13

AMENDMENT TO H.R. 1404

OFFERED BY MRS. BONO MACK OF CALIFORNIA

Add at the end the following new section:

1 **SEC. 6. CRIMINAL ARSONIST AND CRIMINAL BOMBER REG-**
2 **ISTRATION AND NOTIFICATION PROGRAM.**
3 (a) REGISTRY REQUIREMENTS FOR JURISDIC-
4 TIONS.—
5 (1) JURISDICTION TO MAINTAIN A REGISTRY.—
6 Each jurisdiction shall establish and maintain a ju-
7 risdiction-wide arsonist and bomber registry con-
8 forming to the requirements of this section.
9 (2) GUIDELINES AND REGULATIONS.—The At-
10 torney General shall issue guidelines and regulations
11 to interpret and implement this section.
12 (b) REGISTRY REQUIREMENTS FOR CRIMINAL
13 ARSONISTS AND BOMBERS.—
14 (1) IN GENERAL.—A criminal arsonist or crimi-
15 nal bomber shall register, and shall keep the reg-
16 istration current, in each jurisdiction where the
17 criminal arsonist or criminal bomber resides, where
18 the criminal arsonist or criminal bomber is an em-
19 ployee, and where the criminal arsonist or criminal
20 bomber is a student. For initial registration pur-

1 poses only, a criminal arsonist or criminal bomber
2 shall also register in the jurisdiction in which con-
3 victed if such jurisdiction is different from the juris-
4 diction of residence.

5 (2) INITIAL REGISTRATION.—The criminal ar-
6 sonist or criminal bomber shall initially register—

7 (A) before completing a sentence of impris-
8 onment with respect to the offense giving rise
9 to the registration requirement; or

10 (B) not later than 5 business days after
11 being sentenced for that offense, if the criminal
12 arsonist or criminal bomber is not sentenced to
13 a term of imprisonment.

14 (3) KEEPING THE REGISTRATION CURRENT.—A
15 criminal arsonist or criminal bomber shall, not later
16 than 10 business days after each change of name,
17 residence, employment, or student status, appear in
18 person in at least one jurisdiction involved pursuant
19 to paragraph (1) and inform that jurisdiction of all
20 changes in the information required for that crimi-
21 nal arsonist or criminal bomber in the arsonist and
22 bomber registry involved. That jurisdiction shall im-
23 mediately provide the revised information to all
24 other jurisdictions in which the criminal arsonist or
25 criminal bomber is required to register.

1 (4) APPLICATION OF REGISTRATION REQUIRE-
2 MENTS.—
3 (A) IN GENERAL.—Except as provided in
4 guidelines under subparagraph (B), the require-
5 ments of this section, including the duties to
6 register and to keep a registration current, shall
7 apply only to a criminal arsonist or criminal
8 bomber who was convicted of a criminal offense
9 involving arson or bombing on or after the date
10 of the enactment of this Act, and who was noti-
11 fied of such duties and registered in accordance
12 with subsection (f).
13 (B) APPLICATION TO CRIMINAL ARSONISTS
14 OR CRIMINAL BOMBERS UNABLE TO COMPLY
15 WITH PARAGRAPH (2).—
16 (i) GUIDELINES.—The Attorney Gen-
17 eral shall establish guidelines in accordance
18 with the provisions of this subparagraph
19 for each jurisdiction for the application of
20 the requirements of this section to criminal
21 arsonists or criminal bombers convicted be-
22 fore the date of the enactment of this Act
23 or the date of its implementation in such
24 a jurisdiction, and shall prescribe rules for
25 the registration of any such criminal

1 arsonists or criminal bombers who are oth-
2 erwise unable to comply with paragraph
3 (2).
4 (ii) INFORMATION REQUIRED TO BE
5 INCLUDED IN REGISTRY.—With respect to
6 each criminal arsonist or criminal bomber
7 described in clause (i) convicted during the
8 10-year period preceding the date of the
9 enactment of this Act, the guidelines under
10 clause (i) shall provide for the inclusion in
11 the arsonist and bomber registry of each
12 applicable jurisdiction (and, in accordance
13 with subsection (j), the provision by such
14 jurisdiction to each entity described in
15 such subsection) of the following informa-
16 tion:
17 (I) The name of the criminal ar-
18 sonist or criminal bomber (including
19 any alias used by the person).
20 (II) The Social Security number
21 of the person.
22 (III) The most recent known ad-
23 dress of the residence at which the
24 person has resided.

