



NATIONAL REPUBLICAN SENATORIAL COMMITTEE

SENATOR MITCH MCCONNELL
Chairman

February 29, 2000

|||||

I want to thank you for renewing your membership in the National Republican Senatorial Committee in this all-important 2000 election year – and for your generous donation of \$20

By renewing your membership, you've proven your commitment to saving the Senate Republican Majority from defeat – by a coordinated Democrat attack that is already underway!

Just think what it will be like IF Ted Kennedy and Hillary Rodham Clinton manage to get control of the U.S. Senate – making decisions that affect YOUR LIFE on taxes, education, health care and crime control. Not to mention that all the work our Republican Senators have done to protect Social Security and rebuild our armed forces will be wiped out within a year's time.

How real is this scenario? We have *ten* mortally endangered GOP incumbents to defend – the Democrats have just *one*. They have already passed us up in fundraising because of massive chunks of money pouring in from Big Labor, trial lawyers and Hollywood. They are already on the air savaging our best candidates, yet right now, we can barely afford to respond to their lies.

This is why I am so thrilled you are part of my team to stop the Democrats from keeping our country mired in the Clinton agenda of bigger government, higher taxes and shameless lying. Our work has just begun!

Sincerely,

Senator Mitch McConnell, Chairman

P.S. Great news! Because of unified Republican opposition, Bill Clinton was able to get his way only 37% of the time last year – an all-time low for any President! The bad news is he is bent on revenge, raising millions of dollars a night for vicious attack ads, and pushing all sorts of new spending programs, including \$280 million for gun control! With an extra gift of \$20 from you, we can keep our Republican men and women in the Senate and fight for YOU! Thank you!

425 SECOND STREET, N.E. • WASHINGTON, D.C. 20002-4967
www.nrscc.org

PLEASE DETACH THE REPLY MEMORANDUM BELOW AND RETURN IT WITH YOUR GENEROUS CONTRIBUTION

THE WHITE HOUSE

Office of Legislative Affairs, Senate Liaison

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Fax Cover Sheet

To: Leanne

From:

☒ Karen Robb
☐ Joanna Slaney
☐ Joel Wiginton
☐ Julie Anderson

☐ Mike Williams
☐ Hildy Kuryk
☐ Bobby Conner
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3/22

Pages including cover sheet:

Message:



GRAND LODGE FRATERNAL ORDER OF POLICE®

5800 JEFFERSON NE, SUITE F, ALBUQUERQUE, NEW MEXICO 87109
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GILBERT G. GALLEGOS
NATIONAL PRESIDENT

March 22, 2000

The Honorable William Jefferson Clinton
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

The Honorable Orrin G. Hatch
Chairman
Senate Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Henry J. Hyde
Chairman, House Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Gentlemen:

I am writing this letter on behalf of the more than 285,000 members of the Fraternal Order of Police to advise you of our strong support for a nationwide gun enforcement initiative which takes aim at the criminal misuse of firearms and to urge all parties in the national debate on gun control to focus on cooperation rather than scorched earth rhetoric.

We need a comprehensive national approach to reduce violence and gun crime. First, we strongly support the Administration's FY2001 budget request to add funding for 500 additional agents and inspectors at the Bureau of Alcohol, Tobacco and Firearms (ATF) to target violent gun criminals and illegal gun traffickers. Second, we also support the Administration's proposal to include funding for 1,000 new Federal, state and local prosecutors to charge, prosecute and incarcerate gun-toting criminals in our communities.

The big picture approach must involve cooperation at all levels of government if we are to reduce the number of illegal guns on the street and the number of criminals with illegal guns. Project EXILE in Richmond has a proven record of success in separating guns from criminals and criminals from the street. This program served as the model for an FOP-supported proposal offered by Senator Orrin G. Hatch, Chairman of the Senate Committee on the Judiciary, entitled the CUFF Act. CUFF smartly targets our nation's most dangerous criminals—those with guns. Smart enforcement is the key to reducing firearms violence.

The Honorable William Jefferson Clinton, President of the United States
The Honorable Orrin G. Hatch, Chairman, Senate Committee on the Judiciary
The Honorable Henry J. Hyde, Chairman, House Committee on the Judiciary

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"Operation Ceasefire" demonstrated a model whereby Federal, state and local law enforcement agencies cooperated to trace crime guns to their source--the illegal trafficker. Efforts like these, plus a new initiative on ballistics testing, will create the first ever integrated National Integrated Ballistics Information Network (NIBIN.) Such a system will help law enforcement use the unique "fingerprints" of bullets or shell casings left at the scene of a crime to identify criminals and the traffickers who supply them with their illegal weapons. Ballistics testing programs developed at both the Federal Bureau of Investigation (FBI) and ATF have already helped advance 16,000 criminal investigations of gun crimes in over forty (40) states. The Administration's initiative should link these two systems for the first time and triple the number of law enforcement jurisdictions with access to nearly one million ballistics images within two years.

