

110TH CONGRESS
1ST SESSION

H. R. 3547

To increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2007

Mr. SCHIFF (for himself, Mrs. BONO, Mr. MCNERNEY, Mr. LAMPSON, Mr. ARCURI, Mr. CHANDLER, and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Gang Prevention,
3 Intervention, and Suppression Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.

TITLE I—NEW FEDERAL CRIMINAL LAWS NEEDED TO FIGHT
VIOLENT NATIONAL, INTERNATIONAL, REGIONAL, AND LOCAL
GANGS THAT AFFECT INTERSTATE AND FOREIGN COMMERCE

Sec. 101. Revision and extension of penalties related to criminal street gang activity.

TITLE II—VIOLENT CRIME REFORMS TO REDUCE GANG
VIOLENCE

- Sec. 201. Murder and other violent crimes committed during and in relation to a drug trafficking crime.
- Sec. 202. Expansion of rebuttable presumption against release of persons charged with firearms offenses.
- Sec. 203. Statute of limitations for violent crimes and terrorism offenses.
- Sec. 204. Study of hearsay exception for forfeiture by wrongdoing.
- Sec. 205. Possession of firearms by dangerous felons.
- Sec. 206. Conforming amendment.
- Sec. 207. Amendments relating to violent crime.
- Sec. 208. Publicity campaign about new criminal penalties and gang-related outreach.
- Sec. 209. Predicate crimes for authorization of interception of wire, oral, and electronic communications.
- Sec. 210. Clarification of Hobbs Act.
- Sec. 211. Making personal information about certain witnesses and informants publicly available with unlawful intent.
- Sec. 212. Prohibition on firearms possession based on valid gang injunction and conviction for gang-related misdemeanor.
- Sec. 213. Granting the Attorney General the authority to deny the sale, delivery, or transfer of a firearm or the issuance of a firearms or explosives license or permit to dangerous terrorists.
- Sec. 214. Amendment of sentencing guidelines.

TITLE III—INCREASED FEDERAL RESOURCES TO DETER AND
PREVENT SERIOUSLY AT-RISK YOUTH FROM JOINING ILLEGAL
STREET GANGS AND FOR OTHER PURPOSES

- Sec. 301. Designation of and assistance for high intensity gang activity areas.
- Sec. 302. Gang prevention grants.
- Sec. 303. Enhancement of Project Safe Neighborhoods initiative to improve enforcement of criminal laws against violent gangs.

- Sec. 304. Additional resources needed by the Federal Bureau of Investigation to investigate and prosecute violent criminal street gangs.
- Sec. 305. Grants to prosecutors and law enforcement to combat violent crime.
- Sec. 306. Short-Term State Witness Protection Section.
- Sec. 307. Witness protection services.
- Sec. 308. Expansion of Federal witness relocation and protection program.
- Sec. 309. Family abduction prevention grant program.
- Sec. 310. Study on adolescent development and sentences in the Federal system.

TITLE IV—RESOURCES TO STRENGTHEN EMPLOYMENT AND
EDUCATION OPPORTUNITIES FOR FORMER OFFENDERS

- Sec. 401. Grants to assist juvenile offender reintegration projects.
- Sec. 402. Employment and education grants to assist in reducing recidivism.

1 **SEC. 3. FINDINGS.**

2 Congress finds that—

3 (1) violent crime and drug trafficking are per-
4 vasive problems at the national, State, and local
5 level;

6 (2) according to recent Federal Bureau of In-
7 vestigation, Uniform Crime Reports, violent crime in
8 the United States is on the rise, with a 2.3 percent
9 increase in violent crime in 2005 (the largest in-
10 crease in the United States in 15 years) and an even
11 larger 3.7 percent jump during the first 6 months
12 of 2006, and the Police Executive Research Forum
13 reports that, among jurisdictions providing informa-
14 tion, homicides are up 10.21 percent, robberies are
15 up 12.27 percent, and aggravated assaults with fire-
16 arms are up 9.98 percent since 2004;

17 (3) these disturbing rises in violent crime are
18 attributable in part to the spread of criminal street

1 gangs and the willingness of gang members to com-
2 mit acts of violence and drug trafficking offenses;

3 (4) according to a recent National Drug Threat
4 Assessment, criminal street gangs are responsible for
5 much of the retail distribution of the cocaine, meth-
6 amphetamine, heroin, and other illegal drugs being
7 distributed in rural and urban communities through-
8 out the United States;

9 (5) gangs commit acts of violence or drug of-
10 fenses for numerous motives, such as membership in
11 or loyalty to the gang, for protecting gang territory,
12 and for profit;

13 (6) gang presence and intimidation, and the or-
14 ganized and repetitive nature of the crimes that
15 gangs and gang members commit, has a pernicious
16 effect on the free flow of interstate commercial ac-
17 tivities and directly affects the freedom and security
18 of communities plagued by gang activity, dimin-
19 ishing the value of property, inhibiting the desire of
20 national and multinational corporations to transact
21 business in those communities, and in a variety of
22 ways directly and substantially affecting interstate
23 and foreign commerce;

24 (7) gangs often recruit and utilize minors to en-
25 gage in acts of violence and other serious offenses

1 out of a belief that the criminal justice systems are
2 more lenient on juvenile offenders;

3 (8) gangs often intimidate and threaten wit-
4 nesses to prevent successful prosecutions;

5 (9) gangs prey upon and incorporate minors
6 into their ranks, exploiting the fact that adolescents
7 have immature decision-making capacity, therefore,
8 gang activity and recruitment can be reduced and
9 deterred through increased vigilance, appropriate
10 criminal penalties, partnerships between Federal and
11 State and local law enforcement, and proactive pre-
12 vention and intervention efforts, particularly tar-
13 geted at juveniles and young adults, prior to and
14 even during gang involvement;

15 (10) State and local prosecutors and law en-
16 forcement officers have enlisted the help of Congress
17 in the prevention, investigation, and prosecution of
18 gang crimes and in the protection of witnesses and
19 victims of gang crimes; and

20 (11) because State and local prosecutors and
21 law enforcement have the expertise, experience, and
22 connection to the community that is needed to assist
23 in combating gang violence, consultation and coordi-
24 nation between Federal, State, and local law enforce-
25 ment and collaboration with other community agen-

1 cies is critical to the successful prosecutions of
 2 criminal street gangs and reduction of gang prob-
 3 lems.

4 **TITLE I—NEW FEDERAL CRIMI-**
 5 **NAL LAWS NEEDED TO FIGHT**
 6 **VIOLENT NATIONAL, INTER-**
 7 **NATIONAL, REGIONAL, AND**
 8 **LOCAL GANGS THAT AFFECT**
 9 **INTERSTATE AND FOREIGN**
 10 **COMMERCE**

11 **SEC. 101. REVISION AND EXTENSION OF PENALTIES RE-**
 12 **LATED TO CRIMINAL STREET GANG ACTIV-**
 13 **ITY.**

14 (a) IN GENERAL.—Chapter 26 of title 18, United
 15 States Code, is amended to read as follows:

16 **“CHAPTER 26—CRIMINAL STREET GANGS**

“Sec.

“521. Definitions.

“522. Criminal street gang prosecutions.

“523. Recruitment of persons to participate in a criminal street gang.

“524. Forfeiture.

17 **“§ 521. Definitions**

18 “In this chapter:

19 “(1) CRIMINAL STREET GANG.—The term
 20 ‘criminal street gang’ means a formal or informal
 21 group, organization, or association of 5 or more indi-
 22 viduals—

1 “(A) each of whom has committed at least
2 1 gang crime; and

3 “(B) who collectively commit 3 or more
4 gang crimes (not less than 1 of which is a seri-
5 ous violent felony, and if fewer than 2 of which
6 are serious violent felonies, not less than 1 of
7 which is a violent felony) in furtherance of the
8 group, organization, or association, in separate
9 criminal episodes (not less than 1 of which oc-
10 curs after the date of enactment of the Gang
11 Prevention, Intervention, and Suppression Act,
12 and the last of which occurs not later than 5
13 years after the commission of a prior gang
14 crime).

15 “(2) GANG CRIME.—The term ‘gang crime’
16 means an offense under Federal law punishable by
17 imprisonment for more than 1 year, or a felony of-
18 fense under State law that is punishable by a term
19 of imprisonment of 5 years or more in any of the
20 following categories:

21 “(A) A crime that has as an element the
22 use, attempted use, or threatened use of phys-
23 ical force against the person of another, or is
24 burglary, arson, kidnapping, or extortion.

1 “(B) A crime involving obstruction of jus-
2 tice, or tampering with or retaliating against a
3 witness, victim, or informant.

4 “(C) A crime involving the manufacturing,
5 importing, distributing, possessing with intent
6 to distribute, or otherwise trafficking in a con-
7 trolled substance or listed chemical (as those
8 terms are defined in section 102 of the Con-
9 trolled Substances Act (21 U.S.C. 802)).

10 “(D) Any conduct punishable under—

11 “(i) section 844 (relating to explosive
12 materials);

13 “(ii) subsection (a)(1), (d), (g)(1)
14 (where the underlying conviction is a vio-
15 lent felony or a serious drug offense (as
16 those terms are defined in section 924(e)),
17 (g)(2), (g)(3), (g)(4), (g)(5), (g)(8), (g)(9),
18 (g)(10), (g)(11), (i), (j), (k), (n), (o), (p),
19 (q), (u), or (x) of section 922 (relating to
20 unlawful acts);

21 “(iii) subsection (b), (c), (g), (h), (k),
22 (l), (m), or (n) of section 924 (relating to
23 penalties);

1 “(iv) section 930 (relating to posses-
2 sion of firearms and dangerous weapons in
3 Federal facilities);

4 “(v) section 931 (relating to purchase,
5 ownership, or possession of body armor by
6 violent felons);

7 “(vi) sections 1028 and 1029 (relating
8 to fraud, identity theft, and related activity
9 in connection with identification documents
10 or access devices);

11 “(vii) section 1084 (relating to trans-
12 mission of wagering information);

13 “(viii) section 1952 (relating to inter-
14 state and foreign travel or transportation
15 in aid of racketeering enterprises);

16 “(ix) section 1956 (relating to the
17 laundering of monetary instruments);

18 “(x) section 1957 (relating to engag-
19 ing in monetary transactions in property
20 derived from specified unlawful activity);
21 or

22 “(xi) sections 2312 through 2315 (re-
23 lating to interstate transportation of stolen
24 motor vehicles or stolen property).

1 “(E) Any conduct punishable under section
2 274 (relating to bringing in and harboring cer-
3 tain aliens), section 277 (relating to aiding or
4 assisting certain aliens to enter the United
5 States), or section 278 (relating to importation
6 of aliens for immoral purposes) of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1324, 1327,
8 and 1328).

9 “(F) Any crime involving aggravated sex-
10 ual abuse, sexual assault, pimping or pandering
11 involving prostitution, sexual exploitation of
12 children (including sections 2251, 2251A, 2252
13 and 2260), peonage, slavery, or trafficking in
14 persons (including sections 1581 through 1592)
15 and sections 2421 through 2427 (relating to
16 transport for illegal sexual activity).

17 “(3) MINOR.—The term ‘minor’ means an indi-
18 vidual who is less than 18 years of age.

19 “(4) SERIOUS VIOLENT FELONY.—The term
20 ‘serious violent felony’ has the meaning given that
21 term in section 3559.

22 “(5) STATE.—The term ‘State’ means each of
23 the several States of the United States, the District
24 of Columbia, and any commonwealth, territory, or
25 possession of the United States.

1 “(6) VIOLENT FELONY.—The term ‘violent fel-
2 ony’ means any offense that has as an element the
3 use of physical force against the person of another,
4 or is burglary, arson, kidnapping, or extortion, but
5 is not a serious violent felony.

6 **“§ 522. Criminal street gang prosecutions**

7 “(a) STREET GANG CRIME.—It shall be unlawful for
8 any person to knowingly commit, or conspire (with any
9 act to effect the object of the conspiracy), threaten, or at-
10 tempt to commit, a gang crime for the purpose of fur-
11 thering the activities of a criminal street gang, or gaining
12 entrance to or maintaining or increasing position in a
13 criminal street gang, or as consideration for anything of
14 pecuniary value to or from a criminal street gang, if the
15 activities of that criminal street gang occur in or affect
16 interstate or foreign commerce.

