

S 1319

21st Century Department of Justice Appropriations Authorization Act

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Economics and Public Finance

Introduced: Aug 2, 2001

Current Status: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 107-96.

Latest Action: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 107-96. (Nov 8, 2001)

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Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • State: VT • Chamber: Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Hatch, Orrin G. [R-UT]	R · UT		Aug 2, 2001

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Oct 30, 2001

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
107 HR 2215	Companion bill	Nov 2, 2002: Became Public Law No: 107-273.

21st Century Department of Justice Appropriations Authorization Act - **Title I: Authorization of Appropriations for Fiscal Year 2002** - Authorizes appropriations for FY 2002 to carry out the activities of the Department of Justice (DOJ) for: (1) General Administration; (2) Administrative Review and Appeals; (3) the Office of Inspector General; (4) General Legal Activities; (5) the Antitrust Division; (6) U.S. Attorneys (including sums for the investigation and prosecution of intellectual property crimes, including software counterfeiting crimes and crimes identified in the No Electronic Theft (NET) Act); (7) the Federal Bureau of Investigation (FBI); (8) the U.S. Marshals Service; (9) the Federal Prison System; (10) Federal Prisoner Detention; (11) the Drug Enforcement Administration; (12) the Immigration and Naturalization Service; (13) Fees and Expenses of Witnesses; (14) Interagency Crime and Drug Enforcement; (15) the Foreign Claims Settlement Commission; (16) the Community Relations Service; (17) the Assets Forfeiture Fund; (18) the U.S. Parole Commission; (19) the Federal Detention Trustee; (20) the Joint Automated Booking System; (21) the costs of conversion to narrowband communications; (22) administrative expenses of the Radiation Exposure Compensation Act; (23) the Counterterrorism Fund; and (24) Office of Justice Programs.

(Sec. 102) Authorizes appointment of 200 additional assistant U.S. attorneys.

(Sec. 103) Authorizes appropriations to hire an additional assistant U.S. attorney in each U.S. attorney office to provide for coordination with State and local law enforcement officials in the identification and prosecution of violations of Federal firearms laws.

Title II: Permanent Enabling Provisions - Authorizes DOJ activities to be carried out through any means in the reasonable discretion of the Attorney General, including by sending or receiving details of personnel to or from other branches of the Government and through contracts, grants, or cooperative agreements with non-Federal parties. Specifies permitted uses of funds, including for the payment of rewards (i.e., payments pursuant to public advertisements for assistance to DOJ).

Sets forth provisions regarding: (1) foreign reimbursements of DOJ; (2) railroad police training fees; and (3) reimbursement for warranty work performed at DOJ facilities.

(Sec. 202) Requires the Attorney General to report to Congress on any instance in which the Attorney General or any DOJ officer: (1) establishes or implements a policy to refrain from enforcing any Federal statute on the grounds that it is unconstitutional or from adhering to or enforcing a standing rule of decision established by a final court decision; (2) determines to contest the constitutionality of a Federal statute, regulation, or policy, or to refrain (on the grounds that the provision is unconstitutional) from defending its constitutionality; or (3) approves the settlement or compromise of certain claims or actions against or by the United States. Applies such reporting requirement to the President and the head of each executive agency or military department.

(Sec. 204) Declares that any Act that requires the Attorney General or any DOJ officer to provide a notice or report to any congressional committee shall be deemed to require a copy to be provided to the House and Senate Judiciary Committees (with an exception for classified notices and reports submitted to the Intelligence Committees).

(Sec. 205) Amends the Federal judicial code to authorize the Attorney General to appoint officials to assist in the protection of the Attorney General.

(Sec. 206) Directs the Attorney General to submit annual reports identifying and reviewing: (1) every grant (other than one made to a governmental entity, pursuant to a statutory formula), cooperative agreement, or programmatic services

contract that was made, entered into, awarded, or for which additional or supplemental funds were provided in the immediately preceding fiscal year by or on behalf of the Office of Justice Programs; and (2) every such grant, agreement, or contract for which additional or supplemental funds were provided after October 1, 2002, that was programmatically and financially closed out or otherwise ended in the immediately preceding fiscal year. Establishes a new reporting requirement regarding the criminal infringement of copyright.

