

105TH CONGRESS
1ST SESSION

S. 15

To control youth violence, crime, and drug abuse, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. DASCHLE (for himself, Mr. BIDEN, Mr. LEAHY, Mr. KOHL, Mr. BREAUX, Mr. FORD, Ms. MIKULSKI, Mr. DODD, Mr. DURBIN, Mr. KERRY, Mr. LEVIN, Ms. LANDRIEU, Mr. TORRICELLI, Ms. MOSELEY-BRAUN, Mr. GLENN, and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To control youth violence, crime, and drug abuse, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Youth Violence, Crime, and Drug Abuse Control Act of
6 1997”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—CRIME CONTROL

Subtitle A—More Police Officers on the Beat

- Sec. 101. More police officers on the beat.
- Sec. 102. Grants for equipment, technology, and support systems.
- Sec. 103. National community police telecommunications.
- Sec. 104. Technical amendment.

Subtitle B—Violent Offender Incarceration and Truth-in-Sentencing Grants

- Sec. 121. Formula allocations.
- Sec. 122. Extension of violent offender incarceration and truth-in-sentencing grants.

Subtitle C—Domestic Violence

- Sec. 131. Extension of Violence Against Women Act.
- Sec. 132. Rural domestic violence and child abuse enforcement assistance.

Subtitle D—Assistance to Local Law Enforcement

- Sec. 141. Extension of law enforcement family support funding.
- Sec. 142. Extension of rural drug enforcement and training funding.
- Sec. 143. Extension of DNA identification grants funding.
- Sec. 144. Extension of Byrne grant funding.
- Sec. 145. Extension of technical automation grant funding.
- Sec. 146. Extension of grants for State court prosecutors.

TITLE II—YOUTH VIOLENCE CONTROL

Subtitle A—Federal Juvenile Prosecutions

- Sec. 201. Increased detention, mandatory restitution, and additional sentencing options for youth offenders.
- Sec. 202. Access to records.
- Sec. 203. Reinstating dismissed cases.

Subtitle B—Assistance to States for Prosecuting and Punishing Youth Offenders

- Sec. 214. Juvenile and violent offender incarceration grants.
- Sec. 215. Certain punishment and graduated sanctions for youth offenders.

Subtitle C—Juvenile Gun Courts

- Sec. 221. Definitions.
- Sec. 222. Grant program.
- Sec. 223. Applications.
- Sec. 224. Grant awards.
- Sec. 225. Use of grant amounts.
- Sec. 226. Grant limitations.
- Sec. 227. Federal share.
- Sec. 228. Report and evaluation.
- Sec. 229. Authorization of appropriations.

Subtitle D—Gang Violence Reduction

PART 1—ENHANCED PENALTIES FOR GANG-RELATED ACTIVITIES

- Sec. 241. Gang franchising.
- Sec. 242. Gang franchising as RICO predicate.
- Sec. 243. Increase in offense level for participation in crime as gang member.
- Sec. 244. Increasing the penalty for using physical force to tamper with witnesses, victims, or informants.
- Sec. 245. Possession of firearms in relation to counts of violence or drug trafficking crimes.
- Sec. 246. Increased penalty for transferring a firearm to a minor for use in a crime.
- Sec. 247. Elimination of statute of limitations for murder.
- Sec. 248. Extension of statute of limitations for violent and drug trafficking crimes.

PART 2—GANG PARAPHERNALIA

- Sec. 251. Enhancing law enforcement access to clone numeric pagers.
- Sec. 252. Prohibitions relating to body armor.
- Sec. 253. Prohibitions relating to laser sighting devices.

Subtitle E—Rights of Victims in State Juvenile Courts

- Sec. 261. State guidelines.

TITLE III—PREVENTION AND TREATMENT OF YOUTH DRUG ABUSE AND ADDICTION

Subtitle A—Protecting Youth From Dangerous Drugs

- Sec. 301. Rescheduling of “club” drugs.

Subtitle B—Development of Medicines for the Treatment of Drug Addiction

PART 1—PHARMACOTHERAPY RESEARCH

- Sec. 321. Reauthorization for medication development program.

PART 2—PATENT PROTECTIONS FOR PHARMACOTHERAPIES

- Sec. 331. Recommendation for investigation of drugs.
- Sec. 332. Designation of drugs.
- Sec. 333. Protection for drugs.
- Sec. 334. Open protocols for investigations of drugs.

PART 3—ENCOURAGING PRIVATE SECTOR DEVELOPMENT OF PHARMACOTHERAPIES

- Sec. 341. Development, manufacture, and procurement of drugs for the treatment of addiction to illegal drugs.

Subtitle C—Prevention and Treatment Programs

PART 1—COMPREHENSIVE DRUG EDUCATION

- Sec. 351. Extension of safe and drug-free schools and communities program.

PART 2—DRUG COURTS

- Sec. 361. Reauthorization of drug courts program.
- Sec. 362. Juvenile drug courts.

PART 3—DRUG TREATMENT

Sec. 371. Drug treatment for juveniles.

Subtitle D—National Drug Control Policy

Sec. 381. Reauthorization of Office of National Drug Control Policy.

Sec. 382. Study on effects of California and Arizona drug initiatives.

Subtitle E—Penalty Enhancements

Sec. 391. Increased penalties for using Federal property to grow or manufacture controlled substances.

Sec. 392. Technical correction to ensure compliance of Federal sentencing guidelines with Federal law.

TITLE IV—PROTECTING YOUTH FROM VIOLENT CRIME

Subtitle A—Grants for Youth Organizations

Sec. 401. Grant program.

Sec. 402. Grants to national organizations.

Sec. 403. Grants to States.

Sec. 404. Allocation; grant limitation.

Sec. 405. Report and evaluation.

Sec. 406. Authorization of appropriations.

Subtitle B—“Say No to Drugs” Community Centers Act of 1997

Sec. 421. Short title; definitions.

Sec. 422. Grant requirements.

Sec. 423. Authorization of appropriations.

Subtitle C—Missing Children

Sec. 431. Amendments to the Missing Children’s Assistance Act.

TITLE V—IMPROVING YOUTH CRIME AND DRUG PREVENTION

Subtitle A—Comprehensive Study of Federal Prevention Efforts

Sec. 501. Study by national academy of science.

Subtitle B—Evaluation Mandate for Authorized Programs

Sec. 522. Evaluation of crime prevention programs.

Sec. 523. Evaluation and research criteria.

Sec. 524. Compliance with evaluation mandate.

Sec. 525. Reservation of amounts for evaluation and research.

Subtitle C—Elimination of Ineffective Programs

Sec. 531. Sense of Senate regarding funding for programs determined to be ineffective.

TITLE VI—EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND

Sec. 601. Extension of violent crime reduction trust fund.

1 **SEC. 2. DEFINITIONS.**

2 In this Act—

3 (1) the term “Attorney General” means the At-
4 torney General of the United States;

5 (2) the term “Indian tribe” means a tribe,
6 band, pueblo, nation, or other organized group or
7 community of Indians, including an Alaska Native
8 village (as defined in or established under the Alaska
9 Native Claims Settlement Act (43 U.S.C. 1601 et
10 seq.)), that is recognized as eligible for the special
11 programs and services provided by the United States
12 to Indians because of their status as Indians;

13 (3) the term “juvenile” has the meaning given
14 that term under applicable State law;

15 (4) the term “State” means any State of the
16 United States, the District of Columbia, the Com-
17 monwealth of Puerto Rico, the Virgin Islands, Amer-
18 ican Samoa, Guam, and the Northern Mariana Is-
19 lands;

20 (5) the term “unit of local government” means
21 any city, county, township, borough, parish, or other
22 entity exercising governmental power under State
23 law;

24 (6) the term “Violent Crime Reduction Trust
25 Fund” means the fund established under title XXXI

1 of the Violent Crime Control and Law Enforcement
2 Act of 1994 (42 U.S.C. 14211 et seq.); and

3 (7) the term “youth” means a person who is
4 not younger than 5 and not older than 18 years of
5 age.

6 **TITLE I—CRIME CONTROL**
7 **Subtitle A—More Police Officers on**
8 **the Beat**

9 **SEC. 101. MORE POLICE OFFICERS ON THE BEAT.**

10 Section 1001(a)(11)(A) of title I of the Omnibus
11 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
12 3793(a)(11)(A)) is amended—

13 (1) in clause (v), by striking “and” at the end;

14 (2) in clause (vi), by striking the period at the
15 end and inserting a semicolon; and

16 (3) by adding at the end the following:

17 “(vii) \$1,240,000,000 for fiscal year 2001; and

18 “(viii) \$1,240,000,000 for fiscal year 2002.”.

19 **SEC. 102. GRANTS FOR EQUIPMENT, TECHNOLOGY, AND**
20 **SUPPORT SYSTEMS.**

21 Section 1701(b)(2)(A) of title I of the Omnibus
22 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
23 3796dd) is amended to read as follows:

1 “(A) may not exceed 20 percent of the
2 funds available for grants pursuant to this sub-
3 section in any fiscal year.”.

4 **SEC. 103. NATIONAL COMMUNITY POLICE TELECOMMUNI-**
5 **CATIONS.**

6 Part Q of title I of the Omnibus Crime Control and
7 Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) is
8 amended by adding at the end the following:

9 **“SEC. 1710. NATIONAL POLICE TELECOMMUNICATIONS.**

10 “(a) FINDINGS.—Congress finds that—

11 “(1) police departments and sheriffs confirm
12 that the 911 system is overloaded and that a large
13 percentage of those calls are nonemergency calls;

14 “(2) many communities have seen increases in
15 their 911 call volumes of between 40 percent and 50
16 percent annually;

17 “(3) police officers are forced to spend too
18 much time responding to nonemergency situations,
19 which eliminates time for proactive community polic-
20 ing; and

21 “(4) efforts to limit the use of 911 by using
22 general telephone numbers and educating the public
23 to reference a general number in the telephone book
24 have been ineffective.

25 “(b) PURPOSE.—The purposes of this section are—

1 “(1) to encourage the Federal Communications
2 Commission to reserve the 311 nonemergency num-
3 ber on a national basis for use by public safety agen-
4 cies in responding to nonemergency police telephone
5 calls; and

6 “(2) to establish a Federal assistance program
7 to assist States and localities in establishing 311
8 nonemergency systems and to educate citizens in the
9 use of 911 and 311.

10 “(c) **AUTHORITY TO MAKE 311 NONEMERGENCY**
11 **GRANTS.**—The Attorney General, acting through the Di-
12 rector of the Office of Community Oriented Policing Serv-
13 ices, may make grants to States, units of local govern-
14 ments, Indian tribal governments, other public and private
15 entities, and multijurisdictional or regional consortia, to
16 encourage the use of and to implement 311 nonemergency
17 telecommunication systems for public safety.

18 “(d) **GENERAL REGULATORY AUTHORITY.**—The At-
19 torney General may promulgate regulations and guidelines
20 to carry out this section.

21 “(e) **AUTHORIZATION OF APPROPRIATIONS.**—There
22 are authorized to be appropriated from the Violent Crime
23 Reduction Trust Fund to carry out this section—

24 “(1) such sums as may be necessary for each
25 of the fiscal years 1998 through 2000; and

1 “(2) \$10,000,000 in each of the fiscal years
2 2001 and 2002.”.

3 **SEC. 104. TECHNICAL AMENDMENT.**

4 Section 1001(a)(11)(B) of title I of the Omnibus
5 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
6 3793) is amended by striking “150,000” each place it ap-
7 pears and inserting “100,000”.

8 **Subtitle B—Violent Offender Incar-**
9 **ceration and Truth-in-Sentenc-**
10 **ing Grants**

11 **SEC. 121. FORMULA ALLOCATIONS.**

12 Section 20106 of the Violent Crime Control and Law
13 Enforcement Act of 1994 (42 U.S.C. 13706) is amend-
14 ed—

15 (1) in subsection (a)(1), by striking subpara-
16 graph (B) and inserting the following:

17 “(B) **FORMULA ALLOCATION.**—The
18 amount remaining after application of subpara-
19 graph (A) shall be allocated as follows:

20 “(i) 0.75 percent shall be allocated to
21 each State that meets the requirements of
22 section 20103(b), except that the United
23 States Virgin Islands, American Samoa,
24 Guam, and the Commonwealth of the
25 Northern Mariana Islands, if eligible under

1 section 20103(b), shall each be allocated
2 0.05 percent.

3 “(ii) The amount remaining after ap-
4 plication of clause (i) shall be allocated to
5 each State that meets the requirements of
6 section 20103(b), in the ratio that the
7 number of part 1 violent crimes reported
8 by such State to the Federal Bureau of In-
9 vestigation for the 3 years preceding the
10 year in which the determination is made,
11 bears to the average annual number of
12 part 1 violent crimes reported by all States
13 that meet the requirements of section
14 20103(b) to the Federal Bureau of Inves-
15 tigation for the 3 years preceding the year
16 in which the determination is made.”; and

17 (2) by striking subsection (b) and inserting the
18 following:

19 “(b) ALLOCATION OF TRUTH-IN-SENTENCING
20 GRANTS UNDER SECTION 20104.—The amounts available
21 for grants under section 20104 shall be allocated as fol-
22 lows:

23 “(1) FORMULA ALLOCATION.—0.75 percent
24 shall be allocated to each State that meets the re-
25 quirements of section 20104, except that the United

1 States Virgin Islands, American Samoa, Guam, and
2 the Commonwealth of the Northern Mariana Is-
3 lands, if eligible under section 20104, shall each be
4 allocated 0.05 percent.

5 “(2) ADDITIONAL ALLOCATION.—The amount
6 remaining after application of paragraph (1) shall be
7 allocated to each State that meets the requirements
8 of section 20104, in the ratio that the number of
9 part 1 violent crimes reported by such State to the
10 Federal Bureau of Investigation for the 3 years pre-
11 ceding the year in which the determination is made,
12 bears to the average annual number of part 1 violent
13 crimes reported by all States that meet the require-
14 ments of section 20103(b) to the Federal Bureau of
15 Investigation for the 3 years preceding the year in
16 which the determination is made.”.

17 **SEC. 122. EXTENSION OF VIOLENT OFFENDER INCARCER-**
18 **ATION AND TRUTH-IN-SENTENCING GRANTS.**

19 (a) VIOLENT OFFENDER INCARCERATION GRANTS.—
20 Section 20108(a) of the Violent Crime Control and Law
21 Enforcement Act of 1994 (42 U.S.C. 13708(a)) is amend-
22 ed—

23 (1) in paragraph (1)—

24 (A) in subparagraph (D), by striking
25 “and” at the end;

1 (B) in subparagraph (E), by striking the
2 period at the end and inserting a semicolon;
3 and

4 (C) by adding at the end the following:

5 “(F) \$2,750,000,000 for fiscal year 2001;
6 and

7 “(G) \$2,750,000,000 for fiscal year
8 2002.”; and

9 (2) in paragraph (2)(A), by striking “fiscal
10 year,” and all that follows before the period and in-
11 sserting the following: “fiscal year distribute 45 per-
12 cent for incarceration grants under section 20103,
13 45 percent for incentive grants under section 20104,
14 and 10 percent for violent juvenile offender incarcer-
15 ation grants under section 214 of the Youth Vio-
16 lence, Crime, and Drug Abuse Control Act of
17 1997.”.

18 (b) TRUTH IN SENTENCING GRANTS.—Section
19 20102(a) of the Violent Crime Control and Law Enforce-
20 ment Act of 1994 (42 U.S.C. 13702(a)) is amended—

21 (1) in paragraph (2), by striking “and” at the
22 end;

23 (2) in paragraph (3), by striking the period at
24 the end and inserting “; and”; and

25 (3) by adding at the end the following:

1 “(4) for hiring professional staff to supervise
2 violent offenders following release from custody and
3 officers of the court to speed the prosecution of vio-
4 lent offenders.”.

5 **Subtitle C—Domestic Violence**

6 **SEC. 131. EXTENSION OF VIOLENCE AGAINST WOMEN ACT.**

7 (a) GRANTS TO COMBAT VIOLENT CRIMES AGAINST
8 WOMEN.—Section 1001(a)(18) of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
10 3793(a)(18)) is amended—

11 (1) in subparagraph (E), by striking “and” at
12 the end;

13 (2) in subparagraph (F), by inserting “and” at
14 the end; and

15 (3) by adding at the end the following:

16 “(G) \$174,000,000 for fiscal year 2001; and

17 “(H) \$174,000,000 for fiscal year 2002.”.

18 (b) EDUCATION AND PREVENTION GRANTS TO RE-
19 DUCE SEXUAL ASSAULTS AGAINST WOMEN.—

20 (1) IN GENERAL.—Section 40151 of Public
21 Law 103–322 (108 Stat. 1920) is amended by strik-
22 ing “Health and Human Services” and inserting
23 “Health Service”.

24 (2) AMENDMENT.—Section 1910A(c) of the
25 Public Health Service Act is amended—

1 (A) in paragraph (4), by striking “and” at
2 the end; and

3 (B) by adding at the end the following:

4 “(6) \$45,000,000 for fiscal year 2001; and

5 “(7) \$45,000,000 for fiscal year 2002.”.

6 (c) GRANT FOR NATIONAL DOMESTIC VIOLENCE
7 HOTLINE.—Section 316(f) of the Family Violence Preven-
8 tion and Services Act (42 U.S.C. 10401) is amended—

9 (1) in subparagraph (E), by striking “and” at
10 the end;

11 (2) in subparagraph (F), by adding “and” at
12 the end; and

13 (3) by adding at the end the following:

14 “(G) \$500,000 for fiscal year 2001; and

15 “(H) \$500,000 for fiscal year 2002.”.

16 (d) GRANTS FOR BATTERED WOMEN’S SHELTERS.—
17 Section 310(a) of the Family Violence Prevention and
18 Services Act (42 U.S.C. 10409(a)) is amended—

19 (1) in paragraph (4), by striking “and” at the
20 end;

21 (2) in paragraph (5), by adding “and” at the
22 end; and

23 (3) by adding at the end the following:

24 “(6) \$72,500,000 for fiscal year 2001; and

25 “(7) \$72,500,000 for fiscal year 2002.”.

1 (e) VICTIMS OF CHILD ABUSE PROGRAMS.—Section
 2 218(a) of the Victims of Child Abuse Act of 1990 (42
 3 U.S.C. 13014(a)) is amended—

4 (1) in paragraph (4), by striking “and” at the
 5 end;

6 (2) in paragraph (5), by adding “and” at the
 7 end; and

8 (3) by adding at the end the following:

9 “(6) \$10,000,000 for fiscal year 2001; and

10 “(7) \$10,000,000 for fiscal year 2002.”.

