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H. R. 8152

[Report No. 93-249]

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 1973

Mr. RODINO (for himself, Mr. HUTCHINSON, Mr. FLOWERS, Mr. SEIBERLING, Ms. JORDAN, Mr. MEZVINSKY, Mr. McCLORY, Mr. DENNIS, and Mr. SANDMAN) introduced the following bill; which was referred to the Committee on the Judiciary

JUNE 5, 1973

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to improve law enforcement and criminal justice and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That title I of the Omnibus Crime Control and Safe Streets
4 Act of 1968 is amended to read as follows:

5 “TITLE I—LAW ENFORCEMENT ASSISTANCE

6 “DECLARATIONS AND PURPOSE

7 “Congress finds that the high incidence of crime in the
8 United States threatens the peace, security, and general
9 welfare of the Nation and its citizens. To reduce and pre-

1 vent crime and juvenile delinquency, and to insure the
2 greater safety of the people, law enforcement and criminal
3 justice efforts must be better coordinated, intensified, and
4 made more effective at all levels of government.

5 "Congress finds further that crime is essentially a local
6 problem that must be dealt with by State and local gov-
7 ernments if it is to be controlled effectively.

8 "It is therefore the declared policy of the Congress to
9 assist State and local governments in strengthening and
10 improving law enforcement and criminal justice at every
11 level by national assistance. It is the purpose of this title to
12 (1) encourage States and units of general local government
13 to develop and adopt comprehensive plans based upon their
14 evaluation of State and local problems of law enforcement
15 and criminal justice; (2) authorize grants to States and
16 units of local government in order to improve and strengthen
17 law enforcement and criminal justice; and (3) encourage
18 research and development directed toward the improvement
19 of law enforcement and criminal justice and the development
20 of new methods for the prevention and reduction of crime
21 and the detection, apprehension, and rehabilitation of
22 criminals.

23 "PART A—LAW ENFORCEMENT ASSISTANCE

24 ADMINISTRATION

25 "SEC. 101. (a) There is hereby established within the
26 Department of Justice under the general authority of the

1 Attorney General, a Law Enforcement Assistance Adminis-
2 tration (hereinafter referred to in this title as 'Administra-
3 tion') composed of an Administrator of Law Enforcement
4 Assistance and a Deputy Administrator of Law Enforce-
5 ment Assistance, who shall be appointed by the President,
6 by and with the advice and consent of the Senate.

7 " (b) The Administrator shall be the head of the agency.
8 The Deputy Administrator shall perform such functions as
9 the Administrator shall delegate to him, and shall perform
10 the functions of the Administrator in the absence or inca-
11 pacity of the Administrator.

12 "PART B—PLANNING GRANTS

13 "SEC. 201. It is the purpose of this part to encourage
14 States and units of general local government to develop and
15 adopt comprehensive law enforcement and criminal justice
16 plans based on their evaluation of State and local problems
17 of law enforcement and criminal justice.

18 "SEC. 202. The Administration shall make grants to the
19 States for the establishment and operation of State law en-
20 forcement and criminal justice planning agencies (herein-
21 after referred to in this title as 'State planning agencies')
22 for the preparation, development, and revision of the State
23 plan required under section 303 of this title. Any State may
24 make application to the Administration for such grants within
25 six months of the date of enactment of this Act.

1 “SEC. 203. (a) A grant made under this part to a State
2 shall be utilized by the State to establish and maintain a State
3 planning agency. Such agency shall be created or designated
4 by the chief executive of the State and shall be subject to his
5 jurisdiction. The State planning agency and any regional
6 planning units ~~(including any Criminal Justice Coordinating~~
7 ~~Council)~~ within the State shall, within their respective ju-
8 risdictions, be representative of the law enforcement and
9 criminal justice agencies, units of general local government,
10 and public agencies maintaining programs to reduce and con-
11 trol crime and shall include representatives of citizen, pro-
12 fessional, and community organizations.

13 “(b) The State planning agency shall—

14 “(1) develop, in accordance with part C, a compre-
15 hensive statewide plan for the improvement of law en-
16 forcement and criminal justice throughout the State;

17 “(2) define, develop, and correlate programs and
18 projects for the State and the units of general local gov-
19 ernment in the State or combinations of States or units
20 for improvement in law enforcement and criminal jus-
21 tice; and

22 “(3) establish priorities for the improvement in law
23 enforcement and criminal justice throughout the State.

24 “(c) The State planning agency shall make such ar-
25 rangements as such agency deems necessary to provide that

1 at least 40 per centum of all Federal funds granted to such
2 agency under this part for any fiscal year will be available
3 to units of general local government or combinations of such
4 units to enable such units and combinations of such units to
5 participate in the formulation of the comprehensive State
6 plan required under this part. The Administration may waive
7 this requirement, in whole or in part, upon a finding that
8 the requirement is inappropriate in view of the respective
9 law enforcement and criminal justice planning responsibilities
10 exercised by the State and its units of general local govern-
11 ment and that adherence to the requirement would not
12 contribute to the efficient development of the State plan re-
13 quired under this part. In allocating funds under this sub-
14 section, the State planning agency shall assure that major
15 cities and counties within the State receive planning funds
16 to develop comprehensive plans and coordinate functions at
17 the local level. Any portion of such 40 per centum in any
18 State for any fiscal year not required for the purpose set forth
19 in this subsection shall be available for expenditure by such
20 State agency from time to time on dates during such year
21 as the Administration may fix, for the development by it of
22 the State plan required under this part.

23 “(d) The State planning agency and any other plan-
24 ning organization for the purposes of the title shall hold each
25 meeting open to the public, giving public notice of the time

1 and place of such meeting, and the nature of the busi-
2 ness to be transacted, if final action is taken at that
3 meeting on (A) the State plan, or (B) any application for
4 funds under this title. The State planning agency and any
5 other planning organization for the purposes of the title shall
6 provide for public access to all records relating to its functions
7 under this Act, except such records as are required to be kept
8 confidential by any other provisions of local, State, or Fed-
9 eral law.

10 ~~“SEC. 204. A Federal grant authorized under this part~~
11 ~~shall not exceed 90 per centum of the expenses incurred by~~
12 ~~the State and units of general local government under this~~
13 ~~part. The non-Federal funding of such expenses shall be of~~
14 ~~money appropriated in the aggregate by the State or units of~~
15 ~~general local government, except that the State will provide~~
16 ~~in the aggregate not less than one-half of the non-Federal~~
17 ~~funding required of units of general local government under~~
18 ~~this part.~~

19 *“SEC. 204. A Federal grant authorized under this part*
20 *shall not exceed 90 per centum of the expenses incurred by the*
21 *State and units of general local government under this part,*
22 *and may be up to 100 per centum of the expenses incurred by*
23 *regional planning units under this part. The non-Federal*
24 *funding of such expenses, shall be of money appropriated in*
25 *the aggregate by the State or units of general local govern-*

1 *ment, except that the State shall provide in the aggregate not*
2 *less than one-half of the non-Federal funding required of units*
3 *of general local government under this part.*

4 “SEC. 205. Funds appropriated to make grants under
5 this part for a fiscal year shall be allocated by the Adminis-
6 tration among the States for use therein by the State plan-
7 ning agency or units of general local government, as the case
8 may be. The Administration shall allocate \$200,000 to each
9 of the States; and it shall then allocate the remainder of such
10 funds available among the States according to their relative
11 populations.

12 **“PART C—GRANTS FOR LAW ENFORCEMENT PURPOSES**

13 “SEC. 301. (a) It is the purpose of this part to en-
14 courage States and units of general local government to carry
15 out programs and projects to improve and strengthen law
16 enforcement and criminal justice.

