A History of the U.S. Department of Justice During the Clinton Administration 1993 - 2001

Appendix B - Volume 1 of 3

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Washington, DC
2001

APPENDIX B

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HML

UNITED STATES DEPARTMENT OF JUSTICE

ADDRESS TO DOJ EMPLOYEES

by

ATTORNEY GENERAL JANET RENO

Tuesday, April 6, 1993

11:58 a.m.

Courtyard
Department of Justice
Washington, D.C.

MILLER REPORTING CO., INC.
507 C Street, N.E.
Washington, D.C. 20002
(202) 546-6666

P R O C E E D I N G S

[Applause.]

ATTORNEY GENERAL RENO: As I have met and talked with so many of you, as I have seen the work that you've done, I am so very, very proud and this Department represent the American people in their quest for justice. You have a spirit and dedication that sets an example for everybody in public service. You care about the law, you care about doing it right.

It is a great honor for me to have the opportunity to work with each one of you: with the wonderful members of the support staff, who have made me feel so welcome throughout the Department, with the lawyers who I would match with the very best in this Nation, with law enforcement personnel that I think are an example for all in the criminal justice system throughout America.

All the divisions and the agencies of the Department have impressed me with their excellence, and their professionalism, and their commitment to what's right.

I'm the new kid on the block, and I thought I should let you know my hopes and dreams, and how I do things. While I'm the Attorney General, we will address each issue

with one question: What's the right thing to do?

[Applause.]

ATTORNEY GENERAL RENO: That can be a tough question, to decide what is right can often require debate and an open, reasoned and informed give and take between us all.

I am, and will be, accessible. If you have suggestions for improving the Department, or for better serving Americans throughout this Nation that you can't get implemented, I'm here and I want to meet with you, and I want to hear your suggestions.

If colleagues disagree on a course of action, I want to hear all the arguments. If you disagree with me about a position I have taken, or what I've done, tell me, argue with me, debate. Sometimes right and good are not that clear; at other times it is only deliberate and respectful debate that leads us to understand what road we should take.

Rather than disapproving, I will respect all the more the person who stands up to me in prepared and reasoned disagreement. I want this Department to be as open as possible, under the law.

We represent the American people, and we must be

accountable to the people. We must treat the people we deal with in every context of our service as if that is a member our family, and we should ask ourselves, how would we want a member of our family to be treated if they were in the same situation?

We must explain our actions to the people when it will not compromise an investigation, prosecution or national security, not in obscure legalese but in the small old words we all understand. Too often lawyers have made the law a mystery; we must make it a lamp that shines the way.

We must reach out to become a department that reflects the diversity and excellence of America, and we must ensure equal opportunity for all Americans. I have been so impressed with the people with whom I have med in the Civil Rights Division, and with their deep and abiding concern for civil rights and its enforcement.

I look forward to continuing to work with them to make the goal of justice for all in America a reality.

{Applause.}

ATTORNEY GENERAL RENO: Throughout the Department we must remember that people come first, and that we are here to serve all Americans.

We must remember the eleven-year-old middle-school student who asked me why his brother couldn't get treatment for his drug problem; the mentally-ill person who described to me numerous institutionalizations, suicide attempts and despair, and then to find her life was changes because somebody started treating her as a person and permitted her to participate; the president of the company who had economic hard times.

She was trying her best to comply with government regulations which were so confusing she had to hire a lawyer, and spend the money on lawyers rather than putting it into the business to make it go.

We've got to remember the young, hard-working couple, many of them around America who have less real income than their parents did at the same age, and their hopes and dreams are cloudy; the elderly person in the nursing home who has no one to care; the angry young man who lashes out in violence because he never had a childhood.

Remember them all, for they are America, and they have powerful thoughts and deep feelings when asked the question, "What is the right thing to do?"

They are concerned about violence in our streets,

but we cannot respond with demagogic promises to build more jails and put all the criminals away.

[Applause.]

ATTORNEY GENERAL RENO: We must carefully use the limited resources at the Federal, State and local levels to put the real criminals away, while providing alternative sanctions for those people who are going to be coming to the community anyway in a fairly short time.

As we deal with the issues of violence and crime, we must never forget the awesome power of the Federal government, and we must harness that power to make sure that innocent people are not charged or even tainted by our actions, and that the guilty are convicted, according to principles of strict due process and fair play, and with adherence to our Constitution.

We must never forget the victims; they have rights too. In our plan, in our work with local law enforcement, we must do what we can to help victims overcome the impact of crime.

At the same time, we must work with other agencies in the Federal government to develop prevention and early intervention programs that can prevent the crime before it

occurs.

We must use our limited resources to build real partnerships with State and local governments, a partnership which is built on mutual regard and respect. I've been at the other end of the line, when somebody from the Department of Justice told me no, like they knew better.

[Laughter.]

ATTORNEY GENERAL RENO: They might have, but what I'd like to do is, by tone and manner, acknowledge them all as equals on this team, as we ask together, "What is the right thing to do?"

Many of us come from someplace else, and we remember our river, our hill behind the house, our desert at sunset, but I also remember the coral reefs I loved covered with silt, a bay that is dying, a river that is polluted.

I want to work with the Environment and Natural Resources Division and the EPA to protect this fragile continent, first by sending clear signals of what needs to be done, by showing America that it's the right thing to do, and by developing sensible procedures for easily understood compliance.

Those who fail to do what's right in protecting our

land, air and water should feel the pace of vigorous enforcement action.

But most of all, we must come back to the people, and remember them. The children of America, 20 percent of whom live in poverty, have no one to advocate for them; the increasing number of working poor and others who have no legal assistance; the woman who struggles to get off welfare only to find out that she was worse off than if she hadn't gone to work in the first place.

The law means little or nothing to these Americans, the Constitution is too often to them just a piece of paper. Our courts provide access to the rich, lawyers give legal advice to large corporations, too often more so than the average American.

But the courts and lawyers and the Department of Justice are too often not there for the average American, who does not know how to deal with the paperwork, the rules and regulations, the eligibility requirements, the licensing procedures, and the web of laws designed to make men free.

Working with other agencies, we have to make government user-friendly, so you don't need a lawyer to understand what you need to do to deal with your government.

Working with the best legal minds in America, we need to develop new and creative reforms that open our courts to all our people, and give every American the reason to believe that the Constitution is a living document that means something.

We've got to end the delay and the cost involved in using our courts. As Judge Learned Hand would say, "I must say that, as a litigant, I should dread a lawsuit beyond almost anything else, short of sickness and death."

We must never forget, however, that it is not government but the family that is the institution best designed to focus on a person and help them grow. I remember my afternoons after school and during the summertime. My mother worked in the home, my father worked downtown.

My mother taught us to play baseball, to bake a cake, to play fair -- she beat the living daylights out of us sometimes, and she loved us with all her heart; she taught us her favorite poets, and there is no child care in the world that will ever be a substitute for what that lady was in our life.

And now I look at the prosecutors in my office in Miami, struggling to get to work at 8:00 o'clock in the

morning, finishing trial at 6:30, home at 7:30, get dinner on the table, the children bathed, the homework done, and Saturday they run errands, and Sunday they go to church or sleep late, and Sunday night they start to prepare for trial again, and they don't have that precious, wonderful time to be with their children.

I want to do everything I can in this Department to put the family first, and to develop new attitudes and programs that will enable people to achieve their professional goals, of having the opportunity to spend quality time with their family.

[Applause.]

ATTORNEY GENERAL RENO: What is the right thing to do? Let us leave here today resolved to ask that of ourselves and others as we seek justice, remembering that sometimes doing the right thing is very politically unpopular. Sometimes it will be painful, or it will of necessity hurt someone.

But with strength and courage let us face that question unafraid, and together seek justice for all.

[Applause.]

Whereupon, at 12:08 p.m., the address was concluded.]

HML

UNITED STATES DEPARTMENT OF JUSTICE

PRESS CONFERENCE

- - -

Get-Acquainted Session

with

ATTORNEY GENERAL JANET RENO

Tuesday, March 23, 1993

12:00 noon

U.S. Department of Justice
Press Conference Room B
10th & Constitution Avenue, N.W.
Washington, D.C.

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ashington, D.C. 20002
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P R O C E E D I N G S

ATTORNEY GENERAL RENO: I've been in office about a week now, and I told you I'd try to be accessible, so I'm here to answer any questions you all might have.

QUESTION: You have no statement?

ATTORNEY GENERAL RENO: I have no statement.

QUESTION: Can I ask you a question about William Sessions? What do you think, now that you've had some time to review the situation, about William Sessions, and is the stand-off in Waco, Texas, the only thing that is keeping him in his job at present?

ATTORNEY GENERAL RENO: The two issues are independent. I am proceeding to do as I indication, which was to review reports and talk to people, and make the best recommendation I can, after I've completed my entire review.

QUESTION: In what stage is the review?

ATTORNEY GENERAL RENO: Pending.

QUESTION: What's your reaction to published reports this morning saying that his successor has already been chosen?

ATTORNEY GENERAL RENO: I haven't chosen him, and the President hasn't chosen him, and I don't know who else

would choose him.

QUESTION: Have you met with Mr. Sessions face to face in conjunction with your review of his situation?

ATTORNEY GENERAL RENO: Excuse me, I didn't hear.

QUESTION: Will you interview Judge Sessions, one-on-one or face to face, in connection with his continuing as FBI Director as part of your investigation?

ATTORNEY GENERAL RENO: I would certainly welcome the opportunity to visit with him.

QUESTION: Has he not asked?

ATTORNEY GENERAL RENO: No.

QUESTION: Have you not invited him?

ATTORNEY GENERAL RENO: I'm not at the stage yet of inviting anybody.

QUESTION: What happens to the FBI is obviously of major concern to the whole country -- it's supposed to be lead law enforcement agency. Can you give us some kind of an idea of the time frame -- when the decision will be made -- as to whether the director of this organization will stay or go?

ATTORNEY GENERAL RENO: It will be made as soon as possible, consistent with thoroughness, objectivity and fairness.

QUESTION: Can you give us some idea of how long such a process would take?

ATTORNEY GENERAL RENO: No, because I never know what I will learn. I learned long ago, when media ask me that question never to commit in time, because something new may come up that would prevent me from honoring the time commitment I've provided.

QUESTION: What is the status of the U.S. Attorneys?

ATTORNEY GENERAL RENO: We have asked -- I think the U.S. Attorneys, having worked so closely with them, are absolutely integral to the whole success of the Department of Justice, and to the building of the Department of Justice as a team -- a team both in people here in Main Justice and throughout America.

The U.S. Attorneys were the one group that did not submit resignations. I have asked for their resignations, at the request of the President. We're going to try to do it in a very orderly way, that does not impact in any way on any pending matter, and we have already received selections from Senators.

We are sending to Senators a description of what we're looking for in terms of U.S. Attorneys -- basically,

U.S. Attorneys that represent excellence, that represent diversity, professionalism and integrity.

QUESTION: Why are you asking for the resignations?

ATTORNEY GENERAL RENO: We're asking for the resignations so that the U.S. Attorneys presently in position will know where they stand, and that we can begin to build a team that reflect a Department of Justice that represents my views and the views of President Clinton.

QUESTION: I'd like to clarify one thing on the Sessions issue. There is certainly some reporting, both last week and this morning, that suggests that the Sessions decision has been made, it's a done-deal, that really everything from here on out is just merely a formality.

Can you address that?

ATTORNEY GENERAL RENO: It has not been made by me, and it has not been made by the President. I don't know of anybody else who has the authority to make such a decision.

QUESTION: With respect to the United States Attorneys, can you tell us what your policy will be if they have a case where a member of Congress might be indicted? Will you want to be apprised of that in advance, and will you take any steps to review that sort of decision?

ATTORNEY GENERAL RENO: It will depend on each particular case, and how it's done, and what the issues are, and what is involved.

QUESTION: So it won't be a matter of policy, then, for you to be made aware of this?

ATTORNEY GENERAL RENO: I think that the Attorney General of the United States ought to know in advance that a member of Congress is going to be charged, but one of the things that I have tried to do is to make sure that the procedures that are in place for indicting anybody, whether it be a citizen in the community or a leader in this Nation, that it's fair and objective, and that people are not treated differently just because of who they are.

QUESTION: Will you also set guidelines for where members of Congress can be tried, in terms of, would there be a racial balance required on juries, as in this matter arising out of the Ford case?

And secondarily, will members of Congress -- will people on the political side of your operation be allowed to arrange meetings with people on the criminal side, for members of Congress to discuss their case, or members of Congress to discuss other congressmen's cases?

ATTORNEY GENERAL RENO: With respect to an individual defendant, whether it be a citizen in the street or a leader, whoever they are, they ought to have -- and they are charged, and they are a defendant, their lawyer ought to have the right, if there is a matter to be discussed with the appropriate agency or appropriate division of the Department of Justice, to discuss it, and that will always be available in terms of appropriate review, in terms of the litigation itself.

With respect to other people who have any information, or want to discuss pending criminal cases, they will be told to do it through counsel. If they have evidence that they think is relevant to the case, they will be told to provide that evidence to investigators who will review it.

If they say that they have law that they would like to be considered, the best way for that law to be considered is through counsel. Where there are issues of policies that may impinge on a pending case, we'll have to look at that very carefully, because all Americans, no matter who they are, ought to have a chance to address themselves on policy.

QUESTION: On the jury question, can you answer another jury question? There's a great deal of concern in

the country about the racial balance on juries.

Do you plan to issue guidelines to U.S. Attorneys on when they can move cases, and whether they can move cases only to cities that have the same kind of balance?

ATTORNEY GENERAL RENO: With each case, we will look at it based on the law, and based on the circumstances of that case, and try to make the best judgment possible, based on the law.

QUESTION: This morning the Supreme Court issued a decision in the Flores case, regarding alien juveniles and their detention. This was not this administration's policy, and in fact it has been enjoined until today.

Do you have any intention of reviewing this policy, and possibly changing the regulation?

ATTORNEY GENERAL RENO: I'm not aware of the decision, and I will certainly have somebody check into it and report to me.

QUESTION: General Reno, on the U.S. Attorney resignations, how many U.S. Attorneys are there, and how many have already submitted their resignations?

ATTORNEY GENERAL RENO: I don't know the precise number that have submitted resignations. The last I heard, I

believe it was 15, but I can ask somebody to provide you with more specific information.

QUESTION: When did you ask for their resignations?

ATTORNEY GENERAL RENO: We're asking for it today.

QUESTION: Was this something that you went to the President and said I'd like to do, or did the President make a suggestion to you that this was something that he would like to have done?

ATTORNEY GENERAL RENO: I think this was a joint decision, that it really came up in our mutual discussions, that we had to move forward, because when we had met we had agreed that choosing U.S. Attorneys is going to be key to our vision of what the Department of Justice should represent.

QUESTION: You indicated last week that you were getting a report from the Civil Rights and Criminal Divisions on your directive that they look at current Federal law and see if anything can be done to affect abortion -- women exercising the right to choose? What's the status on that?

ATTORNEY GENERAL RENO: The status of that is that I've received the reports, that I do not feel that remedies, in light of the Bray decision, are adequate.