17 “(b) PENALTIES.—

18 “(1) COMMISSION; ATTEMPTS; CONSPIRACY
19 LEADERS.—Any person who commits, attempts to
20 commit, or conspires to commit (and occupies a po-
21 sition of organizer, a supervisory position, or any
22 other position of management within the criminal
23 street gang for such conspiracy) an offense described
24 under subsection (a) that is—

1 “(A) murder, kidnapping, or conduct that
2 would violate section 2241 if the conduct oc-
3 curred in the special maritime and territorial
4 jurisdiction of the United States, shall be fined
5 under this title and imprisoned for any term of
6 years or for life;

7 “(B) any other serious violent felony, shall
8 be fined under this title and imprisoned for not
9 more than 30 years;

10 “(C) any violent felony, shall be fined
11 under this title and imprisoned for not more
12 than 20 years; and

13 “(D) not described in subparagraphs (A)
14 through (C), shall be fined under this title and
15 imprisoned for not more than 10 years.

16 “(2) OTHER CONSPIRACY MEMBERS.—Any per-
17 son who conspires to commit (and who does not oc-
18 cupy a position of organizer, a supervisory position,
19 or any other position of management within the
20 criminal street gang for such conspiracy) an offense
21 described under subsection (a) that is—

22 “(A) murder, shall be fined under this title
23 and imprisoned for not more than 25 years; and

1 “(B) any other serious violent felony or
2 violent felony, shall be fined under this title and
3 imprisoned for not more than 15 years.

4 “(3) THREATS.—Any person who threatens to
5 commit an offense described under subsection (a)
6 that is—

7 “(A) described in subparagraphs (A)
8 through (C) of paragraph (1), shall be fined
9 under this title and imprisoned for not more
10 than 10 years; and

11 “(B) not described in such subparagraphs,
12 shall be fined under this title and imprisoned
13 for not more than 8 years.

14 **“§ 523. Recruitment of persons to participate in a**
15 **criminal street gang**

16 “(a) PROHIBITED ACTS.—It shall be unlawful to
17 knowingly recruit, employ, solicit, induce, command, co-
18 erce, or cause another person to be or remain as a member
19 of a criminal street gang, or attempt or conspire to do
20 so (with any act to effect the object of the conspiracy),
21 with the intent to cause that person to participate in a
22 gang crime, if the defendant travels in interstate or for-
23 eign commerce in the course of the offense, or if the activi-
24 ties of that criminal street gang are in or affect interstate
25 or foreign commerce.

1 “(b) PENALTIES.—Whoever violates subsection (a)
2 shall—

3 “(1) with respect to a person who is over 18
4 years of age and who recruited, employed, solicited,
5 induced, commanded, coerced, or caused a minor to
6 participate or remain in a criminal street gang (or
7 conspired to do so while occupying a position of or-
8 ganizer, a supervisory position, or any other position
9 of management in such conspiracy)—

10 “(A) be fined under this title, imprisoned
11 not more than 10 years, or both; and

12 “(B) at the discretion of the sentencing
13 judge, be liable for any costs incurred by the
14 Federal Government, or by any State or local
15 government, for housing, maintaining, and
16 treating the minor until the person attains the
17 age of 18 years;

18 “(2) with respect to a person who induces, com-
19 mands, or coerces the participation or remaining in
20 a criminal street gang of another person (or con-
21 spires to do so while occupying a position of orga-
22 nizer, a supervisory position, or any other position of
23 management in such conspiracy) while incarcerated,
24 be fined under this title, imprisoned not more than
25 10 years, or both;

1 “(3) with respect to a person who conspires to
2 commit an offense described in paragraph (1) or (2)
3 (but who does not occupy a position of organizer, a
4 supervisory position, or any other position of man-
5 agement in such conspiracy), be fined under this
6 title, imprisoned not more than 7 years, or both;

7 “(4) with respect to a person who violates such
8 subsection and is not described in paragraph (1),
9 (2), or (3), (other than a person described in para-
10 graph (5)), be fined under this title, imprisoned not
11 more than 5 years, or both; and

12 “(5) with respect to a person who conspires to
13 commit an offense which violates such subsection
14 and is not described in paragraph (1), (2), or (3)
15 (but who does not occupy a position of organizer, a
16 supervisory position, or any other position of man-
17 agement in such conspiracy), be fined under this
18 title, imprisoned not more than 3 years, or both.

19 “(c) CONSECUTIVE NATURE OF PENALTIES.—Any
20 term of imprisonment imposed under subsection (b)(2)
21 shall be consecutive to any term imposed for any other
22 offense.

1 **“§ 524. Forfeiture**

2 “(a) CRIMINAL FORFEITURE.—A person who is con-
3 victed of a violation of this chapter shall forfeit to the
4 United States—

5 “(1) any property used, or intended to be used,
6 in any manner or part, to commit, or to facilitate
7 the commission of, the violation; and

8 “(2) any property constituting, or derived from,
9 any proceeds obtained, directly or indirectly, as a re-
10 sult of the violation.

11 “(b) PROCEDURES APPLICABLE.—Pursuant to sec-
12 tion 2461(e) of title 28, the provisions of section 413 of
13 the Controlled Substances Act (21 U.S.C. 853), except
14 subsections (a) and (d) of that section, shall apply to the
15 criminal forfeiture of property under this section.”.

16 (b) AMENDMENT RELATING TO PRIORITY OF FOR-
17 FEITURE OVER ORDERS FOR RESTITUTION.—Section
18 3663(c)(4) of title 18, United States Code, is amended
19 by striking “chapter 46 or” and inserting “chapter 26,
20 chapter 46, or”.

21 (c) MONEY LAUNDERING.—Section 1956(e)(7)(D) of
22 title 18, United States Code, is amended by inserting “,
23 section 522 (relating to criminal street gang prosecutions),
24 and 523 (relating to recruitment of persons to participate
25 in a criminal street gang)” before “, section 541”.

1 (d) AMENDMENT OF SPECIAL SENTENCING PROVI-
 2 SION PROHIBITING PRISONER COMMUNICATIONS.—Sec-
 3 tion 3582(d) of title 18, United States Code, is amended—

4 (1) by inserting “chapter 26 (criminal street
 5 gangs),” before “chapter 95”; and

6 (2) by inserting “a criminal street gang or” be-
 7 fore “an illegal enterprise”.

8 **TITLE II—VIOLENT CRIME RE-**
 9 **FORMS TO REDUCE GANG VI-**
 10 **OLENCE**

11 **SEC. 201. MURDER AND OTHER VIOLENT CRIMES COM-**
 12 **MITTED DURING AND IN RELATION TO A**
 13 **DRUG TRAFFICKING CRIME.**

14 (a) IN GENERAL.—Part D of the Controlled Sub-
 15 stances Act (21 U.S.C. 841 et seq.) is amended by adding
 16 at the end the following:

17 **“SEC. 424. MURDER AND OTHER VIOLENT CRIMES COM-**
 18 **MITTED DURING AND IN RELATION TO A**
 19 **DRUG TRAFFICKING CRIME.**

20 “(a) IN GENERAL.—Whoever, during and in relation
 21 to any drug trafficking crime, knowingly commits any
 22 crime of violence against any individual that is an offense
 23 under Federal law punishable by imprisonment for more
 24 than 1 year or a felony offense under State law that is
 25 punishable by a term of imprisonment of 5 years or more,

1 or threatens, attempts or conspires to do so, shall be pun-
2 ished by a fine under title 18, United States Code, and—

3 “(1) for murder, kidnapping, or conduct that
4 would violate section 2241 if the conduct occurred in
5 the special maritime and territorial jurisdiction of
6 the United States, by imprisonment for any term of
7 years or for life;

8 “(2) for a serious violent felony (as defined in
9 section 3559 of title 18, United States Code) other
10 than a felony described in paragraph (1), by impris-
11 onment for not more than 30 years;

12 “(3) for a crime of violence that is not a serious
13 violent felony, by imprisonment for not more than
14 20 years;

15 “(4) for conspiring to commit a crime of vio-
16 lence, by imprisonment for not more than 10 years;
17 and

18 “(5) for threatening to commit a crime of vio-
19 lence, by imprisonment for not more than 8 years.

20 “(b) VENUE.—A prosecution for a violation of this
21 section may be brought in—

22 “(1) the judicial district in which the murder or
23 other crime of violence occurred; or

24 “(2) any judicial district in which the drug traf-
25 ficking crime may be prosecuted.

1 “(c) DEFINITIONS.—In this section—

2 “(1) the term ‘crime of violence’ means an of-
3 fense that has as an element the use of physical
4 force against the person of another; and

5 “(2) the term ‘drug trafficking crime’ has the
6 meaning given that term in section 924(c)(2) of title
7 18, United States Code.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 for the Comprehensive Drug Abuse Prevention and Con-
10 trol Act of 1970 (Public Law 91–513; 84 Stat. 1236) is
11 amended by inserting after the item relating to section
12 423, the following:

“Sec. 424. Murder and other violent crimes committed during and in relation
to a drug trafficking crime.”.

13 **SEC. 202. EXPANSION OF REBUTTABLE PRESUMPTION**
14 **AGAINST RELEASE OF PERSONS CHARGED**
15 **WITH FIREARMS OFFENSES.**

16 Section 3142(e) of title 18, United States Code, is
17 amended in the matter following paragraph (3), by insert-
18 ing after “that the person committed” the following: “an
19 offense under subsection (g)(1) (where the underlying con-
20 viction is a drug trafficking crime or crime of violence (as
21 those terms are defined in section 924(c))), (g)(2), (g)(3),
22 (g)(4), (g)(5), (g)(8), (g)(9), (g)(10), or (g)(11) of section
23 922,”.

1 **SEC. 203. STATUTE OF LIMITATIONS FOR VIOLENT CRIMES**
2 **AND TERRORISM OFFENSES.**

3 (a) STATUTE OF LIMITATIONS FOR VIOLENT
4 CRIMES.—Chapter 213 of title 18, United States Code,
5 is amended by adding at the end the following:

6 **“§ 3299A. Violent crime offenses**

7 “No person shall be prosecuted, tried, or punished
8 for any noncapital felony crime of violence, including any
9 racketeering activity or gang crime which involves any
10 crime of violence, unless the indictment is found or the
11 information is instituted not later than 8 years after the
12 date on which the alleged violation occurred or the con-
13 tinuing offense was completed.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 at the beginning of chapter 213 of title 18, United States
16 Code, is amended by adding at the end the following:

“3299A. Violent crime offenses.”.

17 (c) STATUTE OF LIMITATIONS FOR TERRORISM OF-
18 FENSES.—Section 3286(a) of title 18, United States Code,
19 is amended—

20 (1) in the subsection heading, by striking
21 “EIGHT-YEAR” and inserting “TEN-YEAR”; and

22 (2) in the first sentence, by striking “8 years”
23 and inserting “10 years”.

1 **SEC. 204. STUDY OF HEARSAY EXCEPTION FOR FOR-**
2 **FEITURE BY WRONGDOING.**

3 The Judicial Conference of the United States shall
4 study section 804(b) of the Federal Rules of Evidence to
5 determine the necessity and desirability of amending that
6 section, including the possible expansion of section
7 804(b)(6), and shall make modifications as the Judicial
8 Conference sees fit.

9 **SEC. 205. POSSESSION OF FIREARMS BY DANGEROUS FEL-**
10 **ONS.**

11 (a) IN GENERAL.—Section 924(e) of title 18, United
12 States Code, is amended by striking paragraph (1) and
13 inserting the following:

14 “(1) A person who violates subsection (d) or (g) of
15 section 922 of this title and has previously been convicted
16 by any court referred to in section 922(g)(1) of a violent
17 felony or a serious drug offense shall—

18 “(A) in the case of 1 such prior conviction,
19 where a period of not more than 10 years has
20 elapsed since the later of the date of conviction and
21 the date of release of the person from imprisonment
22 for that conviction, be imprisoned for not more than
23 15 years, fined under this title, or both;

24 “(B) in the case of 2 such prior convictions,
25 committed on occasions different from one another,
26 and where a period of not more than 10 years has

1 elapsed since the later of the date of conviction and
2 the date of release of the person from imprisonment
3 for the most recent such conviction, be imprisoned
4 for not more than 20 years, fined under this title,
5 or both; and

6 “(C) in the case of 3 such prior convictions,
7 committed on occasions different from one another,
8 and where a period of not more than 10 years has
9 elapsed since the later of date of conviction and the
10 date of release of the person from imprisonment for
11 the most recent such conviction—

12 “(i) in the case of a person who violates
13 subsection (d) of such section 922, be impris-
14 oned for any term of years or for life and fined
15 under this title, and notwithstanding any other
16 provision of law, the court shall not suspend the
17 sentence of, or grant a probationary sentence
18 to, such person with respect to the conviction
19 under such subsection (d); or

20 “(ii) in the case of a person who violates
21 subsection (g) of such section 922, be impris-
22 oned not less than fifteen years or for life and
23 fined under this title and, notwithstanding any
24 other provision of law, the court shall not sus-
25 pend the sentence of, or grant a probationary

1 sentence to, such person with respect to the
2 conviction under such subsection (g).”.