17 “(b) The Administration is authorized to make grants
18 to States having comprehensive State plans approved by it
19 under this part, for—

20 “(1) Public protection, including the development,
21 demonstration, evaluation, implementation, and pur-
22 chase of methods, devices, facilities, and equipment
23 designed to improve and strengthen law enforcement
24 and criminal justice and reduce crime in public and
25 private places.

1 “(2) The recruiting of law enforcement and crim-
2 inal justice personnel and the training of personnel in
3 law enforcement and criminal justice.

4 “(3) Public education relating to crime prevention
5 and encouraging respect for law and order, including
6 education programs in schools and programs to improve
7 public understanding of and cooperation with law en-
8 forcement and criminal justice agencies.

9 “(4) Constructing buildings or other physical fa-
10 cilities which would fulfill or implement the purpose of
11 this section, including local correctional facilities, centers
12 for the treatment of narcotic addicts, and temporary
13 courtroom facilities in areas of high crime incidence.

14 “(5) The organization, education, and training of
15 special law enforcement and criminal justice units to
16 combat organized crime, including the establishment
17 and development of State organized crime prevention
18 councils, the recruiting and training of special investi-
19 gative and prosecuting personnel, and the development
20 of systems for collecting, storing, and disseminating in-
21 formation relating to the control of organized crime.

22 “(6) The organization, education, and training of
23 regular law enforcement *and criminal justice* officers,
24 special law enforcement and criminal justice units, and
25 law enforcement reserve units for the prevention, detec-

1 tion, and control of riots and other violent civil disorders,
2 including the acquisition of riot control equipment.

3 “(7) The recruiting, organization, training, and
4 education of community service officers to serve with and
5 assist local and State law enforcement and criminal
6 justice agencies in the discharge of their duties through
7 such activities as recruiting; improvement of police-
8 community relations and grievance resolution mecha-
9 nisms; community patrol activities; encouragement of
10 neighborhood participation in crime prevention and
11 public safety efforts; and other activities designed to
12 improve police capabilities, public safety and the ob-
13 jectives of this section: *Provided*, That in no case shall
14 a grant be made under this subcategory without the
15 approval of the local government or local law enforce-
16 ment and criminal justice agency.

17 “(8) The establishment of a Criminal Justice
18 Coordinating Council for any unit of general local gov-
19 ernment or any combination of such units within the
20 State, having a population of two hundred and fifty thou-
21 sand or more, to assure improved planning and coordina-
22 tion of all law enforcement and criminal justice activities.

23 “(9) The development and operation of community-
24 based delinquent prevention and correctional programs,
25 emphasizing halfway houses and other community-based

1 rehabilitation centers for initial preconviction or post-
2 conviction referral of offenders; expanded probationary
3 programs, including paraprofessional and volunteer par-
4 ticipation; and community service centers for the guid-
5 ance and supervision of potential repeat youthful
6 offenders.

7 “(c) The portion of any Federal grant made under this
8 section for the purposes of paragraph (4) of subsection (b)
9 of this section may be up to 50 per centum of the cost of the
10 program or project specified in the application for such grant.
11 The portion of any Federal grant made under this section to
12 be used for any other purpose set forth in this section may be
13 up to 90 per centum of the cost of the program or project
14 specified in the application for such grant. No part of any
15 grant made under this section for the purpose of renting, leas-
16 ing, or constructing buildings or other physical facilities shall
17 be used for land acquisition. In the case of a grant under this
18 section to an Indian tribe or other aboriginal group, if the
19 Administration determines that the tribe or group does not
20 have sufficient funds available to meet the local share of the
21 cost of any program or project to be funded under the grant,
22 the Administration may increase the Federal share of the cost
23 thereof to the extent it deems necessary. The non-Federal
24 funding of the cost of any program or project to be funded
25 by a grant under this section shall be of money appropriated

1 in the aggregate, by State or individual units of government,
2 for the purpose of the shared funding of such programs or
3 projects.

4 "SEC. 302. Any State desiring to participate in the grant
5 program under this part shall establish a State planning
6 agency as described in part B of this title and shall within six
7 months after approval of a planning grant under part B sub-
8 mit to the Administration through such State planning
9 agency a comprehensive State plan developed pursuant to
10 part B of this title.

11 "SEC. 303. (a) The Administration shall make grants
12 under this title to a State planning agency if such agency
13 has on file with the Administration an approved comprehen-
14 sive State plan (not more than one year in age) which con-
15 forms with the purposes and requirements of this title. No
16 State plan shall be approved as comprehensive unless the
17 Administration finds that the plan provides for the alloca-
18 tion of adequate assistance to deal with law enforcement and
19 criminal justice problems in areas characterized by both high
20 crime incidence and high law enforcement and criminal justice
21 activity. Each such plan shall—

22 " (1) provide for the administration of such grants
23 by the State planning agency;

24 " (2) provide that at least the per centum of
25 Federal assistance granted to the State planning agency

1 under this part for any fiscal year which corresponds
2 to the per centum of the State and local law enforce-
3 ment expenditures funded and expended in the immedi-
4 ately preceding fiscal year by units of general local gov-
5 ernment will be made available to such units or com-
6 binations of such units in the immediately following fiscal
7 year for the development and implementation of pro-
8 grams and projects for the improvement of law enforce-
9 ment and criminal justice, and that with respect to such
10 programs or projects the State will provide in the ag-
11 gregate not less than one-half of the non-Federal funding.
12 Per centum determinations under this paragraph for law
13 enforcement funding and expenditures for such immedi-
14 ately preceding fiscal year shall be based upon the most
15 accurate and complete data available for such fiscal year
16 or for the last fiscal year for which such data are avail-
17 able. The Administration shall have the authority to
18 approve such determinations and to review the accuracy
19 and completeness of such data;

20 “(3) adequately take into account the needs and re-
21 quests of the units of general local government in the
22 State and encourage local initiative in the development of
23 programs and projects for improvements in law enforce-
24 ment and criminal justice, and provide for an appro-
25 priately balanced allocation of funds between the State

1 and the units of general local government in the State
2 and among such units;

3 “(4) incorporate innovations and advanced tech-
4 niques and contain a comprehensive outline of priorities
5 for the improvement and coordination of all aspects of
6 law enforcement and criminal justice, dealt with in the
7 plan, including descriptions of: (A) general needs and
8 problems; (B) existing systems; (C) available re-
9 sources; (D) organizational systems and administrative
10 machinery for implementing the plan; (E) the direction,
11 scope, and general types of improvements to be made in
12 the future; and (F) to the extent appropriate, the rela-
13 tionship of the plan to other relevant State or local law
14 of enforcement and criminal justice, plans and systems;

15 “(5) provide for effective utilization of existing
16 facilities and permit and encourage units of general local
17 government to combine or provide for cooperative ar-
18 rangements with respect to services, facilities, and
19 equipment;

20 “(6) provide for research and development;

21 “(7) provide for appropriate review of procedures
22 of actions taken by the State planning agency disap-
23 proving an application for which funds are available or
24 terminating or refusing to continue financial assistance to

1 units of general local government or combinations of
2 such units;

3 “(8) demonstrate the willingness of the State to
4 contribute technical assistance or services for programs
5 and projects contemplated by the statewide comprehen-
6 sive plan and the programs and projects contemplated by
7 units of general local government or combinations of
8 such units;

9 “(9) set forth policies and procedures designed to
10 assure that Federal funds made available under this title
11 will be so used as not to supplant State or local funds,
12 but to increase the amounts of such funds that would in
13 the absence of such Federal funds be made available for
14 law enforcement and criminal justice;

15 “(10) provide for such fund accounting, audit, mon-
16 itoring, and evaluation procedures as may be necessary
17 to assure fiscal control, proper management, and dis-
18 bursement of funds received under this title;

