

1 (6) § for fiscal
2 year 2000.

3 Subtitle C—Alien Incarceration

4 SEC. 20301. INCARCERATION OF UNDOCUMENTED CRIMI- 5 NAL ALIENS.

6 (a) INCARCERATION.—Section 242 of the Immigra-
7 tion and Nationality Act (8 U.S.C. 1252) is amended by
8 adding at the end the following new subsection:

9 “(j) INCARCERATION.—

10 “(1) If the chief executive officer of a State (or,
11 if appropriate, a political subdivision of the State)
12 exercising authority with respect to the incarceration
13 of an undocumented criminal alien submits a written
14 request to the Attorney General, the Attorney Gen-
15 eral shall, as determined by the Attorney General—

16 “(A) enter into a contractual arrangement
17 which provides for compensation to the State or
18 a political subdivision of the State, as may be
19 appropriate, with respect to the incarceration of
20 the undocumented criminal alien; or

21 “(B) take the undocumented criminal alien
22 into the custody of the Federal Government and
23 incarcerate the alien.

24 “(2) Compensation under paragraph (1)(A)
25 shall be the average cost of incarceration of a pris-

1 oner in the relevant State as determined by the At-
2 torney General.

3 “(3) For purposes of this subsection, the term
4 ‘undocumented criminal alien’ means an alien who—

5 “(A) has been convicted of a felony and
6 sentenced to a term of imprisonment; and

7 “(B)(i) entered the United States without
8 inspection or at any time or place other than as
9 designated by the Attorney General;

10 “(ii) was the subject of exclusion or depor-
11 tation proceedings at the time he or she was
12 taken into custody by the State or a political
13 subdivision of the State; or

14 “(iii) was admitted as a nonimmigrant and
15 at the time he or she was taken into custody by
16 the State or a political subdivision of the State
17 has failed to maintain the nonimmigrant status
18 in which the alien was admitted or to which it
19 was changed under section 248, or to comply
20 with the conditions of any such status.

21 “(4)(A) In carrying out paragraph (1), the At-
22 torney General shall give priority to the Federal in-
23 carceration of undocumented criminal aliens who
24 have committed aggravated felonies.

1 “(B) The Attorney General shall ensure that
2 undocumented criminal aliens incarcerated in Fed-
3 eral facilities pursuant to this subsection are held in
4 facilities which provide a level of security appro-
5 priate to the crimes for which they were convicted.

6 “(5) There are authorized to be appropriated to
7 carry out this subsection—

8 “(A) \$ _____ for fis-
9 cal year 1995;

10 “(B) \$ _____ for fis-
11 cal year 1996;

12 “(C) \$ _____ for fis-
13 cal year 1997;

14 “(D) \$ _____ for fis-
15 cal year 1998;

16 “(E) \$ _____ for fis-
17 cal year 1999; and

18 “(F) \$ _____ for fis-
19 cal year 2000,

20 of which \$ _____ shall be available, sub-
21 ject to the availability of appropriations, from the
22 Violent Crime Reduction Trust Fund.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect October 1, 1994.

1 (c) TERMINATION OF LIMITATION.—Notwithstanding
2 section 242(j)(5) of the Immigration and Nationality Act,
3 as added by subsection (a), the requirements of section
4 242(j) of the Immigration and Nationality Act, as added
5 by subsection (a), shall not be subject to the availability
6 of appropriations on and after October 1, 2003.

7 Subtitle D—Miscellaneous 8 Provisions

9 SEC. 20401. PRISONER'S PLACE OF IMPRISONMENT.

10 Paragraph (b) of section 3621 of title 18, United
11 States Code, is amended by inserting after subsection (5)
12 the following: “In designating the place of imprisonment
13 or making transfers under this subsection, there shall be
14 no favoritism given to prisoners of high social or economic
15 status.”.

16 SEC. 20402. PRISON IMPACT ASSESSMENTS.

17 (a) IN GENERAL.—Chapter 303 of title 18, United
18 States Code, is amended by adding at the end the follow-
19 ing new section:

20 “§ 4047. Prison impact assessments

21 “(a) Any submission of legislation by the Judicial or
22 Executive branch which could increase or decrease the
23 number of persons incarcerated or in Federal penal insti-
24 tutions shall be accompanied by a prison impact statement
25 (as defined in subsection (b)).

1 “(b) The Attorney General shall, in consultation with
2 the Sentencing Commission and the Administrative Office
3 of the United States Courts, prepare and furnish prison
4 impact assessments under subsection (c) of this section,
5 and in response to requests from Congress for information
6 relating to a pending measure or matter that might affect
7 the number of defendants processed through the Federal
8 criminal justice system. A prison impact assessment on
9 pending legislation must be supplied within 21 days of any
10 request. A prison impact assessment shall include—

11 “(1) projections of the impact on prison, proba-
12 tion, and post prison supervision populations;

13 “(2) an estimate of the fiscal impact of such
14 population changes on Federal expenditures, includ-
15 ing those for construction and operation of correc-
16 tional facilities for the current fiscal year and 5 suc-
17 ceeding fiscal years;

18 “(3) an analysis of any other significant factor
19 affecting the cost of the measure and its impact on
20 the operations of components of the criminal justice
21 system; and

22 “(4) a statement of the methodologies and as-
23 sumptions utilized in preparing the assessment.

24 “(c) The Attorney General shall prepare and transmit
25 to the Congress, by March 1 of each year, a prison impact

1 assessment reflecting the cumulative effect of all relevant
2 changes in the law taking effect during the preceding cal-
3 endar year.”

4 (b) TECHNICAL AMENDMENT.—The chapter analysis
5 for chapter 303 is amended by adding at the end the fol-
6 lowing new item:

“4047. Prison impact assessments.”

7 **SEC. 20403. SENTENCES TO ACCOUNT FOR COSTS TO THE**
8 **GOVERNMENT OF IMPRISONMENT, RELEASE,**
9 **AND PROBATION.**

10 (a) IMPOSITION OF SENTENCE.—Section 3572(a) of
11 title 18, United States Code, is amended—

12 (1) by redesignating paragraphs (6) and (7) as
13 paragraphs (7) and (8), respectively; and

14 (2) by inserting after paragraph (5) the follow-
15 ing new paragraph:

16 “(6) the expected costs to the government of
17 any imprisonment, supervised release, or probation
18 component of the sentence;”

19 (b) DUTIES OF THE SENTENCING COMMISSION.—

20 Section 994 of title 28, United States Code, is amended
21 by adding at the end the following new subsection:

22 “(y) The Commission, in promulgating guidelines
23 pursuant to subsection (a)(1), may include, as a compo-
24 nent of a fine, the expected costs to the Government of

1 any imprisonment, supervised release, or probation sen-
2 tence that is ordered.”.

3 **SEC. 20404. APPLICATION TO PRISONERS TO WHICH PRIOR**
4 **LAW APPLIES.**

5 In the case of a prisoner convicted of an offense com-
6 mitted prior to November 1, 1987, the reference to super-
7 vided release in section 4042(b) of title 18, United States
8 Code, shall be deemed to be a reference to probation or
9 parole.

10 **SEC. 20405. CREDITING OF “GOOD TIME”.**

11 Section 3624 of title 18, United States Code, is
12 amended—

13 (1) by striking “he” each place it appears and
14 inserting “the prisoner”;

15 (2) by striking “his” each place it appears and
16 inserting “the prisoner’s”;

17 (3) in subsection (d) by striking “him” and in-
18 serting “the prisoner”; and

19 (4) in subsection (b)—

20 (A) in the first sentence by inserting
21 “(other than a prisoner serving a sentence for
22 a crime of violence)” after “A prisoner”; and

23 (B) by inserting after the first sentence
24 the following: “A prisoner who is serving a term
25 of imprisonment of more than 1 year for a

1 crime of violence, other than a term of impris-
2 onment for the duration of the prisoner's life,
3 shall receive credit toward the service of the
4 prisoner's sentence, beyond the time served, of
5 up to 54 days at the end of each year of the
6 prisoner's term of imprisonment, beginning at
7 the end of the first year of the term, subject to
8 determination by the Bureau of Prisons that,
9 during that year, the prisoner has displayed ex-
10 emplary compliance with such institutional dis-
11 ciplinary regulations."

