

104TH CONGRESS
1ST SESSION

H. R. 728

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22, 1995

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To control crime by providing law enforcement block grants.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Local Government Law
5 Enforcement Block Grants Act of 1995”.

6 **SEC. 2. BLOCK GRANT PROGRAM.**

7 (a) IN GENERAL.—Title I of the Violent Crime Con-
8 trol and Law Enforcement Act of 1994 is amended to read
9 as follows:

1 **“TITLE I—LAW ENFORCEMENT**
2 **BLOCK GRANTS**

3 **“SEC. 101. PAYMENTS TO LOCAL GOVERNMENTS.**

4 “(a) PAYMENT AND USE.—

5 “(1) PAYMENT.—The Director of the Bureau of
6 Justice Assistance shall pay to each unit of local
7 government which qualifies for a payment under this
8 title an amount equal to the sum of any amounts al-
9 located to such unit under this title for each pay-
10 ment period. The Director shall pay such amount
11 from amounts appropriated to carry out this title.

12 “(2) USE.—Amounts paid to a unit of local
13 government under this section shall be used by the
14 unit for reducing crime and improving public safety,
15 including but not limited to, 1 or more of the follow-
16 ing purposes:

17 “(A)(i) Hiring, training, and employing on
18 a continuing basis new, additional law enforce-
19 ment officers and necessary support personnel.

20 “(ii) Paying overtime to presently em-
21 ployed law enforcement officers and necessary
22 support personnel for the purpose of increasing
23 the number of hours worked by such personnel.

1 “(iii) Procuring equipment, technology,
2 and other material directly related to basic law
3 enforcement functions.

4 “(B) Enhancing security measures—

5 “(i) in and around schools; and

6 “(ii) in and around any other facility
7 or location which is considered by the unit
8 of local government to have a special risk
9 for incidents of crime.

10 “(C) Establishing crime prevention pro-
11 grams that may, though not exclusively, involve
12 law enforcement officials and that are intended
13 to discourage, disrupt, or interfere with the
14 commission of criminal activity, including
15 neighborhood watch and citizen patrol pro-
16 grams, sexual assault and domestic violence
17 programs, and programs intended to prevent ju-
18 venile crime.

19 “(D) Establishing or supporting drug
20 courts.

21 “(E) Establishing early intervention and
22 prevention programs for juveniles to reduce or
23 eliminate crime.

24 “(F) Enhancing the adjudication process
25 of cases involving violent offenders, including

1 the adjudication process of cases involving vio-
2 lent juvenile offenders.

3 “(G) Enhancing programs under subpart 1
4 of part E of the Omnibus Crime Control and
5 Safe Streets Act of 1968.

6 “(H) Establishing cooperative task forces
7 between adjoining units of local government to
8 work cooperatively to prevent and combat crimi-
9 nal activity, particularly criminal activity that is
10 exacerbated by drug or gang-related involve-
11 ment.

12 “(I) Establishing a multijurisdictional task
13 force, particularly in rural areas, composed of
14 law enforcement officials representing units of
15 local government, that works with Federal law
16 enforcement officials to prevent and control
17 crime.

18 “(3) DEFINITIONS.—For purposes of this sub-
19 section—

20 “(A) the term ‘violent offender’ means a
21 person charged with committing a part I violent
22 crime; and

23 “(B) the term ‘drug courts’ means a pro-
24 gram that involves—

1 “(i) continuing judicial supervision
2 over offenders with substance abuse prob-
3 lems who are not violent offenders; and

4 “(ii) the integrated administration of
5 other sanctions and services, which shall
6 include—

7 “(I) mandatory periodic testing
8 for the use of controlled substances or
9 other addictive substances during any
10 period of supervised release or proba-
11 tion for each participant;

12 “(II) substance abuse treatment
13 for each participant;

14 “(III) probation, or other super-
15 vided release involving the possibility
16 of prosecution, confinement, or incar-
17 ceration based on noncompliance with
18 program requirements or failure to
19 show satisfactory progress; and

20 “(IV) programmatic, offender
21 management, and aftercare services
22 such as relapse prevention, vocational
23 job training, job placement, and hous-
24 ing placement.

