime *(Title 1);*
- a ban on the manufacture, sale, and possession of assault weapons *(Title 7);*
- a waiting period and criminal background check to keep handguns out of the hands of criminals *(Title 27);* and,
- new initiatives to combat rural crime and gangs *(Titles 14, 16, and 39).*

The bill also includes tougher criminal penalties and increased prison funding, specifically:

- authorization for construction of ten "regional prisons" to house 8,000 drug offenders and conversion of ten closed military bases into "boot camps" for young offenders *(Titles 13 and 14);*
- increased maximum penalties for violent crimes and gun offenses *(Title 12);*
- establishment of procedural safeguards for use of the death penalty *(Titles 2, 3, and 4);* and
- expansion of the Federal death penalty to 51 additional crimes *(Titles 2, 3, and 4).*

Major Provisions

Title 1 — Safer Streets and Neighborhoods

Authorizes $1 billion for FY 1992 to aid State and local law enforcement agencies, enabling local police and prosecutors to hire 10,000 new officers.

Titles 2 - 4 — Death Penalty

Procedural Safeguards: For the first time, **S. 1241** establishes procedural safeguards for the provision of the death penalty so that it can be applied to offenses for which it already exists. These safeguards include:

- a separate trial for sentencing;
- consideration of mitigating and aggravating factors; and,
- a review of a death sentence by a court of appeals.

S. 1241 prohibits the death penalty for pregnant women, mentally retarded individuals, and minors under the age of 17.

Expansion of Death Penalty: Expands the death penalty to a total of 51 offenses, some of which now carry the maximum penalty of life imprisonment. The 51 offenses include such crimes as:

- murder committed with a firearm;
- murder of a law enforcement officer;
- murder during conspiracy to distribute, import, or export drugs or during a major drug sale; and,
- murder of a Federal law enforcement officer.

Title 5 — Prevention and Punishment of Terrorist Acts

Mandates penalties for violent or terrorist crimes (including torture of U.S. nationals) that are committed at international airports, maritime (oil) platforms, and on ships.

Includes provisions to prevent domestic and international terrorism, such as easing the cooperation of alien witnesses and authorizations to expand Federal counterterrorist operations.

Title 6 — Drive-By Shooting Prevention Act

Requires stiff prison penalties for anyone convicted of murdering or seriously injuring another person in a drug-related "drive-by shooting."

Title 7 — Assault Weapons

Prohibits for three years the manufacture, sale, and possession of nine types of semi-automatic weapons ("assault weapons"), including: all AK models; Uzi; Beretta AR-70 (SC-70); Colt AR-15 and CAR-15; Fabrique Nationale FN models; MAC 10 and MAC 11; Steyr AUG; INTRATEC TEC-9; and Street-Sweeper and Striker 12.

Requires any current owner of such a weapon to request a BATF Form 4473 from a licensed firearms dealer within 90 days after the Treasury Secretary issues appropriate regulations (within 90 days of the bill's enactment). The current owner is not required to complete or file the form.

Directs the Attorney General to undertake an 18-month study of the effects of the assault weapons ban on limiting violent crime. The study will begin one year after the enactment of the bill, and its findings shall be reported to the Senate within 30 months of the bill's enactment.

Title 8 — Police Corps and Law Enforcement Training and Education Act

Establishes an Office of the Police Corps and Law Enforcement Education in the Department of Justice.

Police Corps: The Police Corps program would be an ROTC-like scholarship program to provide financial assistance to students who agree to serve four years in a State or local police force after graduation. Each State would be able to set up its own Police Corps program to be administered in accordance with the provisions of the bill.

Law Enforcement Scholarship Program: Establishes a scholarship program for in-service law enforcement officers to further their educations and authorizes funding for part-time or summer employment to high school students who demonstrate an interest in pursuing a career in law enforcement. Authorizations for the scholarship program total $22.5 million and $7.5 million for the youth employment program for each of FY 1992-1996.

Title 9 — Police Officers' Bill of Rights Act

Requires each State to establish a Police Officers' Bill of Rights to provide standards for internal police investigations. The standards would include actions such as the questioning of an officer, opportunity for a hearing, and access to transcripts and records.

Title 10 — Federal Law Enforcement Agencies

Authorizes $345.5 million for FY 1992 to increase the number of Federal agents handling violent and drug-related crime cases. Agencies include the Drug Enforcement Administration; FBI; INS; U.S. attorneys; U.S. Marshals Service; Bureau of Alcohol, Tobacco, and Firearms; and U.S. courts.

Title 11 — Habeas Corpus Reform

Allows a Federal court to deny a prisoner's *habeas corpus* appeal if it determines that the individual received a full and fair hearing in State court. The bill also establishes time limits for filing and hearing such petitions. Special *habeas corpus* procedures for capital cases are included in the bill.

Title 12 — Punishment of Gun Criminals

Strengthens criminal penalties for crimes committed with a gun, setting minimum mandatory prison terms for the use or possession of a gun during a violent crime and allowing the death penalty in cases where murder is committed.

The bill also includes penalties for the smuggling and illegal acquisition of a firearm and the possession of stolen firearms and explosives.

Title 13 — Prison for Violent Drug Offenders

Authorizes funding for ten regional prisons to accommodate 8,000 drug-abusing prisoners. These prisoners will be separated from the general prison population and will receive long-term drug treatment. States will reimburse the Federal Bureau of Prisons for the costs of the programs but will receive 25 percent reimbursement for prisoners who successfully complete the program.

Title 14 — Boot Camps

Authorizes $150 million for FY 1992 for the conversion and operation of ten closed military bases as prison boot camps for inmates under age 25. Each boot camp will hold up to 300 prisoners for three- to four-month programs of strict discipline, physical training, work, and remedial education.

Title 15 — Youth Violence Act

Authorizes $100 million for FY 1992 to support innovative local programs that combat juvenile gangs and drug-related crime and provide alternatives to youth gangs. To protect young people from being used by drug dealers, the bill strengthens the penalties for the use of juveniles to distribute drugs near schools and playgrounds.

Title 16 — Rural Crime and Drug Control Act

Includes a comprehensive $75 million initiative to fight rural crime and drug abuse. Specific provisions include:

- establishment of a Rural Drug Enforcement Task Force in each Federal judicial district with a significant rural population;
- additional specialized training for rural law enforcement officers; and,
- grants to health care facilities for the creation of substance abuse treatment and prevention services.

Title 17 — Drug Emergency Areas Act

Creates a $300 million program to provide direct emergency aid for areas plagued by drug trafficking and drug-related violence. The President could declare a State or part of a State "a drug emergency area" (similar to a natural disaster area), making it eligible for direct monetary and nonmonetary Federal assistance in order to save lives and protect property, public health, and safety.

Title 18 — Drunk Driving Child Protection Act

Mandates additional penalties (from one to ten years) for persons convicted of operating under the influence if a minor under age 18 was present in the motor vehicle at the time of the offense.

Title 19 — Commission on Crime and Violence

Establishes a 22-member "National Commission on Crime and Violence in America" to develop a comprehensive blueprint for crime control action in the 1990s. The Commission will highlight successful crime prevention and control programs and will seek to expand these to other areas.

Title 20 — Victims' Rights and Restitution Act

Amends the *1984 Victims of Crime Act* to allow a court to order restitution to any person, not just the victim of the offense, who was harmed by a defendant in the course of an offense.

Title 21 — Crack House Eviction Act

Allows the Attorney General to bring civil action, including fines up to $100,000 and eviction, against a person who uses a building for manufacturing, distributing, or using illegal drugs.

Title 22 — National Commission to Support Law Enforcement

Establishes a "National Commission to Support Law Enforcement" to study and recommend changes regarding law enforcement issues and agencies on all levels. The areas to be studied include: funding; conditions of employment; research, education, and training; cooperation among law enforcement agencies; and the effect of the criminal justice system, including prison overcrowding, on law enforcement.

Title 23 — Exclusionary Rule

Maintains current law, which permits an exception to the exclusionary rule to allow evidence obtained by an invalid search warrant to be included in court if the search or seizure was carried out "in reasonable reliance" on a deficient warrant. This provision essentially codifies the Supreme Court's 1984 ruling in *U.S.* v. *Leon.*

Title 24 — Federal Prisoner Drug Testing

Requires Federal defendants to submit to one drug test before probation or supervised release and at least two other tests during probation or release. Passage of the drug tests shall be made a condition of a defendant's parole.

The bill also mandates additional penalties for possession, use, or distribution of a controlled substance within a Federal prison.

Title 25 — Maximum Penalty Increases for Violent Crimes

Mandates increased maximum penalties for violent crimes, including:

- assault on foreign officials and official guests; Congress, Cabinet, or Supreme Court members; and the President or President's staff;
- manslaughter;
- civil rights violations or deprivation of rights; and
- selling illegal drugs to minors or using minors in drug trafficking.

Title 26 — Obstruction of Justice

Mandates penalties for murder or attempted murder of a witness in retaliation for presenting evidence or taking part in any official court proceeding.

Title 27 — Felon Firearm Purchase Prevention (Handgun Waiting Period and Background Check)

Waiting Period and Background Check

- Mandates five-business-day waiting period before the purchase of a handgun. Prospective buyer must supply information to prospective seller who must then furnish it to the chief police officer in the buyer's place of residence.
- Requires local police to conduct a criminal background check of prospective handgun buyers during the five days to determine if the individual has a criminal record or any other legal impediment that would prevent receipt of a handgun. Research will be in whatever State and local recordkeeping systems are available and in a national system designated by the Attorney General.

- Sale of a handgun to an unlicensed owner is illegal unless, if within five business days, the seller:

  (a) has not received information saying that the sale would violate Federal, State, or local law, or,

  (b) has received notice saying that local police have no information saying that such a sale would be illegal.

- If the seller, after the sale has taken place, receives information from the police stating that the receipt of a handgun by the buyer does violate Federal, State, or local law, then the seller must communicate all the information about the sale and the buyer to the local police in both the seller's place of business and the buyer's place of residence.

National "Instant-Check" System

- Requires Attorney General to build a national "instant-check" system which will replace the waiting period.

- Authorizes $100 million in Federal grants to States for criminal record updates to support the national "instant-check" system.

Title 28 —Illegal Drug Profits Act

Requires Federal and State courts to report to the Internal Revenue Service the names of individuals who post cash bail in excess of $10,000 for defendants charged with a drug offense, racketeering, money laundering, or a similar crime.

Title 29 —Motor Vehicle Theft Prevention Act

Requires the Attorney General to develop a national voluntary motor vehicle theft prevention program in cooperation with States and localities.

Title 30 —Missing Alzheimer's Disease Patients

Authorizes $1 million for each of FY 1992-1994 to provide a grant to a national voluntary organization to develop a locally-based program to protect and locate missing patients with Alzheimer's disease and related dementias.

Title 31 —Chemical Control and Environmental Responsibility Act

Amends *Controlled Substances (Import/Export) Act* to require manufacturers, brokers, and traders of listed chemicals to report annually to the Attorney General information and specific data about such chemicals. Provides penalties for failure to comply with Act.

Title 32 —Murder of U.S. Nationals

Provides penalties and authorities for prosecution of individuals who kill or attempt to kill a U.S. national while outside the U.S.

Title 33 — Telemarketing and Consumer Fraud and Abuse Prevention

Instructs the Federal Trade Commission to prescribe rules for telemarketing activities within 180 days of the enactment of **S. 1241**.

Allows State Attorneys General to bring a civil action on behalf of its residents against an entity suspected of engaging in deceptive or fraudulent telemarketing practices. Also allows a private individual to bring a civil action against an entity suspected of engaging in deceptive or fraudulent telemarketing practices within three years of the suspected violations.

Title 34 — Sentencing

Amends current sentencing and probation regulations to require a defendant's probation be revoked and the defendant be resentenced if the individual is found to illegally possess drugs or a firearm.

Title 35 — Criminal Exploitation of Minors Control

Prescribes penalties of three to ten years for individuals who use minors under the age of 18 to commit a crime.

Title 36 — National Child Abuser Registration

Establishes a centralized, national system within the FBI to maintain current information on persons convicted of child abuse. States will be required to report such information to the FBI.

Title 37 — Financial Institution Fraud Prosecutions

Prohibits individuals convicted of any crime involving dishonesty or breach of trust from participating in the affairs of any insured credit union and establishes a 10-year ban on involvement for specific crimes.

Title 38 — Insurance Consumer Protection

Establishes penalties (fines and imprisonment) for persons involved in insurance who are convicted of unlawful activities (e.g. willfully overvaluing property) in an attempt to influence insurance industry regulators.