11 **SEC. 132. RURAL DOMESTIC VIOLENCE AND CHILD ABUSE**
 12 **ENFORCEMENT ASSISTANCE.**

13 Section 1501(b) of title I of the Omnibus Crime Con-
 14 trol and Safe Streets Act of 1968 (42 U.S.C. 3796bb(b))
 15 is amended by striking “through fiscal year 1997” and
 16 inserting “or a State that has a population density of more
 17 than 60 percent (as defined by the Bureau of the Census
 18 of the Department of Commerce)”.

19 **Subtitle D—Assistance to Local**
 20 **Law Enforcement**

21 **SEC. 141. EXTENSION OF LAW ENFORCEMENT FAMILY SUP-**
 22 **PORT FUNDING.**

23 Section 1001(a)(21) of title I of the Omnibus Crime
 24 Control and Safe Streets Act of 1968 (42 U.S.C.
 25 3793(a)(21)) is amended—

1 (1) by redesignating paragraphs (1) through
2 (5) as subparagraphs (A) through (E), respectively;

3 (2) in subparagraph (D), as redesignated, by
4 striking “and” at the end;

5 (3) in subparagraph (E), as redesignated, by
6 striking the period at the end and inserting a semi-
7 colon; and

8 (4) by adding at the end the following:

9 “(F) \$7,500,000 for fiscal year 2001; and

10 “(G) \$7,500,000 for fiscal year 2002.”.

11 **SEC. 142. EXTENSION OF RURAL DRUG ENFORCEMENT AND**
12 **TRAINING FUNDING.**

13 (a) OMNIBUS CRIME CONTROL AND SAFE STREETS
14 ACT OF 1968.—Section 1001(a)(9) of title I of the Omni-
15 bus Crime Control and Safe Streets Act of 1968 (42
16 U.S.C. 3793(a)(9)) is amended—

17 (1) in subparagraph (D), by striking “and” at
18 the end;

19 (2) in subparagraph (E), by striking the period
20 at the end and inserting a semicolon; and

21 (3) by adding at the end the following:

22 “(F) \$66,000,000 for fiscal year 2001; and

23 “(G) \$66,000,000 for fiscal year 2002.”.

24 (b) VIOLENT CRIME CONTROL AND LAW ENFORCE-
25 MENT ACT OF 1994.—Section 18103(b) of the Violent

1 Crime Control and Law Enforcement Act of 1994 (42
2 U.S.C. 14082(b)) is amended—

3 (1) in paragraph (4), by striking “and” at the
4 end;

5 (2) in paragraph (5), by striking the period at
6 the end and inserting a semicolon; and

7 (3) by adding at the end the following:

8 “(6) \$1,000,000 for fiscal year 2001; and

9 “(7) \$1,000,000 for fiscal year 2002.”.

10 **SEC. 143. EXTENSION OF DNA IDENTIFICATION GRANTS**

11 **FUNDING.**

12 Section 1001(a) of title I of the Omnibus Crime Con-
13 trol and Safe Streets Act of 1968 (42 U.S.C. 3793(a))
14 is amended—

15 (1) by redesignating paragraphs (16) through
16 (22) as paragraphs (12) through (17), respectively;
17 and

18 (2) in paragraph (17), as redesignated—

19 (A) by redesignating paragraphs (1)
20 through (5) as subparagraphs (A) through (E),
21 respectively;

22 (B) in subparagraph (D), as redesignated,
23 by striking “and” at the end;

1 (C) in subparagraph (E), as redesignated,
2 by striking the period at the end and inserting
3 a semicolon; and

4 (D) by adding at the end the following:

5 “(F) \$17,500,000 for fiscal year 2001; and

6 “(G) \$17,500,000 for fiscal year 2002.”.

7 **SEC. 144. EXTENSION OF BYRNE GRANT FUNDING.**

8 Section 210101 of the Violent Crime Control and
9 Law Enforcement Act of 1994 (Public Law 103–322; 108
10 Stat. 2061) is amended—

11 (1) by striking “through 2000” and inserting
12 “through 2002”;

13 (2) in paragraph (5), by striking “and” at the
14 end;

15 (3) in paragraph (6), by striking the period at
16 the end and inserting a semicolon; and

17 (4) by adding at the end the following:

18 “(7) \$200,000,000 for fiscal year 2001; and

19 “(8) \$200,000,000 for fiscal year 2002.”.

20 **SEC. 145. EXTENSION OF TECHNICAL AUTOMATION GRANT**
21 **FUNDING.**

22 Section 210501(c) of the Violent Crime Control and
23 Law Enforcement Act of 1994 (42 U.S.C. 14151(c)) is
24 amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (D), by striking
2 “and” at the end;

3 (B) in subparagraph (E), by striking the
4 period at the end and inserting a semicolon;
5 and

6 (C) by adding at the end the following:

7 “(F) for fiscal year 2001, \$24,000,000;
8 and

9 “(G) for fiscal year 2002, \$24,000,000;”;
10 and

11 (2) in paragraph (2)—

12 (A) in subparagraph (D), by striking
13 “and” at the end;

14 (B) in subparagraph (E), by striking the
15 period at the end and inserting a semicolon;
16 and

17 (C) by adding at the end the following:

18 “(F) for fiscal year 2001, \$6,000,000; and

19 “(G) for fiscal year 2002, \$6,000,000;
20 and”.

21 **SEC. 146. EXTENSION OF GRANTS FOR STATE COURT PROS-**
22 **ECUTORS.**

23 Section 21602 of the Violent Crime Control and Law
24 Enforcement Act of 1994 (42 U.S.C. 14161) is amend-
25 ed—

1 (1) in subsection (a)—

2 (A) by striking “other criminal justice par-
3 ticipants” and inserting “other criminal justice
4 participants, in both the adult and juvenile sys-
5 tems,”;

6 (B) by striking “this Act” and all that fol-
7 lows before the period at the end of the section
8 and inserting “this Act, the Youth Violence,
9 Crime, and Drug Abuse Control Act of 1997,
10 and amendments thereto”;

11 (2) by redesignating subsection (d) as sub-
12 section (e);

13 (3) by inserting after subsection (c) the follow-
14 ing:

15 “(d) Not less than 20 percent of the total amount
16 appropriated to carry out this subtitle in each of the fiscal
17 years 2001 and 2002 shall be made available for providing
18 increased resources to State juvenile courts systems, juve-
19 nile prosecutors, juvenile public defenders, and other juve-
20 nile court system participants.”;

21 (4) in subsection (e)—

22 (A) in paragraph (4), by striking “and” at
23 the end;

1 (B) in paragraph (5), by striking the
 2 comma at the end and inserting a semicolon;
 3 and

4 (C) by inserting immediately after para-
 5 graph (5) the following:

6 “(6) \$250,000,000 for fiscal year 2001; and

7 “(7) \$250,000,000 for fiscal year 2002.”.

8 **TITLE II—YOUTH VIOLENCE**
 9 **CONTROL**

10 **Subtitle A—Federal Juvenile**
 11 **Prosecutions**

12 **SEC. 201. INCREASED DETENTION, MANDATORY RESTITU-**
 13 **TION, AND ADDITIONAL SENTENCING OP-**
 14 **TIONS FOR YOUTH OFFENDERS.**

15 Section 5037 of title 18, United States Code, is
 16 amended to read as follows:

17 **“§ 5037. Dispositional hearing**

18 “(a) IN GENERAL.—

19 “(1) HEARING.—In a proceeding under section
 20 5032(a), if the court finds a juvenile to be a juvenile
 21 delinquent, the court shall hold a hearing concerning
 22 the appropriate disposition of the juvenile not later
 23 than 20 court days after the finding of juvenile de-
 24 linquency unless the court has ordered further study
 25 pursuant to subsection (e).

1 “(2) REPORT.—A predisposition report shall be
2 prepared by the probation officer who shall promptly
3 provide a copy to the juvenile, the attorney for the
4 juvenile, and the attorney for the government.

5 “(3) VICTIM IMPACT INFORMATION.—Victim
6 impact information shall be included in the report,
7 and victims, or in appropriate cases their official
8 representatives, shall be provided the opportunity to
9 make a statement to the court in person or present
10 any information in relation to the disposition.

11 “(4) ORDER OF RESTITUTION.—After the
12 dispositional hearing, and after considering any per-
13 tinent policy statements promulgated by the Sen-
14 tencing Commission pursuant to 994, of title 28, the
15 court shall enter an order of restitution pursuant to
16 section 3556, and may suspend the findings of juve-
17 nile delinquency, place the juvenile on probation,
18 commit the juvenile to official detention (including
19 the possibility of a term of supervised release), and
20 impose any fine that would be authorized if the juve-
21 nile had been tried and convicted as an adult.

22 “(5) RELEASE OR DETENTION.—With respect
23 to release or detention pending an appeal or a peti-
24 tion for a writ of certiorari after disposition, the

1 court shall proceed pursuant to the provisions of
2 chapter 207.

3 “(b) TERM OF PROBATION.—The term for which pro-
4 bation may be ordered for a juvenile found to be a juvenile
5 delinquent may not extend beyond the maximum term that
6 would be authorized by section 3561(c) if the juvenile had
7 been tried and convicted as an adult. Sections 3563, 3564,
8 and 3565 are applicable to an order placing a juvenile on
9 probation.

10 “(c) TERM OF OFFICIAL DETENTION.—

11 “(1) MAXIMUM TERM.—The term for which of-
12 ficial detention may be ordered for a juvenile found
13 to be a juvenile delinquent may not extend beyond
14 the lesser of—

15 “(A) the maximum term of imprisonment
16 that would be authorized if the juvenile had
17 been tried and convicted as an adult;

18 “(B) 10 years; or

19 “(C) the date on which the juvenile
20 achieves the age of 26.

21 “(2) APPLICABILITY OF OTHER PROVISIONS.—

22 Section 3624 shall apply to an order placing a juve-
23 nile in detention.

24 “(d) TERM OF SUPERVISED RELEASE.—The term for
25 which supervised release may be ordered for a juvenile

1 found to be a juvenile delinquent may not extend beyond
2 5 years. Subsections (c) through (i) of section 3583 shall
3 apply to an order placing a juvenile on supervised release.

4 “(e) CUSTODY OF ATTORNEY GENERAL.—

5 “(1) IN GENERAL.—If the court desires more
6 detailed information concerning a juvenile alleged to
7 have committed an act of juvenile delinquency or a
8 juvenile adjudicated delinquent, it may commit the
9 juvenile, after notice and hearing at which the juve-
10 nile is represented by an attorney, to the custody of
11 the Attorney General for observation and study by
12 an appropriate agency or entity.

13 “(2) OUTPATIENT BASIS.—Any observation and
14 study pursuant to a commission under paragraph
15 (1) shall be conducted on an outpatient basis, unless
16 the court determines that inpatient observation and
17 study are necessary to obtain the desired informa-
18 tion, except that in the case of an alleged juvenile
19 delinquent, inpatient study may be ordered with the
20 consent of the juvenile and the attorney for the juve-
21 nile.

22 “(3) CONTENTS OF STUDY.—The agency or en-
23 tity conducting an observation or study under this

1 subsection shall make a complete study of the al-
2 leged or adjudicated delinquent to ascertain the per-
3 sonal traits, capabilities, background, any prior de-
4 linquency or criminal experience, any mental or
5 physical defect, and any other relevant factors per-
6 taining to the juvenile.

7 “(4) SUBMISSION OF RESULTS.—The Attorney
8 General shall submit to the court and the attorneys
9 for the juvenile and the government the results of
10 the study not later than 30 days after the commit-
11 ment of the juvenile, unless the court grants addi-
12 tional time.

13 “(5) EXCLUSION OF TIME.—Any time spent in
14 custody under this subsection shall be excluded for
15 purposes of section 5036.

16 “(f) CONVICTION AS ADULT.—With respect to any
17 juvenile prosecuted and convicted as an adult under sec-
18 tion 5032(c), the court may, pursuant to guidelines pro-
19 mulgated by the United States Sentencing Commission
20 under section 994 of title 28, determine to treat the con-
21 viction as an adjudication of delinquency and impose any
22 disposition authorized under this section. The United
23 States Sentencing Commission shall promulgate such
24 guidelines as soon as practicable and not later than 1 year
25 after the date of enactment of this Act.”.

1 **SEC. 202. ACCESS TO RECORDS.**

2 Section 5038 of title 18, United States Code, is
3 amended—

4 (1) in subsection (a)—

5 (A) by striking the language preceding the
6 colon and inserting the following:

7 “Throughout and upon completion of the juvenile de-
8 linquency proceeding, the court records of the original pro-
9 ceeding shall be safeguarded from disclosure to unauthor-
10 ized persons. The records shall be released to the extent
11 necessary to meet the following circumstances”; and

12 (B) in subsection (a), by striking para-
13 graph (6) and inserting the following:

14 “(6) inquiries from any victim of such juvenile
15 delinquency, or in appropriate cases with the attor-
16 ney for the victim, or, if the victim is deceased, from
17 the immediate family of such victim in order to ap-
18 prise such person of the status or disposition of the
19 proceeding;”;

20 (2) by striking subsections (d) and (f) and re-
21 designating subsection (e) as subsection (d); and

22 (3) by adding at the end the following:

23 “(e) **RECORDS AND INFORMATION.**—If a juvenile has
24 been adjudicated delinquent for an act that, if committed
25 by an adult, would be a felony or for a violation of section
26 922(x)—

1 “(1) the juvenile shall be fingerprinted and pho-
2 tographed, and the fingerprints and photograph
3 shall be sent to the Federal Bureau of Investigation;

4 “(2) the court shall transmit to the Federal Bu-
5 reau of Investigation the information concerning the
6 adjudication, including name, date of adjudication,
7 court, offenses, and sentence, along with the nota-
8 tion that the matter was a juvenile adjudication; and

9 “(3) access to the fingerprints, photograph, and
10 other records and information relating to a juvenile
11 described in this subsection, shall be restricted as
12 prescribed by subsection (a).”.

13 **SEC. 203. REINSTITUTING DISMISSED CASES.**

14 Section 5036 of title 18, United States Code, is
15 amended by striking the last sentence and inserting the
16 following: “In determining whether an information should
17 be dismissed with or without prejudice, the court shall con-
18 sider the seriousness of the offense, the facts and cir-
19 cumstances of the case that led to the dismissal, and the
20 impact of a re prosecution on the administration of jus-
21 tice.”.

1 **Subtitle B—Assistance to States for**
2 **Prosecuting and Punishing**
3 **Youth Offenders**

4 **SEC. 214. JUVENILE AND VIOLENT OFFENDER INCARCER-**
5 **ATION GRANTS.**

6 (a) GRANTS FOR VIOLENT AND CHRONIC JUVENILE
7 FACILITIES.—

8 (1) DEFINITIONS.—In this subsection—

9 (A) the term “colocated facility” means the
10 location of adult and juvenile facilities on the
11 same property consistent with regulations is-
12 sued by the Attorney General to ensure that
13 adults and juveniles are substantially seg-
14 regated;

15 (B) the term “substantially segregated”
16 means—

17 (i) complete sight and sound separa-
18 tion in residential confinement;

19 (ii) use of shared direct care and
20 management staff, properly trained and
21 certified by the State to interact with juve-
22 nile offenders, if the staff does not interact
23 with adult and juvenile offenders during
24 the same shift; and

1 (iii) incidental contact during trans-
2 portation to court proceedings and other
3 activities in accordance with regulations is-
4 sued by the Attorney General to ensure
5 reasonable efforts are made to segregate
6 adults and juveniles;

7 (C) the term “violent juvenile offender”
8 means a person under the age of majority pur-
9 suant to State law that has been adjudicated
10 delinquent or convicted in adult court of a vio-
11 lent felony as defined in section 924(e)(2)(B) of
12 title 18, United States Code; and

13 (D) the term “qualifying State” means a
14 State that has submitted, or a State in which
15 an eligible unit of local government has submit-
16 ted, a grant application that meets the require-
17 ments of paragraphs (3) and (5).

18 (2) AUTHORITY.—

19 (A) IN GENERAL.—The Attorney General
20 may make grants in accordance with this sub-
21 section to States, units of local government, or
22 any combination thereof, to assist them in plan-
23 ning, establishing, and operating secure facili-
24 ties, staff-secure facilities, detention centers,

1 and other correctional programs for violent ju-
2 venile offenders.

3 (B) USE OF AMOUNTS.—Grants under this
4 subsection may be used—

5 (i) for colocated facilities for adult
6 prisoners and violent juvenile offenders;
7 and

8 (ii) only for the construction or oper-
9 ation of facilities in which violent juvenile
10 offenders are substantially segregated from
11 nonviolent juvenile offenders.

12 (3) APPLICATIONS.—

13 (A) IN GENERAL.—The chief executive of-
14 ficer of a State or unit of local government that
15 seeks to receive a grant under this subsection
16 shall submit to the Attorney General an appli-
17 cation, in such form and in such manner as the
18 Attorney General may prescribe.

19 (B) CONTENTS.—Each application submit-
20 ted under subparagraph (A) shall provide writ-
21 ten assurances that each facility or program
22 funded with a grant under this subsection—

23 (i) will provide appropriate edu-
24 cational and vocational training, a program
25 of substance abuse testing, and substance

1 abuse treatment for appropriate juvenile
2 offenders; and

3 (ii) will afford juvenile offenders in-
4 tensive post-release supervision and serv-
5 ices.

6 (4) MINIMUM AMOUNT.—

7 (A) IN GENERAL.—Except as provided in
8 subparagraph (B), each qualifying State, to-
9 gether with units of local government within the
10 State, shall be allocated for each fiscal year not
11 less than 1.0 percent of the total amount made
12 available in each fiscal year for grants under
13 this subsection.

14 (B) EXCEPTION.—The United States Vir-
15 gin Islands, American Samoa, Guam, and the
16 Northern Mariana Islands shall each be allo-
17 cated 0.2 percent of the total amount made
18 available in each fiscal year for grants under
19 this subsection.

20 (5) PERFORMANCE EVALUATION.—

21 (A) EVALUATION COMPONENTS.—

22 (i) IN GENERAL.—Each facility or
23 program funded under this subsection shall
24 contain an evaluation component developed

1 pursuant to guidelines established by the
2 Attorney General.

3 (ii) OUTCOME MEASURES.—The eval-
4 uations required by this subsection shall
5 include outcome measures that can be used
6 to determine the effectiveness of the fund-
7 ed programs, including the effectiveness of
8 such programs in comparison with other
9 correctional programs or dispositions in re-
10 ducing the incidence of recidivism, and
11 other outcome measures.

12 (B) PERIODIC REVIEW AND REPORTS.—

13 (i) REVIEW.—The Attorney General
14 shall review the performance of each grant
15 recipient under this subsection.

16 (ii) REPORTS.—The Attorney General
17 may require a grant recipient to submit to
18 the Office of Justice Programs, Correc-
19 tions Programs Office the results of the
20 evaluations required under subparagraph
21 (A) and such other data and information
22 as are reasonably necessary to carry out
23 the responsibilities of the Attorney General
24 under this subsection.