In all of these strategies, tougher enforcement means better coordination between Federal, state and local law enforcement to get guns and criminals off the street. It also means making enforcement of existing firearms laws more of a national priority. It is time for all parties--the Administration, Congress, and interest groups from both sides of the firearms issue--to stop the name-calling and get to work. We all know that there is plenty of room for compromise on gun shows, firearms safety and juvenile crime. It has been said that politics is a blood sport; unfortunately, for the American people, the blood may well be theirs unless we move in a nonpartisan way to end the carnage.

The Fraternal Order of Police is ready to be a part of this important effort and look to you for the leadership this task requires. If I can be of any help, please do not hesitate to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,



Gilbert G. Gallegos
National President

PRESS RELEASE

Congressman John Conyers, Jr.

Fourteenth District, Michigan
Ranking Member, Committee on the Judiciary
Dean, Congressional Black Caucus

FOR IMMEDIATE RELEASE:
March 22, 2000

CONTACT:
Ted Kalo (225-6906)

Conyers Reacts to McCollum Enforcement Block Grant Bill: "It Only Pays Lip Service to Enforcement"

Today, reacting to the Republican Leadership's introduction of a gun enforcement block grant bill, John Conyers, Jr. (D-MI), Ranking Member of the House Judiciary Committee, issued the following statement:

"Everyone supports more enforcement. But when you hear the NRA and its allies in Congress cry their misleading statistics, remember that it is a trick. A trick to divert attention from their opposition to closing the gun show loophole. A trick so they don't have to explain why the NRA supports laws that allow criminals to get out of jail and get their guns back.

And it is a farce. The NRA and its allies in Congress opposed the laws they now want so badly to be enforced. And the NRA and its allies in Congress have made sure that the agencies that enforce our gun laws can only do so with one arm tied behind their backs.

When the NRA saw that it was losing the battle on gun safety, it changed the subject by talking about federal enforcement of our gun laws. The NRA thinks that the facts are on their side, and they talk about a 50% drop in federal gun prosecutions. That number has been pulled out of a hat and bears no relationship to any statistic I have seen. Then they say that federal prosecutions are down, but fail to count the most recent statistics.

The facts don't lie, and the facts are that: federal gun prosecutions in 1999 were up 16% over 1992; combined federal, state, and local gun prosecutions are up 22 percent from 1992 through 1997; and violent crime with guns is down 35%. The NRA's tired old refrain is a trick, a false choice, and as the numbers show, a bald-faced lie.

As to the substance of the McCollum bill, based on drafts that I have seen, it appears to only pay lip service to enforcement by mimicking Reagan-era revenue sharing approaches. Unlike the McCarthy-Conyers-Schumer "ENFORCE Act", the McCollum bill merely urges federal prosecution of gun crimes but provides no resources to federal gun prosecutors and no resources to ATF to enforce gun laws.

The bill does nothing to target the one percent of gun dealers who are responsible for selling nearly half of the guns traced to crime. It does nothing to plug NRA sponsored loopholes that, among other things, allows criminals to get out of jail and get their guns back.

It is time to reject the NRA's posturing. It is time to reject the NRA's false choice between enforcement or gun safety measures. We want to do both. If the McCollum bill is the best the NRA and its allies in Congress can come up with, they do not want to do either."