1 (IV) A physical description of the
2 person.
3 (V) The text of the provision of
4 law defining the criminal offense for
5 which the person is convicted.
6 (VI) A set of fingerprints and
7 palm prints of the person.
8 (VII) A photocopy of a valid driv-
9 er's license or identification card
10 issued to the person by a jurisdiction,
11 if available.
12 (VIII) Any other information re-
13 quired by the Attorney General.
14 (iii) NOTICE REQUIRED.—The guide-
15 lines under clause (i) shall provide notice
16 to each criminal arsonist or criminal bomb-
17 er included in an arsonist and bomber reg-
18 istry pursuant to this subparagraph of
19 such inclusion.
20 (5) STATE PENALTY FOR FAILURE TO COM-
21 PLY.—Each jurisdiction, other than a Federally rec-
22 ognized Indian tribe, shall provide a criminal penalty
23 that includes a maximum term of imprisonment that
24 is greater than one year for the failure of a criminal

1 arsonist or criminal bomber to comply with the re-
2 quirements of this section.
3 (6) AUTHORITY TO EXEMPT CERTAIN PERSONS
4 FROM REGISTRY REQUIREMENTS.—A jurisdiction
5 shall have the authority to exempt a criminal arson-
6 ist or criminal bomber who has been convicted of the
7 offense of arson or bombing in violation of the laws
8 of the jurisdiction in which the offense was com-
9 mitted or the United States for the first time from
10 the registration requirements under this section in
11 exchange for the person's substantial assistance in
12 the investigation or prosecution of another person
13 who has committed an offense. The Attorney Gen-
14 eral shall assure that any regulations promulgated
15 under this section include guidelines that reflect the
16 general appropriateness of exempting the person
17 from the registration requirements under this sec-
18 tion.
19 (c) INFORMATION REQUIRED IN REGISTRATION.—
20 (1) PROVIDED BY ARSONIST OR BOMBER.—A
21 criminal arsonist or criminal bomber shall provide
22 the following information to the appropriate official
23 for inclusion in the arsonist registry of a jurisdiction
24 in which the person is required to register:

1 (A) The name of the person (including any
2 alias used by the person).
3 (B) The Social Security number of the per-
4 son.
5 (C) The address of each residence at which
6 the person resides or will reside.
7 (D) The name and address of any place
8 where the person is an employee or will be an
9 employee.
10 (E) The name and address of any place
11 where the person is a student or will be a stu-
12 dent.
13 (F) The license plate number and a de-
14 scription of any vehicle owned or operated by
15 the person.
16 (G) Any other information required by the
17 Attorney General.
18 (2) PROVIDED BY THE JURISDICTION.—The ju-
19 risdiction in which a criminal arsonist or criminal
20 bomber registers shall ensure that the following in-
21 formation is included in the registry for the person:
22 (A) A physical description of the person.
23 (B) The text of the provision of law defin-
24 ing the criminal offense for which the person is
25 registered.

1 (C) The criminal history of the person, in-
2 cluding the date of all arrests and convictions;
3 the status of parole, probation, or supervised
4 release; registration status; and the existence of
5 any outstanding arrest warrants for the person.
6 (D) A current photograph of the person.
7 (E) A set of fingerprints and palm prints
8 of the person.
9 (F) A photocopy of a valid driver's license
10 or identification card issued to the person by a
11 jurisdiction.
12 (G) Any other information required by the
13 Attorney General.
14 (d) DURATION OF REGISTRATION REQUIREMENT;
15 EXPUNGING REGISTRIES OF INFORMATION FOR CERTAIN
16 JUVENILE CRIMINALS.—
17 (1) DURATION OF REGISTRATION REQUIRE-
18 MENT.—A criminal arsonist or criminal bomber shall
19 keep the registration information provided under
20 subsection (c) current for the full registration period
21 (excluding any time the person is in custody). For
22 purposes of this subsection, the full registration pe-
23 riod—
24 (A) shall commence on the later of the
25 date on which the person is convicted of an of-