Title 39 — Rural Crime Prevention Strategy

Instructs Director of the National Institute of Justice to conduct a national assessment of rural crime including the special needs of law enforcement and criminal justice officials in rural States and communities and promising strategies for responding to the challenges of rural crime. The report shall be submitted to Congress and the President within 12 months of the enactment of the Act.

Authorizes $5 million to carry out the national assessment and to provide grants to pilot programs and field tests of particularly promising programs to deal with the special challenges of rural crime.

Title 40 — Violent Felonies Against the Elderly

Mandates minimum penalties for individuals convicted of violent crimes against victims age 65 or older.

Title 41—International Parental Child Kidnapping

Establishes definitions and penalty guidelines for parental kidnapping of minors under age 16 outside the territorial jurisdiction of the United States.

Title 42 —U.S. Marshals Association

Codifies establishment of the United States Marshals Association, a charitable and nonprofit corporation (not an agency of the U.S. government), to increase public awareness and knowledge of law enforcement and the U.S. Marshals Service in particular.

Title 43 —Literacy Education for State Prisoners

Provides compliance grants for States that establish mandatory literacy education programs for State prisoners. Defines components of such a program, its recipients, and reporting requirements. Authorizes $10 million for FY 1992, $15 million for FY 1993, $20 million for FY 1994, and $25 million for FY 1995.

Title 44 —Drug Supply Reduction

Requires any aircraft pilot or vessel operator subject to the jurisdiction of the United States to obey the order of any Federal law enforcement officer to land the aircraft or to slow or stop the vessel. Prescribes maximum penalties and fines for violation of such an order.

Subtitle B grants new authorities to the U.S. Coast Guard that permit it to aid any foreign government or international organization when requested by the Secretary of State.

Title 45 —Environmental Compliance

Allows a U.S. court to require an organization that has committed an environmental felony or misdemeanor to pay for an environmental compliance audit as part of its sentence. The audit shall identify the causes of the offense and recommend specific measures to prevent a recurrence.

Title 47—Exploitation of Aliens

Prescribes maximum penalties (up to $100,000) for a person who uses an alien to commit an aggravated felony and for an alien who commits such a crime.

Requires these fines to be deposited into the Treasury's Criminal Alien Identification and Removal Fund and to be used to assist the INS to identify, apprehend, and deport aliens who have committed an aggravated felony.

Title 48—Anti-Corruption Act

Establishes criminal penalties for public corruption and narcotics-related public corruption.

Senate Action on Amendments

The following amendments were adopted:

1. **Racial Justice (Graham amendment No. 365):** strikes the provisions of the *Racial Justice Act of 1991* which prohibit States or the Federal Government from imposing the death penalty in a "racially discriminatory manner." *Adopted by a vote of 55 (20D-35R) to 41 (34D-7R) on June 20 — Vote No. 102.*

2. **Death Penalty (Thurmond-Biden amendment No. 369):** modifies the death penalty provisions of the bill. *Agreed to as part of a unanimous consent agreement of June 24, 1991.*

3. **Tribal Lands (Inouye amendment No. 370):** with the exception of capital crimes (such as treason, assassination attempts on the President, or murder of an FBI agent), makes the death penalty provisions of the bill applicable to crimes committed on Indian lands only if the governing body of the Indian tribe has elected to have the penalty applicable to Indian persons over whom it has jurisdiction. *Adopted by voice vote on June 25.*

4. **Victim Impact Statements (Grassley-Nickles amendment No. 376):** requires preparation of victim impact statements in connection with hearings to determine whether a sentence of death is justified. *Adopted by voice vote on June 25.*

5. ***Habeas Corpus* (Hatch-Thurmond amendment No. 380 to the Graham amendment No. 379):** replaces the *habeas corpus* provisions in the bill with the Administration's proposal which forbids Federal court review of death sentences "fully and fairly" litigated in State court; limits petitioners to one Federal *habeas* petition with a subsequent petition allowed only when the new claim addresses the underlying guilt or innocence of the defendant; limits to one year the time for judicial consideration of *habeas* petitions and gives these cases priority in all Federal courts; establishes a six-month statute of limitations for the filing of *habeas* petitions in death penalty cases; and makes these provisions applicable only in States which establish systems for providing defendants with competent counsel in State *habeas* proceedings. *Adopted by a vote of 58 (16D-42R) to 40 (40D) on June 26 — Vote No. 108.*

6. ***Habeas Corpus*** **(Graham-Bryan amendment No. 379 as amended by the Hatch-Thurmond second degree amendment No. 380):** see the description of the Hatch-Thurmond amendment above (#5). *Adopted by voice vote on June 26.*

7. ***Habeas Corpus*** **(Specter modified amendment No. 381):** establishes time limits for consideration of *habeas corpus* petitions by Federal district courts (within 110 days of filing), courts of appeals (90 days after the appeal is filed), and the Supreme Court (90 days after a petition for a writ of *certiorari* is filed). *Adopted by voice vote on June 27.*

8. **Death Penalty (D'Amato-Thurmond-Mack amendment No. 382):** provides Federal jurisdiction to prosecute and seek the death penalty for murders involving firearms while committing an offense against the U.S. or involving a firearm that has been moved in interstate or foreign commerce. *Adopted by a vote of 65 (31D-34R) to 33 (25D-8R) on June 26 — Vote No. 109.*

9. **Death Penalty (Symms amendment No. 377):** imposes the death penalty for drug-related homicides in the District of Columbia. *Adopted by a vote of 60 (24D-36R) to 39 (32D-7R) on June 26 — Vote No. 111.*

10. **Assets Forfeiture Fund Audits (Specter amendment No. 384):** requires that State and local law enforcement agencies which receive funds from the Department of Justice Assets Forfeiture Fund conduct an annual audit of the use of such funds to be reported to the U.S. Attorney General. *Adopted by voice vote on June 26.*

11. **Mandatory Prison Terms for Firearms Possession (D'Amato-Dole amendment No. 387):** establishes mandatory prison sentences for the use of a firearm during a crime of violence or drug trafficking ranging from 10 years to life imprisonment, depending on the type of weapon used; prohibits probation for any person convicted for violating this provision; and prohibits the prison term from being served concurrently with any other sentence. *Adopted by a vote of 88 (51D-37R) to 11 (5D-6R) on June 27 — Vote No. 112.*

12. **Precursor Chemical Regulation (Gorton amendment No. 386):** adds the provisions of the *Precursor Chemical Registration Act* **(S. 1142)** which restricts and regulates the sale of precursor chemicals used to make synthetic drugs such as methamphetamines (ice) and makes the owners/operators of

home drug laboratories liable for costs to dispose properly of the toxic chemicals and to restore the contaminated buildings and property to their original state. *Adopted by voice vote on June 27.*

13. **Federal Prisoner Drug Testing (Simon amendment No. 388):** requires Federal prisoners to submit to a drug test prior to parole or within 15 days of release on probation or supervised release, and to periodic drug tests at least twice thereafter. *Adopted by voice vote on June 27.*

14. **IRS Reporting (Simon-Biden amendment No. 389):** requires the Clerk of the State or Federal court to report to the Internal Revenue Service any instance in which an individual charged with racketeering, money laundering, or drug-related crimes posts cash bail in excess of $10,000. *Adopted by voice vote on June 27.*

15. **Counterfeiting (Kennedy amendment No. 390):** increases the penalties for trafficking in counterfeit goods and services. *Adopted by voice vote on June 27.*

16. **Motor Vehicle Theft Prevention (Lautenberg amendment No. 391):** adds to the bill the provisions of the *Motor Vehicle Theft Prevention Act* (S. 1248) which establishes a national framework for a program which authorizes law enforcement officials to stop vehicles operated under specified conditions, such as during certain night hours, which create a reasonable suspicion that the vehicle is being operated unlawfully and the vehicle displays a decal indicating the owner has voluntarily certified that the vehicle may be stopped under the specified conditions. *Adopted by voice vote on June 27.*

17. **Missing Alzheimer's Disease Patient Alert Program (Hatfield amendment No. 392):** authorizes $1 million in each of FY 1992-94 for grants to assist in the establishment and operation of local Missing Alzheimer's Disease Patient Alert Programs. *Adopted by voice vote on June 27.*

18. **Drug-free Truck Stops (Exon, et al., amendment No. 393):** increases the penalties for sale of drugs at truck stops and highway rest areas. *Adopted by voice vote on June 27.*

19. **State Anti-drug Abuse Grants (Rudman amendment No. 394):** exempts multi-jurisdictional drug task forces from the four-year limitation for State anti-drug abuse grants. *Adopted by voice vote on June 27.*

20. **U.S. Attorneys Office (Specter amendment No. 395):** authorizes $35 million for the construction of a U.S. Attorneys office in Philadelphia, PA. *Adopted by voice vote on June 27.*

21. **Pennsylvania District Court (Specter amendment No. 396):** provides that the U.S. District Court for the Eastern District of Pennsylvania should also sit in Lancaster, PA. *Adopted by voice vote on June 27.*

22. **Campus Crime Reporting (Wirth amendment No. 397):** allows law enforcement units of educational institutions to publicly disclose campus police records if mandated by State law. *Adopted by voice vote on June 27.*

23. **Murder of U.S. Nationals (Thurmond amendment No. 398):** makes it a Federal offense to kill or attempt to kill a U.S. national while such person is in a foreign country; limits prosecution for this offense to cases in which the alleged murderer resides in the U.S. and the Attorney General certifies that the country in which the crime occurred lacks the lawful ability to secure the return of the alleged murderer; and authorizes the executive branch, under certain cases and in the absence of an extradition treaty, to surrender to foreign governments whose who commit violent crimes against U.S. nationals. *Adopted by voice vote on June 27.*

24. **National Commission on Crime and Violence (Biden amendment No. 399):** requires representatives of the criminal defense community to be included as members of the National Commission on Crime and Violence. *Adopted by voice vote on June 27.*

25. **Restitution Payments (Heflin amendment No. 400):** requires that payments pursuant to a restitution order be made to an entity designated by the Director of the Administrative Office of the U.S. Courts and provides $6.2 million in each of FY 1992-95 and $3 million in each fiscal year thereafter for the administrative costs of collecting the payments. *Adopted by voice vote on June 27.*

26. **Drug Dealing in Public Housing (Bradley amendment No. 401):** amends the *Controlled Substances Act* to double the penalties for drug dealing in or near public housing facilities (These increased penalties currently apply for convictions of drug dealing near schools and playgrounds). *Adopted by voice vote on June 27.*

27. **Battered Women's Syndrome (Seymour amendment No. 402):** requires the Department of Justice and the Department of Health and Human Services to transmit to Congress, within one year of enactment, a comprehensive analysis on the medical and psychological basis of "battered women's syndrome" and the extent to which this condition can be used as evidence or as a defense in a criminal trial. *Adopted by voice vote on June 27.*

28. **Drug Paraphernalia Control (Seymour amendment No. 403):** expands the definition of illegal drug paraphernalia. *Adopted by voice vote on June 27.*

29. **Software Copyright Violations (Hatch amendment No. 404):** adds the provisions of S. 893 which amends Title 18, U.S.C., to impose criminal sanctions for violation of software copyright. *Adopted by voice vote on June 27.*

30. **Criminal Exploitation of Minors (Seymour amendment No. 405):** prohibits the use of a minor to commit any Federal offense and imposes a prison sentence for violations of three to ten years to be served consecutively with other imposed sentences; and makes these provisions applicable to crimes involving minors 16 years of age or older only when the adult is at least five years older than the minor. *Adopted by voice vote on June 27.*

31. **Armed Career Criminal Act (Seymour amendment No. 406):** modifies the definition of a "serious drug offense" under the *Armed Career Criminal Act* to include any drug offense under State law that would be punishable by a maximum ten year sentence if prosecuted under Federal law (This amendment would ensure that criminals with three previous convictions under State or Federal law for a violent felony or serious drug offense may be sentenced to a minimum sentence of 15 years). *Adopted by voice vote on June 27. NOTE: An identical amendment (No. 440) was adopted by voice vote on June 28, after the original amendment was inadvertently stricken when the Senate agreed to delete portions of title 12 of S. 1241.*

32. **Mandatory Life Imprisonment (Gramm amendment No. 407):** mandates life imprisonment without release for persons convicted of a third offense of drug trafficking or violent crimes. *Adopted by voice vote on June 27.*