#106-96#

**The McCollum Enforcement Block Grant Bill:
Paying Lip Service to Enforcement**

What is in the bill?	McCarthy/Conyers "Enforce Act"	McCollum block grant bill
Benjamin Smith- Does it prevent kitchen table gun peddlers from selling guns to felons, fugitives or stalkers without any background check or recordkeeping?	Yes.	<u>No.</u>
Day Care Centers- Does it prevent a gun store from being set up next to a day care center?	Yes.	<u>No.</u>
Gun Thieves- Does it include measures that prevent "smash and grab" thefts by gun traffickers?	Yes.	<u>No.</u>
Stolen Gun Shipments- Does it require delivery services (e.g. UPS, FedEx) to alert authorities to thefts of gun shipments?	Yes.	<u>No.</u>
Do Your Job But Only Once a Year- Does it remove the NRA-sponsored loophole limiting unannounced ATF inspections to one per year, fewer than we allow for poultry inspectors, that gives bad apple gun dealers a free ride?	Yes.	<u>No.</u>
Personal Collection- Does it remove the NRA-sponsored loophole that lets bad apple gun dealers and traffickers hide fraudulent transactions by claiming the gun sold was from a "personal collection"?	Yes.	<u>No.</u>
Weak Penalties for Bad Dealers- Does it put teeth into sanctions on bad apple gun dealers?	Yes.	<u>No.</u>
Get out of Jail and Get Your Guns Back- Does it remove the NRA-sponsored loophole that rearms convicted felons?	Yes.	<u>No.</u>
Wife Beater Records- Does it give resources to law enforcement to identify batterers and stalkers who are attempting to buy guns?	Yes.	<u>No.</u>
One Hand Tied Behind ATF's Back- Does it add ATF agents and inspectors to remove NRA- sponsored limits that have kept enforcement resources at 1970's levels?	Yes.	<u>No.</u>
Smart Guns- Does it provide funding for "smart guns" that will prevent weapons from being used by intruders, children and criminals to shoot police officers?	Yes.	<u>No.</u>
Anonymous Gun Criminals- Does it include forensic ballistics measures that aid in the identification of gun criminals by using "gun fingerprints"?	Yes.	<u>No.</u>
Federal Prosecutions without Federal Prosecutors- Does it include funding for federal prosecutors to prosecute gun crimes?	Yes.	<u>No.</u>
Underfunded Exile- Does it provide funding for expansion of "Project Exile" (coordination between federal, state and local prosecutors to determine whether gun criminals should be prosecuted in federal court and media campaigns to publicize the severe penalties for gun crimes)?	Yes. The bill provides \$165 million for this purpose.	Yes. But the McCollum bill only grants \$100 million and only to states.

U.S. REPRESENTATIVE



BILL McCOLLUM

8th District—Florida

2109 Rayburn House Office Building
Washington, D.C. 20515
202/225-2176

For Immediate Release

Date: March 22, 2000

Contact: Susan Dryden, (202) 225-2176 or pager (800)759-8888 pin1758916

McCollum Introduces "Project Exile: The Safe Streets and Neighborhoods Act of 2000"

***Bill Keeps Children, Families and Neighborhoods Safe by
"Exiling" Criminals Who Use Guns***

Washington, D.C. - Today U.S. Representative Bill McCollum (R-FL), Chairman of the House Subcommittee on Crime, introduced "*Project Exile: The Safe Streets and Neighborhoods Act of 2000*." The bill provides a proven, common sense approach to reducing gun crimes by enforcing the laws already on the books and ensuring tough prison time for criminals who use guns. McCollum's bill has the support of Majority Leader Dick Armey (R-TX), Majority Whip Tom DeLay and House Republican Conference Chairman J.C. Watts (R-OK), all of whom are original co-sponsors of the legislation.

"The real heartache regarding gun violence is that it involves avoidable tragedies," said McCollum. "The sad truth is violent criminals are back on the streets before they should be, and are committing additional crimes. We must ensure appropriate, tough sentences the first time, so the subsequent crimes - and the subsequent heartache - will be avoided."

In states and communities around the country where aggressive prosecution of gun crimes has been coupled with tough prison sentences, violent crime has gone down. Project Exile would help make neighborhoods and communities safer by providing block grants to qualifying states to strengthen their criminal and juvenile justice systems if they ensure tough prison sentences for those who commit gun crimes.

The bill will provide \$100 million over the next 5 years as an incentive for states to implement such programs. In order to qualify for grants, states must take three steps: 1) require a mandatory minimum sentence without parole for anyone who uses or carries a firearm in any violent crime or serious drug trafficking offense, or for a violent convict who is caught possessing a gun; 2) implement a public awareness campaign to make violent criminals aware of the tough sentences for gun crimes; and, 3) work with federal law enforcement authorities to promote federal cooperation to ensure criminals who use guns receive tough sentences.

"Project Exile is a proven, common sense approach to stopping these avoidable tragedies by 'exiling' violent gun criminals to prison so our children, families and neighborhoods remain safe," said McCollum.

Qualifying states would be allowed to use their funds to strengthen their criminal and juvenile justice systems in a wide variety of ways: hiring and training more judges, prosecutors and probation officers; increasing prison capacity; and developing information-sharing case management systems to build case files for serious offenders.

