

fresh water that is available. This legislation helps protect the supply not just of the water, but also being sensitive to the fragile fish habitat that has been a concern for people in our region.

It also recognizes the natural significance of this area. President Teddy Roosevelt signed into law protections for the Bull Run Reserve over 97 years ago, and this measure brings us full circle by extending the boundary of the management unit to include the entire hydrologic boundary of the Little Sandy Watershed, another 2,800 acres. This expansion is critical to secure water quality for potential drinking water for the metropolitan area for years to come.

Madam Speaker, the bill before us is the product of many years of discussion and deliberation amongst all parties concerned, and it is something that I began with former Senator Hatfield when I first joined this body. The bill provides additional protections for endangered salmon, it protects water quality, it maintains the integrity of the ONC county funding, and it authorizes Clackamas County to seek additional watershed restoration projects of \$10 million that relate to the Endangered Species Act and water quality improvement.

Madam Speaker, I strongly urge my colleagues to vote in favor of H.R. 427, the Little Sandy Protection Act. It is the product of years of work, and it will pay dividends for years to come.

Mr. GIBBONS. Madam Speaker, I yield back the balance of my time.

Mr. McGOVERN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 427.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GIBBONS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 451, H.R. 271, and H.R. 427, the three bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2215) to authorize appropriations for the Department of Justice for fiscal year 2002, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “21st Century Department of Justice Appropriations Authorization Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2002

Sec. 101. Specific sums authorized to be appropriated.

Sec. 102. Appointment of additional assistant United States attorneys; reduction of certain litigation positions.

TITLE II—PERMANENT ENABLING PROVISIONS

Sec. 201. Permanent authority.

Sec. 202. Permanent authority relating to enforcement of laws.

Sec. 203. Notifications and reports to be provided simultaneously to committees.

Sec. 204. Miscellaneous uses of funds; technical amendments.

Sec. 205. Technical and miscellaneous amendments to Department of Justice authorities; authority to transfer property of marginal value; recordkeeping; protection of the Attorney General.

Sec. 206. Oversight; waste, fraud, and abuse of appropriations.

Sec. 207. Enforcement of Federal criminal laws by Attorney General.

Sec. 208. Counterterrorism fund.

TITLE III—MISCELLANEOUS

Sec. 301. Repealers.

Sec. 302. Technical amendments to title 18 of the United States Code.

Sec. 303. Required submission of proposed authorization of appropriations for the Department of Justice for fiscal year 2003.

Sec. 304. Review of the Department of Justice.

Sec. 305. Study of untested rape examination kits.

Sec. 306. Report on DCS1000 (“Carnivore”).

Sec. 307. Study of allocation of litigating attorneys.

TITLE IV—VIOLENCE AGAINST WOMEN

Sec. 401. Short title.

Sec. 402. Establishment of Violence Against Women Office.

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2002

SEC. 101. SPECIFIC SUMS AUTHORIZED TO BE APPROPRIATED.

There are authorized to be appropriated for fiscal year 2002, to carry out the activities of the Department of Justice (including any bureau, office, board, division, commission, subdivision, unit, or other component thereof), the following sums:

(1) GENERAL ADMINISTRATION.—For General Administration: \$93,433,000.

(2) ADMINISTRATIVE REVIEW AND APPEALS.—For Administrative Review and Appeals: \$178,499,000 for administration of pardon and clemency petitions and for immigration-related activities.

(3) OFFICE OF INSPECTOR GENERAL.—For the Office of Inspector General: \$55,000,000, which shall include for each such fiscal year, not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

(4) GENERAL LEGAL ACTIVITIES.—For General Legal Activities: \$566,822,000, which shall include for each such fiscal year—

(A) not less than \$4,000,000 for the investigation and prosecution of denaturalization and deportation cases involving alleged Nazi war criminals; and

(B) not to exceed \$20,000 to meet unforeseen emergencies of a confidential character.

(5) ANTITRUST DIVISION.—For the Antitrust Division: \$140,973,000.

(6) UNITED STATES ATTORNEYS.—For United States Attorneys: \$1,346,289,000.

(7) FEDERAL BUREAU OF INVESTIGATION.—For the Federal Bureau of Investigation: \$3,507,109,000, which shall include for each such fiscal year—

(A) not to exceed \$1,250,000 for construction, to remain available until expended; and

(B) not to exceed \$70,000 to meet unforeseen emergencies of a confidential character.

(8) UNITED STATES MARSHALS SERVICE.—For the United States Marshals Service: \$626,439,000, which shall include for each such fiscal year not to exceed \$6,621,000 for construction, to remain available until expended.

(9) FEDERAL PRISON SYSTEM.—For the Federal Prison System, including the National Institute of Corrections: \$4,662,710,000.

(10) FEDERAL PRISONER DETENTION.—For the support of United States prisoners in non-Federal institutions, as authorized by section 4013(a) of title 18 of the United States Code: \$724,682,000, to remain available until expended.

(11) DRUG ENFORCEMENT ADMINISTRATION.—For the Drug Enforcement Administration: \$1,480,929,000, which shall include not to exceed \$70,000 to meet unforeseen emergencies of a confidential character.

(12) IMMIGRATION AND NATURALIZATION SERVICE.—For the Immigration and Naturalization Service: \$3,516,411,000, which shall include—

(A) not to exceed \$2,737,341,000 for salaries and expenses of enforcement and border affairs (i.e., the Border Patrol, deportation, intelligence, investigations, and inspection programs, and the detention program);

(B) not to exceed \$650,660,000 for salaries and expenses of citizenship and benefits (i.e., programs not included under subparagraph (A));

(C) for each such fiscal year, not to exceed \$128,410,000 for construction, to remain available until expended; and

(D) not to exceed \$50,000 to meet unforeseen emergencies of a confidential character.

(13) FEES AND EXPENSES OF WITNESSES.—For Fees and Expenses of Witnesses: \$156,145,000 to remain available until expended, which shall include for each such fiscal year not to exceed \$6,000,000 for construction of protected witness safesites.

(14) INTERAGENCY CRIME AND DRUG ENFORCEMENT.—For Interagency Crime and Drug Enforcement: \$338,106,000, for expenses not otherwise provided for, for the investigation and prosecution of persons involved in organized crime drug trafficking, except that any funds obligated from appropriations authorized by this paragraph may be used under authorities available to the organizations reimbursed from such funds.

(15) FOREIGN CLAIMS SETTLEMENT COMMISSION.—For the Foreign Claims Settlement Commission: \$1,130,000.

(16) COMMUNITY RELATIONS SERVICE.—For the Community Relations Service: \$9,269,000.

(17) ASSETS FORFEITURE FUND.—For the Assets Forfeiture Fund: \$22,949,000 for expenses authorized by section 524 of title 28, United States Code.

(18) UNITED STATES PAROLE COMMISSION.—For the United States Parole Commission: \$10,862,000.

(19) FEDERAL DETENTION TRUSTEE.—For the necessary expenses of the Federal Detention Trustee: \$1,718,000.

(20) JOINT AUTOMATED BOOKING SYSTEM.—For expenses necessary for the operation of the Joint Automated Booking System: \$15,957,000.

(21) NARROWBAND COMMUNICATIONS.—For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems: \$104,606,000.

(22) RADIATION EXPOSURE COMPENSATION.—For administrative expenses in accordance with the Radiation Exposure Compensation Act: \$1,996,000.

(23) COUNTERTERRORISM FUND.—For the Counterterrorism Fund for necessary expenses, as determined by the Attorney General: \$4,989,000.

(24) OFFICE OF JUSTICE PROGRAMS.—For administrative expenses not otherwise provided for, of the Office of Justice Programs: \$116,369,000.

SEC. 102. APPOINTMENT OF ADDITIONAL ASSISTANT UNITED STATES ATTORNEYS; REDUCTION OF CERTAIN LITIGATION POSITIONS.

(a) APPOINTMENTS.—Not later than September 30, 2003, the Attorney General shall exercise authority under section 542 of title 28, United States Code, to appoint 200 assistant United States attorneys in addition to the number of assistant United States attorneys serving on the date of the enactment of this Act.

(b) SELECTION OF APPOINTEES.—Individuals first appointed under subsection (a) may be appointed from among attorneys who are incumbents of 200 full-time litigation positions in divisions of the Department of Justice and whose official duty station is at the seat of Government.