I have asked our staff to work with congressional

staff to do anything possible to develop legislation that addresses these issues in the most effective manner possible. I think one of their first meetings with the staff was last Friday, I think it was productive, and I look forward to working with Congress to secure the passage of such legislation.

QUESTION: Just so I understand, you're saying that current law -- as far as you can tell, current law cannot now be used to --

ATTORNEY GENERAL RENO: No, current Federal law, light of the Bray decision, I don't think is adequate to address the issue to prevent, or to help prevent, physical interference with access to abortion clinics.

QUESTION: What about calling in the marshals -- the Federal marshals, as was done during the civil rights integration days in the '50s and '60s, as has been suggested by some?

ATTORNEY GENERAL RENO: Well, I think one of the problems we face is the Bray decision, and then what we are looking for, because you can't call marshals in without some Federal authority, is to do it in the right way, the most effective manner possible.

We have concluded that passage of this legislation is a priority, it is important, and we're going to work with Congress in every way to secure passage of it.

QUESTION: Why do you think it is important?

ATTORNEY GENERAL RENO: I think that a woman's right to choose should be protected. I think it should be protected from physical conduct that prevents that right to choose from being freely exercised.

QUESTION: General Reno, along those line, you had said the first day that you were sworn in that you would look to see if there were any Federal laws implicated in the Dr. David Gunn murder.

What's going on there? Will the Justice Department become involved in that prosecution?

ATTORNEY GENERAL RENO: We reviewed it, I have talked with Mrs. Gunn and her daughter. I'm very satisfied at the process that's now underway in Florida. Florida law on this subject is more effective than Federal law in dealing with the issue, and Florida authorities are proceeding, I think, as effectively as possible.

QUESTION: Tim Esish from WPLG in Miami. Will there be a decision soon on the HIV-infected Haitians in

Guantanamo?

ATTORNEY GENERAL RENO: My understanding is that a Federal court has not yet issued its order. I'm looking to review that order. I'm still being briefed on all the issues involving the situation with respect to the Haitians in Guantanamo. I have not been fully briefed on the diplomatic side of it, to provide informed advice to the President.

QUESTION: On the U.S. Attorney decision, are you saying that these resignations are going to be effective, essentially, by return mail, or at what point would you actually anticipate they would leave?

And are you saying that those who are handling perhaps some sensitive cases may be allowed to remain for some period of time?

ATTORNEY GENERAL RENO: We're going to work with the Senators. Some Senators have already sent in their selections. I hope to begin interviews, hopefully, this week, just as soon as possible, so that we can get people in place, and that we can provide as smooth a transition as possible, to avoid any impact on any pending work in any U.S. Attorney's office.

QUESTION: Aaron Epstein, Knight-Ridder. Are you

changing, in any way, the political influence -- that is, the Senators' influence -- on the appointment of U.S. Attorneys?

ATTORNEY GENERAL RENO: I can't speak for the past 12 years, but traditionally if the White House is in power it will look to its party if it has the prevailing voice in Congress, and so the White House will be looking to the Senators of the democratic party to make nominations or suggestions.

What we're trying to do is to work with Senators to do everything possible to secure the best possible appointments, that represent excellence and diversity.

QUESTION: Could you tell us about your plan to remove Jay Stephens? And do you also have any comment on the Rostenkowski case that his office is working on?

ATTORNEY GENERAL RENO: I'm not familiar with the Rostenkowski case. Mr Stephens is one of all of the U.S. Attorneys whose resignation has been asked for. He has not been singled out in any way.

QUESTION: You mean like, right now, you want them out? You want to terminate them?

QUESTION: Or are they remaining in office for some time?

ATTORNEY GENERAL RENO: No, that's not what I said.

QUESTION: What are you saying?

ATTORNEY GENERAL RENO: I said that we have asked for the resignation of the U.S. Attorneys, so that they will know where they stand, and that we will accept the resignations and work out the transition to avoid any impact on any impending case.

QUESTION: Effective when?

ATTORNEY GENERAL RENO: It will depend.

QUESTION: What is Mr. Stephens' status today?

ATTORNEY GENERAL RENO: He's the United States Attorney for the District of Columbia.

QUESTION: He has not submitted his resignation?

ATTORNEY GENERAL RENO: Not to my knowledge.

QUESTION: Do you anticipate not accepting any resignations at this point?

ATTORNEY GENERAL RENO: I don't know. I'm going to take each one submitted on a case by case basis, and make the appropriate decision based on whether there is a selection that has been made, or that can be made, based on who is present in the office, in terms of career staff, who can carry forward, as many have done before, and do everything

possible to make sure that there is no adverse impact on any pending cases.

QUESTION: Some of them may stay on then?

ATTORNEY GENERAL RENO: That will depend [on the factors I have outlined above.]

QUESTION: If it is alleged that you're asking for Stephens' resignation because they're close to indicting Rostenkowski, what would you say to that?

ATTORNEY GENERAL RENO: I haven't asked for Stephens' resignation, I've asked for the resignation of all the U.S. Attorneys, as a part of an orderly transfer to a new administration, so that the new administration can choose its U.S. Attorneys which it thinks is absolutely integral to the Department of Justice, and based on what we think the qualifications for U.S. Attorneys should be.

QUESTION: And there's no linkage between that decision and Rostenkowski?

ATTORNEY GENERAL RENO: No linkage whatsoever.

QUESTION: Are you asking for more than one name from each Senator? Are you asking for each Senator to also submit the names of women and minorities?

ATTORNEY GENERAL RENO: We will be submitted to the

Senators this week a statement of what we hope will be reflected in the selections for U.S. Attorney, again concentrating on excellence, on professionalism -- it will be great if they have prosecutorial experience.

I am going to look for people who are objective and fair, and based on what I have heard from the Senators, I think we can work together.

QUESTION: How many names do you want from each Senator? Do you want more than one name?

ATTORNEY GENERAL RENO: If one name reflects excellence, diversity, professionalism and integrity, I welcome that one name.

QUESTION: Will we be able to see the statement that you send to the Senators?

ATTORNEY GENERAL RENO: Um-hmm.

QUESTION: Can you tell us a little bit about the selection process now going on for the new Supreme Court justice, and have you been involved in that?

ATTORNEY GENERAL RENO: Yes, and I have recommended that there be an open search, so that we secure the very best that represents the best selection that the President can possibly make.

QUESTION: What do you mean by an open search?

ATTORNEY GENERAL RENO: So that everybody is clear, so that people are consulted throughout American, so that it is a process that people can have confidence in, in making sure that the first judicial appointment for the Supreme Court by this administration reflects this administration's deep and abiding concern for justice for all.

QUESTION: Do you think the candidate's stand on abortion should be considered in this review?

ATTORNEY GENERAL RENO: I think the President has made clear that he will look to candidates who have expressed support for a woman's right to choose, but I think he has also made very clear that he will not ask them how they will rule on a specific impending case.

QUESTION: Ms. Reno, could I return for a moment to Jay Stephens? There isn't a Senator from the District of Columbia; the President has the power to name a new U.S. Attorney tomorrow if he wishes. Is that imminent? Do you have candidates you are considering? Are there people -- has this been under discussion?

ATTORNEY GENERAL RENO: I don't have any candidates that I have considered for U.S. Attorney yet. I have looked

at some of the various nominations. I've heard various names, but I don't have any candidates, and haven't interviewed anybody yet.

QUESTION: Will you give a higher priority to places where there already is no U.S. Attorney present, or where one has resigned -- say, west Tennessee, where the Attorney resigned over the Harold Ford case? Do you give a higher priority to filling that?

ATTORNEY GENERAL RENO: What we're going to do is to try to give a high priority to doing everything possible to avoid any impact on any pending matter in any U.S. Attorney's office in the country.

QUESTION: When do you anticipate making the announcement on the Deputy Attorney General and the other positions in the Justice Department, and can you share with us any of the feedback you've been getting from the Senate on this process?

ATTORNEY GENERAL RENO: I expect to make an announcement when I finish reviewing the possible applicants, and make a final decision. One of the things that I think came out of the confirmation hearings was a good dialogue between the Senators and me.

It's been helpful to me to talk to people, to get their views, in trying to make the best and most informed decision possible.

QUESTION: Ms. Reno, just to follow up on something you said about the Waco situation and Judge Sessions. Are you saying that whatever happens in Waco has nothing whatsoever to do with Judge Sessions' position as Director of the FBI, or your decision whether he stays?

ATTORNEY GENERAL RENO: That's correct.

QUESTION: So if the stand-off ends tomorrow, that doesn't necessarily mean Judge Sessions would be removed tomorrow, if you all had concluded that --

ATTORNEY GENERAL RENO: Oh, I haven't concluded that he should be removed, and I haven't determined that he should stay, because I haven't concluded my review of the matter. And when I conclude my review of the matter, I will make a recommendation to the President.

QUESTION: Would the same thing hold true of the World Trade Center bombing in New York, that the FBI's conduct of that investigation has nothing to do with Judge Sessions' situation?

ATTORNEY GENERAL RENO: That is correct.

QUESTION: Ms. Reno, if you in fact have not completed your review, do you think it's strange that apparently the White House has been interviewing candidates, or has interviewed at least one possible candidate, for the job?

ATTORNEY GENERAL RENO: I don't know anything about that. You'd have to check with the White House.

QUESTION: Well, do you think that there's a chance that the White House would just make a choice without your input?

ATTORNEY GENERAL RENO: No.

[Laughter.]

QUESTION: Ms. Reno, the Pharmaceutical Manufacturers Association has asked the Department for an antitrust exemption, so that its members can get together and decide on a voluntary price restraint program, and Senator Metzenbaum has urged you not to grant that exemption.

Has there been any decision on that?

ATTORNEY GENERAL RENO: No. Obviously I'm looking to put in place an Assistant Attorney General in charge of the Antitrust Division to work with me and advise me on that matter as soon as possible.

QUESTION: Ms. Reno, you told us last week that you had written a reminder to yourself, if you hadn't heard from Nicholas Bua by a certain date to give him a call.

Have you heard from him? Is there any hope for an end to his inquiry on Inslaw?

ATTORNEY GENERAL RENO: I didn't have to hear from him because we received word that I could expect the report this week.

QUESTION: And how quickly will that be made public?

ATTORNEY GENERAL RENO: I don't know, because I don't know what's in the report.

QUESTION: Ms. Reno, last week 17 Senators asked for the FBI to get involved in investigating attacks on abortion clinics nationwide, and the FBI said under current law, or current policy there was no Federal law that would allow them to do that.

In light of your comments earlier about the need for new legislation, you say that the FBI cannot start investigating that? You will be directing them to investigate or not to investigate it?

ATTORNEY GENERAL RENO: I don't think that the remedies are adequate under Federal law at this time. I

think in terms of the Gunn case that the State remedies are adequate, and that State officials are pursuing it.

I think the most effective remedy will be legislation. I think it is imperative that we move toward that, and we're working with the Congress in every way possible in that effort.

QUESTION: Ms. Reno, Bill Gibson, Fort Lauderdale Sun Sentinel. I notice you're meeting with some women's congressional groups later this week. Have you encountered any difficulties being accepted by a male-dominated establishment here in the Department or in Washington generally?

ATTORNEY GENERAL RENO: Well, to begin with, the Senator Judiciary Committee was certainly welcoming, and made me feel right at home in Washington, and then the United States Senate certainly made me feel right at home in Washington, and the President of the United States has made me feel at home.

And as far as the Department of Justice is concerned, I continue -- I have been meeting this past week with the heads of the various divisions and the component groups of the Department. It is a huge department, but as I

meet with people, again and again and again I am so terribly impressed with the depth of knowledge, the real professionalism, the concern for the Department of Justice.

I've been made to feel welcome in Washington. It was nice to go home this weekend, and I'm still trying to figure out how to list my phone number and still get some sleep, because it was nice to pick up the phone at home and have somebody talk to me about real world problems.

So, somehow or another I have got to blend Washington with all of America, and try to be accessible. It's going to be interesting to try to do it, but I'm dedicated to doing it, because it was nice to walk around in my bare feet and pick up the phone when it rang, and not think of myself as Attorney General.

QUESTION: Can you tell us about the status of filling 116 other Federal judgeships at the District and Appeals Court levels?

ATTORNEY GENERAL RENO: That process is ongoing. Some of the Senators have submitted names, and those people are being reviewed, and that process is certainly underway, and it's certainly one of the high priorities, both for the Department of Justice and for the White House.

QUESTION: How soon might we see the first nominations among those judgeships?

ATTORNEY GENERAL RENO: I can't answer that, except to say that, with all these issues, obviously we've come in after some delay, and we're behind others. We want to catch up with the other agencies of government as soon as possible, but we don't want to sacrifice what we're trying to build in the Department of Justice, in terms of excellence and the best possible appointments, just for speed.

QUESTION: In regard to any of the jobs that we've mentioned here today, have you originated any of the potential nominees yourself?

ATTORNEY GENERAL RENO: I've thrown out a whole bunch of ideas; so, in terms of originating ideas, yes, I have originated some ideas.

QUESTION: Will the Justice Department be the primary screening organization for the new Supreme Court justice?

ATTORNEY GENERAL RENO: I think it will -- my hope will be, since I think this is one of the most important steps that the White House can take, that we will all work together as a team, and I will feel very comfortable in that

effort.

QUESTION: How big is the team that's deciding on the Supreme Court justice, or advising regarding that position?

ATTORNEY GENERAL RENO: I'm presumptuous to suggest how the President should constitute his team, but I have a team that somehow or another lets all America speak on the subject.

QUESTION: General, back to the review of Judge Sessions, what concerns do you have about the questions that have been raised, and what do you think needs to be done to restore faith in the top of the FBI?

ATTORNEY GENERAL RENO: One of the things I learned long ago, until I've finished, and I know exactly what I'm talking about, to the extent that I'll talk about it, I'm not going to talk about it.

[Laughter.]

QUESTION: Can you clarify your answer a minute ago about the team? Do you have your own separate team advising you about the replacement for Justice White, in addition to your membership on a White House team that's thinking about this?

ATTORNEY GENERAL RENO: No, there is no team. We're all talking together.

QUESTION: And to follow up on that question, have you submitted names to the White House of possible nominees?

ATTORNEY GENERAL RENO: No, I think that's the wrong way to approach it, just in a reaction. I think you have to look and consider, and just see who is there. I think that's one of the most important things to do, is to make sure that the process is open, and that everybody is considered, no matter where they come from, and no matter who they are.

There are some extraordinary people throughout this Nation, and I think we've got to be very careful that we consider all potential nominees.

QUESTION: And following up on that one, who do you ask for their opinions on that question?

ATTORNEY GENERAL RENO: I ask lawyers whom I admire, I ask people whom I admire -- I asked a cab driver the other night.

VOICE: Oh, no.

QUESTION: Was he a citizen?

[Laughter.]

QUESTION: What did he tell you?

ATTORNEY GENERAL RENO: "Huh?"

[Laughter.]

QUESTION: General, Tony Collings from CNN. How long do you think this process of selection will take, and when do you anticipate the confirmation hearings will get underway?