3 (b) AMENDMENT TO SENTENCING GUIDELINES.—

4 Pursuant to its authority under section 994(p) of title 28,
5 United States Code, the United States Sentencing Com-
6 mission shall amend the Federal Sentencing Guidelines to
7 provide for an appropriate increase in the offense level for
8 violations of section 922(g) of title 18, United States
9 Code, in accordance with section 924(e) of that title 18,
10 as amended by subsection (a).

11 **SEC. 206. CONFORMING AMENDMENT.**

12 The matter preceding paragraph (1) in section
13 922(d) of title 18, United States Code, is amended by in-
14 serting “, transfer,” after “sell”.

15 **SEC. 207. AMENDMENTS RELATING TO VIOLENT CRIME.**

16 Section 924(h) of title 18, United States Code, is
17 amended to read as follows:

18 “(h) Whoever knowingly transfers a firearm that has
19 moved in or that otherwise affects interstate or foreign
20 commerce, knowing that the firearm will be used to com-
21 mit, or possessed in furtherance of, a crime of violence
22 (as defined in subsection (c)(3)) or drug trafficking crime
23 (as defined in subsection (c)(2)) shall be fined under this
24 title and imprisoned not more than 20 years.”.

1 **SEC. 208. PUBLICITY CAMPAIGN ABOUT NEW CRIMINAL**
2 **PENALTIES AND GANG-RELATED OUTREACH.**

3 (a) **MEDIA CAMPAIGNS.**—The Attorney General is
4 authorized to conduct media campaigns in any area des-
5 ignated as a high intensity gang activity area under sec-
6 tion 301 and any area with existing and emerging prob-
7 lems with gangs, as needed, to—

8 (1) educate individuals in that area about the
9 changes in criminal penalties made by this Act; and

10 (2) provide information to individuals in that
11 area about service providers in the community that
12 provide gang-involved or at-risk youth with positive
13 alternatives to gangs and other violent groups and
14 that address the needs of those who leave gangs and
15 other violent groups and those reentering society
16 from prison (including service providers experienced
17 at reaching youth and adults who have been involved
18 in violence and violent gangs or groups).

19 (b) **REPORT.**—The Attorney General shall report to
20 the Committee on the Judiciary of the Senate and the
21 Committee on the Judiciary of the House of Representa-
22 tives the amount of expenditures and all other aspects of
23 the media campaigns conducted under this section.

24 (c) **AUTHORIZATION OF APPROPRIATIONS.**—There is
25 authorized to be appropriated to carry out this section

1 \$10,000,000 for each of the fiscal years 2008 through
2 2012.

3 **SEC. 209. PREDICATE CRIMES FOR AUTHORIZATION OF**
4 **INTERCEPTION OF WIRE, ORAL, AND ELEC-**
5 **TRONIC COMMUNICATIONS.**

6 Section 2516(1) of title 18, United States Code, is
7 amended—

8 (1) by striking “or” and the end of paragraph
9 (r);

10 (2) by redesignating paragraph (s) as para-
11 graph (u); and

12 (3) by inserting after paragraph (r) the fol-
13 lowing:

14 “(s) any violation of section 424 of the Con-
15 trolled Substances Act (relating to murder and other
16 violent crimes in furtherance of a drug trafficking
17 crime);

18 “(t) any violation of section 522 or 523; or”.

19 **SEC. 210. CLARIFICATION OF HOBBS ACT.**

20 Section 1951(b) of title 18, United States Code, is
21 amended—

22 (1) in paragraph (1), by inserting “including
23 the unlawful impersonation of a law enforcement of-
24 ficer (as that term is defined in section 245(c) of

1 this title),” after “by means of actual or threatened
2 force,”; and

3 (2) in paragraph (2), by inserting “including
4 the unlawful impersonation of a law enforcement of-
5 ficer (as that term is defined in section 245(c) of
6 this title),” after “by wrongful use of actual or
7 threatened force,”.

8 **SEC. 211. MAKING PERSONAL INFORMATION ABOUT CER-**
9 **TAIN WITNESSES AND INFORMANTS PUB-**
10 **LICLY AVAILABLE WITH UNLAWFUL INTENT.**

11 (a) OFFENSE.—Whoever knowingly makes restricted
12 personal information about a covered individual, or a
13 member of the immediate family of that covered indi-
14 vidual, publicly available in or affecting interstate or for-
15 eign commerce—

16 (1) with the intent to threaten, intimidate, or
17 incite the commission of a crime of violence against
18 that covered individual, or a member of the imme-
19 diate family of that covered individual; or

20 (2) with the intent that the restricted personal
21 information will be used to threaten, intimidate, or
22 facilitate the commission of a crime of violence
23 against that covered individual, or a member of the
24 immediate family of that covered individual;

1 shall be fined under title 18, United States Code, impris-
2 oned not more than 10 years, or both.

3 (b) DEFINITIONS.—In this section—

4 (1) the term “restricted personal information”
5 means, with respect to an individual, the Social Se-
6 curity number, the home address, home phone num-
7 ber, mobile phone number, personal email, or home
8 fax number of that individual;

9 (2) the term “covered individual” means a wit-
10 ness or informant in a Federal or State criminal in-
11 vestigation or prosecution;

12 (3) the term “crime of violence” has the mean-
13 ing given that term in section 16 of title 18, United
14 States Code; and

15 (4) the term “immediate family” has the mean-
16 ing given that term in section 115(c)(2) of title 18,
17 United States Code.

18 **SEC. 212. PROHIBITION ON FIREARMS POSSESSION BASED**
19 **ON VALID GANG INJUNCTION AND CONVIC-**
20 **TION FOR GANG-RELATED MISDEMEANOR.**

21 (a) IN GENERAL.—Section 922(g) of title 18, United
22 States Code, is amended—

23 (1) in paragraph (8), by striking “or” at the
24 end;

1 (2) in paragraph (9), by striking the comma at
2 the end and inserting a semicolon;

3 (3) by inserting after paragraph (9) the fol-
4 lowing:

5 “(10) who has been convicted in any court of
6 a misdemeanor gang-related offense; or

7 “(11) who otherwise has, within the last 5
8 years, been found by any court to be in contempt of
9 a gang injunction order, so long as the finding of
10 contempt was issued after a hearing of which such
11 person received actual notice, and at which such per-
12 son had an opportunity to participate and challenge
13 the sufficiency of process and the constitutional va-
14 lidity of the underlying gang injunction order.”.

15 (b) DEFINITION.—Section 921(a) of title 18, United
16 States Code, is amended by adding at the end the fol-
17 lowing:

18 “(36)(A) The term ‘misdemeanor gang-related
19 offense’ means an offense that—

20 “(i) is a misdemeanor under Federal,
21 State, or Tribal law; and

22 “(ii) has, as an element, the membership
23 of the defendant in a criminal street gang, ille-
24 gal association with a criminal street gang, or
25 participation in a criminal street gang activity.

1 “(B)(i) A person shall not be considered to have
2 been convicted of such an offense for purposes of
3 this chapter, unless—

4 “(I) the person was represented by counsel
5 in the case, or knowingly and intelligently
6 waived the right to counsel in the case; and

7 “(II) in the case of a prosecution for an of-
8 fense described in this paragraph for which a
9 person was entitled to a jury trial in the juris-
10 diction in which the case was tried—

11 “(aa) the case was tried by a jury; or

12 “(bb) the person knowingly and intel-
13 ligently waived the right to have the case
14 tried by a jury, by guilty plea or otherwise.

15 “(ii) A person shall not be considered to have
16 been convicted of such an offense for purposes of
17 this chapter if the conviction has been expunged or
18 set aside, or is an offense for which the person has
19 been pardoned or has had civil rights restored (if the
20 law of the applicable jurisdiction provides for the
21 loss of civil rights under such an offense) unless the
22 pardon, expungement, or restoration of civil rights
23 expressly provides that the person may not ship,
24 transport, possess, or receive firearms.

1 “(37) The term ‘gang injunction order’ means
2 a court order that—

3 “(A) names the defendant as a member of
4 a criminal street gang; and

5 “(B) restrains the defendant from associ-
6 ating with other gang members.”.

7 **SEC. 213. GRANTING THE ATTORNEY GENERAL THE AU-**
8 **THORITY TO DENY THE SALE, DELIVERY, OR**
9 **TRANSFER OF A FIREARM OR THE ISSUANCE**
10 **OF A FIREARMS OR EXPLOSIVES LICENSE OR**
11 **PERMIT TO DANGEROUS TERRORISTS.**

12 (a) STANDARD FOR EXERCISING ATTORNEY GEN-
13 ERAL DISCRETION REGARDING TRANSFERRING FIRE-
14 ARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS
15 TERRORISTS.—Chapter 44 of title 18, United States
16 Code, is amended—

17 (1) by inserting the following new section after
18 section 922:

19 **“§ 922A. Attorney General’s discretion to deny trans-**
20 **fer of a firearm**

21 “The Attorney General may deny the transfer of a
22 firearm pursuant to section 922(t)(1)(B)(ii) if the Attor-
23 ney General determines that the transferee is known (or
24 appropriately suspected) to be or have been engaged in
25 conduct constituting, in preparation for, in aid of, or re-

1 lated to terrorism, or providing material support thereof,
2 and the Attorney General has a reasonable belief that the
3 prospective transferee may use a firearm in connection
4 with terrorism.”;

5 (2) by inserting the following new section after
6 section 922A:

7 **“§ 922B. Attorney General’s discretion regarding ap-**
8 **plicants for firearm permits which would**
9 **qualify for the exemption provided under**
10 **section 922(t)(3)**

11 “The Attorney General may determine that an appli-
12 cant for a firearm permit which would qualify for an ex-
13 emption under section 922(t) is known (or appropriately
14 suspected) to be or have been engaged in conduct consti-
15 tuting, in preparation for, in aid of, or related to ter-
16 rorism, or providing material support thereof, and the At-
17 torney General has a reasonable belief that the applicant
18 may use a firearm in connection with terrorism.”; and

19 (3) in section 921(a), by adding at the end the
20 following:

21 “(36) The term ‘terrorism’ means ‘international ter-
22 rorism’ as defined in section 2331(1), and ‘domestic ter-
23 rorism’ as defined in section 2331(5).

1 “(37) The term ‘material support’ means ‘material
2 support or resources’ within the meaning of section 2339A
3 or 2339B.

4 “(38) The term ‘responsible person’ means an indi-
5 vidual who has the power, directly or indirectly, to direct
6 or cause the direction of the management and policies of
7 the applicant or licensee pertaining to firearms.”.

8 (b) EFFECT OF ATTORNEY GENERAL DISCRE-
9 TIONARY DENIAL THROUGH THE NATIONAL INSTANT
10 CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON
11 FIREARMS PERMITS.—Section 922(t) of such title is
12 amended—

13 (1) in paragraph (1)(B)(ii), by inserting “or
14 State law, or that the Attorney General has deter-
15 mined to deny the transfer of a firearm pursuant to
16 section 922A” before the semicolon;

17 (2) in paragraph (2), by inserting after “or
18 State law” the following: “or if the Attorney General
19 has not determined to deny the transfer of a firearm
20 pursuant to section 922A”;

21 (3) in paragraph (3)(A)(i)—

22 (A) by striking “and” at the end of sub-
23 clause (I); and

24 (B) by adding at the end the following:

1 “(III) was issued after a check of the system
2 established pursuant to paragraph (1);”;

3 (4) in paragraph (3)(A)—

4 (A) by adding “and” at the end of clause
5 (ii); and

6 (B) by adding after and below the end the
7 following:

8 “(iii) the State issuing the permit
9 agrees to deny the permit application if
10 such other person is the subject of a deter-
11 mination by the Attorney General pursuant
12 to section 922B;”;

13 (5) in paragraph (4), by inserting after “or
14 State law,” the following: “or if the Attorney Gen-
15 eral has not determined to deny the transfer of a
16 firearm pursuant to section 922A,”; and

17 (6) in paragraph (5), by inserting after “or
18 State law,” the following: “or if the Attorney Gen-
19 eral has determined to deny the transfer of a fire-
20 arm pursuant to section 922A,”.