12 **SEC. 20406. TASK FORCE ON PRISON CONSTRUCTION**
13 **STANDARDIZATION AND TECHNIQUES.**

14 (a) **TASK FORCE.**—The Director of the National In-
15 stitute of Corrections shall, subject to availability of ap-
16 propriations, establish a task force composed of Federal,
17 State, and local officials expert in prison construction, and
18 of at least an equal number of engineers, architects, and
19 construction experts from the private sector with expertise
20 in prison design and construction, including the use of
21 cost-cutting construction standardization techniques and
22 cost-cutting new building materials and technologies.

23 (b) **COOPERATION.**—The task force shall work in
24 close cooperation and communication with other State and

1 local officials responsible for prison construction in their
2 localities.

3 (c) PERFORMANCE REQUIREMENTS.—The task force
4 shall work to—

5 (1) establish and recommend standardized con-
6 struction plans and techniques for prison and prison
7 component construction; and

8 (2) evaluate and recommend new construction
9 technologies, techniques, and materials,
10 to reduce prison construction costs at the Federal, State,
11 and local levels and make such construction more efficient.

12 (d) DISSEMINATION.—The task force shall dissemi-
13 nate information described in subsection (c) to State and
14 local officials involved in prison construction, through
15 written reports and meetings.

16 (e) PROMOTION AND EVALUATION.—The task force
17 shall—

18 (1) work to promote the implementation of
19 cost-saving efforts at the Federal, State, and local
20 levels;

21 (2) evaluate and advise on the results and effec-
22 tiveness of such cost-saving efforts as adopted,
23 broadly disseminating information on the results;
24 and

1 (3) to the extent feasible, certify the effective-
2 ness of the cost-savings efforts.

3 **SEC. 20407. EFFICIENCY IN LAW ENFORCEMENT AND COR-**
4 **RECTIONS.**

5 (a) **IN GENERAL.**—In the administration of each
6 grant program funded by appropriations authorized by
7 this Act or by an amendment made by this Act, the Attor-
8 ney General shall encourage—

9 (1) innovative methods for the low-cost con-
10 struction of facilities to be constructed, converted, or
11 expanded and the low-cost operation of such facili-
12 ties and the reduction of administrative costs and
13 overhead expenses; and

14 (2) the use of surplus Federal property.

15 (b) **ASSESSMENT OF CONSTRUCTION COMPONENTS**
16 **AND DESIGNS.**—The Attorney General may make an as-
17 sessment of the cost efficiency and utility of using modu-
18 lar, prefabricated, precast, and pre-engineered construc-
19 tion components and designs for housing nonviolent crimi-
20 nals.

21 **SEC. 20408. AMENDMENTS TO THE DEPARTMENT OF EDU-**
22 **CATION ORGANIZATION ACT AND THE NA-**
23 **TIONAL LITERACY ACT OF 1991.**

24 (a) **TECHNICAL AMENDMENT.**—The matter preced-
25 ing paragraph (1) of section 214(d) of the Department

1 of Education Organization Act (20 U.S.C. 3423a(d)) is
2 amended by striking "under subsection (a)" and inserting
3 "under subsection (c)".

4 (b) ESTABLISHMENT OF A PANEL AND USE OF
5 FUNDS.—Section 601 of the National Literacy Act of
6 1991 (20 U.S.C. 1211-2) is amended—

7 (1) by redesignating subsection (g) as sub-
8 section (i); and

9 (2) by inserting after subsection (f) the follow-
10 ing new subsections:

11 "(g) PANEL.—The Secretary is authorized to consult
12 with and convene a panel of experts in correctional edu-
13 cation, including program administrators and field-based
14 professionals in adult corrections, juvenile services, jails,
15 and community corrections programs, to—

16 "(1) develop measures for evaluating the effec-
17 tiveness of the programs funded under this section;
18 and

19 "(2) evaluate the effectiveness of such pro-
20 grams.

21 "(h) USE OF FUNDS.—Notwithstanding any other
22 provision of law, the Secretary may use not more than
23 five percent of funds appropriated under subsection (i) in
24 any fiscal year to carry out grant-related activities such

1 as monitoring, technical assistance, and replication and
2 dissemination.”

3 **SEC. 20409. APPROPRIATE REMEDIES FOR PRISON OVER-**
4 **CROWDING.**

5 (a) AMENDMENT OF TITLE 18, UNITED STATES
6 CODE.—Subchapter C of chapter 229 of part 2 of title
7 18, United States Code, is amended by adding at the end
8 the following new section:

9 **“§ 3626. Appropriate remedies with respect to prison**
10 **crowding**

11 **“(a) REQUIREMENT OF SHOWING WITH RESPECT TO**
12 **THE PLAINTIFF IN PARTICULAR.—**

13 **“(1) HOLDING.—**A Federal court shall not hold
14 prison or jail crowding unconstitutional under the
15 eighth amendment except to the extent that an indi-
16 vidual plaintiff inmate proves that the crowding
17 causes the infliction of cruel and unusual punish-
18 ment of that inmate.

19 **“(2) RELIEF.—**The relief in a case described in
20 paragraph (1) shall extend no further than nec-
21 essary to remove the conditions that are causing the
22 cruel and unusual punishment of the plaintiff in-
23 mate.

24 **“(b) INMATE POPULATION CEILINGS.—**

1 “(1) REQUIREMENT OF SHOWING WITH RE-
2 SPECT TO PARTICULAR PRISONERS.—A Federal
3 court shall not place a ceiling on the inmate popu-
4 lation of any Federal, State, or local detention facil-
5 ity as an equitable remedial measure for conditions
6 that violate the eighth amendment unless crowding
7 is inflicting cruel and unusual punishment on par-
8 ticular identified prisoners.

9 “(2) RULE OF CONSTRUCTION.—Paragraph (1)
10 shall not be construed to have any effect on Federal
11 judicial power to issue equitable relief other than
12 that described in paragraph (1), including the re-
13 quirement of improved medical or health care and
14 the imposition of civil contempt fines or damages,
15 where such relief is appropriate.

16 “(c) PERIODIC REOPENING.—Each Federal court
17 order or consent decree seeking to remedy an eighth
18 amendment violation shall be reopened at the behest of
19 a defendant for recommended modification at a minimum
20 of 2-year intervals.”

21 (b) APPLICATION OF AMENDMENT.—Section 3626 of
22 title 18, United States Code, as added by paragraph (1),
23 shall apply to all outstanding court orders on the date of
24 enactment of this Act. Any State or municipality shall be

1 entitled to seek modification of any outstanding eighth
2 amendment decree pursuant to that section.

3 (c) TECHNICAL AMENDMENT.—The subchapter anal-
4 ysis for subchapter C of chapter 229 of title 18, United
5 States Code, is amended by adding at the end the follow-
6 ing new item:

“3626. Appropriate remedies with respect to prison crowding.”

7 (d) SUNSET PROVISION.—This section and the
8 amendments made by this section are repealed effective
9 as of the date that is 5 years after the date of enactment
10 of this Act.

11 **SEC. 20410. CONGRESSIONAL APPROVAL OF ANY EXPAN-**
12 **SION AT LORTON AND CONGRESSIONAL**
13 **HEARINGS ON FUTURE NEEDS.**

14 (a) CONGRESSIONAL APPROVAL.—Notwithstanding
15 any other provision of law, the existing prison facilities
16 and complex at the District of Columbia Corrections Facil-
17 ity at Lorton, Virginia, shall not be expanded unless such
18 expansion has been approved by the Congress under the
19 authority provided to Congress in section 446 of the Dis-
20 trict of Columbia Self-Government and Governmental Re-
21 organization Act.