1 fense of arson or bombing in violation of the
2 laws of the jurisdiction in which the offense was
3 committed or the United States, the date on
4 which the person is released from prison for
5 such conviction, or the date on which the per-
6 son is placed on parole, supervised release, or
7 probation for such conviction; and
8 (B) shall be—
9 (i) five years for a person who has
10 been convicted of such an offense for the
11 first time;
12 (ii) ten years for a person who has
13 been convicted of such an offense for the
14 second time; and
15 (iii) for the life of the person for a
16 person who has been convicted of such an
17 offense more than twice.
18 (2) EXPUNGING REGISTRIES OF INFORMATION
19 FOR CERTAIN JUVENILE CRIMINALS.—
20 (A) IN GENERAL.—In the case of a crimi-
21 nal arsonist or criminal bomber described in
22 subparagraph (B), a jurisdiction shall expunge
23 the arson and bomber registry of such jurisdic-
24 tion of information related to such criminal ar-
25 sonist or criminal bomber as of the date that is

1 5 years after the last day of the applicable full
2 registration period under paragraph (1).
3 (B) CRIMINAL ARSONIST DESCRIBED.—
4 For purposes of subparagraph (A), a criminal
5 arsonist or criminal bomber described in this
6 subparagraph is a criminal arsonist or criminal
7 bomber who—
8 (i) was a juvenile tried as an adult for
9 the offense giving rise to the duty to reg-
10 ister; and
11 (ii) was not convicted of any other
12 criminal felony during the period beginning
13 on the first day of the applicable full reg-
14 istration period under paragraph (1) and
15 ending on the last day of the 5-year period
16 described in subparagraph (A).
17 (C) APPLICATION TO OTHER DATA-
18 BASES.—The Attorney General shall establish a
19 process to ensure that each entity that receives
20 information under subsection (j) with respect to
21 a criminal arsonist or criminal bomber de-
22 scribed in subparagraph (B) shall expunge the
23 applicable database of such information as of
24 the date that is 5 years after the last day of the

1 applicable full registration period under para-
2 graph (1).
3 (e) ANNUAL VERIFICATION.—Not less than once in
4 each calendar year during the full registration period, a
5 criminal arsonist or criminal bomber required to register
6 under this section shall—
7 (1) appear in person at not less than one juris-
8 diction in which the person is required to register;
9 (2) allow such jurisdiction to take a current
10 photograph of the person; and
11 (3) while present at such jurisdiction, verify the
12 information in each registry in which the person is
13 required to be registered.
14 (f) DUTY TO NOTIFY CRIMINAL ARSONISTS AND
15 CRIMINAL BOMBERS OF REGISTRATION REQUIREMENTS
16 AND TO REGISTER.—
17 (1) IN GENERAL.—An appropriate official shall,
18 shortly before release of a criminal arsonist or crimi-
19 nal bomber from custody, or, if the person is not in
20 custody, immediately after the sentencing of the per-
21 son for the offense giving rise to the duty to reg-
22 ister—
23 (A) inform the person of the duties of the
24 person under this section and explain those du-
25 ties in a manner that the person can under-

1 stand in light of the person's native language,
2 mental capability, and age;
3 (B) ensure that the person understands
4 the registration requirement, and if so, require
5 the person to read and sign a form stating that
6 the duty to register has been explained and that
7 the person understands the registration require-
8 ment;
9 (C) if the person is unable to understand
10 the registration requirements, the official shall
11 sign a form stating that the person is unable to
12 understand the registration requirements; and
13 (D) ensure that the person is registered.
14 (2) NOTIFICATION OF CRIMINAL ARSONISTS
15 AND CRIMINAL BOMBERS WHO CANNOT COMPLY
16 WITH PARAGRAPH (1).—The Attorney General shall
17 prescribe rules to ensure the notification and reg-
18 istration of criminal arsonists and criminal bombers
19 in accordance with paragraph (1) who cannot be no-
20 tified and registered at the time set forth in para-
21 graph (1).
22 (g) ACCESS TO INFORMATION THROUGH THE INTER-
23 NET.—
24 (1) IN GENERAL.—Except as provided in this
25 subsection, each jurisdiction shall make available on