1 “(b) PROHIBITED USES.—Notwithstanding any other
2 provision of this Act, a unit of local government may not
3 expend any of the funds provided under this title to pur-
4 chase, lease, rent, or otherwise acquire—

5 “(1) tanks or armored personnel carriers;

6 “(2) fixed wing aircraft;

7 “(3) limousines;

8 “(4) real estate;

9 “(5) yachts;

10 “(6) consultants; or

11 “(7) vehicles not primarily used for law enforce-
12 ment;

13 unless the Attorney General certifies that extraordinary
14 and exigent circumstances exist that make the use of
15 funds for such purposes essential to the maintenance of
16 public safety and good order in such unit of local govern-
17 ment.

18 “(c) TIMING OF PAYMENTS.—The Director shall pay
19 each unit of local government that has submitted an appli-
20 cation under this title not later than—

21 “(1) 90 days after the date that the amount is
22 available, or

23 “(2) the first day of the payment period if the
24 unit of local government has provided the Director
25 with the assurances required by section 103(c),

1 whichever is later.

2 “(d) ADJUSTMENTS.—

3 “(1) IN GENERAL.—Subject to paragraph (2),
4 the Director shall adjust a payment under this title
5 to a unit of local government to the extent that a
6 prior payment to the unit of local government was
7 more or less than the amount required to be paid.

8 “(2) CONSIDERATIONS.—The Director may in-
9 crease or decrease under this subsection a payment
10 to a unit of local government only if the Director de-
11 termines the need for the increase or decrease, or if
12 the unit requests the increase or decrease, not later
13 than 1 year after the end of the payment period for
14 which a payment was made.

15 “(e) RESERVATION FOR ADJUSTMENT.—The Direc-
16 tor may reserve a percentage of not more than 2 percent
17 of the amount under this section for a payment period
18 for all units of local government in a State if the Director
19 considers the reserve is necessary to ensure the availability
20 of sufficient amounts to pay adjustments after the final
21 allocation of amounts among the units of local government
22 in the State.

23 “(f) REPAYMENT OF UNEXPENDED AMOUNTS.—

24 “(1) REPAYMENT REQUIRED.—A unit of local
25 government shall repay to the Director, by not later

1 than 27 months after receipt of funds from the Di-
2 rector, any amount that is—

3 “(A) paid to the unit from amounts appro-
4 priated under the authority of this section; and

5 “(B) not expended by the unit within 2
6 years after receipt of such funds from the Di-
7 rector.

8 “(2) PENALTY FOR FAILURE TO REPAY.—If the
9 amount required to be repaid is not repaid, the Di-
10 rector shall reduce payment in future payment peri-
11 ods accordingly.

12 “(3) DEPOSIT OF AMOUNTS REPAYED.—Amounts
13 received by the Director as repayments under this
14 subsection shall be deposited in a designated fund
15 for future payments to units of local government.
16 Any amounts remaining in such designated fund
17 after 5 years following the enactment of the Local
18 Government Law Enforcement Block Grants Act of
19 1995 shall be applied to the Federal deficit or, if
20 there is no Federal deficit, to reducing the Federal
21 debt.

22 “(g) NONSUPPLANTING REQUIREMENT.—Funds
23 made available under this title to units of local government
24 shall not be used to supplant State or local funds, but
25 shall be used to increase the amount of funds that would,

1 in the absence of funds made available under this title,
2 be made available from State or local sources.

3 “(h) MATCHING FUNDS.—The Federal share of a
4 grant received under this title may not exceed 90 percent
5 of the costs of a program or proposal funded under this
6 title.

7 **“SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

8 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to carry out this title—

10 “(1) \$2,000,000,000 for fiscal year 1996;

11 “(2) \$2,000,000,000 for fiscal year 1997;

12 “(3) \$2,000,000,000 for fiscal year 1998;

13 “(4) \$2,000,000,000 for fiscal year 1999; and

14 “(5) \$2,000,000,000 for fiscal year 2000.

15 “(b) OVERSIGHT ACCOUNTABILITY AND ADMINIS-
16 TRATION.—Not more than 3 percent of the amount au-
17 thorized to be appropriated under subsection (a) for each
18 of the fiscal years 1996 through 2000 shall be available
19 to the Attorney General for studying the overall effective-
20 ness and efficiency of the provisions of this title, and as-
21 suring compliance with the provisions of this title and for
22 administrative costs to carry out the purposes of this title.
23 The Attorney General shall establish and execute an over-
24 sight plan for monitoring the activities of grant recipients.
25 Such sums are to remain available until expended.