22 (b) SENATE HEARINGS.—The Senate directs the
23 Subcommittee on the District of Columbia of the Commit-
24 tee on Appropriations of the Senate to conduct hearings
25 regarding expansion of the prison complex in Lorton, Vir-

1 ginia, prior to any approval granted pursuant to sub-
2 section (a). The subcommittee shall permit interested par-
3 ties, including appropriate officials from the County of
4 Fairfax, Virginia, to testify at such hearings.

5 (c) DEFINITION.—For purposes of this section, the
6 terms “expanded” and “expansion” mean any alteration
7 of the physical structure of the prison complex that is
8 made to increase the number of inmates incarcerated at
9 the prison.

10 **SEC. 20411. AWARDS OF PELL GRANTS TO PRISONERS PRO-**
11 **HIBITED.**

12 (a) IN GENERAL.—Section 401(b)(8) of the Higher
13 Education Act of 1965 (20 U.S.C. 1070a(b)(8)) is amend-
14 ed to read as follows:

15 “(8) No basic grant shall be awarded under this sub-
16 part to any individual who is incarcerated in any Federal
17 or State penal institution.”

18 (b) APPLICATION OF AMENDMENT.—The amendment
19 made by this section shall apply with respect to periods
20 of enrollment beginning on or after the date of enactment
21 of this Act.

22 **SEC. 20412. EDUCATION REQUIREMENT FOR EARLY RE-**
23 **LEASE.**

24 Section 3624(b) of title 18, United States Code, is
25 amended—

1 (1) by inserting "(1)" after "behavior.—";

2 (2) by striking "Such credit toward service of
3 sentence vests at the time that it is received. Credit
4 that has vested may not later be withdrawn, and
5 credit that has not been earned may not later be
6 granted." and inserting "Credit that has not been
7 earned may not later be granted."; and

8 (3) by adding at the end the following:

9 "(2) Credit toward a prisoner's service of sentence
10 shall not be vested unless the prisoner has earned or is
11 making satisfactory progress toward a high school diploma
12 or an equivalent degree.

13 "(3) The Attorney General shall ensure that the Bu-
14 reau of Prisons has in effect an optional General Edu-
15 cational Development program for inmates who have not
16 earned a high school diploma or its equivalent.

17 "(4) Exemptions to the General Educational Develop-
18 ment requirement may be made as deemed appropriate by
19 the Director of the Federal Bureau of Prisons."

20 **SEC. 20413. CONVERSION OF CLOSED MILITARY INSTALLA-**
21 **TIONS INTO FEDERAL PRISON FACILITIES.**

22 (a) **STUDY OF SUITABLE BASES.**—The Secretary of
23 Defense and the Attorney General shall jointly conduct a
24 study of all military installations selected before the date
25 of enactment of this Act to be closed pursuant to a base

1 closure law for the purpose of evaluating the suitability
2 of any of these installations, or portions of these installa-
3 tions, for conversion into Federal prison facilities. As part
4 of the study, the Secretary and the Attorney General shall
5 identify the military installations so evaluated that are
6 most suitable for conversion into Federal prison facilities.

7 (b) **SUITABILITY FOR CONVERSION.**—In evaluating
8 the suitability of a military installation for conversion into
9 a Federal prison facility, the Secretary of Defense and the
10 Attorney General shall consider the estimated cost to con-
11 vert the installation into a prison facility and such other
12 factors as the Secretary and the Attorney General consider
13 to be appropriate.

14 (c) **TIME FOR STUDY.**—The study required by sub-
15 section (a) shall be completed not later than the date that
16 is 180 days after the date of enactment of this Act.

17 (d) **CONSTRUCTION OF FEDERAL PRISONS.**—

18 (1) **IN GENERAL.**—In determining where to lo-
19 cate any new Federal prison facility, and in accord-
20 ance with the Department of Justice's duty to re-
21 view and identify a use for any portion of an instal-
22 lation closed pursuant to title II of the Defense Au-
23 thorization Amendments and Base Closure and Re-
24 alignment Act (Public Law 100-526) and the De-
25 fense Base Closure and Realignment Act of 1990

1 (part A of title XXIX of Public Law 101-510), the
2 Attorney General shall—

3 (A) consider whether using any portion of
4 a military installation closed or scheduled to be
5 closed in the region pursuant to a base closure
6 law provides a cost-effective alternative to the
7 purchase of real property or construction of
8 new prison facilities;

9 (B) consider whether such use is consistent
10 with a reutilization and redevelopment plan;
11 and

12 (C) give consideration to any installation
13 located in a rural area the closure of which will
14 have a substantial adverse impact on the econ-
15 omy of the local communities and on the ability
16 of the communities to sustain an economic re-
17 covery from such closure.

18 (2) CONSENT.—With regard to paragraph
19 (1)(B), consent must be obtained from the local re-
20 use authority for the military installation, recognized
21 and funded by the Secretary of Defense, before the
22 Attorney General may proceed with plans for the de-
23 sign or construction of a prison at the installation.

24 (3) REPORT ON BASIS OF DECISION.—Before
25 proceeding with plans for the design or construction

1 of a Federal prison, the Attorney General shall sub-
2 mit to Congress a report explaining the basis of the
3 decision on where to locate the new prison facility.

4 (4) REPORT ON COST-EFFECTIVENESS.—If the
5 Attorney General decides not to utilize any portion
6 of a closed military installation or an installation
7 scheduled to be closed for locating a prison, the re-
8 port shall include an analysis of why installations in
9 the region, the use of which as a prison would be
10 consistent with a reutilization and redevelopment
11 plan, does not provide a cost-effective alternative to
12 the purchase of real property or construction of new
13 prison facilities.

14 (e) DEFINITION.—In this section, “base closure law”
15 means—

16 (1) the Defense Base Closure and Realignment
17 Act of 1990 (part A of title XXIX of Public Law
18 101–510; 10 U.S.C. 2687 note); and

19 (2) title II of the Defense Authorization
20 Amendments and Base Closure and Realignment
21 Act (Public Law 100–526; 10 U.S.C. 2687 note).

22 SEC. 20414. POST-CONVICTION RELEASE DRUG TESTING—

23 FEDERAL OFFENDERS.

24 (a) DRUG TESTING PROGRAM.—

1 (1) IN GENERAL.—Subchapter A of chapter
2 229 of title 18, United States Code, is amended by
3 adding at the end the following new section:

4 **“§3608. Drug testing of Federal offenders on post-
5 conviction release**

6 “The Director of the Administrative Office of the
7 United States Courts, in consultation with the Attorney
8 General and the Secretary of Health and Human Services,
9 shall, subject to the availability of appropriations, estab-
10 lish a program of drug testing of Federal offenders on
11 post-conviction release. The program shall include such
12 standards and guidelines as the Director may determine
13 necessary to ensure the reliability and accuracy of the
14 drug testing programs. In each judicial district the chief
15 probation officer shall arrange for the drug testing of de-
16 fendants on post-conviction release pursuant to a convic-
17 tion for a felony or other offense described in section
18 3563(a)(4).”.

19 (2) TECHNICAL AMENDMENT.—The subchapter
20 analysis for subchapter A of chapter 229 of title 18,
21 United States Code, is amended by adding at the
22 end the following new item:

“3608. Drug testing of Federal offenders on post-conviction release.”.