33. **Drug Crimes Involving Minors (Gramm amendment No. 408):** imposes mandatory minimum prison sentences of (1) ten years for persons convicted of distributing illegal drugs to minors or of using minors in drug trafficking activities, and (2) life imprisonment for a second conviction for either of these offenses. *Adopted by voice vote on June 27.*

34. **Child Abuser Registration (McConnell amendment No. 409):** adds the provisions of the *National Child Abuser Registration Act*, **S. 1008**, which requires State agencies to register with the National Crime Information Center all offenders convicted of any acts involving child abuse. *Adopted by voice vote on June 27.*

35. **Crime Study (Sanford amendment No. 410):** requires the Commission on Crime and Violence to conduct a comprehensive study of the economic and social factors contributing to crime. *Adopted by voice vote on June 27.*

36. **Technical (Thurmond amendment No. 411):** makes technical and clarifying changes to provisions relating to the revocation of supervised release and probation by the U.S. Sentencing Commission. *Adopted by voice vote on June 27.*

37. **Telemarketing Fraud (Bryan-McCain amendment No. 412):** requires the Federal Trade Commission to promulgate rules prohibiting fraudulent and abusive telemarketing practices and making credit card laundering illegal. *Adopted by voice vote on June 27.*

38. **Marijuana Seed Advertising (DeConcini amendment No. 413):** prohibits advertisements intended to promote or facilitate the illegal distribution or transfer of a Schedule I controlled substance (marijuana). *Adopted by voice vote on June 27.*

39. **Financial Institution Crimes (Chafee, et al., amendment No. 414):** prohibits individuals convicted of a State or Federal crime for credit union fraud, dishonesty, or a breach of trust, or of obstructing a financial institution examination by a Federal regulator, from employment at any Federally-insured financial institution for a minimum of ten years; and allows waiver of this prohibition by a court only at the request of the National Credit Union Administration or the Federal Deposit Insurance Corporation. *Adopted by voice vote on June 27.*

40. **Juvenile Crime in Border Communities (Bingaman-Domenici amendment No. 415):** provides grants to public and private organizations to address the unique crime and drug and alcohol related challenges faced by juveniles living at or near International Ports of Entry and other international border communities; to replicate successful programs in other communities; and to provide technical assistance and training to organizations to implement similar programs. *Adopted by voice vote on June 27.*

41. **Commission on Crime and Violence (Bingaman-Domenici amendment No. 416):** expands the responsibilities of the Commission on Crime and Violence to direct the Commission to recommend improvements in the coordination of local, State, Federal, and international border crime control efforts; and to examine the impact of enhanced/new international trade agreements, immigration, and increasing numbers of international ports of entry on crime and violence in the U.S. *Adopted by voice vote on June 27.*

42. **Administrative Costs (Sanford amendment No. 417):** limits the amount of Federal funds provided under the Act to State and local entities which may be used for administrative costs. *Adopted by voice vote on June 27.*

43. **Insurance Fraud (Bryan-Metzenbaum amendment No. 418):** establishes Federal criminal penalties for: (1) knowingly filing false financial statements and reports; (2) embezzlement or theft of company funds; (3) falsification of company records with the intent to defraud the company, policyholders or creditors; and (4) criminal obstruction of State regulatory proceedings; establishes a 10-year statute of limitations for violations of these provisions; and bars any individual convicted of any offense under these provisions from engaging in any insurance related activities, except with the specific approval by the authorized State insurance regulator. *Adopted by voice vote on June 27.*

44. **Crimes Against Children Registration (Durenberger-Kassebaum amendment No. 419):** requires any persons convicted of a State criminal offense against a victim who is a minor to register a current address with local law enforcement offices of the State for 10 years after release from prison, parole, or supervision. *Adopted by voice vote on June 27.*

45. **Increased Penalties for Illegal Alien Immigration (D'Amato amendment No. 420):** increases the maximum sentence for bringing in and harboring illegal aliens if the offense involves five or more aliens in a single scheme and/or involves other specific criminal activities. *Adopted by voice vote on June 27.*

46. **Computer Abuse (Leahy-Brown-Kohl amendment No. 421):** adds the provisions of the *Computer Abuse Amendments Act,* **S. 1322,** which clarifies and expands legal prohibitions against computer abuse (such as destructive computer viruses, worms, and Trojan horses) under the *Computer Fraud and Abuse Act of 1986. Adopted by voice vote on June 27.*

47. **Firearms and Explosives (Biden-Dole-Thurmond amendment No. 428):** strikes the provisions of the bill relating to consideration of pretrial detention for certain firearms and explosives, the reporting of multiple firearms sales, the prohibition on the sale of firearms and explosives to or possession of firearms and explosives by persons convicted of a violent or serious drug misdemeanor, and ammunition feeding devices. *Adopted by voice vote on June 27.*

48. **Criminal Justice Records (Byrd amendment No. 431):** clarifies that States developing or expanding their computerized criminal history files must do so in a manner compatible with the FBI's planned fingerprint identification system. *Adopted by voice vote on June 27.*

49. **Criminal History Files (Byrd amendment No. 432):** gives preference in making discretionary grants for the establishment of computerized criminal history records to States with the lowest percent currency of case dispositions in computerized criminal history files. *Adopted by voice vote on June 27.*

50. **Rural Crime (Kasten amendment No. 433):** authorizes $5 million for the National Institute of Justice to conduct a national assessment of the nature and extent of rural crime in the U.S., the needs of law enforcement and criminal justice professionals in rural States and communities; and promising strategies to respond effectively to those challenges and for grants to law enforcement agencies for pilot programs and field tests of promising strategies and models. *Adopted by voice vote on June 28.*

51. **Violent Crimes Against the Elderly (Kasten-Hatfield amendment No. 434):** amends title 18, U.S.C., to create a Federal offense for violent felonies against the elderly; establish mandatory sentences for convictions of such an offense (not less than one-half the maximum term for a first offense and not less than three-fourths the maximum term for subsequent offenses); prohibits the court from (1) suspending the sentence of any individual found guilty of this offense, (2) accepting a plea which would reduce the prison term, or (3) permitting an individual convicted of this offense to be paroled, placed on probation, or allowed to serve their sentence consecutively with any other prison sentence. *Adopted by voice vote on June 28.*

52. **International Parental Abduction (Dixon-Riegle amendment No. 435):** adds the provisions of **S. 1263** which would amend title 18, U.S.C., to punish as a Federal criminal offense the crime of international parental abduction; establishes certain affirmative defenses to such charges including (1) acting within the provisions of a valid court order granting the defendant legal custody or visitation rights and (2) fleeing an incidence or pattern of domestic violence; and, bars any prosecution under the Act for removal of a child to a country which is a party to and is implementing the *Convention on Civil Aspects of International Child Abduction of October 25, 1990;* provides for increased penalties if a defendant was armed during the kidnapping, made certain demands for return of the child, abused or neglected the child, or inflicted or threatened to inflict physical harm or the child or his/her lawful custodian; and authorizes $250,000 for national, regional, and State training and education programs on criminal and civil aspects of international and interstate parental child abduction. *Adopted by voice vote on June 28. (NOTE: An identical bill was passed by the Senate by unanimous consent on October 27, 1990.)*

53. **Boot Camp Prison (Levin amendment No. 436):** permits States to determine the types of offenses for which State offenders would be eligible for boot camp placement (the bill limits boot camp placement to State offenders convicted of certain drug offenses) and to increase the eligibility threshold for boot camp placement of persons convicted of Federal offenses from level 9 or less (4-10 months) to level 15 or less (18-24 months); makes the Bureau of Prisons, with advice from the "drug czar," responsible for choosing boot camp sites; requires State correction departments to apply for boot camp placement on behalf of State prisoners rather than allow direct application by prisoners; and requires that the Bureau of Prisons or State governments develop an aftercare plan providing for post release supervision and services for prisoners placed in boot camp prisons. *Adopted by voice vote on June 28.*

54. **Drug Interdiction (Cochran amendment No. 495):** authorizes Coast Guard officials to order aircraft or sea vessels suspected of illegal drug or money laundering activities to land or stop for boarding; and establishes civil and criminal penalties for refusing to obey such orders. *Adopted by voice vote on July 9.*

55. **Modular Prison Facilities (Glenn amendment No. 501):** requires the Bureau of Prisons to study the feasibility and cost-effectiveness of using prefabricated modular units for prison facilities. *Adopted by voice vote on June 28.*

56. **Gun Control (Dole-Metzenbaum-Mitchell, et al., modified amendment No. 503):** substitutes for the "Brady" provisions a five-business-day waiting period for the purchase of handguns; requires local police to ascertain whether a prospective buyer is ineligible to purchase a firearm during the five days; requires the Attorney General, within six months of enactment, to select the system and software for a national instant check system; eliminates the five-day waiting period if, within 24 months of system selection, the system can access State criminal records that are at least 80 percent current, and the States are continuing to keep such a record system; permits the Attorney General to withhold up to 50 percent of a State police agency's share of Federal grants in order to ensure compliance; withholds five percent of the Justice Department's administrative funds if the Attorney General does not certify that a State is meeting this title's requirements; and authorizes $100 million in Federal grants to States for criminal records upgrades. *Adopted by a vote of 67 (48D-19R) to 32 (8D-24R) on June 28 — Vote No. 115. Subsequently, a technical modification was made by unanimous consent.*

57. **Waiting Period for Gun Purchases (Mitchell amendment No. 504 to the Dole-Metzenbaum-Mitchell, et al., amendment No. 503):** strikes the provision of the amendment which would pre-empt State laws relating to waiting periods for the purchase of guns. *Adopted by voice vote on June 28.*

58. **Credit Card Fraud (Biden amendment No. 505):** provides penalties for credit and debit card fraud. *Adopted by voice vote on June 28.*

59. **Wiretapping (Pryor amendment No. 506):** prohibits the improper disclosure of lawfully obtained wiretap information by any person for the general purpose of obstructing a criminal investigation. *Adopted by voice vote on June 28.*

60. **Art Theft (Kennedy-Hatch amendment No. 507):** increases to 20 years the statute of limitation for art thefts; makes art theft a Federal offense; makes museums and galleries that knowingly store or exhibit stolen art works subject to the prosecution; and makes persons convicted of art theft subject to criminal forfeiture sanctions. *Adopted by voice vote on June 28.*

61. **Judicial Vacancies (Graham amendment No. 508):** states the sense of the Senate that the Judicial Conference should be encouraged to make its recommendations to Congress for additional judgeships utilizing historical data and a workload estimate model designed to anticipate an increase in criminal filings resulting from increased funding in one or more components of the Federal criminal justice system, and to take into account the time expended in the appointive and confirmation process. *Adopted by voice vote on June 28.*

62. **Police Corps Training (Fowler amendment No. 509):** authorizes such sums as necessary to train Police Corps participants in drug and alcohol abuse education and prevention and to develop a framework for their collaboration with local school systems and community resources to reduce the availability and demand for drugs. *Adopted by voice vote on June 28.*

63. **Firearms for Sports (Stevens amendment No. 510):** clarifies that the receipt of firearms by licensed persons for lawful sporting purposes does not violate the provisions of the bill regarding the receipt of firearms by non-residents. *Adopted by voice vote on June 28.*

64. **Political Activities of Law Enforcement Officers (Biden-Roth amendment No. 511):** strikes provisions in the bill which would allow law enforcement officers to actively participate in political activities. *Adopted by voice vote on June 28.*

65. **U.S. Marshals Association (Thurmond amendment No. 513):** establishes a private, nonprofit U.S. Marshals Association. *Adopted by voice vote on June 28.*

66. **Racial Crimes Study (Graham modified amendment No. 514):** authorizes $2 million in each of FY 1992-96 for grants to States to study racial and ethnic bias in the criminal justice system. *Adopted by voice vote on June 28.*

67. **Literacy Programs for Prisoners (Bingaman-Domenici-Wirth amendment No. 517 as amended by the Thurmond second degree amendment No. 518):** see description of the Thurmond second degree amendment No. 518 below. *Adopted by voice vote on July 9.*

68. **Literacy Programs for Prisoners (Thurmond second degree amendment No. 518 [to the Bingaman-Domenici-Wirth amendment No. 517]):** authorizes $10 million in FY 1992, $15 million in 1993, $20 million in 1994, and $25 million in 1995, for grants to State correctional agencies to establish discretionary demonstration or system-wide functional literacy programs. *(The underlying amendment would have made the establishment of such programs mandatory.) Adopted by a vote of 55 (15D-40R) to 39 (38D-1R) on July 9 — Vote No. 117.*

69. **Sports Mentoring (Bradley amendment No. 519):** makes sports mentoring and coaching programs in which athletes serve as role models for youth an allowable grant activity under the anti-gang provisions of the bill. *Adopted by voice vote on July 8.*