1 (6) TECHNICAL ASSISTANCE AND TRAINING.—

2 The Attorney General shall provide technical assist-
3 ance and training to grant recipients under this sub-
4 section to achieve the purposes of this subsection.

5 (b) JUVENILE FACILITIES ON TRIBAL LANDS.—

6 (1) RESERVATION OF FUNDS.—Of amounts
7 made available to carry out section 214 of this Act
8 under section 20108(a)(2)(A) of the Violent Crime
9 Control and Law Enforcement Act of 1994, the At-
10 torney General shall reserve, to carry out this sub-
11 section, 0.75 percent for each of the fiscal years
12 1998 through 2002.

13 (2) GRANTS TO INDIAN TRIBES.—Of amounts
14 reserved under paragraph (1), the Attorney General
15 may make grants to Indian tribes or to regional
16 groups of Indian tribes for the purpose of construct-
17 ing secure facilities, staff-secure facilities, detention
18 centers, and other correctional programs for incar-
19 ceration of juvenile offenders subject to tribal juris-
20 diction.

21 (3) APPLICATIONS.—To be eligible to receive a
22 grant under this section, an Indian tribe shall sub-
23 mit to the Attorney General an application in such
24 form and containing such information as the Attor-
25 ney General may by regulation require.

1 (4) REGIONAL GROUPS.—Individual Indian
2 tribes from a geographic region may apply for
3 grants under paragraph (2) jointly for the purpose
4 of building regional facilities.

5 (c) REPORT ON ACCOUNTABILITY AND PERFORM-
6 ANCE MEASURES IN JUVENILE CORRECTIONS PRO-
7 GRAMS.—

8 (1) IN GENERAL.—Not later than 6 months
9 after the date of enactment of this Act, the Attorney
10 General shall, after consultation with the National
11 Institute of Justice and other appropriate govern-
12 mental and nongovernmental organizations, submit
13 to Congress a report regarding the possible use of
14 performance-based criteria in evaluating and improv-
15 ing the effectiveness of juvenile corrections facilities
16 and programs.

17 (2) CONTENTS.—The report required under
18 this subsection shall include an analysis of—

19 (A) the range of performance-based meas-
20 ures that might be utilized as evaluation cri-
21 teria, including measures of recidivism among
22 juveniles who have been incarcerated in facili-
23 ties or have participated in correctional pro-
24 grams;

1 (B) the feasibility of linking Federal juvenile
2 corrections funding to the satisfaction of
3 performance-based criteria by grantees (including
4 the use of a Federal matching mechanism
5 under which the share of Federal funding would
6 vary in relation to the performance of a program
7 or facility);

8 (C) whether, and to what extent, the data
9 necessary for the Attorney General to utilize
10 performance-based criteria in the Attorney General's
11 administration of juvenile corrections programs
12 are collected and reported nationally;
13 and

14 (D) the estimated cost and feasibility of establishing
15 minimal, uniform data collection and reporting
16 standards nationwide that would allow for the use
17 of performance-based criteria in evaluating juvenile
18 corrections programs and facilities and administering
19 Federal juvenile corrections funds.
20

21 **SEC. 215. CERTAIN PUNISHMENT AND GRADUATED SANCTIONS**
22 **FOR YOUTH OFFENDERS.**

23 (a) FINDINGS AND PURPOSES.—

24 (1) FINDINGS.—Congress finds that—

1 (A) youth violence constitutes a growing
2 threat to the national welfare requiring imme-
3 diate and comprehensive action by the Federal
4 Government to reduce and prevent youth vio-
5 lence;

6 (B) the behavior of youth who become vio-
7 lent offenders often follow a progression, begin-
8 ning with aggressive behavior in school, tru-
9 ancy, and vandalism, leading to property crimes
10 and then serious violent offenses;

11 (C) the juvenile justice systems in most
12 States are ill-equipped to provide meaningful
13 sanctions to minor, nonviolent offenders be-
14 cause most of their resources are dedicated to
15 dealing with more serious offenders;

16 (D) in most States, some youth commit
17 multiple, nonviolent offenses without facing any
18 significant criminal sanction;

19 (E) the failure to provide meaningful
20 criminal sanctions for first time, nonviolent of-
21 fenders sends the false message to youth that
22 they can engage in antisocial behavior without
23 suffering any negative consequences and that
24 society is unwilling or unable to restrain that
25 behavior;

1 (F) studies demonstrate that interventions
2 during the early stages of a criminal career can
3 halt the progression to more serious, violent be-
4 havior; and

5 (G) juvenile courts need access to a range
6 of sentencing options so that at least some level
7 of sanction is imposed on all youth offenders,
8 including status offenders, and the severity of
9 the sanctions increase along with the serious-
10 ness of the offense.

11 (2) PURPOSES.—The purposes of this section
12 are to provide assistance to State and local juvenile
13 courts to expand the range of sentencing options for
14 first time, nonviolent offenders and to provide a se-
15 lection of graduated sanctions for more serious of-
16 fenses.

17 (b) DEFINITIONS.—In this section—

18 (1) the term “first time offender” means a ju-
19 venile against whom formal charges have not pre-
20 viously been filed in any Federal or State judicial
21 proceeding;

22 (2) the term “nonviolent offender” means a ju-
23 venile who is charged with an offense that does not
24 involve the use of force against the person of an-
25 other; and

1 (3) the term “status offender” means a juvenile
2 who is charged with an offense that would not be
3 criminal if committed by an adult (other than an of-
4 fense that constitutes a violation of a valid court
5 order or a violation of section 922(x) of title 18,
6 United States Code (or similar State law)).

7 (c) GRANT AUTHORIZATION.—

8 (1) IN GENERAL.—The Attorney General may
9 make grants in accordance with this section to
10 States, State courts, local courts, units of local gov-
11 ernment, and Indian tribes, for the purposes of—

12 (A) providing juvenile courts with a range
13 of sentencing options such that first time juve-
14 nile offenders, including status offenders such
15 as truants, vandals, and juveniles in violation of
16 State or local curfew laws, face at least some
17 level of punishment as a result of their initial
18 contact with the juvenile justice system; and

19 (B) increasing the sentencing options avail-
20 able to juvenile court judges so that juvenile of-
21 fenders receive increasingly severe sanctions—

22 (i) as the seriousness of their unlawful
23 conduct increases; and

24 (ii) for each additional offense.

25 (c) APPLICATIONS.—

1 (1) ELIGIBILITY.—In order to be eligible to re-
2 ceive a grant under this section, the chief executive
3 of a State, unit of local government, or Indian tribe,
4 or the chief judge of a local court, shall submit an
5 application to the Attorney General in such form
6 and containing such information as the Attorney
7 General may reasonably require.

8 (2) REQUIREMENTS.—Each application submit-
9 ted in accordance with paragraph (1) shall include—

10 (A) a request for a grant to be used for
11 the purposes described in this section;

12 (B) a description of the communities to be
13 served by the grant, including the extent of
14 youth crime and violence in those communities;

15 (C) written assurances that Federal funds
16 received under this subtitle will be used to sup-
17 plement, not supplant, non-Federal funds that
18 would otherwise be available for activities fund-
19 ed under this subsection;

20 (D) a comprehensive plan described in
21 paragraph (3) (in this section referred to as the
22 “comprehensive plan”); and

23 (E) any additional information in such
24 form and containing such information as the
25 Attorney General may reasonably require.

1 (3) IMPLEMENTATION PLAN.—For purposes of
2 paragraph (2), a comprehensive plan shall include—

3 (A) an action plan outlining the manner in
4 which the applicant will achieve the purposes
5 described in subsection (c)(1);

6 (B) a description of any resources available
7 in the jurisdiction of the applicant to implement
8 the action plan described in subparagraph (A);

9 (C) an estimate of the costs of full imple-
10 mentation of the plan; and

11 (D) a plan for evaluating the impact of the
12 grant on the jurisdiction’s juvenile justice sys-
13 tem.

14 (e) GRANT AWARDS.—

15 (1) CONSIDERATIONS.—In awarding grants
16 under this section, the Attorney General shall con-
17 sider—

18 (A) the ability of the applicant to provide
19 the stated services;

20 (B) the level of youth crime, violence, and
21 drug use in the community; and

22 (C) to the extent practicable, achievement
23 of an equitable geographic distribution of the
24 grant awards.

25 (2) ALLOCATIONS.—

1 (A) IN GENERAL.—The Attorney General
2 shall allot not less than 0.75 percent of the
3 total amount made available to carry out this
4 section in each fiscal year to applicants in each
5 State from which applicants have applied for
6 grants under this section.

7 (B) INDIAN TRIBES.—The Attorney Gen-
8 eral shall allocate not less than 0.75 percent of
9 the total amount made available to carry out
10 this section in each fiscal year to Indian tribes.

11 (f) USE OF GRANT AMOUNTS.—

12 (1) IN GENERAL.—Each grant made under this
13 section shall be used to establish programs that—

14 (A) expand the number of judges, prosecu-
15 tors, and public defenders for the purpose of
16 imposing sanctions on first time juvenile offend-
17 ers and status offenders;

18 (B) provide expanded sentencing options,
19 such as restitution, community service, drug
20 testing and treatment, mandatory job training,
21 curfews, house arrest, mandatory work projects,
22 and boot camps, for status offenders and non-
23 violent offenders;

1 (C) increase staffing for probation officers
2 to supervise status offenders and nonviolent of-
3 fenders to ensure that sanctions are enforced;

4 (D) provide aftercare and supervision for
5 status and nonviolent offenders, such as drug
6 education and drug treatment, vocational train-
7 ing, job placement, and family counseling;

8 (E) encourage private sector employees to
9 provide training and work opportunities for sta-
10 tus offenders and nonviolent offenders; and

11 (F) provide services and interventions for
12 status and nonviolent offenders designed, in
13 tandem with criminal sanctions, to reduce the
14 likelihood of further criminal behavior.

15 (2) PROHIBITION ON USE OF AMOUNTS.—

16 (A) DEFINITIONS.—In this paragraph—

17 (i) the term “alien” has the same
18 meaning as in section 101(a) of the Immi-
19 gration and Nationality Act (8 U.S.C.
20 1101(a)); and

21 (ii) the terms “secure detention facil-
22 ity” and “secure correctional facility” have
23 the same meanings as in section 103 of the
24 Juvenile Justice and Delinquency Preven-
25 tion Act of 1974 (42 U.S.C. 5603).

1 (B) PROHIBITION.—No amounts made
2 available under this subtitle may be used for
3 any program that permits the placement of sta-
4 tus offenders, alien juveniles in custody, or non-
5 offender juveniles (such as dependent or ne-
6 glected children) in secure detention facilities or
7 secure correctional facilities.

8 (g) GRANT LIMITATIONS.—Not more than 3 percent
9 of the amounts made available to the Attorney General
10 or a grant recipient under this section may be used for
11 administrative purposes.

12 (h) FEDERAL SHARE.—

13 (1) IN GENERAL.—Subject to paragraphs (2)
14 and (3), the Federal share of a grant made under
15 this subtitle may not exceed 90 percent of the total
16 estimated costs of the program described in the com-
17 prehensive plan submitted under subsection (d)(3)
18 for the fiscal year for which the program receives as-
19 sistance under this section.

20 (2) WAIVER.—The Attorney General may
21 waive, in whole or in part, the requirements of para-
22 graph (1).

23 (3) IN-KIND CONTRIBUTIONS.—For purposes of
24 paragraph (1), in-kind contributions may constitute

1 any portion of the non-Federal share of a grant
2 under this section.

3 (i) REPORT AND EVALUATION.—

4 (1) REPORT TO THE ATTORNEY GENERAL.—

5 Not later than October 1, 1998, and October 1 of
6 each year thereafter, each grant recipient under this
7 section shall submit to the Attorney General a report
8 that describes, for the year to which the report re-
9 lates, any progress achieved in carrying out the com-
10 prehensive plan of the grant recipient.

11 (2) EVALUATION AND REPORT TO CONGRESS.—

12 Not later than March 1, 1999, and March 1 of each
13 year thereafter, the Attorney General shall submit to
14 the Congress an evaluation and report that contains
15 a detailed statement regarding grant awards, activi-
16 ties of grant recipients, a compilation of statistical
17 information submitted by grant recipients under this
18 section, and an evaluation of programs established
19 by grant recipients under this section.

20 (3) CRITERIA.—In assessing the effectiveness of
21 the programs established and operated by grant re-
22 cipients pursuant to this section, the Attorney Gen-
23 eral shall consider—

24 (A) a comparison between the number of
25 first time offenders who received a sanction for

1 criminal behavior in the jurisdiction of the
2 grant recipient before and after initiation of the
3 program;

4 (B) changes in the recidivism rate for first
5 time offenders in the jurisdiction of the grant
6 recipient;

7 (C) a comparison of the recidivism rates
8 and the seriousness of future offenses of first
9 time offenders in the jurisdiction of the grant
10 recipient that receive a sanction and those who
11 do not;

12 (D) changes in truancy rates of the public
13 schools in the jurisdiction of the grant recipient;
14 and

15 (E) changes in the arrest rates for vandal-
16 ism and other property crimes in the jurisdic-
17 tion of the grant recipient.

18 (4) DOCUMENTS AND INFORMATION.—Each
19 grant recipient under this section shall provide the
20 Attorney General with all documents and informa-
21 tion that the Attorney General determines to be nec-
22 essary to conduct an evaluation of the effectiveness
23 of programs funded under this section.

1 (j) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 from the Violent Crime Reduction Trust Fund—

4 (1) such sums as may be necessary for each of
5 the fiscal years 1998 and 1999; and

6 (2) \$175,000,000 for each of the fiscal years
7 2000 and 2001.

8 **Subtitle C—Juvenile Gun Courts**

9 **SEC. 221. DEFINITIONS.**

10 In this subtitle—

11 (1) the term “firearm” has the same meaning
12 as in section 921 of title 18, United States Code;

13 (2) the term “firearm offender” means any in-
14 dividual charged with an offense involving the illegal
15 possession, use, transfer, or threatened use of a fire-
16 arm; and

17 (3) the term “local court” means any section or
18 division of a State or municipal juvenile court sys-
19 tem; and

20 (4) the term “juvenile gun court” means a spe-
21 cialized division within a State or local juvenile court
22 system, or a specialized docket within a State or
23 local court that considers exclusively cases involving
24 juvenile firearm offenders.

1 **SEC. 222. GRANT PROGRAM.**

2 The Attorney General may provide grants in accord-
3 ance with this subtitle to States, State courts, local courts,
4 units of local government, and Indian tribes for court-
5 based juvenile justice programs that target juvenile fire-
6 arm offenders through the establishment of juvenile gun
7 courts.

8 **SEC. 223. APPLICATIONS.**

9 (a) **ELIGIBILITY.**—In order to be eligible to receive
10 a grant under this subtitle, the chief executive of a State,
11 unit of local government, or Indian tribe, or the chief
12 judge of a local court, shall submit an application to the
13 Attorney General in such form and containing such infor-
14 mation as the Attorney General may reasonably require.

15 (b) **REQUIREMENTS.**—Each application submitted in
16 accordance with subsection (a) shall include—

17 (1) a request for a grant to be used for the pur-
18 poses described in this subtitle;

19 (2) a description of the communities to be
20 served by the grant, including the extent of juvenile
21 crime, juvenile violence, and juvenile firearm use and
22 possession in such communities;

23 (3) written assurances that Federal funds re-
24 ceived under this subtitle will be used to supplement,

1 not supplant, non-Federal funds that would other-
2 wise be available for activities funded under this
3 subsection;

4 (4) a comprehensive plan described in sub-
5 section (c) (hereafter in this subtitle referred to as
6 the “comprehensive plan”); and

7 (5) any additional information in such form and
8 containing such information as the Attorney General
9 may reasonably require.

10 (c) COMPREHENSIVE PLAN.—For purposes of sub-
11 section (b), a comprehensive plan is described in this sub-
12 section it includes—

13 (1) a description of the juvenile crime and vio-
14 lence problems in the jurisdiction of the applicant,
15 including gang crime and juvenile firearm use and
16 possession;

17 (2) an action plan outlining the manner in
18 which the applicant would use the grant amounts in
19 accordance with this subtitle;

20 (3) a description of any resources available in
21 the jurisdiction of the applicant to implement the ac-
22 tion plan described in paragraph (2); and

23 (4) a description of the plan of the applicant for
24 evaluating the performance of the juvenile gun
25 court.

1 **SEC. 224. GRANT AWARDS.**

2 (a) CONSIDERATIONS.—In awarding grants under
3 this subtitle, the Attorney General shall consider—

4 (1) the ability of the applicant to provide the
5 stated services;

6 (2) the level of juvenile crime, violence, and
7 drug use in the community; and

8 (3) to the extent practicable, achievement of an
9 equitable geographic distribution of the grant
10 awards.

11 (b) DIVERSITY.—The Attorney General shall allot not
12 less than 0.75 percent of the total amount made available
13 each fiscal year to carry out this subtitle to applicants in
14 each State from which applicants have applied for grants
15 under this subtitle.

16 (c) INDIAN TRIBES.—The Attorney General shall al-
17 locate 0.75 percent of amounts made available under this
18 subtitle for grants to Indian tribes.

19 **SEC. 225. USE OF GRANT AMOUNTS.**

20 Each grant made under this subtitle shall be used—

21 (1) to establish juvenile gun courts for adju-
22 dication of juvenile firearm offenders;

23 (2) to grant prosecutorial discretion to try, in
24 a gun court, cases involving the illegal possession,
25 use, transfer, or threatened use of a firearm by a ju-
26 venile;

1 (3) to require prosecutors to transfer such cases
2 to the gun court calendar not later than 30 days
3 after arraignment;

4 (4) to require that gun court trials commence
5 not later than 60 days after transfer to the gun
6 court;

7 (5) to facilitate innovative and individualized
8 sentencing (such as incarceration, house arrest, vic-
9 tim impact classes, electronic monitoring, restitution,
10 and gang prevention programs);

11 (6) to provide services in furtherance of para-
12 graph (5);

13 (7) to limit grounds for continuances and grant
14 continuances only for the shortest practicable time;

15 (8) to ensure that any term of probation or su-
16 pervised release imposed on a firearm offender in a
17 juvenile gun court, in addition to, or in lieu of, a
18 term of incarceration, shall include a prohibition on
19 firearm possession during such probation or super-
20 vised release and that violation of that prohibition
21 shall result in, to the maximum extent permitted
22 under State law, a term of incarceration; and

23 (9) to allow transfer of a case or an offender
24 out of the gun court by agreement of the parties,
25 subject to court approval.

1 **SEC. 226. GRANT LIMITATIONS.**

2 Not more than 5 percent of the amounts made avail-
3 able to the Attorney General or a grant recipient under
4 this subtitle may be used for administrative purposes.