23 (b) CONDITIONS OF PROBATION.—Section 3563(a) of
24 title 18, United States Code, is amended—

1 (1) in paragraph (2) by striking "and" after
2 the semicolon;

3 (2) in paragraph (3) by striking the period and
4 inserting "; and";

5 (3) by adding at the end the following new
6 paragraph:

7 "(4) for a felony, a misdemeanor, or an infrac-
8 tion, that the defendant refrain from any unlawful
9 use of a controlled substance and submit to one drug
10 test within 15 days of release on probation and at
11 least 2 periodic drug tests thereafter (as determined
12 by the court) for use of a controlled substance, but
13 the condition stated in this paragraph may be ame-
14 liorated or suspended by the court for any individual
15 defendant if the defendant's presentence report or
16 other reliable sentencing information indicates a low
17 risk of future substance abuse by the defendant.";
18 and

19 (4) by adding at the end the following: "The re-
20 sults of a drug test administered in accordance with
21 paragraph (4) shall be subject to confirmation only
22 if the results are positive, the defendant is subject
23 to possible imprisonment for such failure, and either
24 the defendant denies the accuracy of such test or
25 there is some other reason to question the results of

1 the test. A defendant who tests positive may be de-
2 tained pending verification of a positive drug test re-
3 sult. A drug test confirmation shall be a urine drug
4 test confirmed using gas chromatography/mass spec-
5 trometry techniques or such test as the Director of
6 the Administrative Office of the United States
7 Courts after consultation with the Secretary of
8 Health and Human Services may determine to be of
9 equivalent accuracy. The court shall consider wheth-
10 er the availability of appropriate substance abuse
11 treatment programs, or an individual's current or
12 past participation in such programs, warrants an ex-
13 ception in accordance with United States Sentencing
14 Commission guidelines from the rule of section
15 3565(b), when considering any action against a de-
16 fendant who fails a drug test administered in ac-
17 cordance with paragraph (4).”

18 (c) CONDITIONS OF SUPERVISED RELEASE.—Section
19 3583(d) of title 18, United States Code, is amended by
20 inserting after the first sentence the following: “The court
21 shall also order, as an explicit condition of supervised re-
22 lease, that the defendant refrain from any unlawful use
23 of a controlled substance and submit to a drug test within
24 15 days of release on supervised release and at least 2
25 periodic drug tests thereafter (as determined by the court)

1 for use of a controlled substance. The condition stated in
2 the preceding sentence may be ameliorated or suspended
3 by the court as provided in section 3563(a)(4). The results
4 of a drug test administered in accordance with the preced-
5 ing subsection shall be subject to confirmation only if the
6 results are positive, the defendant is subject to possible
7 imprisonment for such failure, and either the defendant
8 denies the accuracy of such test or there is some other
9 reason to question the results of the test. A drug test con-
10 firmation shall be a urine drug test confirmed using gas
11 chromatography/mass spectrometry techniques or such
12 test as the Director of the Administrative Office of the
13 United States Courts after consultation with the Secretary
14 of Health and Human Services may determine to be of
15 equivalent accuracy. The court shall consider whether the
16 availability of appropriate substance abuse treatment pro-
17 grams, or an individual's current or past participation in
18 such programs, warrants an exception in accordance with
19 United States Sentencing Commission guidelines from the
20 rule of section 3583(g) when considering any action
21 against a defendant who fails a drug test."

22 (d) CONDITIONS OF PAROLE.—Section 4209(a) of
23 title 18, United States Code, is amended by inserting after
24 the first sentence the following: "In every case, the Com-
25 mission shall also impose as a condition of parole that the

1 parolee pass a drug test prior to release and refrain from
2 any unlawful use of a controlled substance and submit to
3 at least 2 periodic drug tests (as determined by the Com-
4 mission) for use of a controlled substance. The condition
5 stated in the preceding sentence may be ameliorated or
6 suspended by the Commission for any individual parolee
7 if it determines that there is good cause for doing so. The
8 results of a drug test administered in accordance with the
9 provisions of the preceding sentence shall be subject to
10 confirmation only if the results are positive, the defendant
11 is subject to possible imprisonment for such failure, and
12 either the defendant denies the accuracy of such test or
13 there is some other reason to question the results of the
14 test. A drug test confirmation shall be a urine drug test
15 confirmed using gas chromatography/mass spectrometry
16 techniques or such test as the Director of the Administra-
17 tive Office of the United States Courts after consultation
18 with the Secretary of Health and Human Services may
19 determine to be of equivalent accuracy. The Commission
20 shall consider whether the availability of appropriate sub-
21 stance abuse treatment programs, or an individual's cur-
22 rent or past participation in such programs, warrants an
23 exception in accordance with United States Sentencing
24 Commission guidelines from the rule of section 4214(f)

1 when considering any action against a defendant who fails
2 a drug test.”.

3 **SEC. 20415. REPORTING OF CASH RECEIVED BY CRIMINAL**
4 **COURT CLERKS.**

5 (a) IN GENERAL.—Section 6050I of the Internal
6 Revenue Code of 1986 (relating to returns relating to cash
7 received in trade or business) is amended by adding at
8 the end the following new subsection:

9 “(g) CASH RECEIVED BY CRIMINAL COURT
10 CLERKS.—

11 “(1) IN GENERAL.—Every clerk of a Federal or
12 State criminal court who receives more than \$10,000
13 in cash as bail for any individual charged with a
14 specified criminal offense shall make a return de-
15 scribed in paragraph (2) (at such time as the Sec-
16 retary may by regulations prescribe) with respect to
17 the receipt of such bail.

18 “(2) RETURN.—A return is described in this
19 paragraph if such return—

20 “(A) is in such form as the Secretary may
21 prescribe, and

22 “(B) contains—

23 “(i) the name, address, and TIN of—

24 “(I) the individual charged with
25 the specified criminal offense, and

1 “(II) each person posting the bail
2 (other than a person licensed as a bail
3 bondsman),

4 “(ii) the amount of cash received,

5 “(iii) the date the cash was received,

6 and

7 “(iv) such other information as the
8 Secretary may prescribe.

9 “(3) SPECIFIED CRIMINAL OFFENSE.—For pur-
10 poses of this subsection, the term ‘specified criminal
11 offense’ means—

12 “(A) any Federal criminal offense involv-
13 ing a controlled substance,

14 “(B) racketeering (as defined in section
15 1951, 1952, or 1955 of title 18, United States
16 Code),

17 “(C) money laundering (as defined in sec-
18 tion 1956 or 1957 of such title), and

19 “(D) any State criminal offense substan-
20 tially similar to an offense described in sub-
21 paragraph (A), (B), or (C).

22 “(4) INFORMATION TO FEDERAL PROSECU-
23 TORS.—Each clerk required to include on a return
24 under paragraph (1) the information described in
25 paragraph (2)(B) with respect to an individual de-

1 scribed in paragraph (2)(B)(i)(I) shall furnish (at
2 such time as the Secretary may by regulations pre-
3 scribe) a written statement showing such informa-
4 tion to the United States Attorney for the jurisdic-
5 tion in which such individual resides and the jurisdic-
6 tion in which the specified criminal offense oc-
7 curred.

8 “(5) INFORMATION TO PAYORS OF BAIL.—Each
9 clerk required to make a return under paragraph (1)
10 shall furnish (at such time as the Secretary may by
11 regulations prescribe) to each person whose name is
12 required to be set forth in such return by reason of
13 paragraph (2)(B)(i)(II) a written statement
14 showing—

15 “(A) the name and address of the clerk’s
16 office required to make the return, and

17 “(B) the aggregate amount of cash de-
18 scribed in paragraph (1) received by such
19 clerk.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) Clause (iv) of section 6724(d)(1)(B) of the
22 Internal Revenue Code of 1986 is amended to read
23 as follows:

1 “(iv) section 6050I (a) or (g)(1) (re-
2 lating to cash received in trade or business,
3 etc.),”.

4 (2) Subparagraph (K) of section 6724(d)(2) of
5 the Internal Revenue Code of 1986 is amended to
6 read as follows:

7 “(K) section 6050I(e) or paragraph (4) or
8 (5) of section 6050I(g) (relating to cash re-
9 ceived in trade or business, etc.),”.

10 (3) The heading for section 6050I of the Inter-
11 nal Revenue Code of 1986 is amended by striking
12 “**BUSINESS**” and inserting “**BUSINESS,**
13 **ETC**”.

14 (4) The table of sections for subpart B of part
15 III of subchapter A of chapter A of chapter 61 of
16 the Internal Revenue Code of 1986 is amended by
17 striking “business” and inserting “business, etc” in
18 the item relating to section 6050I.