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Project Exile: The Safe Streets and Neighborhoods Act of 2000

To be introduced by Rep. Bill McCollum (R-FL), March 22, 2000

"Project Exile: The Safe Streets and Neighborhoods Act" will help make our communities and neighborhoods safer by addressing gun violence through the common sense approach of ensuring vigorous prosecution of gun criminals. In the last two years a handful of states, including Virginia, have dramatically reduced the level of gun crime in their states by implementing programs that ensure tough prison time for criminals who use guns. This approach simply enforces the laws already on the books, and ensures a minimum prison sentence of at least five years for convicted violators. In states and communities around the country where aggressive prosecution of gun crimes has been coupled with tough prison sentences, violent crime has gone down. This is because criminals who use guns are the most hardened offenders and the ones who commit the most crime. Getting them off the streets leads to a dramatic reduction in crime, and sends an unmistakable deterrent message: We will not tolerate gun crimes.

The Project Exile Act will provide resources to states that ensure a mandatory minimum sentence of five years (without parole) for any person who uses or carries a firearm during and in relation to a violent crime (murder, rape, robbery, and aggravated assault) or serious drug trafficking offense (an offense under state law involving manufacturing or distributing a controlled substance, for which a maximum term of imprisonment of ten years or more is prescribed by law). Importantly, the Act requires that the mandatory minimum sentence must be in addition to the punishment provided for the underlying crime. Alternatively, a state can qualify for the Exile funds if it ensures that a person convicted of possessing a firearm and who has a prior conviction for a violent crime serves a mandatory minimum sentence of five years. The Act will give states the option to prosecute offenders in either federal or state court, so long as the states ensure that the mandatory minimum sentence of five years is served.

The Project Exile Act will provide a total of \$100 million in federal resources over five years as an incentive for states to implement such programs and to help defray costs associated with tougher enforcement against gun criminals. Funds received under the Act will be for strengthening state criminal justice systems in a wide variety of ways, including: hiring and training more judges, prosecutors and probation officers; increasing prison capacity; and developing information-sharing case management systems that ensure that all segments of the criminal justice system are contributing to and using the same case files for serious offenders.

The Act will build on the success of the Truth-in-Sentencing program that Congress has funded over the last five years. The Truth-in-Sentencing program created an incentive for states to require convicted violent offenders to serve at least 85 percent of their sentences, and helped states defray costs associated with the resulting longer prison terms. This program has helped move the national average time served for violent offenders from 35 percent in 1994 to close to 50 percent in 1998. It has been a key factor in lowering the crime rate over the last 7 years.

Legislative Components

State Eligibility Criteria

(A) Except as provided in (B), to qualify a state must, at a minimum:

(1) require a mandatory minimum sentence of five years (without parole) for any person who: (a) uses or carries a firearm during and in relation to a violent crime (murder, rape, robbery, and aggravated assault) or serious drug trafficking offense (an offense under state law involving manufacturing or distributing a controlled substance, for which a maximum term of imprisonment of ten years or more is prescribed by law), with the five year mandatory minimum sentence being in addition to the punishment provided for the underlying crime; or (b) is convicted of possessing a firearm and who has a prior conviction for a violent crime or serious drug trafficking offense.

(2) implement a public awareness campaign to put violent criminals on notice of the tough sentences for gun crimes and develop community support for the state's Safe Streets and Neighborhoods program; and

(3) provide assurances that the state will coordinate with federal prosecutors and federal law enforcement agencies serving their jurisdictions, so as to promote federal involvement and cooperation.

(B) A state can qualify even if it does not have a five year mandatory minimum provided in state law, pursuant to (A)(1), so long as it can assure that a person convicted for any of the above identified crimes will receive mandatory minimum sentence of five years in federal court for the offense. Such an assurance can be in the form of an executive order by the chief executive of the state, or an exchange of letters between the state and the appropriate federal districts.

[Alternative: Also allow state to qualify if the five cities with the highest crime rate have entered into such federal-city task force arrangements; then require that the resources be dedicated to those cities]

Allowable Uses

- police
- prosecutors
- courts
- probation officers
- juvenile justice system
- prison expansion, renovation and personnel
- criminal history record improvements
- case management programs involving information-sharing regarding serious offenders

Funding Authorization

\$100 million total with \$10 million provided the first year (fiscal year '01), \$15 million the second year, \$20 million the third year, \$25 million the fourth year, and \$30 million the final year.

Funding Formula

Each state's share is based on its relative amount of violent crime (as a percentage of the total violent crime of all other qualifying states).