1 “(c) TECHNOLOGY ASSISTANCE.—The Attorney Gen-
2 eral shall reserve 1 percent in each of fiscal years 1996
3 through 1998 of the amount authorized to be appropriated
4 under subsection (a) for use by the National Institute of
5 Justice in assisting local units to identify, select, develop,
6 modernize, and purchase new technologies for use by law
7 enforcement.

8 “(d) AVAILABILITY.—The amounts authorized to be
9 appropriated under subsection (a) shall remain available
10 until expended.

11 **“SEC. 103. QUALIFICATION FOR PAYMENT.**

12 “(a) IN GENERAL.—The Director shall issue regula-
13 tions establishing procedures under which a unit of local
14 government is required to provide notice to the Director
15 regarding the proposed use of funds made available under
16 this title.

17 “(b) PROGRAM REVIEW.—The Director shall estab-
18 lish a process for the ongoing evaluation of projects devel-
19 oped with funds made available under this title.

20 “(c) GENERAL REQUIREMENTS FOR QUALIFICA-
21 TION.—A unit of local government qualifies for a payment
22 under this title for a payment period only if the unit of
23 local government submits an application to the Director
24 and establishes, to the satisfaction of the Director, that—

1 “(1) the unit of local government has estab-
2 lished a local advisory board that—

3 “(A) includes, but is not limited to, a rep-
4 resentative from—

5 “(i) the local police department or
6 local sheriff’s department;

7 “(ii) the local prosecutor’s office;

8 “(iii) the local court system;

9 “(iv) the local public school system;

10 and

11 “(v) a local nonprofit, educational, re-
12 ligious, or community group active in
13 crime prevention or drug use prevention or
14 treatment;

15 “(B) has reviewed the application; and

16 “(C) is designated to make nonbinding rec-
17 ommendations to the unit of local government
18 for the use of funds received under this title;

19 “(2) the chief executive officer of the State has
20 had not less than 20 days to review and comment
21 on the application prior to submission to the Direc-
22 tor;

23 “(3)(A) the unit of local government will estab-
24 lish a trust fund in which the government will de-
25 posit all payments received under this title; and

1 “(B) the unit of local government will use
2 amounts in the trust fund (including interest) dur-
3 ing a period not to exceed 2 years from the date the
4 first grant payment is made to the unit of local gov-
5 ernment;

6 “(4) the unit of local government will expend
7 the payments received in accordance with the laws
8 and procedures that are applicable to the expendi-
9 ture of revenues of the unit of local government;

10 “(5) the unit of local government will use ac-
11 counting, audit, and fiscal procedures that conform
12 to guidelines which shall be prescribed by the Direc-
13 tor after consultation with the Comptroller General
14 and as applicable, amounts received under this title
15 shall be audited in compliance with the Single Audit
16 Act of 1984;

17 “(6) after reasonable notice from the Director
18 or the Comptroller General to the unit of local gov-
19 ernment, the unit of local government will make
20 available to the Director and the Comptroller Gen-
21 eral, with the right to inspect, records that the Di-
22 rector reasonably requires to review compliance with
23 this title or that the Comptroller General reasonably
24 requires to review compliance and operation;

1 “(7) a designated official of the unit of local
2 government shall make reports the Director reason-
3 ably requires, in addition to the annual reports re-
4 quired under this title;

5 “(8) the unit of local government will spend the
6 funds made available under this title only for the
7 purposes set forth in section 101(a)(2);

8 “(9) the unit of local government will achieve a
9 net gain in the number of law enforcement officers
10 who perform nonadministrative public safety service
11 if such unit uses funds received under this title to
12 increase the number of law enforcement officers as
13 described under subparagraph (A) of section
14 101(a)(2);

15 “(10) the unit of local government—

16 “(A) has an adequate process to assess the
17 impact of any enhancement of a school security
18 measure that is undertaken under subpara-
19 graph (B) of section 101(a)(2), or any crime
20 prevention programs that are established under
21 subparagraphs (C) and (E) of section
22 101(a)(2), on the incidence of crime in the geo-
23 graphic area where the enhancement is under-
24 taken or the program is established;

1 “(B) will conduct such an assessment with
2 respect to each such enhancement or program;
3 and