1 the Internet, in a manner that is readily accessible
2 to law enforcement personnel and fire safety officers
3 located in the jurisdiction, all information about
4 each criminal arsonist and criminal bomber in the
5 registry. The jurisdiction shall also include in the de-
6 sign of its Internet site all field search capabilities
7 needed for full participation in the national Internet
8 site established under subsection (i) and shall par-
9 ticipate in that Internet site as provided by the At-
10 torney General in regulations which comply with this
11 paragraph.

12 (2) PROHIBITION ON ACCESS BY THE PUB-
13 LIC.—Information about a criminal arsonist or
14 criminal bomber shall not be made available under
15 paragraph (1) on the Internet to the public.

16 (3) MANDATORY EXEMPTIONS.—A jurisdiction
17 shall exempt from disclosure on the Internet site of
18 the jurisdiction described in paragraph (1), with re-
19 spect to information about a criminal arsonist or
20 criminal bomber—

21 (A) any information about the criminal ar-
22 sonist or criminal bomber involving conviction
23 for an offense other than the offense or offenses
24 for which the person is registered;

1 (B) any information about the person if
2 the person is participating in a witness protec-
3 tion program and the release of such informa-
4 tion could jeopardize the safety of the person or
5 any other person; and
6 (C) any other information identified as a
7 mandatory exemption from disclosure by the
8 Attorney General.
9 (4) OPTIONAL EXEMPTIONS.—A jurisdiction is
10 authorized to exempt from disclosure on the Internet
11 site of the jurisdiction described in paragraph (1),
12 with respect to information about a criminal arsonist
13 or criminal bomber—
14 (A) the name of an employer of the person;
15 and
16 (B) the name of an educational institution
17 where the person is a student.
18 (5) CORRECTION OF ERRORS.—The Attorney
19 General shall establish guidelines for each jurisdic-
20 tion for a process to seek correction of information
21 included in the Internet site established by the juris-
22 diction pursuant to paragraph (1) in the case that
23 an individual contends such information is erro-
24 neous. Such guidelines shall provide for an adequate
25 period following the date on which the individual has

1 knowledge of the information's inclusion in the
2 Internet site for the individual to seek such correc-
3 tion of information.

4 (6) WARNING.—An Internet site established by
5 a jurisdiction pursuant to paragraph (1) shall in-
6 clude a warning that information on the site is to be
7 used for law enforcement purposes only and may
8 only be disclosed in connection with such purposes.
9 The warning shall note that any action in violation
10 of the previous sentence may result in a civil or
11 criminal penalty.

12 (h) NATIONAL CRIMINAL ARSONIST AND CRIMINAL
13 BOMBER REGISTRY.—

14 (1) IN GENERAL.—The Attorney General shall
15 maintain a national database at the Bureau of Alco-
16 hol, Tobacco, Firearms and Explosives for each
17 criminal arsonist or criminal bomber. The database
18 shall be known as the National Criminal Arsonist
19 and Criminal Bomber Registry.

20 (2) ELECTRONIC FORWARDING.—The Attorney
21 General shall ensure (through the national registry
22 or otherwise) that updated information about a
23 criminal arsonist or criminal bomber is immediately
24 transmitted by electronic forwarding to all relevant
25 jurisdictions.

