



Legislative Bulletin.....July 28, 2006

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S. 3693 — A bill to make technical corrections to the Violence Against Women and Department of Justice Reauthorization Act of 2005

S. 3693 — A bill to make technical corrections to the Violence Against Women and Department of Justice Reauthorization Act of 2005 — *as received from the Senate* (Sen. Specter, R-PA)

Order of Business: The bill is scheduled for consideration on Friday, July 28, 2006, **subject to unanimous consent.**

Summary: S. 3693 would make numerous technical and structural changes to the Violence Against Women (VAWA) and Department of Justice Reauthorization Act of 2005 (P.L. 109-162, [H.R. 3402](#), which passed the House by a vote of 415-4 on September 28, 2005). Changes include removing similar or duplicate provisions, clarifying definitions and making grammatical corrections, and updating authorization periods. Certain changes are more substantive, as the bill rewrites provisions in an attempt to restructure and clarify grant procedures.

The bill also increases authorization levels for certain programs authorized in H.R. 3402, synchronizing them with higher appropriations funding levels in the FY07 SSJC Appropriations bill. The specific authorization levels that are increased in S. 3693 are listed below, along with the amount and percent of increase represent by each:

FUNDING. Section 1101 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109162) is amended:

- (1) in paragraph (8), by striking \$800,255,000 and inserting \$809,372,000 [**\$9.1 million or 1.1% increase**]
- (2) in paragraph (11), by striking \$923,613,000 and inserting \$935,817,000; [**\$12.2 million or 1.3% increase**]
- (3) in paragraph (12), by striking \$8,000,000 and inserting \$10,000,000; and [**\$2 million or 25% increase**]
- (4) in paragraph (14), by striking \$1,270,000 and inserting \$1,303,000. [**\$33,000 or 2.6% increase**]

The specific programs in law that would receive increased authorization levels are:

- UNITED STATES MARSHALS SERVICE- For the United States Marshals Service: \$800,255,000.
- BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES- For the Bureau of Alcohol, Tobacco, Firearms and Explosives: \$923,613,000.
- FEES AND EXPENSES OF WITNESSES- For Fees and Expenses of Witnesses: \$181,137,000, which shall include not to exceed \$8,000,000 for construction of protected witness safesites.
- FOREIGN CLAIMS SETTLEMENT COMMISSION- For the Foreign Claims Settlement Commission: \$1,270,000.

Possible Conservative Concerns: The Judiciary Committee stated that the above authorization increases match the House-passed appropriations levels for FY07, and these changes were

requested by the Justice Department. Some conservatives would argue that the true intent of Congress is better reflected in the authorized funding levels, not the appropriations figures. It may also be stated that the appropriators inappropriately exceeded Congress' agreed upon authorization levels by going beyond the authorization funding levels. Finally, raising the authorization funding levels after the fact to match the appropriations would likely raise the bar for the baseline authorization level funding in the subsequent fiscal year.

Committee Action: S. 3693 was introduced in the Senate on July 19, 2006, and passed in the Senate by unanimous consent the same day. The bill was forwarded to the House, where it saw no further action prior to tonight.

Cost to Taxpayers: A CBO score of H.R. 3693 is unavailable. However, the bill would increase authorization levels for various VAWA programs by \$23.3 million for FY07.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Constitutional Authority: A committee report citing constitutional authority is unavailable. House Rule XIII, Section 3(d)(1), requires that all committee reports contain "a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution." *[emphasis added]*

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