(Sec. 208) Establishes in the Treasury the Counter-terrorism Fund to reimburse DOJ for certain counter-terrorism activities and Federal agencies for the cost of detaining accused terrorists in foreign countries.

(Sec. 209) Permits executive agencies to pay extended assignment incentives to employees in U.S. territories or possessions who would be difficult to replace.

Title III: Miscellaneous - Repeals: (1) open-ended authorizations of appropriations for the National Institute of Corrections and the U.S. Marshals Service; and (2) provisions regarding the Violent Crime Reduction Trust Fund.

(Sec. 304) Requires the Attorney General to report on: (1) the number of untested rape examination kits nationwide, (2) the use of DCS 1000 (Carnivore) to implement orders for a pen register or trap and trace device or for interception of wire, oral, or electronic communications; (3) U.S. and DOJ attorney funds, workloads, and cases and whether there should be established, within the DOJ Office of the Inspector General or as a separate office within DOJ, an Office of Inspector General (or Deputy Inspector General) for the FBI.

(Sec. 307) Amends the Violent Crime Control and Law Enforcement Act of 1994 to allow the use of truth-in-sentencing and violent offender incarceration grant funds to provide: (1) separate correctional facilities for juveniles; (2) correctional staff responsible for supervising juveniles; and (3) ombudsmen to monitor the treatment of juveniles.

(Sec. 308) Amends the Inspector General Act of 1978 to revise special DOJ provisions regarding the investigation of allegations of criminal wrongdoing or administrative misconduct by DOJ employees.

(Sec. 309) Requires the Inspector General (IG) to DOJ to: (1) direct that one official from the IG's office be responsible for supervising and coordinating independent oversight of FBI programs and operations until September 30, 2003; and (2) submit to the House and Senate Judiciary Committees a plan for oversight of the FBI. Directs the Attorney General to report and recommend to the chairman and ranking member of the Judiciary Committees concerning whether there should be established within DOJ a separate office of IG for the FBI that shall be responsible for supervising independent oversight of FBI programs and operations.

(Sec. 310) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to allow States that demonstrate that they have existing in-prison treatment programs that are in compliance with Federal requirements to use funds for treatment and sanctions both during incarceration and after release.

(Sec. 311) Repeals provisions of the Antiterrorism and Effective Death Penalty Act of 1996 requiring the compilation of statistics relating to intimidation of Government employees. Directs the Attorney General to report on the number of investigations and prosecutions under the Federal criminal code regarding threats and assaults against Federal law enforcement officers, U.S. judges, and U.S. officials and their families.

(Sec. 312) Directs the President to appoint additional permanent district judges for the southern district of California, the western district of North Carolina, and the western district of Texas and an additional temporary district judge or the western district of North Carolina. Converts to permanent temporary district judgeships for the central and southern

districts of Illinois. Amends the Judicial Improvement Act of 1990 to extend the temporary Federal district court judgeship for the northern district of Ohio.

Title IV: Violence Against Women - Violence Against Women Office Act - Establishes within DOJ a Violence Against Women Office which shall: (1) have jurisdiction over all matters related to administration, enforcement, coordination, and implementation of all responsibilities of the Attorney General or the Department of Justice related to violence against women; and (2) be solely responsible for coordination with other offices or agencies of administration, enforcement, and implementation of programs, grants, and activities under the Violence Against Women Act of 1994 and the Violence Against Women Act of 2000.

Actions Timeline

- **Nov 8, 2001:** By Senator Leahy from Committee on the Judiciary filed written report. Report No. 107-96.
- **Nov 8, 2001:** By Senator Leahy from Committee on the Judiciary filed written report. Report No. 107-96.
- **Oct 30, 2001:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Oct 30, 2001:** Committee on the Judiciary. Reported by Senator Leahy with an amendment in the nature of a substitute. Without written report.
- **Oct 30, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 205.
- **Oct 18, 2001:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Aug 2, 2001:** Introduced in Senate
- **Aug 2, 2001:** Sponsor introductory remarks on measure. (CR 8/3/2001 S8726-8727, S8734-8736)
- **Aug 2, 2001:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S8727-8733)