21 (c) UNLAWFUL SALE OR DISPOSITION OF FIREARM
22 BASED ON ATTORNEY GENERAL DISCRETIONARY DE-
23 NIAL.—Section 922(d) of such title is amended—

24 (1) by striking “or” at the end of paragraph
25 (8);

1 (2) by striking the period at the end of para-
2 graph (9) and inserting “; or”;

3 (3) by inserting after paragraph (9) the fol-
4 lowing:

5 “(10) has been the subject of a determination
6 by the Attorney General pursuant to section 922A,
7 922B, 923(d)(1)(H), or 923(e) of this title.”.

8 (d) ATTORNEY GENERAL DISCRETIONARY DENIAL
9 AS PROHIBITOR.—Section 922(g) of such title is amend-
10 ed—

11 (1) by striking “or” at the end of paragraph
12 (8);

13 (2) by striking the comma at the end of para-
14 graph (9) and inserting; “; or”; and

15 (3) by inserting after paragraph (9) the fol-
16 lowing:

17 “(10) who has received actual notice of the At-
18 torney General’s determination made pursuant to
19 section 922A, 922B, 923(d)(1)(H), or 923(e) of this
20 title.”.

21 (e) ATTORNEY GENERAL DISCRETIONARY DENIAL
22 OF FEDERAL FIREARMS LICENSES.—Section 923(d)(1) of
23 such title is amended—

24 (1) by striking “Any” and inserting “Except as
25 provided in subparagraph (H), any”;

1 (2) in subparagraph (F)(iii), by striking “and”
2 at the end;

3 (3) in subparagraph (G) by striking the period
4 and inserting “; and”; and

5 (4) by adding at the end the following:

6 “(H) The Attorney General may deny a li-
7 cense application if the Attorney General deter-
8 mines that the applicant (including any respon-
9 sible person) is known (or appropriately sus-
10 pected) to be or have been engaged in conduct
11 constituting, in preparation for, in aid of, or re-
12 lated to terrorism, or providing material sup-
13 port thereof, and the Attorney General has a
14 reasonable belief that the applicant may use a
15 firearm in connection with terrorism.”.

16 (f) DISCRETIONARY REVOCATION OF FEDERAL FIRE-
17 ARMS LICENSES.—Section 923(e) of such title is amend-
18 ed—

19 (1) in the 1st sentence—

20 (A) by inserting after “revoke” the fol-
21 lowing: “—(1)”; and

22 (B) by striking the period and inserting a
23 semicolon;

24 (2) in the 2nd sentence—

1 (A) by striking “The Attorney General
2 may, after notice and opportunity for hearing,
3 revoke” and insert “(2)”; and

4 (B) by striking the period and inserting “;
5 or”; and

6 (3) by adding at the end the following:

7 “(3) any license issued under this section if the
8 Attorney General determines that the holder of the
9 license (including any responsible person) is known
10 (or appropriately suspected) to be or have been en-
11 gaged in conduct constituting, in preparation for, in
12 aid of, or related to terrorism, or providing material
13 support thereof, and the Attorney General has a rea-
14 sonable belief that the applicant may use a firearm
15 in connection with terrorism.”.

16 (g) ATTORNEY GENERAL’S ABILITY TO WITHHOLD
17 INFORMATION IN FIREARMS LICENSE DENIAL AND REV-
18 OCATION SUIT.—Section 923(f) of such title is amended—

19 (1) in the 1st sentence of paragraph (1), by in-
20 serting “, except that if the denial or revocation is
21 pursuant to subsection (d)(1)(H) or (e)(3), then any
22 information on which the Attorney General relied for
23 this determination may be withheld from the peti-
24 tioner if the Attorney General determines that dis-

1 closure of the information would likely compromise
2 national security” before the period; and

3 (2) in paragraph (3), by inserting after the 3rd
4 sentence the following: “With respect to any infor-
5 mation withheld from the aggrieved party under
6 paragraph (1), the United States may submit, and
7 the court may rely on, summaries or redacted
8 versions of documents containing information the
9 disclosure of which the Attorney General has deter-
10 mined would likely compromise national security.”.

11 (h) ATTORNEY GENERAL’S ABILITY TO WITHHOLD
12 INFORMATION IN RELIEF FROM DISABILITIES LAW-
13 SUITS.—Section 925(c) of such title is amended by insert-
14 ing after the 3rd sentence the following: “If receipt of a
15 firearms by the person would violate section 922(g)(10),
16 any information which the Attorney General relied on for
17 this determination may be withheld from the applicant if
18 the Attorney General determines that disclosure of the in-
19 formation would likely compromise national security. In
20 responding to the petition, the United States may submit,
21 and the court may rely on, summaries or redacted versions
22 of documents containing information the disclosure of
23 which the Attorney General has determined would likely
24 compromise national security.”.

1 (i) PENALTIES.—Section 924(k) of such title is
2 amended—

3 (1) by striking “or” at the end of paragraph
4 (2);

5 (2) in paragraph (3), by striking “, or” and in-
6 serting “; or”; and

7 (3) by inserting after paragraph (3) the fol-
8 lowing:

9 “(4) constitutes an act of terrorism (as defined
10 in section 921(a)(36)), or material support thereof
11 (as defined in section 921(a)(37)), or”.

12 (j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM
13 OR FIREARM PERMIT EXEMPTION.—Section 925A of such
14 title is amended—

15 (1) in the section heading, by striking “**Rem-**
16 **edy for erroneous denial of firearm**” and
17 inserting “**Remedies**”;

18 (2) by striking “Any person denied a firearm
19 pursuant to subsection (s) or (t) of section 922” and
20 inserting the following:

21 “(a) Except as provided in subsection (b), any person
22 denied a firearm pursuant to section 922(t) or pursuant
23 to a determination made under section 922B,”; and

24 (3) by adding after and below the end the fol-
25 lowing:

1 “(b) In any case in which the Attorney General has
2 denied the transfer of a firearm to a prospective transferee
3 pursuant to section 922A or has made a determination
4 regarding a firearm permit applicant pursuant to section
5 922B, an action challenging the determination may be
6 brought against the United States. The petition must be
7 filed not later than 60 days after the petitioner has re-
8 ceived actual notice of the Attorney General’s determina-
9 tion made pursuant to section 922A or 922B. The court
10 shall sustain the Attorney General’s determination on a
11 showing by the United States by a preponderance of evi-
12 dence that the Attorney General’s determination satisfied
13 the requirements of section 922A or 922B. To make this
14 showing, the United States may submit, and the court
15 may rely on, summaries or redacted versions of documents
16 containing information the disclosure of which the Attor-
17 ney General has determined would likely compromise na-
18 tional security. On request of the petitioner or the court’s
19 own motion, the court may review the full, undisclosed
20 documents ex parte and in camera. The court shall deter-
21 mine whether the summaries or redacted versions, as the
22 case may be, are fair and accurate representations of the
23 underlying documents. The court shall not consider the
24 full, undisclosed documents in deciding whether the Attor-

1 ney General’s determination satisfies the requirements of
2 section 922A or 922B.”.

3 (k) PROVISION OF GROUNDS UNDERLYING INELIGI-
4 BILITY DETERMINATION BY THE NATIONAL INSTANT
5 CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103
6 of the Brady Handgun Violence Prevention Act (Public
7 Law 103–159) is amended—

8 (1) in subsection (f)—

9 (A) by inserting after “is ineligible to re-
10 ceive a firearm,” the following: “or the Attorney
11 General has made a determination regarding an
12 applicant for a firearm permit pursuant to sec-
13 tion 922B of title 18, United States Code”; and

14 (B) by inserting after “the system shall
15 provide such reasons to the individual,” the fol-
16 lowing: “except for any information the disclo-
17 sure of which the Attorney General has deter-
18 mined would likely compromise national secu-
19 rity”; and

20 (2) in subsection (g)—

21 (A) in the 1st sentence, by inserting after
22 “subsection (g) or (n) of section 922 of title 18,
23 United States Code or State law” the following:
24 “or if the Attorney General has made a deter-

1 mination pursuant to section 922A or 922B of
2 such title,”;

3 (B) by inserting “, except any information
4 the disclosure of which the Attorney General
5 has determined would likely compromise na-
6 tional security” before the period; and

7 (C) by adding at the end the following:
8 “Any petition for review of information with-
9 held by the Attorney General under this sub-
10 section shall be made in accordance with section
11 925A of title 18, United States Code.”.

12 (l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES
13 BASED ON ATTORNEY GENERAL DISCRETIONARY DE-
14 NIAL.—Section 842(d) of such title is amended—

15 (1) by striking the period at the end of para-
16 graph (9) and inserting “; or”; and

17 (2) by adding at the end the following:

18 “(10) has received actual notice of the Attorney
19 General’s determination made pursuant to section
20 843(b)(8) or (d)(2) of this title.”.

21 (m) ATTORNEY GENERAL DISCRETIONARY DENIAL
22 AS PROHIBITOR.—Section 842(i) of such title is amend-
23 ed—

24 (1) by adding “or” at the end of paragraph (7);

25 and

1 (2) by inserting after paragraph (7) the fol-
2 lowing:

3 “(8) who has received actual notice of the At-
4 torney General’s determination made pursuant to
5 section 843(b)(8) or (d)(2),”.

6 (n) ATTORNEY GENERAL DISCRETIONARY DENIAL
7 OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—
8 Section 843(b) of such title is amended—

9 (1) by striking “Upon” and inserting the fol-
10 lowing: “Except as provided in paragraph (8), on”;
11 and

12 (2) by inserting after paragraph (7) the fol-
13 lowing:

14 “(8) The Attorney General may deny the
15 issuance of a permit or license to an applicant if the
16 Attorney General determines that the applicant or a
17 responsible person or employee possessor thereof is
18 known (or appropriately suspected) to be or have
19 been engaged in conduct constituting, in preparation
20 of, in aid of, or related to terrorism, or providing
21 material support thereof, and the Attorney General
22 has a reasonable belief that the person may use ex-
23 plosives in connection with terrorism.”.

1 (o) ATTORNEY GENERAL DISCRETIONARY REVOCA-
2 TION OF FEDERAL EXPLOSIVES LICENSES AND PER-
3 MITS.—Section 843(d) of such title is amended—

4 (1) by inserting “(1)” in the first sentence after
5 “if”;

6 (2) by striking the period at the end of the first
7 sentence and inserting the following: “; or (2) the
8 Attorney General determines that the licensee or
9 holder (or any responsible person or employee pos-
10 sessor thereof) is known (or appropriately suspected)
11 to be or have been engaged in conduct constituting,
12 in preparation for, in aid of, or related to terrorism,
13 or providing material support thereof, and that the
14 Attorney General has a reasonable belief that the
15 person may use explosives in connection with ter-
16 rorism.”.

17 (p) ATTORNEY GENERAL’S ABILITY TO WITHHOLD
18 INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DE-
19 NIAL AND REVOCATION SUITS.—Section 843(e) of such
20 title is amended—

21 (1) in the 1st sentence of paragraph (1), by in-
22 serting “except that if the denial or revocation is
23 based on a determination under subsection (b)(8) or
24 (d)(2), then any information which the Attorney
25 General relied on for the determination may be with-

1 held from the petitioner if the Attorney General de-
2 termines that disclosure of the information would
3 likely compromise national security” before the pe-
4 riod.

5 (2) in paragraph (2), by adding at the end the
6 following: “In responding to any petition for review
7 of a denial or revocation based on a determination
8 under section 843(b)(8) or (d)(2), the United States
9 may submit, and the court may rely on, summaries
10 or redacted versions of documents containing infor-
11 mation the disclosure of which the Attorney General
12 has determined would likely compromise national se-
13 curity.”.

14 (q) ABILITY TO WITHHOLD INFORMATION IN COM-
15 MUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of
16 such title is amended—

17 (1) in subparagraph (A), by inserting “or sec-
18 tion 843(b)(1) (on grounds of terrorism) of this
19 title,” after “section 842(i),”; and

20 (2) in subparagraph (B)—

21 (A) by inserting “or section 843(b)(8)”
22 after “section 842(i),”; and

23 (B) in clause (ii), by inserting “, except
24 that any information that the Attorney General
25 relied on for a determination pursuant to sec-

1 tion 843(b)(8) may be withheld if the Attorney
2 General concludes that disclosure of the infor-
3 mation would likely compromise national secu-
4 rity” before the semicolon.

5 (r) CONFORMING AMENDMENT TO IMMIGRATION AND
6 NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Im-
7 migration and Nationality Act (8 U.S.C.
8 1101(a)(43)(E)(ii) is amended by striking “ or (5)” and
9 inserting “(5), or (10)”.