(c) TERMINATION OF POSITIONS.—Each of the 200 litigation positions that become vacant by reason of an appointment made in accordance with subsections (a) and (b) shall be terminated at the time the vacancy arises.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

TITLE II—PERMANENT ENABLING PROVISIONS

SEC. 201. PERMANENT AUTHORITY.

(a) IN GENERAL.—Chapter 31 of title 28, United States Code, is amended by adding at the end the following:

“§ 530C. Authority to use available funds

“(a) IN GENERAL.—Except to the extent provided otherwise by law, the activities of the Department of Justice (including any bureau, office, board, division, commission, subdivision, unit, or other component thereof) may, in the reasonable discretion of the Attorney General, be carried out through any means, including—

“(1) through the Department’s own personnel, acting within, from, or through the Department itself;

“(2) by sending or receiving details of personnel to other branches or agencies of the Federal Government, on a reimbursable, partially-reimbursable, or nonreimbursable basis;

“(3) through reimbursable agreements with other Federal agencies for work, materials, or equipment;

“(4) through contracts, grants, or cooperative agreements with non-Federal parties; and

“(5) as provided in subsection (b), in section 524, and in any other provision of law consistent herewith, including, without limitation, section 102(b) of Public Law 102-395 (106 Stat. 1838), as incorporated by section 815(d) of Public Law 104-132 (110 Stat. 1315).

“(b) PERMITTED USES.—

“(1) GENERAL PERMITTED USES.—Funds available to the Attorney General (i.e., all

funds available to carry out the activities described in subsection (a)) may be used, without limitation, for the following:

“(A) The purchase, lease, maintenance, and operation of passenger motor vehicles, or police-type motor vehicles for law enforcement purposes, without regard to general purchase price limitation for the then-current fiscal year.

“(B) The purchase of insurance for motor vehicles, boats, and aircraft operated in official Government business in foreign countries.

“(C) Services of experts and consultants, including private counsel, as authorized by section 3109 of title 5, and at rates of pay for individuals not to exceed the maximum daily rate payable from time to time under section 5332 of title 5.

“(D) Official reception and representation expenses (i.e., official expenses of a social nature intended in whole or in predominant part to promote goodwill toward the Department or its missions, but excluding expenses of public tours of facilities of the Department of Justice), in accordance with distributions and procedures established, and rules issued, by the Attorney General, and expenses of public tours of facilities of the Department of Justice.

“(E) Unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General and accounted for solely on the certificate of the Attorney General.

“(F) Miscellaneous and emergency expenses authorized or approved by the Attorney General, the Deputy Attorney General, the Associate Attorney General, or the Assistant Attorney General for Administration.

“(G) In accordance with procedures established and rules issued by the Attorney General—

“(i) attendance at meetings and seminars;

“(ii) conferences and training; and

“(iii) advances of public moneys under section 3324 of title 31: *Provided*, That travel advances of such moneys to law enforcement personnel engaged in undercover activity shall be considered to be public money for purposes of section 3527 of title 31.

“(H) Contracting with individuals for personal services abroad, except that such individuals shall not be regarded as employees of the United States for the purpose of any law administered by the Office of Personnel Management.

“(I) Payment of interpreters and translators who are not citizens of the United States, in accordance with procedures established and rules issued by the Attorney General.

“(J) Expenses or allowances for uniforms as authorized by section 5901 of title 5, but without regard to the general purchase price limitation for the then-current fiscal year.

“(K) Expenses of—

“(i) primary and secondary schooling for dependents of personnel stationed outside the continental United States at cost not in excess of those authorized by the Department of Defense for the same area, when it is determined by the Attorney General that schools available in the locality are unable to provide adequately for the education of such dependents; and

“(ii) transportation of those dependents between their place of residence and schools serving the area which those dependents would normally attend when the Attorney General, under such regulations as he may prescribe, determines that such schools are not accessible by public means of transportation.

“(2) SPECIFIC PERMITTED USES.—

“(A) AIRCRAFT AND BOATS.—Funds available to the Attorney General for United

States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, for the Drug Enforcement Administration, and for the Immigration and Naturalization Service may be used for the purchase, lease, maintenance, and operation of aircraft and boats, for law enforcement purposes.

“(B) PURCHASE OF AMMUNITION AND FIREARMS; FIREARMS COMPETITIONS.—Funds available to the Attorney General for United States Attorneys, for the Federal Bureau of Investigation, for the United States Marshals Service, for the Drug Enforcement Administration, for the Federal Prison System, for the Office of the Inspector General, and for the Immigration and Naturalization Service may be used for—

“(i) the purchase of ammunition and firearms; and

“(ii) participation in firearms competitions.

“(C) CONSTRUCTION.—Funds available to the Attorney General for construction may be used for expenses of planning, designing, acquiring, building, constructing, activating, renovating, converting, expanding, extending, remodeling, equipping, repairing, or maintaining buildings or facilities, including the expenses of acquisition of sites therefor, and all necessary expenses incident or related thereto; but the foregoing shall not be construed to mean that funds generally available for salaries and expenses are not also available for certain incidental or minor construction, activation, remodeling, maintenance, and other related construction costs.

“(3) FEES AND EXPENSES OF WITNESSES.—Funds available to the Attorney General for fees and expenses of witnesses may be used for—

“(A) expenses, mileage, compensation, protection, and per diem in lieu of subsistence, of witnesses (including advances of public money) and as authorized by section 1821 or other law, except that no witness may be paid more than 1 attendance fee for any 1 calendar day;

“(B) fees and expenses of neutrals in alternative dispute resolution proceedings, where the Department of Justice is a party; and

“(C) construction of protected witness safesites.

“(4) FEDERAL BUREAU OF INVESTIGATION.—Funds available to the Attorney General for the Federal Bureau of Investigation for the detection, investigation, and prosecution of crimes against the United States may be used for the conduct of all its authorized activities.

“(5) IMMIGRATION AND NATURALIZATION SERVICE.—Funds available to the Attorney General for the Immigration and Naturalization Service may be used for—

“(A) acquisition of land as sites for enforcement fences, and construction incident to such fences;

“(B) cash advances to aliens for meals and lodging en route;

“(C) refunds of maintenance bills, immigration fines, and other items properly returnable, except deposits of aliens who become public charges and deposits to secure payment of fines and passage money; and

“(D) expenses and allowances incurred in tracking lost persons, as required by public exigencies, in aid of State or local law enforcement agencies.

“(6) FEDERAL PRISON SYSTEM.—Funds available to the Attorney General for the Federal Prison System may be used for—

“(A) inmate medical services and inmate legal services, within the Federal prison system;

“(B) the purchase and exchange of farm products and livestock;

“(C) the acquisition of land as provided in section 4010 of title 18; and

“(D) the construction of buildings and facilities for penal and correctional institutions (including prison camps), by contract or force account, including the payment of United States prisoners for their work performed in any such construction; except that no funds may be used to distribute or make available to a prisoner any commercially published information or material that is sexually explicit or features nudity.

“(7) DETENTION TRUSTEE.—Funds available to the Attorney General for the Detention Trustee may be used for all the activities of such Trustee in the exercise of all power and functions authorized by law relating to the detention of Federal prisoners in non-Federal institutions or otherwise in the custody of the United States Marshals Service and to the detention of aliens in the custody of the Immigration and Naturalization Service, including the overseeing of construction of detention facilities or for housing related to such detention, the management of funds appropriated to the Department for the exercise of detention functions, and the direction of the United States Marshals Service and the Immigration and Naturalization Service with respect to the exercise of detention policy setting and operations for the Department of Justice.

“(C) RELATED PROVISIONS.—

“(1) LIMITATION OF COMPENSATION OF INDIVIDUALS EMPLOYED AS ATTORNEYS.—No funds available to the Attorney General may be used to pay compensation for services provided by an individual employed as an attorney (other than an individual employed to provide services as a foreign attorney in special cases) unless such individual is duly licensed and authorized to practice as an attorney under the law of a State, a territory of the United States, or the District of Columbia.