70. **Learning Disabled Prisoners (Simon-Kohl second degree amendment No. 520 [to the Bingaman-Domenici-Wirth amendment No. 517, as amended]):** clarifies the provisions of the prison literacy grant program dealing with the assessment of prisoners' learning disabilities. *Adopted by voice vote on July 9.*

71. **Substance Abuse Treatment (Kennedy-Hatch, et al., amendment No. 538):** requires that $30 million in unobligated funds from the Customs Service Asset Forfeiture Fund be used to support substance abuse treatment. *Adopted by voice vote on July 9.*

72. **DOJ Employee Attorney Fees (Hatch amendment No. 562):** authorizes reimbursement of reasonable attorney's fees incurred by Justice Department personnel in proceedings arising out of the conduct of their official duties. *Adopted by voice vote on July 9.*

73. **Deportation for Felony Drunk Driving (Pell-Thurmond amendment No. 563):** authorizes the deportation of aliens convicted of felony drunk driving. *Adopted by voice vote on July 9.*

74. **Environmental Audits (Wofford amendment No. 564):** authorizes U.S. courts to (1) require an organization convicted of a environmental offense to pay for an environmental compliance audit and (2) appoint an independent expert to perform the audit. *Adopted by voice vote on July 9.*

75. **Technical (McConnell amendment No. 565):** makes technical modifications to the McConnell amendment No. 409 regarding Child Abuser Registration, agreed to on June 27. *Adopted by voice vote on July 9.*

76. **Prison Selection (Metzenbaum amendment No. 566):** prohibits the Bureau of Prisons from considering a prisoner's social or economic status in designating his/her place of imprisonment. *Adopted by voice vote on July 9.*

77. **Community Coalitions Against Drugs (Kohl amendment No. 567):** authorizes $15 million in FY 1992, $20 million in 1993, and $25 million in 1994 for the Bureau of Justice Assistance to assist communities in developing coalitions to implement a substance abuse prevention and intervention program. *Adopted by voice vote on July 9.*

78. **Prison Locations (Rudman amendment No. 722):** authorizes the director of the Bureau of Prisons, rather than the director of National Drug Control Policy, to select locations for regional prisons and boot camps. *Adopted by voice vote on July 10.*

79. **Technical (D'Amato amendment No. 723):** makes technical corrections to the D'Amato-Dole amendment No. 387 regarding mandatory prison terms for firearms crimes which was adopted on June 27. *Adopted by voice vote on July 10.*

80. **Technical (Dole amendment No. 724):** makes technical corrections to the gun provisions of the bill. Adopted by voice vote on July 10.

81. **Exploitation of Aliens (Seymour amendment No. 725):** establishes civil fines of up to $100,000 for (1) persons convicted of inducing aliens to commit aggravated felonies and (2) aliens induced to commit such crimes; and establishes a Criminal Alien Identification and Removal Fund to assist the Immigration and Naturalization Service in apprehending and deporting aliens who have committed aggravated felonies and to provide funding for additional immigration judges. *Adopted by voice vote on July 10.*

82. **Public Corruption (McConnell amendment No. 726):** establishes criminal penalties for public corruption, including election or voter fraud and narcotics-related public corruption. *Adopted by voice vote on July 10.*

83. **Technical (Thurmond amendment No. 727):** makes minor amendments and technical corrections to the bill. *Adopted by voice vote on July 10.*

84. **Prisoner Life Skills Training (Bingaman amendment No. 728):** authorizes the Attorney General to make grants to State and local correctional agencies for discretionary life skills training programs for prisoners designed to reduce recidivism. *Adopted by voice vote on July 10.*

85. **Regional Violent Crime Assistance (Riegle amendment No. 729):** earmarks funds for grants to States to enhance law enforcement and criminal justice systems in regions that suffer from high violent crime rates or face particular violent crime problems that warrant Federal assistance and to develop and implement multi-jurisdictional strategies to respond to and prevent violent crime. *Adopted by voice vote on July 10.*

86. **National Commission to Support Law Enforcement (DeConcini amendment No. 730):** establishes a National Commission to Support Law Enforcement, which is directed to submit to Congress, within 18 months after appointment of the Commission, a report on Federal, State, and local law enforcement agencies and issues and recommendations for legislative and administrative actions that the Commission deems necessary. *Adopted by voice vote on July 10.*

87. **Mandatory Sentences for Drug Offenses in Federal Prisons (Gramm amendment No. 731):** establishes mandatory prison sentences, without the possibility of suspension, probation, or parole, of one year for possession of an illegal drug in a Federal prison and ten years for smuggling or distribution of illegal drugs in a Federal prison. *Adopted by voice vote on July 10.*

88. **Police Corps and Law Enforcement Training and Education (Specter amendment No. 746):** reduces the authorization for the Police Corps program to $100 million for each of FY 1992-93, and $200 million for each of FY 1994-96, and makes other minor and technical amendments to Title VIII (the Police Corps and Law Enforcement Training and Education Act). *Adopted by voice vote on July 11.*

89. **Police Corps (Specter amendment No. 747 [to the Specter amendment No. 746]):** reduces the scholarship amounts for Police Corps participants; permits reimbursement of prior educational expenses for students who transfer to a four-year educational institution and enroll in the Police Corps; and permits Police Corps participants to receive a leave of absence to perform church missionary work. *Adopted by voice vote on July 11.*

90. **DOJ Organized Crime and Dangerous Drug Division (Thurmond amendment No. 490):** strikes Title XXII which establishes an organized crime and dangerous drug division within the Department of Justice. *Adopted by voice vote on July 11.*

91. ***Habeas Corpus* Funding (Specter amendment No. 472):** provides grants to States to support litigation pertaining to Federal habeas corpus petitions in death penalty cases; and authorizes funding for the grants equal to the appropriation for Capital Resource Centers. *Adopted by voice vote on July 11.*

The following amendments were rejected:

1. **Tribal Lands (Thurmond 2nd degree amendment No. 373 to Inouye amendment No. 370):** disallows right of the governing body of Indian tribes to elect whether to make the death penalty applicable to crimes committed on tribal lands if State law provides for the death sentence. *Rejected by a vote of 29 (3D-26R) to 69 (53D-16R) on June 25 — Vote No. 105.*

2. **Drug Kingpins (Biden amendment No. 371):** imposes the death penalty only in drug cases involving an intentional killing. *Rejected by a vote of 30 (25D-5R) to 68 (31D-37R) on June 25 — Vote No. 106.*

3. **Exclusionary Rule (Thurmond amendment No. 368):** codifies the good faith exception to the exclusionary rule which allows the admission of evidence obtained as a result of a search or seizure in violation of the fourth amendment to the Constitution if the search or seizure was carried out in circumstances justifying an objectively reasonable belief that it was in conformity with the fourth amendment. *Rejected by a vote of 43 (11D-32R) to 54 (45D-9R) on June 25 — Vote No. 104.*

4. **Life Imprisonment (Simon amendment No. 374):** substitutes life imprisonment without the opportunity for parole for conviction of offenses for the death penalty if authorized under **S. 1241**. *Rejected by a vote of 25 (20D-5R) to 73 (36D-37R) on June 25 — Vote No. 107.*

5. **Racial Preference (Helms second degree amendment No. 378 to the Symms amendment No. 377):** amends the *Civil Rights Act of 1964* to make it unlawful for any employer, employment agency, labor organization, or joint labor-management committee to grant preferential treatment with respect to selection, compensation, terms, conditions, or privileges of employment or union membership to any individual or group on account of race, color, religion, sex, or national origin. *Tabled by a vote of 71 (55D-16R) to 28 (1D-27R) on June 26 — Vote No. 110.*

6. **Gun Control (Stevens amendment No. 429):** Strikes the "Brady" provisions of the bill; requires States, within 24 months of enactment, to conduct an instant criminal history background check of prospective purchasers of handguns form consolidated State and Federal criminal history records; allows, but does not require, the Attorney General to refuse Justice Assistance Grants to States that refuse to comply with the background check provisions; provides an annual authorization of $100 million to assist in establishing background check systems; and restates the mandatory minimum prison sentences for the commission of crimes with a firearm included in the D'Amato-Dole amendment No. 387. *Rejected by a vote of 44 (9D-35R) to 54 (46D-8R) on June 27 — Vote No. 113.*

7. **Funding Distribution (Rudman-Cochran amendment No. 516):** strikes $2.2 billion in anti-crime program funding in the bill and, in lieu thereof, authorizes $2.2 billion in FY 1992, and such sums as necessary in FY 1993-95, for grants to State and local law enforcement agencies to pay direct personnel costs of employing additional law enforcement officers to be allocated proportionally based on the number of officers employed as of July 1, 1991. *Tabled by a vote of 49 (49D) to 39 (2D-37R) on July 8 — Vote No. 116.*

8. **Police Officers' Bill of Rights (Thurmond amendment No. 486):** makes discretionary implementation by States of the police officers' bill of rights, which establishes procedural standards and guidelines for non-criminal internal investigations in law enforcement agencies. *Rejected by a vote of 43 (2D-41R) to 55 (54D-1R) on July 9 — Vote No. 118.*

The following cloture votes were acted on:

1. Bingaman, et al, motion to close debate on the bill. *Rejected by a vote of 41 (38D-3R) to 58 (18D-40R) — Vote No. 114.*

2. Fowler, et al., second motion to close further debate on the bill. *Rejected by a vote of 56 (49D-7R) to 43 (7D-36R) on July 10 — Vote No. 120.*

3. Fowler, et al., third motion to close further debate on the bill. *Agreed to by a vote of 71 (50D-21R) to 27 (6D-21R) on July 10 — Vote No. 123.*

Capital

→ COUNSEL STDS:

→ SUCCESSIVE PETITION:

~~② purposes~~

→ TIME LIMITS on disposition
(drop time limits on Sup Ct.)

→ STATUTE of LIMITATION

→ OPT-IN Powell v. Mandatory

→ Ex Parte hearing

→ Federal habeas
- Expante (PROS. to be there for request for services)

m

NON FED'L STUFF →
SUBPART

91-69 GOV

CRS Report for Congress

Crime Control Act of 1990 (P.L. 101-647): Summary

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January 11, 1991

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CRIME CONTROL ACT OF 1990 (P.L. 101-647): SUMMARY

OVERVIEW

The report summarizes provisions of an omnibus crime and drug control bill enacted at the end of the 101st Congress. A product of informal House and Senate conferences, the statute in its final form contains parts of bills developed separately by each chamber--one passed by the Senate on July 11, 1990 (S. 1970), and the other passed by the House on October 5, 1990 (H.R. 5269). Both bills were broad in scope, the Senate bill having forty titles and the House bill approximately twenty-six; the enacted version contains thirty-seven.

Principal features of the enacted law (1) double the appropriations authorization for drug law enforcement grants to States and localities (2) address thrift industry fraud and provide for more stringent banking law enforcement, (3) increase penalties for use of certain firearms in committing Federal crimes, (4) expand regulation of precursor chemicals used in manufacturing illicit drugs, (5) call for additional measures aimed at seizure and forfeiture of drug trafficker assets, (6) authorize $220 million in matching grants to States for development of alternatives to criminal incarceration, (8) assist in police recruitment and education, (9) aim at the prevention of child abuse, (9) bring anabolic steroids under the Controlled Substances Act, and (10) authorize the hiring of additional FBI and DEA agents and Federal court officers.

Significant provisions dropped from the final version include those that were related to (1) the death penalty under Federal law, (2) *habeas corpus* petitions in capital cases, (3) the Fourth Amendment exclusionary rule, (3) so-called "semiautomatic assault weapons" and (4) direct funding of localities through the law enforcement grant program administered by the Justice Department.