10 **SEC. 214. AMENDMENT OF SENTENCING GUIDELINES.**

11 (a) IN GENERAL.—Pursuant to its authority under
12 section 994 of title 28, United States Code, and in accord-
13 ance with this section, the United States Sentencing Com-
14 mission shall review and, if appropriate, amend its guide-
15 lines and policy statements to conform with this title and
16 the amendments made by this title.

17 (b) REQUIREMENTS.—In carrying out this section,
18 the United States Sentencing Commission shall—

19 (1) establish new guidelines and policy state-
20 ments, as warranted, in order to implement new or
21 revised criminal offenses under this title and the
22 amendments made by this title;

23 (2) consider the extent to which the guidelines
24 and policy statements adequately address—

1 (A) whether the guidelines offense levels
2 and enhancements—

3 (i) are sufficient to deter and punish
4 such offenses; and

5 (ii) are adequate in view of the statu-
6 tory increases in penalties contained in this
7 title and the amendments made by this
8 title; and

9 (B) whether any existing or new specific
10 offense characteristics should be added to re-
11 flect congressional intent to increase penalties
12 for the offenses set forth in this title and the
13 amendments made by this title;

14 (3) consider whether specific offense character-
15 istics should be added to increase the guideline
16 range—

17 (A) by additional offense levels, if a crimi-
18 nal defendant committing a gang crime or gang
19 recruiting offense was an alien who was present
20 in the United States in violation of section 275
21 or 276 of the Immigration and Nationality Act
22 (8 U.S.C. 1325 and 1326) at the time the of-
23 fense was committed; and

24 (B) by further additional offense levels, if
25 such defendant had also previously been or-

1 dered removed or deported under the Immigra-
2 tion and Nationality Act (8 U.S.C. 1101 et
3 seq.) on the grounds of having committed a
4 crime;

5 (4) determine under what circumstances a sen-
6 tence of imprisonment imposed under this title or
7 the amendments made by this title shall run con-
8 secutively to any other sentence of imprisonment im-
9 posed for any other crime, except that the Commis-
10 sion shall ensure that a sentence of imprisonment
11 imposed under section 424 of the Controlled Sub-
12 stances Act (21 U.S.C. 841 et seq.), as added by
13 this Act, shall run consecutively, to an extent that
14 the Sentencing Commission determines appropriate,
15 to the sentence imposed for the underlying drug
16 trafficking offense;

17 (5) account for any aggravating or mitigating
18 circumstances that might justify exceptions to the
19 generally applicable sentencing ranges;

20 (6) ensure reasonable consistency with other
21 relevant directives, other sentencing guidelines, and
22 statutes;

23 (7) make any necessary and conforming
24 changes to the sentencing guidelines and policy
25 statements; and

1 (8) ensure that the guidelines adequately meet
2 the purposes of sentencing set forth in section
3 3553(a)(2) of title 18, United States Code.

4 **TITLE III—INCREASED FEDERAL**
5 **RESOURCES TO DETER AND**
6 **PREVENT SERIOUSLY AT-RISK**
7 **YOUTH FROM JOINING ILLE-**
8 **GAL STREET GANGS AND FOR**
9 **OTHER PURPOSES**

10 **SEC. 301. DESIGNATION OF AND ASSISTANCE FOR HIGH IN-**
11 **TENSITY GANG ACTIVITY AREAS.**

12 (a) DEFINITIONS.—In this section:

13 (1) GOVERNOR.—The term “Governor” means
14 a Governor of a State, the Mayor of the District of
15 Columbia, the tribal leader of an Indian tribe, or the
16 chief executive of a Commonwealth, territory, or pos-
17 session of the United States.

18 (2) HIGH INTENSITY GANG ACTIVITY AREA.—
19 The term “high intensity gang activity area” or
20 “HIGAA” means an area within 1 or more States
21 or Indian country that is designated as a high inten-
22 sity gang activity area under subsection (b)(1).

23 (3) INDIAN COUNTRY.—The term “Indian coun-
24 try” has the meaning given the term in section 1151
25 of title 18, United States Code.

1 (4) INDIAN TRIBE.—The term “Indian tribe”
2 has the meaning given the term in section 4(e) of
3 the Indian Self-Determination and Education Assist-
4 ance Act (25 U.S.C. 450b(e)).

5 (5) STATE.—The term “State” means a State
6 of the United States, the District of Columbia, and
7 any commonwealth, territory, or possession of the
8 United States.

9 (6) TRIBAL LEADER.—The term “tribal leader”
10 means the chief executive officer representing the
11 governing body of an Indian tribe.

12 (b) HIGH INTENSITY GANG ACTIVITY AREAS.—

13 (1) DESIGNATION.—The Attorney General,
14 after consultation with the Governors of appropriate
15 States, may designate as high intensity gang activity
16 areas, specific areas that are located within 1 or
17 more States, which may consist of 1 or more munici-
18 palities, counties, or other jurisdictions as appro-
19 priate.

20 (2) ASSISTANCE.—In order to provide Federal
21 assistance to high intensity gang activity areas, the
22 Attorney General shall—

23 (A) establish local collaborative working
24 groups, which shall include—

- 1 (i) criminal street gang enforcement
2 teams, consisting of Federal, State, tribal,
3 and local law enforcement authorities, for
4 the coordinated investigation, disruption,
5 apprehension, and prosecution of criminal
6 street gangs and offenders in each high in-
7 tensity gang activity area;
- 8 (ii) educational, community, and faith
9 leaders in the area;
- 10 (iii) service providers in the commu-
11 nity, including those experienced at reach-
12 ing youth and adults who have been in-
13 volved in violence and violent gangs or
14 groups, to provide gang-involved or seri-
15 ously at-risk youth with positive alter-
16 natives to gangs and other violent groups
17 and to address the needs of those who
18 leave gangs and other violent groups, and
19 those reentering society from prison; and
- 20 (iv) evaluation teams to research and
21 collect information, assess data, rec-
22 ommend adjustments, and generally assure
23 the accountability and effectiveness of pro-
24 gram implementation;

1 (B) direct the reassignment or detailing
2 from any Federal department or agency (sub-
3 ject to the approval of the head of that depart-
4 ment or agency, in the case of a department or
5 agency other than the Department of Justice)
6 of personnel to each criminal street gang en-
7 forcement team;

8 (C) direct the reassignment or detailing of
9 representatives from—

10 (i) the Department of Justice;

11 (ii) the Department of Education;

12 (iii) the Department of Labor;

13 (iv) the Department of Health and
14 Human Services;

15 (v) the Department of Housing and
16 Urban Development; and

17 (vi) any other Federal department or
18 agency;

19 (subject to the approval of the head of that de-
20 partment or agency, in the case of a depart-
21 ment or agency other than the Department of
22 Justice) to each high intensity gang activity
23 area to identify and coordinate efforts to access
24 Federal programs and resources available to

1 provide gang prevention, intervention, and re-
2 entry assistance;

3 (D) prioritize and administer the Federal
4 program and resource requests made by the
5 local collaborative working group established
6 under subparagraph (A) for each high intensity
7 gang activity area;

8 (E) provide all necessary funding for the
9 operation of each local collaborative working
10 group in each high intensity gang activity area;
11 and

12 (F) provide all necessary funding for na-
13 tional and regional meetings of local collabo-
14 rative working groups, criminal street gang en-
15 forcement teams, and educational, community,
16 social service, faith-based, and all other related
17 organizations, as needed, to ensure effective op-
18 eration of such teams through the sharing of
19 intelligence and best practices and for any other
20 related purpose.

21 (3) COMPOSITION OF CRIMINAL STREET GANG
22 ENFORCEMENT TEAM.—Each team established
23 under paragraph (2)(A)(i) shall consist of agents
24 and officers, where feasible, from—

25 (A) the Federal Bureau of Investigation;

1 (B) the Drug Enforcement Administration;

2 (C) the Bureau of Alcohol, Tobacco, Fire-
3 arms, and Explosives;

4 (D) the United States Marshals Service;

5 (E) the Department of Homeland Security;

6 (F) the Department of Housing and Urban
7 Development;

8 (G) State, local, and, where appropriate,
9 tribal law enforcement;

10 (H) Federal, State, and local prosecutors;

11 and

12 (I) the Bureau of Indian Affairs, Office of
13 Law Enforcement Services, where appropriate.

14 (4) CRITERIA FOR DESIGNATION.—In consid-
15 ering an area for designation as a high intensity
16 gang activity area under this section, the Attorney
17 General shall consider—

18 (A) the current and predicted levels of
19 gang crime activity in the area;

20 (B) the extent to which qualitative and
21 quantitative data indicate that violent crime in
22 the area is related to criminal street gang activ-
23 ity, such as murder, robbery, assaults,
24 carjacking, arson, kidnapping, extortion, drug
25 trafficking, and other criminal activity;

1 (C) the extent to which State, local, and,
2 where appropriate, tribal law enforcement agen-
3 cies, schools, community groups, social service
4 agencies, job agencies, faith-based organiza-
5 tions, and other organizations have committed
6 resources to—

7 (i) respond to the gang crime prob-
8 lem; and

9 (ii) participate in a gang enforcement
10 team;

11 (D) the extent to which a significant in-
12 crease in the allocation of Federal resources
13 would enhance local response to the gang crime
14 activities in the area;

15 (E) whether the area—

16 (i) has a comprehensive strategy to
17 respond to local gang-related issues (in-
18 cluding prevention and intervention);

19 (ii) coordinates Federal actions and
20 resources to support local implementation
21 of such comprehensive strategy; and

22 (iii) maximizes the resources available
23 from the various levels of government for
24 responding to gang-related issues; and

1 (F) any other criteria that the Attorney
2 General considers to be appropriate.

3 (5) RELATION TO HIDTAS.—If the Attorney
4 General establishes a high intensity gang activity
5 area that substantially overlaps geographically with
6 any existing high intensity drug trafficking area (in
7 this section referred to as a “HIDTA”), the Attor-
8 ney General shall direct the local collaborative work-
9 ing group for that high intensity gang activity area
10 to enter into an agreement with the Executive Board
11 for that HIDTA, providing that—

12 (A) the Executive Board of that HIDTA
13 shall establish a separate high intensity gang
14 activity area law enforcement steering com-
15 mittee, and select (with a preference for Fed-
16 eral, State, and local law enforcement agencies
17 that are within the geographic area of that high
18 intensity gang activity area) the members of
19 that committee, subject to the concurrence of
20 the Attorney General;

21 (B) the high intensity gang activity area
22 law enforcement steering committee established
23 under subparagraph (A) shall administer the
24 funds provided under subsection (g)(1) for the
25 criminal street gang enforcement team, after

1 consulting with, and consistent with the goals
2 and strategies established by, that local collabo-
3 rative working group;

4 (C) the high intensity gang activity area
5 law enforcement steering committee established
6 under subparagraph (A) shall select, from Fed-
7 eral, State, and local law enforcement agencies
8 within the geographic area of that high inten-
9 sity gang activity area, the members of the
10 Criminal Street Gang Enforcement Team, in
11 accordance with paragraph (3); and

12 (D) the Criminal Street Gang Enforcement
13 Team of that high intensity gang activity area,
14 and its law enforcement steering committee,
15 may, with approval of the Executive Board of
16 the HIDTA with which it substantially over-
17 laps, utilize the intelligence-sharing, administra-
18 tive, and other resources of that HIDTA.

19 (c) REPORTING REQUIREMENTS.—

20 (1) IN GENERAL.—Not later than December 1
21 of each year, the Attorney General shall submit a re-
22 port to the appropriate committees of Congress and
23 the Director of the Office of Management and Budg-
24 et and the Domestic Policy Council that describes,

1 for each designated high intensity gang activity
2 area—

3 (A) the specific long-term and short-term
4 goals and objectives;

5 (B) the measurements used to evaluate the
6 performance of the high intensity gang activity
7 area in achieving the long-term and short-term
8 goals;

9 (C) the age, composition, and membership
10 of gangs;

11 (D) the number and nature of crimes com-
12 mitted by gangs and gang members;

13 (E) the definition of the term “gang” used
14 to compile that report; and

15 (F) the programmatic outcomes and fund-
16 ing needs of the high intensity gang area, in-
17 cluding—

18 (i) an evidence-based analysis of the
19 best practices and outcomes from the work
20 of the relevant local collaborative working
21 group; and

22 (ii) an analysis of whether Federal re-
23 sources distributed meet the needs of the
24 high intensity gang activity area and, if
25 any programmatic funding shortfalls exist,

1 recommendations for programs or funding
2 to meet such shortfalls.