19 (c) REGULATIONS.—The Secretary of the Treasury
20 or the Secretary’s delegate shall prescribe temporary regu-
21 lations under the amendments made by this section within
22 90 days after the date of enactment of this Act.

23 (d) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on the 60th day after the

1 date on which the temporary regulations are prescribed
2 under subsection (c).

3 **SEC. 20416. CIVIL RIGHTS OF INSTITUTIONALIZED PER-**
4 **SONS.**

5 (a) **EXHAUSTION OF ADMINISTRATIVE REMEDIES.—**

6 Section 7 of the Civil Rights of Institutionalized Persons
7 Act (42 U.S.C. 1997e) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1), by striking “ninety
10 days” and inserting “180 days”; and

11 (B) in paragraph (2), by inserting before
12 the period at the end the following: “or are oth-
13 erwise fair and effective”; and

14 (2) in subsection (c)—

15 (A) in paragraph (1) by inserting before
16 the period at the end the following: “or are oth-
17 erwise fair and effective”; and

18 (B) in paragraph (2) by inserting before
19 the period at the end the following: “or is no
20 longer fair and effective”.

21 (b) **EFFECTIVE DATE.—**The amendments made by
22 subsection (a) shall take effect on the date of enactment
23 of this Act.

1 SEC. 20417. NOTIFICATION OF RELEASE OF PRISONERS.

2 Section 4042 of title 18, United States Code, is
3 amended—

4 (1) by striking “The Bureau” and inserting
5 “(a) IN GENERAL.—The Bureau”;

6 (2) by striking “This section” and inserting
7 “(c) APPLICATION OF SECTION.—This section”;

8 (3) in paragraph (4) of subsection (a), as des-
9 ignated by paragraph (1)—

10 (A) by striking “Provide” and inserting
11 “provide”; and

12 (B) by striking the period at the end and
13 inserting “; and”;

14 (4) by inserting after paragraph (4) of sub-
15 section (a), as designated by paragraph (1), the fol-
16 lowing new paragraph:

17 “(5) provide notice of release of prisoners in ac-
18 cordance with subsection (b).”; and

19 (5) by inserting after subsection (a), as des-
20 ignated by paragraph (1), the following new sub-
21 section:

22 “(b) NOTICE OF RELEASE OF PRISONERS.—(1) At
23 least 5 days prior to the date on which a prisoner de-
24 scribed in paragraph (3) is to be released on supervised
25 release, or, in the case of a prisoner on supervised release,
26 at least 5 days prior to the date on which the prisoner

1 changes residence to a new jurisdiction, written notice of
2 the release or change of residence shall be provided to the
3 chief law enforcement officer of the State and of the local
4 jurisdiction in which the prisoner will reside. Notice prior
5 to release shall be provided by the Director of the Bureau
6 of Prisons. Notice concerning a change of residence follow-
7 ing release shall be provided by the probation officer re-
8 sponsible for the supervision of the released prisoner, or
9 in a manner specified by the Director of the Administra-
10 tive Office of the United States Courts. The notice re-
11 quirements under this subsection do not apply in relation
12 to a prisoner being protected under chapter 224.

13 “(2) A notice under paragraph (1) shall disclose—

14 “(A) the prisoner’s name;

15 “(B) the prisoner’s criminal history, including a
16 description of the offense of which the prisoner was
17 convicted; and

18 “(C) any restrictions on conduct or other condi-
19 tions to the release of the prisoner that are imposed
20 by law, the sentencing court, or the Bureau of Pris-
21 ons or any other Federal agency.

22 “(3) A prisoner is described in this paragraph if the
23 prisoner was convicted of—

24 “(A) a drug trafficking crime, as that term is
25 defined in section 924(c)(2); or

1 “(B) a crime of violence (as defined in section
2 924(c)(3)).

3 “(4) The notice provided under this section shall be
4 used solely for law enforcement purposes.”.

5 **SEC. 20418. CORRECTIONAL JOB TRAINING AND PLACE-**
6 **MENT.**

7 (a) **PURPOSE.**—It is the purpose of this section to
8 encourage and support job training programs, and job
9 placement programs, that provide services to incarcerated
10 persons or ex-offenders.

11 (b) **DEFINITIONS.**—As used in this section:

12 (1) **CORRECTIONAL INSTITUTION.**—The term
13 “correctional institution” means any prison, jail, re-
14 formatory, work farm, detention center, or halfway
15 house, or any other similar institution designed for
16 the confinement or rehabilitation of criminal offend-
17 ers.

18 (2) **CORRECTIONAL JOB TRAINING OR PLACE-**
19 **MENT PROGRAM.**—The term “correctional job train-
20 ing or placement program” means an activity that
21 provides job training or job placement services to in-
22 carcerated persons or ex-offenders, or that assists
23 incarcerated persons or ex-offenders in obtaining
24 such services.

1 (3) EX-OFFENDER.—The term “ex-offender”
2 means any individual who has been sentenced to a
3 term of probation by a Federal or State court, or
4 who has been released from a Federal, State, or
5 local correctional institution.

6 (4) INCARCERATED PERSON.—The term “incar-
7 cerated person” means any individual incarcerated
8 in a Federal or State correctional institution who is
9 charged with or convicted of any criminal offense.

10 (c) ESTABLISHMENT OF OFFICE.—

11 (1) IN GENERAL.—The Attorney General shall
12 establish within the Department of Justice an Office
13 of Correctional Job Training and Placement. The
14 Office shall be headed by a Director, who shall be
15 appointed by the Attorney General.

16 (2) TIMING.—The Attorney General shall carry
17 out this subsection not later than 6 months after the
18 date of enactment of this section.

19 (d) FUNCTIONS OF OFFICE.—The Attorney General,
20 acting through the Director of the Office of Correctional
21 Job Training and Placement, in consultation with the Sec-
22 retary of Labor, shall—

23 (1) assist in coordinating the activities of the
24 Federal Bonding Program of the Department of
25 Labor, the activities of the Department of Labor re-

1 lated to the certification of eligibility for targeted
2 jobs credits under section 51 of the Internal Reve-
3 nue Code of 1986 with respect to ex-offenders, and
4 any other correctional job training or placement pro-
5 gram of the Department of Justice or Department
6 of Labor;

7 (2) provide technical assistance to State and
8 local employment and training agencies that—

9 (A) receive financial assistance under this
10 Act; or

11 (B) receive financial assistance through
12 other programs carried out by the Department
13 of Justice or Department of Labor, for activi-
14 ties related to the development of employability;

15 (3) prepare and implement the use of special
16 staff training materials, and methods, for developing
17 the staff competencies needed by State and local
18 agencies to assist incarcerated persons and ex-of-
19 fenders in gaining marketable occupational skills
20 and job placement;

21 (4) prepare and submit to Congress an annual
22 report on the activities of the Office of Correctional
23 Job Training and Placement, and the status of cor-
24 rectional job training or placement programs in the
25 United States;

1 (5) cooperate with other Federal agencies carry-
2 ing out correctional job training or placement pro-
3 grams to ensure coordination of such programs
4 throughout the United States;

5 (6) consult with, and provide outreach to—

6 (A) State job training coordinating coun-
7 cils, administrative entities, and private indus-
8 try councils, with respect to programs carried
9 out under this Act; and

10 (B) other State and local officials, with re-
11 spect to other employment or training programs
12 carried out by the Department of Justice or
13 Department of Labor;

14 (7) collect from States information on the train-
15 ing accomplishments and employment outcomes of a
16 sample of incarcerated persons and ex-offenders who
17 were served by employment or training programs
18 carried out, or that receive financial assistance
19 through programs carried out, by the Department of
20 Justice or Department of Labor; and

21 (8)(A) collect from States and local govern-
22 ments information on the development and imple-
23 mentation of correctional job training or placement
24 programs; and

1 (B) disseminate such information, as appro-
2 priate.

