

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MR. MFUME OF MARYLAND

Page 2, after line 24, insert the following:

1 **SEC. 3. WITNESS PROTECTION GRANT PROGRAM.**

2 (a) DEFINITIONS.—In this section—

3 (1) the term “applicant” means a State, Tribal,
4 or local government that applies for a grant under
5 this section; and

6 (2) the terms “serious drug offense” and “seri-
7 ous violent felony” have the meaning given those
8 terms in section 3559(e)(2) of title 18, United
9 States Code.

10 (b) GRANTS REQUIRED.—Subject to subsection (j),
11 the Attorney General shall make competitive grants to
12 State, Tribal, and local governments to establish or main-
13 tain programs that provide protection or assistance to wit-
14 nesses in court proceedings involving—

15 (1) a homicide, serious violent felony, or serious
16 drug offense; or

17 (2) gangs or organized crime.

1 (c) CRITERIA.—In making grants under this section,
2 the Attorney General shall evaluate applicants based upon
3 the following:

4 (1) The extent to which the applicant lacks in-
5 frastructure to support programs that provide pro-
6 tection or assistance to witnesses.

7 (2) The prevalence of witness intimidation in
8 the jurisdiction of the applicant.

9 (3) The percentage of cases not prosecuted by
10 the applicant due to witness intimidation.

11 (4) The number of homicides per capita com-
12 mitted in the jurisdiction of the applicant.

13 (5) The number of serious violent felonies or se-
14 rious drug offenses per capita committed in the ju-
15 risdiction of the applicant.

16 (6) The extent to which organized crime is
17 present in the jurisdiction of the applicant.

18 (7) Any other criteria that the Attorney Gen-
19 eral determines appropriate.

20 (d) TECHNICAL ASSISTANCE.—From amounts made
21 available under subsection (j) to carry out this section, the
22 Attorney General, upon request of a recipient of a grant
23 under this section, shall direct the appropriate offices
24 within the Department of Justice to provide technical as-
25 sistance to the recipient to the extent the Attorney General

1 determines technical assistance is needed to establish or
2 maintain a program that provides protection or assistance
3 to witnesses.

4 (e) BEST PRACTICES.—

5 (1) REPORT.—A recipient of a grant under this
6 section shall submit to the Attorney General a re-
7 port, in such form and manner and containing such
8 information as specified by the Attorney General,
9 that evaluates each program established or main-
10 tained pursuant to the grant, including policies and
11 procedures under the program.

12 (2) DEVELOPMENT OF BEST PRACTICES.—
13 Based on the reports submitted under paragraph
14 (1), the Attorney General shall develop best practice
15 models to assist State, Tribal, and local governments
16 in addressing—

17 (A) witness safety;

18 (B) short-term and permanent witness re-
19 location;

20 (C) financial and housing assistance; and

21 (D) any other services related to witness
22 protection or assistance that the Attorney Gen-
23 eral determines necessary.

24 (3) DISSEMINATION TO STATES.—Not later
25 than 1 year after developing best practice models

1 under paragraph (2), the Attorney General shall dis-
2 seminate the models to State, Tribal, and local gov-
3 ernments.

4 (4) SENSE OF CONGRESS.—It is the sense of
5 Congress that State, Tribal, and local governments
6 should use the best practice models developed and
7 disseminated under this subsection to evaluate, im-
8 prove, and develop witness protection or witness as-
9 sistance programs as appropriate.

10 (5) RULE OF CONSTRUCTION RELATING TO
11 SENSITIVE INFORMATION.—Nothing in this section
12 shall be construed to require the dissemination of
13 any information that the Attorney General deter-
14 mines—

15 (A) is law enforcement sensitive and
16 should only be disclosed within the law enforce-
17 ment community; or

18 (B) poses a threat to national security.

19 (f) FEDERAL SHARE.—

20 (1) IN GENERAL.—The Federal share of the
21 cost of a program carried out using a grant made
22 under this section shall be not more than 75 per-
23 cent.

24 (2) IN-KIND CONTRIBUTIONS.—

1 (A) IN GENERAL.—Subject to subpara-
2 graph (B), the non-Federal share for a program
3 carried out using a grant made under this sec-
4 tion may be in the form of in-kind contributions
5 that are directly related to the purpose for
6 which the grant was made.

7 (B) MAXIMUM PERCENTAGE.—Not more
8 than 50 percent of the non-Federal share for a
9 program carried out using a grant made under
10 this section may be in the form of in-kind con-
11 tributions.

12 (g) ADMINISTRATIVE COSTS.—Of amounts made
13 available to carry out this section for a fiscal year, the
14 Attorney General may use not more than 5 percent for
15 administrative costs.

16 (h) GEOGRAPHIC DISTRIBUTION.—In making grants
17 under this section, the Attorney General shall—

18 (1) to the extent reasonable and practical, en-
19 sure an equitable geographical distribution through-
20 out the United States of programs that provide pro-
21 tection or assistance to witnesses; and

22 (2) give due consideration to applicants from
23 both urban and rural areas.

24 (i) REPORT TO CONGRESS.—The Attorney General
25 shall submit a report to Congress—

1 (1) not later than December 31, 2024, on the
2 implementation of this section, including any infor-
3 mation on programs funded by grants made under
4 this section; and

5 (2) not later than December 31, 2028, on the
6 programs funded by grants made under this section,
7 including on best practice models developed under
8 subsection (e)(2).

9 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated to carry out this section
11 \$30,000,000 for each of fiscal years 2024 through 2028.