ATTORNEY GENERAL RENO: I don't know. I don't think I've been here long enough to estimate how long things will take. I was thinking that I was going to have ten days to go home and get my office wrapped up and things packed before I was confirmed by the Senate, so I have been wrong before. I wouldn't estimate that.

QUESTION: Can you tell us a little bit about the senior staff that you do have in place now, and the people who have come and who are now here working with you?

ATTORNEY GENERAL RENO: There are some pretty impressive people. The people who've been acting chiefs of the divisions, I am so impressed with. These are career people who are really incredible public servants, and deserve great thanks from the American people.

I can tell you who Webster Hubbell is -- he's one

of the finest people that I've met in a long time, and one of the really fine people that I have met in Washington. He has good judgment, he is a fine person. He, I think, understands so many different issues.

Together, Mr. Gerson, who is the Acting Attorney General, and Mr. Hubbell and the division chiefs -- so many different people have worked together, and I think the basic strength of this Department has carried it forward during this interim period.

QUESTION: Will you rely on a group of special assistants, for example, as Attorneys General have in the past?

ATTORNEY GENERAL RENO: This is what I told the acting division chiefs, and I met with three or four people from each division, and I'm trying in the process of the next weeks to meet with each division and talk with as many people as possible, to speak to people throughout the Department.

My hope is to make sure that people know that I'm accessible, that when we have an issue that we bring as many people involved together for a spirited discussion. I've sent out the message that I want people to disagree with me if they have good, sound reasons for policy and law.

I want spirited discussion in these meetings. If somebody in the division has done the work, and the matter is presented to me, I want the person who has done the work to come with them, so that they can discuss it, and they can have a give and take with me.

I want to make sure there are no gatekeepers at the AG's door, and that anybody in the Department -- they may have to come relatively late in the evening, just judging by the schedules to date -- but if somebody has suggestions for how to make this a better department, that they know I am available.

One of the things that I have started to do, as I began a new term in Miami, was to call in all the assistants one by one, and say, if you were State Attorney what would you do to improve the office? And one of the messages that I'm trying to send out is, if you were the Attorney General what would you do to improve the Department of Justice?

QUESTION: There was a -- in terms of accessibility one of your predecessors, with great fanfare announced back in the wake of the Rodney King beating that he was going to have a major study done on how the Justice Department handled previous police brutality cases.

He did in fact have the study done, and when it was completed he announced that it was secret and it could never be revealed.

Is there any chance we could get that?

ATTORNEY GENERAL RENO: Let me take a look at it. That's the first I've heard about such a report.

QUESTION: If I could return for one second to the abortion clinic, because I'm not sure I understood legally why taking a step as has been recommended, such as calling out U.S. marshals to protect women, under existing law, you decided you can't go that route.

And just secondly, since you raised that I think the first day, maybe in the Rose Garden or right after the confirmation vote, do you think you might have spoken too hastily there? Since you raised the prospect of using existing Federal law, and not legislation.

ATTORNEY GENERAL RENO: No, I don't think I spoke too hastily. What I said was that I was going to ask the Department of Justice to see what remedies were available, and in trying to be as open and as candid with you as I possibly can, understand that when I say I'm going to check into something, it doesn't mean I'm going to do something.

And if you want me to clam up and not be accessible to you, construe it that way. But when I say I'm going to check into something, it means I'm going to check into it, and try to make the best judgement I can.

The advice that I've gotten, and the review that I've made of the law personally, is that the remedies are not effective, and that the best way to proceed is to secure passage of that statute as soon as possible.

QUESTION: And why can't you use marshals now, under existing law, to --

ATTORNEY GENERAL RENO: I think, in terms of the existing law and what is available in terms of the constitutional framework, much of the action that is covered by some of the tactics, and I don't have the details with me, so I don't want to speak -- it just does not provide full Federal authority for that type of action in those circumstances.

One more questions, please.

QUESTION: Why is it that today's remedies are not adequate?

ATTORNEY GENERAL RENO: One of the problems that I think that we have seen, and we have seen it even in my

jurisdiction, is that so much of this effort cuts across State lines, involves comprehensive efforts throughout the United States, and I think it is something that we should all be concerned about, and that effective Federal effort should be very helpful to local and State law enforcement in this issue.

Thank you all, very much.

(Whereupon, at 12:30 p.m., the press conference was concluded.)

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U.S. DEPARTMENT OF JUSTICE

Fiscal Years 2000-2005

STRATEGIC PLAN

September 2000

This report is on the DOJ web site at www.usdoj.gov

A MESSAGE FROM THE ATTORNEY GENERAL

I have been honored to work with the President, the Congress, the federal law enforcement community, and our state, tribal, local and international counterparts, to improve our nation's justice system. I am proud of what we have accomplished together.

The Department of Justice Strategic Plan for fiscal years 2000-2005 builds on these accomplishments. It emphasizes building partnerships, strengthening local communities, and taking a practical, down-to-earth approach to solving problems. These are approaches that have been shown to work.

However, the plan also recognizes that we have much more to do—and new challenges to confront. I want to highlight several of these challenges:

- Serious crime is down for eight years in a row. But it is still too high, and there is still too much violence. Children in the United States under 15 years of age are nearly 12 times more likely to die from a gunshot wound than children in the 25 other wealthiest industrialized nations combined. Violence in the home, primarily targeted against women, remains all too prevalent. And American Indians are the victims of violent crime at more than twice the rate of all U.S. residents. Clearly, we must continue to work to end the culture of violence in this country. We must take a comprehensive approach to violence reduction—through a strategic combination of enforcement, prevention and intervention. We must keep guns out of the wrong hands and punish criminals—including gun criminals—swiftly, firmly and effectively.

- Advances in technology and the explosive growth of the Internet have changed the world forever. They have brought untold benefits. But they have also created new threats, including the threat of cyberterrorism. To preserve the potential of the technology revolution and to protect privacy and thwart criminal activity, we need to work together, at all levels of government and among both the public and private sectors, to share information, expertise, training, and equipment—and to catch and sanction offenders.

- Aided by the new technology, crime has increasingly become international. Terrorism, smuggling, money laundering, and fraud are examples of the types of criminal activity that now take place in a global arena where perpetrators may be geographically distant from the scenes of their crimes and where traditional territorial borders are more and more irrelevant. To meet this challenge, the United States must take the lead in building a global network of trusted independent nation-states willing and able to provide justice at home and cooperate internationally.

- In recent years, the United States has imprisoned more and more people for longer and longer terms. Now, many of these offenders are returning to their communities, often with little or no supervision or support. This is one of the most pressing challenges we will face as a nation in the next few years. To meet it, we must provide a network of support, supervision and accountability that will maximize the potential for successful reintegration into the community and minimize the risk to society of possible further criminal behavior. If we do, the futures of these men and women will be brighter, our communities will be safer, and this nation will be stronger.

- America is an increasingly diverse nation, populated by people of many races, cultures and ethnic backgrounds. Promoting mutual understanding and tolerance, ensuring equal protections under the law, and strengthening the trust of all our citizens in the fundamental fairness and integrity of our justice institutions, are perhaps our greatest challenges. No task is more important than continuing to expunge the vestiges of discrimination and group hatred that tarnish the American dream. They strike at the core of our democracy.

As a nation, we are fortunate to face these challenges from a position of strength. Our system of justice rests on a rock-solid foundation. And we have made great strides in protecting and building on that foundation. But we cannot become complacent. Rather, we must seize the opportunity to capitalize on our strength. Boldly, honestly and wisely, we must seek to secure the promise of this new millennium.

In closing, I want to express my admiration and gratitude to the men and women of the U. S. Department of Justice. Whether arguing a legal point in the courtroom, patrolling a remote border area, or investigating a serious crime, they do their jobs with skill, dedication and integrity. It has been an honor for me to work alongside them.

Janet Reno

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INTRODUCTION

Almost two hundred years ago, Thomas Jefferson wrote that "The most sacred of the duties of government [is] to do equal and impartial justice to all its citizens."[1] As the nation embarks on a new century, this sacred duty to fulfill the promise of justice for all remains the hallmark of the American experiment in democratic self-government. It is also the guiding ideal for the men and women of the U.S. Department of Justice (the Department) in carrying out their mission

> **"... to enforce the law and defend the interests of the United States according to the law; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; to administer and enforce the nation's immigration laws fairly and effectively; and to ensure fair and impartial administration of justice for all Americans."**

The Department of Justice Strategic Plan for fiscal years 2000-2005 provides a multiyear, comprehensive, and realistic plan for carrying out the Department's mission. It is oriented toward achieving our vision of securing equal justice for all, enhancing respect for the rule of law, and making America a safer and less violent nation. It provides to the President, the Congress and the American people a report on the problems and challenges the Department faces in the years ahead and the goals and objectives we have set for ourselves. It is both a reaffirmation of our fundamental commitment to serve the American people in the pursuit of justice and a promise to be accountable for our progress.

THE DEPARTMENT OF JUSTICE

The Department of Justice is headed by the Attorney General of the United States. It is comprised of 38 separate component organizations. These include the U.S. Attorneys (USAs) who prosecute offenders and represent the United States Government in court; the major investigative agencies—the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA)—which prevent and deter crime and arrest criminal suspects; the Immigration and Naturalization Service (INS) which controls the border and provides services to lawful immigrants; the U.S. Marshals Service (USMS) which protects the federal judiciary, apprehends fugitives and detains persons in federal custody; and the Bureau of Prisons (BOP) which confines convicted offenders. Litigating divisions enforce federal criminal and civil laws, including civil rights, tax, antitrust, environmental, and civil justice statutes. The Office of Justice Programs (OJP) and the Office of Community Oriented Policing Services (COPS) provide leadership and assistance to state, tribal, and local governments. Other major departmental components include the National Drug Intelligence Center (NDIC), the United States Trustees (UST), the Justice Management Division (JMD), the Executive Office for Immigration Review (EOIR), the Community Relations Service (CRS), and the Office of the Inspector General (OIG). Although headquartered in Washington, D.C., the Department conducts much of its work in offices located throughout the country and overseas.

CORE VALUES

In carrying out our mission, we are guided by the following core values:

- **Equal Justice Under the Law.** Upholding the laws of the United States is the solemn responsibility entrusted to us by the American people. We enforce these laws fairly and uniformly to ensure that all Americans receive equal protection and justice under the law.
- **Honesty and Integrity.** We adhere to the highest standards of ethical behavior.
- **Commitment to Excellence.** We seek to provide the highest levels of service to the American people. We are effective and responsible stewards of the taxpayers' dollars.

1 Thomas Jefferson, Note in Destutt de Tracy, "Treatise on Political Economy," in *The Writings of Thomas Jefferson*. Washington, D.C.: The Thomas Jefferson Memorial Association, 1904, 14:455.

- **Respect for the Worth and Dignity of Each Human Being.** We treat each other and those we serve with fairness, dignity, and compassion. We value differences in people and ideas. We are committed to the well-being of our employees and to providing opportunities for individual growth and development.

THE PERFORMANCE MANDATE

In recent years, the Department, and the Federal Government generally, have begun to embrace the concepts of performance-based management. These concepts have been effective in bringing about significant improvements in many private and public sector organizations and programs both in the United States and abroad. At the heart of performance-based management is the idea that focusing on mission, agreeing on goals, and reporting results are the keys to improved performance.

Congress has mandated performance-based management through a series of bipartisan statutory reforms.[2] The centerpiece of this statutory framework is the Government Performance and Results Act (GPRA) of 1993 (P.L. 103-62). The GPRA requires agencies to develop strategic plans that identify their long range strategic goals and objectives; annual plans that set forth corresponding annual goals and indicators of performance; and annual reports that describe the actual levels of performance achieved compared to the annual goal.

The Department of Justice Strategic Plan for fiscal years 2000-2005 is prepared pursuant to the requirements of the GPRA. It revises and supersedes the initial GPRA strategic plan submitted by the Department in September 1997 covering fiscal years 1997-2002. The revised plan incorporates a number of changes. Many of these are in response to criticisms and suggestions from external reviewers, including the General Accounting Office.

Two changes are especially noteworthy. First, we have included material describing the overall crime and justice environment as well as the specific problems and issues facing the Department. In essence, we have tried to give the reader greater context for understanding what we do and why. Second, we have attempted to more completely delineate the strategies by which we will achieve our goals and objectives.

We developed the plan with the active involvement of our component organizations. We provided copies of the draft plan to the chairs and ranking minority members of Senate and House committees on the judiciary and appropriations, the Senate Committee on Government Affairs and the House Committee on Government Reform. In addition, we posted a copy of the draft plan on the Department's web site for comment by our employees, other federal agency officials, and the general public.

Within the Department, strategic planning is the first step in an iterative planning and implementation cycle. This cycle, which is at the heart of the Department's efforts to implement performance-based management, involves setting long-term goals and objectives; translating these goals and objectives into budgets and program plans; implementing programs and monitoring their performance; and evaluating results (figure 1). In this cycle, the Department's strategic plan provides the overarching framework for component and function-specific plans as well as annual performance plans, budgets, and reports.[3]

The Department also is integrating performance-based management concepts and practices into other core management processes, including procurement, information technology, financial accounting, and human resources. For example, we are aligning our budget, accounting and performance data in order to produce a cohesive, integrated financial information framework.

Despite our progress, we recognize that further improvements are needed. Implementing performance-based management is an iterative, ongoing process that demands significant and fundamental changes in organizational culture and business processes.

2 These include the Chief Financial Officers Act, the Government Management Reform Act, and the Clinger-Cohen Act.

3 They include, for example, the Department's Drug Control Strategic Plan, Five-Year Financial Management Plan, and the strategic plans of the FBI, DEA, USMS, INS and BOP. In addition, the Department prepares annual performance plans and reports.

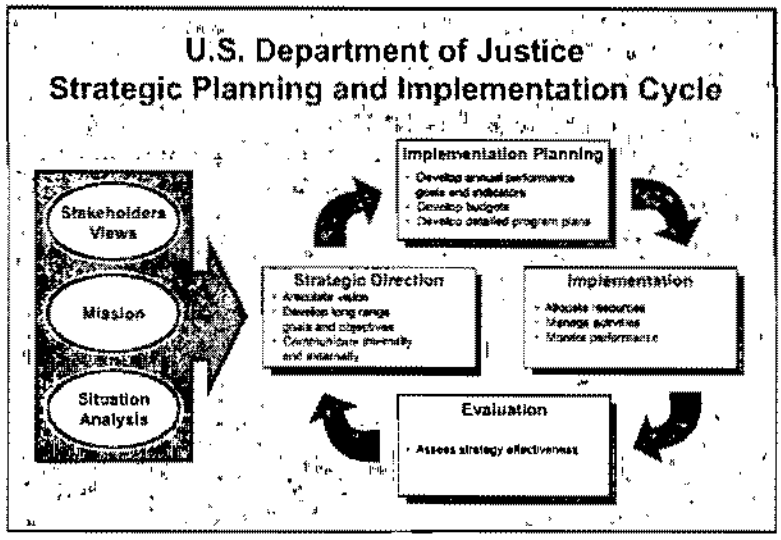

Figure 1

ORGANIZATION OF THE PLAN

The plan is in three chapters. Chapter I briefly outlines the major themes underlying our strategic goals and objectives, including some of the key issues we are likely to face in the years ahead. Chapter II sets forth our goals, objectives and strategies for the next five years. It also describes key interagency cross-cutting programs and summarizes the external factors that may affect goal achievement. Chapter III describes the role of evaluation in developing the strategic plan and provides a schedule of ongoing and planned program evaluations.

