

DEPARTMENT OF JUSTICE
2002 APPROPRIATION LANGUAGE CHANGES

The information provided below describes substantive changes from the Department of Justice Appropriations Act, 2001. 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 supplemental funding in 2001.

General Administration. Language is proposed deleting the provisions that place restrictions on the Department Leadership Program and the Offices of Legislative and Public Affairs in terms of positions, workyears, appropriation amounts, and augmentation through the use of details.

Detention Trustee. Language establishing the Federal Detention Trustee in 2001 is deleted and essentially identical language for the 2002 appropriation is substituted.

Telecommunications Carrier Compliance Fund. Deletion of language for payments authorized by section 109 of the Communications Assistance for Law Enforcement Act (47 U.S.C. 1008), is proposed. Funding of virtually the total authorized level of \$500,000,000 has been provided (\$499,556,876 was provided because of the .22 percent rescission of \$443,124).

Salaries and Expenses, United States Attorneys. Language is proposed to delete the requirement that \$1,000,000 shall remain available until expended for the expansion of Violent Crime Task Forces into demonstration projects and contracts with state and local prosecutorial and law enforcement agencies engaged in the investigation and prosecution of violent crimes. Language is also proposed to delete the current limitations on positions and full-time equivalent workyears.

United States Marshals Service, Salaries and Expenses. Language is proposed to delete the current limitations on positions and full-time equivalent workyears.

Justice Prisoner and Alien Transportation System Fund (USMS JPATS). Language that permanently established the JPATS Fund for FY 2000 and thereafter is proposed for deletion. In addition, language that provided a one-time appropriation for the purchase of two Sabreliner-class aircraft is proposed for deletion.

Federal Prisoner Detention. Language, permanently enacted in 2001, is proposed for deletion. This language enables the U.S. Marshals Service (USMS) to reimburse the Bureau of Prisons for the costs of transporting, guarding, and providing medical care outside of federal institutions to prisoners awaiting trial or sentencing.

Community Relations Service. Language is proposed to delete the requirement to notify Congress of transfers under section 605 to deal with emergent circumstances.

Payment to Radiation Exposure Compensation Trust Fund. No change to the current language is proposed. However, the Administration is planning a legislative proposal that will make the current Radiation Compensation Trust account mandatory and will propose an appropriation of such sums as may be necessary.

Federal Bureau of Investigation (FBI), Salaries and Expenses. Language is proposed to delete the restriction of the use of funds to provide ballistic equipment to any state or local authority without reimbursement. This language is no longer needed because the Memorandum of Understanding signed on December 2, 1999, by the FBI and the Federal Bureau of Alcohol, Tobacco and Firearms no longer provides ballistic imaging equipment for state and local law enforcement. Language is proposed deleting the phrase "for detection, investigation, and prosecution of crimes against the United States" in order to achieve conformity and consistency with other Department of Justice components. Language is proposed to delete the current limitations on positions and full-time equivalent workyears.

Drug Enforcement Administration, Salaries and Expenses. Language is proposed to delete the current limitations on positions and full-time equivalent workyears.

Immigration and Naturalization Service (INS). Language is proposed to delete the funding requirement related to basic training since funding is now included in the appropriate programs. Language is proposed to delete the requirement to check traffic on a continuous 24-hour basis at the San Clemente and Temecula Border Patrol checkpoints. Language is proposed to delete the current limitations on positions and full-time equivalent workyears funded from the Enforcement and Border Affairs and the Citizenship and Benefits accounts; to delete the position and full-time equivalent workyear limitations on the Legislative and Public Affairs Offices; and to delete the limitation on the number of non-career appointments.

Office of Justice Programs (OJP) Justice Assistance. Language is proposed to add section 819 and delete section 822 of the Antiterrorism and Effective Death Penalty Act of 1996.

Office of Justice Programs, State and Local Law Enforcement Assistance. Language is proposed to add the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386) to the laws whose programs are funded from this account. In addition, language is proposed to eliminate the Boys and Girls Club earmark of \$60,000,000 and to eliminate Violent Offender and Truth-in-Sentencing (VOITIS) grants but to include two of the previous VOITIS earmarks as stand-alone programs: \$35,191,000 for Tribal Prisons; and \$35,000,000 for the Cooperative Agreement Program (CAP).

