



PUBLIC LAW 107-273—NOV. 2, 2002

21ST CENTURY DEPARTMENT OF JUSTICE
APPROPRIATIONS AUTHORIZATION ACT

Public Law 107-273
107th Congress

An Act

Nov. 2, 2002
[H.R. 2215]

To authorize appropriations for the Department of Justice for fiscal year 2002,
and for other purposes.

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

21st Century
Department of
Justice
Appropriations
Authorization
Act.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

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

**DIVISION A—21ST CENTURY DEPARTMENT OF JUSTICE APPROPRIATIONS
AUTHORIZATION ACT**

**TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 2002
AND 2003**

- Sec. 101. Specific sums authorized to be appropriated for fiscal year 2002.
- Sec. 102. Specific sums authorized to be appropriated for fiscal year 2003.
- Sec. 103. Appointment of additional assistant United States attorneys; reduction of certain litigation positions.
- Sec. 104. Authorization for additional assistant United States attorneys for project safe neighborhoods.

TITLE II—PERMANENT ENABLING PROVISIONS

- Sec. 201. Permanent authority.
- Sec. 202. Permanent authority relating to enforcement of laws.
- Sec. 203. Miscellaneous uses of funds; technical amendments.
- Sec. 204. Technical and miscellaneous amendments to Department of Justice authorities; authority to transfer property of marginal value; record-keeping; protection of the Attorney General.
- Sec. 205. Oversight; waste, fraud, and abuse within the Department of Justice.
- Sec. 206. Enforcement of Federal criminal laws by Attorney General.
- Sec. 207. Strengthening law enforcement in United States territories, commonwealths, and possessions.

TITLE III—MISCELLANEOUS

- Sec. 301. Repealers.
- Sec. 302. Technical amendments to title 18 of the United States Code.
- Sec. 303. Required submission of proposed authorization of appropriations for the Department of Justice for fiscal years 2004 and 2005.
- Sec. 304. Study of untested rape examination kits.
- Sec. 305. Reports on use of DCS 1000 (Carnivore).
- Sec. 306. Study of allocation of litigating attorneys.
- Sec. 307. Use of truth-in-sentencing and violent offender incarceration grants.
- Sec. 308. Authority of the Department of Justice Inspector General.
- Sec. 309. Review of the Department of Justice.
- Sec. 310. Authorization of appropriations.
- Sec. 311. Report on threats and assaults against Federal law enforcement officers, United States judges, United States officials and their families.
- Sec. 312. Additional Federal judgeships.

TITLE IV—VIOLENCE AGAINST WOMEN

- Sec. 401. Short title.

- Sec. 402. Establishment of Violence Against Women Office.
Sec. 403. Effective date.

DIVISION B—MISCELLANEOUS DIVISION

TITLE I—BOYS AND GIRLS CLUBS OF AMERICA

- Sec. 1101. Boys and Girls Clubs of America.

TITLE II—DRUG ABUSE EDUCATION, PREVENTION, AND TREATMENT ACT
OF 2002

- Sec. 2001. Short title.

Subtitle A—Drug-Free Prisons and Jails

- Sec. 2101. Use of residential substance abuse treatment grants to provide for services during and after incarceration.
Sec. 2102. Jail-based substance abuse treatment programs.
Sec. 2103. Mandatory revocation of probation and supervised release for failing a drug test.

Subtitle B—Treatment and Prevention

- Sec. 2201. Report on drug-testing technologies.
Sec. 2202. Drug and substance abuse treatment, prevention, education, and research study.
Sec. 2203. Drug abuse and addiction research.

Subtitle C—Drug Courts

- Sec. 2301. Drug courts.
Sec. 2302. Authorization of appropriations.
Sec. 2303. Study by the General Accounting Office.

Subtitle D—Program for Successful Reentry of Criminal Offenders Into Local
CommunitiesCHAPTER 1—POST INCARCERATION VOCATIONAL AND REMEDIAL EDUCATIONAL
OPPORTUNITIES FOR INMATES

- Sec. 2411. Post incarceration vocational and remedial educational opportunities for inmates.