5 **SEC. 227. FEDERAL SHARE.**

6 (a) IN GENERAL.—Subject to subsections (b) and (c),
7 the Federal share of a grant made under this subtitle may
8 not exceed 90 percent of the total cost of the program
9 or programs of the grant recipient that are funded by that
10 grant for the fiscal year for which the program receives
11 assistance under this subtitle.

12 (b) WAIVER.—The Attorney General may waive, in
13 whole or in part, the requirements of subsection (a).

14 (c) IN-KIND CONTRIBUTIONS.—For purposes of sub-
15 section (a), in-kind contributions may constitute any por-
16 tion of the non-Federal share of a grant under this sub-
17 title.

18 (d) CONTINUED AVAILABILITY OF GRANT
19 AMOUNTS.—Any amount provided to a grant recipient
20 under this subtitle shall remain available until expended.

21 **SEC. 228. REPORT AND EVALUATION.**

22 (a) REPORT TO THE ATTORNEY GENERAL.—Not
23 later than March 1, 1998, and March 1 of each year there-
24 after, each grant recipient under this subtitle shall submit
25 to the Attorney General a report that describes, for the

1 year to which the report relates, any progress achieved in
2 carrying out the comprehensive plan of the grant recipient.

3 (b) EVALUATION AND REPORT TO CONGRESS.—Not
4 later than October 1, 1998, and October 1 of each year
5 thereafter, the Attorney General shall submit to the Con-
6 gress an evaluation and report that contains a detailed
7 statement regarding grant awards, activities of grant re-
8 cipients, a compilation of statistical information submitted
9 by grant recipients under this subtitle, and an evaluation
10 of programs established by grant recipients under this
11 subtitle.

12 (c) CRITERIA.—In assessing the effectiveness of the
13 programs established and operated by grant recipients
14 pursuant to this subtitle, the Attorney General shall con-
15 sider—

16 (1) the number of juveniles tried in gun court
17 sessions in the jurisdiction of the grant recipient;

18 (2) a comparison of the amount of time be-
19 tween the filing of charges and ultimate disposition
20 in gun court and nongun court cases;

21 (3) the recidivism rates of juvenile offenders
22 tried in gun court sessions in the jurisdiction of the
23 grant recipient in comparison to those tried outside
24 of drug courts;

1 (4) changes in the amount of gun-related and
2 gang-related crime in the jurisdiction of the grant
3 recipient; and

4 (5) the quantity of firearms and ammunition
5 recovered in gun court cases in the jurisdiction of
6 the grant recipient.

7 (d) DOCUMENTS AND INFORMATION.—Each grant
8 recipient under this subtitle shall provide the Attorney
9 General with all documents and information that the At-
10 torney General determines to be necessary to conduct an
11 evaluation of the effectiveness of programs funded under
12 this subtitle.

13 **SEC. 229. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to carry out
15 this subtitle from the Violent Crime Reduction Trust
16 Fund—

17 (1) such sums as may be necessary for each of
18 the fiscal years 1998, 1999, and 2000;

19 (2) \$50,000,000 for fiscal year 2001; and

20 (3) \$50,000,000 for fiscal year 2002.

1 **Subtitle D—Gang Violence**
2 **Reduction**

3 **PART 1—ENHANCED PENALTIES FOR GANG-**
4 **RELATED ACTIVITIES**

5 **SEC. 241. GANG FRANCHISING.**

6 (a) IN GENERAL.—Chapter 26 of title 18, United
7 States Code, is amended by adding at the end the follow-
8 ing:

9 **“SEC. 522. INTERSTATE FRANCHISING OF CRIMINAL**
10 **STREET GANGS.**

11 “(a) PROHIBITED ACT.—Whoever travels in inter-
12 state or foreign commerce, or causes another to do so, to
13 recruit, solicit, induce, command, or cause to create, or
14 attempt to create a franchise of a criminal street gang
15 shall be punished in accordance with subsection (c).

16 “(b) DEFINITIONS.—

17 “(1) CRIMINAL STREET GANG.—The term
18 ‘criminal street gang’ has the meaning given that
19 term in section 521 of title 18, United States Code.

20 “(2) FRANCHISE.—The term ‘franchise’ means
21 an organized group of individuals related by name,
22 moniker, or other identifier, that engages in coordi-
23 nated violent crime or drug trafficking activities in
24 interstate or foreign commerce with a criminal street
25 gang in another State.

1 “(c) PENALTIES.—A person who violates subsection
2 (a) shall be imprisoned for not more than 10 years, fined
3 under this title, or both.

4 “(d) SENTENCING ENHANCEMENT.—Pursuant to its
5 authority under section 994(p) of title 28, United States
6 Code, the United States Sentencing Commission shall
7 amend the Federal sentencing guidelines to provide an ap-
8 propriate enhancement for the recruitment of minors in
9 furtherance of the creation of a criminal street gang fran-
10 chise.”.

11 (b) CONFORMING AMENDMENT.—The chapter analy-
12 sis for chapter 26 of title 18, United States Code, is
13 amended by adding at the end the following:

“522. Interstate franchising of criminal street gangs.”.

14 **SEC. 242. GANG FRANCHISING AS A RICO PREDICATE.**

15 Section 1961(1) of title 18, United States Code, is
16 amended—

17 (1) by striking “or” before “(F)”; and

18 (2) by inserting “, or (G) an offense under sec-
19 tion 522 of this title” before the semicolon at the
20 end.

21 **SEC. 243. INCREASE IN OFFENSE LEVEL FOR PARTICIPA-**
22 **TION IN CRIME AS GANG MEMBER.**

23 (a) DEFINITION OF CRIMINAL STREET GANG.—In
24 this section, the term “criminal street gang” has the same

1 meaning as in section 521(a) of title 18, United States
2 Code.

3 (b) SENTENCING ENHANCEMENT.—Pursuant to its
4 authority under section 994(p) of title 28, United States
5 Code, the United States Sentencing Commission shall
6 amend the Federal sentencing guidelines to provide an ap-
7 propriate enhancement with respect to any offense com-
8 mitted in connection with, or in furtherance of, the activi-
9 ties of a criminal street gang if the defendant is a member
10 of the criminal street gang at the time of the offense.

11 (c) CONSISTENCY.—In carrying out this section, the
12 United States Sentencing Commission shall—

13 (1) ensure that there is reasonable consistency
14 with other Federal sentencing guidelines; and

15 (2) avoid duplicative punishment for substan-
16 tially the same offense.

17 **SEC. 244. INCREASING THE PENALTY FOR USING PHYSICAL**

18 **FORCE TO TAMPER WITH WITNESSES, VIC-**

19 **TIMS, OR INFORMANTS.**

20 Section 1512 of title 18, United States Code, is
21 amended—

22 (1) in subsection (a)—

23 (A) in paragraph (1), by striking “as pro-
24 vided in paragraph (2)” and inserting “as pro-
25 vided in paragraph (3)”;

1 (B) by redesignating paragraph (2) as
2 paragraph (3);

3 (C) by inserting after paragraph (1) the
4 following:

5 “(2) Whoever uses physical force or the threat
6 of physical force, or attempts to do so, with intent
7 to—

8 “(A) influence, delay, or prevent the testi-
9 mony of any person in an official proceeding;

10 “(B) cause or induce any person to—

11 “(i) withhold testimony, or withhold a
12 record, document, or other object, from an
13 official proceeding;

14 “(ii) alter, destroy, mutilate, or con-
15 ceal an object with intent to impair the ob-
16 ject’s integrity or availability for use in an
17 official proceeding;

18 “(iii) evade legal process summoning
19 that person to appear as a witness, or to
20 produce a record, document, or other ob-
21 ject, in an official proceeding; and

22 “(iv) be absent from an official pro-
23 ceeding to which such person has been
24 summoned by legal process; or

1 “(C) hinder, delay, or prevent the commu-
2 nication to a law enforcement officer or judge
3 of the United States of information relating to
4 the commission or possible commission of a
5 Federal offense or a violation of conditions of
6 probation, parole, or release pending judicial
7 proceedings;
8 shall be punished as provided in paragraph (3).”;
9 and

10 (D) in paragraph (3)(B), as redesignated,
11 by striking “in the case of” and all that follows
12 before the period and inserting “an attempt to
13 murder, the use of physical force, the threat of
14 physical force, or an attempt to do so, imprison-
15 ment for not more than 20 years”; and

16 (2) in subsection (b), by striking “or physical
17 force”.

18 **SEC. 245. POSSESSION OF FIREARMS IN RELATION TO**
19 **COUNTS OF VIOLENCE OR DRUG TRAFFICK-**
20 **ING CRIMES.**

21 (a) IN GENERAL.—Sections 924(c)(1) and 929(a)(1)
22 of title 18, United States Code, are each amended—

23 (1) by striking “in relation to” and inserting
24 “in close proximity to”; and

1 (2) by striking “uses or carries” and inserting
2 “possesses”.

3 (b) AMENDMENT OF FEDERAL SENTENCING GUIDE-
4 LINES.—

5 (1) DEFINITIONS.—In this subsection, the
6 terms “crime of violence” and “drug trafficking
7 crime” have the same meanings as in section 924(c)
8 of title 18, United States Code.

9 (2) SENTENCING ENHANCEMENT.—Pursuant to
10 its authority under section 994(p) of title 28, United
11 States Code, the United States Sentencing Commis-
12 sion shall amend the Federal sentencing guidelines
13 to provide an appropriate sentence enhancement
14 with respect to any defendant who discharges a fire-
15 arm during or in close proximity to any crime of vio-
16 lence or any drug trafficking crime.

17 (3) CONSISTENCY.—In carrying out this sub-
18 section, the United States Sentencing Commission
19 shall—

20 (A) ensure that there is reasonable consist-
21 ency with other Federal sentencing guidelines;
22 and

23 (B) avoid duplicative punishment for sub-
24 stantially the same offense.

1 **SEC. 246. INCREASED PENALTY FOR TRANSFERRING A**
2 **FIREARM TO A MINOR FOR USE IN A CRIME.**

3 Section 924(h) of title 18, United States Code, is
4 amended by inserting “except if the transferee is a person
5 who is less than 18 years of age, not more than 15 years,”
6 before “fined in accordance with this title, or both”.

7 **SEC. 247. ELIMINATION OF STATUTE OF LIMITATIONS FOR**
8 **MURDER.**

9 (a) IN GENERAL.—Section 3281 of title 18, United
10 States Code, is amended to read as follows:

11 **“§ 3281. Capital offenses and Class A felonies involv-**
12 **ing murder**

13 “An indictment for any offense punishable by death
14 or an indictment or information for a Class A felony in-
15 volving murder (as defined in section 1111 or as defined
16 under applicable State law in the case of an offense under
17 section 1963(a) involving racketeering activity described
18 in section 1961(1)) may be found at any time without limi-
19 tation.”.

20 (b) APPLICABILITY.—The amendment made by sub-
21 section (a) applies to any offense for which the applicable
22 statute of limitations had not run as of the date of enact-
23 ment of this Act.

1 **SEC. 248. EXTENSION OF STATUTE OF LIMITATIONS FOR**
2 **VIOLENT AND DRUG TRAFFICKING CRIMES.**

3 (a) IN GENERAL.—Chapter 213 of title 18, United
4 States Code, is amended by adding at the end the follow-
5 ing:

6 **“§ 3295. Class A violent and drug trafficking offenses**

7 “Except as provided in section 3281, no person shall
8 be prosecuted, tried, or punished for a Class A felony that
9 is a crime of violence or a drug trafficking crime (as that
10 term is defined in section 924(c)) unless the indictment
11 is returned or the information is filed within 10 years after
12 the commission of the offense.”.

13 (b) APPLICABILITY.—The amendment made by sub-
14 section (a) applies to any offense for which the applicable
15 statute of limitations had not run as of the date of enact-
16 ment of this Act.

17 (c) CONFORMING AMENDMENTS.—The chapter anal-
18 ysis for chapter 213 of title 18, United States Code, is
19 amended—

20 (1) in the item relating to section 3281, by in-
21 serting “and Class A felonies involving murder” be-
22 fore the period; and

23 (2) by adding at the end the following:

“3295. Class A violent and drug trafficking offenses.”.

PART 2—GANG PARAPHERNALIA**SEC. 251. ENHANCING LAW ENFORCEMENT ACCESS TO
CLONE NUMERIC PAGERS.**

(a) AMENDMENT TO CHAPTER 206.—Chapter 206 of title 18, United States Code, is amended—

(1) in the chapter heading, by striking “AND TRAP AND TRACE DEVICES” and inserting: “TRAP AND TRACE DEVICES, AND CLONE NUMERIC PAGERS”;

(2) in the chapter analysis—

(A) by striking “and trap and trace device” each place that term appears and inserting “trap and trace device, and clone pager”; and

(B) by striking “or a trap and trace device” each place that term appears and inserting “, a trap and trace device, or a clone pager”;

(3) in section 3121—

(A) in the section heading, by striking “**AND TRAP AND TRACE DEVICE**” and inserting “, **TRAP AND TRACE DEVICE, AND CLONE PAGER**”; and

1 (B) by striking “or a trap and trace de-
2 vice” each place that term appears and insert-
3 ing “, a trap and trace device, or a clone
4 pager”;

5 (4) in section 3122—

6 (A) in the section heading, by striking “**OR**
7 **A TRAP AND TRACE DEVICE**” and inserting
8 “, **A TRAP AND TRACE DEVICE, OR A**
9 **CLONE PAGER**”; and

10 (B) by striking “or a trap and trace de-
11 vice” each place that term appears and insert-
12 ing “, a trap and trace device, or a clone
13 pager”;

14 (5) in section 3123—

15 (A) in the section heading, by striking “**OR**
16 **A TRAP AND TRACE DEVICE**” and inserting
17 “, **A TRAP AND TRACE DEVICE, OR A**
18 **CLONE PAGER**”;

19 (B) by striking subsection (a) and insert-
20 ing the following:

21 “(a) **IN GENERAL.**—Upon an application made under
22 section 3122 of this title, the court shall enter an ex parte
23 order authorizing the installation and use of a pen register
24 or a trap and trace device within the jurisdiction of the
25 court, or of a clone pager the service provider for which

1 is within the jurisdiction of the court, if the court finds,
2 upon a showing by certification of the attorney for the
3 Government or the State law enforcement or investigative
4 officer, that the information likely to be obtained by such
5 installation and use is relevant to an ongoing criminal in-
6 vestigation.”;

7 (C) in subsection (b)—

8 (i) in paragraph (1)—

9 (I) in subparagraph (A), by in-
10 sserting before the semicolon the fol-
11 lowing: “, or in the case of a clone
12 pager, the identity, if known, of the
13 person to whom is leased, or who is
14 the subscriber of the paging device
15 communications to which will be inter-
16 cepted by the clone pager”; and

17 (II) in subparagraph (C), by in-
18 sserting before the semicolon the fol-
19 lowing: “, or in the case of a clone
20 pager, the number of the paging de-
21 vice to which the clone pager is identi-
22 cally programmed”; and

23 (ii) in paragraph (2), by striking “or
24 trap and trace device” and inserting “trap
25 and trace device, or a clone pager”; and

1 (D) in subsection (c), by striking “or trap
2 and trace device” and inserting “trap and trace
3 device, or a clone pager”; and

4 (E) in subsection (d)—

5 (i) in the subsection heading, by strik-
6 ing “OR TRAP AND TRACE DEVICE” and
7 inserting “, TRAP AND TRACE DEVICE, OR
8 CLONE PAGER”; and

9 (ii) in paragraph (2), by inserting “or
10 the paging device, communications to
11 which will be intercepted by the clone
12 pager,” after “attached,”;

13 (6) in section 3124—

14 (A) in the section heading, by striking “**OR**
15 **A TRAP AND TRACE DEVICE**” and inserting
16 “, **A TRAP AND TRACE DEVICE, OR A**
17 **CLONE PAGER**”;

18 (B) by redesignating subsections (c)
19 through (f) as subsections (d) through (g), re-
20 spectively; and

21 (C) by inserting after subsection (b) the
22 following:

23 “(c) CLONE PAGER.—Upon the request of an attor-
24 ney for the Government or an officer of a law enforcement
25 agency authorized to acquire and use a clone pager under

1 this chapter, a Federal court may order, in accordance
2 with section 3123(b)(2), a provider of a paging service or
3 other person to furnish to such investigative or law en-
4 forcement officer, all information, facilities, and technical
5 assistance necessary to accomplish the operation and use
6 of a clone pager unobtrusively and with a minimum of in-
7 terference with the services that the person so ordered by
8 the court accords the party with respect to whom the pro-
9 gramming and use is to take place.”;

10 (7) in section 3125—

11 (A) in the section heading, by striking
12 **“AND TRAP AND TRACE DEVICE”** and insert-
13 ing **“, TRAP AND TRACE DEVICE, AND**
14 **CLONE PAGER”**; and

15 (B) in subsection (a)—

16 (i) by striking “or trap and trace de-
17 vice” and inserting “, a trap and trace de-
18 vice, or a clone pager”;

19 (ii) by striking the quotation marks at
20 the end; and

21 (iii) by striking “or trap and trace de-
22 vice” each place that term appears and in-
23 serting “, trap and trace device, or clone
24 pager”;

25 (8) in section 3126—

1 (A) in the section heading, by striking
2 **“AND TRAP AND TRACE DEVICES”** and in-
3 serting **“, TRAP AND TRACE DEVICES, AND**
4 **CLONE PAGERS”**; and

5 (B) by inserting “or clone pagers” after
6 “devices”; and

7 (9) in section 3127—

8 (A) by redesignating paragraphs (5) and
9 (6) as paragraphs (6) and (7), respectively; and

10 (B) by inserting after paragraph (4) the
11 following:

12 “(5) the term ‘clone pager’ means a numeric
13 display device that receives transmissions intended
14 for another numeric display paging device.”.

15 (c) CONFORMING AMENDMENTS.—

16 (1) Section 2511(2)(H) of title 18, United
17 States Code, is amended by striking clause (i) and
18 inserting the following:

19 “(i) to use a pen register, a trap and
20 trace device, or a clone pager (as those
21 terms are defined for the purposes of chap-
22 ter 206 (relating to pen registers, trap and
23 trace devices, and clone pagers) of this
24 title); or”.

1 (2) Section 2510(12) of title 18, United States
2 Code, is amended—

3 (A) in subparagraph (B), by striking “or”
4 at the end; and

5 (B) by inserting after subparagraph (C)
6 the following: “or

7 “(D) any transmission made through a
8 clone pager (as defined in section 3127(5) of
9 this title).”.

10 **SEC. 252. PROHIBITIONS RELATING TO BODY ARMOR.**

11 (a) DEFINITIONS.—In this section—

12 (1) the term “body armor” means any product
13 sold or offered for sale as personal protective body
14 covering intended to protect against gunfire, regard-
15 less of whether the product is to be worn alone or
16 is sold as a complement to another product or gar-
17 ment; and

18 (2) the term “law enforcement officer” means
19 any officer, agent, or employee of the United States,
20 a State, or a political subdivision of a State, author-
21 ized by law or by a government agency to engage in
22 or supervise the prevention, detection, investigation,
23 or prosecution of any violation of criminal law.