4 “(C) will submit an annual written assess-
5 ment report to the Director; and

6 “(11) the unit of local government has estab-
7 lished procedures to give members of the Armed
8 Forces who, on or after October 1, 1990, were or
9 are selected for involuntary separation (as described
10 in section 1141 of title 10, United States Code), ap-
11 proved for separation under section 1174a or 1175
12 of such title, or retired pursuant to the authority
13 provided under section 4403 of the Defense Conver-
14 sion, Reinvestment, and Transition Assistance Act of
15 1992 (division D of Public Law 102–484; 10 U.S.C.
16 1293 note), a suitable preference in the employment
17 of persons as additional law enforcement officers or
18 support personnel using funds made available under
19 this title. The nature and extent of such employment
20 preference shall be jointly established by the Attor-
21 ney General and the Secretary of Defense. To the
22 extent practicable, the Director shall endeavor to in-
23 form members who were separated between October
24 1, 1990, and the date of the enactment of this sec-

1 tion of their eligibility for the employment pref-
2 erence.

3 “(d) SANCTIONS FOR NONCOMPLIANCE.—

4 “(1) IN GENERAL.—If the Director determines
5 that a unit of local government has not complied
6 substantially with the requirements or regulations
7 prescribed under subsections (a) and (c), the Direc-
8 tor shall notify the unit of local government that if
9 the unit of local government does not take corrective
10 action within 60 days of such notice, the Director
11 will withhold additional payments to the unit of local
12 government for the current and future payment peri-
13 ods until the Director is satisfied that the unit of
14 local government—

15 “(A) has taken the appropriate corrective
16 action; and

17 “(B) will comply with the requirements
18 and regulations prescribed under subsections
19 (a) and (c).

20 “(2) NOTICE.—Before giving notice under para-
21 graph (1), the Director shall give the chief executive
22 officer of the unit of local government reasonable no-
23 tice and an opportunity for comment.

24 “(e) MAINTENANCE OF EFFORT REQUIREMENT.—A
25 unit of local government qualifies for a payment under this

1 title for a payment period only if the unit's expenditures
2 on law enforcement services (as reported by the Bureau
3 of the Census) for the fiscal year preceding the fiscal year
4 in which the payment period occurs were not less than
5 90 percent of the unit's expenditures on such services for
6 the second fiscal year preceding the fiscal year in which
7 the payment period occurs.

8 **“SEC. 104. ALLOCATION AND DISTRIBUTION OF FUNDS.**

9 “(a) STATE SET-ASIDE.—

10 “(1) IN GENERAL.—Of the total amounts ap-
11 propriated for this title for each payment period, the
12 Director shall allocate for units of local government
13 in each State an amount that bears the same ratio
14 to such total as the average annual number of part
15 1 violent crimes reported by such State to the Fed-
16 eral Bureau of Investigation for the 3 most recent
17 calendar years for which such data is available,
18 bears to the number of part 1 violent crimes re-
19 ported by all States to the Federal Bureau of Inves-
20 tigation for such years.

21 “(2) MINIMUM REQUIREMENT.—Each State
22 shall receive not less than .25 percent of the total
23 amounts appropriated under section 102 under this
24 subsection for each payment period.

1 “(3) PROPORTIONAL REDUCTION.—If amounts
2 available to carry out paragraph (2) for any pay-
3 ment period are insufficient to pay in full the total
4 payment that any State is otherwise eligible to re-
5 ceive under paragraph (1) for such period, then the
6 Director shall reduce payments under paragraph (1)
7 for such payment period to the extent of such insuf-
8 ficiency. Reductions under the preceding sentence
9 shall be allocated among the States (other than
10 States whose payment is determined under para-
11 graph (2)) in the same proportions as amounts
12 would be allocated under paragraph (1) without re-
13 gard to paragraph (2).

14 “(b) LOCAL DISTRIBUTION.—

15 “(1) IN GENERAL.—From the amount reserved
16 for each State under subsection (a), the Director
17 shall allocate—

18 “(A) among reporting units of local gov-
19 ernment the reporting units’ share of such re-
20 served amount, and

21 “(B) among nonreporting units of local
22 government the nonreporting units’ share of the
23 reserved amount.