Language is proposed to eliminate Edward Byrne Discretionary Grants. Language is proposed to earmark \$1,000,000 for the Bureau of Justice Assistance for grants, contracts, or other assistance for a domestic violence federal case processing study and \$5,000,000 for the National Institute of Justice for grants, contracts, or other assistance for research on family violence under the Grants to Combat Violence Against Women program. Language is proposed to eliminate the Safe Start Program earmark under the Violence Against Women Act. Language that expands the use of Residential Substance Abuse Treatment grant funds to include after release programs is proposed. Language is proposed that adds an earmark to the Juvenile Accountability Incentive Block Grant (JAIBG) for the ChildSafe initiative. In addition, language is proposed for deletion that: 1) allowed funds provided in 2001 to be used to assist states in habeas corpus processing; 2) required a net gain in the number of law enforcement officers who perform non-administrative public safety service if funds were used to add law enforcement officers; and 3) allowed the merger of Violent Crime Reduction Programs balances into the State and Local Assistance account in 2001.

New language is proposed that adds \$3,000,000 for grants to states and units of local government to improve the processes for entering data regarding stalking and domestic violence into local, state and national crime information databases, as authorized by Section 49602 of the 1994 Crime Act. Language is proposed to add \$10,000,000 for grants to reduce Violent Crimes Against Women on Campus, as authorized by Section 1108 (a) of P. L. 106-386. Language is proposed to add \$40,000,000 for Legal Assistance for Victims, as authorized by Section 1201 of P. L. 106-386. Language is proposed to add \$5,000,000 for enhancing protection for older and disabled women from domestic violence and sexual assault as authorized by Section 40801 of the 1994 Act. Language is proposed to add \$15,000,000 for the Safe Havens for Children Pilot Program as authorized by Section 1301 of P. L. 106-386. Language is proposed to add \$200,000 for a report of effects of parental kidnaping laws in domestic violence cases, as authorized by Section 1303 of P. L. 106-386. Language is proposed to add \$200,000 for the study of standards and processes for forensic exams of domestic violence as authorized by Section 1405 of P. L. 106-386. Language is proposed to add \$7,500,000 for Education and Training to end violence against and abuse of women with disabilities as authorized by Section 1402 of P. L. 106-386.

Office of Justice Programs, Juvenile Justice Programs. Language is proposed to earmark \$5,033,000 of the Safe Schools Initiative to be available for grants, contracts, and other assistance under the Project Sentry initiative, and to earmark \$37,000,000 of the Title V program (the At Risk Children's Program) for grants, contracts and other assistance under the ChildSafe initiative. In addition, language is proposed for deletion that imposed funding provisions on Juvenile Justice Programs in 2001 based on the possible reauthorization of the Juvenile Justice and Delinquency Prevention Act.

Community Oriented Policing Services. Language is proposed that allows all prior year carryover funds derived from the Violent Crime Trust Fund for Community Oriented Policing Services to be transferred into this appropriation.

Language is proposed to provide \$320,249,000 for Public Safety and Community Policing Grants including: \$180,000,000 for the hiring of law enforcement officers, including school resources officers; \$20,662,000 for training and technical assistance; \$25,444,000 for the matching grant program for Law Enforcement Armor Vests pursuant to section 2501 of part Y of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; \$31,315,000 to improve tribal law enforcement including equipment and training; \$48,393,000 for policing initiatives to combat methamphetamine production and trafficking; and \$14,435,000 for Police Corps education, training, and services under sections 200101-200113 of the 1994 Act.

Language is proposed to provide \$355,404,000 for crime technology, including: \$100,000,000 for a COPS Technology Grant Program, which will provide technology grants to State and local law enforcement agencies without redeployment tracking requirements; \$35,000,000 for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); \$35,000,000 for the DNA initiative as authorized by the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106-546), of which \$15,000,000 shall be available to carry out section 2(a)(1) of the Act, and of which \$20,000,000 shall be available to carry out section 2(a)(2) of the Act; \$35,000,000 for state and local DNA laboratories as authorized by section 1001(a)(22) of the 1968 Act, as well as for improvements to the state and local forensic general science capabilities to reduce state and local DNA convicted offender sample backlog and for awards to state, local and private laboratories; and \$150,404,000 for grants, contracts, and other assistance to states under section 102 (b) of the Crime Identification Technology Act of 1998 (42 U.S.C.14601), of which \$17,000,000 is for the National Institute of Justice for grants, contracts, and other agreements to develop school safety technologies.

Language is proposed to provide \$99,780,000 for prosecution programs including: \$49,780,000 for anti-gun violence grants; and \$50,000,000 for the Southwest Border Initiative.

Language is proposed to provide \$46,863,000 for grants, training, technical assistance, and other expenses to support community crime and prevention efforts, which includes \$14,967,000 for Project Sentry; \$14,934,000 for an offender re-entry program; and \$16,963,000 for public integrity and hate crimes training.

Language is proposed to provide not to exceed \$32,812,000 for program management and administration.