“(2) REIMBURSEMENTS PAID TO GOVERNMENTAL ENTITIES.—Funds available to the Attorney General that are paid as reimbursement to a governmental unit of the Department of Justice, to another Federal entity, or to a unit of State or local government, may be used under authorities available to the unit or entity receiving such reimbursement.”

(b) CONFORMING AMENDMENT.—The table of sections of chapter 31 of title 28, United States Code, is amended by adding at the end the following:

“530C. Authority to use available funds.”

SEC. 202. PERMANENT AUTHORITY RELATING TO ENFORCEMENT OF LAWS.

(a) IN GENERAL.—Chapter 31 of title 28, United States Code (as amended by section 201), is amended by adding at the end the following:

“§ 530D. Report on enforcement of laws

“(a) REPORT.—

“(1) IN GENERAL.—The Attorney General shall submit to the Congress a report of any instance in which the Attorney General or any officer of the Department of Justice—

“(A) establishes or implements a formal or informal policy to refrain—

“(i) from enforcing, applying, or administering any provision of any Federal statute, rule, regulation, program, policy, or other law whose enforcement, application, or administration is within the responsibility of the Attorney General or such officer on the grounds that such provision is unconstitutional; or

“(ii) within any judicial jurisdiction of or within the United States, from adhering to, enforcing, applying, or complying with, any standing rule of decision (binding upon courts of, or inferior to those of, that juris-

dition) established by a final decision of any court of, or superior to those of, that jurisdiction, respecting the interpretation, construction, or application of the Constitution or of any statute, rule, regulation, program, policy, or other law whose enforcement, application, or administration is within the responsibility of the Attorney General or such officer;

“(B) determines—

“(i) to contest affirmatively, in any judicial, administrative, or other proceeding, the constitutionality of any provision of any Federal statute, rule, regulation, program, policy, or other law; or

“(ii) to refrain from defending or asserting, in any judicial, administrative, or other proceeding, the constitutionality of any provision of any Federal statute, rule, regulation, program, policy, or other law, or not to appeal or request review of any judicial, administrative, or other determination adversely affecting the constitutionality of any such provision; or

“(C) approves (other than in circumstances in which a report is submitted to the Joint Committee on Taxation, pursuant to section 6405 of the Internal Revenue Code of 1986) the settlement or compromise (other than in bankruptcy) of any claim, suit, or other action—

“(i) against the United States (including any agency or instrumentality thereof) for a sum that exceeds, or is likely to exceed, \$2,000,000; or

“(ii) by the United States (including any agency or instrumentality thereof) pursuant to an agreement, consent decree, or order (or pursuant to any modification of an agreement, consent decree, or order) that provides injunctive or other nonmonetary relief that exceeds, or is likely to exceed, 3 years in duration.

“(2) SUBMISSION OF REPORT TO THE CONGRESS.—For the purposes of paragraph (1), a report shall be considered to be submitted to the Congress if the report is submitted to—

“(A) the majority leader and minority leader of the Senate;

“(B) the Speaker, majority leader, and minority leader of the House of Representatives;

“(C) the chairman and ranking minority member of the Committee on the Judiciary of the House of Representatives and the chairman and ranking minority member of the Committee on the Judiciary of the Senate; and

“(D) the Senate Legal Counsel and the General Counsel of the House of Representatives.

“(b) DEADLINE.—A report shall be submitted—

“(1) under subsection (a)(1)(A), not later than 30 days after the establishment or implementation of each policy;

“(2) under subsection (a)(1)(B), within such time as will reasonably enable the House of Representatives and the Senate to take action, separately or jointly, to intervene in timely fashion in the proceeding, but in no event later than 30 days after the making of each determination; and

“(3) under subsection (a)(1)(C), not later than 30 days after the conclusion of each fiscal-year quarter, with respect to all approvals occurring in such quarter.

“(c) CONTENTS.—A report required by subsection (a) shall—

“(1) specify the date of the establishment or implementation of the policy described in subsection (a)(1)(A), of the making of the determination described in subsection (a)(1)(B), or of each approval described in subsection (a)(1)(C);

“(2) include a complete and detailed statement of the relevant issues and background (including a complete and detailed state-

ment of the reasons for the policy or determination, and the identity of the officer responsible for establishing or implementing such policy, making such determination, or approving such settlement or compromise), except that—

“(A) such details may be omitted as may be absolutely necessary to prevent improper disclosure of national-security- or classified information, or of any information subject to the deliberative-process-, executive-, attorney-work-product-, or attorney-client privileges, if the fact of each such omission (and the precise ground or grounds thereof) is clearly noted in the statement: Provided, That this subparagraph shall not be construed to deny to the Congress (including any House, Committee, or agency thereof) any such omitted details (or related information) that it lawfully may seek, subsequent to the submission of the report; and

“(B) the requirements of this paragraph shall be deemed satisfied—

“(i) in the case of an approval described in subsection (a)(1)(C)(i), if an unredacted copy of the entire settlement agreement and consent decree or order (if any) is provided, along with a statement indicating the legal and factual basis or bases for the settlement or compromise (if not apparent on the face of documents provided); and

“(ii) in the case of an approval described in subsection (a)(1)(C)(ii), if an unredacted copy of the entire settlement agreement and consent decree or order (if any) is provided, along with a statement indicating the injunctive or other nonmonetary relief (if not apparent on the face of documents provided); and

“(3) in the case of a determination described in subsection (a)(1)(B) or an approval described in subsection (a)(1)(C), indicate the nature, tribunal, identifying information, and status of the proceeding, suit, or action.

“(d) DECLARATION.—In the case of a determination described in subsection (a)(1)(B), the representative of the United States participating in the proceeding shall make a clear declaration in the proceeding that any position expressed as to the constitutionality of the provision involved is the position of the executive branch of the Federal Government (or, as applicable, of the President or of any executive agency or military department).

“(e) APPLICABILITY TO THE PRESIDENT AND TO EXECUTIVE AGENCIES AND MILITARY DEPARTMENTS.—The reporting, declaration, and other provisions of this section relating to the Attorney General and other officers of the Department of Justice shall apply to the President and the head of each executive agency or military department (as defined, respectively, in sections 105 and 102 of title 5, United States Code), that establishes or implements a policy described in subsection (a)(1)(A) or is authorized to conduct litigation, and to the officers of such executive agency.”

(b) CONFORMING AMENDMENTS.—

(1) The table of sections for chapter 31 of title 28, United States Code (as amended by section 201), is amended by adding at the end the following:

“530D. Report on enforcement of laws.”

(2) Section 712 of Public Law 95-521 (92 Stat. 1883) is amended by striking subsection (b).

(3) Not later than 30 days after the date of the enactment of this Act, the President shall advise the head of each executive agency or military department (as defined, respectively, in sections 105 and 102 of title 5, United States Code) of the enactment of this section.

(4)(A) Not later than 90 days after the date of the enactment of this Act, the Attorney

General (and, as applicable, the President and the head of any executive agency or military department described in subsection (e) of section 530D of title 28, United States Code, as added by subsection (a)) shall submit to Congress a report (in accordance with subsections (a), (c), and (e) of such section) on—

(i) all policies described in subsection (a)(1)(A) of such section that were established or implemented before the date of the enactment of this Act and were in effect on such date; and

(ii) all determinations described in subsection (a)(1)(B) of such section that were made before the date of the enactment of this Act and were in effect on such date.

(B) If a determination described in subparagraph (A)(ii) relates to any judicial, administrative, or other proceeding that is pending in the 90-day period beginning on the date of the enactment of this Act, with respect to any such determination, then the report required by this paragraph shall be submitted within such time as will reasonably enable the House of Representatives and the Senate to take action, separately or jointly, to intervene in timely fashion in the proceeding, but not later than 30 days after the date of the enactment of this Act.

SEC. 203. NOTIFICATIONS AND REPORTS TO BE PROVIDED SIMULTANEOUSLY TO COMMITTEES.

If the Attorney General or any officer of the Department of Justice (including any bureau, office, board, division, commission, subdivision, unit, or other component thereof) is required by any Act (which shall be understood to include any request or direction contained in any report of a committee of the Congress relating to an appropriations Act or in any statement of managers accompanying any conference report agreed to by the Congress) to provide a notice or report to any committee or subcommittee of the Congress (other than both the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate), then such Act shall be deemed to require that a copy of such notice or report be provided simultaneously to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate.