24 “(2) AMOUNTS.—

1 “(A) The reporting units’ share of the re-
2 served amount is the amount equal to the prod-
3 uct of such reserved amount multiplied by the
4 percentage which the population living in re-
5 porting units of local government in the State
6 bears to the population of all units of local gov-
7 ernment in the State.

8 “(B) The nonreporting units’ share of the
9 reserved amount is the reserved amount re-
10 duced by the reporting units’ share of the re-
11 served amount.

12 “(3) ALLOCATION TO EACH REPORTING
13 UNIT.—From the reporting units’ share of the re-
14 served amount for each State under subsection (a),
15 the Director shall allocate to each reporting unit of
16 local government an amount which bears the same
17 ratio to such share as the average annual number of
18 part 1 violent crimes reported by such unit to the
19 Federal Bureau of Investigation for the 3 most re-
20 cent calendar years for which such data is available
21 bears to the number of part 1 violent crimes re-
22 ported by all units of local government in the State
23 in which the unit is located to the Federal Bureau
24 of Investigation for such years.

1 “(4) ALLOCATION TO EACH NONREPORTING
2 UNIT.—From the nonreporting units’ share of the
3 reserved amount for each State under subsection
4 (a), the Director shall allocate to each nonreporting
5 unit of local government an amount which bears the
6 same ratio to such share as the average number of
7 part 1 violent crimes of like governmental units in
8 the same population class as such unit bears to the
9 average annual imputed number of part 1 violent
10 crimes of all nonreporting units in the State for the
11 3 most recent calendar years.

12 “(5) LIMITATION ON ALLOCATIONS.—A unit of
13 local government shall not receive an allocation
14 which exceeds 100 percent of such unit’s expendi-
15 tures on law enforcement services as reported by the
16 Bureau of the Census for the most recent fiscal
17 year. Any amount in excess of 100 percent of such
18 unit’s expenditures on law enforcement services shall
19 be distributed proportionally among units of local
20 government whose allocation does not exceed 100
21 percent of expenditures on law enforcement services.

22 “(6) DEFINITIONS.—For purposes of this sub-
23 section—

24 “(A) The term ‘reporting unit of local gov-
25 ernment’ means any unit of local government

1 that reported part 1 violent crimes to the Fed-
2 eral Bureau of Investigation for the 3 most re-
3 cent calendar years for which such data is avail-
4 able.

5 “(B) The term ‘nonreporting unit of local
6 government’ means any unit of local govern-
7 ment which is not a reporting unit of local gov-
8 ernment.

9 “(C)(i) The term ‘like governmental units’
10 means any like unit of local government as de-
11 fined by the Secretary of Commerce for general
12 statistical purposes, and means—

13 “(I) all counties are treated as like
14 governmental units;

15 “(II) all cities are treated as like gov-
16 ernmental units;

17 “(III) all townships are treated as like
18 governmental units.

19 “(ii) Similar rules shall apply to other
20 types of governmental units.

21 “(D) The term ‘same population class’
22 means a like unit within the same population
23 category as another like unit with the categories
24 determined as follows:

25 “(i) 0 through 9,999.

1 “(ii) 10,000 through 49,999.

2 “(iii) 50,000 through 149,999.

3 “(iv) 150,000 through 299,999.

4 “(v) 300,000 or more.

5 “(7) LOCAL GOVERNMENTS WITH ALLOCATIONS
6 OF LESS THAN \$10,000.—If under paragraph (3) or
7 (4) a unit of local government is allotted less than
8 \$10,000 for the payment period, the amount allotted
9 shall be transferred to the chief executive officer of
10 the State who shall distribute such funds among
11 State police departments that provide law enforce-
12 ment services to units of local government and units
13 of local government whose allotment is less than
14 such amount in a manner which reduces crime and
15 improves public safety.

16 “(8) SPECIAL RULES.—

17 “(A) If a unit of local government in a
18 State that has been incorporated since the date
19 of the collection of the data used by the Direc-
20 tor in making allocations pursuant to this sec-
21 tion, such unit shall be treated as a nonreport-
22 ing unit of local government for purposes of
23 this subsection.

24 “(B) If a unit of local government in the
25 State has been annexed since the date of the

1 collection of the data used by the Director in
2 making allocations pursuant to this section, the
3 Director shall pay the amount that would have
4 been allocated to such unit of local government
5 to the unit of local government that annexed it.