3 (2) APPROPRIATE COMMITTEES.—In this sub-
4 section, the term “appropriate committees of Con-
5 gress” means—

6 (A) the Committee on the Judiciary, the
7 Committee on Appropriations, and the Com-
8 mittee on Health, Education, Labor, and Pen-
9 sions of the Senate; and

10 (B) the Committee on the Judiciary, the
11 Committee on Appropriations, the Committee
12 on Education and Labor, and the Committee on
13 Energy and Commerce of the House of Rep-
14 resentatives.

15 (d) ADDITIONAL ASSISTANT UNITED STATES ATTOR-
16 NEYS.—The Attorney General is authorized to hire 94 ad-
17 ditional Assistant United States attorneys, and non-
18 attorney coordinators and paralegals as necessary, to
19 carry out the provisions of this section.

20 (e) ADDITIONAL DEFENSE COUNSEL.—In each of
21 the fiscal years 2008 through 2012, the Director of the
22 Administrative Office of the United States Courts is au-
23 thorized to hire 71 additional attorneys, nonattorney coor-
24 dinators, and investigators, as necessary, in Federal De-
25 fender Programs and Federal Community Defender Orga-

1 nizations, and to make additional payments as necessary
2 to retain appointed counsel under section 3006A of title
3 18, United States Code, to adequately respond to any in-
4 creased or expanded caseloads that may occur as a result
5 of this Act or the amendments made by this Act. Funding
6 under this subsection shall not exceed the funding levels
7 under subsection (d).

8 (f) NATIONAL GANG RESEARCH, EVALUATION, AND
9 POLICY INSTITUTE.—

10 (1) IN GENERAL.—The Office of Justice Pro-
11 grams of the Department of Justice, after consulting
12 with relevant law enforcement officials, practitioners
13 and researchers, shall establish a National Gang Re-
14 search, Evaluation, and Policy Institute (in this sub-
15 section referred to as the “Institute”).

16 (2) ACTIVITIES.—The Institute shall—

17 (A) promote and facilitate the implementa-
18 tion of data-driven, effective gang violence sup-
19 pression, prevention, intervention, and reentry
20 models, such as the Operation Ceasefire model,
21 the Strategic Public Health Approach, the
22 Gang Reduction Program, or any other prom-
23 ising municipally driven, comprehensive commu-
24 nity-wide strategy that is demonstrated to be
25 effective in reducing gang violence;

1 (B) assist jurisdictions by conducting time-
2 ly research on effective models and designing
3 and promoting implementation of effective local
4 strategies, including programs that have objec-
5 tives and data on how they reduce gang violence
6 (including shootings and killings), using preven-
7 tion, outreach, and community approaches, and
8 that demonstrate the efficacy of these ap-
9 proaches; and

10 (C) provide and contract for technical as-
11 sistance as needed in support of its mission.

12 (3) NATIONAL CONFERENCE.—Not later than
13 90 days after the date of its formation, the Institute
14 shall design and conduct a national conference to re-
15 duce and prevent gang violence, and to teach and
16 promote gang violence prevention, intervention, and
17 reentry strategies. The conference shall be attended
18 by appropriate representatives from criminal street
19 gang enforcement teams, and local collaborative
20 working groups, including representatives of edu-
21 cational, community, religious, and social service or-
22 ganizations, and gang program and policy research
23 evaluators.

24 (4) NATIONAL DEMONSTRATION SITES.—Not
25 later than 120 days after the date of its formation,

1 the Institute shall select appropriate HIGAA areas
2 to serve as primary national demonstration sites,
3 based on the nature, concentration, and distribution
4 of various gang types, the jurisdiction's established
5 capacity to integrate prevention, intervention, re-
6 entry and enforcement efforts, and the range of par-
7 ticular gang-related issues. After establishing pri-
8 mary national demonstration sites, the Institute
9 shall establish such other secondary sites, to be
10 linked to and receive evaluation, research, and tech-
11 nical assistance through the primary sites, as it may
12 determine appropriate.

13 (5) DISSEMINATION OF INFORMATION.—Not
14 later than 180 days after the date of its formation,
15 the Institute shall develop and begin dissemination
16 of information about methods to effectively reduce
17 and prevent gang violence, including guides, research
18 and assessment models, case studies, evaluations,
19 and best practices. The Institute shall also create a
20 website, designed to support the implementation of
21 successful gang violence prevention models, and dis-
22 seminate appropriate information to assist jurisdic-
23 tions in reducing gang violence.

24 (6) GANG INTERVENTION ACADEMIES.—Not
25 later than 6 months after the date of its formation,

1 the Institute shall, either directly or through con-
2 tracts with qualified nonprofit organizations, estab-
3 lish not less than 1 training academy, located in a
4 high intensity gang activity area, to promote effec-
5 tive gang intervention and community policing. The
6 purposes of an academy established under this para-
7 graph shall be to increase professionalism of gang
8 intervention workers, improve officer training for
9 working with gang intervention workers, create best
10 practices for independent cooperation between offi-
11 cers and intervention workers, and develop training
12 for community policing.

13 (7) SUPPORT.—The Institute shall obtain initial
14 and continuing support from experienced researchers
15 and practitioners, as it determines necessary, to test
16 and assist in implementing its strategies nationally,
17 regionally, and locally.

18 (8) RESEARCH AGENDA.—The Institute shall
19 establish and implement a core research agenda de-
20 signed to address areas of particular challenge, in-
21 cluding—

22 (A) how best to apply and continue to test
23 the models described in paragraph (2) in par-
24 ticularly large jurisdictions;

1 (B) how to foster and maximize the con-
2 tinuing impact of community moral voices in
3 this context;

4 (C) how to ensure the long-term sustain-
5 ability of reduced violent crime levels once ini-
6 tial levels of enthusiasm may subside; and

7 (D) how to apply existing intervention
8 frameworks to emerging local, regional, na-
9 tional, or international gang problems, such as
10 the emergence of the gang known as MS-13.

11 (9) EVALUATION.—The National Institute of
12 Justice shall evaluate, on a continuing basis, com-
13 prehensive gang violence prevention, intervention,
14 suppression, and reentry strategies supported by the
15 Institute, and shall report the results of these eval-
16 uations by no later than October 1 each year to the
17 Committee on the Judiciary of the Senate and the
18 Committee on the Judiciary of the House of Rep-
19 resentatives.

20 (10) FUNDS.—The Attorney General shall use
21 not less than 3 percent, and not more than 5 per-
22 cent, of the amounts made available under this sec-
23 tion to establish and operate the Institute.

24 (g) GANG SUPPRESSION INFORMATION GRANTS.—

1 (1) AUTHORITY TO MAKE GRANTS.—The Office
2 of Justice Programs of the Department of Justice
3 shall make grants, in accordance with such regula-
4 tions as the Attorney General may prescribe, to
5 States, units of local government, and tribal govern-
6 ments to fund technology, equipment, and training
7 for State and local sheriffs, police agencies, and
8 prosecutor offices in order to—

9 (A) increase accurate identification of gang
10 members and violent offenders;

11 (B) maintain databases with such informa-
12 tion to facilitate coordination among law en-
13 forcement and prosecutors; and

14 (C) otherwise improve the investigation
15 and prosecution of criminal street gangs.

16 (2) GRANT REQUIREMENTS.—

17 (A) PERIOD.—A grant under this sub-
18 section shall be made for a period of not more
19 than 2 years.

20 (B) MAXIMUM.—The amount of a grant
21 under this subsection may not exceed
22 \$1,000,000.

23 (3) ANNUAL REPORT.—Each recipient of a
24 grant under this subsection shall submit to the At-
25 torney General, for each year in which funds from

1 a grant received under this subsection are expended,
2 a report containing—

3 (A) a summary of the activities carried out
4 with grant funds during that year;

5 (B) an assessment of the effectiveness of
6 the crime prevention, research, and intervention
7 activities of the recipient;

8 (C) a strategic plan for the year following
9 the year covered under paragraph (1); and

10 (D) such other information as the Attorney
11 General may require.

12 (4) DEFINITION.—In this subsection, the term
13 “units of local government” includes sheriffs, police
14 agencies, and local prosecutor offices.

15 (h) USE OF FUNDS.—Of amounts made available to
16 a local collaborative working group under this section for
17 each fiscal year that are remaining after the costs of hir-
18 ing a full time coordinator for the local collaborative effort,
19 funds shall be used as follows:

20 (1) GANG ENFORCEMENT AND RESEARCH
21 FUNDING.—Fifty percent of the funds shall be
22 used—

23 (A) for the operation of criminal street
24 gang enforcement teams;

1 (B) for gang suppression information
2 grants under subsection (g);

3 (C) for the establishment and operation of
4 the National Gang Research, Evaluation, and
5 Policy Institute; and

6 (D) to support and provide technical as-
7 sistance to research in criminal justice, social
8 services, and community gang violence preven-
9 tion collaborations.

10 (2) GANG PREVENTION FUNDING.—Fifty per-
11 cent of the funds shall be used to provide at-risk
12 youth with positive alternatives to gangs and other
13 violent groups and to address the needs of those who
14 leave gangs and other violent groups through—

15 (A) service providers in the community, in-
16 cluding schools and school districts; and

17 (B) faith leaders and other individuals ex-
18 perience at reaching youth who have been in-
19 volved in violence and violent gangs or groups.

20 (i) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out this section
22 \$100,000,000 for each of fiscal years 2008 through 2012.
23 Any funds made available under this subsection shall re-
24 main available until expended.

1 **SEC. 302. GANG PREVENTION GRANTS.**

2 (a) **AUTHORITY TO MAKE GRANTS.—**

3 (1) **GRANTS AUTHORIZED.—**The Office of Jus-
4 tice Programs of the Department of Justice may
5 make grants, in accordance with such regulations as
6 the Attorney General may prescribe, to States, units
7 of local government, tribal governments, and quali-
8 fied private entities, to develop community-based
9 programs that provide crime prevention, research,
10 and intervention services that are designed for gang
11 members and at-risk youth.

12 (2) **SELECTION PRIORITY.—**In selecting entities
13 to receive grants under this section, the Office of
14 Justice Programs shall give priority to entities
15 that—

16 (A) have a comprehensive strategy to carry
17 out community-based programs described in
18 paragraph (1) to respond to local gang-related
19 issues (including prevention and intervention),
20 or, with respect to States or qualified private
21 entities that are not able to carry out such a
22 strategy in a local community, coordinate with
23 a local entity in such community to carry out
24 the comprehensive strategy of such local entity;

1 (B) coordinate Federal actions and re-
2 sources to support local implementation of such
3 comprehensive strategies; and

4 (C) maximize the resources available from
5 the various levels of government for such com-
6 munity-based programs.

7 (b) USE OF GRANT AMOUNTS.—A grant under this
8 section may be used (including through subgrants) for—

9 (1) preventing initial gang recruitment and in-
10 volvement among younger teenagers;

11 (2) reducing gang involvement through non-
12 violent and constructive activities, such as commu-
13 nity service programs, development of nonviolent
14 conflict resolution skills, employment and legal as-
15 sistance, family counseling, and other safe, commu-
16 nity-based alternatives for high-risk youth;

17 (3) developing in-school and after-school gang
18 safety, control, education, and resistance procedures
19 and programs;

20 (4) identifying and addressing early childhood
21 risk factors for gang involvement, including parent
22 training and childhood skills development;

23 (5) identifying and fostering protective factors
24 that buffer children and adolescents from gang in-
25 volvement;

1 (6) developing and identifying investigative pro-
2 grams designed to deter gang recruitment, involve-
3 ment, and activities through effective intelligence
4 gathering;

5 (7) developing programs and youth centers for
6 first-time nonviolent offenders facing alternative
7 penalties, such as mandated participation in commu-
8 nity service, restitution, counseling, and education
9 and prevention programs;

10 (8) implementing regional, multidisciplinary ap-
11 proaches to combat gang violence through coordi-
12 nated programs for prevention and intervention (in-
13 cluding street outreach programs and other peace-
14 making activities) or coordinated law enforcement
15 activities that enhance reintegration strategies for
16 offender reentry; or

17 (9) identifying at-risk and high-risk students
18 through home visits organized through joint collabo-
19 rations between law enforcement, faith-based organi-
20 zations, schools, and social workers.

21 (c) GRANT REQUIREMENTS.—

22 (1) MAXIMUM.—The amount of a grant under
23 this section may not exceed \$1,000,000.

24 (2) CONSULTATION AND COOPERATION.—Each
25 recipient of a grant under this section shall have in

1 effect on the date of the application by that entity
2 agreements to consult and cooperate with local,
3 State, or Federal law enforcement and participate,
4 as appropriate, in coordinated efforts to reduce gang
5 activity and violence.