24 (b) SENTENCING ENHANCEMENT.—Pursuant to its
25 authority under section 994(p) of title 28, United States

1 Code, the United States Sentencing Commission shall
2 amend the Federal sentencing guidelines to provide an ap-
3 propriate sentencing enhancement for any offense in which
4 the defendant used body armor.

5 (c) CONSISTENCY.—In carrying out this section, the
6 United States Sentencing Commission shall—

7 (1) ensure that there is reasonable consistency
8 with other Federal sentencing guidelines; and

9 (2) avoid duplicative punishment for substan-
10 tially the same offense.

11 (d) APPLICABILITY.—No Federal sentencing guide-
12 line amendment made under this section shall apply if the
13 Federal crime in which the body armor is used constitutes
14 a violation of, attempted violation of, or conspiracy to vio-
15 late the civil rights of a person by a law enforcement offi-
16 cer acting under color of the authority of such law enforce-
17 ment officer.

18 **SEC. 253. PROHIBITIONS RELATING TO LASER SIGHTING**

19 **DEVICES.**

20 (a) DEFINITIONS.—In this section—

21 (1) the term “firearm” has the same meaning
22 as in section 921 of title 18, United States Code;
23 and

24 (2) the term “laser-sighting device” includes
25 any device designed to be attached to a firearm that

1 uses technology, such as laser sighting, red-dot-
2 sighting, night sighting, telescopic sighting, or other
3 similarly effective technology, in order to enhance
4 target acquisition.

5 (b) SENTENCING ENHANCEMENT.—Pursuant to its
6 authority under section 994(p) of title 28, United States
7 Code, the United States Sentencing Commission shall
8 amend the Federal sentencing guidelines to provide an ap-
9 propriate sentencing enhancement for any offense in which
10 the defendant—

11 (1) possessed a firearm equipped with a laser-
12 sighting device; or

13 (2) possessed a firearm and the defendant (or
14 another person at the scene of the crime who was
15 aiding in the commission of the crime) possessed a
16 laser-sighting device (capable of being readily at-
17 tached to the firearm).

18 (c) CONSISTENCY.—In carrying out this section, the
19 United States Sentencing Commission shall—

20 (1) ensure that there is reasonable consistency
21 with other Federal sentencing guidelines; and

22 (2) avoid duplicative punishment for substan-
23 tially the same offense.

1 **Subtitle E—Rights of Victims in**
2 **State Juvenile Courts**

3 **SEC. 261. STATE GUIDELINES.**

4 (a) IN GENERAL.—

5 (1) STATE GUIDELINES.—The Attorney General
6 shall establish guidelines for State programs to re-
7 quire—

8 (A) prior to disposition of adjudicated ju-
9 venile delinquents, that victims, or in appro-
10 priate cases their official representatives, shall
11 be provided the opportunity to make a state-
12 ment to the court in person or to present any
13 information in relation to the disposition;

14 (B) that victims of the juvenile adjudicated
15 delinquent be given notice of the disposition;
16 and

17 (C) that restitution to victims may be or-
18 dered as part of the disposition of adjudicated
19 juvenile delinquents.

20 (2) DEFINITION OF VICTIM.—In this section,
21 the term “victim” means any individual against
22 whom a crime of violence has been committed that
23 has as an element the use, attempted use, or threat-
24 ened use of physical force against the person or

1 property of another or by its nature involves a sub-
2 stantial risk that physical force against the person
3 or property of another may be used in the course of
4 committing the offense.

5 (b) NO CAUSE OF ACTION CREATED.—Nothing in
6 this section shall be construed to create a cause of action
7 against any State or any agency or employee thereof.

8 (c) COMPLIANCE.—

9 (1) COMPLIANCE.—Not later than 3 years after
10 the date of enactment of this Act, each State shall
11 implement this section, except that the Attorney
12 General may grant an additional 2 years to a State
13 if the Attorney General determines that the State is
14 making good faith efforts to implement this section.

15 (2) INELIGIBILITY FOR AMOUNTS.—

16 (A) IN GENERAL.—Beginning on the expi-
17 ration of the period described in paragraph (1)
18 (or such extended period as the Attorney Gen-
19 eral may provide with respect to a State under
20 that paragraph), during each fiscal year that
21 any State fails to comply with this section, that
22 State shall receive—

23 (i) not more than 90 percent of the
24 amount that the State would otherwise re-
25 ceive under subtitle C of this title; and

1 (ii) not more than 90 percent of the
2 amount that the State would otherwise re-
3 ceive under section 362 of title III.

4 (B) REALLOCATION OF AMOUNTS.—In
5 each fiscal year, any amounts that are not allo-
6 cated to States described in subparagraph (A)
7 shall be allocated to otherwise eligible States
8 that are in compliance with this section on a
9 pro rata basis.

10 **TITLE III—PREVENTION AND**
11 **TREATMENT OF YOUTH DRUG**
12 **ABUSE AND ADDICTION**

13 **Subtitle A—Protecting Youth From**
14 **Dangerous Drugs**

15 **SEC. 301. RESCHEDULING OF “CLUB” DRUGS.**

16 Notwithstanding section 201 or subsection (a) or (b)
17 of section 202 of the Controlled Substances Act (21
18 U.S.C. 811, 812(a), 812(b)) respecting the scheduling of
19 controlled substances, the Attorney General shall, by order
20 add ketamine hydrochloride to schedule III of such Act.

1 **Subtitle B—Development of Medi-**
 2 **cines for the Treatment of Drug**
 3 **Addiction**

4 **PART 1—PHARMACOTHERAPY RESEARCH**

5 **SEC. 321. REAUTHORIZATION FOR MEDICATION DEVELOP-**
 6 **MENT PROGRAM.**

7 Section 464P(e) of the Public Health Service Act (42
 8 U.S.C. 285o-4(e)) is amended to read:

9 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 10 is authorized to be appropriated to carry out this section
 11 such sums as may be necessary for each of the fiscal years
 12 1998 through 2002 of which the following amount may
 13 be appropriated from the Violent Crime Reduction Trust
 14 Fund:

15 “(1) \$100,000,000 for fiscal year 2001; and

16 “(2) \$100,000,000 for fiscal year 2002.”.

17 **PART 2—PATENT PROTECTIONS FOR**
 18 **PHARMACOTHERAPIES**

19 **SEC. 331. RECOMMENDATION FOR INVESTIGATION OF**
 20 **DRUGS.**

21 Section 525(a) of the Federal Food, Drug, and Cos-
 22 metic Act (21 U.S.C. 360aa(a)) is amended—

23 (1) by striking “States” each place it appears
 24 and inserting “States, or for treatment of an addic-
 25 tion to illegal drugs”; and

1 (2) by striking “such disease or condition” each
2 place it appears and inserting “such disease, condi-
3 tion, or treatment of such addiction”.

4 **SEC. 332. DESIGNATION OF DRUGS.**

5 Section 526(a) of the Federal, Food, Drug, and Cos-
6 metic Act (21 U.S.C. 360bb(a)) is amended—

7 (1) in paragraph (1)—

8 (A) by inserting before the period in the
9 first sentence the following: “or for treatment
10 of an addiction to illegal drugs”;

11 (B) in the third sentence, by striking “rare
12 disease or condition” and inserting “rare dis-
13 ease or condition, or for treatment of an addic-
14 tion to illegal drugs,”; and

15 (C) by striking “such disease or condition”
16 each place it appears and inserting “such dis-
17 ease, condition, or treatment of such addic-
18 tion”; and

19 (2) in paragraph (2)—

20 (A) by striking “(2) For” and inserting
21 “(2)(A) For”;

22 (B) by striking “(A) affects” and inserting
23 “(i) affects”;

24 (C) by striking “(B) affects” and inserting
25 “(ii) affects”; and

1 (D) by adding at the end the following:

2 “(B) TREATMENT OF AN ADDICTION TO ILLEGAL
3 DRUGS.—The term ‘treatment of an addiction to illegal
4 drugs’ means any pharmacological agent or medication
5 that—

6 “(i) reduces the craving for an illegal drug for
7 an individual who—

8 “(I) habitually uses the illegal drug in a
9 manner that endangers the public health, safe-
10 ty, or welfare; or

11 “(II) is so addicted to the use of the illegal
12 drug that the individual is not able to control
13 the addiction through the exercise of self-con-
14 trol;

15 “(ii) blocks the behavioral and physiological ef-
16 fects of an illegal drug for an individual described in
17 clause (i);

18 “(iii) safely serves as a replacement therapy for
19 the treatment of drug abuse for an individual de-
20 scribed in clause (i);

21 “(iv) moderates or eliminates the process of
22 withdrawal for an individual described in clause (i);

23 “(v) blocks or reverses the toxic effect of an il-
24 legal drug on an individual described in clause (i);
25 or

1 “(vi) prevents, where possible, the initiation of
2 drug abuse in individuals at high risk.

3 “(C) **ILLEGAL DRUG.**—The term ‘illegal drug’ means
4 a controlled substance identified under schedules I, II, III,
5 IV, and V in section 202(c) of the Controlled Substance
6 Act (21 U.S.C. 812(c)).”.

7 **SEC. 333. PROTECTION FOR DRUGS.**

8 Section 527 of the Federal Food, Drug, and Cosmetic
9 Act (21 U.S.C. 360cc) is amended—

10 (1) by striking “rare disease or condition” each
11 place it appears and inserting “rare disease or con-
12 dition or for treatment of an addiction to illegal
13 drugs”;

14 (2) by striking “such disease or condition” each
15 place it appears and inserting “such disease, condi-
16 tion, or treatment of the addiction”; and

17 (3) in subsection (b)(1), by striking “the dis-
18 ease or condition” and inserting “the disease, condi-
19 tion, or addiction”.

20 **SEC. 334. OPEN PROTOCOLS FOR INVESTIGATIONS OF**
21 **DRUGS.**

22 Section 528 of the Federal Food, Drug, and Cosmetic
23 Act (21 U.S.C. 360dd) is amended—

1 (1) by striking “rare disease or condition” and
 2 inserting “rare disease or condition or for treatment
 3 of an addiction to illegal drugs”; and

4 (2) by striking “the disease or condition” each
 5 place it appears and inserting “the disease, condi-
 6 tion, or addiction”.

7 **PART 3—ENCOURAGING PRIVATE SECTOR**

8 **DEVELOPMENT OF PHARMACOTHERAPIES**

9 **SEC. 341. DEVELOPMENT, MANUFACTURE, AND PROCURE-**
 10 **MENT OF DRUGS FOR THE TREATMENT OF**
 11 **ADDICTION TO ILLEGAL DRUGS.**

12 Chapter V of the Federal Food, Drug, and Cosmetic
 13 Act (21 U.S.C. 351 et seq.) is amended by adding at the
 14 end the following:

15 **“Subchapter D—Drugs for Cocaine and**
 16 **Heroin Addictions**

17 **“SEC. 551. CRITERIA FOR AN ACCEPTABLE DRUG TREAT-**
 18 **MENT FOR COCAINE AND HEROIN ADDIC-**
 19 **TIONS.**

20 “(a) IN GENERAL.—Subject to subsections (b) and
 21 (c), the Secretary shall, through the Institute of Medicine
 22 of the National Academy of Sciences, establish criteria for
 23 an acceptable drug for the treatment of an addiction to
 24 cocaine and for an acceptable drug for the treatment of
 25 an addiction to heroin. The criteria shall be used by the

1 Secretary in making a contract, or entering into a licens-
2 ing agreement, under section 552.

3 “(b) REQUIREMENTS.—The criteria established
4 under subsection (a) for a drug shall include require-
5 ments—

6 “(1) that the application to use the drug for the
7 treatment of addiction to cocaine or heroin was filed
8 and approved by the Secretary under this Act after
9 the date of enactment of this section;

10 “(2) that a performance based test on the
11 drug—

12 “(A) has been conducted through the use
13 of a randomly selected test group that received
14 the drug as a treatment and a randomly se-
15 lected control group that received a placebo;
16 and

17 “(B) has compared the long term dif-
18 ferences in the addiction levels of control group
19 participants and test group participants;

20 “(3) that the performance based test conducted
21 under paragraph (2) demonstrates that the drug is
22 effective through evidence that—

1 “(A) a significant number of the partici-
2 pants in the test who have an addiction to co-
3 caine or heroin are willing to take the drug for
4 the addiction;

5 “(B) a significant number of the partici-
6 pants in the test who have an addiction to co-
7 caine or heroin and who were provided the drug
8 for the addiction during the test are willing to
9 continue taking the drug as long as necessary
10 for the treatment of the addiction; and

11 “(C) a significant number of the partici-
12 pants in the test who were provided the drug
13 for the period of time required for the treat-
14 ment of the addiction refrained from the use of
15 cocaine or heroin for a period of 3 years after
16 the date of the initial administration of the
17 drug on the participants; and

18 “(4) that the drug shall have a reasonable cost
19 of production.

20 “(c) REVIEW AND PUBLICATION OF CRITERIA.—The
21 criteria established under subsection (a) shall, prior to the
22 publication and application of such criteria, be submitted
23 for review to the Committee on the Judiciary and the
24 Committee on Economic and Educational Opportunities of
25 the House of Representatives, and the Committee on the

1 Judiciary and the Committee on Labor and Human Re-
2 sources of the Senate. Not later than 90 days after notify-
3 ing each of the committees, the Secretary shall publish the
4 criteria in the Federal Register.

5 **“SEC. 552. PURCHASE OF PATENT RIGHTS FOR DRUG DE-**
6 **VELOPMENT.**

7 “(a) APPLICATION.—

8 “(1) IN GENERAL.—The patent owner of a drug
9 to treat an addiction to cocaine or heroin, may sub-
10 mit an application to the Secretary—

11 “(A) to enter into a contract with the Sec-
12 retary to sell to the Secretary the patent rights
13 of the owner relating to the drug; or

14 “(B) in the case in which the drug is ap-
15 proved by the Secretary for more than 1 indica-
16 tion, to enter into an exclusive licensing agree-
17 ment with the Secretary for the manufacture
18 and distribution of the drug to treat an addic-
19 tion to cocaine or heroin.

20 “(2) REQUIREMENTS.—An application de-
21 scribed in paragraph (1) shall be submitted at such
22 time and in such manner, and accompanied by such
23 information, as the Secretary may require.

24 “(b) CONTRACT AND LICENSING AGREEMENTS~~÷~~.—

1 “(1) REQUIREMENTS.—The Secretary may
2 enter into a contract or a licensing agreement with
3 a patent owner who has submitted an application in
4 accordance with (a) if the drug covered under the
5 contract or licensing agreement meets the criteria
6 established by the Secretary under section 551(a).

7 “(2) SPECIAL RULE.—The Secretary may enter
8 into—

9 “(A) not more than 1 contract or exclusive
10 licensing agreement relating to a drug for the
11 treatment of an addiction to cocaine; and

12 “(B) not more than 1 contract or licensing
13 agreement relating to a drug for the treatment
14 of an addiction to heroin.

15 “(3) COVERAGE.—A contract or licensing
16 agreement described in subparagraph (A) or (B) of
17 paragraph (2) shall cover not more than 1 drug.

18 “(4) PURCHASE AMOUNT.—Subject to amounts
19 provided in advance in appropriations Acts—

20 “(A) the amount to be paid to a patent
21 owner who has entered into a contract or licens-
22 ing agreement under this subsection relating to
23 a drug to treat an addiction to cocaine shall not
24 exceed \$100,000,000; and

1 “(B) the amount to be paid to a patent
2 owner who has entered into a contract or licens-
3 ing agreement under this subsection relating to
4 a drug to treat an addiction to heroin shall not
5 exceed \$50,000,000.

6 “(c) TRANSFER OF RIGHTS UNDER CONTRACTS AND
7 LICENSING AGREEMENT.—

8 “(1) CONTRACTS.—A contract under subsection
9 (b)(1) to purchase the patent rights relating to a
10 drug to treat cocaine or heroin addiction shall trans-
11 fer to the Secretary—

12 “(A) the exclusive right to make, use, or
13 sell the patented drug within the United States
14 for the term of the patent;

15 “(B) any foreign patent rights held by the
16 patent owner;

17 “(C) any patent rights relating to the proc-
18 ess of manufacturing the drug; and

19 “(D) any trade secret or confidential busi-
20 ness information relating to the development of
21 the drug, process for manufacturing the drug,
22 and therapeutic effects of the drug.

23 “(2) LICENSING AGREEMENTS.—A licensing
24 agreement under subsection (b)(1) to purchase an

1 exclusive license relating to manufacture and dis-
2 tribution of a drug to treat an addiction to cocaine
3 or heroin shall transfer to the Secretary—

4 “(A) the exclusive right to make, use, or
5 sell the patented drug for the purpose of treat-
6 ing an addiction to cocaine or heroin within the
7 United States for the term of the patent;

8 “(B) the right to use any patented proc-
9 esses relating to manufacturing the drug; and

10 “(C) any trade secret or confidential busi-
11 ness information relating to the development of
12 the drug, process for manufacturing the drug,
13 and therapeutic effects of the drug relating to
14 use of the drug to treat an addiction to cocaine
15 or heroin.

16 **“SEC. 553. PLAN FOR MANUFACTURE AND DEVELOPMENT.**

17 “(a) IN GENERAL.—Not later than 90 days after the
18 date on which the Secretary purchases the patent rights
19 of a patent owner, or enters into a licensing agreement
20 with a patent owner, relating to a drug under section 551,
21 the Secretary shall develop a plan for the manufacture and
22 distribution of the drug.

23 “(b) PLAN REQUIREMENTS.—The plan shall set
24 forth—

1 “(1) procedures for the Secretary to enter into
2 licensing agreements with private entities for the
3 manufacture and the distribution of the drug;

4 “(2) procedures for making the drug available
5 to nonprofit entities and private entities to use in
6 the treatment of a cocaine or heroin addiction;

7 “(3) a system to establish the sale price for the
8 drug; and

9 “(4) policies and procedures with respect to the
10 use of Federal funds by State and local governments
11 or nonprofit entities to purchase the drug from the
12 Secretary.

13 “(c) APPLICABILITY OF PROCUREMENT AND LICENS-
14 ING LAWS.—The procurement and licensing laws of the
15 United States shall be applicable to procurements and li-
16 censes covered under the plan described in subsection (a).

17 “(d) REVIEW OF PLAN.—

18 “(1) IN GENERAL.—Upon completion of the
19 plan under subsection (a), the Secretary shall notify
20 the Committee on the Judiciary and the Committee
21 on Economic and Educational Opportunities of the
22 House of Representatives, and the Committee on the
23 Judiciary and the Committee on Labor and Human
24 Resources of the Senate, of the development of the
25 plan and publish the plan in the Federal Register.