19 “(11) provide for the maintenance of such data
20 and information, and for the submission of such reports
21 in such form, at such times, and containing such data
22 and information as the National Institute for Law
23 Enforcement and Criminal Justice may reasonably
24 require to evaluate pursuant to section 402 (c) programs
25 and projects carried out under this title and as the Admin-

1 istration may reasonably require to administer other
2 provisions of this title; and

3 “(12) provide funding incentives to those units of
4 general local government that coordinate or combine
5 law enforcement and criminal justice functions or activi-
6 ties with other such units within the State for the pur-
7 pose of improving law enforcement and criminal jus-
8 tice; and

9 “(13) provide for procedures that will insure that
10 (A) all applications by units of general local govern-
11 ment or combinations thereof to the State planning agency
12 for assistance shall be approved or disapproved, in
13 whole or in part, no later than sixty days after receipt
14 by the State planning agency, (B) if not disapproved
15 (and returned with the reasons for such disapproval,
16 including the reasons for the disapproval of each fairly
17 severable part of such application which is disapproved)
18 within sixty days of such application, any part of such
19 application which is not so disapproved shall be deemed
20 approved for the purposes of this title, and the State
21 planning agency shall disburse the approved funds to
22 the applicant in accordance with procedures established
23 by the Administration, (C) the reasons for disapproval
24 of such application or any part thereof, in order to be
25 effective for the purposes of this section, shall contain a

1 *detailed explanation of the reasons for which such appli-*
2 *cation or any part thereof was disapproved, or an ex-*
3 *planation of what supporting material is necessary for*
4 *the State planning agency to evaluate such application,*
5 *and (D) disapproval of any application or part thereof*
6 *shall not preclude the resubmission of such application*
7 *or part thereof to the State planning agency at a later*
8 *date.*

9 Any portion of the per centum to be made available pur-
10 suant to paragraph (2) of this section in any State in any
11 fiscal year not required for the purposes set forth in such
12 paragraph (2) shall be available for expenditure by such
13 State agency from time to time on dates during such year
14 as the Administration may fix, for the development and im-
15 plementation of programs and projects for the improvement
16 of law enforcement and in conformity with the State plan.

17 “(b) No approval shall be given to any State plan un-
18 less and until the Administration finds that such plan reflects
19 a determined effort to improve the quality of law enforce-
20 ment and criminal justice throughout the State. No award of
21 funds which are allocated to the States under this title on the
22 basis of population shall be made with respect to a program
23 or project other than a program or project contained in an
24 approved plan.

25 “(c) No plan shall be approved as comprehensive unless

1 it establishes statewide priorities for the improvement and
2 coordination of all aspects of law enforcement and criminal
3 justice, and considers the relationships of activities carried out
4 under this title to related activities being carried out under
5 other Federal programs, the general types of improvements
6 to be made in the future, the effective utilization of existing
7 facilities, the encouragement of cooperative arrangements
8 between units of general local government, innovations and
9 advanced techniques in the design of institutions and facil-
10 ities, and advanced practices in the recruitment, organiza-
11 tion, training, and education of law enforcement and criminal
12 justice personnel. It shall thoroughly address improved
13 court and correctional programs and practices throughout
14 the State.

15 "SEC. 304. State planning agencies shall receive ap-
16 plications for financial assistance from units of general local
17 government and combinations of such units. When a State
18 planning agency determines that such an application is in
19 accordance with the purposes stated in section 301 and is in
20 conformance with any existing statewide comprehensive
21 law enforcement plan, the State planning agency is au-
22 thorized to disburse funds to the applicant.

23 "SEC. 305. Where a State has failed to have a compre-
24 hensive State plan approved under this title within the
25 period specified by the Administration for such purpose, the

1 funds allocated for such State under paragraph (1) of sec-
2 tion 306 (a) of this title shall be available for reallocation
3 by the Administration under paragraph (2) of section
4 306 (a).

5 "SEC. 306. (a) The funds appropriated each fiscal year
6 to make grants under this part shall be allocated by the
7 Administration as follows:

8 " (1) Eighty-five per centum of such funds shall
9 be allocated among the States according to their respec-
10 tive populations for grants to State planning agencies.

11 " (2) Fifteen per centum of such funds, plus any
12 additional amounts made available by virtue of the
13 application of the provisions of sections 305 and 509
14 of this title to the grant of any State, may, in the discre-
15 tion of the Administration, be allocated among the States
16 for grants to State planning agencies, units of general
17 local government, combinations of such units, or private
18 nonprofit organizations, according to the criteria and
19 on the terms and conditions the Administration deter-
20 mines consistent with this title.

21 Any grant made from funds available under paragraph (2)
22 of this subsection may be up to 90 per centum of the cost of
23 the program or project for which such grant is made. No part
24 of any grant under such paragraph for the purpose of rent-
25 ing, leasing, or constructing buildings or other physical

1 facilities shall be used for land acquisition. In the case of a
2 grant under such paragraph to an Indian tribe or other
3 aboriginal group, if the Administration determines that the
4 tribe or group does not have sufficient funds available to
5 meet the local share of the costs of any program or project
6 to be funded under the grant, the Administration may in-
7 crease the Federal share of the cost thereof to the extent it
8 deems necessary. The limitations on the expenditure of por-
9 tions of grants for the compensation of personnel in subsec-
10 tion (d) of section 301 of this title shall apply to a grant
11 under such paragraph. The non-Federal share of the cost
12 of any program or project to be funded under this section
13 shall be of money appropriated in the aggregate by the
14 State or units of general local government, or provided in
15 the aggregate by a private nonprofit organization. The Ad-
16 ministration shall make grants in its discretion under para-
17 graph (2) of this subsection in such a manner as to accord
18 funding incentives to those States or units of general local
19 government that coordinate law enforcement and criminal
20 justice functions and activities with other such States or units
21 of general local government thereof for the purpose of
22 improving law enforcement and criminal justice.

23 “(b) If the Administration determines, on the basis of
24 information available to it during any fiscal year, that a por-
25 tion of the funds allocated to a State for that fiscal year for

1 grants to the State planning agency of the State will not be
2 required by the State, or that the State will be unable to
3 qualify to receive any portion of the funds under the require-
4 ments of this part, that portion shall be available for realloca-
5 tion to other States under paragraph (1) of subsection (a)
6 of this section.

7 "SEC. 307. In making grants under this part, the
8 Administration and each State planning agency, as the case
9 may be, shall give special emphasis, where appropriate or
10 feasible, to programs and projects dealing with the preven-
11 tion, detection, and control of organized crime and of riots
12 and other violent civil disorders.

13 "SEC. 308. Each State plan submitted to the Administra-
14 tion for approval under section 302 shall be either approved
15 or disapproved, in whole or in part, by the Administration
16 no later than ninety days after the date of submission. If not
17 disapproved (and returned with the reasons for such disap-
18 proval) within such ninety days of such application, such
19 plan shall be deemed approved for the purposes of this title.
20 The reasons for disapproval of such plan, in order to be
21 effective for the purposes of this section, shall contain an
22 explanation of which requirements enumerated in section
23 302 (b) such plan fails to comply with, or an explanation
24 of what supporting material is necessary for the Administra-
25 tion to evaluate such plan. For the purposes of this section,

1 the term 'date of submission' means the date on which a
2 State plan which the State has designated as the 'final State
3 plan application' for the appropriate fiscal year is delivered
4 to the Administration.

5 "PART D—TRAINING, EDUCATION, RESEARCH,
6 DEMONSTRATION, AND SPECIAL GRANTS

7 "SEC. 401. It is the purpose of this part to provide for
8 and encourage training, education, research, and development
9 for the purpose of improving law enforcement and criminal
10 justice, and developing new methods for the prevention and
11 reduction of crime, and the detection and apprehension of
12 criminals.