The scope and complexity of the Department's mission make it impossible to describe in a single document the full range and content of the Department's programs and activities. Where appropriate, reference has been made to other plans and reports that provide more detailed information in specific areas.

The Appendices include (A) a description of the resources required to implement the plan; (B) a description of the linkage between the strategic plan and the annual performance plan; (C) a summary list of mission-critical management challenges; (D) key facts on crime and justice; (E) a glossary of abbreviations and acronyms; and (F) a list of Justice component web sites.

This plan is available at http://www.usdoj.gov.

U.S. DEPARTMENT OF JUSTICE

Fiscal Year 1999

ANNUAL ACCOUNTABILITY REPORT

March 31, 2000

This report is on the DOJ web site at www.usdoj.gov

FOREWORD

This Annual Accountability Report highlights the diverse activities and major accomplishments of the Department of justice (the Department) in fiscal year 1999, reflecting the continued dedication and expertise of our employees and their commitment to the principles of justice and fair treatment for all Americans. This is the second year that the Department has consolidated statutory reporting requirements in an accountability report. This year's report also includes our first statement of performance in compliance with the Government Performance and Results Act.

In closing the twentieth century, the Department of Justice proudly reports that crime has continued its steady decline for the seventh straight year in a row. Preventive and responsive law enforcement programs; investments in crime-fighting technologies; and greater cross-boundary cooperation at the federal, state, and local levels have made America a safer and more secure society.

We helped create safer streets and communities in FY 1999. The Office of Community Oriented Policing Services brought the ranks of funded community police officers to 103,720, exceeding the President's goal to fund 100,000 cops by the year 2000. A new, automated FBI fingerprint system was put in place to allow law enforcement agencies to transmit fingerprint information electronically, replacing a manual card system and drastically reducing the response time for criminal cases. Tribal communities received 189 grants to improve law enforcement infrastructure and community policing in Indian Country.

We also renewed our commitment to protect the country's borders and national security. We established a Five-Year Counterterrorism and Technology Crime Plan, and the INS continued to strengthen border enforcement while also improving its naturalization process. Strengthened interagency and international cooperation in the war against drugs brought about several aggressive high-impact campaigns targeting illegal supply networks. At the same time, the Department supported more community-based approaches to reducing demand and use on America's streets.

Also, this year, I am pleased to provide reasonable assurance that our management control and financial systems, taken as a whole, met the objectives of Sections 2 and 4 of the Federal Managers' Financial Integrity Act. While we still have a number of material challenges to resolve, the Department is steadily improving in this area.

As we begin the twenty-first century, we expect our history of achievement to provide a strong basis for the Department to effectively deal with the challenges ahead.

Respectfully submitted,

Janet Reno

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INTRODUCTION

OVERVIEW OF THE DEPARTMENT OF JUSTICE

This report provides the President, the Congress, and the American people an accounting of the programmatic and financial performance of the Department of Justice (the Department) during fiscal year (FY) 1999.[1] It gives a succinct report on what we have achieved and where we need to improve. It is submitted as a consolidated response to various statutory reporting requirements, including those of the Government Performance and Results Act (GPRA) of 1993 (P.L.103-62), the Federal Managers' Financial Integrity Act (FMFIA) of 1982 (P.L. 97-255), the Government Management Reform Act of 1994 (P.L.103-356), and the Anticounterfeiting Consumer Protection Act.

Mission

To enforce the law and defend the interests of the United States according to the law, to provide Federal leadership in preventing and controlling crime, to seek just punishment for those guilty of unlawful behavior, to administer and enforce the Nation's immigration laws fairly and effectively, and to ensure fair and impartial administration of justice for all Americans.

To carry out the Department's mission, the Attorney General directs the activities of more than 123,000 attorneys, investigators, Border Patrol agents, deputy marshals, correctional officers, and other employees. Although headquartered in Washington, DC, most of the Department's work takes place outside Washington. As a result, the majority of our employees work in any one of more than 2,700 Justice installations around the country and in one of more than 120 foreign cities.

The Department's organizational chart, which follows, shows the component organizations that carry out most of the Department's day-to-day work. The major components ("bureaus") include the U.S. Attorneys (USAs), the Federal Bureau of Investigation (FBI), the Drug Enforcement Administration (DEA), the Immigration and Naturalization Service (INS), the United States Marshals Service (USMS), the Federal Bureau of Prisons (BOP), and the Office of Justice Programs (OJP). Among the offices, boards, and divisions, there are the legal divisions (Antitrust, Civil, Civil Rights, Criminal, Environment and Natural Resources, and Tax), the Community Oriented Policing Services (COPS) Office, and the Justice Management Division. Appendix D contains individual mission statements for the components.

For FY 1999, the Department received an appropriated and fee-funded budget totaling approximately $21 billion (P.L. 105-277, 106-31, 106-51), a 4.9-percent increase over the FY 1998 budget. Most of this increase went toward funding additional immigration and detention and incarceration initiatives.

Part I of this report summarizes 1999 program results. In accordance with GPRA, it reports the actual levels of performance achieved compared to specific targets identified in our 1999 Summary Performance Plan.[2] Where appropriate, this report also provides other descriptive information in order to give a richer and more complete picture of the activities and results achieved during the year. In compliance with FMFIA, it identifies major management challenges and describes our progress toward their resolution.

1 This report covers fiscal year 1999, which began on October 1, 1998, and ended on September 30, 1999. All references to years indicate fiscal years unless otherwise noted.

2 *FY 1999 Summary Performance Plan*, U.S. DOJ Office of the Attorney General, February 1998. (Final targets for FY 1999 were included in the FY 2000 Summary Performance Plan, USDOJ/OAG, March 1999.)

Part I is organized according to the seven Core Functions set forth in the Department's Strategic Plan.[3] The Strategic Plan provides the overarching framework for the Department's performance planning and reporting activities. Within each Core Function, the report is further subdivided according to our long-term Strategic Goals and specific 1999 Performance Goals. Actual results for 1999, as well as for 1997 and 1998, are provided in tabular form, with data sources included. (More detailed data source and data reliability information is provided in Appendix E.) Where we did not meet planned levels of performance, an explanation is provided. The first part of the document also includes a discussion of summary findings of FY 1999 program evaluations.

This is the first year of performance reporting under GPRA. Preparing the report has helped focus our attention on improvements needed in the scope, utility, and clarity of our goals and indicators in a number of areas. Some of these improvements have already been incorporated in our Summary Performance Plan for FY 2001; others will be implemented over time.

The task of developing measurable goals and valid and useful indicators is a challenging one. In the law enforcement arena, it is complicated by the inherent difficulty of measuring the preventive and deterrent effects of our work. It is also complicated by the risks associated with setting targets that may unwittingly and adversely skew performance. Our "bottom line" is justice. It is not achieving particular numbers of arrests, indictments, convictions, or asset seizures. Therefore, in accordance with departmental policy, no targets were set for these activities in our 1999 or subsequent performance plans; however, actual 1999 figures are provided in this report[4].

Part II of the report describes the Department's financial performance during 1999. It includes the Department's 1999 consolidated financial statement, the report of the independent auditors, and the summary and commentary prepared by the Department's Inspector General.

Five appendices include (A) a glossary of abbreviations and acronyms used in this report, (B) a summary of criminal caseload statistical reports on intellectual property crimes, (C) a list of Justice component web sites, (D) the mission statements of individual Justice components, and (E) data source and data validation information to support performance indicators.

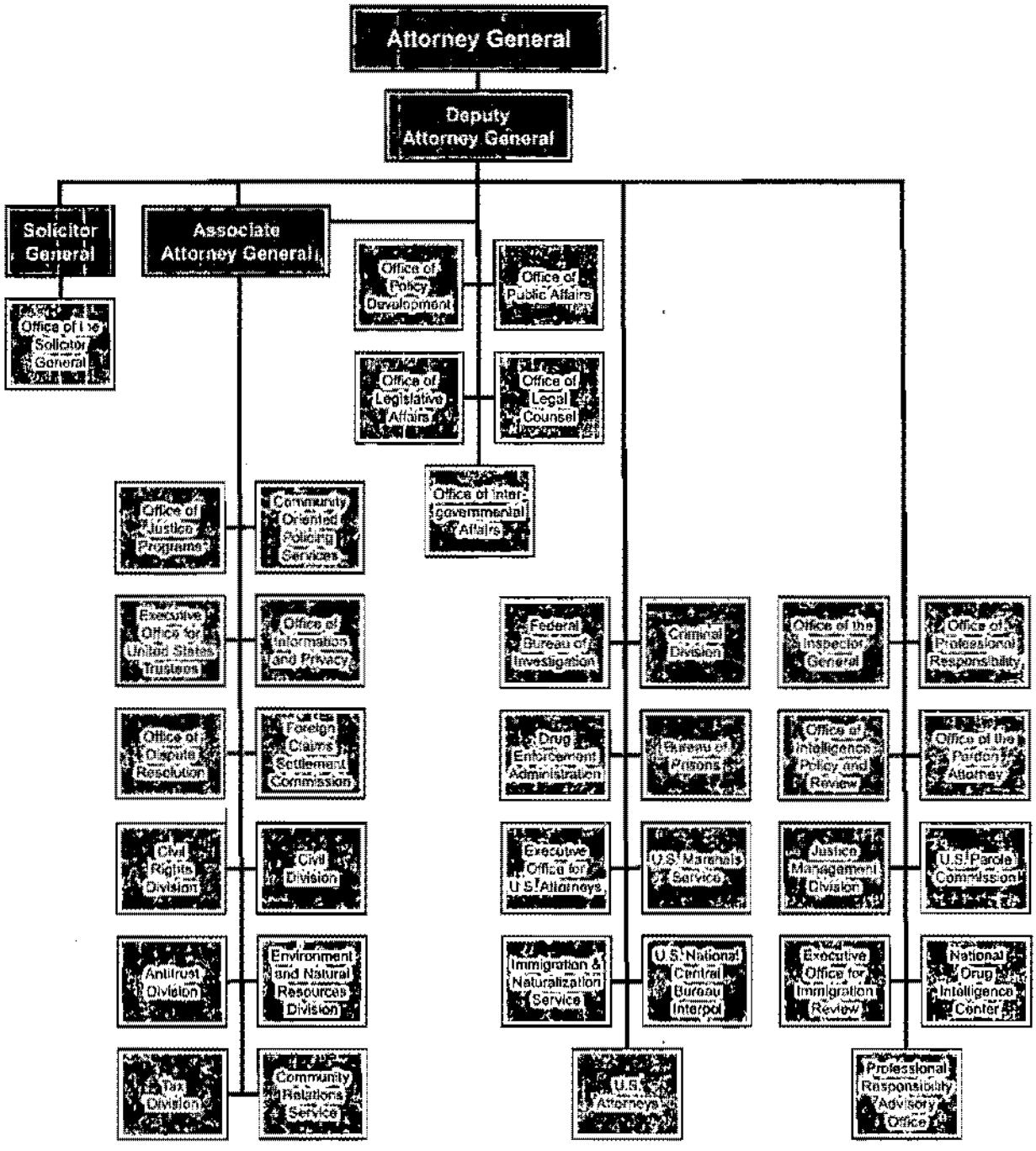
This report is on the Department's web site at www.usdoj.gov.

3 *United States Department of Justice Strategic Plan, 1997-2002*, U.S. DOJ Office of the Attorney General, September 1997.

4 To avoid the perception of "bounty hunting," Department guidance does not endorse projection of targeted levels of performance for some indicator types. In these instances, an entry of "NA" or "Not projected" is included in the table, as appropriate.

ORGANIZATIONAL CHART

U.S. Department of Justice



RESULTS IN BRIEF

- In 1999, serious crime continued its downward trend, due in part to the collaborative efforts of the Department of Justice and other Federal, state, and local law enforcement agencies (see Figure 1).

Figure 1

- In one of the most complex and successful multi-agency and multijurisdictional investigations ever, the Department substantially diminished the ability of the Amado Carillo Fuentes organization to move cocaine and other drugs into and around the United States. Termed Operation "Impunity," the investigation netted the arrests of three cell heads operating in the United States and 90 of their subordinates. It disabled all facets of the Fuentes organization, headquartered in Juarez, Mexico, including its drug and money transportation systems and the local U.S. distribution groups (see Figure 2).

- A joint U.S.-Colombian investigation, Operation "Millennium," disrupted a consortium of trafficking networks responsible for shipping vast quantities of cocaine from Colombia through Mexico and into the United States. Among those arrested by the Colombian government was drug kingpin Alejandro Bernal-Madrigal, believed by law enforcement officials to be one of the most significant international drug traffickers and money launderers presently operating (see Figure 2).

Figure 2

- The FBI continued its successful assault on organized crime, reducing membership in La Cosa Nostra by about 18 percent and dismantling four Asian and three Russian criminal enterprises.

- In 1999, USAs continued to prosecute the most violent criminal offenders under the Anti-Violent Crime Initiative and through the enhanced criminal provisions of the Violent Crime Control Act of 1994. They filed a total of 7,392 violent criminal cases against 9,175 offenders during 1999, a 7-percent increase over the number of cases filed in 1998.

- The FBI launched the Innocent Images National Initiative to address on-line child pornography and child sexual exploitation, the most significant and fastest growing crime problem involving children. The FBI also found and safely returned home 90 children who had been abducted.

- FBI Safe Streets Task Forces (SSTFs) and DEA Mobile Enforcement Teams (METs) continued to help local communities deal with drug-related violence. In 1999, there were 170 SSTFs and 53 new MET deployments.

- The OCDETF program continued its focus on targeting drug trafficking organizations, including foreign-based organizations or those with connections to them. These organizations are responsible for the importation of most of the illegal narcotics sold in the United States. In FY 1999, based on data submitted for the first 6 months of the fiscal year, 30 percent of OCDETF investigations targeted Mexican drug trafficking organizations or organizations connected to them; 11.2 percent targeted Colombian drug trafficking or related organizations; and 8.9 percent targeted Caribbean-based organizations or related groups.

- The FBI's National Instant Criminal Background Check System denied firearm purchases to more than 60,000 people, who were disqualified for having criminal histories, dishonorable discharges, or restraining orders (see Figure 3). Since the Brady Law went into effect in 1994, an estimated 470,000 persons have been denied firearms, based on checks conducted at the Federal or state level.