1 The Secretary shall provide an opportunity for pub-
2 lic comment on the plan for a period of not more
3 than 30 days after the date of the publication of the
4 plan in the Federal Register.

5 “(2) FINAL PLAN.—Not later than 60 days
6 after the date of the expiration of the comment pe-
7 riod described in paragraph (1), the Secretary shall
8 publish in the Federal Register a final plan. The im-
9 plementation of the plan shall begin on the date of
10 the final publication of the plan.

11 “(e) CONSTRUCTION.—The development, publication,
12 or implementation of the plan, or any other agency action
13 with respect to the plan, shall not be considered agency
14 action subject to judicial review.

15 “(f) REGULATIONS.—The Secretary may promulgate
16 regulations to carry out this section.

17 **“SEC. 554. AUTHORIZATION OF APPROPRIATIONS.**

18 “There is authorized to be appropriated to carry out
19 this subchapter, such sums as may be necessary in each
20 of the fiscal years 1998 through 2000.”.

1 **Subtitle C—Prevention and**
 2 **Treatment Programs**

3 **PART 1—COMPREHENSIVE DRUG EDUCATION**

4 **SEC. 351. EXTENSION OF SAFE AND DRUG-FREE SCHOOLS**
 5 **AND COMMUNITIES PROGRAM.**

6 Title IV of the Elementary and Secondary Education
 7 Act (20 U.S.C. 7104) is amended to read as follows:

8 **“TITLE IV—AUTHORIZATIONS**

9 **“SEC. 4001. AUTHORIZATION OF APPROPRIATIONS.**

10 “There is authorized to be appropriated for State
 11 grants under subpart 1 and national programs under sub-
 12 part 2, \$655,000,000 for fiscal years 1998 through 2000,
 13 and \$955,000,000 for fiscal years 2001 through 2002, of
 14 which the following amounts may be appropriated from
 15 the Violent Crime Reduction Trust Fund:

16 “(1) \$300,000,000 for fiscal year 2001; and

17 “(2) \$300,000,000 for fiscal year 2002.”.

18 **PART 2—DRUG COURTS**

19 **SEC. 361. REAUTHORIZATION OF DRUG COURTS PROGRAM.**

20 Section 1001(a)(20) of title I of the Omnibus Crime
 21 Control and Safe Streets Act of 1968 (42 U.S.C.
 22 3793(a)(20)) is amended—

23 (1) in subparagraph (E), by striking “and” at
 24 the end;

1 (2) in subparagraph (F), by striking the period
2 at the end and inserting a semicolon; and

3 (3) by adding at the end the following:

4 “(G) \$400,000,000 for fiscal year 2001; and

5 “(H) \$400,000,000 for fiscal year 2002.”.

6 **SEC. 362. JUVENILE DRUG COURTS.**

7 Title I of the Omnibus Crime Control and Safe
8 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amend-
9 ed—

10 (1) by redesignating part Y as part Z;

11 (2) by redesignating section 2501 as 2601; and

12 (3) by inserting after part X the following:

13 **“PART Y—JUVENILE DRUG COURTS**

14 **“SEC. 2501. GRANT AUTHORITY.**

15 “(a) APPROPRIATE DRUG COURT PROGRAMS.—The
16 Attorney General may make grants to States, State
17 courts, local courts, units of local government, and Indian
18 tribes to establish programs that—

19 “(1) involve continuous early judicial super-
20 vision over juvenile offenders, other than violent ju-
21 venile offenders with substance abuse, or substance
22 abuse-related problems; and

23 “(2) integrate administration of other sanctions
24 and services, including—

1 “(A) mandatory periodic testing for the
2 use of controlled substances or other addictive
3 substances during any period of supervised re-
4 lease or probation for each participant;

5 “(B) substance abuse treatment for each
6 participant;

7 “(C) diversion, probation, or other super-
8 vised release involving the possibility of prosecu-
9 tion, confinement, or incarceration based on
10 noncompliance with program requirements or
11 failure to show satisfactory progress;

12 “(D) programmatic, offender management,
13 and aftercare services such as relapse preven-
14 tion, health care, education, vocational training,
15 job placement, housing placement, and child
16 care or other family support service for each
17 participant who requires such services;

18 “(E) payment by the offender of treatment
19 costs, to the extent practicable, such as costs
20 for urinalysis or counseling; or

21 “(F) payment by the offender of restitu-
22 tion, to the extent practicable, to either a victim
23 of the offense at issue or to a restitution or
24 similar victim support fund.

1 “(b) CONTINUED AVAILABILITY OF GRANT
2 FUNDS.—Amounts made available under this part shall
3 remain available until expended.

4 **“SEC. 2502. PROHIBITION OF PARTICIPATION BY VIOLENT**
5 **OFFENDERS.**

6 “The Attorney General shall issue regulations and
7 guidelines to ensure that the programs authorized in this
8 part do not permit participation by violent offenders.

9 **“SEC. 2503. DEFINITION.**

10 “In this part, the term ‘violent offender’ means an
11 individual charged with an offense during the course of
12 which—

13 “(1) the individual carried, possessed, or used a
14 firearm or dangerous weapon;

15 “(2) the death of or serious bodily injury of an-
16 other person occurred as a direct result of the com-
17 mission of such offense; or

18 “(3) the individual used force against the per-
19 son of another.

20 **“SEC. 2504. ADMINISTRATION.**

21 “(a) REGULATORY AUTHORITY.—the Attorney Gen-
22 eral shall issue any regulations and guidelines necessary
23 to carry out this part.

1 “(b) APPLICATIONS.—In addition to any other re-
2 quirements that may be specified by the Attorney General,
3 an application for a grant under this part shall—

4 “(1) include a long term strategy and detailed
5 implementation plan;

6 “(2) explain the inability of the applicant to
7 fund the program adequately without Federal assist-
8 ance;

9 “(3) certify that the Federal support provided
10 will be used to supplement, and not supplant, State,
11 tribal, or local sources of funding that would other-
12 wise be available;

13 “(4) identify related governmental or commu-
14 nity initiatives that complement or will be coordi-
15 nated with the proposal;

16 “(5) certify that there has been appropriate
17 consultation with all affected agencies and that there
18 will be appropriate coordination with all affected
19 agencies in the implementation of the program;

20 “(6) certify that participating offenders will be
21 supervised by one or more designated judges with re-
22 sponsibility for the drug court program;

23 “(7) specify plans for obtaining necessary sup-
24 port and continuing the proposed program following
25 the conclusion of Federal support; and

1 “(8) describe the methodology that will be used
2 in evaluating the program.

3 **“SEC. 2505. APPLICATIONS.**

4 “To request funds under this part, the chief executive
5 or the chief justice of a State, or the chief executive or
6 chief judge of a unit of local government or Indian tribe
7 shall submit an application to the Attorney General in
8 such form and containing such information as the Attor-
9 ney General may reasonably require.

10 **“SEC. 2506. FEDERAL SHARE.**

11 “(a) IN GENERAL.—The Federal share of a grant
12 made under this part may not exceed 75 percent of the
13 total costs of the program described in the application sub-
14 mitted under section 2505 for the fiscal year for which
15 the program receives assistance under this part.

16 “(b) WAIVER.—The Attorney General may waive, in
17 whole or in part, the requirement of a matching contribu-
18 tion under subsection (a).

19 “(c) IN-KIND CONTRIBUTIONS.—In-kind contribu-
20 tions may constitute a portion of the non-Federal share
21 of a grant under this part.

22 **“SEC. 2507. DISTRIBUTION OF FUNDS.**

23 “(a) GEOGRAPHICAL DISTRIBUTION.—The Attorney
24 General shall ensure that, to the extent practicable, an eq-
25 uitable geographic distribution of grant awards is made.

1 or through grants, contracts, or other cooperative arrange-
 2 ments with other entities.

3 **“SEC. 2510. UNAWARDED FUNDS.**

4 “The Attorney General may reallocate any grant
 5 funds that are not awarded for juvenile drug courts under
 6 this part for use for other juvenile delinquency and crime
 7 prevention initiatives.

8 **“SEC. 2511. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to carry out
 10 this part from the Violent Crime Reduction Trust Fund—

11 “(1) such sums as may be necessary for each
 12 of the fiscal years 1998, 1999, and 2000;

13 “(2) \$50,000,000 for fiscal year 2001; and

14 “(3) \$50,000,000 for fiscal year 2002.”.

15 **PART 3—DRUG TREATMENT**

16 **SEC. 371. DRUG TREATMENT FOR JUVENILES.**

17 Title V of the Public Health Service Act (42 U.S.C.
 18 290aa et seq.) is amended by adding at the end the follow-
 19 ing:

20 **“PART G—RESIDENTIAL TREATMENT PROGRAMS**
 21 **FOR JUVENILES**

22 **“SEC. 575. RESIDENTIAL TREATMENT PROGRAMS FOR JU-**
 23 **VENILES.**

24 “(a) IN GENERAL.—The Director of the Center for
 25 Substance Abuse Treatment shall award grants to, or

1 enter into cooperative agreements or contracts, with public
2 and nonprofit private entities for the purpose of providing
3 treatment to juveniles for substance abuse through pro-
4 grams in which, during the course of receiving such treat-
5 ment the juveniles reside in facilities made available by
6 the programs.

7 “(b) AVAILABILITY OF SERVICES FOR EACH PARTIC-
8 IPANT.—A funding agreement for an award under sub-
9 section (a) for an applicant is that, in the program oper-
10 ated pursuant to such subsection—

11 “(1) treatment services will be available
12 through the applicant, either directly or through
13 agreements with other public or nonprofit private
14 entities; and

15 “(2) the services will be made available to each
16 person admitted to the program.

17 “(c) INDIVIDUALIZED PLAN OF SERVICES.—A fund-
18 ing agreement for an award under subsection (a) for an
19 applicant is that—

20 “(1) in providing authorized services for an eli-
21 gible person pursuant to such subsection, the appli-
22 cant will, in consultation with the juvenile and, if ap-
23 propriate the parent or guardian of the juvenile, pre-
24 pare an individualized plan for the provision to the
25 juvenile or young adult of the services; and

1 “(2) treatment services under the plan will in-
2 clude—

3 “(A) individual, group, and family counsel-
4 ing, as appropriate, regarding substance abuse;
5 and

6 “(B) followup services to assist the juvenile
7 or young adult in preventing a relapse into such
8 abuse.

9 “(d) ELIGIBLE SUPPLEMENTAL SERVICES.—Grants
10 under subsection (a) may be used to provide an eligible
11 juvenile, the following services:

12 “(1) HOSPITAL REFERRALS.—Referrals for nec-
13 essary hospital services.

14 “(2) HIV AND AIDS COUNSELING.—Counseling
15 on the human immunodeficiency virus and on ac-
16 quired immune deficiency syndrome.

17 “(3) DOMESTIC VIOLENCE AND SEXUAL ABUSE
18 COUNSELING.—Counseling on domestic violence and
19 sexual abuse.

20 “(4) PREPARATION FOR REENTRY INTO SOCI-
21 ETY.—Planning for and counseling to assist reentry
22 into society, both before and after discharge, includ-
23 ing referrals to any public or nonprofit private enti-
24 ties in the community involved that provide services
25 appropriate for the juvenile.

1 “(e) MINIMUM QUALIFICATIONS FOR RECEIPT OF
2 AWARD.—

3 “(1) CERTIFICATION BY RELEVANT STATE
4 AGENCY.—With respect to the principal agency of a
5 State or Indian tribe that administers programs re-
6 lating to substance abuse, the Director may award
7 a grant to, or enter into a cooperative agreement or
8 contract with, an applicant only if the agency or In-
9 dian tribe has certified to the Director that—

10 “(A) the applicant has the capacity to
11 carry out a program described in subsection (a);

12 “(B) the plans of the applicant for such a
13 program are consistent with the policies of such
14 agency regarding the treatment of substance
15 abuse; and

16 “(C) the applicant, or any entity through
17 which the applicant will provide authorized
18 services, meets all applicable State licensure or
19 certification requirements regarding the provi-
20 sion of the services involved.

21 “(2) STATUS AS MEDICAID PROVIDER.—

22 “(A) IN GENERAL.—Subject to subpara-
23 graphs (B) and (C), the Director may make a
24 grant, or enter into a cooperative agreement or
25 contract, under subsection (a) only if, in the

1 case of any authorized service that is available
2 pursuant to the State plan approved under title
3 XIX of the Social Security Act (42 U.S.C. 1396
4 et seq.) for the State involved—

5 “(i) the applicant for the grant, coop-
6 erative agreement, or contract will provide
7 the service directly, and the applicant has
8 entered into a participation agreement
9 under the State plan and is qualified to re-
10 ceive payments under such plan; or

11 “(ii) the applicant will enter into an
12 agreement with a public or nonprofit pri-
13 vate entity under which the entity will pro-
14 vide the service, and the entity has entered
15 into such a participation agreement plan
16 and is qualified to receive such payments.

17 “(B) SERVICES.—

18 “(i) IN GENERAL.—In the case of an
19 entity making an agreement pursuant to
20 subparagraph (A)(ii) regarding the provi-
21 sion of services, the requirement estab-
22 lished in such subparagraph regarding a
23 participation agreement shall be waived by
24 the Director if the entity does not, in pro-
25 viding health care services, impose a

1 charge or accept reimbursement available
2 from any third party payor, including re-
3 imbursement under any insurance policy or
4 under any Federal or State health benefits
5 plan.

6 “(ii) VOLUNTARY DONATIONS.—A de-
7 termination by the Director of whether an
8 entity referred to in clause (i) meets the
9 criteria for a waiver under such clause
10 shall be made without regard to whether
11 the entity accepts voluntary donations re-
12 garding the provision of services to the
13 public.

14 “(C) MENTAL DISEASES.—

15 “(i) IN GENERAL.—With respect to
16 any authorized service that is available
17 pursuant to the State plan described in
18 subparagraph (A), the requirements estab-
19 lished in such subparagraph shall not
20 apply to the provision of any such service
21 by an institution for mental diseases to an
22 individual who has attained 21 years of
23 age and who has not attained 65 years of
24 age.

1 “(ii) DEFINITION OF INSTITUTION
2 FOR MENTAL DISEASES.—In this subpara-
3 graph, the term ‘institution for mental dis-
4 eases’ has the same meaning as in section
5 1905(i) of the Social Security Act (42
6 U.S.C. 1396d(i)).

7 “(f) REQUIREMENTS FOR MATCHING FUNDS.—

8 “(1) IN GENERAL.—With respect to the costs of
9 the program to be carried out by an applicant pursu-
10 ant to subsection (a), a funding agreement for an
11 award under such subsection is that the applicant
12 will make available (directly or through donations
13 from public or private entities) non-Federal con-
14 tributions toward such costs in an amount that—

15 “(A) for the first fiscal year for which the
16 applicant receives payments under an award
17 under such subsection, is not less than \$1 for
18 each \$9 of Federal funds provided in the
19 award;

20 “(B) for any second such fiscal year, is not
21 less than \$1 for each \$9 of Federal funds pro-
22 vided in the award; and

23 “(C) for any subsequent such fiscal year, is
24 not less than \$1 for each \$3 of Federal funds
25 provided in the award.

1 “(2) DETERMINATION OF AMOUNT CONTRIB-
2 UTED.—Non-Federal contributions required in para-
3 graph (1) may be in cash or in kind, fairly evalu-
4 ated, including plant, equipment, or services.
5 Amounts provided by the Federal Government, or
6 services assisted or subsidized to any significant ex-
7 tent by the Federal Government, may not be in-
8 cluded in determining the amount of such non-Fed-
9 eral contributions.

10 “(g) OUTREACH.—A funding agreement for an award
11 under subsection (a) for an applicant is that the applicant
12 will provide outreach services in the community involved
13 to identify juveniles who are engaging in substance abuse
14 and to encourage the juveniles to undergo treatment for
15 such abuse.

16 “(h) ACCESSIBILITY OF PROGRAM.—A funding
17 agreement for an award under subsection (a) for an appli-
18 cant is that the program operated pursuant to such sub-
19 section will be operated at a location that is accessible to
20 low income juveniles.

21 “(i) CONTINUING EDUCATION.—A funding agree-
22 ment for an award under subsection (a) is that the appli-
23 cant involved will provide for continuing education in
24 treatment services for the individuals who will provide

1 treatment in the program to be operated by the applicant
2 pursuant to such subsection.

3 “(j) IMPOSITION OF CHARGES.—A funding agree-
4 ment for an award under subsection (a) for an applicant
5 is that, if a charge is imposed for the provision of author-
6 ized services to or on behalf of an eligible juvenile, such
7 charge—

8 “(1) will be made according to a schedule of
9 charges that is made available to the public;

10 “(2) will be adjusted to reflect the economic
11 condition of the juvenile involved; and

12 “(3) will not be imposed on any such juvenile
13 whose family has an income of less than 185 percent
14 of the official poverty line, as established by the Di-
15 rector of the Office for Management and Budget
16 and revised by the Secretary in accordance with sec-
17 tion 673(2) of the Omnibus Budget Reconciliation
18 Act of 1981 (42 U.S.C. 9902(2)).

19 “(k) REPORTS TO DIRECTOR.—A funding agreement
20 for an award under subsection (a) is that the applicant
21 involved will submit to the Director a report—

22 “(1) describing the utilization and costs of serv-
23 ices provided under the award;

24 “(2) specifying the number of juveniles served,
25 and the type and costs of services provided; and

1 “(3) providing such other information as the
2 Director determines to be appropriate.

3 “(l) REQUIREMENT OF APPLICATION.—The Director
4 may make an award under subsection (a) only if an appli-
5 cation for the award is submitted to the Director contain-
6 ing such agreements, and the application is in such form,
7 is made in such manner, and contains such other agree-
8 ments and such assurances and information as the Direc-
9 tor determines to be necessary to carry out this section.

10 “(m) EQUITABLE ALLOCATION OF AWARDS.—In
11 making awards under subsection (a), the Director shall
12 ensure that the awards are equitably allocated among the
13 principal geographic regions of the United States, as well
14 as among Indian tribes, subject to the availability of quali-
15 fied applicants for the awards.

16 “(n) DURATION OF AWARD.—

17 “(1) IN GENERAL.—The period during which
18 payments are made to an entity from an award
19 under this section may not exceed 5 years.

20 “(2) APPROVAL OF DIRECTOR.—The provision
21 of payments described in paragraph (1) shall be sub-
22 ject to—

23 “(A) annual approval by the Director of
24 the payments; and

1 “(B) the availability of appropriations for
2 the fiscal year at issue to make the payments.

3 “(3) NO LIMITATION.—This subsection may not
4 be construed to establish a limitation on the number
5 of awards that may be made to an entity under this
6 section.