13 "SEC. 402. (a) There is established within the De-
14 partment of Justice a National Institute of Law Enforcement
15 and Criminal Justice (hereafter referred to in this part as
16 'Institute'). The Institute shall be under the general au-
17 thority of the Administration. The chief administrative officer
18 of the Institute shall be a Director appointed by the Ad-
19 ministrator. It shall be the purpose of the Institute to en-
20 courage research and development to improve and strengthen
21 law enforcement and criminal justice, to disseminate the
22 results of such efforts to State and local governments, and to
23 develop and support programs for the training of law en-
24 forcement and criminal justice personnel.

25 "(b) The Institute is authorized—

1 " (1) to make grants to, or enter into contracts with,
2 public agencies, institutions of higher education, or pri-
3 vate organizations to conduct research, demonstrations,
4 or special projects pertaining to the purposes described
5 in this title, including the development of new or im-
6 proved approaches, techniques, systems, equipment, and
7 devices to improve and strengthen law enforcement and
8 criminal justice;

9 " (2) to make continuing studies and undertake pro-
10 grams of research to develop new or improved ap-
11 proaches, techniques, systems, equipment, and devices
12 to improve and strengthen law enforcement and criminal
13 justice, including, but not limited to, the effectiveness of
14 projects or programs carried out under this title;

15 " (3) to carry out programs of behavioral research
16 designed to provide more accurate information on the
17 causes of crime and the effectiveness of various means
18 of preventing crime, and to evaluate the success of cor-
19 rectional procedures;

20 " (4) to make recommendations for action which
21 can be taken by Federal, State, and local governments
22 and by private persons and organizations to improve
23 and strengthen law enforcement and criminal justice;

24 " (5) to carry out programs of instructional assist-
25 ance consisting of research fellowships for the programs

1 provided, under this section, and special workshops for
2 the presentation and dissemination of information re-
3 sulting from research, demonstrations, and special proj-
4 ects authorized by this title;

5 “(6) to assist in conducting, at the request of a
6 State or a unit of general local government or a combi-
7 nation thereof, local or regional training programs for
8 the training of State and local law enforcement and
9 criminal justice personnel, including but not limited to
10 those engaged in the investigation of crime and appre-
11 hension of criminals, community relations, the prosecu-
12 tion or defense of those charged with crime, corrections,
13 rehabilitation, probation and parole of offenders. Such
14 training activities shall be designed to supplement and
15 improve rather than supplant the training activities of
16 the State and units of general local government. While
17 participating in the training program or traveling in
18 connection with participation in the training program,
19 State and local personnel shall be allowed travel expenses
20 and a per diem allowance in the same manner as pre-
21 scribed under section 5703 (b) of title 5, United States
22 Code, for persons employed intermittently in the Gov-
23 ernment service; and

24 “(7) to establish a research center to carry out
25 the programs described in this section.

1 “(c) The Institute shall serve as a national clearing-
2 house for information with respect to the improvement of
3 law enforcement and criminal justice, including but not
4 limited to police, courts, prosecutors, public defenders, and
5 corrections.

6 “The Institute shall undertake, where possible, to evalu-
7 ate various programs and projects carried out under this
8 title to determine their impact upon the quality of law
9 enforcement and criminal justice and the extent to which
10 they have met or failed to meet the purposes and policies of
11 this title, and shall disseminate such information to State
12 planning agencies and, upon request, to units of general
13 local government.

14 “The Institute shall report annually to the President,
15 the Congress, the State planning agencies, and, upon request,
16 to units of general local government, on the research and
17 development activities undertaken pursuant to paragraphs
18 (1), (2), and (3) of subsection (b), shall describe *and* in
19 such report the potential benefits of such activities of law
20 enforcement and criminal justice and the results of the eval-
21 uations made pursuant to the second paragraph of this sub-
22 section. Such report shall also describe the programs of
23 instructional assistance, the special workshops, and the train-
24 ing programs undertaken pursuant to paragraphs (5) and
25 (6) of subsection (b).

1 “SEC. 403. A grant authorized under this part may be up
2 to 100 per centum of the total cost of each project for which
3 such grant is made. The Administration shall require, when-
4 ever feasible, as a condition of approval of a grant under
5 this part, that the recipient contribute money, facilities, or
6 services to carry out the purposes for which the grant is
7 sought.

8 “SEC. 404. (a) The Director of the Federal Bureau of
9 Investigation is authorized to—

10 “(1) establish and conduct training programs at the
11 Federal Bureau of Investigation National Academy at
12 Quantico, Virginia, to provide, at the request of a State
13 or unit of local government, training for State and local
14 law enforcement and criminal justice personnel; and

15 “(2) develop new or improved approaches, tech-
16 niques, systems, equipment, and devices to improve and
17 strengthen law enforcement and criminal justice.

18 “(b) In the exercise of the functions, powers, and duties
19 established under this section the Director of the Federal
20 Bureau of Investigation shall be under the general authority
21 of the Attorney General.

22 “SEC. 405. (a) Subject to the provisions of this section,
23 the Law Enforcement Assistance Act of 1965 (79 Stat.
24 828) is repealed: *Provided*, That—

25 “(1) The Administration, or the Attorney General

1 until such time as the members of the Administration
2 are appointed, is authorized to obligate funds for the con-
3 tinuation of projects approved under the Law Enforce-
4 ment Assistance Act of 1965 prior to the date of enact-
5 ment of this Act to the extent that such approval pro-
6 vided for continuation.

7 “(2) Any funds obligated under subsection (1) of
8 this section and all activities necessary or appropriate for
9 the review under subsection (3) of this section may be
10 carried out with funds previously appropriated and funds
11 appropriated pursuant to this title.

12 “(3) Immediately upon establishment of the Ad-
13 ministration, it shall be its duty to study, review, and
14 evaluate projects and programs funded under the Law
15 Enforcement Assistance Act of 1965. Continuation of
16 projects and programs under subsections (1) and (2) of
17 this section shall be in the discretion of the Adminis-
18 tration.

19 “SEC. 406. (a) Pursuant to the provisions of subsections
20 (b) and (c) of this section, the Administration is author-
21 ized, after appropriate consultation with the Commissioner
22 of Education, to carry out programs of academic educational
23 assistance to improve and strengthen law enforcement and
24 criminal justice.

25 “(b) The Administration is authorized to enter into

1 contracts to make, and make payments to institutions of
2 higher education for loans, not exceeding ~~\$1,800~~ \$2,200 per
3 academic year to any person, to persons enrolled on a full-time
4 basis in undergraduate or graduate programs approved by
5 the Administration and leading to degrees or certificates in
6 areas directly related to law enforcement and criminal justice
7 or suitable for persons employed in law enforcement and
8 criminal justice, with special consideration to police or cor-
9 rectional personnel of States or units of general local govern-
10 ment on academic leave to earn such degrees or certificates.
11 Loans to persons assisted under this subsection shall be
12 made on such terms and conditions as the Administration
13 and the institution offering such programs may determine,
14 except that the total amount of any such loan, plus interest,
15 shall be canceled for service as a full-time officer or employee
16 of a law enforcement and criminal justice agency at the rate
17 of 25 per centum of the total amount of such loans plus inter-
18 est for each complete year of such service or its equivalent
19 of such service, as determined under regulations of the
20 Administration.