SEC. 204. MISCELLANEOUS USES OF FUNDS; TECHNICAL AMENDMENTS.

(a) BUREAU OF JUSTICE ASSISTANCE GRANT PROGRAMS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 504(a) by striking “502” and inserting “501(b)”;

(2) in section 506(a)(1) by striking “participating”;

(3) in section 510—

(A) in subsection (a)(3) by striking “502” inserting “501(b)”;

(B) by adding at the end the following:

“(d) No grants or contracts under subsection (b) may be made, entered into, or used, directly or indirectly, to provide any security enhancements or any equipment to any non-governmental entity that is not engaged in law enforcement or law enforcement support, criminal or juvenile justice, or delinquency prevention.”; and

(4) in section 511 by striking “503” inserting “501(b)”.

(b) ATTORNEYS SPECIALLY RETAINED BY THE ATTORNEY GENERAL.—The 3d sentence of section 515(b) of title 28, United States Code, is amended by striking “at not more than \$12,000”.

SEC. 205. TECHNICAL AND MISCELLANEOUS AMENDMENTS TO DEPARTMENT OF JUSTICE AUTHORITIES; AUTHORITY TO TRANSFER PROPERTY OF MARGINAL VALUE; RECORDKEEPING; PROTECTION OF THE ATTORNEY GENERAL.

(a) Section 524 of title 28, United States Code, is amended—

(1) in subsection (a) by inserting “to the Attorney General” after “available”;

(2) in paragraph (c)(1)—

(A) by striking the semicolon at the end of the 1st subparagraph (I) and inserting a period;

(B) by striking the 2d subparagraph (I);

(C) by striking “(A)(iv), (B), (F), (G), and (H)” in the 1st sentence following the 2d subparagraph (I) and inserting “(B), (F), and (G);”; and

(D) by striking “fund” in the 3d sentence following the 2d subparagraph (I) and inserting “Fund”;

(3) in paragraph (c)(2)—

(A) by striking “for information” each place it appears; and

(B) by striking “\$250,000” the 2d and 3d places it appears and inserting “\$500,000”;

(4) in paragraph (c)(3) by striking “(F)” and inserting “(G)”;

(5) in paragraph (c)(5) by striking “Fund which” and inserting “Fund, that”;

(6) in subsection (c)(8)(A) by striking “(A)(iv), (B), (F), (G), and (H)” and inserting “(B), (F), and (G);”; and

(7) in subsection (c)(9)(B)—

(A) by striking “year 1997” and inserting “years 2002 and 2003”; and

(B) by striking “Such transfer shall not” and inserting “Each such transfer shall be subject to satisfaction by the recipient involved of any outstanding lien against the property transferred, but no such transfer shall”.

(b) Section 522 of title 28, United States Code, is amended by inserting “(a)” before “The”, and by inserting at the end the following:

“(b) With respect to any data, records, or other information acquired, collected, classified, preserved, or published by the Attorney General for any statistical, research, or other aggregate reporting purpose beginning not later than 1 year after the date of enactment of 21st Century Department of Justice Appropriations Authorization Act and continuing thereafter, and notwithstanding any other provision of law, the same criteria shall be used (and shall be required to be used, as applicable) to classify or categorize offenders and victims (in the criminal context), and to classify or categorize actors and acted upon (in the noncriminal context).”

(c) Section 534(a)(3) of title 28, United States Code, is amended by adding “and” after the semicolon.

(d) Section 509(3) of title 28, United States Code, is amended by striking the 2d period.

(e) Section 533(2) of title 28, United States Code, is amended by inserting “or the person of the Attorney General” after “President”.

SEC. 206. OVERSIGHT; WASTE, FRAUD, AND ABUSE OF APPROPRIATIONS.

(a) Section 529 of title 28, United States Code, is amended by inserting “(a)” before “Beginning”, and by adding at the end the following:

“(b) Notwithstanding any provision of law limiting the amount of management or administrative expenses, the Attorney General shall, not later than May 2, 2003, and of every year thereafter, prepare and provide to the Committees on the Judiciary and Appropriations of each House of the Congress using funds available for the underlying programs—

“(1) a report identifying and describing every grant, cooperative agreement, or pro-

grammatic services contract that was made, entered into, awarded, or extended, in the immediately preceding fiscal year, by or on behalf of the Office of Justice Programs (including any component or unit thereof, and the Office of Community Oriented Policing Services), and including, without limitation, for each such grant, cooperative agreement, or contract: the term, the dollar amount or value, a complete and detailed description of its specific purpose or purposes, the names of all parties, the names of each unsuccessful applicant or bidder (and a complete and detailed description of the specific purpose or purposes proposed of the application or bid), except that such description may be summary with respect to each application or bid having a total value of less than \$350,000; and

“(2) a report identifying and reviewing every grant, cooperative agreement, or programmatic services contract made, entered into, awarded, or extended after October 1, 2002, by or on behalf of the Office of Justice Programs (including any component or unit thereof, and the Office of Community Oriented Policing Services) that was closed out or that otherwise ended in the immediately preceding fiscal year (or even if not yet closed out, was terminated or otherwise ended in the fiscal year that ended 2 years before the end of such immediately preceding fiscal year), and including, without limitation, for each such grant, cooperative agreement, or contract: a complete and detailed description of how the appropriated funds involved actually were spent, complete and detailed statistics relating to its performance, its specific purpose or purposes, and its effectiveness, and a written declaration by each non-Federal grantee and each non-Federal party to such agreement or to such contract, that—

“(A) the appropriated funds were spent for such purpose or purposes, and only such purpose or purposes;

“(B) the terms of the grant, cooperative agreement, or contract were complied with; and

“(C) all documentation necessary for conducting a full and proper audit under generally accepted accounting principles, and any (additional) documentation that may have been required under the grant, cooperative agreement, or contract, have been kept in orderly fashion and will be preserved for not less than 3 years from the date of such close out, termination, or end; except that the requirement of this paragraph shall be deemed satisfied with respect to any such description, statistics, or declaration if such non-Federal grantee or such non-Federal party shall have failed to provide the same to the Attorney General, and the Attorney General notes the fact of such failure and the name of such grantee or such party in the report.”

(b) Section 1913 of title 18, United States Code, is amended by striking “to favor” and inserting “a jurisdiction, or an official of any government, to favor, adopt,” by inserting “, law, ratification, policy,” after “legislation” every place it appears, by striking “by Congress” the 2d place it appears, by inserting “or such official” before “, through the proper”, by inserting “, measure,” before “or resolution”, by striking “Members of Congress on the request of any Member” and inserting “any such Member or official, at his request,” by striking “for legislation” and inserting “for any legislation”, and by moving “, being an officer or employee of the United States or of any department or agency thereof,” to immediately after “; and”.

(c) Section 1516(a) of title 18, United States Code, is amended by inserting “, entity, or program” after “person”, and by inserting “grant, or cooperative agreement,” after “subcontract,”.

(d) Section 112 of title I of section 101(b) of division A of Public Law 105-277 (112 Stat. 2681-67) is amended by striking "fiscal year" and all that follows through "Justice—", and inserting "any fiscal year the Attorney General—".

(e) Section 2320(f) of title 18, United States Code, is amended—

(1) by striking "title 18" each place it appears and inserting "this title"; and

(2) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively;

(3) by inserting "(1)" after "(f)"; and

(4) by adding at the end the following:

"(2) The report under paragraph (1), with respect to criminal infringement of copyright, shall include the following:

"(A) The number of infringement cases involving specific types of works, such as audiovisual works, sound recordings, business software, video games, books, and other types of works.

"(B) The number of infringement cases involving an online element.

"(C) The number and dollar amounts of fines assessed in specific categories of dollar amounts, such as up to \$500, from \$500 to \$1,000, from \$1,000 to \$5,000, from \$5,000 to \$10,000, and categories above \$10,000.

"(D) The amount of restitution awarded.

"(E) Whether the sentences imposed were served."

SEC. 207. ENFORCEMENT OF FEDERAL CRIMINAL LAWS BY ATTORNEY GENERAL.