TD
7/31/94

1 **TITLE III—CRIME PREVENTION**
2 **Subtitle A—Ounce of Prevention**
3 **Council**

4 **SEC. 30101. OUNCE OF PREVENTION COUNCIL.**

5 (a) **ESTABLISHMENT.—**

6 (1) **IN GENERAL.—**There is established an
7 Ounce of Prevention Council (referred to in this title
8 as the “Council”), the members of which—

9 (A) shall include the Attorney General, the
10 Secretary of Education, the Secretary of Health
11 and Human Services, the Secretary of Housing
12 and Urban Development, the Secretary of
13 Labor, the Secretary of Agriculture, the Sec-
14 retary of the Treasury, the Secretary of the In-
15 terior, and the Director of the Office of Na-
16 tional Drug Control Policy; and

17 (B) may include other officials of the exec-
18 utive branch as directed by the President.

19 (2) **CHAIR.—**The President shall designate the
20 Chair of the Council from among its members (re-
21 ferred to in this title as the “Chair”).

22 (3) **STAFF.—**The Council may employ any nec-
23 essary staff to carry out its functions, and may dele-
24 gate any of its functions or powers to a member or
25 members of the Council.

1 (b) PROGRAM COORDINATION.—For any program au-
2 thorized under the Violent Crime Control and Law En-
3 forcement Act of 1994, the Ounce of Prevention Council
4 Chair, only at the request of the Council member with ju-
5 risdiction over that program, may coordinate that pro-
6 gram, in whole or in part, through the Council.

7 (c) ADMINISTRATIVE RESPONSIBILITIES AND POW-
8 ERS.—In addition to the program coordination provided
9 in subsection (b), the Council shall be responsible for such
10 functions as coordinated planning, development of a com-
11 prehensive crime prevention program catalogue, provision
12 of assistance to communities and community-based orga-
13 nizations seeking information regarding crime prevention
14 programs and integrated program service delivery, and de-
15 velopment of strategies for program integration and grant
16 simplification. The Council shall have the authority to
17 audit the expenditure of funds received by grantees under
18 programs administered by or coordinated through the
19 Council. In consultation with the Council, the Chair may
20 issue regulations and guidelines to carry out this subtitle
21 and programs administered by or coordinated through the
22 Council.

23 **SEC. 30102. OUNCE OF PREVENTION GRANT PROGRAM.**

24 (a) IN GENERAL.—The Council may make grants
25 for—

1 (1) summer and after-school (including weekend
2 and holiday) education and recreation programs;

3 (2) mentoring, tutoring, and other programs in-
4 volving participation by adult role models (such as
5 D.A.R.E. America);

6 (3) programs assisting and promoting employ-
7 ability and job placement; and

8 (4) prevention and treatment programs to re-
9 duce substance abuse, child abuse, and adolescent
10 pregnancy, including outreach programs for at-risk
11 families.

12 (b) APPLICANTS.—Applicants may be Indian tribal
13 governments, cities, counties, or other municipalities,
14 school boards, colleges and universities, private nonprofit
15 entities, or consortia of eligible applicants. Applicants
16 must show that a planning process has occurred that has
17 involved organizations, institutions, and residents of tar-
18 get areas, including young people, and that there has been
19 cooperation between neighborhood-based entities, munici-
20 pality-wide bodies, and local private-sector representatives.
21 Applicants must demonstrate the substantial involvement
22 of neighborhood-based entities in the carrying out of the
23 proposed activities. Proposals must demonstrate that a
24 broad base of collaboration and coordination will occur in
25 the implementation of the proposed activities, involving co-

1 operation among youth-serving organizations, schools,
2 health and social service providers, employers, law enforce-
3 ment professionals, local government, and residents of tar-
4 get areas, including young people. Applications shall be
5 geographically based in particular neighborhood or sec-
6 tions of municipalities or particular segments of rural
7 areas, and applications shall demonstrate how programs
8 will serve substantial proportions of children and youth
9 resident in the target area with activities designed to have
10 substantial impact on their lives.

11 (c) PRIORITY.—In making such grants, the Council
12 shall give preference to coalitions consisting of a broad
13 spectrum of community-based and social service organiza-
14 tions that have a coordinated team approach to reducing
15 gang membership and the effects of substance abuse, and
16 providing alternatives to at-risk youth.

17 (d) FEDERAL SHARE.—

18 (1) IN GENERAL.—The Federal share of a
19 grant made under this part may not exceed 75 per-
20 cent of the total costs of the projects described in
21 the applications submitted under subsection (b) for
22 the fiscal year for which the projects receive assist-
23 ance under this title.

24 (2) WAIVER.—The Council may waive the 25
25 percent matching requirement under paragraph (1)

1 upon making a determination that a waiver is equi-
2 table in view of the financial circumstances affecting
3 the ability of the applicant to meet that requirement.

4 (3) NON-FEDERAL SHARE.—The non-Federal
5 share of such costs may be in cash or in kind, fairly
6 evaluated, including plant, equipment, and services.

7 (4) NONSUPPLANTING REQUIREMENT.—Funds
8 made available under this title to a governmental en-
9 tity shall not be used to supplant State or local
10 funds, or in the case of Indian tribal governments,
11 funds supplied by the Bureau of Indian Affairs, but
12 shall be used to increase the amount of funds that
13 would, in the absence of Federal funds received
14 under this title, be made available from State or
15 local sources, or in the case of Indian tribal govern-
16 ments, from funds supplied by the Bureau of Indian
17 Affairs.

18 (5) EVALUATION.—The Council shall conduct a
19 thorough evaluation of the programs assisted under
20 this title.

21 **SEC. 30103. DEFINITION.**

22 In this subtitle, "Indian tribe" means a tribe, band,
23 pueblo, nation, or other organized group or community of
24 Indians, including an Alaska Native village (as defined in
25 or established under the Alaska Native Claims Settlement

1 Act (43 U.S.C. 1601 et seq.), that is recognized as eligible
 2 for the special programs and services provided by the
 3 United States to Indians because of their status as Indi-
 4 ans.

5 **SEC. 30104. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to carry out
 7 this subtitle—

8 (1) \$ _____ for fiscal
 9 year 1995;

10 (2) \$ _____ for fiscal
 11 year 1996;

12 (3) \$ _____ for fiscal
 13 year 1997;

14 (4) \$ _____ for fiscal
 15 year 1998;

16 (5) \$ _____ for fiscal
 17 year 1999; and

18 (6) \$ _____ for fiscal
 19 year 2000.

1 **Subtitle B—Youth Employment and**
2 **Skills Crime Prevention**

3 **SEC. 30201. YOUTH EMPLOYMENT AND SKILLS CRIME PRE-**
4 **VENTION GRANTS.**

5 (a) **IN GENERAL.**—Part H of title IV of the Job
6 Training Partnership Act (29 U.S.C. 1782 et seq.) is
7 amended—

8 (1) by striking section 495;

9 (2) by redesignating sections 496, 497, 498,
10 and 498A as sections 495, 496, 497, and 497A, re-
11 spectively;

12 (3) by striking “this part” each place it appears
13 and inserting “the provisions of this part other than
14 section 498”; and

15 (4) by adding at the end the following new sec-
16 tion:

17 **“SEC. 498. YOUTH EMPLOYMENT AND SKILLS CRIME PRE-**
18 **VENTION GRANTS.**

19 **“(a) STATEMENT OF PURPOSE.**—The purpose of this
20 section is to test the proposition that crime can be reduced
21 in neighborhoods with high incidences of crime and pov-
22 erty through a saturation jobs program, offered either sep-
23 arately or in conjunction with the services provided for
24 under other sections of the Youth Fair Chance Program,
25 that provides employment opportunities leading to perma-

1 nent unsubsidized employment for disadvantaged young
2 adults in those neighborhoods.