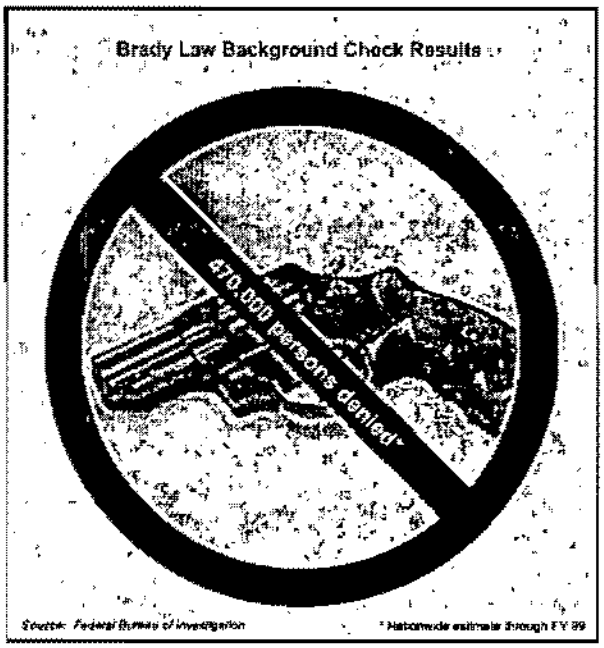


Figure 3

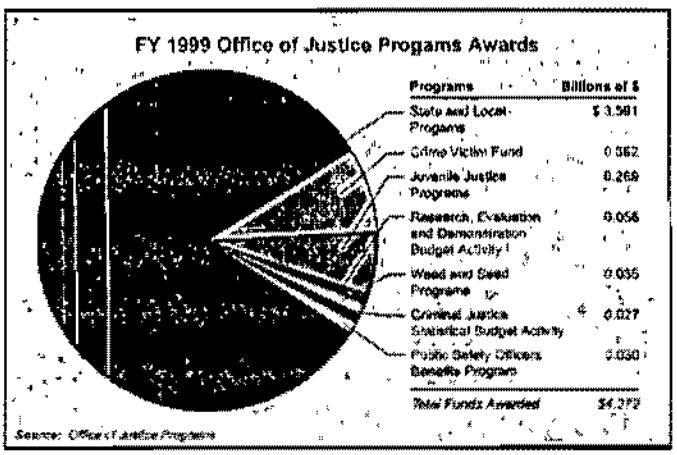


Figure 4

- OJP awarded about $4.3 billion to jurisdictions in all 50 states and U.S. territories. Funds supported state and local programs; the Crime Victims Fund; juvenile justice programs; research, evaluation, and demonstration activities; Weed and Seed programs; criminal justice statistical activity; and the Public Safety Officers Benefits program (see Figure 4).

- The Department began the process of establishing a new National Domestic Preparedness Office in the FBI to coordinate the Nation's planning and preparation for responding to terrorist attacks, including the possible use of weapons of mass destruction.

- The FBI successfully transitioned from its old manual fingerprint card system to a new Integrated Automated Fingerprint Identification System. The new system allows law enforcement agencies to transmit fingerprint information electronically and drastically reduces average response time for criminal cases—from days to 2 hours. The FBI also successfully implemented its new National Criminal Identification Center.

- A new Safe Schools/Healthy Students Initiative was launched—a joint undertaking of the Departments of Justice, Education, and Health and Human Services—to provide funding to help communities prevent school violence and promote healthy child development. The Departments of Justice and Education also joined forces with the Department of Energy to produce a guidebook for local school and law enforcement officials on *The Appropriate and Effective Use of Security Technologies in U.S. Schools.*

- In one of the most significant antitrust cases ever, the Department's Antitrust Division obtained after-trial findings from the court supporting our claims against Microsoft Corporation.

- The Department met the President's goal of funding an additional 100,000 community police officers to help protect America's communities (see Figure 5).

- The Department won the largest environmental case ever under the Clean Air Act, resulting in a record fine of $83.4 million and a settlement that will prevent 75 million tons of nitrous oxide (NOx) air pollution over the next 27 years and reduce by one-third the total NOx emissions from diesel engines by 2003.

- The Department filed a civil lawsuit against the largest cigarette companies in an effort to recover billions of dollars spent by the Federal Government each year on smoking-related health care costs.

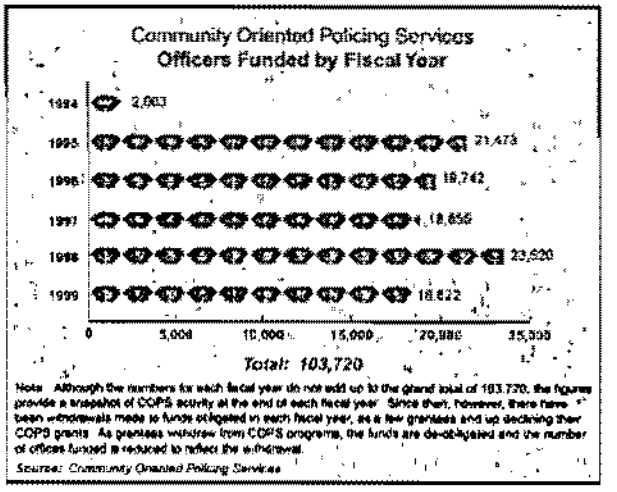


Figure 5

- The Antitrust Division, through its international cartel enforcement program, brought in historic, record criminal fines totaling more than $1.1 billion, including a $500 million fine against one of the largest vitamin manufacturers in the world.

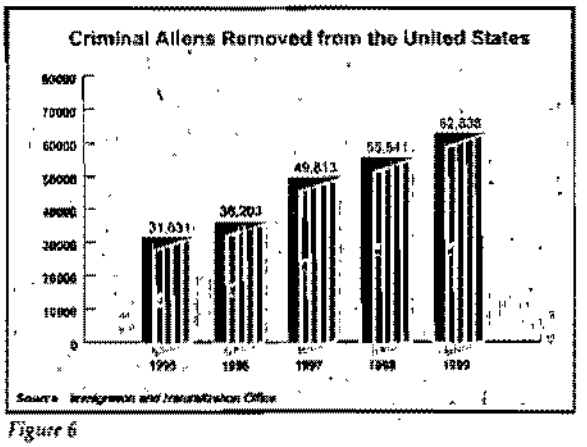


Figure 6

- INS cut the average processing time from 28 months to 12 months and completed more than 1.2 million applications for naturalization, including 872,000 persons sworn in as new naturalized U.S. citizens.

- INS' Operation "Seek and Keep," a year-long multiagency investigation, resulted in the dismantling of the most complex alien smuggling ring ever encountered by Federal authorities. This illegal, dangerous, and exploitive activity grossed an estimated $220 million over 3 years. Eighteen alien smugglers have accepted guilty pleas and are now out of business.

- The INS deported 62,838 criminal aliens. Since 1995, the number of criminal aliens deported each year has increased by an average of 19 percent (see Figure 6).

- The Department successfully surmounted its biggest computer issue ever—Y2K preparation—and experienced no incidents related to the New Millennium.

- The Department made significant progress in improving its financial management. In 1999, independent auditors gave unqualified opinions on 9 out of 10 of our reporting entities. INS received a qualified opinion.

- In 1999, the Department's law enforcement efforts resulted in more than $610 million being forfeited from criminals and criminal activity, undermining the economic motivation and the financial base of criminal organizations and activities. This money was deposited into the Asset Forfeiture Fund, and the Department distributed some of those assets to state and local law enforcement agencies participating in the underlying criminal investigations. In this way, criminals, not taxpayers, help foot the bill for law enforcement.

- The Department continued to experience increases in numbers of persons detained, with an average daily population of 32,119 in USMS custody—an 11.9-percent increase over FY1998 —and 16,563 in INS custody—a 12-percent increase over FY 1998 (see Figure 7).

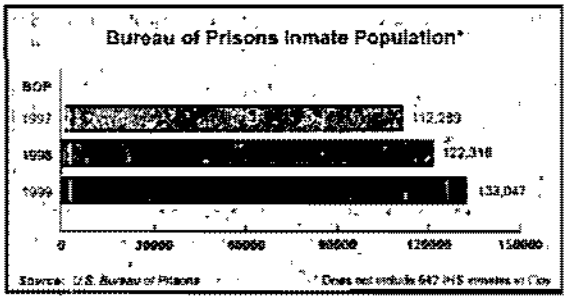


Figure 8

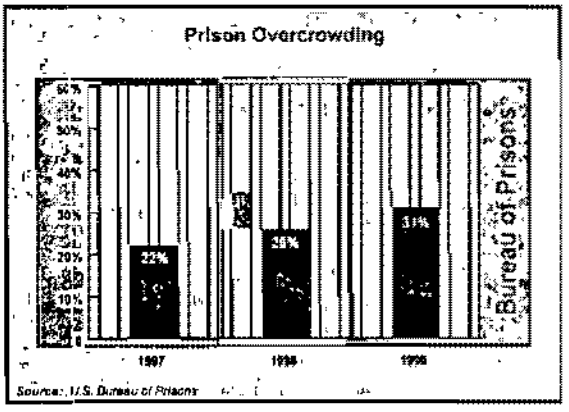


Figure 9

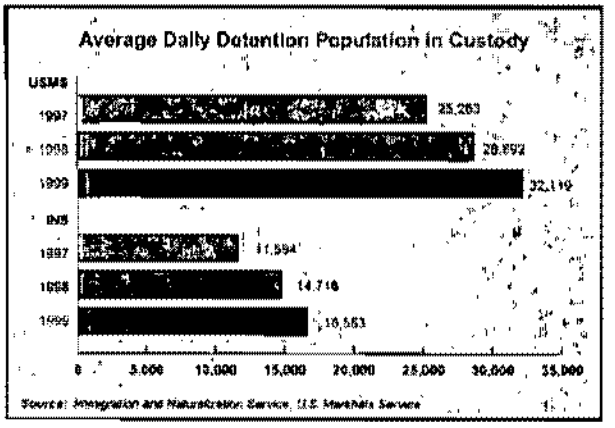


Figure 7

- The Federal prison population also continued to grow. At the end of 1999, there were 133,047 persons (not including 642 INS prisoners in Eloy) in BOP custody, an increase of 10,731 since 1997. The overcrowding rate systemwide rose from 22 percent in FY 1997 to 31 percent in FY 1999. In medium security institutions, it climbed from 37 percent in FY 1997 to 51 percent in FY 1999. While the high-security inmate population continued to climb, the overcrowding rate dropped slightly—from 52 percent in 1997 to 50 percent in FY 1999—as new penitentiaries came into use (see Figures 8 and 9).

U.S. Department of Justice

The Clinton Administration's Law Enforcement Strategy:

The 21st Century Law Enforcement and Public Safety Act

Taking Back Our Neighborhoods
One Block at a Time

May 1999

21st Century Law Enforcement and Public Safety Act

President Clinton, Vice President Gore and Attorney General Reno, working with state, local and tribal government officials and others, have launched an unprecedented effort to help America's communities fight crime. Over the course of the past six years, the Clinton Administration has worked to unite federal, state, tribal and local crime-control efforts, direct new resources into local efforts for crime fighting and crime prevention, and work hand-in-hand with law enforcement and local communities. The Clinton strategy recognizes that in order to truly control violent crime, decisions must be made in the community— at the local level— and not in Washington D.C.

Six years into this community-oriented strategy, crime has dropped to its lowest level since 1968. Despite the dramatic decrease in crime in America, now is not the time to retreat. In order to sustain the downward trend of crime and violence, the Clinton Administration, with the 21st Century Law Enforcement and Public Safety Act, aims to continue the current comprehensive anti-crime approach by strengthening those programs that have succeeded, and by responding to serious threats such as violent gangs and juvenile crime, terrorism and international crime, and the continuing menace of gun violence. The Clinton strategy is working and the 21st Century Law Enforcement and Public Safety Act embodies the type of approach we need today to keep crime rates on a downward path.

Building on the Clinton Administration's proven record of success: The 1994 Crime Law

From the outset of the Clinton Administration, our priority has been making America safer, one block at a time. Undeterred by more than six years of gridlock, President Clinton worked diligently with a bi-partisan coalition of Congress to craft and pass the most comprehensive and effective anti-crime legislation in our nation's history. He signed the Violent Crime Control and Law Enforcement Act of 1994, into law on September 13, 1994. This Act formed the cornerstone of the Clinton anti-crime policy that has made American streets safer today than they have been in 30 years. President Clinton's approach is tough, smart, and effective. Among the provisions contained in the 1994 Crime Act:

- Funding for 100,000 new community police officers.
- A ban on military style assault weapons and tough new penalties for criminals who use firearms in the commission of crimes;
- Grants to state and local governments to build additional prison cells to ensure that violent offenders serve their full sentences, as well as a targeted "Three-Strikes and You're-Out" provision to put career violent offenders out of business for good; and

- The historic Violence Against Women Act which has helped to stop the plague of domestic violence and abuse.

The results of this legislation, coupled with other anti-crime initiatives such as the Brady Law and the Antiterrorism and Effective Death Penalty Act of 1996, is undeniable. Violent crime has dropped more than 20 percent and the murder rate has fallen to its lowest point since 1973. Likewise, rates of property crime are at a three decade low. According to the FBI, serious crimes have decreased in major cities in all population groups crime has dropped 17 percent in Atlanta, 13 percent in Los Angeles; and 15 percent in both Washington, D.C. and Boston. Perhaps more significantly, the murder rate has also declined; falling 22 percent in New York City, 28 percent in San Francisco, and 24 percent in Washington D.C.

Effective anti-crime policies, coupled with the largest anti-drug budgets ever, have resulted in diminishing drug use across America. From 1979 to 1996, the number of people over the age of twelve who regularly use drugs has plummeted by almost half. The number of cocaine users has fallen 70 percent. Further, recent drug use surveys indicate that use of crack cocaine and methamphetamine are also declining. The Clinton anti-crime strategy has made Americans safer than they have been in over 30 years.

Preparing for the Future: The 21st Century Law Enforcement and Public Safety Act

While crime in America continues to decrease, now is not the time to turn away from the successful strategies that have led to the unprecedented drop in crime. Nor should we ignore new and emerging threats to our cities and towns. The 21st Century Law Enforcement and Public Safety Act recognizes the challenges ahead and offers a tough, smart and effective plan to continue the Clinton Administration's successful efforts to reduce crime in America into the next century. The following four areas form the cornerstones of the Clinton Administration's anti-crime policy for the new millennium:

- **CONTINUE SUPPORT FOR LOCAL LAW ENFORCEMENT:** Our plan continues the unprecedented federal support of state, county, local, and tribal law enforcement – including funding to ensure that law enforcement officials in rural areas receive federal assistance in their fight against crime. The legislation extends the highly successful COPS program and provides funding to ensure that law enforcement has access to the latest technology necessary to fight crime in the next century. The 21st Century Law Enforcement and Public Safety Act will build on the success of community policing with the creation of the Community Prosecutions Grant Program, to hire prosecutors across the nation who can respond to specific local crime needs with locally-based solutions.

- **BREAK THE DEADLY CYCLE OF DRUGS, GUNS and VIOLENCE:** In addition to calling for increased penalties for certain drug-related offenses, the legislation proposes the "Zero Tolerance Drug Supervision Initiative"

to more than double the amount of existing federal funding available for drug testing and treatment programs for offenders at the state, local, and tribal levels. The President is committed to combating the deadly and all too frequent use of guns in crime by limiting handgun purchases to one per month, strengthening the Brady Law by applying it to violent juveniles, establishing a 3-day cooling-off period under the Brady Act, and closing the "gun show loophole," which results in the unregulated transfer of many guns used in criminal activity. We will also hold adults responsible when they recklessly allow children access to guns and conduct Brady background checks on explosives purchasers. The legislation proposes a comprehensive reform of the federal juvenile justice system to permit more effective prosecution and punishment of the most violent and serious juvenile offenders and youth gangs. The President's initiative also provides additional tools needed to help keep our children drug free into the next century.