TITLE I - INTERNATIONAL MONEY LAUNDERING

Requires various biannual reports of the Secretary of the Treasury regarding the number of currency transaction reports filed with Treasury. Included in these reports are to be estimates of the rate of compliance, comments on the use of the reports, and summaries of enforcement efforts relating to the reports. [Section 101]

Requires, within 30 days of enactment, that Treasury appoint an Electronic Scanning Task Force to study methods of scanning United States currency notes and to report their findings to Congress within 180 days. [Section 102]

Amends the Federal civil forfeiture statute for money laundering, 18 U.S.C. § 981, to permit the Secretary of the Treasury as well as the Attorney General, to transfer forfeited property or the proceeds from the sale thereof to foreign countries cooperating in the seizure or forfeiture of the property. [Section 103]

Amends the Right to Financial Privacy Act of 1978, 12 U.S.C. §§ 3401-3422, to allow government investigators access to bank records without customer notification if a criminal money laundering investigation is under way. [Section 104]

Broadens Federal money laundering statute to include laundering proceeds of activities unlawful under laws of a foreign nation. [Section 106]

Amends the Federal money laundering to permit use of defendant's belief in law enforcement representations to establish the knowledge requirement. [Section 108]

Title II - VICTIMS OF CHILD ABUSE ACT OF 1990

Grant Programs

Authorizes the Director of the Office of Victims of Crime [DOVC], in consultation with officials of the Department of Health and Human Services, to make grants for multidisciplinary child abuse investigation and prosecution programs. [Section 212]

Provides for DOVC grants to national organizations to provide technical assistance and training to attorneys and others instrumental to the criminal prosecution of child abuse cases in State or Federal courts. Authorizes an appropriation of $20 million in fiscal year 1991 and such funds as may be necessary in each of fiscal years 1992 and 1993. Requires that not less than 90 percent of the amounts appropriated be used for grants authorized under section 212 (see above). [Sections 213, 214]

Requires the Administrator of the Office of Juvenile Justice and Delinquency Prevention [OJJDP] to make grants to expand the court-appointed special advocate program. Authorizes an appropriation of $5 million in fiscal year 1991, and such sums as may be necessary in each of fiscal years 1992 and 1993. [Sections 217, 218]

Requires the Administrator of OJJDP to make grants to provide technical assistance and training to personnel and practitioners in juvenile and family courts. Authorizes an appropriation of $5 million in fiscal year 1990, and such sums as may be necessary for each of fiscal years 1991, 1992, and 1993. [Section 222]

Directs OJJDP to make grants to national organizations to develop one or more model technical assistance and training programs to improve the judicial systems handling of child abuse and neglect cases. Further provides for grants to State courts or judicial administrators for programs that provide or contract for the implementation of training and technical assistance to judicial personnel and attorneys in juvenile and family courts, and administrative reform in juvenile and family courts. Authorizes an appropriation of $10 million in fiscal year 1991, and such sums as necessary for each of fiscal years 1992, 1993, and 1994. Requires that not less than 80 percent of the amounts appropriated be used for grants for juvenile and family courts. [Sections 223, 224]

Alternatives to Live In-Court Testimony

Amends both the Federal Rules of Criminal and Civil Procedure to allow alternatives to live in-court testimony in a proceeding involving an alleged offense against a child or involving a child witness. Sets forth reasons for permitting such alternatives, and procedures to be followed in videotaping the child's testimony or deposition. [Section 225(a)and(b)]

Prosecution and Reports

Extends the statute of limitations for prosecution for an offense involving the physical abuse of a child under the age of 18 years to the time the child reaches the age of 25 years. [Section 226]

Requires any person engaged in a professional capacity on Federal land or in a federally operated or contracted facility who learns of facts that give reason to suspect that a child has suffered an incident of child abuse to make a report of the suspected abuse to a Federal agency designated by the Attorney General or a designated non-Federal agency as soon as possible. Makes failure to report such information a misdemeanor. [Section 226]

Criminal History Background Checks

Requires each Federal agency and every facility operated by the Federal Government (or operated under contract with the Federal Government), that hires individuals involved with the provision of child care services to children under the age of 18 years to assure that all existing and newly-hired employees undergo criminal history background checks within 6 months after the date of enactment. [Section 231]

Grants for Televised Testimony

Authorizes the Director of the Bureau of Justice Assistance to make grants to States, for the use of States and units of local government to provide equipment and personnel training for the closed-circuit televising of the testimony of children in criminal proceedings for violations of laws relating to the abuse of children. Authorizes an appropriation of $25 million for each of the fiscal years 1991, 1992, and 1993. [Section 241]

TITLE III - CHILD PROTECTION AND PENALTY ENHANCEMENT

Eliminates rebuttable presumption of participation by children for purposes of sexual exploitation prosecutions because of failure to comply with reporting requirements imposed on producers of sexually explicit material. [Section 311]

Establishes criminal penalty of imprisonment for not more than 2 years for first offense and 2 to 5 years for subsequent violation of reporting requirements by producers of sexually explicit material. [Section 311]

For purposes of reporting requirements, removes those who merely distribute material from the definition of "producers." [Section 311]

Removes "lascivious exhibitions of genitals or pubic areas" from the current definition of "sexually explicit conduct" for purposes of the sexual exploitation chapter. [Section 311]

Increases the penalty for sexual abuse of minor from 5 to 15 years. [Section 322]

Expands proscriptions relating to material involving the sexual exploitation of minors to include sale, possession with intent to sell, and possession of 3 or more items of such material; makes possession of 3 or more items punishable by imprisonment for not more than 5 years and/or a fine; and increases the fines for violation to the level imposed generally for felony violations. [Section 323]

TITLE IV - OFFENSES INVOLVING CHILDREN

In the case of those under 18 years of age kidnapped, abducted or unlawfully restrained by an adult who is not a relative or legal custodian, increases the base offense level of the Sentencing Guidelines by 4 levels if the minor's life is threatened by maltreatment, by 3 levels if sexually exploited or sold, and by 2 levels if the defendant allows another to subject the minor to such maltreatment, exploitation or sale. [Section 401]

TITLE V - PROTECTION OF CRIME VICTIMS

Directs officers and employees of the Department of Justice and other Federal departments and agencies engaged in the detection, investigation, or prosecution of crime to make their best efforts to see that victims of crime are: treated with fairness, dignity, and privacy; reasonably protected from the accused offender; notified of court proceedings; present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial; allowed to confer with attorney for the Government in the case; granted restitution; and provided with information about the conviction, sentencing, imprisonment, and release of the offender. [Section 501]

Increases by $25 million per year the amount of criminal fees available in the Crime Victims Fund (42 U.S.C. 10601) until the end of fiscal year 1994. [Section 504]

Expresses the sense of the Congress that the States should make every effort to adopt the same goals as those required of Federal officials. [Section 505]

TITLE VI - LAW ENFORCEMENT AGENCIES

Drug Control Grants

Amends the Omnibus Crime and Safe Streets Act of 1968 by extending, through fiscal year 1991, the 75/25 matching requirement in the formula portion of the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs. Also modifies the eligible activity provision regarding court operations by allowing grantees to use funds for expanding court resources. [Section 601]

NCIC Project 2000

Establishes findings with regard to the current status of criminal justice information resources and authorizes funds through 1995 for improvements to the National Crime Information Center (NCIC) Project 2000. Requires annual reports on progress made in implementing the Project. [Sections 611-614]

TITLE VII - FEDERAL LAW ENFORCEMENT AND JUDICIAL ASSISTANCE

Authorizes appropriations for fiscal year 1991 in addition to any other appropriation in the following sums:

- For the FBI, $98 million for hiring additional agents and support personnel to assist in the investigation of drug trafficking organizations;

- For the Drug Enforcement Administration (DEA) $100.5 million which shall include not to exceed $10 million for enforcing provisions of Federal law regarding precursor and essential chemicals; not to exceed $37.5 million for assigning not fewer than 250 agents and support personnel to rural areas which have been identified as serious "crack" cocaine distribution and methamphetamine manufacture and distribution areas, and identified as serious law enforcement problem areas involving trafficking across State or national boundaries; and not to exceed $15 million to expand DEA State and local task forces;

- For the U.S. courts, $9 million for additional probation officers, judges, magistrates and other personnel including not to exceed $2 million for training, document production, and other expenses related to the implementation of the Federal sentencing guidelines;

- For the United States Attorneys, $24 million for additional prosecutors and staff to implement a program of prosecuting, in Federal courts, drug offenses arising out of arrests and investigations conducted by State and local law enforcement agencies;

- For defender services, $8 million for the defense of persons prosecuted in Federal court for drug offenses arising out of arrests and investigations conducted by State and local law enforcement agencies;

- For the U.S. Marshals, $9 million; and

- For the Immigration and Naturalization Service (INS) United States Border Patrol, $45 million, which shall be allocated as follows--$15 million for the hiring, training, and equipping of no fewer than 500 full-time equivalent Border Patrol Officer positions; $25 million for INS criminal investigations and the expeditious deportation of criminal aliens; and $5 million for the procurement of low-level light television systems, portable and permanent sensor systems, and 4-wheel drive law enforcement vehicles. [Section 701]

TITLE VIII RURAL DRUG ENFORCEMENT

Establishes new program authority in the Safe Streets Act for drug enforcement assistance to be provided to rural States and for nonmetropolitan areas within non-rural States. Rural drug enforcement efforts must be coordinated with other activities sponsored under the Edward Byrne Memorial Programs. Authorizes $20 million for fiscal year 1991 and such sums as necessary for fiscal years 1992 and 1993. Fifty percent of funds appropriated for the rural drug enforcement program will be allocated to rural States (those with a population density of less than 53 persons per square mile or those in which every county has less than 150,000 population) and the other fifty percent to nonmetropolitan areas in other States. [Section 801]

TITLE IX - MANDATORY DETENTION

In the case of a defendant convicted of a crime of violence, a drug offense, or an offense punishable by imprisonment for life, except under exceptional circumstances, requires the court to order detention pending appeal and to order his release pending sentencing only if the court finds that the defendant is not likely to flee or pose a danger and that there is a substantial likelihood that a motion for acquittal or for a new trial will be granted or the government has recommended no sentence of imprisonment. [Section 902]

TITLE X - JUVENILE JUSTICE

Directs that juveniles committing serious drug offenses be subject to enhanced penalties under section 401(b)(A)(1) of the Controlled Substances Act (21 U.S.C. 341(b)(1)(A)). [Section 1003]

TITLE XI - SHORT-BARRELED SHOTGUNS

Amends Title I of the Gun Control Act (18 U.S.C. chap. 44) to double to 10 years and raise to 30 years, respectively, the mandatory minimum sentence enhancement, without release, for using or carrying a short-barreled long gun or a destructive device during the commission of a Federal crime of violence or drug trafficking crime. [Section 1101]

TITLE XII - MISCELLANEOUS CRIMINAL LAW IMPROVEMENTS

Increases penalties for crack possession from a fine or a term of imprisonment to a term of imprisonment and a fine of not less than $1,000. [Section 1201]

Adds methamphetamine to the drugs covered by the Controlled Substances Import and Export Act and eliminates a loophole allowing importation of small quantities of illegal drugs. [Section 1203]

Clarifies that the Federal criminal statutes are applicable in U.S. territories, possessions, commonwealths and the District of Columbia. [Section 1205]

Repeals outmoded proscription against capturing or killing military carrier pigeons, exporting certain goods to various Pacific islands, and seduction. [Sections 1206, 1297]

Expands the proscription against the use of commerce to facilitate a fraudulent scheme to include transportation of money or property in foreign commerce. [Section 1206]

Repeals constitutionally suspect provisions outlawing use of the mails to send foreign divorce information and libelous material and the use of postal uniforms under some circumstances. [Section 1210]

Removes requirement of Attorney General approval for prosecution of certain Atomic Energy Act violations. [Section 1211]

Increases the regular maximum penalties for trafficking offenses [violations against 21 U.S.C. 841(a)(1) or 856] when they occur within 1,000 feet of a truck stop or safety rest area—double the permissible fine maximum for a first offense and triple for a subsequent violation—and provides for minimum imprisonment of one year for a first offense and of three years for a subsequent offense. [Section 1214]

TITLE XIII - PUBLIC SAFETY OFFICERS' DISABILITY BENEFITS

Amends Title I, Section 1201 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796) to provide a payment of up to $100,000 to a public safety officer who has become totally and permanently disabled as the direct consequence of a catastrophic personal injury sustained in the line of duty. Limits the total annual benefits paid under this section to $5 million. Provides that since these benefits are subject to the availability of appropriations, each beneficiary's payment shall be reduced by a proportionate share to the extent that sufficient funds are not appropriated. [Section 1301]

Adds "ambulance crew" to the definition of firefighter. [Section 1302]

TITLE XIV - MONEY LAUNDERING

Adds criminal forfeiture to the consequences of a violation of the international monetary transportation reporting requirements. [Section 1401]

Removes the substitute assets exemption from the money laundering criminal forfeiture provisions in cases where the defendant has conducted 3 or more transactions involving a total of $100,000 or more within a year. [Section 1402]

Adds certain environmental crimes to the list of predicate offenses in the Federal money laundering provision. [Section 1404]

TITLE XV - DRUG-FREE SCHOOL ZONES

Model Program of Strategies and Tactics.

