

Amendments offered and votes by House to HR 3402: US Department of Justice Reauthorization and Violence Against Women Act. Voted on the House floor on September 28, 2005.

1. . Sensenbrenner #25 AGREED 225-199

Makes various technical changes to the bill requested by various members and the Department of Justice. It also includes a few miscellaneous fixes for grant programs to ensure Secure our Schools is preserved as a stand alone program and ensures that Native American Tribes are eligible for DOJ grants including the new Justice Assistance Grants programs and the Weed and Seed program grants.

The manager's amendment corrects a constitutional problem in the bill by making it clear that grant applicants should stress in their applications how they will try to meet the needs of populations that are currently underserved by existing Violence Against Women programs. The bill unintentionally would have allowed certain grant awards based solely on a grantee's ability to address the needs of racial and ethnic minorities.

The Department of Justice and others raised the question of whether such a requirement violated the constitutional prohibition against conditioning federal funding solely on the basis of race. To correct the problem, the Manager's Amendment clarifies that such funding should be based on the applicant's ability to address the needs of "populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age) and any other population determined to be underserved by the Attorney General. This alleviates the constitutional concern, and effectuates the intent of the committee when drafting the bill.

The manager's amendment reauthorizes the Secure our Schools grant program and authorizes a program for training prosecutors for child abuse cases. Additionally, the manager's amendment also includes an amendment in the wake of Hurricanes Katrina and Rita which encourages cooperation between federal, state and local courts and communities to ensure that state and local courts will be able to continue to operate using available federal facilities. **(10 minutes)**

2. Cuellar #40 AGREED

Authorizes appropriations for the newly-structured Border Violence Task Force in Laredo, Texas. Authorizes appropriations of \$10 million per year for the duration of the bill to provide for equipment, personnel, administrative, and technological costs. Allows the Attorney General to designate the lead on the Border Violence Task Force that is currently being lead by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. **(10 minutes)**

3. Cuellar #39 AGREED

Authorizes the FBI National Gang Intelligence Center. Adds \$10 million in authorization for the Center for each fiscal year of the bill, mirroring the \$10 million appropriation given in FY 2005. **(10 minutes)**

4. Poe #5 WITHDRAWN

Establishes a fixed annual allocation for State victim assistance grants and OVC discretionary grants equal to the average amount allocated over the previous three years plus 5 percent. This means the VOCA funding that covers direct services to victims does not get trumped by VOCA funding that covers federal bureaucracy. **(10 minutes)**

5. Capuano #38 AGREED

Authorizes the Attorney General, acting through the Bureau of Justice Assistance, to make grants to State and local prosecutors and law enforcement agencies in support of juvenile (17 years of age or younger) and young adult (between 18 and 21 years of age) witness assistance programs. Authorizes grant funds to be used, among other things, for: (1) counseling services to young witnesses of a violent crime; and (2) protective services for young witnesses and their families when a serious threat of harm is made from perpetrators or their associates. Authorizes \$3 million for each of fiscal years 2006 through 2009. **(10 minutes)**

6. Kennedy (MN) #19 AGREED

Provides a requirement that treatment under the Residential Substance Abuse Treatment (RSAT) program be available to those individuals who have passed a regularly administered drug-screening test for three months. The Amendment also provides that aftercare be provided to prisoners enrolled in the RSAT program as a component of comprehensive substance abuse treatment. **(10 minutes)**

7. Brown-Waite #37 AGREED

Requires the Secretary of Health and Human Services to report to Congress on the correlation between a perpetrator's drug and alcohol abuse and the reported incidence of violence at domestic violence shelters. **(10 minutes)**

8. Slaughter #3 WITHDRAWN

Requires the Office of Victims of Crime working with national, state, and local authorities and in collaboration with other federal agencies to develop and implement a plan that allows law enforcement officials to gather evidence of a crime during times of emergency even if the crime occurred outside of their jurisdiction. Furthermore, it requires OVC to coordinate, inform, and educate victims, service providers, and law enforcement officials of the process and mechanisms available for reporting violent crimes and gathering evidence during emergencies. **(10 minutes)**

9. Kolbe/Dreier/Lewis #1 AGREED

Amendment would reauthorize the State Criminal Alien Assistance Program (SCAAP) through FY2011 and would increase authorized funding to \$750 million for FY06, \$850 million for FY07, and \$950 million for FY08-11. Amendment also specifies that funds "may be used only for correctional purposes." Amendment also requires the Department of Justice Inspector General submit a report on the state and local governments that receive SCAAP funding and whether they are cooperating with efforts to deport criminal aliens, whether they have policies in violation of current law, and in the case of illegal aliens released without being referred to the Department of Homeland Security, the

number of subsequent offense committed and how many of these aliens were released because the state or local governments lack space or funds to detain them. **(10 minutes)**

10. King (IA) #47 AGREED

Prohibits a person convicted of domestic violence from sponsoring a visa applicant in the future. **(10 minutes)**

11. Ryan (OH) #46 AGREED

Provides additional federal funding for programs that have received grants by the Department of Justice (Office of Violence Against Women) for providing counseling and shelter for women and children in crisis pregnancies. **(10 minutes)**

12. Slaughter #2 AGREED

Expands the current federal criminal ban on fake police badges and the misuse of authentic badges to include the uniforms, identification, and all other insignia of all public officials. The use of such badges, uniforms, and insignia would be permitted for dramatic, decorative, display, and recreational purposes. **(10 minutes)**