CHAPTER 2—STATE REENTRY GRANT PROGRAMS

- Sec. 2421. Amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

Subtitle E—Other Matters

- Sec. 2501. Amendment to Controlled Substances Act.
Sec. 2502. Study of methamphetamine treatment.
Sec. 2503. Authorization of funds for DEA police training in South and Central Asia.
Sec. 2504. United States-Thailand drug prosecutor exchange program.

TITLE III—SAFEGUARDING THE INTEGRITY OF THE CRIMINAL JUSTICE
SYSTEM

- Sec. 3001. Increasing the penalty for using physical force to tamper with witnesses, victims, or informants.
Sec. 3002. Correction of aberrant statutes to permit imposition of both a fine and imprisonment.
Sec. 3003. Reinstatement of counts dismissed pursuant to a plea agreement.
Sec. 3004. Appeals from certain dismissals.
Sec. 3005. Clarification of length of supervised release terms in controlled substance cases.
Sec. 3006. Authority of court to impose a sentence of probation or supervised release when reducing a sentence of imprisonment in certain cases.
Sec. 3007. Clarification that making restitution is a proper condition of supervised release.

TITLE IV—CRIMINAL LAW TECHNICAL AMENDMENTS ACT OF 2002

- Sec. 4001. Short title.
Sec. 4002. Technical amendments relating to criminal law and procedure.
Sec. 4003. Additional technicals.
Sec. 4004. Repeal of outmoded provisions.

Sec. 4005. Amendments resulting from Public Law 107-56.
Sec. 4006. Cross reference correction.

TITLE V—PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS

Sec. 5001. Paul Coverdell Forensic Sciences Improvement Grants.
Sec. 5002. Authorization of appropriations.

DIVISION C—IMPROVEMENTS TO CRIMINAL JUSTICE, CIVIL JUSTICE, IMMIGRATION, JUVENILE JUSTICE, AND INTELLECTUAL PROPERTY AND ANTITRUST LAWS

TITLE I—CRIMINAL JUSTICE, CIVIL JUSTICE, AND IMMIGRATION

Subtitle A—General Improvements

Sec. 11001. Law Enforcement Tribute Act.
Sec. 11002. Disclosure of grand jury matters relating to money laundering offenses.
Sec. 11003. Grant program for State and local domestic preparedness support.
Sec. 11004. United States Sentencing Commission access to NCIC terminal.
Sec. 11005. Danger pay for FBI agents.
Sec. 11006. Police corps.
Sec. 11007. Radiation exposure compensation technical amendments.
Sec. 11008. Federal Judiciary Protection Act of 2002.
Sec. 11009. James Guelff and Chris McCurley Body Armor Act of 2002.
Sec. 11010. Persons authorized to serve search warrant.
Sec. 11011. Study on reentry, mental illness, and public safety.
Sec. 11012. Technical amendment to Omnibus Crime Control Act.
Sec. 11013. Debt collection improvement.
Sec. 11014. SCAAP authorization.
Sec. 11015. Use of annuity brokers in structured settlements.
Sec. 11016. INS processing fees.
Sec. 11017. United States Parole Commission extension.
Sec. 11018. Waiver of foreign country residence requirement with respect to international medical graduates.
Sec. 11019. Pretrial disclosure of expert testimony relating to defendant's mental condition.
Sec. 11020. Multiparty, Multiforum Trial Jurisdiction Act of 2002.
Sec. 11021. Additional place of holding court in the southern district of Ohio.
Sec. 11022. Direct shipment of wine.
Sec. 11023. Webster Commission implementation report.
Sec. 11024. FBI police.
Sec. 11025. Report on FBI information management and technology.
Sec. 11026. GAO report on crime statistics reporting.
Sec. 11027. Crime-free rural States grants.
Sec. 11028. Motor vehicle franchise contract dispute resolution process.
Sec. 11029. Holding court for the southern district of Iowa.
Sec. 11030. Posthumous citizenship restoration.
Sec. 11030A. Extension of H-1B status for aliens with lengthy adjudications.
Sec. 11030B. Application for naturalization by alternative applicant if citizen parent has died.