Requires the Attorney General to develop a model program of strategies and tactics for establishing and maintaining drug-free school zones. Program to provide State and local law enforcement agencies with materials, training, and other assistance for those purposes, based on 9 specified criteria. Authorizes appropriation of $1.5 million for FY1991. [Section 1501]

Amendment to the Controlled Substances Act

Amends the existing CSA provision imposing special penalties on the distribution of illegal drugs in or near schools and other centers of youth activity to extend, from the current 100 feet to 1,000 feet, the restriction applying to playgrounds (public and private). [Section 1502]

Strengthening of Drug-Free School Zones

Amends the Drug-Free Schools and Communitites Act to establish more precisely the factors ideally involved in developing the drug-free school zones which State Governors may promote with funds provided under section 5122(a) of the Act.

Drug Abuse Resistance Education and Replication of Successful Drug Education Programs

Amends the Drug-Free Schools and Communitites Act to set aside certain State grant funds for drug abuse resistance education (DARE) programs, to provide aid for replication of successful drug education programs, to authorize local education agencies to use DFSCA funds for school-based recreational activities as alternatives to drug use, and to increase appropriation authorizations for grants to train teachers, counselors, and other school staff.

TITLE XVI - MISCELLANEOUS

Makes the Department of Justice (DoJ) Asset Forfeiture Fund available for rewards paid for information or assistance leading to forfeitures under laws administered by DoJ. [Section 1601]

Authorizes the judges and magistrates of the U.S. District Court for D.C. to issue extradition arrest warrants for fugitives from other countries who are believed to be about to enter the United States. [Section 1605]

TITLE XVII - GENERAL PROVISIONS

Use of Private Facilities by U.S. Marshals Service

Authorizes the U.S. Marshals Service to designate areas of the country in which private detention facilities may be used. This designation must be made on the basis of an insufficient supply of Federal, State or local detention facilities. Private facilities must meet specified security and safety requirements. [Section 1701]

Gun-Free School Zone Act

Amends the Gun Control Act (specifically, 18 U.S.C. 922) to make it unlawful to possess a loaded, easily accessible firearm in a school zone (in or on the grounds or within 1,000 feet of an elementary or secondary school), or to discharge a firearm therein, unless authorized as specified or otherwise excepted. Makes violation a felony subject to up to 5 years in prison and/or a fine of up to $5,000. [Section 1702]

Report on Mandatory Minimum Sentencing Provisions

Requires the United States Sentencing Commission to transmit to the respective Judiciary Committees, within six months after the date of enactment, a report on mandatory sentencing provisions in Federal law, specifically their impact on sentencing disparity and Federal prison population. [Section 1703]

Railroad Police Officers

Authorizes, under regulations of the Secretary of Transportation, private railroad police to enforce State and Federal laws to protect the railroad property, cargo, passengers, employees, and patrons. [Title XVII, Section 1704]

The five percent requirement may be waived if the State's criminal justice records do not warrant the expenditure of those funds. [Section 1803]

Testing Certain Sex Offenders for Human Immunodeficiency Virus

Reduces, by 10 percent, the amount of formula grant funds received by a State under the Edward Byrne Memorial program if the State does not have in effect and does not enforce a law requiring that convicted offenders of illegal sexual acts be tested for AIDs. This requirement will take effect in any fiscal year that begins more than 2 years after the effective date. [Section 1804]

TITLE XIX - ANABOLIC STEROIDS CONTROL ACT OF 1990

Brings anabolic steroids under the controls of the Controlled Substances Act, placing them in Schedule III. Thus, makes it illegal for anyone other than a registrant under the Act to prescribe, dispense, or distribute such substances; and prescription, dispensing, distribution, and possession must be for a recognized therapeutic purpose. Exempts such substances as are expressly intended for approved administration to nonhuman species and provides for the administrative exemption of others under specified conditions. [Sections 1901-1903]

Amends the Food, Drug, and Cosmetic Act to make it a crime to distribute a human growth hormone (specifically defined as somatrem, somatropin, and any of their analogs) and any substance purported or represented as being or containing any of these. Penalties are specified as up to 5 years and/or up to $250,000 (up to 10 years if the distributee is under 18). Provides that a conviction shall be considered a felony violation under the Controlled Substances Act for purposes of forfeiture. Authorizes the Drug Enforcement Administration to investigate violations. [Section 1904]

Authorizes demonstration programs designed to identify and deter the improper use or abuse of anabolic steroids. [Section 1906]

TITLE XX - ASSET FORFEITURE

Extends through fiscal year 1993 the availability of the DoJ Assets Forfeiture Fund for payments into the Special Forfeiture Fund. [Section 2001]

Authorizes the Attorney General to warrant clear title to property sold or transferred by the United States after the completion of forfeiture proceedings. [Section 2002]

Authorizes the Attorney General to sell property--confiscated under Federal drug or sexual exploitation provisions--by any commercially feasible means. [Section 2003]

TITLE XVIII - CORRECTIONAL OPTIONS INCENTIVES AMENDMENTS

Amends the discretionary grant element of the Edward Byrne Memorial Programs and authorizes the Department of Justice to make grants to public and private agencies for services and programs that are alternatives to incarceration, including "boot camps." Authorizes $220 million for fiscal year 1991 and such sums as may be necessary for fiscal year 1992.

Provides that 80 percent of the amount appropriated will be allocated among no more than four grants awarded each fiscal year to public agencies for alternatives to prison ("correctional options"). Funds may be used for construction. Defines correctional options to include community-based facilities, boot camps, home arrest, intensive probation and "any other innovative punishment." Also requires that boot camp programs include education, treatment and job training services. Requires that programs serve youthful offenders who are not yet career criminals, provide security and discipline, and include various services.

Also authorizes that ten percent of the appropriated funds be provided as grants to private nonprofit groups for the same purposes but not for the construction of facilities. The remaining ten percent of the funds may be provided to public agencies for the establishment and operation of boot camps. In awarding grants in the latter category, priority must be given to States lacking sufficient facilities to incarcerate offenders sentenced to more than one year imprisonment. Requires consultation with the Commission on Alternative Utilization of Military Facilities to identify properties which may serve as program sites. Limits grants made to public agencies to 75 percent of costs. Requires that the Director issue rules within 90 days of the appropriation of funds and to report on such rules and request applications within 180 days of the appropriation of funds. [Section 1801]

Conveyance of Certain Property

Requires that the Secretary of Defense notify the Attorney General when any property held by the Department is no longer needed and convey the property, without charge, to a public grantee for use in the Correctional Options Grant program (see above). Exempts property identified for closure or realignment under the Base Closure and Realignment Act and limits such transfers to four per fiscal year. [Section 1802]

Improvement of Criminal Justice Records

Requires that each State allocate at least five percent of the formula grants received under the Edward Byrne Memorial program for the improvement of criminal justice records. Specifies the improvements to be made by the States.

Provides for the summary seizure and disposal of hazardous, toxic or dangerous raw materials used to facilitate the production of illegal drugs. [Section 2004]

Makes the DoJ Asset Forfeiture Fund available for rewards paid for information or assistance associated with forfeitures under Federal money laundering, drug and RICO provisions. [Section 2005]

Adds to the annual forfeiture reports the Attorney General must transmit to the Congress a report containing audited financial statements on profits and losses associated with forfeited property. [Section 2006]

Makes drug paraphernalia subject to confiscation under the Federal drug civil forfeiture provision. [Section 2007]

Calls for civil confiscation of weapons used to facilitate the transportation, possession, sale, receipt or concealment of illegal drugs or proceeds traceable to them. [Section 2008]

TITLE XXI - PERKINS GRANT EXPANSION

Amends the Higher Education Act of 1965 to excuse Federal, State or local full-time law enforcement officers or correctional officers from payment on as much as 30 percent of federally assisted student loans. [Section 2101]

TITLE XXII - FIREARMS PROVISIONS

Amends existing law relating to residency requirements for legal transfer of a firearm to make clear that maintenance of a second residence in another State is not in and of itself disqualifying and that included in the prohibition against transfer to an out-of-State individual is a transfer to someone not considered a resident of any State. [Section 2201]

In connection with the existing offenses relating to trafficking in stolen firearms, extends the commerce nexus to include firearms which have *ever* moved in commerce. [Section 2202]

Bans the domestic assembly, *from imported parts*, of any semiautomatic rifle or semiautomatic shotgun that is identical to one prohibited from importation by virtue of a ruling under the sporting purposes criterion of the importation provisions of chapter 44 of title 18 (Title I of the Gun Control Act). [Section 2204]

Prohibits the possession of a firearm, or the causing of its presence, in a Federal court facility; offense subject to a penalty of up to 2 years and/or up to $250,000. [Section 2205]

TITLE XXIII - CHEMICAL DIVERSION AND TRAFFICKING

Substantially expands the number of chemicals covered by the definition of "precursor chemical" under the Controlled Substances Act and thus subject to the controls imposed by that statute on such substances. [Section 2301]

TITLE XXIV - DRUG PARAPHERNALIA

Rewrites existing paraphernalia prohibition provisions of the Controlled Substances Act to make clear that *all* sales or offerings for sale of paraphernalia are prohibited; transfers all paraphernalia provisions to a new section of the Act (422). [Section 2401]

TITLE XXV - BANKING LAW ENFORCEMENT

Crimes

Prohibits concealment of assets from a federal depository institution conservator or the Resolution Trust Corporation (RTC) and subjects it to a potential fine, imprisonment of up to five years, or both. [Section 2501]

Forbids anyone who entered into a pretrial diversion program for a criminal offense involving dishonesty or anyone who has been convicted of such offenses from participating in the conduct of affairs of a federally insured depositary institution, without the permission of the Federal Deposit Insurance Corporation (FDIC). Anyone who has entered a pretrial diversion program or been convicted of certain offenses may not run such an institution for ten years unless the Federal Deposit Insurance Corporation secures the permission of the sentencing court. [Section 2502]

Outlaws obstruction of an examination of a depository institution by a federal agency and subjects it to a potential fine, imprisonment of up to five years, or both. [Section 2503]

Increases the maximum potential penalty under several criminal statutes from 20 to 30 years imprisonment: 18 U.S.C. §§ 215(a) (acceptance of bribes), 657 (embezzlement), 1005-1007 (false entries), 1014 (false statement in loan and crop insurance applications), 1341 (schemes to defraud financial institutions), 1343 (wire frauds affecting financial institutions), and 1344 (bank fraud). [Section 2504]

Changes the statute of limitations for Federal racketeering prosecutions predicated on bank fraud offenses from 5 to 10 years after the commission of the offense. [Section 2505]

Adds the following criminal statutes to the specified predicate offenses for federal money laundering prosecutions under 18 U.S.C. § 1956: 18 U.S.C. §§

1005-1007 (relating to fraudulent statements), 1014 (fraudulent loan applications, 1032 (concealment of assets from a conservator), 1341 (mail fraud), and 1343 (wire fraud). [Section 2506]

Increases the penalties that the U.S. Sentencing Commission must include in the sentencing guidelines for violations of 18 U.S.C. § 215 (accepting bribes by bank officials), 656 (bank theft or embezzlement), 657 (embezzlement by employees of various financial agencies or institutions), 1005-1007 (false statements), 1014 (fraudulent loan applications), 1032 (concealment of assets from a conservator), and 1341-1344 (fraud) if the defendant derives $1,000,000 from the offense. [Section 2507]

Permits that restitution to victims of financial crimes may be awarded from the proceeds of forfeitures. [Section 2508]

Enhances the ability of sentencing courts to order restitution in cases involving a scheme, a conspiracy, or a pattern of criminal activity. [Section 2509]

Adds a new financial kingpin offense, "continuing financial crimes enterprise," involving the organization of an enterprise that receives $5,000,000 in gross receipts from violations of statutes affecting financial institutions: 18 U.S.C. §§ 215 (acceptance of bribes), 656 (bank theft or embezzlement), 657 (embezzlement by employees of various financial institutions or agencies), 1005-1007 (fraud), 1014 (fraudulent loan applications), 1032 (concealment of assets from a conservator), 1344 (bank fraud, 1341 (mail fraud), and 1343 (wire fraud). Penalties include a mandatory ten-year sentence and a possible sentence of up to life. [Section 2510]

Federal Conservators

Authorizes Federal conservators to avoid transfers, within five years of the conservatorship, if made with intent to defraud, hinder, or delay the institution, a conservator, or a federal banking agency. [Section 2511]