6 “(9) RESOLUTION OF DISPARATE ALLOCA-
7 TIONS.—(A) Notwithstanding any other provision of
8 this title, if—

9 “(i) the attorney general of a State cer-
10 tifies that a unit of local government under the
11 jurisdiction of the State bears more than 50
12 percent of the costs of prosecution or incarcer-
13 ation that arise with respect to part 1 violent
14 crimes reported by a specified geographically
15 constituent unit of local government, and

16 “(ii) but for this paragraph, the amount of
17 funds allocated under this section to—

18 “(I) any one such specified geographi-
19 cally constituent unit of local government
20 exceeds 200 percent of the amount allo-
21 cated to the unit of local government cer-
22 tified pursuant to clause (i), or

23 “(II) more than one such specified
24 geographically constituent unit of local
25 government (excluding units of local gov-

1 ernment referred to subclause I and in
2 paragraph (7)), exceeds 400 percent of the
3 amount allocated to the unit of local gov-
4 ernment certified pursuant to clause (i)
5 and the attorney general of the State de-
6 termines that such allocation is likely to
7 threaten the efficient administration of jus-
8 tice,

9 then in order to qualify for payment under this title,
10 the unit of local government certified pursuant to
11 clause (i), together with any such specified geo-
12 graphically constituent units of local government de-
13 scribed in clause (ii), shall submit to the Director a
14 joint application for the aggregate of funds allocated
15 to such units of local government. Such application
16 shall specify the amount of such funds that are to
17 be distributed to each of the units of local govern-
18 ment and the purposes for which such funds are to
19 be used. The units of local government involved may
20 establish a joint local advisory board for the pur-
21 poses of carrying out this paragraph.

22 “(B) In this paragraph, the term ‘geographi-
23 cally constituent unit of local government’ means a
24 unit of local government that has jurisdiction over
25 areas located within the boundaries of an area over

1 which a unit of local government certified pursuant
2 to clause (i) has jurisdiction.

3 “(c) UNAVAILABILITY AND INACCURACY OF INFOR-
4 MATION.—

5 “(1) DATA FOR STATES.—For purposes of this
6 section, if data regarding part 1 violent crimes in
7 any State for the 3 most recent calendar years is
8 unavailable or substantially inaccurate, the Director
9 shall utilize the best available comparable data re-
10 garding the number of violent crimes for such years
11 for such State for the purposes of allocation of any
12 funds under this title.

13 “(2) POSSIBLE INACCURACY OF DATA FOR
14 UNITS OF LOCAL GOVERNMENT.—In addition to the
15 provisions of paragraph (1), if the Director believes
16 that the reported rate of part 1 violent crimes for
17 a unit of local government is inaccurate, the Direc-
18 tor shall—

19 “(A) investigate the methodology used by
20 such unit to determine the accuracy of the sub-
21 mitted data; and

22 “(B) when necessary, use the best avail-
23 able comparable data regarding the number of
24 violent crimes for such years for such unit of
25 local government.

1 **“SEC. 105. UTILIZATION OF PRIVATE SECTOR.**

2 “Funds or a portion of funds allocated under this
3 title may be utilized to contract with private, nonprofit en-
4 tities or community-based organizations to carry out the
5 purposes specified under section 101(a)(2).

6 **“SEC. 106. PUBLIC PARTICIPATION.**

7 “(a) IN GENERAL.—A unit of local government ex-
8 pending payments under this title shall hold not less than
9 1 public hearing on the proposed use of the payment from
10 the Director in relation to its entire budget.

11 “(b) VIEWS.—At the hearing, persons shall be given
12 an opportunity to provide written and oral views to the
13 unit of local government authority responsible for enacting
14 the budget and to ask questions about the entire budget
15 and the relation of the payment from the Director to the
16 entire budget.

17 “(c) TIME AND PLACE.—The unit of local govern-
18 ment shall hold the hearing at a time and place that allows
19 and encourages public attendance and participation.

20 **“SEC. 107. ADMINISTRATIVE PROVISIONS.**

21 “The administrative provisions of part H of the Om-
22 nibus Crime Control and Safe Streets Act of 1968, shall
23 apply to this title and for purposes of this section any ref-
24 erence in such provisions to title I of the Omnibus Crime
25 Control and Safe Streets Act of 1968 shall be deemed to
26 be a reference to this title.