Section 535 of title 28, United States Code, is amended in subsections (a) and (b), by replacing "title 18" with "Federal criminal law", and in subsection (b), by replacing "or complaint" with "matter, or complaint witnessed, discovered, or", and by inserting "or the witness, discoverer, or recipient, as appropriate," after "agency,".

SEC. 208. COUNTERTERRORISM FUND.

(a) ESTABLISHMENT; AVAILABILITY.—There is hereby established in the Treasury of the United States a separate fund to be known as the "Counterterrorism Fund", amounts in which shall remain available without fiscal year limitation—

(1) to reimburse any Department of Justice component for any costs incurred in connection with—

(A) reestablishing the operational capability of an office or facility that has been damaged or destroyed as the result of any domestic or international terrorism incident;

(B) providing support to counter, investigate, or prosecute domestic or international terrorism, including, without limitation, paying rewards in connection with these activities; and

(C) conducting terrorism threat assessments of Federal agencies and their facilities; and

(2) to reimburse any department or agency of the Federal Government for any costs incurred in connection with detaining in foreign countries individuals accused of acts of terrorism that violate the laws of the United States.

(b) NO EFFECT ON PRIOR APPROPRIATIONS.—The amendment made by subsection (a) shall not affect the amount or availability of any appropriation to the Counterterrorism Fund made before the date of enactment of this Act.

TITLE III—MISCELLANEOUS

SEC. 301. REPEALERS.

(a) OPEN-ENDED AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL INSTITUTE OF CORRECTIONS.—Chapter 319 of title 18, United States Code, is amended by striking section 4353.

(b) OPEN-ENDED AUTHORIZATION OF APPROPRIATIONS FOR UNITED STATES MARSHALS

SERVICE.—Section 561 of title 28, United States Code, is amended by striking subsection (i).

(c) REPEAL OF VIOLENT CRIME REDUCTION TRUST FUND.—

(1) REPEALER.—Section 310001 of Public Law 103-322 is repealed.

(2) CONFORMING AMENDMENTS.—

(A) TITLE 31 OF THE UNITED STATES CODE.—Title 31 of the United States Code is amended—

(i) in section 1321(a) by striking paragraph (91), and

(ii) in section 1105(a) by striking paragraph (30).

(B) AVAILABILITY OF FUNDS.—(i) Section 210603 of the Violent Crime Control and Law Enforcement Act of 1994 (18 U.S.C. 922 note) is amended by striking subsection (a).

(ii) Section 13(a) of Public Law 91-383 (16 U.S.C. 1a-7a(a)) is amended by striking "out of the Violent Crime Reduction Trust Fund,".

(iii) Section 6(h)(1) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460-8(h)(1)) is amended by striking ", and from amounts appropriated out of the Violent Crime Reduction Trust Fund,".

(iv) Section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)) is amended by striking ", of which" and all that follows through "2000".

(v) Sections 808 and 823 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104-132; 110 Stat. 1310, 1317) are repealed.

(vi) The Drug-Free Prisons and Jails Act of 1998 (42 U.S.C. 3751 note) is amended by striking section 118.

(vii) Section 401(e) of the Economic Espionage Act of 1996 (42 U.S.C. 13751 note) is amended by striking paragraph (2).

SEC. 302. TECHNICAL AMENDMENTS TO TITLE 18 OF THE UNITED STATES CODE.

Title 18 of the United States Code is amended—

(1) in section 4041 by striking "at a salary of \$10,000 a year";

(2) in section 4013—

(A) in subsection (a)—

(i) by replacing "the support of United States prisoners" with "Federal prisoner detention";

(ii) in paragraph (2) by adding "and" after "hire";

(iii) in paragraph (3) by replacing "entities; and" with "entities."; and

(iv) in paragraph (4) by inserting "The Attorney General, in support of Federal prisoner detainees in non-Federal institutions, is authorized to make payments, from funds appropriated for State and local law enforcement assistance, for" before "entering"; and

(B) by redesignating—

(i) subsections (b) and (c) as subsections (c) and (d); and

(ii) paragraph (a)(4) as subsection (b), and subparagraphs (A), (B), and (C), of such paragraph (a)(4) as paragraphs (1), (2), and (3) of such subsection (b); and

(3) in section 209(a)—

(A) by striking "or makes" and inserting "makes"; and

(B) by striking "supplements the salary of, any" and inserting "supplements, the salary of any".

SEC. 303. REQUIRED SUBMISSION OF PROPOSED AUTHORIZATION OF APPROPRIATIONS FOR THE DEPARTMENT OF JUSTICE FOR FISCAL YEAR 2003.

When the President submits to the Congress the budget of the United States Government for fiscal year 2003, the President shall simultaneously submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate such proposed legislation authorizing appropriations for the Depart-

ment of Justice for fiscal year 2003 as the President may judge necessary and expedient.

SEC. 304. REVIEW OF THE DEPARTMENT OF JUSTICE.

(a) APPOINTMENT OF DEPUTY INSPECTOR GENERAL FOR THE FEDERAL BUREAU OF INVESTIGATION.—The Inspector General of the Department of Justice shall appoint a Deputy Inspector General for the Federal Bureau of Investigation who shall be responsible for supervising independent oversight of programs and operations of the Federal Bureau of Investigation until September 30, 2004.

(b) INSPECTOR GENERAL OVERSIGHT PLAN FOR THE FEDERAL BUREAU OF INVESTIGATION.—Not later than 30 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall submit to the Congress a plan for oversight of the Federal Bureau of Investigation. The Inspector General shall consider the following activities for inclusion in such plan:

(1) FINANCIAL SYSTEMS.—Auditing the financial systems, information technology systems, and computer security systems of the Federal Bureau of Investigation.

(2) PROGRAMS AND PROCESSES.—Auditing and evaluating programs and processes of the Federal Bureau of Investigation to identify systemic weaknesses or implementation failures and to recommend corrective action.

(3) INTERNAL AFFAIRS OFFICES.—Reviewing the activities of internal affairs offices of the Federal Bureau of Investigation, including the Inspections Division and the Office of Professional Responsibility.

(4) PERSONNEL.—Investigating allegations of serious misconduct by personnel of the Federal Bureau of Investigation.

(5) OTHER PROGRAMS AND OPERATIONS.—Reviewing matters relating to any other program or operation of the Federal Bureau of Investigation that the Inspector General determines requires review.

(6) RESOURCES.—Identifying resources needed by the Inspector General to implement such plan.

(c) REVIEW OF ATTORNEY GENERAL ORDER.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall—

(1) review Attorney General Order 1931-94 (signed November 8, 1994); and

(2) submit to the Congress a report stating whether the Attorney General intends to rescind, to modify, or to take no action affecting such order.

SEC. 305. STUDY OF UNTESTED RAPE EXAMINATION KITS.

The Attorney General shall conduct a study to assess and report to Congress the number of untested rape examination kits that currently exist nationwide and shall submit to the Congress a report containing a summary of the results of such study. For the purpose of carrying out such study, the Attorney General shall attempt to collect information from all law enforcement jurisdictions in the United States.

SEC. 306. REPORT ON DCS 1000 ("CARNIVORE").

Not later than 30 days after the end of fiscal years 2001 and 2002, the Attorney General and the Director of the Federal Bureau of Investigation shall provide to the Judiciary Committees of the House of Representatives and Senate a report detailing—

(1) the number of times DCS 1000 (or any similar system or device) was used for surveillance during the preceding fiscal year;

(2) the Department of Justice official or officials who approved each use of DCS 1000 (or any similar system or device);

(3) the criteria used by the Department of Justice officials to review requests to use DCS 1000 (or any similar system or device);

(4) a complete description of the process used to submit, review, and approve requests

to use DCS 1000 (or any similar system or device);

(5) the specific statutory authority relied on to use DCS 1000 (or any similar system or device);

(6) the court that authorized each use of DCS 1000 (or any similar system or device);

(7) the number of orders, warrants, or subpoenas applied for, to authorize the use of DCS 1000 (or any similar system or device);

(8) the fact that the order, warrant, or subpoena was granted as applied for, was modified, or was denied;

(9) the offense specified in the order, warrant, subpoena, or application;

(10) the nature of the facilities from which, or the place where the contents of, electronic communications were to be disclosed; and

(11) any information gathered or accessed that was not authorized by the court to be gathered or accessed.