Miscellaneous

- A state must provide assurances that it will allocate its resources with the aim of addressing crime in its highest crime areas.
- A state may make sub-grants to cities or counties to carry out the purposes of this Act.

Definitions

- "violent crime" includes murder, rape, robbery, and aggravated assault.
- "serious drug trafficking offense" is an offense under state law involving manufacturing, distributing, or possessing with intent to distribute, a controlled substance, for which a maximum term of imprisonment of ten years or more is prescribed by law

Project Exile: The Richmond, Virginia Success Story

Prior to Project Exile, Richmond, VA, had one of the highest murder rates in the world and an exploding violent crime problem.

Since 1997, when Project Exile was begun in Richmond:

- Homicides have dropped 46% (the lowest level since 1987)
- Crimes involving guns have dropped by 65%
- Aggravated assault s have dropped by 39%
- And the overall number of violent crimes have dropped by 35%

**Project Exile is a proven, common sense approach
to preventing avoidable tragedies**

A Record to Be Proud of?

Clinton Administration's Record on Prosecution of Gun Law Violations

	1996	1997	1998
Prosecutions under the Brady Act - Background Checks	0	0	1
Prosecutions for the Transfer of a Handgun or Ammunition to a Juvenile	9	5	6
Prosecutions for Possession of a Handgun or Ammunition by a Juvenile	27	3	8
Prosecutions for Possession or Discharge of a Firearm in a School Zone	4	5	8
Prosecution for Possession of Firearm by a Juvenile at School	4	5	8
Prosecutions for Firearm Possession by a Convicted Spouse Abuser	0	21	56

Source: Cases Reported, Executive Office, United States Attorney

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[Discussion Draft]

H.L.C.

[DISCUSSION DRAFT]

106TH CONGRESS
2D SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. McCOLLUM introduced the following bill; which was referred to the
Committee on _____

A BILL

To establish a grant program that provides incentives for
States to enact mandatory minimum sentences for cer-
tain firearms offenses, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Project Exile: The Safe
5 Streets and Neighborhoods Act of 2000".

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(Discussion Draft)

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1 **SEC. 2. FIREARMS SENTENCING INCENTIVE GRANTS.**

2 (a) PROGRAM ESTABLISHED.—Title II of the Violent
3 Crime Control and Law Enforcement Act of 1994 is
4 amended—

5 (1) by redesignating subtitle D as subtitle E;

6 and

7 (2) by inserting after subtitle C the following
8 new subtitle:

9 **“Subtitle D—Firearms Sentencing**
10 **Incentive Grants**

11 **“SEC. 20351. DEFINITIONS.**

12 “For purposes of this subtitle:

13 “(1) The term “violent crime” means murder
14 and nonnegligent manslaughter, forcible rape, rob-
15 bery, and aggravated assault, or a crime in a reason-
16 ably comparable class of serious violent crimes as
17 approved by the Attorney General.

18 “(2) The term “serious drug trafficking crime”
19 means an offense under State law for the manufac-
20 ture or distribution of a controlled substance, for
21 which State law authorizes to be imposed a sentence
22 to a term of imprisonment of 10 years or more.

23 “(3) The term ‘part 1 violent crime’ means
24 murder and nonnegligent manslaughter, forcible
25 rape, robbery, and aggravated assault as reported to

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[Discussion Draft]

H.L.C.

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1 the Federal Bureau of Investigation for purposes of
2 the Uniform Crime Reports.

3 "(4) The term 'State' means a State of the
4 United States, the District of Columbia, the Com-
5 monwealth of Puerto Rico, the United States Virgin
6 Islands, American Samoa, Guam, and the Northern
7 Mariana Islands.

8 "SEC. 20352. AUTHORIZATION OF GRANTS.

9 "(a) IN GENERAL.—From amounts made available to
10 carry out this subtitle, the Attorney General shall provide
11 Firearms Sentencing Incentive grants under section
12 20353 to eligible States.

13 "(b) ALLOWABLE USES.—Such grants may be used
14 by a State only for the following purposes:

15 "(1) To support—

16 "(A) law enforcement agencies;

17 "(B) prosecutors;

18 "(C) courts;

19 "(D) probation officers;

20 "(E) correctional officers;

21 "(F) the juvenile justice system;

22 "(G) the expansion, improvement, and co-
23 ordination of criminal history records; or

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(Discussion Draft)

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1 “(H) case management programs involving
2 the sharing of information about serious offend-
3 ers.