6 (d) ANNUAL REPORTS.—

7 (1) RECIPIENTS.—Each recipient of a grant
8 under this section shall submit to the Attorney Gen-
9 eral, for each year in which funds from a grant re-
10 ceived under this section are expended, a report con-
11 taining—

12 (A) a summary of the activities carried out
13 with grant funds during that year;

14 (B) an assessment of the effectiveness of
15 the crime prevention, research, and intervention
16 activities of the recipient, based on data col-
17 lected by the grant recipient;

18 (C) a strategic plan for the year following
19 the year described in paragraph (1);

20 (D) evidence of consultation and coopera-
21 tion with local, State, or Federal law enforce-
22 ment or, if the grant recipient is a government
23 entity, evidence of consultation with an organi-
24 zation engaged in any activity described in sub-
25 section (b); and

1 (E) such other information as the Attorney
2 General may require.

3 (2) ATTORNEY GENERAL.—Not later than one
4 year after the date of the enactment of this Act, and
5 annually thereafter, the Attorney General shall sub-
6 mit to Congress a report, based on the reports sub-
7 mitted under paragraph (1), identifying the best
8 practices of grant recipients under this section for
9 responding to gang-related issues, and important re-
10 search relating to such best practices and issues.
11 The Attorney General shall make such report pub-
12 licly available.

13 (e) DEFINITION.—In this section, the term “units of
14 local government” includes sheriffs departments, police
15 departments, and local prosecutor offices.

16 (f) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated for grants under this
18 section \$50,000,000 for each of the fiscal years 2008
19 through 2012.

20 **SEC. 303. ENHANCEMENT OF PROJECT SAFE NEIGHBOR-**
21 **HOODS INITIATIVE TO IMPROVE ENFORCE-**
22 **MENT OF CRIMINAL LAWS AGAINST VIOLENT**
23 **GANGS.**

24 (a) IN GENERAL.—While maintaining the focus of
25 Project Safe Neighborhoods as a comprehensive, strategic

1 approach to reducing gun violence in America, the Attor-
2 ney General is authorized to expand the Project Safe
3 Neighborhoods program to require each United States at-
4 torney to—

5 (1) identify, investigate, and prosecute signifi-
6 cant criminal street gangs operating within their dis-
7 trict; and

8 (2) coordinate the identification, investigation,
9 and prosecution of criminal street gangs among Fed-
10 eral, State, and local law enforcement agencies.

11 (b) ADDITIONAL STAFF FOR PROJECT SAFE NEIGH-
12 BORHOODS.—

13 (1) IN GENERAL.—The Attorney General may
14 hire Assistant United States attorneys, non-attorney
15 coordinators, or paralegals to carry out the provi-
16 sions of this section.

17 (2) ENFORCEMENT.—The Attorney General
18 may hire Bureau of Alcohol, Tobacco, Firearms, and
19 Explosives agents for, and otherwise expend addi-
20 tional resources in support of, the Project Safe
21 Neighborhoods/Firearms Violence Reduction pro-
22 gram.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated \$20,000,000 for each
25 of the fiscal years 2008 through 2012 to carry out this

1 section. Any funds made available under this paragraph
2 shall remain available until expended.

3 **SEC. 304. ADDITIONAL RESOURCES NEEDED BY THE FED-**
4 **ERAL BUREAU OF INVESTIGATION TO INVES-**
5 **TIGATE AND PROSECUTE VIOLENT CRIMINAL**
6 **STREET GANGS.**

7 (a) EXPANSION OF SAFE STREETS PROGRAM.—The
8 Attorney General is authorized to expand the Safe Streets
9 Program of the Federal Bureau of Investigation for the
10 purpose of supporting criminal street gang enforcement
11 teams.

12 (b) NATIONAL GANG ACTIVITY DATABASE.—

13 (1) IN GENERAL.—The Attorney General shall
14 establish a National Gang Activity Database to be
15 housed at and administered by the Department of
16 Justice.

17 (2) DESCRIPTION.—The database required by
18 paragraph (1) shall—

19 (A) be designed to disseminate gang infor-
20 mation to law enforcement agencies throughout
21 the country and, subject to appropriate con-
22 trols, to disseminate aggregate statistical infor-
23 mation to other members of the criminal justice
24 system, community leaders, academics, and the
25 public;

1 (B) contain critical information on gangs,
2 gang members, firearms, criminal activities, ve-
3 hicles, and other information useful for inves-
4 tigators in solving and reducing gang-related
5 crimes;

6 (C) operate in a manner that enables law
7 enforcement agencies to—

8 (i) identify gang members involved in
9 crimes;

10 (ii) track the movement of gangs and
11 members throughout the region;

12 (iii) coordinate law enforcement re-
13 sponse to gang violence;

14 (iv) enhance officer safety;

15 (v) provide realistic, up-to-date figures
16 and statistical data on gang crime and vio-
17 lence;

18 (vi) forecast trends and respond ac-
19 cordingly; and

20 (vii) more easily solve crimes and pre-
21 vent violence; and

22 (D) be subject to guidelines, issued by the
23 Attorney General, specifying the criteria for
24 adding information to the database, the appro-
25 priate period for retention of such information,

1 and a process for removing individuals from the
2 database, and prohibiting disseminating gang
3 information to any entity that is not a law en-
4 forcement agency, except aggregate statistical
5 information where appropriate.

6 (3) USE OF RISS SECURE INTRANET.—From
7 amounts made available to carry out this section, the
8 Attorney General shall provide the Regional Infor-
9 mation Sharing Systems such sums as are necessary
10 to use the secure intranet known as RISSNET to
11 electronically connect existing gang information sys-
12 tems (including the RISSGang National Gang Data-
13 base) with the National Gang Activity Database,
14 thereby facilitating the automated information ex-
15 change of existing gang data by all connected sys-
16 tems without the need for additional databases or
17 data replication.

18 (c) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) IN GENERAL.—In addition to amounts oth-
20 erwise authorized, there are authorized to be appro-
21 priated to the Attorney General \$10,000,000 for
22 each of the fiscal years 2008 through 2012 to carry
23 out this section.

1 (2) AVAILABILITY.—Any amounts appropriated
2 under paragraph (1) shall remain available until ex-
3 pended.

4 **SEC. 305. GRANTS TO PROSECUTORS AND LAW ENFORCE-**
5 **MENT TO COMBAT VIOLENT CRIME.**

6 (a) IN GENERAL.—Section 31702 of the Violent
7 Crime Control and Law Enforcement Act of 1994 (42
8 U.S.C. 13862) is amended—

9 (1) in paragraph (3), by striking “and” at the
10 end;

11 (2) in paragraph (4), by striking the period at
12 the end and inserting a semicolon; and

13 (3) by adding at the end the following:

14 “(5) to hire additional prosecutors to—

15 “(A) allow more cases to be prosecuted;

16 and

17 “(B) reduce backlogs; and

18 “(6) to fund technology, equipment, and train-
19 ing for prosecutors and law enforcement in order to
20 increase accurate identification of gang members
21 and violent offenders, and to maintain databases
22 with such information to facilitate coordination
23 among law enforcement and prosecutors.”.

24 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
25 31707 of the Violent Crime Control and Law Enforcement

1 Act of 1994 (42 U.S.C. 13867) is amended to read as
2 follows:

3 **“SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.**

4 “There are authorized to be appropriated
5 \$20,000,000 for each of the fiscal years 2008 through
6 2012 to carry out this subtitle.”.

7 **SEC. 306. SHORT-TERM STATE WITNESS PROTECTION SEC-**
8 **TION.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—Chapter 37 of title 28,
11 United States Code, is amended by adding at the
12 end the following:

13 **“§ 570. Short-Term State Witness Protection Section**

14 “(a) IN GENERAL.—There is established in the
15 United States Marshals Service a Short-Term State Wit-
16 ness Protection Section which shall provide protection for
17 witnesses in State and local trials involving homicide or
18 other major violent crimes pursuant to cooperative agree-
19 ments with State and local criminal prosecutor’s offices
20 and the United States attorney for the District of Colum-
21 bia.

22 “(b) ELIGIBILITY.—

23 “(1) IN GENERAL.—The Short-Term State Wit-
24 ness Protection Section shall give priority in award-
25 ing grants and providing services to—

1 “(A) criminal prosecutor’s offices for
2 States with an average of not less than 100
3 murders per year; and

4 “(B) criminal prosecutor’s offices for juris-
5 dictions that include a city, town, or township
6 with an average violent crime rate per 100,000
7 inhabitants that is above the national average.

8 “(2) CALCULATION.—The rate of murders and
9 violent crime under paragraph (1) shall be calculated
10 using the latest available crime statistics from the
11 Federal Bureau of Investigation during the 5-year
12 period immediately preceding an application for pro-
13 tection.”.

14 (2) CHAPTER ANALYSIS.—The chapter analysis
15 for chapter 37 of title 28, United States Code, is
16 amended by striking the items relating to sections
17 570 through 576 and inserting the following:

“570. Short-Term State Witness Protection Section.”.

18 (b) GRANT PROGRAM.—

19 (1) DEFINITIONS.—In this subsection—

20 (A) the term “eligible prosecutor’s office”
21 means a State or local criminal prosecutor’s of-
22 fice or the United States attorney for the Dis-
23 trict of Columbia; and

1 (B) the term “serious violent felony” has
2 the same meaning as in section 3559(e)(2) of
3 title 18, United States Code.

4 (2) GRANTS AUTHORIZED.—

5 (A) IN GENERAL.—The Attorney General
6 is authorized to make grants to eligible prosecu-
7 tor’s offices for purposes of identifying wit-
8 nesses in need of protection or providing short
9 term protection to witnesses in trials involving
10 homicide or serious violent felony.

11 (B) ALLOCATION.—Each eligible prosecu-
12 tor’s office receiving a grant under this sub-
13 section may—

14 (i) use the grant to identify witnesses
15 in need of protection or provide witness
16 protection (including tattoo removal serv-
17 ices); or

18 (ii) pursuant to a cooperative agree-
19 ment with the Short-Term State Witness
20 Protection Section of the United States
21 Marshals Service, credit the grant to the
22 Short-Term State Witness Protection Sec-
23 tion to cover the costs to the section of
24 providing witness protection on behalf of
25 the eligible prosecutor’s office.

1 (3) APPLICATION.—

2 (A) IN GENERAL.—Each eligible prosecu-
3 tor’s office desiring a grant under this sub-
4 section shall submit an application to the Attor-
5 ney General at such time, in such manner, and
6 accompanied by such information as the Attor-
7 ney General may reasonably require.

8 (B) CONTENTS.—Each application sub-
9 mitted under subparagraph (A) shall—

10 (i) describe the activities for which as-
11 sistance under this subsection is sought;
12 and

13 (ii) provide such additional assurances
14 as the Attorney General determines to be
15 essential to ensure compliance with the re-
16 quirements of this subsection.

17 (c) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 \$90,000,000 for each of fiscal years 2008 through 2010.

20 **SEC. 307. WITNESS PROTECTION SERVICES.**

21 Section 3526 of title 18, United States Code (Co-
22 operation of other Federal agencies and State govern-
23 ments; reimbursement of expenses) is amended by adding
24 at the end the following:

1 “(c) In any case in which a State government re-
2 quests the Attorney General to provide temporary protec-
3 tion under section 3521(e) of this title, the costs of pro-
4 viding temporary protection are not reimbursable if the
5 investigation or prosecution in any way relates to crimes
6 of violence committed by a criminal street gang, as defined
7 under the laws of the relevant State seeking assistance
8 under this title.”.

9 **SEC. 308. EXPANSION OF FEDERAL WITNESS RELOCATION**
10 **AND PROTECTION PROGRAM.**

11 Section 3521(a)(1) of title 18 is amended by inserting
12 “, criminal street gang, serious drug offense, homicide,”
13 after “organized criminal activity”.

14 **SEC. 309. FAMILY ABDUCTION PREVENTION GRANT PRO-**
15 **GRAM.**

16 (a) STATE GRANTS.—The Attorney General is au-
17 thorized to make grants to States for projects involving—

18 (1) the extradition of individuals suspected of
19 committing a family abduction;

20 (2) the investigation by State and local law en-
21 forcement agencies of family abduction cases;

22 (3) the training of State and local law enforce-
23 ment agencies in responding to family abductions
24 and recovering abducted children, including the de-

1 velopment of written guidelines and technical assist-
2 ance;

3 (4) outreach and media campaigns to educate
4 parents on the dangers of family abductions; and

5 (5) the flagging of school records.