SEC. 307. STUDY OF ALLOCATION OF LITIGATING ATTORNEYS.

Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit a report to the chairman and ranking minority member of the Committees on the Judiciary of the House of Representatives and Committee on the Judiciary of the Senate, detailing the distribution or allocation of appropriated funds, attorneys and other personnel, per-attorney workloads, and number of cases opened and closed, for each Office of United States Attorney and each division of the Department of Justice except the Justice Management Division.

TITLE IV—VIOLENCE AGAINST WOMEN

SEC. 401. SHORT TITLE.

This title may be cited as the "Violence Against Women Office Act".

SEC. 402. ESTABLISHMENT OF VIOLENCE AGAINST WOMEN OFFICE.

Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg et seq.) is amended—

(1) in section 2002(d)(3)—

(A) by striking "section 2005" and inserting "section 2008"; and

(B) by striking "section 2006" and inserting "section 2009";

(2) by redesignating sections 2002 through 2006 as sections 2005 through 2009, respectively; and

(3) by inserting after section 2001 the following:

"SEC. 2002. ESTABLISHMENT OF VIOLENCE AGAINST WOMEN OFFICE.

"(a) OFFICE.—There is hereby established within the Department of Justice, under the general authority of the Attorney General, a Violence Against Women Office (in this part referred to as the 'Office').

"(b) DIRECTOR.—The Office shall be headed by a Director (in this part referred to as the 'Director'), who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall report to the Attorney General through the Assistant Attorney General, and shall make reports to the Deputy Attorney General as the Director deems necessary to fulfill the mission of the Office. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Office. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other arrangement under this part.

"SEC. 2003. DUTIES AND FUNCTIONS OF DIRECTOR OF VIOLENCE AGAINST WOMEN OFFICE.

"(a) IN GENERAL.—The Director shall have the following duties:

"(1) Serving as special counsel to the Attorney General on the subject of violence against women.

"(2) Maintaining liaison with the judicial branches of the Federal and State Governments on matters relating to violence against women.

"(3) Providing information to the President, the Congress, the judiciary, State and local governments, and the general public on matters relating to violence against women.

"(4) Serving, at the request of the Attorney General or Assistant Attorney General, as the representative of the Department of Justice on domestic task forces, committees, or commissions addressing policy or issues relating to violence against women.

"(5) Serving, at the request of the President, acting through the Attorney General, as the representative of the United States Government on human rights and economic justice matters related to violence against women in international fora, including, but not limited to, the United Nations.

"(6) Carrying out the functions of the Department of Justice under the Violence Against Women Act of 1994 (title IV of Public Law 103-322) and the amendments made by that Act, and other functions of the Department of Justice on matters relating to violence against women, including with respect to those functions—

"(A) the development of policy, protocols, and guidelines;

"(B) the development and management of grant programs and other programs, and the provision of technical assistance under such programs; and

"(C) the award and termination of grants, cooperative agreements, and contracts.

"(7) Providing technical assistance, coordination, and support to—

"(A) other components of the Department of Justice, in efforts to develop policy and to enforce Federal laws relating to violence against women, including the litigation of civil and criminal actions relating to enforcing such laws;

"(B) other Federal, State, and tribal agencies, in efforts to develop policy, provide technical assistance, and improve coordination among agencies carrying out efforts to eliminate violence against women, including Indian or indigenous women; and

"(C) grantees, in efforts to combat violence against women and to provide support and assistance to victims of such violence.

"(8) Exercising such other powers and functions as may be vested in the Director pursuant to this part or by delegation of the Attorney General or Assistant Attorney General.

"(9) Establishing such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Office.

"SEC. 2004. STAFF OF VIOLENCE AGAINST WOMEN OFFICE.

The Attorney General shall ensure that the Director has adequate staff to support the Director in carrying out the Director's responsibilities under this part."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous

material on H.R. 2215, the bill currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 2215, the 21st Century Department of Justice Appropriations Authorization Act which authorizes appropriation for the Department of Justice and its components for fiscal year 2002, establishes permanent enabling authorities for the Department, makes several minor and technical improvements to various statutes affecting the Department, requires certain reports be made to Congress, and establishes a permanent Violence Against Women's Office within the Office of Justice Programs at the Department.

This bill was favorably reported by the Committee on the Judiciary on June 20 by voice vote. The legislation is cosponsored by the committee's ranking minority member, the gentleman from Michigan (Mr. CONYERS) and enjoys broad, bipartisan support.

Madam Speaker, the Department of Justice and its various components wields tremendous power and influence. It has an annual budget exceeding \$24 billion and has in excess of 125,000 employees. The Department has ultimate responsibility for the enforcement of all Federal criminal laws, including those regarding terrorism. It enforces our Nation's antitrust laws, civil rights laws, immigration and naturalization laws, environmental statutes, tax laws, and numerous other Federal statutes. The lawyers at the Department of Justice represent the government in most types of actions, civil and criminal. And it provides legal advice to the President of the United States and the departments and agencies of the Federal Government. In short, the vast majority of legal questions in litigations addressed by the Federal Government are reviewed and handled by the Department of Justice.

□ 1430

This great power and responsibility can be a tremendous force for good throughout the Nation and the world. Also, abuse, misuse, and neglect of this power can have detrimental effects that reverberate throughout this country. The Department of Justice is unlike any other department or agency of the Federal Government because its job is providing justice to all. Thus it must be held to the highest standards. Because of its importance, Congress should be fully engaged in oversight of the Department. Unfortunately, Congress has not done a good job of oversight of the Department in the past and needs to do much better.

Further, Congress has neglected its basic responsibility for the last 20 years by failing to authorize the programs within the Department of Justice. It is shameful that the last bill

authorizing appropriations for the Department was signed into law by President Carter on November 30, 1979. The last serious effort to authorize the Department was undertaken by my predecessor, the gentleman from Illinois (Mr. HYDE), during the 105th Congress, but the other body failed to act on that legislation. Congress must do a much better job in overseeing the many departments and agencies that make up the Federal Government, and today this House will take a giant leap forward in that effort by authorizing the DOJ and its components.

One reason the Department needs increased oversight is its size. In 1993, the budget authority for the Department was \$11.3 billion. Today, it exceeds \$24 billion. In 1993, the Department had 90,600 authorized positions. Today it has 35,000 more. In 1993, the Immigration and Naturalization Service had over \$1.5 billion in budget authority and over 18,000 authorized positions. Today the INS has over \$5 billion in budget authority and 33,500 authorized positions.

I doubt that many Members or their constituents would argue that the increased funding and staffing at the INS has improved its operations appreciably. I would feel the opposite. Another area of exponential growth at the Department has been its grant-making authority. In 1993, the Office of Justice Programs distributed almost \$1 billion in grants. In fiscal year 2001, the Department will distribute more than \$5 billion. This growth of budget authority and responsibility cries out for congressional oversight. This bill takes us in that direction.

Title I of the bill authorizes appropriations for the major components of the Justice Department for fiscal year 2002. While President Bush's budget provides a breather from the hefty increases the Department has seen over the last decade, this budget still includes promising initiatives, such as new funding for the INS to help secure our borders, new funding for the FBI to combat terrorism and cybercrime, and new funding for the DEA to improve its efforts to fight the scourge of drugs and violence. The authorization mirrors the President's request except in two areas. First, the committee increased the President's request for the DOJ Inspector General by \$10 million. This is necessary because the committee is concerned about the severe downsizing of that office and the need for oversight, particularly of the FBI, at the Department.

H.R. 2215 does not contain an authorization for appropriations for several unauthorized grant programs. The Committee on the Judiciary will review each of these expired programs and authorize them as needed. The committee has already done this for the Juvenile Justice Block Grants program which I am hopeful that the House will consider in the coming weeks.

Madam Speaker, title III contains an important provision establishing with-

in the office of DOJ Inspector General a deputy IG for FBI oversight whose sole job will be to coordinate and be responsible for overseeing the programs and operations of the Bureau. This position is necessary because of the recent spy scandal, the FBI's failure to comply with the document disclosure agreement in the McVeigh case, and now the revelation about missing firearms and computers at our Nation's number one law enforcement agency. These problems cry out for attention, and I believe there needs to be one person in the IG's office whose sole focus is to review FBI operations.