- **COMBAT TERRORISM AND INTERNATIONAL CRIME:** President Clinton's plan will combat potentially catastrophic terrorist activity by enhancing federal penalties for the illegal possession of biological agents or toxins. The proposal strengthens the air, land and maritime borders of the United States against criminal activity, and more effectively allows for investigation and prosecution of criminals that target Americans overseas. The proposal also amends federal law to ensure that criminals from around the world cannot evade capture and prosecution by seeking safe haven in the United States.

- **PROTECT AMERICANS AND SUPPORT VICTIMS OF CRIME:** The 21st Century Law Enforcement Act reauthorizes and extends the Violence Against Women Act, including new protections for victims of trafficking. This proposal holds perpetrators of violence against children accountable and ensures that our criminal justice system does not re-victimize our kids. The legislation expands the scope of federally funded victims services to include assistance for victims of non-federal crimes. The President's approach also includes numerous provisions to protect consumers, in areas such as telemarketing fraud, health care fraud and abuse, pension fraud, as well as in the areas of environmental crimes and aircraft safety.

These four cornerstones of the 21st Century Law Enforcement and Public Safety Act form the foundation on which America can sustain the current decline in crime. This comprehensive anti-crime strategy will continue the success the Administration has made in recent years and make America safer in the next century.

Supporting Local Law Enforcement – The 21st Century Policing Initiative

Our crime control policy includes unprecedented support for state, county, local, and tribal law enforcement and public

safety. Since 1993, we have increased federal support for state and local law enforcement by 294 percent. State and local governments have used this funding to strengthen their forces, buy new equipment, enhance crime fighting technology, build new prisons, and deploy new strategies to reduce crime. In order to sustain the dramatic decreases in crime we have seen in the past six years, we must continue to derive solutions from the state and local level with the assistance of the federal government. Innovative programs and targeted assistance to state and local governments have been critical, and the 21st Century Law Enforcement and Public Safety Act continues this effective strategy.

Supporting Local Law Enforcement

Community Policing: Authorizes $600 million in FY 2000 to continue existing COPS grant programs and fund an additional 30,000 to 50,000 new community police officers in high crime areas over the next five years.

Law Enforcement Technology: Authorizes $350 million in FY 2000 for a new Law Enforcement Technology Program to help state, tribal and local law enforcement tap into new technologies that will allow them to fight crime more effectively. The program has three parts:

- $100 million for a Crime Analysis Program, including assistance with computerized crime mapping to identify crime "hot spots" that can be proactively addressed.
- $125 million to improve communications by making state and local wireless communications systems compatible with their federal counterparts, as well as with each other; building a nationwide network of criminal justice information; and deploying computerized systems that allow officers to enter data at the crime scene to help speed the response and investigation times of the police.
- $125 million to reduce the DNA sample backlog and to improve the general forensic sciences capabilities of state and local crime labs, as well as to improve the quality of criminal history, criminal justice and identification records systems.

Community Prosecution: Authorizes $200 million in FY 2000 for a new Community Prosecutor grant program with 75 percent of the funding dedicated to the hiring of state and local prosecutors who will work in the community, taking back their neighborhoods one block at a time.

Commitment to Fighting Rural Crime: From the outset, we have been dedicated to assisting law enforcement in rural areas of this nation. Crime knows no geographic boundaries, and effective anti-crime policy must respond to the needs of people living in rural areas. In addition to specific rural allocations, we are proposing to extend the scope of rural anti-crime assistance to set aside a certain portion of law enforcement grant funds — up to ten percent — to those in under served and more remote rural areas. This provision will apply to all discretionary programs.

Extension of the Community Policing Program into the 21st Century:

We propose an additional $600 million in federal funding to place more police on the streets of this nation to prevent and combat crime. Beginning in July 1993, with the signing of the Supplemental Appropriations Act, providing $150 million for the Police Hiring Supplemental program, which became the blueprint for COPS, President Clinton has made local law enforcement the foundation of his anti-crime initiatives. From the initial award of 250 grants for hiring police, the commitment to law enforcement has grown into the promise to fund 100,000 police on America's streets. Today, 19,000 law enforcement agencies have now received awards which will increase our police force by 18 percent.

The COPS program has been a major success story in fighting crime. Community policing has redefined the relationship between law enforcement and the community. Now, officers participate in neighborhood meetings, work in schools, and develop invaluable relationships with all sectors of the community. In addition, the citizens have learned that they too, have a vital role to play in fighting crime and improving their community's quality of life. This joint enterprise between law enforcement and the community is proving to be invaluable. The Clinton Administration is now responding to the bipartisan praise and support of this program by providing funding for an additional 30,000 to 50,000 community police officers all across the nation.

Law Enforcement Technology: Giving Law Enforcement the Tools they need

We propose $350 million next year to develop and equip federal, state, county, local, and tribal law enforcement agencies with the latest, state-of-the-art technology available to fight crime.

Just as the explosion in technology has produced important new crime-fighting tools, it has also created new terrain for criminal conduct – on the Internet and with sophisticated hi-tech weapons. Our law enforcement strategy is prepared to deploy as many available tools as possible to keep American communities safe in the 21st Century – and to work with state and local law enforcement to fight crime every place it occurs from the street corner to cyberspace. At the same time, we seek to ensure that the use of this new technology properly safeguards the privacy of law-abiding citizens.

The 21st Century Law Enforcement and Public Safety Act authorizes funding to make critical improvements in radio technologies so that federal, state, tribal and local law enforcement can communicate on the same frequencies. These advances will also speed the development and use of hand-held units to enter and receive useful criminal justice data electronically right at the crime scene. The Clinton proposal will provide resources to help law enforcement develop and access information networks to identify suspects, locate fugitives, track illegal gang activity, and respond to and solve crimes. Included in these technologies are

advances such as crime mapping and forecasting, improved laboratory techniques, such as DNA analysis, and significant upgrades in criminal history records. In order to provide law enforcement with the tools they truly need, we must direct resources to preserve the safety of all law enforcement officers who risk their lives every day to keep our communities safe. The Clinton initiative also continues a vital, life-saving program to provide bulletproof vests to state, county, local and tribal governments for use by public safety officers.

Having kept the promise to commit significant federal resources to supporting law enforcement and funding 100,000 new community police officers, we are now working to ensure that those officers have the tools they need to safely and effectively do their very important job.

Community Prosecutors and Community Prosecution: Local Solutions for Local Problems

The policies of the past six years have resulted in a stronger and more effective police force in communities across the nation. However, effective police efforts are only part of a comprehensive criminal justice system. The 21st Century Law Enforcement and Public Safety Act now proposes to increase the number, and enhance the role of prosecutors in our community crime fighting efforts. We propose to fund an additional 1,000 prosecutors in each of the next five years. These prosecutors will be engaged in community prosecution programs in cities and towns all across America.

Community prosecution programs allow prosecutors to engage directly with residents and community leaders to prioritize community anti-crime and prosecutorial needs. Community prosecutors will also coordinate with other prosecutors to fight crime in a comprehensive and strategic manner that best addresses local needs. Just as their counterparts in police departments, community prosecutors will cultivate relationships and trust in their communities, which aids the process through better witnesses, stronger evidence, and more convictions. Working together, citizens and community prosecutors will develop methods to help prevent, investigate and prosecute crime and reduce local residents' fear of victimization.

Community prosecution strategies are effective. Prosecutors are recognizing the importance of fighting crime through stronger ties to the community. Today, community prosecution is being successfully practiced across the nation. In neighborhoods from Boston to Los Angeles and from Washington D.C. to Indianapolis, community prosecution is making a difference. The 21st Century Law Enforcement and Public Safety Act will allow even more American communities to reap the benefits of community prosecution programs.

Fighting Crime in Rural America

Creating a 10 percent set-aside for discretionary criminal or juvenile justice grant programs for applicants in rural areas, i.e., defined areas as having a population of 25,000 or fewer, is one more effort to ensure that adequate law enforcement services are provided to rural America. Although crime rates nationwide are now at their lowest

level in over 25 years and data indicates that rural crime over the past several years has followed the same general downward trend as urban and suburban crime, rural crime remains a significant problem. In 1995, there were about 35 violent crimes—rapes, sexual assaults, robberies, and aggravated and simple assaults—per 1,000 rural residents. And rural residents experienced household burglaries at significantly higher rates than suburban residents.

Compounding the difficulties that law enforcement generally encounters in preventing, investigating and prosecuting crime, rural communities often face geographic and other barriers, and often lack the law enforcement resources their urban neighbors take for granted. Rural law enforcement agencies often face shortages in funding, advanced equipment, and personnel. Moreover, rural areas now face enormous problems, such as gangs and drug trafficking, that were all but unheard of only a decade ago. Over the past six years, we have provided federal support for rural public safety through programs such as VAWA and COPS. Creating a rural set aside that applies to all discretionary grant programs is another facet in the Clinton Administration's effort to help people in all portions of this nation free themselves from the grip of crime.

Breaking the Cycle of Drugs, Guns and Violence

Between 1992 and 1996, there were 100 firearms murders in Toronto. Chicago, with a similar population had over 3,000. We must end the culture of violence. In order to continue the declining crime rates, anti-crime policy must incorporate an effective and comprehensive approach to the prevalence of illegal drugs and firearms in American society. President Clinton has proposed the largest anti-drug budgets in history and significant inroads have been made to take deadly firearms out of the hands of criminals and off our streets.

Zero Tolerance for Drugs: Testing, Treatment & Punishment

Drug use and crime are closely linked. From half to three-quarters of arrestees from 35 metro areas have drugs in their system when they are arrested. About half of those charged with violent crimes or income generating crimes like robbery, burglary, or theft tested positive for more than one drug. In 1997, a third of state prisoners and about one in five federal prisoners said they had committed the offenses that led to their incarceration while under the influence of drugs. Nineteen percent of state inmates and 16 percent of federal inmates said they committed their current offense to obtain money to buy drugs.

Illegal drug use costs America more than $110 billion annually. This is the result of the human lives lost from overdoses, drug abuse-related diseases or accidents, the various crimes committed by addicts to support their drug habits, and from resources expended to apprehend, sentence, treat and incarcerate drug users. Drug abuse contributes to spousal and child abuse, property and violent crime, the spread of AIDS, workplace and motor vehicle accidents, and absenteeism in the workforce.

Breaking the Cycle of Guns, Drugs and Violence

Zero Tolerance for Drugs: Authorizes over $215 million for FY 2000 for the "Zero Tolerance Drug Supervision Initiative" to more than double federal support for drug testing, intervention and treatment programs at the state, local, and tribal levels. The program has three components:

* $100 million to establish a new Testing and Intervention Program that will provide discretionary grants to support comprehensive programs for drug testing, treatment, and sanctions for prisoners, parolees, and probationers. Both juvenile and adult systems will be eligible for grants under this program.

* $50 million for the Drug Courts Program. Drug Courts are a proven success. The threat of jail can break the cycle of drug abuse and crime by combining drug testing, treatment, and sanctions such as prison.

* $65.1 million for the Residential Substance Abuse Treatment Program, which has shown consistent reductions in drug use and recidivism for offenders who complete treatment.

Drug Penalties: In addition to increasing federal penalties for a number of drug crimes that corrupt children, the President's initiative creates broader authority to schedule substances under the Controlled Substances Act on an emergency basis in order to respond more quickly to a rapid increase in abuse and trafficking of a substance. The legislation also increases penalties for trafficking in amphetamine, a substance closely related to methamphetamine, the production and abuse of which has become more serious in recent years, and further amends the federal law to ensure adequate sentencing for crimes involving the lethal substance known as fentanyl.

Cracking Down on Illegal Firearms: The President's Youth Gun Crime Enforcement Act limits handgun acquisitions to no more than one per month, strengthens the Brady Law by applying it to violent juvenile offenders, establishes a 3-day cooling off period under the Brady Act and closes the "gun show loophole," which results in the unregulated transfer of many guns used in criminal activity. The President's initiative also holds adults in certain circumstances responsible for child access to guns, raises the age of the youth handgun ban to 21, bars youth possession of semi-automatic assault weapons, requires Brady background checks for purchasers of explosives, and cracks down on illegal gun traffickers.

Juvenile Justice Reform: We will strengthen efforts to keep drugs away from our children. We will reform federal juvenile prosecutions to facilitate the adult prosecution of the most serious, violent gang and juvenile offenders. Our proposal will provide greater protection for victims and witnesses involved in crimes committed by juveniles, and provide funds for juvenile delinquency prevention, intervention and graduated sanctions programs.

The pervasiveness of drugs in criminal activity requires a comprehensive approach. The "Zero Tolerance Drug Supervision" program does just that by providing federal funding to jurisdictions that have a demonstrated commitment to furthering a system-wide strategy of universal drug testing for offenders, both juvenile and adult, combined with treatment and graduated sanctions for failure to comply.

The success of our "Drug Court Program" expands as additional funding is provided, so that even more communities can adopt this approach. It combines intensive supervision with incentives for successful completion of drug treatment and increasingly severe sanctions for noncompliance. Federal funds are also provided to allow state and local governments to expand, develop and implement residential substance abuse treatment programs, which have shown consistent reductions in drug use and recidivism for offenders who complete treatment. There is one simple message — use drugs, go to jail.

While testing and treatment are essential elements in stopping the spread of illicit drugs in our society, the Clinton Administration has recognized that serious criminal penalties are necessary to deal with this problem as well. We want increased penalties for serious drug crimes, such as trafficking in narcotics near a school or using minors to distribute drugs. Additionally, the President's proposal allows for greater flexibility in the temporary emergency scheduling of certain drugs that may be subject to a sudden surge in abuse. The President also proposes to increase the penalties for amphetamine manufacture and trafficking. Due to increased law enforcement and regulatory activity, criminals who produce illegal methamphetamine are turning to the more widely available amphetamine precursor phenylpropanolamine. The President's initiative seeks to stop amphetamine manufacturing and trafficking before it spreads any further.

We have consistently taken a broad-based approach to keeping drugs off our streets. Tough penalties are a part of this approach and the 21st Century Law Enforcement Act continues to send the message that those who try and profit from the deadly drug trade will be apprehended, prosecuted and punished.

Stopping the Deadly Flood of Guns on America's Streets: Keeping Guns out of the Hands of Criminals and Away from Children.

