

DEPARTMENT OF JUSTICE
2001 APPROPRIATION LANGUAGE CHANGES

The information provided below describes substantive changes from the Department of Justice Appropriations Act, 2000. Non-substantive changes such as new funding requests, changes in the number of motor vehicles, or changes in references to fiscal years are not included. Also excluded from this discussion are deletion of separate language provisions that provided one-time rescissions and permanent transfers in 2000, and language provisions that provided funding from the Violent Crime Reduction Trust Fund, for which authorization expires at the end of 2000.

General Administration. Language is proposed deleting the provisions limiting the Department Leadership Program and the operations of the Offices of Legislative and Public Affairs.

Joint Automated Booking System. Language is proposed to clarify that the funding for the Joint Automated Booking System includes an automated capability to transmit fingerprint and image data.

Public Key Infrastructure. Language is proposed to request funding of \$4,376,000, to remain available until expended for the Public Key Infrastructure. Funds are to implement a Public Key Infrastructure, which provide the means to secure the Department's critical infrastructures.

Narrowband Communications. Language is proposed to clarify that the Narrowband Communications funding includes the costs for operation and maintenance of Land Mobile Radio legacy systems.

Detention Trustee. Language is proposed to establish a Federal Detention Trustee who shall exercise all power and functions authorized by law relating to the detention of Federal prisoners in non-federal institutions or otherwise in the custody of the U.S. Marshals Service (USMS); and the detention of aliens in the custody of the Immigration and Naturalization Service (INS). The Trustee is to be responsible for construction of detention facilities or for housing related to such detention; the management of funds appropriated to the Department for the detention functions; and the direction of the USMS and INS with respect to detention policy setting and operations for the Department.

Salaries and Expenses, General Legal Activities. Language is proposed that allows the use of office automation funds by the United States Trustee Program, Executive Office for Immigration Review and Community Relations Service. These funds may currently be used by General Legal Activities, Antitrust Division, United States Attorneys, and General Administration.

Antitrust Division. Language is proposed providing that fees collected during FY 2001, in excess of the \$104,966,000, cannot be made available in FY 2001 through a reprogramming pursuant to section 605 of the Appropriations Act. This provision, if enacted, would require a supplemental appropriation in order to make additional receipts available for use prior to FY 2002.

Salaries and Expenses, United States Attorneys. Language is proposed deleting 1) the provision that expands existing Violent Crime Task Forces in the United States Attorneys Offices into demonstration projects; and 2) the provision that in addition to reimbursable full-time equivalent workyears available to the Office of the United States Attorneys, other positions and full-time equivalent workyears shall be supported from funds for the United States Attorneys. These provisions were required to meet specific circumstances and are no longer needed.

Federal Prisoner Detention. Language is proposed that will allow the U.S. Marshals Service (USMS) to enter into multi-year contracts with private entities for the confinement of Federal prisoners. Language is also proposed that will allow the USMS to reimburse the Federal Bureau of Prisons for salaries and expenses of providing transportation, guard services, and medical care outside of the Federal penal and correctional institutions to prisoners awaiting trial or sentencing.

Fees and Expenses of Witnesses. Language is proposed which will make available \$5,000,000 for the purchase, installation, and maintenance of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

United States Trustee Program. Language is proposed that excess fees collected during FY 2001 will remain available until expended but will not be available for obligation until October 1, 2001.

Justice Prisoner and Alien Transportation System Fund. Language is proposed that allows funds to be used for operating equipment lease agreements that do not exceed 10 years. The current language provides the use of funds for lease agreements that do not exceed 5 years.

Federal Bureau of Investigation (FBI), Salaries and Expenses. Language is proposed deleting the restriction on providing ballistics imaging equipment to any State or local authority. The Memorandum of Understanding signed on December 2, 1999, no longer provides ballistic imaging equipment for State and local law enforcement.

Immigration and Naturalization Service (INS), Salaries and Expenses. Language, which limits the operations of the Offices of Legislative Affairs and Public Affairs, is proposed for deletion. Also, language that provides that the number of positions filled through non-career appointment shall not exceed four permanent positions and four full-time FTE is proposed for deletion. Language is proposed stating that overtime pay in excess of \$30,000 per calendar year may not be paid, except in such circumstances when the Commissioner determines that enforcing the overtime provision would harm enforcement or service activities. Lastly, the provision limiting funds for operation of the San Clemente and Temecula checkpoints unless traffic is being checked on a 24-hour basis is proposed for deletion.

Immigration Support, Immigration Services Capital Investment Account. Language is proposed requesting funding of \$34,800,000, to remain available until expended. Funds are for backlog reduction, infrastructure improvements, process improvements, major capital acquisitions, and such other service-related expenses and programs necessary for the administration of the laws relating to immigration, naturalization, and alien registration. This account will provide for the depositing into a separate U.S. Treasury account a portion of the receipts generated from immigration adjustment of status penalties, business-related application premium processing revenues and appropriations.

Shared Support Operations Fund. Language is proposed establishing a Shared Support Operations Fund for the Immigration and Naturalization Service (INS), which shall be available without limitation, for expenses and equipment necessary for the operation and maintenance of such administrative services as the Commission, with the approval of the Department and Office of Management and Budget, determines may be performed as central services.

Federal Prison Systems (FPS), Salaries and Expenses. Language is proposed that reduces the amount of carryover funding for facilities activation from \$90,000,000 to \$50,000,000. This amount should meet activation needs of FPS.