21 “(c) The Administration is authorized to enter into
22 contracts to make, and make, payments to institutions of
23 higher education for tuition, books and fees, not exceeding
24 ~~\$200~~ \$250 per academic quarter or ~~\$300~~ \$400 per semester for
25 any person, for officers of any publicly funded law enforcement

1 agency enrolled on a full-time or part-time basis in courses
2 included in an undergraduate or graduate program which is
3 approved by the Administration and which leads to a degree
4 or certificate in an area related to law enforcement and crimi-
5 nal justice or an area suitable for persons employed in law
6 enforcement and criminal justice. Assistance under this sub-
7 section may be granted only on behalf of an applicant who
8 enters into an agreement to remain in the service of the law
9 enforcement and criminal justice agency employing such ap-
10 plicant for a period of two years following completion of any
11 course for which payments are provided under this subsec-
12 tion, and in the event such service is not completed, to repay
13 the full amount of such payments on such terms and in such
14 manner as the Administration may prescribe.

15 “(d) Full-time teachers or persons preparing for careers
16 as full-time teachers of courses related to law enforcement
17 and criminal justice or suitable for persons employed in law
18 enforcement, in institutions of higher education which are
19 eligible to receive funds under this section, shall be eligible
20 to receive assistance under subsections (b) and (c) of this
21 section as determined under regulations of the Adminis-
22 tration.

23 “(e) The Administration is authorized to make grants
24 to or enter into contracts with institutions of higher educa-
25 tion, or combinations of such institutions, to assist them in

1 planning, developing, strengthening, improving, or carrying
2 out programs or projects for the development or demonstra-
3 tion of improved methods of law enforcement and criminal
4 justice education, including—

5 “(1) planning for the development or expansion of
6 undergraduate or graduate programs in law enforcement
7 and criminal justice;

8 “(2) education and training of faculty members;

9 “(3) strengthening the law enforcement and crimi-
10 nal justice aspects of courses leading to an undergraduate,
11 graduate, or professional degree; and

12 “(4) research into, and development of, methods
13 of educating students or faculty, including the prepara-
14 tion of teaching materials and the planning of curric-
15 ulums.

16 The amount of a grant or contract may be up to 75 per
17 centum of the total cost of programs and projects for which
18 a grant or contract is made.

19 “(f) The Administration is authorized to enter into
20 contracts to make, and make payments to institutions of
21 higher education for grants not exceeding ~~\$50~~ \$65 per week
22 to persons enrolled on a full-time basis in undergraduate or
23 graduate degree programs who are accepted for and serve
24 in full-time internships in law enforcement and criminal
25 justice agencies for not less than eight weeks during any

1 summer recess or for any entire quarter or semester on leave
2 from the degree program.

3 "SEC. 407. (a) The Administration is authorized to
4 establish and support a training program for prosecuting at-
5 torneys from State and local offices engaged in the prosecu-
6 tion of organized crime. The program shall be designed to
7 develop new or improved approaches, techniques, systems,
8 manuals, and devices to strengthen prosecutive capabilities
9 against organized crime.

10 "(b) While participating in the training program or
11 traveling in connection with participation in the training pro-
12 gram, State and local personnel shall be allowed travel ex-
13 penses and a per diem allowance in the same manner as pre-
14 scribed under section 5703 (b) of title 5, United States Code,
15 for persons employed intermittently in the Government
16 service.

17 "(c) The cost of training State and local personnel under
18 this section shall be provided out of funds appropriated to the
19 Administration for the purpose of such training.

20 "PART E—GRANTS FOR CORRECTIONAL INSTITUTIONS
21 AND FACILITIES

22 "SEC. 451. It is the purpose of this part to encourage
23 States and units of general local government to develop and
24 implement programs and projects for the construction, ac-
25 quisition, and renovation of correctional institutions and fa-

1 summer recess or for any entire quarter or semester on leave
2 from the degree program.

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4 establish and support a training program for prosecuting at-
5 torneys from State and local offices engaged in the prosecu-
6 tion of organized crime. The program shall be designed to
7 develop new or improved approaches, techniques, systems,
8 manuals, and devices to strengthen prosecutive capabilities
9 against organized crime.

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11 traveling in connection with participation in the training pro-
12 gram, State and local personnel shall be allowed travel ex-
13 penses and a per diem allowance in the same manner as pre-
14 scribed under section 5703 (b) of title 5, United States Code,
15 for persons employed intermittently in the Government
16 service.

17 "(c) The cost of training State and local personnel under
18 this section shall be provided out of funds appropriated to the
19 Administration for the purpose of such training.

20 "PART E—GRANTS FOR CORRECTIONAL INSTITUTIONS
21 AND FACILITIES

22 "SEC. 451. It is the purpose of this part to encourage
23 States and units of general local government to develop and
24 implement programs and projects for the construction, ac-
25 quisition, and renovation of correctional institutions and fa-

1 cilities, and for the improvement of correctional programs
2 and practices.

3 "SEC. 452. A State desiring to receive a grant under
4 this part for any fiscal year shall, consistent with the basic
5 criteria which the Administration establishes under section
6 454 of this title, incorporate its application for such grant in
7 the comprehensive State plan submitted to the Administra-
8 tion for that fiscal year in accordance with section 302 of this
9 title.

10 "SEC. 453. The Administration is authorized to make a
11 grant under this part to a State planning agency if the appli-
12 cation incorporated in the comprehensive State plan—

13 " (1) sets forth a comprehensive statewide program
14 for the construction, acquisition, or renovation of cor-
15 rectional institutions and facilities in the State and the
16 improvement of correctional programs and practices
17 throughout the State;

18 " (2) provides satisfactory assurances that the con-
19 trol of the funds and title to property derived therefrom
20 shall be in a public agency for the uses and purposes pro-
21 vided in this part and that a public agency will admin-
22 ister those funds and that property;

23 " (3) provides satisfactory assurances that the avail-
24 ability of funds under this part shall not reduce the
25 amount of funds under part C of this title which a State

1 would, in the absence of funds under this part, allocate
2 for purposes of this part;

3 “(4) provides satisfactory emphasis on the devel-
4 opment and operation of community-based correctional
5 facilities and programs, including diagnostic services,
6 halfway houses, probation, and other supervisory release
7 programs for preadjudication and postadjudication re-
8 ferral of delinquents, youthful offenders, and first offend-
9 ers, and community-oriented programs for the super-
10 vision of parolees;

11 “(5) provides for advanced techniques in the design
12 of institutions and facilities;

13 “(6) provides, where feasible and desirable, for the
14 sharing of correctional institutions and facilities on a
15 regional basis;

16 “(7) provides satisfactory assurances that the per-
17 sonnel standards and programs of the institutions and
18 facilities will reflect advanced practices;

19 “(8) provides satisfactory assurances that the State
20 is engaging in projects and programs to improve the
21 recruiting, organization, training, and education of per-
22 sonnel employed in correctional activities, including those
23 of probation, parole, and rehabilitation; ~~and~~

24 “(9) provides necessary arrangements for the de-
25 velopment and operation of narcotic treatment programs

1 *in correctional institutions and facilities and in connection*
2 *with probation or other supervisory release programs for*
3 *all persons, incarcerated or on parole, who are drug ad-*
4 *dicts or drug abusers; and*

5 “~~(9)~~ (10) complies with the same requirements es-
6 tablished for comprehensive State plans under para-
7 graphs (1), (3), (4), (5), (7), (8), (9), (10),
8 (11), and (12) of section 303 of this title.

9 “SEC. 454. The Administration shall, after consultation
10 with the Federal Bureau of Prisons, by regulation prescribe
11 basic criteria for applicants and grantees under this part.

12 “*In addition, the Administration shall issue guidelines*
13 *for drug treatment programs in State and local prisons and*
14 *for those to which persons on parole are assigned.*

15 “SEC. 455. (a) The funds appropriated each fiscal year
16 to make grants under this part shall be allocated by the
17 Administration as follows:

18 “(1) Fifty per centum of the funds shall be avail-
19 able for grants to State planning agencies.