Just as drugs play a significant role in criminal activity, guns in the hands of dangerous criminals contribute to much of the deadly violence seen on our streets. Over the past six years, the Clinton Administration has fought for common sense measures that have contributed significantly to the reduction in violent crime with firearms. Working effectively with state and local authorities, the Administration has vigorously enforced firearms laws and helped bring about a steady increase in the number of firearm offenders being prosecuted and going to jail. We have also supported efforts to keep guns out of the hands of violent criminals and young people in the first place – supporting the Brady Law, the Assault Weapons Ban, and the Youth Crime

Gun Interdiction Initiative, which allows law enforcement to detect illegal trafficking in guns. The violent crime rate is at its lowest point in three decades, and programs enacted by the Clinton Administration are working, but more must be done to break the deadly grip that guns have on America. The President's Youth Gun Crime Enforcement Act takes the necessary steps to strengthen America's firearms and explosives laws and reduce violent crime with guns even more.

The unprecedented proliferation of deadly firearms on the streets of this nation has continued unabated for decades. President Clinton is striking at the heart of those who purchase guns in bulk and divert them to criminals on the street. The President's strategy cracks down on gun trafficking by limiting handgun acquisitions by any one individual to no more than one per month. Gunrunners circumvent Brady background checks by employing "straw purchasers" to buy their guns in bulk. These guns are in turn dispersed onto the streets with deadly consequences. The Clinton initiative will implement a national system to limit the catastrophic flood of guns onto American streets.

Over the continuing efforts of the gun lobby to undermine it, the Brady Law continues to work effectively to save lives, at minimal inconvenience to law-abiding gun owners. Since it was passed in 1994, the Brady Law has prevented over a quarter million felons, fugitives, and stalkers from buying handguns. In the fall of 1998, the Brady Law's National Instant Criminal Background Check System (NICS) took effect, allowing law enforcement to conduct instant checks on prospective purchasers of all guns. In the short time it has been in operation, NICS has processed more than 3.7 million background checks and halted at least an estimated 54,000 guns from falling into the wrong hands. President Clinton will build on the success of the Brady Law in a number of ways. First, the President seeks legislation to close the "gun show loophole" on Brady background checks. In 1998 alone, there were more than 4,000 gun shows held throughout the country as well as flea markets and other events at which guns could be traded anonymously. An estimated 25-50 percent of the sellers at such gun shows are unlicensed, and the guns sold by the unlicenced sellers are not subject to background checks. According to the Bureau of Alcohol, Tobacco, and Firearms (ATF) survey of 314 gun show investigations, 46 percent involved the purchase or sale of firearms by felons, and 34 percent involved the sale of firearms later used in serious crimes, including homicides. The "gun show loophole" is a deadly one that must be closed and our plan therefore proposes Brady background checks on all firearms transferred at gun shows.

We further proposes strengthening the protections of the Brady Law by applying it to violent juvenile offenders. Although violent youth convicted of felonies in adult courts are barred from owning firearms as adults, the same is not true for young people adjudicated delinquent for such acts in juvenile court, even for the most serious offenses, like murder. Juveniles who commit serious drug offenses or violent felonies should be prevented from obtaining firearms. The President's legislation would permanently ban all violent juveniles from buying guns, so that they could not purchase a gun after their 21st birthday.

The Brady Act should be strengthened by providing a mandatory waiting period which would provide a cooling-off period for handgun purchases and allow local law enforcement officers to check additional non-computerized records. Accordingly, the President's strategy calls for a minimum 3-day waiting period for all handgun purchases and an additional two days for law enforcement officers to clarify criminal arrest records when they need the time.

Keeping guns out of the hands of juveniles has been one of our top priorities. President Clinton fought for and signed legislation prohibiting the juvenile possession of handguns, requiring "zero-tolerance" for guns in schools, and establishing the Youth Crime Gun Interdiction Initiative (YCGII) to help identify and arrest adults who traffic guns to children. President Clinton also recognizes the personal responsibility that accompanies gun ownership. Our initiative increases the number of communities participating in crime gun tracing programs, improves the ability of law enforcement to trace guns used in crimes, and amends the federal law to hold reckless adults responsible for child access to guns. Child Access Prevention (CAP) laws promote gun safety and responsibility by holding adults responsible if they improperly allow children easy access to loaded firearms. The President's legislation imposes felony penalties on adults who knowingly or recklessly allow a child to have access to a gun that is later used to cause death or serious injury.

We will also require Brady background checks for all purchasers of explosives. Although the law now prohibits certain people – including felons – from possessing explosives, there is no means for the seller of explosives to check on the buyer. In other words, much like federal firearms laws prior to enactment of the Brady Law, explosives laws now operate on the "honor system." It is time to extend the Brady Law's protections to explosives and require Brady background checks before explosives are transferred.

Juvenile Justice Reform: Keeping Children Safe from Drugs, Targeting Dangerous Gangs and Violent Juveniles

We have committed to mounting a full-scale assault on serious and violent juvenile crime and the 21st Century Law Enforcement and Public Safety Act provides a balanced approach of tough but fair penalties that hold youth accountable; crime and drug prevention and intervention measures that keep kids on the right track and away from a life of crime. The fight against juvenile crime can be won, and our approach provides all of the tools for such success. The strategy envisioned in this proposed legislation includes four key elements: 1) targeting gangs and violent juveniles 2) keeping our children drug free 3) keeping our children on the right track and 4) supporting the nation's juvenile justice system.

A generation ago, fewer than half of American cities reported gang activity. Now, the vast majority of all U.S. cities and even rural communities and Indian reservations are faced with gangs. In order to combat gangs and the destructive lifestyles they breed, it is necessary to step-up efforts to get violent juvenile offenders off the

streets, take guns out of the hands of our young people, and curb the drug trade. The 21st Century Law Enforcement Act addresses the serious gang problem by increasing maximum sentences for certain crimes typically committed by gang members under the RICO statute, as well as adding certain gang-related firearms offenses as RICO predicates. Crimes such as traveling interstate to acquire a firearm with intent to commit a crime of violence or a drug trafficking offense or transferring a firearm with knowledge that it will be used to commit a crime of violence will now be subject to significantly enhanced penalties.

In addition to strengthening the federal response to illegal activity by juveniles, the 21st Century Law Enforcement and Public Safety Act enhances the penalties for numerous drug offenses that involve minors. Penalties for crimes such as using a minor to distribute drugs, distributing drugs to a minor and trafficking in illegal narcotics in or near schools and other protected areas will be increased.

According to many police officers, investigators and prosecutors, gang murders and violent crimes frequently go unpunished because witnesses are afraid to testify due to retaliation by gang members. Intimidation of victims and witnesses – who often become victims themselves – was a major problem for 51 percent of prosecutors in large jurisdictions and 43 percent in smaller jurisdictions, according to a recent study. We cannot allow the voice of justice to be silenced by threats of violence and intimidation, and tough laws are necessary to prevent witness intimidation and coercion. We propose to amend federal law to add a penalty of conspiracy to obstruction of justice and witness tampering to provide better protection from gang violence to witnesses and informants who come forward. As juveniles engage in more violent acts of crime, the victims of these crimes deserve the right to be heard in the juvenile justice system. Victims in federal cases will have the right to have input on the disposition report prepared by the probation officer and appear before the judge prior to disposition.

While cracking down on gangs, drugs and guns and targeting the most serious and violent juvenile offenders are essential parts of an effective juvenile justice strategy, they are only one side of the balanced approach necessary to continue the decline of juvenile crime in this country.
In order to help most young people stay out of trouble in the first place, and to get those who get in trouble back on the right track, we propose significant federal grant programs and initiatives to help states and communities support children and their families. In particular, the "At Risk Children Grant Program" is an expansion of a successful federal grant program that helps communities fund proven prevention efforts like mentoring, nursing home visitation, and truancy reduction.

Effectively addressing juvenile crime requires a multi-faceted approach that ensures swift, fair and certain punishment for the most serious and violent offenders, as well as graduated sanctions to help juveniles who have minor contact with the juvenile justice system from turning to a life of crime. Sound juvenile justice policy also requires significant resources for prevention and education programs so that children in America have a chance at the

strong, positive future they deserve. The 21st Century Law Enforcement and Public Safety Act offers a comprehensive solution for America.

Combating Terrorism and International Crime

International crime has increased in scale in the wake of globalization, becoming a complex and worldwide threat. International crime threatens the physical and financial security of all Americans while traveling or engaged in business either domestically or abroad. Such crimes include a wide range of illegal activities such as drug smuggling, money laundering, bribery, and intellectual property theft. International criminals can threaten national security by attacking the computer infrastructure of U.S. businesses or governments, or more directly by obtaining weapons of mass destruction. Similarly, they ignore the sovereign borders of all nations until these borders can be utilized to escape prosecution.

The threat is real and growing and the failure to respond in a pro-active and comprehensive way risks the safety of Americans both at home and abroad. The Clinton strategy envisions global cooperation in the fight against crime while realizing that the federal government must do all it can to protect the citizens of this nation from terrorism or international criminals that may target Americans. We are proposing a comprehensive strategy to combat terrorism and international crime in the 21st Century.

Fighting International Crime and Terrorism

Biological Weapons: Significantly strengthens the biological weapons statute to prevent the terrorist misuse of these deadly toxins.

Strengthening America's Borders Against Crime: Creates a new federal criminal penalty for the often deadly act of port-running, which has increasingly become an evasion strategy of contraband smugglers; and strengthens the ability of the Coast Guard to intercept drug smuggling vessels by providing additional sanctions against vessels that flee.

Protecting U.S. Nationals Abroad and Denying Safe Haven to International Criminals: Respond to the threats posed towards Americans overseas by enhancing the ability to investigate and prosecute organized crime groups who perpetrate criminal acts against U.S. nationals abroad, and the prosecution of murders and serious assaults against state and local officials who are participating in federally funded programs overseas. Also amends U.S. law to make it easier to exclude criminals from entering the United States.

Biological Weapons: Keeping a Lethal Threat Out of the Hands of Terrorists

Biological weapons pose a serious threat to the United States, particularly in the hands of terrorists. The destruction that could be wrought by deadly substances in the hands of a malicious person or group can be catastrophic. Current criminal law is inadequate in that it places the burden of proof on the United States to prove that a person possessing a biological agent or toxin without any apparent justification intended to use that agent or toxin "as a weapon." Existing law relating to biological weapons is best suited for punishing bio-terrorists after they commit their crime. The 21st Century Law Enforcement Act contains language designed to facilitate the efforts of law enforcement to prevent bio-terrorism through early intervention in the sequence of events leading to such acts. In other words, the proposal will permit us to stop terrorists before they use deadly biological weapons against Americans.

The provision contains four primary elements: It would be unlawful for any person to possess a harmful biological agent of a type or in a quantity inconsistent with a peaceful purpose; it would be unlawful for any person, with conscious disregard of an unreasonable risk to public health and safety, to handle a biological agent in a manner that grossly deviates from accepted norms; it would require persons who possess select (particularly lethal) biological agents to report that possession unless it occurs in the course of their responsibilities on behalf of a registered laboratory facility; and certain categories of persons, similar to the categories precluded from possessing a firearm, would be barred from possessing select agents absent a waiver.

Strengthening The Air, Land And Sea Borders of The United States: Stopping Criminals at America's Borders

Border crossings serve as choke-points where criminals are vulnerable to detection and capture. We maintain over 300 ports of entry and America's land and sea borders stretch a total of 9,600 miles. Virtually all cocaine and heroin and a majority of marijuana sold and consumed in the United States is produced abroad. Smuggling operations, increasingly run by organized crime, sneak tens of thousands of illegal immigrants into the nation each year. Each year, smuggling of drugs, illegal firearms, stolen cars and child pornography present formidable challenges, which the 21st Century Law Enforcement Act meets head-on.

Consistent with the International Crime Control Strategy released in 1998, we propose specific criminal penalties for the crime of port-running – intentionally evading inspections by passing through ports without stopping, putting law enforcement and civilians at grave risk – as well as enhancing existing criminal penalties for related activities. Penalties are also included for vessels that fail to "heave-to" when confronted by the Coast Guard.

Effective enforcement activity protects the integrity of U.S. borders, reduces smuggling-related activities, and helps to deny international criminals resources they need for other illicit activities. In addition, effec-

tive law enforcement activities at the borders serve to gather information about criminal enterprises abroad. This legislation provides our law enforcement agencies responsible for protecting our borders with tools that will assist in their battle to protect U.S. borders against criminal activity.

Protecting U.S. Nationals Abroad and Denying Safe Haven to International Criminals

American citizens are increasingly being targeted around the world. International criminals have attacked U.S. citizens abroad for political reasons, financial reasons, and more recently to further organized crime. In addition, the United States is expanding its role to fight international crime by sending law enforcement personnel, judges, and others to participate in federally sponsored training and assistance programs. Because of the law enforcement role these officials are taking, they automatically become targets to international criminals. Stronger laws are necessary to provide U.S. law enforcement the authority to investigate and prosecute those who target U.S. nationals and officials abroad.

We propose additional discretionary authority for investigations and prosecutions of organized crime groups who perpetrate criminal acts against U.S. nationals abroad. Statutes now in effect are too narrow and President Clinton supports the expansion of these laws to make them truly effective in targeting violent criminal acts committed against U.S. nationals by members of organized criminal groups. The 21st Century Law Enforcement Act also provides additional discretionary authority to investigate and prosecute murders and serious assaults of state and local officials that occur abroad when the state and local officials are involved in a federally sponsored training or assistance program. As the United States expands its efforts to fight international crime, the role of state and local officials in federally sponsored training, and other forms of assistance programs is also increasing. Like United States military personnel, these officials may become targets of violent acts committed abroad and the Clinton Administration proposes language to allow for the investigation and prosecution of those who target these Americans.

Beyond crimes directed at Americans overseas, we must also be vigilant that America does not become a sanctuary for those same criminals who are attempting to flee apprehension and prosecution in other parts of the world. International criminals ignore the sovereign borders of nations until those same borders can be utilized to hinder detection and thwart an investigation into their criminal activities. The 21st Century Law Enforcement Act provides additional laws to ensure that criminals cannot find safe haven behind our nation's borders. It strengthens the ability of the United States to work in cooperation with foreign nations to investigate and apprehend international criminals and updates domestic laws to ensure that international criminals cannot gain access or obtain safe haven within the United States.

Protecting American and Supporting Victims of Crime

Helping those Americans that are the targets or victims of crime has been at the forefront of the Clinton Administration's anti-crime policy for the past six years. From his steadfast support of the historic Violence Against Women Act (VAWA) to his call for a constitutional amendment ensuring the rights of crime victims, President Clinton has stood shoulder to shoulder with people victimized by crime and worked to make certain their voices are heard in the criminal justice process. This commitment continues in the 21st Century Law Enforcement Act with the reauthorization of VAWA, proposed new protection for children exposed to violence, the expansion of federal victims' assistance programs, and efforts to protect Americans from numerous types of fraud, from telemarketing fraud to health care fraud. The needs of victims will continue to be a pivotal element in the Clinton anti-crime strategy well into the new millennium.

Stopping Violence Against Women: Working to end Domestic Abuse and Violence

The Violence Against Women Act was enacted over four years ago as part of the 1994 Crime Law. VAWA reflected a comprehensive understanding of the broad range of strategies needed to change this nation's response to violence against women. With VAWA, for the first time, federal resources, federal law enforcement, and federal prosecutors were sent – together – to take a place in the front lines of this often deadly

Protecting Crime Victims and the Public

Continuing the Fight Against Domestic Violence: Builds on the success of the historic Violence Against Women Act by reauthorizing federal grant programs to combat domestic abuse and violence. Extends much needed protections for the victims of trafficking as well as battered immigrants.