1 **“SEC. 108. DEFINITIONS.**

2 “For the purposes of this title:

3 “(1) The term ‘unit of local government’
4 means—

5 “(A) a county, township, city, or political
6 subdivision of a county, township, or city, that
7 is a unit of local government as determined by
8 the Secretary of Commerce for general statis-
9 tical purposes; and

10 “(B) the District of Columbia and the rec-
11 ognized governing body of an Indian tribe or
12 Alaskan Native village that carries out substan-
13 tial governmental duties and powers.

14 “(2) The term ‘payment period’ means each 1-
15 year period beginning on October 1 of any year in
16 which a grant under this title is awarded.

17 “(3) The term ‘State’ means any State of the
18 United States, the District of Columbia, the Com-
19 monwealth of Puerto Rico, the Virgin Islands, Amer-
20 ican Samoa, Guam, and the Northern Mariana Is-
21 lands, except that American Samoa, Guam, and the
22 Northern Mariana Islands shall be considered as 1
23 State and that, for purposes of section 104(a), 33
24 percent of the amounts allocated shall be allocated
25 to American Samoa, 50 percent to Guam, and 17
26 percent to the Northern Mariana Islands.

1 “(4) The term ‘juvenile’ means an individual
2 who is 17 years of age or younger.

3 “(5) The term ‘part 1 violent crimes’ means
4 murder and nonnegligent manslaughter, forcible
5 rape, robbery, and aggravated assault as reported to
6 the Federal Bureau of Investigation for purposes of
7 the Uniform Crime Reports.

8 “(6) The term ‘Director’ means the Director of
9 the Bureau of Justice Assistance.”.

10 (b) CONFORMING AMENDMENTS.—

11 (1) Part Q of the Omnibus Crime Control and
12 Safe Streets Act of 1968 is repealed effective on
13 September 30, 1995.

14 (2) Notwithstanding the provisions of para-
15 graph (1), any funds that remain available to an ap-
16 plicant under part Q of title I of the Omnibus Crime
17 Control and Safe Streets Act of 1968 shall be used
18 in accordance with such part as in effect on the day
19 preceding the date of the enactment of this Act.

20 (3) Effective on the date of the enactment of
21 this Act, section 1001(a) of the Omnibus Crime
22 Control and Safe Streets Act is amended—

23 (A) in paragraph (3), by striking “Q,”;

24 and

25 (B) by striking paragraph (11).

1 **SEC. 3. CONFORMING AMENDMENTS.**

2 (a) OUNCE OF PREVENTION COUNCIL.—

3 (1) IN GENERAL.—Subtitle A of title III of the
4 Violent Crime Control and Law Enforcement Act of
5 1994 is repealed.

6 (2) FUNDING.—Notwithstanding the provisions
7 of paragraph (1), any funds that remain available to
8 an applicant under subtitle A of title III of the Vio-
9 lent Crime Control and Law Enforcement Act of
10 1994 shall be used in accordance with such subtitle
11 as in effect on the day preceding the date of enact-
12 ment of this Act.

13 (b) LOCAL CRIME PREVENTION BLOCK GRANT PRO-
14 GRAM.—Subtitle B of title III of the Violent Crime Con-
15 trol and Law Enforcement Act of 1994 is repealed.

16 (c) MODEL INTENSIVE BLOCK GRANT PROGRAMS.—
17 Subtitle C of title III of the Violent Crime Control and
18 Law Enforcement Act of 1994 is repealed.

19 (d) FAMILY AND COMMUNITY ENDEAVOR SCHOOLS
20 GRANT PROGRAM.—

21 (1) IN GENERAL.—Subtitle D of title III of the
22 Violent Crime Control and Law Enforcement Act of
23 1994 is repealed.

24 (2) FUNDING.—Notwithstanding the provisions
25 of paragraph (1), any funds that remain available to
26 an applicant under subtitle D of title III of the Vio-

1 lent Crime Control and Law Enforcement Act of
2 1994 shall be used in accordance such subtitle as in
3 effect on the day preceding the date of enactment of
4 this Act.

5 (e) ASSISTANCE FOR DELINQUENT AND AT-RISK
6 YOUTH.—Subtitle G of title III of the Violent Crime Con-
7 trol and Law Enforcement Act of 1994 is repealed.

8 (f) POLICE RETIREMENT.—Subtitle H of title III of
9 the Violent Crime Control and Law Enforcement Act of
10 1994 is repealed.