20 “(2) The remaining 50 per centum of the funds
21 may be made available, as the Administration may deter-
22 mine, to State planning agencies, units of general local
23 government, or combinations of such units, according to
24 the criteria and on the terms and conditions the Admin-
25 istration determines consistent with this part.

1 Any grant made from funds available under this part may be
2 up to 90 per centum of the cost of the program or project
3 for which such grant is made. The non-Federal funding of
4 the cost of any program or project to be funded by a grant
5 under this section shall be of money appropriated in the
6 aggregate by the State or units of general local government.
7 No funds awarded under this part may be used for land
8 acquisition.

9 “(b) If the Administration determines, on the basis of
10 information available to it during any fiscal year, that a por-
11 tion of the funds granted to an applicant for that fiscal year
12 will not be required by the applicant or will become available
13 by virtue of the application of the provisions of section 509
14 of this title, that portion shall be available for reallocation
15 under paragraph (2) of subsection (a) of this section.

16 “PART F—ADMINISTRATIVE PROVISIONS

17 “SEC. 501. The Administration is authorized, after ap-
18 propriate consultation with representatives of States and units
19 of general local government, to establish such rules, regula-
20 tions, and procedures as are necessary to the exercise of its
21 functions, and are consistent with the stated purpose of this
22 title.

23 “SEC. 502. The Administration may delegate to any
24 officer or official of the Administration, or, with the approval

1 of the Attorney General, to any officer of the Department of
2 Justice such functions as it deems appropriate.

3 “SEC. 503. The functions, powers, and duties specified
4 in this title to be carried out by the Administration shall not
5 be transferred elsewhere in the Department of Justice unless
6 specifically hereafter authorized by the Congress.

7 “SEC. 504. In carrying out its functions, the Admin-
8 istration, or upon authorization of the Administration, any
9 member thereof or any hearing examiner assigned to or
10 employed by the Administration, shall have the power to
11 hold hearings, sign and issue subpoenas, administer oaths,
12 examine witnesses, and receive evidence at any place in
13 the United States it may designate.

14 “SEC. 505. Section 5314 of title 5, United States Code,
15 is amended by adding at the end thereof—

16 “‘(55) Administrator of Law Enforcement As-
17 sistance.’

18 “SEC. 506. Section 5315 of title 5, United States Code,
19 is amended by adding at the end thereof—

20 “‘(90) Associate Administrator of Law Enforce-
21 ment Assistance.’

22 “SEC. 507. Subject to the civil service and classification
23 laws, the Administration is authorized to select, appoint, em-
24 ploy, and fix compensation of such officers and employees,

1 including hearing examiners, as shall be necessary to carry
2 out its powers and duties under this title.

3 “SEC. 508. The Administration is authorized, on a
4 reimbursable basis when appropriate, to use the available
5 services, equipment personnel, and facilities of the Depart-
6 ment of Justice and of other civilian or military agencies and
7 instrumentalities of the Federal Government, and to coop-
8 erate with the Department of Justice and such other agencies
9 and instrumentalities in the establishment and use of serv-
10 ices, equipment, personnel, and facilities of the Administra-
11 tion. The Administration is further authorized to confer with
12 and avail itself of the cooperation, services, records, and
13 facilities of State, municipal, or other local agencies, and to
14 receive and utilize, for the purposes of this title, property
15 donated or transferred for the purposes of testing by any
16 other Federal agencies, States, units of general local govern-
17 ment, public or private agencies or organizations, institutions
18 of higher education, or individuals.

19 “SEC. 509. Whenever the Administration, after reason-
20 able notice and opportunity for hearing to an applicant or
21 a grantee under this title, finds that, with respect to any
22 payments made or to be made under this title, there is a
23 substantial failure to comply with—

24 “(a) the provisions of this title;

1 “(b) regulations promulgated by the Administra-
2 tion under this title; or

3 “(c) a plan or application submitted in accord-
4 ance with the provisions of this title;

5 the Administration shall notify such applicant or grantee
6 that further payments shall not be made (or in its dis-
7 cretion that further payments shall not be made for activities
8 in which there is such failure), until there is no longer such
9 failure.

10 “SEC. 510. (a) In carrying out the functions vested
11 by this title in the Administration, the determination, find-
12 ings, and conclusions of the Administration shall be final and
13 conclusive upon all applicants, except as hereafter provided.

14 “(b) If the application has been rejected or an ap-
15 plicant has been denied a grant or has had a grant, or any
16 portion of a grant, discontinued, or has been given a grant
17 in a lesser amount than such applicant believes appropriate
18 under the provisions of this title, the Administration shall
19 notify the applicant or grantee of its action and set forth
20 the reason for the action taken. Whenever an applicant or
21 grantee requests a hearing on action taken by the Adminis-
22 tration on an application or a grant the Administration, or
23 any authorized officer thereof, is authorized and directed to
24 hold such hearings or investigations at such times and places
25 as the Administration deems necessary, following appropri-

1 ate and adequate notice to such applicant; and the findings
2 of fact and determinations made by the Administration with
3 respect thereto shall be final and conclusive, except as other-
4 wise provided herein.

5 “(c) If such applicant is still dissatisfied with the find-
6 ings and determinations of the Administration, following the
7 notice and hearing provided for in subsection (b) of this sec-
8 tion, a request may be made for rehearing, under such regu-
9 lations and procedures as the Administration may establish,
10 and such applicant shall be afforded an opportunity to pre-
11 sent such additional information as may be deemed appro-
12 priate and pertinent to the matter involved. The findings and
13 determinations of the Administration, following such rehear-
14 ing, shall be final and conclusive upon all parties concerned,
15 except as hereafter provided.

16 “SEC. 511. (a) If any applicant or grantee is dissatisfied
17 with the Administration’s final action with respect to the
18 approval of its application or plan submitted under this title,
19 or any applicant or grantee is dissatisfied with the Admin-
20 istration’s final action under section 509 or section 510, such
21 applicant or grantee may, within sixty days after notice of
22 such action, file with the United States court of appeals for the
23 circuit in which such applicant or grantee is located a peti-
24 tion for review of that action. A copy of the petition shall be
25 forthwith transmitted by the clerk of the court to the Ad-

1 ministration. The Administration shall thereupon file in the
2 court the record of the proceedings on which the action of
3 the Administration was based, as provided in section 2112 of
4 title 28, United States Code.

5 “(b) The determinations and the findings of fact by the
6 Administration, if supported by substantial evidence, shall
7 be conclusive; but the court, for good cause shown, may re-
8 mand the case to the Administration to take further evi-
9 dence. The Administration may thereupon make new or
10 modified findings of fact and may modify its previous action,
11 and shall file in the court the record of the further proceed-
12 ings. Such new or modified findings of fact or determinations
13 shall likewise be conclusive if supported by substantial evi-
14 dence.

15 “(c) Upon the filing of such petition, the court shall
16 have jurisdiction to affirm the action of the Administration or
17 to set it aside, in whole or in part. The judgment of the court
18 shall be subject to review by the Supreme Court of the United
19 States upon certiorari or certification as provided in section
20 ~~1251~~ 1254 of title 28, United States Code.

21 “SEC. 512. Unless otherwise specified in this title, the
22 Administration shall carry out the programs provided for in
23 this title during the fiscal year ending June 30, 1974, and
24 the four succeeding fiscal years *fiscal year ending June 30,*
25 1975.

1 “SEC. 513. To insure that all Federal assistance to State
2 and local programs under this title is carried out in a coordi-
3 nated maner, the Administration is authorized to request
4 any Federal department or agency to supply such statistics,
5 data, program reports, and other material as the Adminis-
6 tration deems necessary to carry out its functions under this
7 title. Each such department or agency is authorized to co-
8 operate with the Administration and, to the extent permitted
9 by law, to furnish such materials to the Administration. Any
10 Federal department or agency engaged in administering pro-
11 grams related to this title shall, to the maximum extent prac-
12 ticable, consult with and seek advice from the Administration
13 to insure fully coordinated efforts, and the Administration
14 shall undertake to coordinate such efforts.