4 “(2) To carry out a public awareness and com-
5 munity support program described in section
6 20353(a)(2).

7 “(3) To build or expand correctional facilities.

8 “(e) SUBGRANTS.—A State may use such grants di-
9 rectly or by making subgrants to units of local government
10 within that State.

11 **“SEC. 20353. FIREARMS SENTENCING INCENTIVE GRANTS.**

12 “(a) **ELIGIBILITY.**—Except as provided in subsection
13 (b), to be eligible to receive a grant award under this sec-
14 tion, a State shall submit an application to the Attorney
15 General that complies with the following:

16 “(1) The application shall demonstrate that
17 such State has implemented firearms sentencing
18 laws requiring 1 or more of the following:

19 “(A) Any person who, during and in rela-
20 tion to any violent crime or serious drug traf-
21 ficking crime, uses or carries a firearm, shall,
22 in addition to the punishment provided for such
23 crime of violence or serious drug trafficking
24 crime, be sentenced to a term of imprisonment

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1 of not less than 5 years (without the possibility
2 of parole during that term).

3 "(B) Any person who, having at least 1
4 prior conviction for a violent crime, possesses a
5 firearm, shall, for such possession, be sentenced
6 to a term of imprisonment of not less than 5
7 years (without the possibility of parole during
8 that term).

9 "(2) The application shall demonstrate that
10 such State has implemented, or will implement not
11 later than 6 months after receiving a grant under
12 this subtitle, a public awareness and community sup-
13 port program that seeks to build support for, and
14 warns potential violators of, the firearms sentencing
15 laws implemented under paragraph (1).

16 "(3) The application shall provide assurances
17 that such State—

18 "(A) will coordinate with Federal prosecu-
19 tors and Federal law enforcement agencies
20 whose jurisdictions include such State, so as to
21 promote Federal involvement and cooperation in
22 the enforcement of laws within that State; and

23 "(B) will allocate its resources in a manner
24 calculated to reduce crime in the high-crime
25 areas of the State.

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1 “(b) ALTERNATE ELIGIBILITY REQUIREMENT.—

2 “(1) IN GENERAL.—A State that is unable to
3 demonstrate in its application that such State meets
4 the requirement of subsection (a)(1) shall be eligible
5 to receive a grant award under this section notwith-
6 standing that inability if that State, in such applica-
7 tion, provides assurances that such State has in ef-
8 fect an equivalent Federal prosecution agreement.

9 “(2) EQUIVALENT FEDERAL PROSECUTION
10 AGREEMENT.—For purposes of paragraph (1), an
11 equivalent Federal prosecution agreement is an
12 agreement with appropriate Federal authorities that
13 ensures that 1 or more of the following:

14 “(A) If a person engages in the conduct
15 specified in subsection (a)(1)(A), but the con-
16 viction of that person under State law for that
17 conduct is not certain to result in the imposi-
18 tion of an additional sentence as specified in
19 that subsection, that person is prosecuted for
20 such conduct under Federal law.

21 “(B) If a person engages in the conduct
22 specified in subsection (a)(1)(B), but the con-
23 viction of that person under State law for that
24 conduct is not certain to result in the imposi-
25 tion of a sentence as specified in that sub-

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1 section, that person is prosecuted for such con-
2 duct under Federal law.

3 **"SEC. 20354. FORMULA FOR GRANTS.**

4 "(a) IN GENERAL.—The amount available for grants
5 under section 20353 for any fiscal year shall be allocated
6 to each eligible State, in the ratio that the number of part
7 1 violent crimes reported by such State to the Federal Bu-
8 reau of Investigation for the 3 years preceding the year
9 in which the determination is made, bears to the average
10 annual number of part 1 violent crimes reported by all
11 eligible States to the Federal Bureau of Investigation for
12 the 3 years preceding the year in which the determination
13 is made.

14 "(b) UNAVAILABLE DATA.—If data regarding part 1
15 violent crimes in any State is substantially inaccurate or
16 is unavailable for the 3 years preceding the year in which
17 the determination is made, the Attorney General shall uti-
18 lize the best available comparable data regarding the num-
19 ber of violent crimes for the previous year for the State
20 for the purposes of allocation of funds under this subtitle.

21 **"SEC. 20355. AUTHORIZATION OF APPROPRIATIONS.**

22 "(a) AUTHORIZATIONS.—There are authorized to be
23 appropriated to carry out this subtitle—

24 "(1) \$10,000,000 for fiscal year 2001;

25 "(2) \$15,000,000 for fiscal year 2002;