3 “(b) PROGRAM AUTHORIZATION.—The Secretary, in
4 conjunction with the Attorney General, Secretary of
5 Health and Human Services, and Secretary of Housing
6 and Urban Development and in consultation with other
7 appropriate Federal officials, including the Ounce of Pre-
8 vention Council and the Community Empowerment Board,
9 may make Youth Employment and Skills Crime Preven-
10 tion grants authorized under this section to eligible enti-
11 ties for the purpose of providing a job saturation program
12 for youth in target areas, as determined under subsection
13 (c), to reduce crime.

14 “(c) PROGRAM TARGET AREA.—The target area of
15 each grant shall be a neighborhood that—

16 “(1) is an area with severe crime problems, in-
17 cluding a high incidence of violent crime or drug
18 trafficking, or a history of street gang activity;

19 “(2) is a high poverty area (as defined in sec-
20 tion 497A(2)) or set of contiguous high poverty
21 areas;

22 “(3) is an area with a population consistent
23 with the requirements of section 494(b)(1)(B), ex-
24 cept that in appropriate circumstances, the Sec-
25 retary, in conjunction with the Attorney General and

1 the Secretary of Housing and Urban Development,
2 may waive this limitation; and

3 “(4) is located in an area that meets the re-
4 quirements of a participating community under sec-
5 tion 497A(1).

6 “(d) PARTICIPANTS.—

7 “(1) ELIGIBLE POPULATION.—Young adults re-
8 siding or attending school in a target area shall be
9 eligible to participate in programs under this section
10 if such individuals are 16 through 25 years of age.
11 In certain circumstances, as determined by the Sec-
12 retary in conjunction with the Attorney General and
13 Secretary of Housing and Urban Development,
14 youths aged 14 or 15 may also be eligible to partici-
15 pate.

16 “(2) RESPONSIBLE BEHAVIOR BY PARTICI-
17 PANTS.—Continued participation in a program
18 under this section shall be conditioned, during par-
19 ticipation in the program, on—

20 “(A) avoiding crime, including illegal drug
21 use;

22 “(B) regular attendance and satisfactory
23 performance at work;

1 “(C) paying child support when paternity
2 has been established and the participant has an
3 income;

4 “(D) in-school participants who are under
5 the age of 18 remaining in school until gradua-
6 tion; and

7 “(E) encouraging eligible participants who
8 have dropped out of high school and who have
9 not obtained a General Equivalency Diploma
10 (GED) to return to school or an alternative
11 education program.

12 “(e) APPLICATION FOR GRANTS.—

13 “(1) IN GENERAL.—To be eligible to receive a
14 grant under this section, a chief elected official (as
15 described in section 493(c)), on behalf of a target
16 area meeting the criteria set forth in subsection (c),
17 shall apply to the Secretary of Labor for a Youth
18 Employment and Skills Crime Prevention grant by
19 submitting an application that contains a plan for
20 reducing crime by substantially increasing employ-
21 ment levels of young adults in the area.

22 “(2) CONTENTS.—A plan under paragraph (1)
23 shall—

24 “(A) describe the private sector, nonprofit,
25 and public sector components of the target

1 area's job saturation strategy to reduce crime
2 by substantially increasing the employment lev-
3 els of young adults in that area, and describe,
4 to the extent practicable, the nature of the em-
5 ployment opportunities that will be generated
6 for young adults residing or attending school in
7 the target areas;

8 "(B) describe the outcomes that will be
9 used to evaluate the local success of the pro-
10 gram, including reducing crime and substance
11 abuse and increasing employment for young
12 adults in the target area;

13 "(C) specify the organization that shall ad-
14 minister the program;

15 "(D) describe the public/private partner-
16 ship that will promote collaboration between the
17 State and local governments; local job training,
18 education, and employment; public housing
19 agencies and authorities; local residents, com-
20 munity-based organizations, and nonprofit orga-
21 nizations; and local community policing, gang
22 prevention activities, substance abuse treatment
23 and prevention programs, and juvenile justice
24 or delinquency prevention initiatives;

“(E) describe how the public and private organizations will work together to assist young adults make the transition from subsidized to unsubsidized jobs;

“(F) describe the extent of the local commitment of resources to the program, including the commitment of substantial resources by the sponsor of the program; and

“(G) provide such other information as the Attorney General, in conjunction with the Attorney General and the Secretary of Housing and Urban Development, may require.

PRIORITIES.—In evaluating the applications for Youth Employment and Skills Credits, the Secretary and the Attorney General of Housing and Urban Development shall evaluate applications that—

1. demonstrate extensive community support, including the local education authority, the neighborhood, and local and Federal law enforcement agencies, and linkages to crime prevention and drug abuse programs;

2. target areas that include public and assisted housing projects and their residents;

1 “(3) demonstrate that the target area has de-
2 veloped a comprehensive strategy to integrate pro-
3 grams funded under this section with other federally
4 funded youth employment and training programs, as
5 well as education programs, operating in the same
6 area;

7 “(4) demonstrate that the target area has de-
8 veloped a comprehensive strategy to integrate activi-
9 ties funded under this section with community polic-
10 ing and gang violence prevention programs operating
11 in the same area;

12 “(5) demonstrate a sufficient commitment on
13 the part of employers to provide jobs for youth as
14 specified in subsection (g) to qualify that area as a
15 site that will test the proposition that a saturation
16 jobs program, provided either separately or in con-
17 junction with the education and training services
18 provided for under other sections of the Youth Fair
19 Chance Program, would have a significant effect on
20 decreasing crime in the target area; and

21 “(6) target areas with the highest crime, unem-
22 ployment, and poverty rates.

23 “(g) JOB SATURATION AGREEMENTS.—A grant re-
24 cipient receiving funds under the Youth Employment and
25 Skills Crime Prevention Program shall enter into a job

saturation agreement with the Secretary, which agreement shall—

“(1) require the grant recipient to saturate the targeted areas with employment opportunities with for-profit, nonprofit, and public employers that are likely to lead to permanent, unsubsidized employment for youths who agree to condition their participation on the criteria established in subsection (d)(2);

“(2) specify the conditions under which funds provided under this section will be used to provide wage subsidies to employers, which conditions shall—

“(A) encourage private sector employers to employ participants, with an emphasis on opportunities that provide advanced or specialized training;

“(B) require private employers, under conditions specified by the Secretary, during the course of a participant’s subsidized employment, to gradually increase such employer’s share of the funding of that participant’s wages;

“(C) encourage, if practicable, the provision of a structured and integrated work and

1 learning experience, which may include compo-
2 nents of the School-to-Work Opportunities Act
3 of 1994;

4 “(D) encourage assistance to nonprofit em-
5 ployers and public agencies to employ partici-
6 pants in projects designed to address commu-
7 nity needs, such as projects to enhance neigh-
8 borhood infrastructure, to modernize public
9 housing, and to provide other community serv-
10 ices;

11 “(E) limit the duration of all subsidized
12 employment provided ~~for a participant under~~
13 ~~this section~~ to not more than 2,080 hours;

pursuant
to this
Section

14 “(F) require that the subsidized employ-
15 ment provided to any such youth who is still en-
16 rolled in high school shall not exceed 20 hours
17 per week during the school year; and

18 “(G) contain such other terms and condi-
19 tions as the Secretary in conjunction with the
20 Attorney General and the Secretary of Housing
21 and Urban Development require; and

22 “(3) provide that the grant recipient will make
23 additional services available, including counseling,
24 job development and placement, followup, and sup-
25 portive services, to facilitate the transition of partici-

1 pating youth and young adults to permanent
2 unsubsidized employment.

3 “(h) GRANT RECIPIENT, DURATION AND NUMBER.—

4 “(1) GRANT RECIPIENT.—Grants under this
5 section may be awarded only to the service delivery
6 area in which the target area is located.

7 “(2) DURATION OF GRANTS.—Grants under
8 this section shall be awarded for 1 year, and be re-
9 newable for each of the 4 succeeding years based on
10 conditions established by the Secretary in conjunc-
11 tion with the Attorney General and the Secretary of
12 Housing and Urban Development.