Buildings and Facilities. Language is proposed for advance appropriations for planning, acquisition of sites and construction of new facilities, to become available on October 1 of the fiscal year specified and remain available until expended: in fiscal year 2002, \$791,000,000; and fiscal year 2003, \$535,000,000.

Office of Justice Programs (OJP), State and Local Law Enforcement Assistance. Language is proposed to delete funding for the Local Law Enforcement Block Grants. No funding is requested for this program in 2001.

Language is proposed revising the language display for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act, as amended, the Prison Grant Program, and the Tribal Courts Initiative. All of these programs were funded from this account in FY 2000. The current language proposal is intended to be more easily used.

Language is proposed to provide both formula and discretionary grant funding for the Edward Byrne Memorial State and Local Law Enforcement Assistance program under this appropriation since authorization for the Violent Crime Reduction Trust Fund (VCRTF), from which funding was provided in FY 2000, expires at the end of 2000. Included in this proposal is language that \$5,000,000 for the National Institute of Justice for program evaluation. Also included is language providing \$59,500,000 for discretionary grants under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs.

Language is proposed to provide \$9,000,000 for the Court Appointed Special Advocate Program, as authorized by section 218 of the 1990 Act, \$2,000,000 for Child Abuse Training Programs for Judicial Personnel and Practitioners, as authorized by section 224 of the 1990 Act, and \$1,000,000 for televised testimony. Funds for these programs were provided from the VCRTF.

Language is proposed to provide funding for Grants to Combat Violence Against Women, to States, units of local government, and Indian tribal governments, as authorized by section 1001(a)(18) of the 1968 Act. Language is also included for Grants to Encourage Arrest Policies, for Rural Domestic Violence and Child Abuse Assistance Grants and for training programs to assist probation and parole officers who work with released sex offenders. In 2000, funds for these programs were provided from VCRTF.

Language is proposed for Residential Substance Abuse grants and provides that States that have existing in-prison drug treatment programs, in compliance with Federal requirements, may use their residential substance abuse grant funds for treatment and sanctions, both during incarceration and after release under this appropriation since authorization for the VCRTF, from which funding was provided in FY 2000, expires at the end of 2000.

Language is proposed for the new Indian Country Grants Program initiative for demonstration grants on alcohol and crime in Indian Country (\$8,000,000), for establishment of sexual assault nurse examiner units in Indian Country (\$5,000,000), and for a Tribal Youth Mental Health and Behavior Program (\$8,000,000).

Language is proposed for the Missing Alzheimer's Disease Patient Alert Program (\$900,000), the Motor Vehicle Theft Prevention Program (\$1,300,000), the Drug Courts (\$50,000,000), the Law Enforcement Family Support Programs (\$1,500,000) and the Telemarketing Fraud against Seniors (\$2,000,000). The programs were funded from VCRTF in 2000.

Language is proposed to provide \$75,000,000 for the new Zero Tolerance Drug Testing and Intervention Initiative, including \$10,000,000 for Indian Tribes and \$25,000,000 for the Re-entry Initiative.

Language is proposed that funds made available under subpart 1 of part E of title I of the 1968 Act may be obligated for programs to assist States in the litigation processing of dealt penalty Federal habeas corpus petitions and for drug testing initiatives.

Further, language is proposed that balances for these programs may be transferred from the Violent Crime Reduction Programs, State and Local Law Enforcement Assistance account to this account.

Community Oriented Policing Services. Language is proposed to provide the Attorney General the authority to transfer any 2000 COPS funds, and balances for programs funded under this heading in 2000, to the “State and Local Law Enforcement Assistance” account, and to allow administrative expenses associated with such transferred amounts to be further transferred to the “Justice Assistance” account. This language will provide optimum flexibility in the operation of these programs.

Language is proposed to delete reference to the use of unobligated balances in 2000 language. Language is proposed for funding Public Safety and Community Policing Grants, including programs to combat violence in schools, matching grant program for Law Enforcement Armor vests, for program support for the Court Services and Offender Agency for the District of Columbia, and improve tribal law enforcement, funding for National Police Officer Scholarships, and for Police Corps education, training, and service. Similar language was provided in 2000. The current proposal is intended to make language proposals more easily used.

Language is proposed to fund innovative programs to combat crime, including \$70,000,000 for grants to upgrade criminal records, \$15,000,000 for State and local forensic labs to reduce convicted offender DNA sample backlog, \$35,000,000 for State, Tribal and local DNA laboratories, \$10,000,000 for the National Institute of Justice Law Enforcement and Corrections Technology Centers, \$10,000,000 for assistance to use and improve crime-solving, data sharing and crime forecasting technologies, \$6,000,000 to establish regional forensic computer labs and \$199,000,000 for discretionary grants. The discretionary grants language, including planning grants, to States, under section 102 of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601), of which up to \$99,000,000 is for grant to law enforcement agencies.

Language is proposed for a Community Prosecution Program, including \$150,000,000 for grants to States and local government to address gun violence “hot spots.”

Language is proposed for funding \$135,000,000 for grants, training, and technical assistance in support of community crime prevention efforts.

OJP, Juvenile Justice Programs. Language is proposed that would provide \$3,000,000 to the National Institute of Justice for research into the dependency court system’s response to child abuse and neglect, \$10,000,000 for prevention and reduction of youth gun violence, and \$10,000,000 for demonstration programs to reduce drug use among juveniles. Language referring to the re-authorization of Juvenile Justice Programs is proposed for deletion.

Public Safety Officers Benefits. Language is proposed to request \$4,800,000, for the Public Safety Officers Dependents Assistance Program, to remain available until expended.