1 (3) AUTHORIZATION OF APPROPRIATIONS.—In
2 addition to any amounts otherwise authorized to be
3 appropriated, there are authorized to be appro-
4 priated to the Attorney General, to carry out this
5 subsection, such sums as may be necessary for each
6 of the fiscal years 2010 through 2014.
7 (i) NATIONAL ARSONIST AND BOMBER INTERNET
8 SITE.—
9 (1) IN GENERAL.—The Attorney General shall
10 establish and maintain a national arsonist and
11 bomber Internet site. The Internet site shall include
12 relevant information for each criminal arsonist or
13 criminal bomber. The Internet site shall allow law
14 enforcement officers and fire safety officers to obtain
15 relevant information for each criminal arsonist or
16 criminal bomber by a single query for any given zip
17 code or geographical radius set by the user in a form
18 and with such limitations as may be established by
19 the Attorney General and shall have such other field
20 search capabilities as the Attorney General may pro-
21 vide.
22 (2) PROHIBITION ON ACCESS BY THE PUB-
23 LIC.—Information about a criminal arsonist or
24 criminal bomber shall not be made available under
25 paragraph (1) on the Internet to the public.

1 (3) AUTHORIZATION OF APPROPRIATIONS.—In
2 addition to any amounts otherwise authorized to be
3 appropriated, there are authorized to be appro-
4 priated to the Attorney General, to carry out this
5 subsection, such sums as may be necessary for each
6 of the fiscal years 2010 through 2014.

7 (j) NOTIFICATION PROCEDURES.—Under a registra-
8 tion program established by a jurisdiction pursuant to
9 subsection (a), immediately after a criminal arsonist or
10 criminal bomber registers or updates a registration, an ap-
11 propriate official in the jurisdiction shall provide the infor-
12 mation in the registry (other than information exempted
13 from disclosure by this section or by the Attorney General)
14 about that offender to the following entities:

15 (1) The Attorney General, who shall include
16 that information in the National Registry.

17 (2) Appropriate law enforcement agencies (in-
18 cluding probation agencies, if appropriate) in each
19 area in which the offender resides, is an employee,
20 or is a student.

21 (3) Each jurisdiction where the offender re-
22 sides, is an employee, or is a student, and each juris-
23 diction from or to which a change of residence, em-
24 ployment, or student status occurs.

1 (k) ACTIONS TO BE TAKEN WHEN CRIMINAL ARSON-
2 IST OR CRIMINAL BOMBER FAILS TO COMPLY.—Under a
3 registration program established by a jurisdiction pursu-
4 ant to subsection (a), an appropriate official of the juris-
5 diction shall notify the Attorney General and appropriate
6 law enforcement agencies of any failure by a criminal ar-
7 sonist or criminal bomber to comply with the requirements
8 of the registry for such jurisdiction, and shall revise the
9 registry to reflect the nature of such failure. The appro-
10 priate official, the Attorney General, and each such law
11 enforcement agency shall take any appropriate action to
12 ensure compliance.

13 (l) DEVELOPMENT AND AVAILABILITY OF REGISTRY
14 MANAGEMENT AND WEBSITE SOFTWARE.—

15 (1) DUTY TO DEVELOP AND SUPPORT.—The
16 Attorney General shall, in consultation with the ju-
17 risdictions, develop and support software to enable
18 jurisdictions to establish and operate uniform reg-
19 istries and Internet sites.

20 (2) CRITERIA.—The software described in para-
21 graph (1) should facilitate—

22 (A) immediate exchange of information
23 among jurisdictions;

24 (B) access over the Internet to appropriate
25 information, including the number of registered

1 criminal arsonists or criminal bombers in each
2 jurisdiction on a current basis;
3 (C) full compliance with the requirements
4 of this section; and
5 (D) communication of information as re-
6 quired under subsection (j).
7 (3) DEADLINE.—The Attorney General shall
8 make the first complete edition of this software
9 available to jurisdictions not later than two years
10 after the date of the enactment of this Act.
11 (m) PERIOD FOR IMPLEMENTATION BY JURISDIC-
12 TIONS.—
13 (1) DEADLINE.—To be in compliance with this
14 section, a jurisdiction shall implement this section
15 before the later of—
16 (A) three years after the date of the enact-
17 ment of this Act; or
18 (B) one year after the date on which the
19 software described in subsection (l) is made
20 available to such jurisdiction.
21 (2) EXTENSIONS.—The Attorney General may
22 authorize not more than two one-year extensions of
23 the deadline under paragraph (1).
24 (3) FAILURE OF JURISDICTION TO COMPLY.—
25 For any fiscal year after the expiration of the dead-