As I have already mentioned, the bill increases the authorization for the office of Inspector General by \$10 million above the President's proposed budget. This office has been severely downsized over the last several years from approximately 460 to 360 full-time equivalents. I believe that Congress has been penny-wise and pound foolish in this regard. We should spend a little bit more time, effort, and money on oversight and a little less on other bloated DOJ programs. I would urge the conferees in the DOJ appropriation bill to adequately fund the new responsibilities that have been given to the IG.

H.R. 2215 requires the IG to submit an oversight plan for the FBI to the Congress and requires the Attorney General to review Attorney General Reno's order numbered 1931-94. Coincidentally, Attorney General Ashcroft overturned this order on July 11, a day after the report to H.R. 2215 was filed in the House. Now the DOJ Inspector General has full authority over both the FBI and DEA. Passage of this bill will help the new Director and the Attorney General make needed improvements to this prestigious agency.

The bill also authorizes a Violence Against Women Office within the Justice Department. This provision was offered in committee by the gentleman from Wisconsin (Ms. BALDWIN). The VAWO would be headed by a director who is appointed by the President and confirmed by the Senate.

In addition, title IV enumerates duties and responsibilities of the Director and requires the Attorney General to ensure the VAWO is adequately staffed. Since its adoption in committee, this provision has been changed to ensure that it may utilize the existing bureaucracy that already exists at the Office of Justice Programs. As originally drafted, the VAWO would have had to establish its own grant making office and administrative offices. The director of VAWO will report to the Assistant Attorney General but may report to the Deputy Attorney General on such matters as she deems appropriate. I appreciate the work of the gentleman from Wisconsin (Ms. BALDWIN) and her willingness to ensure that this office works properly within the existing bureaucracy at the Department.

Finally, Madam Speaker, I would like to highlight one other provision of this bill. It contains an important pro-

vision that directs the Department of Justice to submit all reports it is required to submit, including reprogramming notices and transfer requests, to the Committee on the Judiciary in addition to any other committee. This will clearly help the Committee on the Judiciary conduct oversight of the Department. This provision is necessary because several years ago, the Committee on Appropriations slipped an amendment into their bill denying the House and Senate Judiciary Committees the ability to receive reprogramming and transfer notices, notices which were routinely sent to the committees from 1979 through 1996. This has diminished our ability to conduct oversight over the Department, and I believe has hurt the Department of Justice. It takes more than just the Committee on Appropriations to conduct oversight over the DOJ. The Committee on the Judiciary has a large role to play, and it should not be denied needed information by another committee.

Madam Speaker, H.R. 2215 is a giant step in the right direction, but more needs to be done. We do not tackle every problem facing the Department by this legislation. However, we do address several, and I am sure we will address more next year during the fiscal year 2003 process. The Committee on the Judiciary will continue to review the programs and operations of the Department of Justice and will hold it to the highest standards of professionalism and integrity. Congress ratifies that process by its action here today.

I particularly want to acknowledge the work of the members of the committee, particularly the gentleman from Michigan (Mr. CONYERS) and his staff who have sat through numerous sessions with majority staff and Department of Justice officials. We all should be proud of this comprehensive bill.

I urge all Members to support this legislation.

Madam Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

I rise in support of this legislation, H.R. 2215, and thank the chairman and the ranking member of the Committee on the Judiciary for doing an act, if you will, that has not been done in more than 20 years, and, that is, authorizing the Department of Justice. I rise in support of this bill and commend the chairman and the ranking member for not only defending the Committee on the Judiciary's jurisdiction but also for working in a bipartisan manner.

The committee has not authorized the Department of Justice in more than 20 years, instead permitting the appropriators to decide the DOJ programs that should be authorized and for how much. Needless to say, this puts a serious cramp in the committee's critical oversight duties and as

well the vision for the laws that guide America and the concept that we are a Nation of laws as well as a Nation of people.

To remedy this, the chairman worked with the Democratic staff and the Justice Department to draft H.R. 2215. Aside from fixing errors in the law, H.R. 2215 is the voice of the committee in progress, I would say, on how the Justice Department should be funded. For example, this bill tracks our request that the Civil Rights Division receive \$101.8 million for fiscal year 2002. There are many issues, of course, that are of interest to us dealing with those, and I will discuss those issues as I proceed in this discussion.

Among the things they will fund will be FACE enforcement that is extremely important, that is, legislation that adheres to the rules and the guidance of our civil rights. The bill also creates a separate and statutory office for the administration of the Violence Against Women Act. The new Violence Against Women Act will raise the profile of VAWA issues and make it easier to distribute grants to combat domestic and other forms of violence against women. In particular, this was an effort by the Democrats on the Committee on the Judiciary, and we worked in a bipartisan way to secure this. I am interested, however, in making sure that we include in this office the oversight of violence against college students, women on college campuses, which has been a rising statistic. We should ensure that date rape that occurs mostly on college campuses is part of the efforts of this office and of course the Violence Against Women Act.

That being said, the bill, of course, has many good points to it, but it is not perfect. For instance, it does not touch on an all-important DOJ grant program such as COPS, but it is a useful starting point and a precursor to what I hope will be more active committee involvement in the running of the Justice Department. There are many of our Members who wholeheartedly endorse the COPS program and as we move through the appropriations process we are hoping that authorizers and appropriators will see the benefit of funding the COPS program and working with it in a strong and productive manner.

I would say the chairman and the ranking member of the House Committee on the Judiciary have contacted Senate Judiciary Chairman LEAHY and Senator HATCH about this bill, and I believe there may be a reasonable opportunity to pass this legislation in the other body. We want this to be a unanimous effort of both bodies to be able to authorize the DOJ for the first time in 20 years.

Let me emphasize the importance of the full funding of the Office of Civil Rights of the Department of Justice. Over the years, those who have had diminished civil rights in this country starting with the civil rights move-

ment and before *Brown v. Topeka* Board of Education through the Supreme Court decisions have worked their way through the Department of Justice. As we saw the accommodations of this country be desegregated in the schools, the Department of Justice was a fixture in helping to ensure the civil rights of all Americans. It is crucial that the Civil Rights Division is funded in this time because of the very important issues covering racial profiling and voter rights enforcement. Needless to say, the issues that occurred in Florida are symptomatic of what is occurring across the country as we have had hearings to emphasize that our electoral system, our voting system, is in fact broken. In most instances in minority and poor communities, there is poor equipment, there is poor education, there are untrained workers across the Nation, and we need to ensure that the Office of Civil Rights is involved in voting rights enforcement and, as well, the fixing of the election system in America.

Let me also add an additional insight, even though I know it is covered by the oversight committees dealing with the United States military. I have had conversations with military personnel on bases who have argued that they have not gotten information, outreach information about voter registration, absentee balloting, and so we are leaving the men and women who offer their lives every day on our behalf out of the realm of expressing their desires in a democratic process. We must ensure that the U.S. military, as well, is covered by any laws and any remedies that we have in changing the voter laws of this Nation to ensure there is no discrimination and, as well, that there is outreach and that every single vote is counted. The full funding of the Civil Rights Division does that.

□ 1445

Let me also applaud and suggest that we are, if you will, gratified for the enhanced funding of the Inspector General's Office. The Inspector General's Office does many things. The \$10 million I believe we have authorized will help it do its job better. In particular, as we look at our responsibilities of oversight over the FBI, the terrible issues dealing with the spy case, lost weapons, lost files, requires great insight into these agencies to make them what they should be.

I am pleased that we are still remembering the importance of the Community Relations Office. Having come from Texas and being aware of some of the strife that we face in our communities, and when I say from Texas, I am particularly pointing to the tragedy of the James Byrd crisis and killing that we had more than 2 years ago, I am pleased that that office is still functioning, and would hope that, through the appropriations process, it can have a higher funding.

Looking at the juvenile justice area, I have noted that the statistics show

that juvenile crime has gone down. It is crucial that we not only authorize the program dealing with juvenile justice, in particular the Office of Juvenile Delinquency Programs to be a preventive arm in our system of justice, but that we ensure that it reaches out to the hamlets and cities and counties around the Nation. Our children are our most important asset, and I believe that it is extremely important that we fund those programs.