7 “(o) EVALUATIONS; DISSEMINATION OF FINDINGS.—
8 The Director shall, directly or through contract, provide
9 for the conduct of evaluations of programs carried out
10 pursuant to subsection (a). The Director shall disseminate
11 to the States the findings made as a result of the evalua-
12 tions.

13 “(p) REPORTS TO CONGRESS.—

14 “(1) INITIAL REPORT.—Not later than October
15 1, 1998, the Director shall submit to the Committee
16 on the Judiciary of the House of Representatives,
17 and to the Committee on the Judiciary of the Sen-
18 ate, a report describing programs carried out pursu-
19 ant to this section.

20 “(2) PERIODIC REPORTS.—

21 “(A) IN GENERAL.—Not less than bienni-
22 ally after the date described in paragraph (1),
23 the Director shall prepare a report describing
24 programs carried out pursuant to this section
25 during the preceding 2-year period, and shall

1 submit the report to the Administrator for in-
2 clusion in the biennial report under section
3 501(k).

4 “(B) SUMMARY.—Each report under this
5 subsection shall include a summary of any eval-
6 uations conducted under subsection (m) during
7 the period with respect to which the report is
8 prepared.

9 “(q) DEFINITIONS.—In this section:

10 “(1) AUTHORIZED SERVICES.—The term ‘au-
11 thorized services’ means treatment services and sup-
12 plemental services.

13 “(2) JUVENILE.—The term ‘juvenile’ means
14 anyone 18 years of age or younger at the time that
15 of admission to a program operated pursuant to sub-
16 section (a).

17 “(3) ELIGIBLE JUVENILE.—The term ‘eligible
18 juvenile’ means a juvenile who has been admitted to
19 a program operated pursuant to subsection (a).

20 “(4) FUNDING AGREEMENT UNDER SUB-
21 SECTION (A).—The term ‘funding agreement under
22 subsection (a)’, with respect to an award under sub-
23 section (a), means that the Director may make the
24 award only if the applicant makes the agreement in-
25 volved.

1 “(5) TREATMENT SERVICES.—The term ‘treat-
2 ment services’ means treatment for substance abuse,
3 including the counseling and services described in
4 subsection (c)(2).

5 “(6) SUPPLEMENTAL SERVICES.—The term
6 ‘supplemental services’ means the services described
7 in subsection (d).

8 “(r) AUTHORIZATION OF APPROPRIATIONS.—

9 “(1) IN GENERAL.—For the purpose of carry-
10 ing out this section and section 576 there is author-
11 ized to be appropriated such sums as may be nec-
12 essary for fiscal years 1998, 1999, and 2000. There
13 is authorized to be appropriated from the Violent
14 Crime Reduction Trust Fund \$300,000,000 in each
15 of the fiscal years 2001 and 2002.

16 “(2) TRANSFER.—For the purpose described in
17 paragraph (1), in addition to the amounts author-
18 ized in such paragraph to be appropriated for a fis-
19 cal year, there is authorized to be appropriated for
20 the fiscal year from the special forfeiture fund of the
21 Director of the Office of National Drug Control Pol-
22 icy such sums as may be necessary.

23 “(3) RULE OF CONSTRUCTION.—The amounts
24 authorized in this subsection to be appropriated are
25 in addition to any other amounts that are authorized

1 to be appropriated and are available for the purpose
2 described in paragraph (1).

3 **“SEC. 576. OUTPATIENT TREATMENT PROGRAMS FOR JUVE-**
4 **NILES.**

5 “(a) GRANTS.—The Secretary of Health and Human
6 Services, acting through the Director of the Center for
7 Substance Abuse Treatment, shall make grants to estab-
8 lish projects for the outpatient treatment of substance
9 abuse among juveniles.

10 “(b) PREVENTION.—Entities receiving grants under
11 this section shall engage in activities to prevent substance
12 abuse among juveniles.

13 “(c) EVALUATION.—The Secretary of Health and
14 Human Services shall evaluate projects carried out under
15 subsection (a) and shall disseminate to appropriate public
16 and private entities information on effective projects.”.

17 **Subtitle D—National Drug Control**
18 **Policy**

19 **SEC. 381. REAUTHORIZATION OF OFFICE OF NATIONAL**
20 **DRUG CONTROL POLICY.**

21 (a) REAUTHORIZATION.—Section 1009 of the Na-
22 tional Narcotics Leadership Act of 1988 (21 U.S.C. 1506)
23 is amended by striking “1997” and inserting “2002”.

24 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
25 1011 of the National Narcotics Leadership Act of 1988

1 (21 U.S.C. 1508) is amended by striking “8” and insert-
2 ing “13”.

3 **SEC. 382. STUDY ON EFFECTS OF CALIFORNIA AND ARI-**
4 **ZONA DRUG INITIATIVES.**

5 (a) DEFINITION.—In this section, the term “con-
6 trolled substance” has the same meaning as in section 102
7 of the Controlled Substances Act (21 U.S.C. 802).

8 (b) STUDY.—The Director of National Drug Control
9 Policy, in consultation with the Attorney General and the
10 Secretary of Health and Human Services, shall conduct

11 a study on the effect of the 1996 voter referenda in Cali-
12 fornia and Arizona concerning the medicinal use of mari-
13 juana and other controlled substances, respectively, on—

14 (1) marijuana usage in Arizona and California;

15 (2) usage of other controlled substances in Ari-
16 zona and California;

17 (3) perceptions of youth of the dangerousness
18 of marijuana and other controlled substances in Ari-
19 zona and California;

20 (4) emergency room admissions for drug abuse
21 in Arizona and California;

22 (5) seizures of controlled substances in Arizona
23 and California;

24 (6) arrest rates for use of controlled substances
25 in Arizona and California;

1 (7) arrest rates for trafficking of controlled
2 substances in Arizona and California;

3 (8) conviction rates in cases concerning use of
4 controlled substances in Arizona and California; and

5 (9) conviction rates in jury trials concerning use
6 of controlled substances in Arizona and California.

7 (c) REPORT.—Not later than January 1, 1998, the
8 Director of National Drug Policy, in consultation with the
9 Attorney General and the Secretary of Health and Human
10 Services, shall—

11 (1) issue a report on the results of the study
12 under subsection (b); and

13 (2) submit a copy of the report to the Commit-
14 tees on the Judiciary of the House of Representa-
15 tives and the Senate.

16 (d) AUTHORIZATIONS.—There are authorized to be
17 appropriated to carry out this section such sums as may
18 be necessary for each of the fiscal years 1998 and 1999.

19 **Subtitle E—Penalty Enhancements**

20 **SEC. 391. INCREASED PENALTIES FOR USING FEDERAL** 21 **PROPERTY TO GROW OR MANUFACTURE** 22 **CONTROLLED SUBSTANCES.**

23 (a) IN GENERAL.—Section 401(b)(5) of the Con-
24 trolled Substances Act (21 U.S.C. 841(b)(5)) is amended
25 to read as follows:

1 “(5) OFFENSES ON FEDERAL PROPERTY.—Any
2 person who violates subsection (a) by cultivating or
3 manufacturing a controlled substance on any prop-
4 erty in whole or in part owned by or leased to the
5 United States or any department or agency thereof
6 shall be subject to twice the maximum punishment
7 otherwise authorized for the offense.”.

8 (b) SENTENCING ENHANCEMENT.—Pursuant to its
9 authority under section 994(p) of title 28, United States
10 Code, the United States Sentencing Commission shall
11 amend the Federal sentencing guidelines to provide an ap-
12 propriate enhancement to ensure that violations of section
13 401(b)(5) of the Controlled Substances Act are punished
14 substantially more severely than violations that do not
15 occur on Federal property.

16 (c) CONSISTENCY.—In carrying out this subsection,
17 the United States Sentencing Commission shall—

18 (1) ensure that there is reasonable consistency
19 with other Federal sentencing guidelines; and

20 (2) avoid duplicative punishment for substan-
21 tially the same offense.

1 **SEC. 392. TECHNICAL CORRECTION TO ENSURE COMPLI-**
2 **ANCE OF FEDERAL SENTENCING GUIDELINES**
3 **WITH FEDERAL LAW.**

4 Section 994(a) of title 28, United States Code, is
5 amended by striking “consistent with all pertinent provi-
6 sions of this title and title 18, United States Code,” and
7 inserting “consistent with all pertinent provisions of Fed-
8 eral law”.

9 **TITLE IV—PROTECTING YOUTH**
10 **FROM VIOLENT CRIME**
11 **Subtitle A—Grants for Youth**
12 **Organizations**

13 **SEC. 401. GRANT PROGRAM.**

14 The Attorney General may make grants to States, In-
15 dian tribes, and national nonprofit organizations in crime
16 prone areas, such as Boys and Girls Clubs, Police Athletic
17 Leagues, 4-H Clubs, D.A.R.E. America, and Kids ’N
18 Kops programs, for the purpose of—

19 (1) providing constructive activities to youth
20 during after school hours, weekends, and school va-
21 cations to prevent the criminal victimization of pro-
22 gram participants;

23 (2) providing supervised activities in safe envi-
24 ronments to youth in crime prone areas;

25 (3) providing antidrug education to prevent
26 drug abuse among youth;

1 (4) supporting police officer training and sala-
2 ries and educational materials to expand D.A.R.E.
3 America’s middle school campaign; or

4 (5) providing constructive activities to youth in
5 a safe environment through parks and other public
6 recreation areas.

7 **SEC. 402. GRANTS TO NATIONAL ORGANIZATIONS.**

8 (a) APPLICATIONS.—

9 (1) ELIGIBILITY.—In order to be eligible to re-
10 ceive a grant under this section, the chief operating
11 officer of a national community-based organization
12 shall submit an application to the Attorney General
13 in such form and containing such information as the
14 Attorney General may reasonably require.

15 (2) APPLICATION REQUIREMENTS.—Each appli-
16 cation submitted in accordance with paragraph (1)
17 shall include—

18 (A) a request for a grant to be used for
19 the purposes described in this subtitle;

20 (B) a description of the communities to be
21 served by the grant, including the nature of ju-
22 venile crime, violence, and drug use in the com-
23 munities;

1 (C) written assurances that Federal funds
2 received under this subtitle will be used to sup-
3 plement and not supplant, non-Federal funds
4 that would otherwise be available for activities
5 funded under this subtitle;

6 (D) written assurances that all activities
7 will be supervised by an appropriate number of
8 responsible adults;

9 (E) a plan for assuring that program ac-
10 tivities will take place in a secure environment
11 that is free of crime and drugs; and

12 (F) any additional statistical or financial
13 information that the Attorney General may rea-
14 sonably require.

15 (b) GRANT AWARDS.—In awarding grants under this
16 section, the Attorney General shall consider—

17 (1) the ability of the applicant to provide the
18 stated services;

19 (2) the history and establishment of the appli-
20 cant in providing youth activities on a nationwide
21 basis; and

22 (3) the extent to which the organizations shall
23 achieve an equitable geographic distribution of the
24 grant awards.

1 **SEC. 403. GRANTS TO STATES.**

2 (a) APPLICATIONS.—

3 (1) IN GENERAL.—The Attorney General may
4 make grants under this section to States for dis-
5 tribution to units of local government and commu-
6 nity-based organizations for the purposes set forth
7 in section 401.

8 (2) GRANTS.—To request a grant under this
9 section, the chief executive of a State shall submit
10 an application to the Attorney General in such form
11 and containing such information as the Attorney
12 General may reasonably require.

13 (3) APPLICATION REQUIREMENTS.—Each appli-
14 cation submitted in accordance with paragraph (2)
15 shall include—

16 (A) a request for a grant to be used for
17 the purposes described in this subtitle;

18 (B) a description of the communities to be
19 served by the grant, including the nature of ju-
20 venile crime, violence, and drug use in the com-
21 munity;

22 (C) written assurances that Federal funds
23 received under this subtitle will be used to sup-
24 plement and not supplant, non-Federal funds
25 that would otherwise be available for activities
26 funded under this subtitle;

1 (D) written assurances that all activities
2 will be supervised by an appropriate number of
3 responsible adults; and

4 (E) a plan for assuring that program ac-
5 tivities will take place in a secure environment
6 that is free of crime and drugs.

7 (b) GRANT AWARDS.—In awarding grants under this
8 section, the State shall consider—

9 (1) the ability of the applicant to provide the
10 stated services;

11 (2) the history and establishment of the appli-
12 cant in the community to be served;

13 (3) the level of juvenile crime, violence, and
14 drug use in the community;

15 (4) the extent to which structured extra-
16 curricular activities for youth are otherwise unavail-
17 able in the community;

18 (5) the need in the community for secure envi-
19 ronments for youth to avoid criminal victimization
20 and exposure to crime and illegal drugs;

21 (6) to the extent practicable, achievement of an
22 equitable geographic distribution of the grant
23 awards; and

24 (7) whether the applicant has an established
25 record of providing extracurricular activities that are

1 generally not otherwise available to youth in the
2 community.

3 (c) ALLOCATION.—

4 (1) STATE ALLOCATIONS.—The Attorney Gen-
5 eral shall allot not less than 0.75 percent of the total
6 amount made available each fiscal year to carry out
7 this section to each State that has applied for a
8 grant under this section.

9 (2) INDIAN TRIBES.—The Attorney General
10 shall allot not less than 0.75 percent of the total
11 amount made available each fiscal year to carry out
12 this section to Indian tribes, in accordance with the
13 criteria set forth in subsections (a) and (b).

14 (3) REMAINING AMOUNTS.—Of the amount re-
15 maining after the allocations under paragraphs (1)
16 and (2), the Attorney General shall allocate to each
17 State an amount that bears the same ratio to the
18 total amount of remaining funds as the population
19 of the State bears to the total population of all
20 States.

21 **SEC. 404. ALLOCATION; GRANT LIMITATION.**

22 (a) ALLOCATION.—Of amounts made available to
23 carry out this subtitle—

24 (1) 20 percent shall be for grants to national
25 organizations under section 402; and

1 (2) 80 percent shall be for grants to States
2 under section 403.

3 (b) GRANT LIMITATION.—Not more than 3 percent
4 of the funds made available to the Attorney General or
5 a grant recipient under this subtitle may be used for ad-
6 ministrative purposes.

7 **SEC. 405. REPORT AND EVALUATION.**

8 (a) REPORT TO THE ATTORNEY GENERAL.—Not
9 later than October 1, 1998, and October 1 of each year
10 thereafter, each grant recipient under this subtitle shall
11 submit to the Attorney General a report that describes,
12 for the year to which the report relates—

13 (1) the activities provided;

14 (2) the number of youth participating;

15 (3) the extent to which the grant enabled the
16 provision of activities to youth that would not other-
17 wise be available; and

18 (4) any other information that the Attorney
19 General requires for evaluating the effectiveness of
20 the program.

21 (b) EVALUATION AND REPORT TO CONGRESS.—Not
22 later than March 1, 1999, and March 1 of each year there-
23 after, the Attorney General shall submit to the Congress

1 an evaluation and report that contains a detailed state-
2 ment regarding grant awards, activities of grant recipi-
3 ents, a compilation of statistical information submitted by
4 grant recipients under this subtitle, and an evaluation of
5 programs established by grant recipients under this sub-
6 title.

7 (c) CRITERIA.—In assessing the effectiveness of the
8 programs established and operated by grant recipients
9 pursuant to this subtitle, the Attorney General shall con-
10 sider—

11 (1) the number of youth served by the grant re-
12 cipient;

13 (2) the percentage of youth participating in the
14 program charged with acts of delinquency or crime
15 compared to youth in the community at large;

16 (3) the percentage of youth participating in the
17 program that uses drugs compared to youth in the
18 community at large;

19 (4) the percentage of youth participating in the
20 program that are victimized by acts of crime or de-
21 linquency compared to youth in the community at
22 large; and

23 (5) the truancy rates of youth participating in
24 the program compared to youth in the community at
25 large.

1 (d) DOCUMENTS AND INFORMATION.—Each grant
 2 recipient under this subtitle shall provide the Attorney
 3 General with all documents and information that the At-
 4 torney General determines to be necessary to conduct an
 5 evaluation of the effectiveness of programs funded under
 6 this subtitle.

7 **SEC. 406. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) IN GENERAL.—There are authorized to be appro-
 9 priated to carry out this subtitle from the Violent Crime
 10 Reduction Trust Fund—

11 (1) such sums as may be necessary for each of
 12 the fiscal years 1998 through 2000;

13 (2) for fiscal year 2001, \$125,000,000; and

14 (3) for fiscal year 2002, \$125,000,000.

15 (b) CONTINUED AVAILABILITY.—Amounts made
 16 available under this subtitle shall remain available until
 17 expended.

18 **Subtitle B—“Say No to Drugs”**
 19 **Community Centers Act of 1997**

20 **SEC. 421. SHORT TITLE; DEFINITIONS.**

21 (a) SHORT TITLE.—This subtitle may be cited as the
 22 “Say No to Drugs Community Centers Act of 1997”.

23 (b) DEFINITIONS.—For purposes of this subtitle—

24 (1) the term “community-based organization”
 25 means a private, locally initiated organization that—

1 (A) is a nonprofit organization, as that
2 term is defined in section 103(23) of the Juve-
3 nile Justice and Delinquency Prevention Act of
4 1974 (42 U.S.C. 5603(23)); and

5 (B) involves the participation, as appro-
6 priate, of members of the community and com-
7 munity institutions, including—

8 (i) business and civic leaders actively
9 involved in providing employment and busi-
10 ness development opportunities in the com-
11 munity;

12 (ii) educators;

13 (iii) religious organizations (which
14 shall not provide any sectarian instruction
15 or sectarian worship in connection with
16 program activities funded under this sub-
17 title);

18 (iv) law enforcement agencies; and

19 (v) other interested parties;

20 (2) the term “eligible community” means a
21 community—

22 (A) identified by an eligible recipient for
23 assistance under this subtitle; and

24 (B) an area that meets such criteria as the
25 Attorney General may, by regulation, establish,

1 including criteria relating to poverty, juvenile
2 delinquency, and crime;

3 (3) the term “eligible recipient” means a com-
4 munity-based organization or public school that
5 has—

6 (A) been approved for eligibility by the At-
7 torney General, upon application submitted to
8 the Attorney General in accordance with section
9 412(b); and

10 (B) demonstrated that the projects and ac-
11 tivities it seeks to support in an eligible commu-
12 nity involve the participation, when feasible and
13 appropriate, of—

14 (i) parents, family members, and
15 other members of the eligible community;

16 (ii) civic and religious organizations
17 serving the eligible community;

18 (iii) school officials and teachers em-
19 ployed at schools located in the eligible
20 community;

21 (iv) public housing resident organiza-
22 tions in the eligible community; and

23 (v) public and private nonprofit orga-
24 nizations and organizations serving youth
25 that provide education, child protective

1 services, or other human services to low in-
2 come, at-risk youth and their families;

3 (4) the term “poverty line” means the income
4 official poverty line (as defined by the Office of Man-
5 agement and Budget, and revised annually in ac-
6 cordance with section 673(2) of the Community
7 Services Block Grant Act (42 U.S.C. 9902(2)) appli-
8 cable to a family of the size involved; and

9 (5) the term “public school” means a public ele-
10 mentary school, as defined in section 1201(i) of the
11 Higher Education Act of 1965 (20 U.S.C. 1141(i)),
12 and a public secondary school, as defined in section
13 1201(d) of that Act (42 U.S.C. 1141(d)).