1 line specified in paragraph (1) (and any extension
2 under paragraph (2)), a jurisdiction that fails, as de-
3 termined by the Attorney General, to substantially
4 implement this section shall, at the discretion of the
5 Attorney General, be subject to not more than a 10
6 percent reduction of the funds that would otherwise
7 be allocated for that fiscal year to the jurisdiction
8 under subpart 1 of part E of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (42
10 U.S.C. 3750 et seq.), whether characterized as the
11 Edward Byrne Memorial State and Local Law En-
12 forcement Assistance Programs, the Local Govern-
13 ment Law Enforcement Block Grants Program, the
14 Edward Byrne Memorial Justice Assistance Grant
15 Program, or otherwise.
16 (n) ELECTION BY INDIAN TRIBES.—
17 (1) ELECTION.—
18 (A) IN GENERAL.—A federally recognized
19 Indian tribe may, by resolution or other enact-
20 ment of the tribal council or comparable gov-
21 ernmental body, elect to carry out this section
22 as a jurisdiction subject to its provisions.
23 (B) IMPLEMENTATION.—If a tribe does
24 not, within one year of the enactment of this
25 Act, make an election to take on these duties,

1 it shall, by resolution or other enactment of the
2 tribal council or comparable governmental body,
3 enter into a cooperative agreement to arrange
4 for a jurisdiction to carry out any function of
5 the tribe under this section until such time as
6 the tribe elects to carry out this section.
7 (2) COOPERATION BETWEEN TRIBAL AUTHORI-
8 TIES AND OTHER JURISDICTIONS.—
9 (A) NONDUPLICATION.—A tribe subject to
10 this section is not required to duplicate func-
11 tions under this section which are fully carried
12 out by another jurisdiction or jurisdictions with-
13 in which the territory of the tribe is located.
14 (B) COOPERATIVE AGREEMENTS.—A tribe
15 may, through cooperative agreements with such
16 a jurisdiction or jurisdictions—
17 (i) arrange for the tribe to carry out
18 any function of such a jurisdiction under
19 this section with respect to criminal
20 arsonists or criminal bombers subject to
21 the tribe's jurisdiction; and
22 (ii) arrange for such a jurisdiction to
23 carry out any function of the tribe under
24 this section with respect to criminal

1 arsonists and criminal bombers subject to
2 the tribe's jurisdiction.
3 (3) LAW ENFORCEMENT AUTHORITY IN INDIAN
4 COUNTRY.—Enforcement of this section in Indian
5 country, as defined in section 1151 of title 18,
6 United States Code, shall be carried out by Federal,
7 Tribal, and State governments under existing juris-
8 dictional authorities.
9 (o) IMMUNITY FOR GOOD FAITH CONDUCT.—The
10 Federal Government, jurisdictions, political subdivisions of
11 jurisdictions, and their agencies, officers, employees, and
12 agents shall be immune from liability for good faith con-
13 duct under this section.
14 (p) CRIMINAL ARSONIST AND CRIMINAL BOMBER
15 MANAGEMENT ASSISTANCE PROGRAM.—
16 (1) IN GENERAL.—The Attorney General shall
17 establish and implement a Criminal Arsonist and
18 Bomber Management Assistance program (in this
19 subsection referred to as the "Assistance Program"),
20 under which the Attorney General shall award
21 grants to jurisdictions to offset the costs of imple-
22 menting the other provisions of this section.
23 (2) APPLICATION.—The chief executive of a ju-
24 risdiction desiring a grant under this subsection,
25 with respect to a fiscal year, shall for each such fis-

1 cal year submit to the Attorney General an applica-
2 tion in such form and containing such information
3 as the Attorney General may require.