15 “SEC. 514. The Administration may arrange with and
16 reimburse the heads of other Federal departments and agen-
17 cies for the performance of any of its functions under this
18 title.

19 “SEC. 515. The Administration is authorized—

20 “(a) to conduct evaluation studies of the programs
21 and activities assisted under this title;

22 “(b) to collect, evaluate, publish, and disseminate
23 statistics and other information on the condition and
24 progress of law enforcement in the several States; and

25 “(c) to cooperate with and render technical assist-

1 ance to States, units of general local government, com-
2 binations of such States or ~~unit~~ *units*, or other public or
3 private agencies, organizations, or institutions in matters
4 relating to law enforcement and criminal justice.

5 Funds appropriated for the purposes of this section may be
6 expended by grant or contract, as the Administration may
7 determine to be appropriate.

8 “SEC. 516. (a) Payments under this title may be made
9 in installments, and in advance or by way of reimbursement,
10 as may be determined by the Administration, and may be
11 used to pay the transportation and subsistence expenses of
12 persons attending conferences or other assemblages notwith-
13 standing the provisions of the joint resolution entitled ‘Joint
14 resolution to prohibit expenditure of any moneys for housing,
15 feeding, or transporting conventions or meetings’, approved
16 February 2, 1935 (31 U.S.C. sec. 551).

17 “(b) Not more than 12 per centum of the sums appro-
18 priated for any fiscal year to carry out the provisions of this
19 title may be used within any one State except that this
20 limitation shall not apply to grants made pursuant to part D.

21 “SEC. 517. (a) The Administration may procure the
22 services of experts and consultants in accordance with section
23 3109 of title 5, United States Code, at rates of compensation
24 for individuals not to exceed the daily equivalent of the rate

1 authorized for GS-18 by section 5332 of title 5, United
2 States Code.

3 “(b) The Administration is authorized to appoint, with-
4 out regard to the civil service laws, technical or other ad-
5 visory committees to advise the Administration with respect
6 to the administration of this title as it deems necessary. Mem-
7 bers of those committees not otherwise in the employ of the
8 United States, while engaged in advising the Administration
9 or attending meetings of the committees, shall be compen-
10 sated at rates to be fixed by the Administration but not to ex-
11 ceed the daily equivalent of the rate authorized for GS-18
12 by section 5332 of title 5 of the United States Code and
13 while away from home or regular place of business they may
14 be allowed travel expenses, including per diem in lieu of
15 subsistence, as authorized by section 5703 of such title 5 for
16 persons in the Government service employed intermittently.

17 “SEC. 518. (a) Nothing contained in this title or any
18 other Act shall be construed to authorize any department,
19 agency, officer, or employee of the United States to exercise
20 any direction, supervision, or control over any police force
21 or any other law enforcement and criminal justice agency of
22 any State or any political subdivision thereof.

23 “(b) (1) No person in any State shall on the ground of
24 race, color, national origin, or sex be excluded from partici-
25 pation in, be denied the benefits of, or be subjected to dis-

1 crimination under any program or activity funded in whole
2 or in part with funds made available under this title.

3 “(2) Whenever the Administration determines that a
4 State government or any unit of general local government has
5 failed to comply with subsection (b) (1) or an applicable
6 regulation, it shall notify the chief executive of the State
7 of the noncompliance and shall request the chief executive
8 to secure compliance. If within sixty days after such notifi-
9 cation the chief executive fails or refuses to secure compli-
10 ance, the Administration shall exercise the powers and func-
11 tions provided in section 509 of this title, and is authorized—

12 “(A) to institute an appropriate civil action;

13 “(B) to exercise the powers and functions pursuant
14 to title VI of the Civil Rights Act of 1964 (42 U.S.C.
15 2000d) ; or

16 “(C) to take such other action as may be provided
17 by law.

18 “(3) Whenever the Attorney General has reason to
19 believe that a State government or unit of local government
20 is engaged in a pattern or practice in violation of the pro-
21 visions of this section, the Attorney General may bring a
22 civil action in any appropriate United States district court
23 for such relief as may be appropriate, including injunctive
24 relief.

25 “SEC. 519. On or before December 31 of each year, the

1 Administration shall report to the President and to the
2 Congress on activities pursuant to the provisions of this title
3 during the preceding fiscal year.

4 "SEC. 520. There are authorized to be appropriated
5 such sums as are necessary for the purposes of each part of
6 this title, but such sums in the aggregate shall not exceed
7 \$1,000,000,000 for the fiscal year ending June 30, 1974, and
8 \$1,000,000,000 for each succeeding fiscal year through the
9 fiscal year ending June 30, 1978 the fiscal year ending
10 June 30, 1975. Funds appropriated for any fiscal year may
11 remain available for obligation until expended. Beginning in
12 the fiscal year ending June 30, 1972, and in each fiscal year
13 thereafter there shall be allocated for the purposes of part E
14 an amount equal to not less than 20 per centum of the
15 amount allocated for the purposes of part C.

16 "SEC. 521. (a) Each recipient of assistance under this
17 Act shall keep such records as the Administration shall
18 prescribe, including records which fully disclose the amount
19 and disposition by such recipient of the proceeds of such
20 assistance, the total cost of the project or undertaking in con-
21 nection with which such assistance is given or used, and
22 the amount of that portion of the cost of the project or under-
23 taking supplied by other sources, and such other records as
24 will facilitate an effective audit.

25 "(b) The Administration and the Comptroller General

1 of the United States, or any of their duly authorized repre-
2 sentatives, shall have access for purpose of audit and exami-
3 nations to any books, documents, papers, and records of the
4 recipients that are pertinent to the grants received under this
5 title.

6 “(c) The provisions of this section shall apply to all
7 recipients of assistance under this Act, whether by direct
8 grant or contract from the Administration or by subgrant or
9 subcontract from primary grantees or contractors of the Ad-
10 ministration.

11 “SEC. 522. Section 204 (a) of the Demonstration Cities
12 and Metropolitan Development Act of 1966 is amended
13 by inserting ‘law enforcement facilities,’ immediately after
14 ‘transportation facilities,’.

15 “SEC. 523. Any funds made available under parts B, C,
16 and E prior to July 1, 1973, which are not obligated by a
17 State or unit of general local government may be used to
18 provide up to 90 percent of the cost of any program or
19 project. The non-Federal share of the cost of any such
20 program or project shall be of money appropriated in the
21 aggregate by the State or units of general local government.

22 “SEC. 524. (a) Except as provided by Federal law
23 other than this title, no officer or employee of the Federal
24 Government, nor any recipient of assistance under the pro-
25 visions of this title—

1 “(1) shall use any information furnished by any
2 private person under this title for any purpose other than
3 to carry out the provisions of this title; or

4 “(2) shall reveal to any person, other than to carry
5 out the provisions of this title, any information furnished
6 under the title and identifiable to any specific private
7 person furnishing such information.

8 *shall use or reveal any research or statistical information*
9 *furnished under this title by any person and identifiable to*
10 *any specific private person for any purpose other than the*
11 *purpose for which it was obtained in accordance with this*
12 *title.*

13 Copies of such information shall be immune from legal proc-
14 ess, and shall not, without the consent of the person furnish-
15 ing such information, be admitted as evidence or used for any
16 purpose in any action, suit, or other judicial or administra-
17 tive proceedings.

18 “(b) Any person violating the provisions of this section,
19 or of any rule, regulation, or order issued thereunder, shall
20 be fined not to exceed \$10,000, in addition to any other
21 penalty imposed by law.