14 **SEC. 422. GRANT REQUIREMENTS.**

15 (a) IN GENERAL.—The Attorney General may make
16 grants to eligible recipients, which grants may be used to
17 provide to youth living in eligible communities during after
18 school hours or summer vacations, the following services:

19 (1) Rigorous drug prevention education.

20 (2) Drug counseling and treatment.

21 (3) Academic tutoring and mentoring.

22 (4) Activities promoting interaction between
23 youth and law enforcement officials.

24 (5) Vaccinations and other basic preventive
25 health care.

1 (6) Sexual abstinence education.

2 (7) Other activities and instruction to reduce
3 youth violence and substance abuse.

4 (b) LOCATION AND USE OF AMOUNTS.—An eligible
5 recipient that receives a grant under this subtitle—

6 (1) shall ensure that the stated program is car-
7 ried out—

8 (A) when appropriate, in the facilities of a
9 public school during nonschool hours; or

10 (B) in another appropriate local facility
11 that is—

12 (i) in a location easily accessible to
13 youth in the community; and

14 (ii) in compliance with all applicable
15 State and local ordinances;

16 (2) shall use the grant amounts to provide to
17 youth in the eligible community services and activi-
18 ties that include extracurricular and academic pro-
19 grams that are offered—

20 (A) after school and on weekends and holi-
21 days, during the school year; and

22 (B) as daily full day programs (to the ex-
23 tent available resources permit) or as part day
24 programs, during the summer months;

1 (3) shall use not more than 5 percent of the
2 amounts to pay for the administrative costs of the
3 program;

4 (4) shall not use such amounts to provide sec-
5 tarian worship or sectarian instruction; and

6 (5) may not use the amounts for the general
7 operating costs of public schools.

8 (c) APPLICATIONS.—

9 (1) IN GENERAL.—Each application to become
10 an eligible recipient shall be submitted to the Attor-
11 ney General at such time, in such manner, and ac-
12 companied by such information, as the Attorney
13 General may reasonably require.

14 (2) CONTENTS OF APPLICATION.—Each appli-
15 cation submitted pursuant to paragraph (1) shall—

16 (A) describe the activities and services to
17 be provided through the program for which the
18 grant is sought;

19 (B) contain a comprehensive plan for the
20 program that is designed to achieve identifiable
21 goals for youth in the eligible community;

22 (C) describe in detail the drug education
23 and drug prevention programs that will be im-
24 plemented;

1 (D) specify measurable goals and outcomes
2 for the program that will include—

3 (i) reducing the percentage of youth
4 in the eligible community that enter the ju-
5 venile justice system or become addicted to
6 drugs;

7 (ii) increasing the graduation rates,
8 school attendance, and academic success of
9 youth in the eligible community; and

10 (iii) improving the skills of program
11 participants;

12 (E) contain an assurance that the appli-
13 cant will use grant amounts received under this
14 subtitle to provide youth in the eligible commu-
15 nity with activities and services consistent with
16 subsection (g);

17 (F) demonstrate the manner in which the
18 applicant will make use of the resources, exper-
19 tise, and commitment of private entities in car-
20 rying out the program for which the grant is
21 sought;

22 (G) include an estimate of the number of
23 youth in the eligible community expected to be
24 served under the program;

1 (H) include a description of charitable pri-
2 vate resources, and all other resources, that will
3 be made available to achieve the goals of the
4 program;

5 (I) contain an assurance that the applicant
6 will comply with any evaluation under section
7 522, any research effort authorized under Fed-
8 eral law, and any investigation by the Attorney
9 General;

10 (J) contain an assurance that the appli-
11 cant will prepare and submit to the Attorney
12 General an annual report regarding any pro-
13 gram conducted under this subtitle;

14 (K) contain an assurance that the program
15 for which the grant is sought will, to the maxi-
16 mum extent practicable, incorporate services
17 that are provided solely through non-Federal
18 private or nonprofit sources; and

19 (L) contain an assurance that the appli-
20 cant will maintain separate accounting records
21 for the program for which the grant is sought.

22 (3) PRIORITY.—In determining eligibility under
23 this section, the Attorney General shall give priority

1 to applicants that submit applications that dem-
2 onstrate the greatest local support for the programs
3 they seek to support.

4 (d) PAYMENTS; FEDERAL SHARE; NON-FEDERAL
5 SHARE.—

6 (1) PAYMENTS.—The Attorney General shall,
7 subject to the availability of appropriations, provide
8 to each eligible recipient the Federal share of the
9 costs of developing and carrying out programs de-
10 scribed in this section.

11 (2) FEDERAL SHARE.—The Federal share of
12 the cost of a program under this subtitle shall be not
13 more than—

14 (A) 75 percent of the total cost of the pro-
15 gram for each of the first 2 years of the dura-
16 tion of a grant;

17 (B) 70 percent of the total cost of the pro-
18 gram for the third year of the duration of a
19 grant; and

20 (C) 60 percent of the total cost of the pro-
21 gram for each year thereafter.

22 (3) NON-FEDERAL SHARE.—

23 (A) IN GENERAL.—The non-Federal share
24 of the cost of a program under this subtitle

1 may be in cash or in kind, fairly evaluated, in-
2 cluding plant, equipment, and services. Federal
3 funds made available for the activity of any
4 agency of an Indian tribal government or the
5 Bureau of Indian Affairs on any Indian lands
6 may be used to provide the non-Federal share
7 of the costs of programs or projects funded
8 under this subtitle.

9 (B) SPECIAL RULE.—Not less than 15 per-
10 cent of the non-Federal share of the costs of a
11 program under this subtitle shall be provided
12 from private or nonprofit sources.

13 (e) PROGRAM AUTHORITY.—

14 (1) IN GENERAL.—

15 (A) ALLOCATIONS FOR STATES AND IN-
16 DIAN TRIBES.—

17 (i) IN GENERAL.—In any fiscal year
18 in which the total amount made available
19 to carry out this subtitle is equal to not
20 less than \$20,000,000, from the amount
21 made available to carry out this subtitle,
22 the Attorney General shall allocate not less
23 than 0.75 percent for grants under sub-
24 paragraph (B) to eligible recipients in each
25 State.

1 (ii) INDIAN TRIBES.—The Attorney
2 General shall allocate 0.75 percent of
3 amounts made available under this subtitle
4 for grants to Indian tribes.

5 (B) GRANTS TO COMMUNITY-BASED ORGA-
6 NIZATIONS AND PUBLIC SCHOOLS FROM ALLO-
7 CATIONS.—For each fiscal year described in
8 subparagraph (A), the Attorney General may
9 award grants from the appropriate State or In-
10 dian tribe allocation determined under subpara-
11 graph (A) on a competitive basis to eligible re-
12 cipients to pay for the Federal share of assist-
13 ing eligible communities to develop and carry
14 out programs in accordance with this subtitle.

15 (C) REALLOCATION.—If, at the end of a
16 fiscal year described in subparagraph (A), the
17 Attorney General determines that amounts allo-
18 cated for a particular State or Indian tribe
19 under subparagraph (B) remain unobligated,
20 the Attorney General shall use such amounts to
21 award grants to eligible recipients in another
22 State or Indian tribe to pay for the Federal
23 share of assisting eligible communities to de-
24 velop and carry out programs in accordance
25 with this subtitle. In awarding such grants, the

1 Attorney General shall consider the need to
2 maintain geographic diversity among eligible re-
3 cipients.

4 (D) AVAILABILITY OF AMOUNTS.—
5 Amounts made available under this paragraph
6 shall remain available until expended.

7 (2) OTHER FISCAL YEARS.—In any fiscal year
8 in which the amount made available to carry out this
9 subtitle is equal to or less than \$20,000,000, the At-
10 torney General may award grants on a competitive
11 basis to eligible recipients to pay for the Federal
12 share of assisting eligible communities to develop
13 and carry out programs in accordance with this sub-
14 title.

15 (3) ADMINISTRATIVE COSTS.—The Attorney
16 General may use not more than 3 percent of the
17 amounts made available to carry out this subtitle in
18 any fiscal year for administrative costs, including
19 training and technical assistance.

20 **SEC. 423. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to carry out
22 this subtitle from the Violent Crime Reduction Trust
23 Fund—

24 (1) for fiscal year 2001, \$125,000,000; and

25 (2) for fiscal year 2002, \$125,000,000.

1 **Subtitle C—Missing Children**

2 **SEC. 431. AMENDMENTS TO THE MISSING CHILDREN’S AS-**
3 **SISTANCE ACT.**

4 (a) DUTIES AND FUNCTIONS OF THE ADMINIS-
5 TRATOR.—Section 404 of the Missing Children’s Assist-
6 ance Act (42 U.S.C. 5773) is amended—

7 (1) by redesignating subsection (c) as sub-
8 section (d); and

9 (2) in subsection (b)—

10 (A) by striking “(b) The Administrator”
11 and all that follows through “shall—” and in-
12 serting the following:

13 “(b) TOLL-FREE HOTLINE AND NATIONAL RE-
14 SOURCE CENTER.—The Administrator shall make grants
15 to or enter into contracts with the National Center for
16 Missing and Exploited Children, for purposes of—”;

17 (B) in paragraph (1)—

18 (i) in subparagraph (A), by striking
19 “establish and operate” and inserting
20 “providing”; and

21 (ii) in subparagraph (B), by adding
22 “and” at the end;

23 (C) in paragraph (2)—

24 (i) by striking “establish and operate”
25 and inserting “operating”;

1 (ii) in subparagraph (A), by inserting
2 “foreign governments,” after “State and
3 local governments”; and

4 (iii) in subparagraph (D)—

5 (I) by inserting “foreign govern-
6 ments,” after “State and local govern-
7 ments”; and

8 (II) by striking “; and” at the
9 end and inserting a period;

10 (D) in paragraph (3), by striking “(3) pe-
11 riodically” and inserting the following:

12 “(c) NATIONAL INCIDENCE STUDIES.—The Adminis-
13 trator, either by making grants to or entering into con-
14 tracts with public agencies or nonprofit private agencies,
15 shall—

16 “(1) periodically”; and

17 (E) by redesignating paragraph (4) as
18 paragraph (2).

19 (b) GRANTS.—Section 405(a) of the Missing Chil-
20 dren’s Assistance Act (42 U.S.C. 5775(a)) is amended by
21 inserting “the National Center for Missing and Exploited
22 Children and with” before “public agencies”.

1 **TITLE V—IMPROVING YOUTH**
2 **CRIME AND DRUG PREVENTION**
3 **Subtitle A—Comprehensive Study**
4 **of Federal Prevention Efforts**

5 **SEC. 501. STUDY BY NATIONAL ACADEMY OF SCIENCE.**

6 (a) IN GENERAL.—The Attorney General shall enter
7 into a contract with a public or nonprofit private entity,
8 subject to subsection (b), for the purpose of conducting
9 a study or studies—

10 (1) to evaluate the effectiveness of federally
11 funded programs for preventing youth violence and
12 youth substance abuse;

13 (2) to evaluate the effectiveness of federally
14 funded grant programs for preventing criminal vic-
15 timization of juveniles;

16 (3) to identify specific Federal programs and
17 programs that receive Federal funds that contribute
18 to reductions in youth violence, youth substance
19 abuse, and risk factors among youth that lead to
20 violent behavior and substance abuse;

21 (4) to identify specific programs that have not
22 achieved their intended results; and

23 (5) to make specific recommendations on pro-
24 grams that—

1 (A) should receive continued or increased
2 funding because of their proven success; or

3 (B) should have their funding terminated
4 or reduced because of their lack of effectiveness.

5 (b) NATIONAL ACADEMY OF SCIENCES.—The Attor-
6 ney General shall request the National Academy of
7 Sciences to enter into the contract under subsection (a)
8 to conduct the study or studies described in subsection (a).
9 If the Academy declines to conduct the study, the Attorney
10 General shall carry out such subsection through other
11 public or nonprofit private entities.

12 (c) ASSISTANCE.—In conducting the study under
13 subsection (a) the contracting party may obtain analytic
14 assistance, data, and other relevant materials from the
15 Department of Justice and any other appropriate Federal
16 agency.

17 (d) REPORTING REQUIREMENTS.—

18 (1) IN GENERAL.—Not later than January 1,
19 2000, the Attorney General shall submit a report de-
20 scribing the findings made as a result of the study
21 required by subsection (a) to the Committee on the
22 Judiciary and the Committee on Economic and Edu-
23 cational Opportunity of the House of Representa-
24 tives and the Committee on the Judiciary and the

1 Committee on Labor and Human Resources of the
2 Senate.

3 (2) CONTENTS.—The report required by this
4 subsection shall contain specific recommendations
5 concerning funding levels for the programs evalu-
6 ated. Reports on the effectiveness of such programs
7 and recommendations on funding shall be provided
8 to the appropriate subcommittees of the Committee
9 on Appropriations of the House of Representatives
10 and the Committee on Appropriations of the Senate.

11 (e) FUNDING.—There are authorized to be appro-
12 priated to carry out the study under subsection (a)
13 \$1,000,000,000.

14 **Subtitle B—Evaluation Mandate**
15 **for Authorized Programs**

16 **SEC. 522. EVALUATION OF CRIME PREVENTION PROGRAMS.**

17 The Attorney General, with respect to the programs
18 in titles II, III, and IV of this Act shall provide, directly
19 or through grants and contracts, for the comprehensive
20 and thorough evaluation of the effectiveness of each pro-
21 gram established by this Act and the amendments made
22 by this Act.

23 **SEC. 523. EVALUATION AND RESEARCH CRITERIA.**

24 (a) INDEPENDENT EVALUATIONS AND RESEARCH.—
25 Evaluations and research studies conducted pursuant to

1 this subtitle shall be independent in nature, and shall em-
2 ploy rigorous and scientifically recognized standards and
3 methodologies.

4 (b) CONTENT OF EVALUATIONS.—Evaluations con-
5 ducted pursuant to this title may include comparison be-
6 tween youth participating in the programs and the com-
7 munity at large of rates of—

8 (1) delinquency, youth crime, youth gang activ-
9 ity, youth substance abuse, and other high risk fac-
10 tors;

11 (2) risk factors in young people that contribute
12 to juvenile violence, including academic failure, ex-
13 cessive school absenteeism, and dropping out of
14 school;

15 (3) risk factors in the community, schools, and
16 family environments that contribute to youth vio-
17 lence; and

18 (4) criminal victimizations of youth.

19 **SEC. 524. COMPLIANCE WITH EVALUATION MANDATE.**

20 The Attorney General may require the recipients of
21 Federal assistance for programs under this Act to collect,
22 maintain, and report information considered to be relevant
23 to any evaluation conducted pursuant to section 502, and
24 to conduct and participate in specified evaluation and as-
25 sessment activities and functions.

1 **SEC. 525. RESERVATION OF AMOUNTS FOR EVALUATION**
 2 **AND RESEARCH.**

3 (a) **IN GENERAL.**—The Attorney General, with re-
 4 spect to titles II, III, and IV shall reserve not less than
 5 2 percent, and not more than 4 percent, of the amounts
 6 made available pursuant to such titles and the amend-
 7 ments made by such titles in each fiscal year to carry out
 8 the evaluation and research required by this title.

9 (b) **ASSISTANCE TO GRANTEES AND EVALUATED**
 10 **PROGRAMS.**—To facilitate the conduct and defray the
 11 costs of crime prevention program evaluation and re-
 12 search, the Attorney General shall use amounts reserved
 13 under this section to provide compliance assistance to
 14 grantees under this Act who are selected to participate in
 15 evaluations pursuant to section 522.

16 **Subtitle C—Elimination of**
 17 **Ineffective Programs**

18 **SEC. 531. SENSE OF SENATE REGARDING FUNDING**
 19 **FOR PROGRAMS DETERMINED TO BE INEF-**
 20 **FECTIVE.**

21 It is the sense of the Senate that programs identified
 22 in the study performed pursuant to section 501 as being
 23 ineffective in addressing juvenile crime and substance
 24 abuse should not receive Federal funding in any fiscal year
 25 following the issuance of such study.

1 **TITLE VI—EXTENSION OF VIO-**
2 **LENT CRIME REDUCTION**
3 **TRUST FUND**

4 **SEC. 601. EXTENSION OF VIOLENT CRIME REDUCTION**
5 **TRUST FUND.**

6 (a) VIOLENT CRIME CONTROL AND LAW ENFORCE-
7 MENT ACT OF 1994.—Section 310001(b) of the Violent
8 Crime Control and Law Enforcement Act of 1994 (42
9 U.S.C. 14211(b)) is amended—

10 (1) in paragraph (5), by striking “and” at the
11 end;

12 (2) in paragraph (6), by striking the period at
13 the end and inserting a semicolon; and

14 (3) by adding at the end the following:

15 “(7) for fiscal year 2001, \$6,500,000,000; and

16 “(8) for fiscal year 2002, \$6,500,000,000.”.

17 (b) BALANCED BUDGET AND EMERGENCY DEFICIT
18 CONTROL ACT OF 1985.—Section 251A(b) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985
20 (2 U.S.C. 901a(b)) is amended—

21 (1) by striking all after “\$4,904,000,000.”; and

22 (2) by adding at the end the following:

23 “(E) For fiscal year 1999,

24 \$5,639,000,000.

1 “(F) For fiscal year 2000,
2 \$6,225,000,000.

3 “(G) For fiscal year 2001,
4 \$6,225,000,000.

5 “(H) For fiscal year 2002,
6 \$6,225,000,000.”.

7 (c) REDUCTION IN DISCRETIONARY SPENDING LIM-
8 ITS.—Beginning on the date of enactment of this Act, the
9 discretionary spending limits set forth in section 601(a)(1)
10 of the Congressional Budget Act of 1974 (2 U.S.C.
11 665(a)(2) (as adjusted in conformance with section 251
12 of the Balanced Budget and Emergency Deficit Control
13 Act of 1985, and in the Senate, with section 301 of House
14 Concurrent Resolution 178 (104th Congress)) for fiscal
15 years 2001 through 2002 are reduced as follows:

16 (1) For fiscal year 2001, for the discretionary
17 category: \$6,500,000,000 in new budget authority
18 and \$6,225,000,000 in outlays.

19 (2) For fiscal year 2002, for the discretionary
20 category: \$6,500,000,000 in new budget authority
21 and \$6,225,000,000 in outlays.

○