Permits Federal conservators to obtain a prejudgment temporary restraining order without making a showing of irreparable harm, placing any assets designated by the conservator under the control of the court and appointing a trustee for such assets. It also permits prejudgment attachments by Federal banking agencies, either in a conservatorship situation or in aid of an enforcement action. It also authorizes the Attorney General, under 18 U.S.C. § 1345, to seek an injunction in instances of suspected violations of 18 U.S.C. §§ 287 (false claims), 1001 (false statements), or 371 (conspiracy, if the conspiracy is directed toward defrauding the United States). This relief is available to a Federal depository institution regulator upon a prima facie showing that a banking law violation is about to occur and when a person is alienating property obtained as a result of a banking law violation. [Section 2521]

Bankruptcy Provisions

Specifies that bankruptcy courts may not discharge certain types of debts arising from fraud by institution-affiliated parties while acting as fiduciaries and precludes bank insiders from using bankruptcy proceedings to evade obligations to maintain the capital of a depository institution. [Section 2522]

Permits the FDIC to limit or prohibit golden parachute payments to institution-affiliated parties, considering the following factors in doing so: whether there is a reason to believe that the party has committed fraud, is responsible for the insolvency of the institution, has violated any banking law or regulation having an effect upon the institution's condition, was in a position of responsibility, and whether the compensation relates to the length of time that the party was affiliated with the institution and adequate compensation for that service. It further prohibits any depository institution from prepaying compensation or legal expenses of any institution-affiliated party in contemplation of insolvency and preventing the proper application of the institution's assets. "Golden parachute" is generally defined as an agreement for a payment to an institution-affiliated party contingent upon termination and paid after insolvency or in contemplation of insolvency. Exempted are payments to certain nondiscriminatory benefit plans, bona fide compensation payments determined by the Board to be permissible, and payment made by reason of death or disability of an institution-affiliated party. [Section 2523]

Adds 18 U.S.C. § 1032 (concealment of assets from a Federal receiver) and mail or wire fraud affecting a financial institution to the list of offenses for which civil forfeiture is available and permits seized assets, under certain conditions to be made available to financial institution regulatory agencies. [Section 2524]

Amends the Federal forfeiture statute for money laundering, 18 U.S.C. § 981, to permit civil forfeiture of any property traceable to the receipts of violating various offenses relating to the sale of assets held by Federal conservators, or to schemes to defraud relating to those offenses and to add criminal forfeiture to the sentences for violations of those statutes. [Section 2525]

Prohibits persons convicted of specified financial crimes affecting insured depository institutions for which a receiver or conservator has been appointed or debtors in default on loans from such institutions or held by various Federal depository institution regulators or receivers from purchasing any asset of such institution unless the transfer to the party is in settlement of a claim. It also requires the RTC to issue regulations prohibiting the sale of assets to: (1) persons defaulting on obligations of $1,000,000 to a failed institution, found to have engaged in fraud relating to such an obligation, and proposing to purchase the assets with the proceeds of a loan from the RTC or any insured bank or thrift; (2) persons who participated in a substantial way in transactions resulting in a substantial loss to a failed institution; (3) persons removed from or prohibited from participating in the affairs of a failed institution; or (4) persons demonstrating a practice of defalcation regarding obligations to a failed institution. [Section 2526]

Provides for expedited procedures for appealing orders by the FDIC against persons related to an insured depository institution and for handling such actions brought by the FDIC unless the court finds that the ends of justice would be served by acting otherwise. [Section 2527]

Allows conservators to void and recover fraudulently conveyed or obligated assets of financial institutions, but exempts good faith transfers for value. [Section 2528]

Handling Bank-Related Cases

Amends the Federal wiretap statute, 18 U.S.C. §§ 251, to include 18 U.S.C. § 215 (bribery of bank officials), 1032 (concealment of assets), 1344 (bank fraud), and conspiracy, among the list of offenses for which a wiretap order may be obtained. [Section 2531]

Authorizes Federal banking agencies conducting investigations, enforcement actions, or examinations to request assistance from foreign bank regulators and to maintain an office outside the United States. It also authorize Federal banking agencies to assist foreign banking authorities investigating banking crimes under certain circumstances and specifically authorizes the FDIC and the RTC to request assistance from foreign banking authorities and to maintain an office to coordinate foreign investigations. [Section 2532]

Extends from 5 to 10 years the statute of limitation for civil actions brought by the Attorney General with respect to banking related criminal offenses specified in 12 U.S.C. § 1833a. [Section 2533]

Authorizes the FDIC, the RTC and the National Credit Union Administration to issue subpoenas. [Section 2534]

Structural Reforms

Establishes a Financial Institutions Fraud Unit, headed by a Presidentially appointed special counsel, reporting to the Deputy Attorney General for a period of five years. [Section 2536]

Specifies that the special counsel shall supervise investigations and prosecutions within the Department of Justice of fraud and other criminal activity against the financial services industry, ensure that Federal law is used to the fullest extent to recover proceeds of unlawful activities from persons committing financial institution crimes, and ensure that adequate resources are available for investigation and prosecution of financial institution crime. [Section 2537]

Requires the Attorney General to assign to the Financial Institutions Fraud Unit personnel as deemed appropriate by the Attorney General. [Section 2538]

Requires the Attorney General to establish financial institutions fraud task forces as deemed appropriate and to determine how each task force is to be supervised. It also requires the Attorney General to establish a senior interagency group to assist in identifying the most significant financial institution fraud cases and allocating resources. [Section 2539]

Requires the RTC to maintain an executive level position and staff to assist in enforcement actions and claims and to report to Congress by December 31, 1990, on the coordinated pursuit of claims by all Federal financial institution regulatory agencies. [Section 2540]

Reporting Requirements

Requires the Attorney General to maintain and collect data concerning banking law offenses and to provide monthly reports in 1991, quarterly thereafter, with respect financial institution dollar losses, activities of the Financial Institution Fraud Unit, and resources allocated to enforcement efforts. [Section 2546]

Compels Federal banking agencies, unless contrary to the public interest, to make publicly available various enforcement actions and to hold open hearings. Congress is to be provided with reports as to hearings that are not public. [Section 2547]

Instructs the Administrative Office of the United States Courts to provide Congress with annual statistical tables reflecting the impact of the savings and loan crisis on the federal courts. [Section 2548]

National Commission

Sets up and empowers a National Commission on Financial Institution Reform, Recovery, and Enforcement to examine the causes of the problems leading to the enactment of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, Pub. L. 101-73, and to make recommendations for legislative, regulatory, and other changes to improve the safety of depository institutions, facilitate enforcement actions, and prevent recurrence of the problems in the industry. The Commission will consist of 8 members--2 Presidential appointees, 3 appointees recommended by the Speaker of the House (1 at the recommendation of the minority leader of the House), 3 appointees of the President pro tempore of the Senate (2 recommended by the Senate majority leader, 1 by the minority leader)--with no members employed by Federal or State or local governments. The Commission is provided with subpoena power and is subjected to certain provisions with respect to instances involving the need for cooperation of other Federal agencies when examining certain witnesses. The

Commission's duration is 9 months at which time a report is due Congress. One million dollars is authorized and appropriated for the Commission. [Sections 2551 to 2558]

Authorizations

Increases the Department of Justice funding to $162,500,000 for fiscal years 1991 - 1993, permitting carryover of funds, for enforcement actions involving financial institutions. Allocations are as follows: $78,300,000 for the FBI; $65,000,000 for the United States Attorneys; $8,800,00 for the Criminal Division of the Department of Justice; $7,000,000, for the Civil Division; and, $3,400,000, for the Tax Division. There is also an authorization of $16,000,000 for the Internal Revenue Service for fiscal year 1991 for investigations involving financial institutions and of $25,000,000 for fiscal year 1991 and $28,000,000 for fiscal years 1992 and 1992 for the Federal judiciary.

Bank Fraud Recovery

Establishes a Financial Institution Award Fund of $5,000,000 and a procedure for the Attorney General to make awards from that fund based on declarations filed by private parties. Declarations may be filed with the Attorney General that would contain information giving rise to civil penalty for abuses involving financial institutions. Declarations are required to contain at least one factual element unknown to the government at the time of filing. There are provisions requiring that the declarant keep the contents of the declarations confidential. Persons employed by federal investigative agencies, persons participating in fraudulent conduct being reported, institution-affiliated parties withholding information, immediate family members of persons who are the subject of declarations, and persons filing declarations consisting of information made public, are not be eligible to file declarations entitling them to the benefits of the legislation. Otherwise, declarant are entitled to : (1) choosing private counsel to pursue a civil action if the Attorney General decides to refer the case to a private counsel; (2) receiving a reward of $5,000 - $100,000 from the Financial Institution Information Award Fund should a federal criminal conviction result in whole or in part from the declaration; (3) sharing in any funds or assets obtained by the United States as a result of information in the declaration. The statute specifies factors to consider in deciding the amount of the award and standards for sharing the assets obtained by the United States. It also prohibits double rewards or awards, under various statutes, for the same information. The Attorney General is to notify declarant in writing as to any decision and reasons for such decision not to pursue either a civil or a criminal action based on the information submitted in the declaration. When a judgment or settlement has been obtained the Attorney General is to notify declarant of that fact and of the amount of any award due and the reasons for that amount. Within three years of any declaration filed within 3 years of enactment, the Attorney General is to have provided notice of a decision not to pursue an action or notice of a judgment and award or notice to the effect that an investigation is proceeding or that the declarant's allegations have not been addressed. Declarations filed after three years of enactment are to receive such notice within one year. Any declarant receiving a notice that the allegations have not been addressed may notify the Attorney General to award a contract to pursue the case; upon receiving such a notification, the Attorney General must award a contract or pursue an action and notify the declarant. Decisions of the Attorney General are unreviewable and courts have no jurisdiction except for failure to provide notice. [Sections 2561 to 2568]

In addition to the notice requirements with respect to declarants, requires the Attorney General to file a public report stating the number of declarations filed, number of valid declarations and their status, the number and amounts of rewards, and the number of convictions and dollar amounts of recoveries attributable to this procedure. [Section 2571]

Creates a parallel provision allowing private parties to file declarations identifying assets that might be recovered in satisfaction of a judgment or settlement obtained in connection with civil penalties resulting from abuses relating to financial institutions and to share in recoveries. There are also provisions for permitting rewards for information leading to any recovery or forfeiture arising in connection with depository institutions and a provision permitting the Attorney General to grant rewards for information relating to certain financial institution offenses of up to $50,000 from the Financial Institution Award Fund. [Sections 2576 to 2587]

Authorizes the Attorney General to contract with private counsel, on a contingency fee basis, in respect to civil cases involving depository institution fraud and abuse. [Section 2588 to 2594]

Enacts technical amendments to various enforcement statutes, primarily to reflect changes in Federal regulatory responsibility and to authorize various enforcement procedures for violations of designated statues. [Sections 2595, 2596]

Amends various Federal criminal statutes to include foreign banking organizations within definitions for enforcement purposes. Included are the federal bank bribery, theft, and embezzlement statues, the computer fraud statute, and the bank robbery statute. [Section 2597]

TITLE XXVI - LICIT OPIUM IMPORTS

Requires a review of U.S. policy on narcotics raw material for manufacture of licit pharmaceutical products to determine the advisability of continued reliance on the so-called "80-20 rule" under which at least 80 percent of the U.S. imports must come from India and Turkey. Specifies that special attention be given the problem of diversion of opium, in India, into the illicit market and the feasibility of India's converting from the gum to the poppy straw method of opium production. [Section 2601]

TITLE XXVII - SENTENCING FOR METHAMPHETAMINE OFFENSES

Requires the U.S. Sentencing Commission to promulgate guidelines, or amend existing guidelines, for sentences for methamphetamine offenses so that "more substantial penalties" are imposed if the substance involved is smokable crystal methamphetamine ("ice"). [Section 2701]

TITLE XXVIII - DRUG ENFORCEMENT GRANTS

Authorizes $900 million for fiscal year 1991 and such sums as may be necessary for fiscal year 1992 for the Edward Byrne Memorial Programs. [Section 2801]

TITLE XXIX - PRISONS

Report with Respect to Federal Prison Industries

Requires that Federal agencies purchasing FPI products and services report such activity to the General Services Administration (GSA) and that this information be entered into the Federal Procurement Data System. Specifies the text to accompany reports from the System with regard to the procurement of FPI products and services. Requires publication of an FPI catalog within 90 days of enactment. [Section 2901]

Prerelease Custody

Allows Federal inmates serving the final portion of their sentence, regardless of the date of their offense, to be released to home confinement. [Section 2902]

Drug Treatment for Prisoners

Requires the Bureau of Prisons, to the extent practicable, to make substance abuse treatment available to inmates. [Section 2903]