Punishing Crimes Against Children and Protecting Child Victims: Holds perpetrators of violence against children accountable and ensures that our criminal justice system does not re-victimize our kids.

More Authority for Federal Victims' Assistance: Expands the scope of permissible federal assistance to victims of crime to include victims of non-federal crimes. Seeks to strengthen and improve the federal victim response.

Protecting Americans from Consumer Fraud: Adds significant new protections and penalties to combat a wide array of consumer fraud crime which often target the most vulnerable in our society. Efforts are directed at health care fraud and abuse, telemarketing fraud, pension fraud, environmental crimes, and the burgeoning criminal activity in the area of counterfeit aircraft parts, which jeopardizes the safety of Americans in the sky.

struggle. There is no question VAWA is making a difference. The Department of Justice has awarded over half a billion dollars through the VAWA grant programs since 1994, directing critical resources to communities efforts to respond to violence against women. With its prosecution authority under VAWA, the Department has also brought over 100 federal indictments under VAWA and the Gun Control Act. Considering the narrow reach of these statutes, the number of indictments is significant. In the last four years, the Clinton Administration has helped change the culture so that violence against women is no longer ignored or acceptable in our society. We have built the infrastructure to change this nation's response to domestic violence. There is much more to do, however, and the 21st Century Law Enforcement Act aims to build on the great progress made since the enactment of VAWA in 1994.

The foundation underlying the success of the Violence Against Women Act is federal assistance in the form of grant programs, such as STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grants, a program designed to develop and strengthen law enforcement and prosecutorial strategies to combat violent crimes against women and develop and enhance services for victims. The STOP Violence Against Indian Women Discretionary Grant program is designed to develop and strengthen tribal law enforcement and prosecutorial strategies to combat violent crime against Indian women. The Grants to Encourage Arrest Policies program is a discretionary grant program to encourage states, units of local government, and Indian tribal governments to treat domestic violence as a serious violation of criminal law. The Rural Domestic Violence and Child Victimization Enforcement Discretionary Grant program is designed to help address the unique needs of rural communities in dealing with domestic violence and child abuse. These are but a few of the successful VAWA Grant programs that are funded by the federal government.

While progress has been made under the Violence Against Women Act, research has also shown that the problem had been unacknowledged for so long, information on violence against women was largely anecdotal, with a primary focus on high profile cases involving strangers. But additional research since 1994 has shown that domestic violence among intimates has been under-reported, and continues to be a serious problem in America's families. As the problem of domestic violence comes out of the shadows and into public debate, we see that the problem has not been solved. Reauthorization of the Violence Against Women Act programs, which have been proven effective by rigorous, independent evaluation, is essential to continuing the progress that has been made.

The Clinton proposal also contains much needed protection for the victims of illegal trafficking operations. Illegal "trafficking" networks typically involve the recruitment and transportation of persons within and across national borders for the purpose of forced or coerced labor under abominable conditions. Traffickers recruit their victims from vulnerable populations, such as women in economically depressed countries in search of work or homeless youth from urban areas in the United States. The victims may be drawn by promises of good wages or, in the case of youth, manipulated

by a trafficker who establishes their dependency on him by supplying them with drugs. In some cases, traffickers create or alter identification documents that victims believe are valid and then confiscate them or victims' valid documents when the victims reach their destination. To control their victims, traffickers may confine them to their work site, isolate them from outside assistance, use violence, sexual assault, or threats, capitalize on their fears of arrest for illegally entering the country or for engaging in illegal activities such as prostitution, or require them to work indefinitely to pay off exorbitantly high debts ostensibly to cover their travel costs. Sweatshops, brothels, massage parlors, migrant farm labor, and domestic servitude are all common settings in which trafficked victims are subjected to unlawfully exploitive labor conditions.

Often, the most significant legal barrier to prosecuting certain trafficking cases is the gap between existing slavery statutes, for which the standard of proof is very high, and the only available alternative, labor violations, for which there are weak and rarely used criminal penalties. The required standard of proof in slavery cases that defendants used force or threat of force or legal coercion to control their victims is often too high to capture the kind of coercion used in trafficking cases – isolation, manipulation of language barriers or disabilities, planting and capitalizing on fears of arrest and/or of deportation, and other forms of mental duress. Our bill allows effective prosecution of traffickers who subject their victims to serious labor violations under coercive conditions that do not satisfy the involuntary servitude standard but nonetheless warrant criminal prosecution at the federal level. However, to be truly effective, the provision requires a tough penalty section as well. The President's approach requires the U.S. Sentencing Commission to promulgate new guidelines for trafficking cases that are sufficiently severe to deter trafficking and to reflect adequately the heinous nature of this crime. The new trafficking guidelines would also provide enhancements for offenses involving a large number of victims, a pattern of continued and flagrant violations, the use or threatened use of a dangerous weapon, or the death or bodily injury of a person or persons.

The 21st Century Law Enforcement Act also contains provisions that address a pressing problem confronting immigrant victims of domestic and family violence. Battered immigrants who are married to U.S. citizens or lawful permanent residents are eligible for lawful status based on their valid marriages. In far too many cases, however, abusive spouses refuse to file papers, purposefully keeping their victims undocumented in order threaten them with deportation and separation from their children if they ever report the abuse. The immigration laws are thus misused by perpetrators of domestic violence in an effort to trap battered women and children in violent relationships. VAWA remedies this problem by enabling battered immigrant women and children to file their own petitions for lawful status, without having to rely on their abusers. VAWA also serves vital criminal justice goals by ensuring that victims of domestic violence crimes are able to come forward, report abuse, and cooperate in the prosecution of violent criminals. The proposed legislation would restore previously weakened VAWA protections for battered immigrant women by reinstating authority for immigrant victims of domestic violence with approved VAWA petitions to

remain in United States while awaiting issuance of permanent resident status. Failure to restore this authority undermines one of VAWA's central premises: that no one should be forced to choose between abuse and deportation.

The proposed legislation contains additional provisions that would ensure the effectiveness of VAWA in protecting immigrant women and children from domestic violence. These provisions ensure that battered immigrants do not lose their eligibility for VAWA relief solely because their abuser loses his lawful resident status, which typically occurs after his conviction for crimes of domestic violence perpetrated against the victim who is seeking relief under VAWA. Other similar changes would protect battered immigrants from actions taken by their abusers to harm them, such as forcing them to commit criminal acts or hiding notice of immigration court hearings from them so that they cannot contest proceedings to deport them. Taken together, these proposals will strengthen VAWA protections for immigrant victims of domestic violence and improve our ability to investigate and prosecute crimes of domestic violence.

The Children Exposed to Violence Initiative: Keeping Children Free From Violence and Abuse

It is an unfortunate reality in this country that children are frequently victims or witnesses to crime, particularly violent crime. In 1996, data reported to HHS showed that 3 million children were reported as maltreated or abused. Approximately 33 percent of violent crime victims are children under the age of 19. Youth age 12 to 19 are almost three times more likely than adults to experience violent crime and suffer injury as a result. Of the nation's 22.3 million adolescents ages 12 to 17, approximately 1.8 million have been victims of serious sexual assault, 3.9 million have been victims of serious physical assault, and almost 9 million have witnessed serious violence. Much of this victimization goes unrecognized and unaddressed until the damage is beyond repair. Our plan seeks to remedy this injustice.

On December 29, 1998, President Clinton launched the Children Exposed to Violence Initiative a multi-part plan to prevent child victimization in the first instance, help protect children who are exposed to violence, and hold offenders more accountable for their actions. The 21st Century Law Enforcement and Public Safety Act will implement key elements of the Initiative. Our proposal will amend the federal murder statute to make child abuse a predicate for felony murder and to create first degree murder liability for deaths resulting from a pattern or practice of child abuse, for cases within federal jurisdiction. With this, liability for first degree murder can be established without proof of intent to kill and premeditation – elements that are often difficult to prove in child abuse cases. We also direct the U.S. Sentencing Commission to review and if appropriate, amend its guidelines and policy statements to enhance penalties for persons convicted of crimes of violence that are committed in the presence of children and expands the protections afforded child victims and witnesses in the criminal justice system by 18 U.S.C. § 3509 to cover additional children and offenses and to expand

privacy protections. We are committed to doing all we can to keep children in America safe and free from violence.

Victims Assistance: Resources to Ensure the Role of Victims in the Administration of Justice

Acknowledging and working to ensure the proper role of victims and their families in the criminal justice system is a hallmark of President Clinton and Attorney General Reno. Both have worked diligently to ensure that victims are not forgotten in the often cumbersome and impersonal investigative and judicial process that follows criminal activity. President Clinton supports passage of an amendment to the Constitution that protects the rights of victims. Further, he has been committed to helping victims obtain the support and resources they need following acts of crime. When a crime is committed the victim and their families are left to deal with the physical, emotional, and financial consequences, and the federal government has been responding through the Office for Victims of Crime (OVC) since 1984. Generally, funds – derived from fines and penalties levied against criminals — are provided to states to support crime victim assistance and compensation programs.

Typically, this approach works well. However, under current law, OVC's ability to assist is limited in cases where another federal agency is assisting persons who are not federal crime victims or when U.S. citizens are victimized abroad. In these types of cases most state compensation programs are unable to assist, and the 21st Century Law Enforcement and Public Safety Act provide authority necessary to address that problem. This legislation will permit the OVC director assisting federal law enforcement agencies to provide service to victims of non-federal crimes and to provide financial support to U.S. citizens who are victims of crime outside the country. This proposal calls for the establishment of a fellowship or internship within OVC, so that OVC can better utilize the expertise and experience of people in the victims community in program development, training and technical assistance, and providing services to the field. Finally, the 21st Century Law Enforcement Act amends the Crime Victims With Disabilities Awareness Act to allow more thorough and complete victim impact studies to ensure that better data is available for Congress to use in making future decisions.

Fighting Consumer and Pension Fraud: Protecting Americans from Economic Crime

Frequently, media and public attention on crime focuses on the most violent or horrific acts of crime. However, the Clinton Administration, and thousands of Americans who have fallen victim to fraud scams, know that fighting crime requires us to look beyond violent and serious crime. Although the victimization caused by fraud schemes is typically financial, the consequences of these crimes are significant for the victims, both in terms of emotional well being as well as their financial livelihood. Accordingly, the Clinton Administration is proposing a comprehensive approach to attacking consumer fraud on many different fronts.

The 21st Century Law Enforcement Act builds on the promise the President made in 1993, when he made health care fraud one of his top priorities. Since then, criminal prosecutions and convictions have increased by a dramatic 240 percent; during fiscal years 1997 and 1998 fines and restitution netted more than $1.2 billion for the Medicare Trust Fund; tax payers have been spared more than 35 billion dollars since 1993; and there currently exists the lowest reported rate of improper payments since 1996 – when comprehensive auditing was instituted by the government. Medicare and Medicaid programs provide vital medical assistance to some 39 million older and disabled Americans, and the 21st Century Law Enforcement and Public Safety Act will enhance efforts to prevent fraudulent and inappropriate claims, waste and overcharging by authorizing the Attorney General to fully prosecute and punish kickback offenses against Federal health care programs and ensure the efficient prosecution of health care fraud by eliminating the prohibition against the free exchange of information between criminal investigators and civil prosecutors in health care fraud cases. These provisions, and others, will continue to help win the battle against health care fraud.

Telemarketing scams are becoming more and more prevalent and stronger laws are needed to protect U.S. citizens from these scams. This legislation will provide authority for common carriers subject to the jurisdiction of the Federal Communications Commission to block or terminate telephone service provided to entities engaging in telemarketing fraud upon the written request of the Department of Justice.

The 21st Century Law Enforcement Act also contains provisions to protect employee pension, welfare, and health plans, as well as collective bargaining by employees, by enhancing federal law to include a new retirement fraud statute, amendments of existing crimes, and new procedural protections for victims of white collar crimes where the proceeds of such crimes are forfeited to the United States. To make the message load and clear that pension fraud will not be tolerated, the maximum penalty of imprisonment for embezzlement and theft from privately funded employee pension and welfare plans will be increased.

The Clinton Administration has encouraged vigorous prosecution of environmental criminals. These efforts have put these criminals out of business and will deter others from making the same mistakes. The ultimate result is safer playgrounds for our children, cleaner forests for wildlife, and safe drinking water for us all. The 21st Century Law Enforcement and Public Safety Act Federal takes another step forward in the fight against environmental criminals. By strengthening laws, coordinating efforts with state and local partners, and keeping law enforcement properly trained so we can protect our environment and the public health. The 21st Century Law Enforcement and Public Safety Act will provides the tools necessary to keep environmental criminals at bay. The Clinton proposal strengthens criminal environmental enforcement by authorizing reimbursement to state and local partners in federal prosecutions, increasing punishment for certain criminal violations that directly or proximately cause serious bodily injury or death, and extending the statute of limitations for environmental crimes that are intentionally concealed. These efforts are another step in helping to ensure a clean, safe and liveable environment for future generations.

Finally, to respond to the growing industry in counterfeit aircraft parts, additional federal laws are needed to deter potential offenders from placing nonconforming, defective or counterfeit parts in the stream of commerce. The legislation will establish penalties commensurate with the seriousness of the risk presented to the flying public by those engaging in fraudulent practices.

While consumer crime does not get the attention of violent crime in America, it is detrimental – not only to the victims, but to society as a whole. For any anti-crime approach to be truly comprehensive, it must incorporate a broad-based effort to combat fraud in America. The 21st Century Law Enforcement Act, by attacking the most egregious forms of consumer fraud, continues President Clinton's commitment to do just that.

Conclusion: Taking the Next Step in the Fight Against Crime — The 21st Century Law Enforcement and Public Safety Act.

In 1993, President Clinton promised this nation an aggressive federal effort against crime in America. Now, six years later, the results are undeniable. He has met his commitment to the American people. Working with federal agencies to form partnerships with hard working and dedicated people at the state, county, local and tribal level, he has helped drive crime rates to their lowest point in decades – declining for six consecutive years. Beginning with the passage of the historic 1994 Crime Law, the Clinton Administration has developed new and effective approaches to fighting crime that have garnered bi-partisan support and praise. But there is still much to be done.

Our success forms the foundation from which we can continue to drive down crime rates in the next century and offer future generations an even safer place to live and work. The 21st Century Law Enforcement and Public Safety Act provides the blueprint that can make that happen:

- Continues the unprecedented federal support of state, county, local and tribal law enforcement,
- Offers proven ways to continue to break the deadly cycle of drugs, guns and violence,
- Reaches beyond our borders to keep Americans safe from terrorism and international crime, and
- Continues programs to protect Americans from all crime and to give voice and support to victims of crime.

It follows the same strategy that has reduced crime for the past six years, it is tough, smart and it will be effective. For the first time in decades, we are on the right track. However, we must take the next step. The 21st Century Law Enforcement and Public Safety Act provides the opportunity to continue our current success and keep America safe well into the next century.