Subtitle B—EB-5 Amendments

CHAPTER 1—IMMIGRATION BENEFITS

Sec. 11031. Removal of conditional basis of permanent resident status for certain alien entrepreneurs, spouses, and children.
Sec. 11032. Conditional permanent resident status for certain alien entrepreneurs, spouses, and children.
Sec. 11033. Regulations.
Sec. 11034. Definitions.

CHAPTER 2—AMENDMENTS TO OTHER LAWS

Sec. 11035. Definition of "full-time employment".
Sec. 11036. Eliminating enterprise establishment requirement for alien entrepreneurs.
Sec. 11037. Amendments to pilot immigration program for regional centers to promote economic growth.

Subtitle C—Judicial Improvements Act of 2002

Sec. 11041. Short title.
Sec. 11042. Judicial discipline procedures.
Sec. 11043. Technical amendments.

Sec. 11044. Severability.

Subtitle D—Antitrust Modernization Commission Act of 2002

- Sec. 11051. Short title.
- Sec. 11052. Establishment.
- Sec. 11053. Duties of the Commission.
- Sec. 11054. Membership.
- Sec. 11055. Compensation of the Commission.
- Sec. 11056. Staff of Commission; experts and consultants.
- Sec. 11057. Powers of the Commission.
- Sec. 11058. Report.
- Sec. 11059. Termination of Commission.
- Sec. 11060. Authorization of appropriations.

TITLE II—JUVENILE JUSTICE

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- Sec. 12101. Short title.
- Sec. 12102. Juvenile offender accountability.

Subtitle B—Juvenile Justice and Delinquency Prevention Act of 2002

- Sec. 12201. Short title.
- Sec. 12202. Findings.
- Sec. 12203. Purpose.
- Sec. 12204. Definitions.
- Sec. 12205. Concentration of Federal effort.
- Sec. 12206. Coordinating Council on Juvenile Justice and Delinquency Prevention.
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- Sec. 12210. Juvenile delinquency prevention block grant program.
- Sec. 12211. Research; evaluation; technical assistance; training.
- Sec. 12212. Demonstration projects.
- Sec. 12213. Authorization of appropriations.
- Sec. 12214. Administrative authority.
- Sec. 12215. Use of funds.
- Sec. 12216. Limitations on use of funds.
- Sec. 12217. Rules of construction.
- Sec. 12218. Leasing surplus Federal property.
- Sec. 12219. Issuance of rules.
- Sec. 12220. Content of materials.
- Sec. 12221. Technical and conforming amendments.
- Sec. 12222. Incentive grants for local delinquency prevention programs.
- Sec. 12223. Effective date; application of amendments.

Subtitle C—Juvenile Disposition Hearing

- Sec. 12301. Juvenile disposition hearing.

TITLE III—INTELLECTUAL PROPERTY

Subtitle A—Patent and Trademark Office Authorization

- Sec. 13101. Short title.
- Sec. 13102. Authorization of amounts available to the Patent and Trademark Office.
- Sec. 13103. Electronic filing and processing of patent and trademark applications.
- Sec. 13104. Strategic plan.
- Sec. 13105. Determination of substantial new question of patentability in reexamination proceedings.
- Sec. 13106. Appeals in inter partes reexamination proceedings.

Subtitle B—Intellectual Property and High Technology Technical Amendments

- Sec. 13201. Short title.
- Sec. 13202. Clarification of Reexamination Procedure Act of 1999; technical amendments.
- Sec. 13203. Patent and Trademark Efficiency Act amendments.
- Sec. 13204. Domestic publication of foreign filed Patent Applications Act of 1999 amendments.
- Sec. 13205. Domestic publication of patent applications published abroad.
- Sec. 13206. Miscellaneous clerical amendments.
- Sec. 13207. Technical corrections in trademark law.
- Sec. 13208. Patent and trademark fee clerical amendment.

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