Literacy Requirements

Requires the Bureau of Prisons to establish a functional literacy program for Federal inmates; establishes as a goal an eighth grade level in reading and mathematics. Requires that non-English speaking inmates participate in an

English-As-A-Second-Language program. Authorizes wardens to grant waivers to individuals and requires annual reports to Congress on the program. [Section 2904]

Work Requirements

Establishes as policy a requirement that all Federal inmates work. Provides for the exclusion of inmates from this requirement for security, health, or other reasons. [Section 2905]

Non-Federal Prison Industries

Expands current exemptions to the prohibition on commerce in prison-made goods to include goods and services produced in as many as 50 non-Federal prison work programs, designated by the Director of the Bureau of Justice Assistance under the Prison Industry Enhancement Certification Program. (Current law exempts up to 20 such programs.) [Section 2906]

Cost Saving Measures

Requires the Director of the Bureau of Prisons to reduce costs of construction to the extent practicable. [Section 2907]

Report by Secretary of Labor

Annual reports must be submitted to the Congress by the Secretary of Labor on the compliance of State Prison Industry Enhancement Certification programs with statutory requirements. [Section 2908]

TITLE XXX - SHOCK INCARCERATION

Authorizes the establishment of a "boot camp" in the Federal Prison System. Provides that offenders sentenced to terms of imprisonment between 12 and 30 months will be eligible. Inmates must volunteer for placement in the program. For no more than six months participants will be required to adhere to a strict schedule of discipline, training and drill and to participate in training and treatment programs as appropriate. The Director of the Bureau of Prisons will determine whether inmates successfully complete their scheduled term in the program as well as the amount of sentenced time that must be served upon completion of the program. Authorizes such funds as are needed for fiscal year 1990 and subsequent years. [Sections 3001-3002]

TITLE XXXI - BANKRUPTCY AND RESTITUTION

Amends the Federal bankruptcy code [11 U.S.C. 523(a)(9)] by directing that a discharge from a debt under various sections of Title 11 does not discharge an individual debtor from any debt to the extent that it arises from a judgment or consent decree entered into a court of record against the debtor wherein liability was incurred as result of the debtor's operation of a motor vehicle while legally intoxicated or impaired by the use of alcohol or drugs. [Section 3102]

Provides for the nondischargeability of a debt under Title 11, to the extent that the debt is for restitution included in a sentence on the debtor's conviction of a crime. [Section 3103]

TITLE XXXII- MISCELLANEOUS

Appropriations for Humanitarian Expenses

Authorizes an appropriation of $25,000 for each fiscal year to be expended by the Director of the Federal Bureau of Investigation and the Administrator of the Drug Enforcement Administration to pay expenses incurred by an employee as a result of serious illness, serious injury, or death occurring while on official business, or by members of the immediate family of such employee incident to the illness, injury, or death of such employee while on official business. [Section 3201]

Banning of Isopropal Nitrite and Other Nitrites

Amends the Consumer Product Safety Act to ban isopropal nitrite ("poppers") and certain other products containing nitrites that may be used to produce a euphoric effect. [Sec. 3202]

TITLE XXXIII - MISCELLANEOUS PROVISIONS

Extends for 2 more years authority of Internal Revenue Service (IRS) undercover operations and for disclosures of information contained in returns under 26 U.S.C. 6050I business transactions involving more than $10,000 in cash) for Federal criminal law enforcement purposes [Sections 3301, 3302]

Calls for General Accounting Office studies of IRS' undercover operations, of Federal agency use of information disclosed in the cash transaction returns of 26 U.S.C. 6050I, and of the penalties imposed for violation of the cash transaction return requirements. [Sections 3301 to 3303]

Precludes disclosure of tax return information to commissions created under the Act (i.e., the National Commission to Support Law Enforcement and the National Commission on Financial Institution Reform, Recover, and

Enforcement) except to the extent permitted under 26 U.S.C. 6013. [Section 3304]

TITLE XXXIV - NATIONAL COMMISSION TO SUPPORT LAW ENFORCEMENT

Establishes a 19 member commission to study and make recommendations for changes regarding law enforcement agencies and law enforcement issues on the Federal, State, and local levels on the following issues: funding; employment; information; research and training; equipment and resources; cooperation; responsibility; and impact. Requires the Commission to submit its report to Congress not later than 18 months after the date of enactment of this title. [Sections 3402, 3403, 3407]

TITLE XXXV - TECHNICAL AND MINOR SUBSTANTIVE AMENDMENTS

Permits the Solicitor General to delegate approval authority for appeals of final sentences. [Section 3501]

Increases the maximum term of imprisonment for accessories after the fact to crimes punishable by life imprisonment or death, from 10 to 15 years. [Section 3502]

Deletes requirement of Solicitor General approval for appeal to district court of magistrate sentences. [Section 3503]

TITLE XXXVI - DEBT COLLECTION

Provides mechanism for the collection of debts owed the United States and includes provisions on prejudgment remedies, liens, postjudgment remedies, exempt property, fraudulent transfers, partition and foreclosure of security interests. [Title XXXVI]

TITLE XXXVII - NATIONAL CHILD SEARCH ASSISTANCE ACT OF 1990

Requires each Federal, State, and local agency receiving a report of a missing child under the age of 18 to report it to the National Crime Information Center of the Department of Justice. Directs the Attorney General to establish guidelines for the collection of such reports and to publish an annual summary of the reports received. [Section 3701]

91-428 L
May 17, 1991

CRS Report for Congress

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Crime Control: Federal Response; Selected References, 1990-1991

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SUMMARY

This bibliography includes materials which refer to President Bush's recent crime bill, the Comprehensive Violent Crime Control Act of 1991 (proposed). Articles listed comment on the bill or other recent Federal initiatives, and on Federal criminal procedure in general. For works dealing with criminal theory and suggestions for ways the Federal Government can reduce America's crime rate, see *Crime control: criminal theory: selected references* (91-394 L).

SELECTED REFERENCES

Biskupic, Joan.
Democrats fight to take lead in anticrime initiatives. Congressional Quarterly weekly report, v. 49, Feb. 2, 1991: 300. LRS91-1754
"While the Bush Administration has served notice that it wants a tough anticrime bill this year, House Judiciary Committee Democrats have put in place a crime subcommittee chairman who wants to seize the political initiative for Democrats. Charles E. Schumer, D-N.Y., was chosen to lead a merged Crime and Criminal Justice Subcommittee."

Cavanagh, Suzanne.
Crime control: the Federal response; issue brief. Washington, Congressional Research Service. Updated regularly. IB90078
Congress has passed three omnibus crime control bills in the last decade. Among crime control bills pending in the 101st Congress were a number which would: (1) revise Federal criminal procedures pertaining to the death penalty, habeas corpus, and the exclusionary rule; (2) impose further restrictions on firearm commerce and possession; and (3) further revise and expand programs dealing with drug control.

Corn, David.
The great crime-bill show of '91. Nation, v. 252, Apr. 29, 1991: 550-552.
LRS91-1757
"Talk of preventing crime at its origins is practically nowhere to be found on Capitol Hill. It may sound like do-good, liberal dogma, but anticrime policy should aim at the causes of crime."

Crime control: Federal initiatives; info pack. Washington, Congressional Research Service. Updated as needed. IP310C
In response to public alarm over the increasing incidence of crime and violence in the United States, Congress has in recent decades passed legislation addressing the varied components of this national problem, including four omnibus crime control bills in the past decade alone. This Info Pack looks at the increasing Federal role in what was once considered to be primarily a State and local area of responsibility, surveys the content of recent major Federal enactments, and describes legislation introduced and pending in the current Congress.

Crime Control Act of 1990 (P.L. 101-647): summary. Coordinated by Harry Hogan. Jan. 11, 1991. Washington, Congressional Research Service, 1991. 25 p. 91-69 GOV
The report summarizes, title by title, the provisions of an omnibus 37-title crime and drug control bill enacted at the end of the 101st Congress.

Dick Thornburgh and the complacency of crime policy. Economist, v. 318, Mar. 9, 1991: 30. LRS91-1755
Discusses the lack of interest in the recent "crime summit." "The crime summit is one more reminder that in Mr. Bush's America domestic policy has been denationalised. The federal government has not the money (it accounts for less than 10% of public spending on law enforcement), the inclination, or the qualified staff to craft and implement a crime policy."

Haunted by crime. Economist, v. 318, Apr. 13, 1991: 23-25. LRS91-1758
"Would a crime act reduce crime? Many criminologists insist that the main features of the administration's bill would have little impact. They refer to its emphasis on punishment."

How can drug-related violence be reduced? In Violence in America. Janelle Rohr, book editor. San Diego, Calif., Greenhaven Press, 1990. p. 50-96.
LRS90-13679
Contents.--More law enforcement can reduce drug violence, by James Q. Wilson and John J. DiIulio, Jr.--More law enforcement cannot reduce drug violence, by Kurt L. Schmoke.--Upholding drug laws can reduce drug violence, by Edward I. Koch.--Repealing drug laws can reduce drug violence, by James Ostrowski.--A war on drugs can reduce violence in Black neighborhoods, by Playthell Benjamin.--A war on drugs cannot reduce violence in Black neighborhoods, by Carl Dix.

Magic bullets. New republic, v. 204, Apr. 15, 1991: 7, 10. LRS91-1756

Criticizes the "crime summit" and current, proposed legislation to attack crime in the U.S. "Ultimately, anyone who cares to reduce crime must think about its root causes . . . . As this magazine has argued many times, what's needed in the long term is an assault on the culture of poverty, which is, after all, the most fundamental cause of lawlessness in our cities."

1990 Omnibus Crime Bill: pros & cons. Congressional digest, v. 69, Nov. 1990: whole issue (p. 257-288). LRS90-10259

Presents arguments by senators for and against passage of the assault weapon and death penalty provisions of S. 1970.

Roe, Tangela G.

Crime and drug control: issues unresolved by the 1990 crime/drug bill; published literature and CRS Products list. Jan. 10, 1991. 6 p. 91-31 L

This bibliography contains sources that discuss issues that were unresolved by the 1990 crime/drug bill: capital punishment, habeas corpus, firearms control and funding for local law enforcement.

U.S. Congress. House. Committee on Government Operations. Government Information, Justice, and Agriculture Subcommittee.

Grant programs administered by the Department of Justice. Hearings, 101st Congress, 2nd session. Apr. 18-May 24, 1990. Washington, G.P.O., 1991. 240 p. LRS91-797

U.S. Congress. House. Committee on the Judiciary.

Comprehensive Crime Control Act of 1990; report together with dissenting views to accompany H.R. 5269 . . . including cost estimate of the Congressional Budget Office. [Washington, G.P.O.] 1990. 341 p. (Report, House, 101st Congress, 2nd session, no. 101-681, part 1) LRS90-9295

U.S. Congress. House. Committee on the Judiciary. Subcommittee on Crime.

Comprehensive Violent Crime Control Act of 1989. Hearing, 101st Congress, 2nd session on H.R. 2709. Mar. 6, 1990. Washington, G.P.O., 1990. 190 p. LRS90-8869

"Serial no. 91"

U.S. Congress. House. Committee on Ways and Means.

Comprehensive Crime Control Act of 1990; report to accompany H.R. 5269. [Washington, G.P.O.] 1990. 15 p. (Report, House, 101st Congress, 2nd session, no. 101-681, part 2) LRS90-9296

U.S. President (1989- : Bush)

Proposed legislation, entitled the "Comprehensive Violent Crime Control Act of 1991"; message. Washington, G.P.O., 1991. 283 p. (Document, House, 102d Congress, 1st session, House Doc. no. 102-58) LRS91-1236

The War at home: how to battle crime. Newsweek, v. 17, Mar. 25, 1991: 35-36, 38. LRS91-1753

"As murder rates rise in America's cities, a search for strategies to win the fight against violence."

Waxman, Laura DeKoven. Jackson, Felicia.
Controlling drug abuse in America's cities: a 30-city survey on the implementation of Anti-Drug Abuse Act block grant programs and on local drug control efforts, September, 1990. Washington, United States Conference of Mayors, 1990. 38 p. LRS90-9082

"The purposes of this report are 1) to examine the awards made by the states to state and local agencies during the first three-quarters of the current fiscal year under the Drug Control and System Improvement Grant Program, 2) to assess the status of implementation of the three block grant programs in 30 survey cities, with particular attention to the Drug Control and System Improvement Grant Program; and 3) to provide information on the extent of the drug problem in those cities, and on efforts to control it."