

110TH CONGRESS
1ST SESSION

H. R. 3376

To enhance witness protection.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 2007

Mr. ARCURI introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To enhance witness protection.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Witness Protection En-
5 hancement Act of 2007”.

6 **SEC. 2. SHORT-TERM STATE WITNESS PROTECTION SEC-**
7 **TION.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—Chapter 37 of title 28,
10 United States Code, is amended by adding at the
11 end the following:

1 **“§ 570. Short-Term State Witness Protection Section**

2 “(a) IN GENERAL.—There is established in the
3 United States Marshals Service a Short-Term State Wit-
4 ness Protection Section which shall provide protection for
5 witnesses in State and local trials involving homicide or
6 other major violent crimes pursuant to cooperative agree-
7 ments with State and local criminal prosecutor’s offices
8 and the United States attorney for the District of Colum-
9 bia.

10 “(b) ELIGIBILITY.—

11 “(1) IN GENERAL.—The Short-Term State Wit-
12 ness Protection Section shall give priority in award-
13 ing grants and providing services to—

14 “(A) criminal prosecutor’s offices for
15 States with an average of not less than 100
16 murders per year; and

17 “(B) criminal prosecutor’s offices for juris-
18 dictions that include a city, town, or township
19 with an average violent crime rate per 100,000
20 inhabitants that is above the national average.

21 “(2) CALCULATION.—The rate of murders and
22 violent crime under paragraph (1) shall be calculated
23 using the latest available crime statistics from the
24 Federal Bureau of Investigation during the 5-year
25 period immediately preceding an application for pro-
26 tection.”.

1 (2) CHAPTER ANALYSIS.—The chapter analysis
2 for chapter 37 of title 28, United States Code, is
3 amended by striking the items relating to sections
4 570 through 576 and inserting the following:

“570. Short-Term State Witness Protection Section.”.

5 (b) GRANT PROGRAM.—

6 (1) DEFINITIONS.—In this subsection—

7 (A) the term “eligible prosecutor’s office”
8 means a State or local criminal prosecutor’s of-
9 fice or the United States attorney for the Dis-
10 trict of Columbia; and

11 (B) the term “serious violent felony” has
12 the same meaning as in section 3559(e)(2) of
13 title 18, United States Code.

14 (2) GRANTS AUTHORIZED.—

15 (A) IN GENERAL.—The Attorney General
16 is authorized to make grants to eligible prosecu-
17 tor’s offices for purposes of identifying wit-
18 nesses in need of protection or providing short-
19 term protection to witnesses in trials involving
20 homicide or serious violent felony.

21 (B) ALLOCATION.—Each eligible prosecu-
22 tor’s office receiving a grant under this sub-
23 section may—

24 (i) use the grant to identify witnesses
25 in need of protection or provide witness

1 protection (including tattoo removal serv-
2 ices); or

3 (ii) pursuant to a cooperative agree-
4 ment with the Short-Term State Witness
5 Protection Section of the United States
6 Marshals Service, credit the grant to the
7 Short-Term State Witness Protection Sec-
8 tion to cover the costs to the section of
9 providing witness protection on behalf of
10 the eligible prosecutor's office.

11 (3) APPLICATION.—

12 (A) IN GENERAL.—Each eligible prosecu-
13 tor's office desiring a grant under this sub-
14 section shall submit an application to the Attor-
15 ney General at such time, in such manner, and
16 accompanied by such information as the Attor-
17 ney General may reasonably require.

18 (B) CONTENTS.—Each application sub-
19 mitted under subparagraph (A) shall—

20 (i) describe the activities for which as-
21 sistance under this subsection is sought;
22 and

23 (ii) provide such additional assurances
24 as the Attorney General determines to be

1 essential to ensure compliance with the re-
2 quirements of this subsection.

3 (4) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated to carry out
5 this subsection \$90,000,000 for each of fiscal years
6 2008 through 2010.

7 **SEC. 3. WITNESS PROTECTION SERVICES.**

8 Section 3526 of title 18, United States Code (Co-
9 operation of other Federal agencies and State govern-
10 ments; reimbursement of expenses) is amended by adding
11 at the end the following:

12 “(c) In any case in which a State government re-
13 quests the Attorney General to provide temporary protec-
14 tion under section 3521(e) of this title, the costs of pro-
15 viding temporary protection are not reimbursable if the
16 investigation or prosecution in any way relates to crimes
17 of violence committed by a criminal street gang, as defined
18 under the laws of the relevant State seeking assistance
19 under this title.”.

20 **SEC. 4. EXPANSION OF FEDERAL WITNESS RELOCATION**
21 **AND PROTECTION PROGRAM.**

22 Section 3521(a)(1) of title 18, United States Code,
23 is amended by inserting “, criminal street gang, serious

1 drug offense, homicide,” after “organized criminal activ-
2 ity”.

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