6 (b) MATCHING REQUIREMENT.—Not less than 50
7 percent of the cost of a project for which a grant is made
8 under this section shall be provided by non-Federal
9 sources.

10 (c) DEFINITIONS.—In this section:

11 (1) FAMILY ABDUCTION.—The term “family
12 abduction” means the taking, keeping, or concealing
13 of a child or children by a parent, other family mem-
14 ber, or person acting on behalf of the parent or fam-
15 ily member, that prevents another individual from
16 exercising lawful custody or visitation rights.

17 (2) FLAGGING.—The term “flagging” means
18 the process of notifying law enforcement authorities
19 of the name and address of any person requesting
20 the school records of an abducted child.

21 (3) STATE.—The term “State” means each of
22 the several States, the District of Columbia, the
23 Commonwealth of Puerto Rico, the Commonwealth
24 of the Northern Mariana Islands, American Samoa,

1 Guam, the Virgin Islands, any territory or posses-
2 sion of the United States, and any Indian tribe.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$500,000 for fiscal year 2008 and such sums as may be
6 necessary for each of fiscal years 2009 and 2010.

7 **SEC. 310. STUDY ON ADOLESCENT DEVELOPMENT AND**
8 **SENTENCES IN THE FEDERAL SYSTEM.**

9 (a) IN GENERAL.—The United States Sentencing
10 Commission shall conduct a study to examine the appro-
11 priateness of sentences for minors in the Federal system.

12 (b) CONTENTS.—The study conducted under sub-
13 section (a) shall—

14 (1) incorporate the most recent research and
15 expertise in the field of adolescent brain development
16 and culpability;

17 (2) evaluate the toll of juvenile crime, particu-
18 larly violent juvenile crime, on communities;

19 (3) consider the appropriateness of life sen-
20 tences without possibility for parole for minor of-
21 fenders in the Federal system; and

22 (4) evaluate issues of recidivism by juveniles
23 who are released from prison or detention after serv-
24 ing determinate sentences.

1 (c) REPORT.—Not later than 1 year after the date
2 of enactment of this Act, the United States Sentencing
3 Commission shall submit to Congress a report regarding
4 the study conducted under subsection (a), which shall—

5 (1) include the findings of the Commission;

6 (2) describe significant cases reviewed as part
7 of the study; and

8 (3) make recommendations, if any.

9 (d) REVISION OF GUIDELINES.—If determined ap-
10 propriate by the United States Sentencing Commission,
11 after completing the study under subsection (a) the Com-
12 mission may, pursuant to its authority under section 994
13 of title 28, United States Code, establish or revise guide-
14 lines and policy statements, as warranted, relating to the
15 sentencing of minors under this Act or the amendments
16 made by this Act.

17 **TITLE IV—RESOURCES TO**
18 **STRENGTHEN EMPLOYMENT**
19 **AND EDUCATION OPPORTUNI-**
20 **TIES FOR FORMER OFFEND-**
21 **ERS**

22 **SEC. 401. GRANTS TO ASSIST JUVENILE OFFENDER RE-**
23 **INTEGRATION PROJECTS.**

24 (a) AUTHORITY TO MAKE GRANTS FOR JUVENILE
25 OFFENDER REINTEGRATION PROJECTS.—From amounts

1 made available to carry out this section, the Secretary of
2 Labor, in consultation with the Attorney General, shall
3 make grants to carry out juvenile offender reintegration
4 projects that are designed to provide services to eligible
5 juvenile offenders that will reduce recidivism, increase
6 educational attainment, and enhance long-term employ-
7 ability of such offenders. Such grants may be awarded to
8 nonprofit organizations, workforce investment boards es-
9 tablished under title I of the Workforce Investment Act
10 of 1998, States, and units of local government.

11 (b) DEFINITIONS.—For the purposes of this section:

12 (1) ELIGIBLE JUVENILE OFFENDERS.—The
13 term “eligible juvenile offenders” means individuals
14 who—

15 (A) are 14 to 21 years of age; and

16 (B) have been involved in the criminal jus-
17 tice system for a gang-related offense during
18 the one-year period immediately preceding the
19 date on which a determination of eligibility is
20 made.

21 (2) INVOLVED IN THE CRIMINAL JUSTICE SYS-
22 TEM.—The term “involved in the criminal justice
23 system” means, with respect to an individual, that
24 the individual is being held in a juvenile or adult
25 correctional facility or detention center, has been re-

1 leased from a juvenile or adult correctional facility
2 or detention center, has been sentenced in court to
3 probation or an alternative sentence, or has been re-
4 ferred by court personnel to an alternative program.

5 (c) USE OF FUNDS.—

6 (1) IN GENERAL.—Funds for juvenile offender
7 reintegration projects under this section may be ex-
8 pended for—

9 (A) providing tutoring, dropout prevention
10 activities, academic credit retrieval activities,
11 basic skills instruction and remedial education,
12 and language instruction for individuals with
13 limited English proficiency, in order to assist el-
14 igible juvenile offenders in obtaining a high
15 school diploma or GED or to participate in
16 postsecondary education;

17 (B) providing career exploration and edu-
18 cation activities, pre-apprenticeship activities,
19 activities relating to the attainment of industry-
20 recognized credentials, and activities to increase
21 placement in registered apprenticeship pro-
22 grams for eligible juvenile offenders;

23 (C) mentoring eligible juvenile offenders,
24 including the provision of support, guidance,
25 and assistance to address the challenges faced

1 by such juvenile offenders in reintegrating into
2 the community;

3 (D) providing job training and job place-
4 ment services to eligible juvenile offenders, in-
5 cluding work readiness activities, job referrals,
6 educational services, occupational skills train-
7 ing, on-the-job training, and paid and unpaid
8 work experience (including internships and job
9 shadowing activities);

10 (E) providing outreach, orientation, intake,
11 assessments, counseling, case management, per-
12 sonal development activities, and other transi-
13 tional services to eligible juvenile offenders; and

14 (F) providing follow-up services to eligible
15 juvenile offenders that will assist in advance-
16 ment in education and employment.

17 (2) LIMITATION ON USE OF FUNDS.—Not more
18 than 15 percent of the funds awarded to a grantee
19 under this section may be used for administrative
20 costs necessary to carry out a project under this sec-
21 tion.

22 (d) APPLICATION.—To be considered to receive a
23 grant under this section to carry out a juvenile offender
24 reintegration project, a nonprofit organization, workforce
25 investment board established under title I of the Work-

1 force Investment Act of 1998, State, or unit of local gov-
2 ernment, or a combination thereof, shall submit an appli-
3 cation to the Secretary of Labor at such time, in such
4 manner and accompanied by such information as the Sec-
5 retary of Labor may require. Such application shall in-
6 clude—

7 (1) a plan describing the design of the project
8 to assist eligible juvenile offenders, including services
9 to be provided to such offenders;

10 (2) a description of any partnerships between
11 the applicant and Federal, State, or local criminal
12 justice agencies, workforce investment boards,
13 schools and institutions of higher education, busi-
14 nesses, and service providers in the community, in-
15 cluding those experienced in—

16 (A) reaching youth and adults who have
17 been involved in violence and violent gangs or
18 groups;

19 (B) providing gang-involved or seriously
20 at-risk youth with positive alternatives to gangs
21 and other violent groups; and

22 (C) addressing the needs of individuals
23 who leave gangs and other violent groups, and
24 individuals reentering society from prison; and

1 (3) an assurance that the applicant will provide
2 not less than 25 percent of the cost of the project
3 to assist eligible juvenile offenders from non-Federal
4 sources.

5 (e) PERFORMANCE OUTCOMES.—

6 (1) CORE INDICATORS.—Each grantee receiving
7 funds to carry out a project under this section shall
8 report to the Secretary of Labor on the results ob-
9 tained by the eligible juvenile offenders served by the
10 activities under the grant with respect to the fol-
11 lowing indicators of performance:

12 (A) Rates of recidivism.

13 (B) Placement in employment or postsec-
14 ondary education for eligible juvenile offenders
15 age 18 or older.

16 (C) Attainment of a degree or certificate
17 (including a high school diploma, the recognized
18 equivalent of such a diploma, or a certificate of
19 graduation from trade school).

20 (D) Literacy and numeracy gains.

21 (2) ADDITIONAL INDICATORS.—In addition to
22 the indicators described in paragraph (1), the Sec-
23 retary may require grantees carrying out projects
24 under this section to report on additional indicators
25 of performance.

1 (f) REPORTS.—Each grantee receiving funds to carry
2 out a project under this section shall maintain such
3 records and submit such reports, in such form and con-
4 taining such information, as the Secretary of Labor may
5 require regarding the activities carried out and the per-
6 formance of such projects.

7 (g) TECHNICAL ASSISTANCE.—The Secretary may
8 reserve not more than 4 percent of the funds appropriated
9 under this section to provide technical assistance and for
10 management information systems to assist grantees under
11 this section.

12 (h) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to the Secretary of
14 Labor to carry out this section \$20,000,000 for each of
15 the fiscal years 2008 through 2012.

16 **SEC. 402. EMPLOYMENT AND EDUCATION GRANTS TO AS-**
17 **SIST IN REDUCING RECIDIVISM.**

18 (a) GRANTS FOR EMPLOYMENT SERVICES FOR
19 YOUNG ADULT GANG MEMBERS.—From the amounts
20 made available to carry out this subsection, the Secretary
21 of Labor, in consultation with the Attorney General, shall
22 make grants to nonprofit organizations to carry out em-
23 ployment programs for young adult gang members that
24 are designed to reduce recidivism and enhance long-term
25 employability.

1 (b) USE OF FUNDS.—

2 (1) APPRENTICESHIP AND PRE-APPRENTICE-
3 SHIP PROGRAMS.—Funds awarded under this sub-
4 section shall be used to provide education and train-
5 ing services to young adult gang members as part
6 of, or to supplement, registered apprenticeship pro-
7 grams in the construction or other industries or pre-
8 apprenticeship programs that are certified by a reg-
9 istered apprenticeship program in the construction
10 or other industries.

11 (2) OTHER ACTIVITIES.—In addition to the ac-
12 tivities described in paragraph (1), funds awarded
13 under this subsection may be used to provide out-
14 reach, orientation, intake, assessments, counseling,
15 case management, personal business development
16 and entrepreneurial activities, supportive services,
17 and follow-up services to young adult gang members.

18 (c) APPLICATION.—To be considered to receive a
19 grant under subsection (a), a nonprofit organization shall
20 submit an application to the Secretary of Labor at such
21 time, in such manner and accompanied by such informa-
22 tion as the Secretary of Labor may require. At a min-
23 imum, the application shall include—

1 (1) a description of the need for projects relat-
2 ing to gang members in the geographic area to be
3 served by the grant;

4 (2) a plan describing the design of the project,
5 including services to be provided; and

6 (3) a description of partnerships that will sup-
7 port the project.

8 (d) PERFORMANCE OUTCOMES.—

9 (1) CORE INDICATORS.—

10 (A) YOUNG ADULT GANG MEMBERS.—

11 Each grantee receiving funds to carry out a
12 project under subsection (a) shall report to the
13 Secretary of Labor on the results obtained by
14 young adult gang members served under the
15 grant with respect to the following indicators of
16 performance:

17 (i) Rates of recidivism.

18 (ii) Placement in employment.

19 (iii) Retention in employment.

20 (iv) Earnings.

21 (2) ADDITIONAL INDICATORS.—In addition to
22 the indicators described in paragraph (1), the Sec-
23 retary of Labor may require grantees carrying out
24 projects under subsection (a) to report on additional
25 indicators of performance.

1 (e) REPORTS.—Each grantee receiving funds to carry
2 out a project under subsection (a) shall maintain such
3 records and submit such reports, in such form and con-
4 taining such information, as the Secretary of Labor may
5 require regarding the activities carried out and the per-
6 formance of such projects.

7 (f) TECHNICAL ASSISTANCE.—The Secretary of
8 Labor may reserve not more than 2 percent of the funds
9 appropriated under this section to provide technical assist-
10 ance.

11 (g) DEFINITION.—For purposes of this subsection,
12 the term “young adult gang member” means an individual
13 who—

14 (1) is not younger than age 17 or older than
15 age 24; and

16 (2) has been arrested or adjudicated in the ju-
17 venile justice system or the adult criminal justice
18 system for a gang-related offense.

19 (h) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Secretary of
21 Labor to carry out this section \$20,000,000 for each of
22 the fiscal years 2008 through 2012.

○