11 (g) LOCAL PARTNERSHIP ACT.—

12 (1) SUBTITLE J.—Subtitle J of title III of the
13 Violent Crime Control and Law Enforcement Act of
14 1994 is repealed.

15 (2) FEDERAL PAYMENTS.—Chapter 67 of title
16 31, United States Code is repealed.

17 (3) TABLE OF CHAPTERS.—The table of chap-
18 ters at the beginning of subtitle V of title 31, United
19 States Code, is amended by striking the matter re-
20 lating to chapter 67.

21 (4) FUNDING.—Notwithstanding the provisions
22 of paragraph (2), any funds that remain available to
23 an applicant under chapter 67 of title 31, United
24 States Code, shall be used in accordance with such

1 chapter as in effect on the day preceding the date
2 of enactment of this Act.

3 (h) NATIONAL COMMUNITY ECONOMIC PARTNER-
4 SHIP.—Subtitle K of title III of the Violent Crime Control
5 and Law Enforcement Act of 1994 is repealed.

6 (i) URBAN RECREATION AND AT-RISK YOUTH.—

7 (1) RECREATION.—Subtitle O of title III of the
8 Violent Crime Control and Law Enforcement Act of
9 1994 is repealed.

10 (2) URBAN PARK AND RECREATION RECOV-
11 ERY.—(A) Section 1004 of the Urban Park and
12 Recreation Recovery Act of 1978 is amended—

13 (i) by striking subsection (d); and

14 (ii) by redesignating subsections (e)
15 through (k) as (d) through (j), respectively.

16 (B) Section 1005 of the Urban Park and Recre-
17 ation Recovery Act of 1978 is amended by inserting
18 “and” at the end of paragraph (6), by striking “;
19 and” and inserting a period at the end of paragraph
20 (7), and by striking paragraph (8).

21 (C) Section 1007(b) of the Urban Park and
22 Recreation Recovery Act of 1978 is amended by
23 striking the last 2 sentences.

24 (D) Section 1013 of the Urban Park and
25 Recreation Recovery Act of 1978 is amended by

1 striking “(a) IN GENERAL.—” after “1013” and by
2 striking subsection (b).

3 (j) COMMUNITY-BASED JUSTICE GRANTS FOR PROS-
4 ECUTORS.—Subtitle Q of title III of the Violent Crime
5 Control and Law Enforcement Act of 1994 is repealed.

6 (k) FAMILY UNITY DEMONSTRATION PROJECT.—
7 Subtitle S of title III of the Violent Crime Control and
8 Law Enforcement Act of 1994 is repealed.

9 (l) GANG RESISTANCE AND EDUCATION TRAINING.—
10 (1) Subtitle X of title III of the Violent Crime Control
11 and Law Enforcement Act of 1994 is repealed.

12 (2) Notwithstanding the provisions of subparagraph
13 (A), any funds that remain available to an applicant under
14 subtitle X of title III of the Violent Crime Control and
15 Law Enforcement Act of 1994 shall be used in accordance
16 with such subtitle as in effect on the day preceding the
17 date of enactment of this Act.

18 (m) CLERICAL AMENDMENTS.—

19 (1) The matter relating to title I in the table
20 of contents of the Violent Crime Control and Law
21 Enforcement Act of 1994 is amended to read as fol-
22 lows:

“TITLE I—LAW ENFORCEMENT BLOCK GRANTS

“Sec. 101. Payments to local governments.

“Sec. 102. Authorization of appropriations.

“Sec. 103. Qualification for payment.

“Sec. 104. Allocation and distribution of funds.

“Sec. 105. Utilization of private sector.

“Sec. 106. Public participation.

“Sec. 107. Administrative provisions.

“Sec. 108. Definitions.”.

1 (2) The table of contents of the Violent Crime
2 Control and Law Enforcement Act of 1994 is
3 amended by striking the matter relating to subtitles
4 A, B, C, D, G, H, J, K, O, Q, S, and X of title III.

5 (3) The table of contents of the Omnibus Crime
6 Control and Safe Streets Act of 1968 is amended by
7 striking the matter relating to part Q of title I.

 Passed the House of Representatives February 14,
1995.

Attest:

ROBIN H. CARLE,

Clerk.

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HR 728 RFS—3