4 (3) INCREASED GRANT PAYMENTS FOR PROMPT
5 COMPLIANCE.—A jurisdiction that, as determined by
6 the Attorney General, has substantially implemented
7 the other provisions of this section not later than
8 two years after the date of the enactment of this Act
9 is eligible for a bonus payment in addition to the
10 amount of grant funds available to such jurisdiction
11 under paragraph (1). The Attorney General may,
12 with respect to a jurisdiction, make such a bonus
13 payment to the jurisdiction for the first fiscal year
14 beginning after the date such determination is made.
15 The amount of the bonus payment shall be as fol-
16 lows:

17 (A) In the case of a determination that the
18 jurisdiction has substantially implemented this
19 section by a date that is not later than the date
20 that is one year after the date of the enactment
21 of this Act, 10 percent of the total grant funds
22 available to the jurisdiction under paragraph
23 (1) for such fiscal year.

24 (B) In the case of a determination that the
25 jurisdiction has substantially implemented this

1 section by a date that is later than one year
2 after the date of the enactment of this Act, but
3 not later than the date that is two years after
4 such date of enactment, 5 percent of such total.
5 (4) AUTHORIZATION OF APPROPRIATIONS.—In
6 addition to any amounts otherwise authorized to be
7 appropriated, there are authorized to be appro-
8 priated to the Attorney General, to be available to
9 carry out this subsection, such sums as may be nec-
10 essary for each of the fiscal years 2010 through
11 2014.
12 (q) DEFINITIONS.—For purposes of this section:
13 (1) CRIMINAL ARSONIST.—The term "criminal
14 arsonist" means an individual who is convicted of
15 any criminal offense for committing arson, attempt-
16 ing arson, or conspiracy to commit arson in violation
17 of the laws of the jurisdiction in which such offense
18 was committed or the United States. Such term
19 shall not include a juvenile who is convicted of such
20 an offense unless such juvenile was tried as an adult
21 for such offense.
22 (2) CRIMINAL BOMBER.—The term "criminal
23 arsonist" means an individual who is convicted of
24 any criminal offense for committing a bombing, at-
25 tempting a bombing, or conspiracy to commit a

1 bombing in violation of the laws of the jurisdiction
2 in which such offense was committed or the United
3 States. Such term shall not include a juvenile who
4 is convicted of such an offense unless such juvenile
5 was tried as an adult for such offense.

6 (3) ARSONIST AND BOMBER REGISTRY.—The
7 term "arsonist and bomber registry" means a reg-
8 istry of criminal arsonists, and a notification pro-
9 gram, maintained by a jurisdiction.

10 (4) CRIMINAL OFFENSE.—The term "criminal
11 offense" means a Federal State, local, tribal, for-
12 eign, or military offense (to the extent specified by
13 the Secretary of Defense under section
14 115(a)(8)(C)(i) of Public Law 105–119 (10 U.S.C.
15 951 note)) or other criminal offense.

16 (5) EMPLOYEE.—The term "employee" includes
17 an individual who is self-employed or works for any
18 other entity, whether compensated or not.

19 (6) FIRE SAFETY OFFICER.—The term "fire
20 safety officer" means an individual serving in an of-
21 ficial capacity as a firefighter, fire investigator, or
22 other arson investigator, as defined by the jurisdic-
23 tion for the purposes of this section.

24 (7) JURISDICTION.—The term "jurisdiction"
25 means any of the following:

1 (A) A State.

2 (B) The District of Columbia.

3 (C) The Commonwealth of Puerto Rico.

4 (D) Guam.

5 (E) American Samoa.

6 (F) The Northern Mariana Islands.

7 (G) The United States Virgin Islands.

8 (H) To the extent provided and subject to
9 the requirements of subsection (o), a federally
10 recognized Indian tribe.

11 (8) LAW ENFORCEMENT OFFICER.—The term
12 "law enforcement officer" has the meaning given
13 such term in section 1204 of the Omnibus Crime
14 Control and Safe Street Act of 1968 (42 U.S.C.
15 3796b).

16 (9) RESIDES.—The term "resides" means, with
17 respect to an individual, the location of the individ-
18 ual's home or other place where the individual habit-
19 ually lives.

20 (10) STUDENT.—The term "student" means an
21 individual who enrolls in or attends an educational
22 institution (whether public or private), including a
23 secondary school, trade or professional school, and
24 institution of higher education.