



Legislative Bulletin.....September 28, 2005

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H.R. 3402—Amendments to the Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009

H.R. 3402, the Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009 (sponsored by Rep. Sensenbrenner), is scheduled to be considered on the House floor today, Wednesday, September 28th, subject to a structured rule (H.Res. 462). Below are the summaries of the 12 amendments made in order under the rule.

Note: summaries are based on RSC staff's review of actual amendment text. For a summary of the underlying bill, see a separate RSC document released yesterday.

All amendments are debatable for 10 minutes.

1. Sensenbrenner (R-WI).

- Reverses the underlying bill's repeal of the matching grant program for school security and reauthorizes it through FY2009 (at current levels of \$30 million a year—for a total of \$120 million).
- Authorizes \$37.5 million over five years for grants to the American Prosecutors Research Institute for training prosecutors in how to handle child abuse cases.
- Clarifies the language regarding various grant programs in the underlying bill, so that such programs are not aimed solely at "racial and ethnic minorities" but at populations (which may or may not be racial or ethnic minorities) underserved by existing domestic violence and sexual assault services.
- Ensures that American Indian tribes are eligible for DoJ grants, including the new Justice Assistance Grants programs and the Weed and Seed program grants.
- Reduces, from 5% to 3%, the maximum amount of funding for all programs to be overseen by the Office of Audit, Assessment, and Management that can be used to fund such Office.
- Makes the newly created Office of Applied Law Enforcement Technology a division within the Office of Science and Technology.
- Removes the school security functions from within the reauthorized COPS program and, as mentioned above, reinstates the school security program as a stand-alone program that works with the COPS office.
- Encourages each U.S. district court chief judge to "cooperate with requests from State and local authorities whose operations have been significantly disrupted as a

- result of Hurricane Katrina or Hurricane Rita to provide accommodations in Federal facilities for State and local courts to conduct their proceedings.”
- Makes a variety of clarifying and technical changes to the underlying bill.

2. Cuellar (D-TX). Authorizes \$40 million over four years for the Attorney General to create a United States-Mexico Border Violence Task Force in Laredo, Texas, to combat drug-trafficking, kidnapping, and violence along the U.S.-Mexico border and provide related expertise to existing border authorities.

3. Cuellar (D-TX). Authorizes \$10 million a year (with no end-date) for the creation of a National Gang Intelligence Center under the FBI.

4. Poe (R-TX). Establishes a fixed annual allocation for Victims of Crime Act (VOCA) grants equal to the average amount allocated over the previous three years plus five percent, with the intention that Crime Victims Fund money goes more to direct services for crime victims and less to federal bureaucracy.

5. Capuano (D-MA). Authorizes \$12 million over four years for the Attorney General, acting through the Bureau of Justice Assistance, to make grants to state and local prosecutors and law enforcement agencies in support of juvenile and young adult witness assistance programs.

6. Kennedy (R-MN). Requires that treatment under the Residential Substance Abuse Treatment (RSAT) program be available only to those individuals who have passed a regularly administered drug-screening test (and thus been drug-free) for three months. Also provides that aftercare be provided to prisoners enrolled in the RSAT program as a component of comprehensive substance abuse treatment.

7. Brown-Waite (R-FL). Requires the Secretary of Health and Human Services to report to Congress by February 2009 on the correlation between a perpetrator’s drug and alcohol abuse and the reported incidence of violence at domestic violence shelters.

8. Slaughter (D-NY). Authorizes “such sums as may be necessary” for the Office of Victims of Crime, working with federal, state, and local authorities, and notwithstanding any state, local, or tribal law to the contrary, to develop and implement a plan that allows state and local law enforcement officials to gather or receive evidence of a crime during times of emergency—even if the crime occurred outside of their jurisdiction.

9. Kolbe (R-AZ). Reauthorizes the State Criminal Alien Assistance Program (SCAAP) at \$5.4 billion over six years. Specifies that these funds “may be used only for correctional purposes.” Also requires the DoJ Inspector General to submit a report on the state and local governments that receive SCAAP funds and whether they are cooperating with efforts to deport criminal aliens, whether they have policies in violation of current law, and in the case of illegal aliens released without being referred to the Department of Homeland Security, the number of subsequent offenses committed and how many of

these aliens were released because the state or local governments lacked space or funds to detain them.

10. King (R-IA). Prohibits a person convicted of domestic violence from sponsoring a visa applicant in the future.

11. Ryan (D-OH). Authorizes “such sums” over five years for grants to states to carry out a public campaign to increase awareness of issues regarding domestic violence against pregnant women.

12. Slaughter (D-NY). Expands the current federal criminal ban on fake police badges and the misuse of authentic badges to include the uniforms, identification, and all other insignia of all public officials—federal, state, and local. The use of such badges, uniforms, and insignia would still be permitted for dramatic purposes.

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