Might I add that I secured an amendment to the Commerce-State-Justice appropriations bill that would not eliminate the opportunity for our communities to promote voluntary trigger locks to ensure that we have added gun safety and protect our young people, and I am gratified that we do not have an authorizing bill that would prohibit such.

Let me conclude, Madam Speaker, by indicating the areas of disappointment that I have. Yes, we have made improvements in the INS; and we realize there is need for greater improvement. For example, we need to restructure the INS so there is a balance between enforcement and service.

As we have heard the discussions of the administration over the last couple of weeks, we have heard a promotion of amnesty for certain groups of individuals. I believe that the Committee on the Judiciary should take the leadership in working with various aspects of our caucuses and both bodies to ensure a consensus immigration policy that provides access to legalization to many, many groups, and not just one particular group. For those of us who have fought for amnesty for hard-working, tax-paying immigrants, we know that it is bad to deny them health care, it is bad to deny them education, and it certainly is bad to isolate immigrants from one group to the next. So I am disappointed we were not able to include in this authorization \$3 million for legal services for individuals who are seeking access to legalization, who have no access to the services of lawyers to be able to pursue their legal rights in the right way.

If this country is a country of immigrants and a country of laws, I think it is extremely important that we provide that.

I also believe we have individuals seeking asylum on the basis of persecution, and we therefore should have alternatives to detention. These are not individuals accused of violent crimes but have come here because of persecution, slavery, abuse in their nation, and we are incarcerating them like they are common criminals.

I believe, however, as we move toward making sure that the Department of Justice is the kind of agency we all would like, we can do so in a bipartisan manner; and these issues that I have raised can be worked out on the Committee on the Judiciary, House and Senate, and as we proceed through this Congressional session. Therefore, I would ask that my colleagues would enthusiastically support H.R. 2215.

I rise in support of this bill and commend the Chairman not only for defending the Judiciary Committee's jurisdiction but also for his bipartisanship. The Committee has not authorized the Department of Justice in more than 20 years, instead permitting the appropriators to decide what DOJ programs should be authorized and for how much. Needless to say, this puts a serious cramp in the Committee's critical oversight duties.

To remedy this, the Chairman worked with the Democratic staff and the Justice Department to draft H.R. 2215. Aside from fixing errors in the law, H.R. 2215 is the voice of the Committee on how the Justice Department should be funded. For example, this bill tracks our request that the Civil Rights Division receive \$101.8 million for fiscal year 2002. Among other things, these funds will be used for voting rights and police brutality investigations and FACE enforcement.

The bill also creates a separate and statutory office for the administration of the Violence Against Women Act. The new Violence Against Women Office will raise the profile of VAWA issues and make it easier to distribute grants to combat domestic and other forms of violence against women.

That being said, the bill is not perfect. For instance, it does not touch on all-important DOJ grant programs such as COPS. But it is a useful starting point and a precursor to what I hope will be more active Committee involvement in the running of the Justice Department.

Finally, the Chairman and the Ranking Member of the House Judiciary Committee have contacted Senate Judiciary Chairman LEAHY and Senator HATCH about this bill and believe there may be a reasonable opportunity to pass this legislation in the other body.

I urge my colleagues to vote "yes" on this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 2 minutes to the gentlewoman from Maryland (Mrs. MORELLA).

Mrs. MORELLA. Madam Speaker, I rise in support of the Department of Justice Reauthorization act. I want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) and his staff for their hard work on this bill.

I would also like to bring to the Members' attention a specific provision, one of many, but a specific provision that was added in the Committee on the Judiciary by the gentlewoman from Wisconsin (Ms. BALDWIN), which is also stand-alone legislation introduced by the gentlewoman from New York (Ms. SLAUGHTER) and myself as H.R. 28. By including this provision, we have another opportunity to strengthen the Federal Government's commitment to helping victims of domestic violence, sexual assault, and stalking.

The Violence Against Women Office Act, as amended to this bill, would make the Violence Against Women Office permanent and provide it with a Presidentially appointed and Senate-confirmed director. This office does much more than administer grants. It also expertly implements programs and offers Federal, State, and local governments critical assistance in policy

making to combat all forms of violence against women.

The Director's ability, as set out under this bill, to report directly to the Deputy Attorney General demonstrates the essential commitment of the Federal Government and this administration to incorporating strong policies against domestic violence, sexual assault, and stalking.

Again, I thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for working with the advocates to maintain this provision in H.R. 2215 and for his support for maintaining and fully funding the Violence Against Women Act grants within the Department of Justice.

I urge my colleagues to vote for this measure.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I simply want to thank the gentlewoman from Maryland (Mrs. MORELLA) for her leadership on the issues of violence against women.

I conclude, Madam Speaker, by thanking the chairman of the committee and the ranking member for their leadership on this legislation. I ask for passage of H.R. 2215.

Ms. SLAUGHTER. Madam Speaker, I am pleased to rise in support of H.R. 2215, the 21st Century Department of Justice Appropriations Authorization Act, which includes a provision to statutorily create a permanent Violence Against Women Office within the Department of Justice.

Currently, the Violence Against Women Office is responsible for coordinating the training of judges, law enforcement and prosecutors in responding to victims of domestic violence, stalking and assault. Among other responsibilities, it works with states and localities to provide a coordinated community response to domestic violence and establishes public education initiatives to heighten national awareness of domestic violence as a crime. Unfortunately, the office only exists by administrative order and could be abolished at any time.

As we begin a new century, violence against women remains a national problem. At present, approximately 4.9 million domestic physical assaults take place against women annually in the United States. There are also 1.1 million protective or restraining orders obtained by victims of intimate partner rape, physical assault, and stalking annually. And finally, \$22.3 billion in criminal and legal costs are incurred by domestic violence victims each year.

In response to these statistics, I introduced H.R. 28, the Violence Against Women Office Act, which would establish the Office permanently in statute. I am proud to report that the bill currently has 148 cosponsors. With overwhelming bipartisan support, this language was included as an amendment to H.R. 2215 by the members of the House Judiciary Committee.

Establishing the Violence Against Women Office permanently within the Department of Justice responds to the growing problem of domestic violence and ensures the continued coordination of support, education, and assistance initiatives from the national to the community level.

As the members of House Judiciary Committee have recognized by including the language of H.R. 28 as an amendment to this bill, the need for a permanent Violence against Women Office is strong. Moreover, without the security of a statute, the continuation of the Office's important work is threatened. Today, we have the opportunity to change that.

Domestic violence is nothing less than an epidemic and must be attacked with all the resources we would bring to bear against a deadly disease. I therefore urge my colleagues to support H.R. 2215, which includes a provision to establish the Violence Against Women Office permanently in statute.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield back the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield back the balance my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 2215, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CRIMINAL LAW TECHNICAL AMENDMENTS ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2137) to make clerical and other technical amendments to title 18, United States Code, and other laws relating to crime and criminal procedure, as amended.

The Clerk read as follows:

H.R. 2137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Criminal Law Technical Amendments Act of 2001".

SEC. 2. TECHNICAL AMENDMENTS RELATING TO CRIMINAL LAW AND PROCEDURE.

(a) MISSING AND INCORRECT WORDS.—

(1) CORRECTION OF GARBLED SENTENCE.—Section 510(c) of title 18, United States Code, is amended by striking "fine of under this title" and inserting "fine under this title".

(2) INSERTION OF MISSING WORDS.—Section 981(d) of title 18, United States Code, is amended by striking "proceeds from the sale of this section" and inserting "proceeds from the sale of such property under this section".

(3) CORRECTION OF INCORRECT WORD.—Sections 1425 through 1427, 1541 through 1544 and 1546(a) of title 18, United States Code, are each amended by striking "to facility" and inserting "to facilitate".

(4) CORRECTING ERRONEOUS AMENDATORY LANGUAGE ON EXECUTED AMENDMENT.—Effective on the date of the enactment of Public Law 103-322, section 60003(a)(13) of such public law is amended by striking "\$1,000,000 or imprisonment" and inserting "\$1,000,000 and imprisonment".

(5) INSERTION OF MISSING WORD.—Section 2326 of title 18, United States Code, is amended by inserting "section" before "2322b".

(6) CORRECTION OF REFERENCE TO SHORT TITLE OF LAW.—That section 2332d(a) of title