22 “PART G—DEFINITIONS

23 “SEC. 601. As used in this title—

24 “(a) ‘Law enforcement and criminal justice’ means any
25 activity pertaining to crime prevention, control or reduction

1 or the enforcement of the criminal law, including, but not
2 limited to police efforts to prevent, control, or reduce crime
3 or to apprehend criminals, activities of courts having criminal
4 jurisdiction and related agencies (including prosecutorial
5 and defender services), activities of corrections, probation,
6 or parole authorities, and programs relating to the preven-
7 tion, control, or reduction of juvenile delinquency or narcotic
8 addiction.

9 “(b) ‘Organized crime’ means the unlawful activities of
10 the members of a highly organized, disciplined association
11 engaged in supplying illegal goods and services, including
12 but not limited to gambling, prostitution, loan sharking, nar-
13 cotics, labor racketeering, and other unlawful activities of
14 members of such organizations.

15 “(c) ‘State’ means any State of the United States, the
16 District of Columbia, the Commonwealth of Puerto Rico,
17 and any territory or possession of the United States.

18 “(d) ‘Unit of general local government’ means any city,
19 county, township, town, borough, parish, village, or other
20 general purpose political subdivision of a State, an Indian
21 tribe which performs law enforcement functions as deter-
22 mined by the Secretary of the Interior, or, for the purpose of
23 assistance eligibility, any agency of the District of Columbia
24 government or the United States Government performing
25 law enforcement functions in and for the District of Columbia

1 and funds appropriated by the Congress for the activities of
2 such agencies may be used to provide the non-Federal share
3 of the cost of programs or projects funded under this title;
4 provided, however, that such assistance eligibility of any
5 agency of the United States Government shall be for the sole
6 purpose of facilitating the transfer of criminal jurisdiction
7 from the United States District Court for the District of Co-
8 lumbia to the Superior Court of the District of Columbia pur-
9 suant to the District of Columbia Court Reform and Criminal
10 Procedure Act of 1970.

11 “(e) ‘Combination’ as applied to States or units of gen-
12 eral local government means any grouping or joining together
13 of such States or units for the purpose of preparing, develop-
14 ing, or implementing a law enforcement plan.

15 “(f) ‘Construction’ means the erection, acquisition, ex-
16 pansion, or repair (but not including minor remodeling or
17 minor repairs) of new or existing buildings or other physical
18 facilities, and the acquisition or installation of initial equip-
19 ment therefor.

20 “(g) ‘State organized crime prevention council’ means
21 a council composed of not more than seven persons estab-
22 lished pursuant to State law or established by the chief
23 executive of the State for the purpose of this title, or an
24 existing agency so designated, which council shall be broadly
25 representative of law enforcement officials within such State

1 and whose members by virtue of their training or experience
2 shall be knowledgeable in the prevention and control of
3 organized crime.

4 “(h) ‘Metropolitan area’ means a standard metropolitan
5 statistical area as established by the Bureau of the Budget,
6 subject, however, to such modifications and extensions as
7 the Administration may determine to be appropriate.

8 “(i) ‘Public agency’ means any State, unit of local gov-
9 ernment, combination of such States or units, or any depart-
10 ment, agency, or instrumentality of any of the foregoing.

11 “(j) ‘Institution of higher education’ means any such
12 institution as defined by section ~~501(a)~~ *1201(a)* of the
13 Higher Education Act of 1965 (~~79 Stat. 4269~~; 20 U.S.C.
14 1141 (a)), subject, however, to such modifications and
15 extensions as the Administration may determine to be
16 appropriate.

17 “(k) ‘Community service officer’ means any citizen
18 with the capacity, motivation, integrity, and stability to
19 assist in or perform police work but who may not meet ordi-
20 nary standards for employment as a regular police officer
21 selected from the immediate locality of the police department
22 of which he is to be a part, and meeting such other qualifica-
23 tions promulgated in regulations pursuant to section 501 as
24 the Administration may determine to be appropriate to fur-
25 ther the purposes of section 301 (b) (7) and this Act.

1 “(l) The term ‘correctional institution or facility’ means
2 any place for the confinement or rehabilitation of juvenile
3 offenders or individuals charged with or convicted of criminal
4 offenses.

5 “(m) The term ‘comprehensive’ means that the plan
6 must be a total and integrated analysis of the problems re-
7 garding the law enforcement and criminal justice system
8 within the State; goals, priorities, and standards must be
9 established in the plan and the plan must address methods,
10 organization, and operation performance, physical and human
11 resources necessary to accomplish crime prevention, identifi-
12 cation, detection, and apprehension of suspects, ~~the~~; adjudi-
13 cation ~~and~~; custodial treatment of suspects and offenders, and
14 institutional and noninstitutional rehabilitative measures.

15 “PART H—CRIMINAL PENALTIES

16 “SEC. 651. Whoever embezzles, willfully misapplies,
17 steals, or ~~obtain~~ obtains by fraud or attempts to embezzle, wil-
18 fully misapply, steal, or obtain by fraud any funds, assets, or
19 property which are the subject of a grant or contract or
20 other form of assistance pursuant to this title, whether re-
21 ceived directly or indirectly from the Administration, or
22 whoever receives, conceals, or retains such funds, assets, or
23 property with intent to convert such funds, assets, or prop-
24 erty to his use or gain, knowing such funds, assets, or
25 property have been embezzled, willfully misapplied, stolen,

1 or obtained by fraud, shall be fined not more than \$10,000
2 or imprisoned for not more than five years, or both.

3 "SEC. 652. Whoever knowingly and willfully falsifies,
4 conceals, or covers up by trick, scheme, or device, any ma-
5 terial fact in any application for assistance submitted pur-
6 suant to this title or in any records required to be maintained
7 pursuant to this title shall be subject to prosecution under
8 the provisions of section 1001 of title 18, United States
9 Code.

10 "SEC. 653. Any law enforcement *and criminal justice*
11 program or project underwritten, in whole or in part, by any
12 grant, or contract or other form of assistance pursuant to this
13 title, whether received directly or indirectly from the Ad-
14 ministration, shall be subject to the provisions of section
15 371 of title 18, United States Code.

16 "PART I—ATTORNEY GENERAL'S ANNUAL REPORT ON
17 FEDERAL LAW ENFORCEMENT AND CRIMINAL JUS-
18 TICE ACTIVITIES

19 "SEC. 670. The Attorney General, in consultation with the
20 appropriate officials in the agencies involved, within ninety
21 days of the end of each fiscal year shall submit to the
22 President and to the Congress an Annual Report on Federal
23 Law Enforcement and Criminal Justice Assistance Activities
24 setting forth the programs conducted, expenditures made,
25 results achieved, plans developed, and problems discovered

1 in the operations and coordination of the various Federal
2 assistance programs relating to crime prevention and control,
3 including, but not limited to, the Juvenile Delinquency Pre-
4 vention and Control Act of 1968, the Narcotics Addict
5 Rehabilitation Act of 1968, the Gun Control Act of 1968, the
6 Criminal Justice Act of 1964, title XI of the Organized
7 Crime Control Act of 1970 (relating to the regulation of
8 explosives), and title III of the Omnibus Crime Control and
9 Safe Streets Act of 1968 (relating to wiretapping and elec-
10 tronic surveillance).”.

11 SEC. 2. (a) Section 5315 of title 5, United States Code,
12 is amended by striking out the following:

13 “(90) Associate Administrator of Law Enforce-
14 ment Assistance (2).”.

15 (b) Section 5316 of title 5, United States Code, is
16 amended by adding at the end thereof the following:

17 “~~(131)~~ (133) Deputy Administrator of the Law
18 Enforcement Assistance Administration.”.

19 SEC. 3. The amendments made by this Act shall take
20 effect on and after July 1, 1973.