13 “(3) NUMBER OF GRANTS.—There shall be no
14 more than 20 grants awarded under this section. At
15 least 2 of, and not less than 20 percent of the num-
16 ber of, the grants awarded under the Youth Employ-
17 ment and Skills Crime Prevention Program shall be
18 in target areas that are also receiving funding under
19 other provisions of this part.

20 “(i) FEDERAL RESPONSIBILITIES.—

21 “(1) PERFORMANCE MEASURES.—The Sec-
22 retary, in conjunction with the Attorney General and
23 the Secretary of Housing and Urban Development,
24 shall establish a system of performance measures for

1 assessing programs established pursuant to this sec-
2 tion.

3 “(2) EVALUATION.—

4 “(A) IN GENERAL.—The Secretary, in con-
5 junction with the Attorney General and the Sec-
6 retary of Housing and Urban Development,
7 shall conduct a rigorous national evaluation of
8 Youth Employment and Skills Crime Preven-
9 tion grants funded under this section that will
10 track and assess the effectiveness of those pro-
11 grams and include an evaluation of the extent
12 to which such grants reduced crime and sub-
13 stance abuse and increased employment and
14 earnings.

15 “(B) OUTCOME COMPARISON.—The eval-
16 uation under subparagraph (A) shall compare
17 outcomes for participating youth in areas re-
18 ceiving grants under the Youth Employment
19 and Skills Crime Prevention program with—

20 “(i) outcomes for participating youth
21 in areas receiving grants under both the
22 Youth Employment Skills Crime Preven-
23 tion Program and the Youth Fair Chance
24 program; and

1 “(ii) outcomes for participating youth
2 in areas receiving grants under the Youth
3 Fair Chance Program only,
4 in order to determine which programs and
5 which activities under those programs were
6 most effective in reducing crime and substance
7 abuse and increasing employment and earnings.

8 “(C) COST-BENEFIT ANALYSES; STATIS-
9 TICAL METHODS AND TECHNIQUES.—The eval-
10 uation under subparagraph (A) may include
11 cost-benefit analyses and shall utilize sound sta-
12 tistical methods and techniques.

13 “(D) TRANSMITTAL.—The evaluation
14 under subparagraph (A) and any interim re-
15 ports that may be prepared shall be transmitted
16 to the President and to the Congress, the eval-
17 uation to be transmitted not later than Decem-
18 ber 31, 1999.

19 “(3) TECHNICAL ASSISTANCE.—The Secretary,
20 in conjunction with the Attorney General and the
21 Secretary of Housing and Urban Development, may
22 provide appropriate technical assistance to carry out
23 Youth Employment and Skills Crime Prevention
24 grants under this section.

1 “(4) ADMINISTRATION.—The technical assist-
 2 ance, administration, and evaluations authorized by
 3 this section may be carried out directly by the Sec-
 4 retary or through grants, contracts, or other cooper-
 5 ative arrangements with the Attorney General, the
 6 Secretary of Housing and Urban Development, or
 7 other entities or agencies.”.

8 (b) TECHNICAL AMENDMENTS.—

9 (1) EXCEPTION FROM LIMITATION ON SUB-
 10 SIDIZED EMPLOYMENT.—Section 141(k) of the Job
 11 Training Partnership Act (29 U.S.C. 1551(a)) is
 12 amended by inserting “, or the individual employed
 13 is a participant in a program under part H of title
 14 IV” before the period.

15 (2) CLARIFICATION OF AUTHORIZATION OF AP-
 16 PROPRIATIONS.—Section 3(c)(3) of the Job Training
 17 Partnership Act (29 U.S.C. 1502(c)(3)) is amended
 18 to read as follows:

19 “(3) There are authorized to be appropriated to
 20 carry out part H of title IV (other than section

21 498) *such sums as may be necessary for each of the*

22 “(A) \$ _____ for fis- *fiscal years*
 23 ~~cal year 1995,~~ *1994*

24 “(B) \$ _____ for fis- *through*
 25 ~~cal year 1996,~~ *1997.*

1 “(C) \$ _____ for fis-~~cal~~

2 ~~cal year 1997;~~

3 “(D) \$ _____ for fis-~~cal~~

4 ~~cal year 1998;~~

5 “(E) \$ _____ for fis-~~cal~~

6 ~~cal year 1999; and~~

7 “(F) \$ _____ for fis-~~cal~~

8 ~~cal year 2000.”~~

9 (c) AUTHORIZATION OF APPROPRIATIONS.—

10 (1) IN GENERAL.—There are authorized to be
11 appropriated to carry out section 498 of the Job
12 Training Partnership Act, as added by subsection

13 (a)—

14 (A) \$ _____ for fis-
15 cal year 1995;

16 (B) \$ _____ for fis-
17 cal year 1996;

18 (C) \$ _____ for fis-
19 cal year 1997;

20 (D) \$ _____ for fis-
21 cal year 1998;

22 (E) \$ _____ for fis-
23 cal year 1999; and

24 (F) \$ _____ for fis-
25 cal year 2000.

1 agencies, including the State educational agen-
2 cies;

3 (B) attempt to relieve conditions that en-
4 courage crime; and

5 (C) provide meaningful and lasting alter-
6 natives to involvement in crime.

7 (2) CONSULTATION WITH THE OUNCE OF PRE-
8 VENTION COUNCIL.—The Attorney General may con-
9 sult with the Ounce of Prevention Council in award-
10 ing grants under paragraph (1).

11 (b) PRIORITY.—In awarding grants under subsection
12 (a), the Attorney General shall give priority to proposals
13 that—

14 (1) are innovative in approach to the prevention
15 of crime in a specific area;

16 (2) vary in approach to ensure that compari-
17 sons of different models may be made; and

18 (3) coordinate crime prevention programs fund-
19 ed under this program with other existing Federal
20 programs to address the overall needs of commu-
21 nities that benefit from grants received under this
22 title.

23 **SEC. 30302. USES OF FUNDS.**

24 (a) IN GENERAL.—Funds awarded under this sub-
25 title may be used only for purposes described in an ap-

1 proved application. The intent of grants under this subtitle
2 is to fund intensively comprehensive crime prevention pro-
3 grams in chronic high intensive crime areas.

4 (b) GUIDELINES.—The Attorney General shall issue
5 and publish in the Federal Register guidelines that de-
6 scribe suggested purposes for which funds under approved
7 programs may be used.

8 (c) EQUITABLE DISTRIBUTION OF FUNDS.—In dis-
9 bursing funds under this subtitle, the Attorney General
10 shall ensure the distribution of awards equitably on a geo-
11 graphic basis, including urban and rural areas of varying
12 population and geographic size.

13 **SEC. 30303. PROGRAM REQUIREMENTS.**

14 (a) DESCRIPTION.—An applicant shall include a de-
15 scription of the distinctive factors that contribute to
16 chronic violent crime within the area proposed to be served
17 by the grant. Such factors may include lack of alternative
18 activities and programs for youth, deterioration or lack of
19 public facilities, inadequate public services such as public
20 transportation, street lighting, community-based sub-
21 stance abuse treatment facilities, or employment services
22 offices, and inadequate police or public safety services,
23 equipment, or facilities.

24 (b) COMPREHENSIVE PLAN.—An applicant shall in-
25 clude a comprehensive, community-based plan to attack

1 intensively the principal factors identified in subsection
2 (a). Such plans shall describe the specific purposes for
3 which funds are proposed to be used and how each pur-
4 pose will address specific factors. The plan also shall speci-
5 fy how local nonprofit organizations, government agencies,
6 private businesses, citizens groups, volunteer organiza-
7 tions, and interested citizens will cooperate in carrying out
8 the purposes of the grant.

9 (c) EVALUATION.—An applicant shall include an
10 evaluation plan by which the success of the plan will be
11 measured, including the articulation of specific, objective
12 indicia of performance, how the indicia will be evaluated,
13 and a projected timetable for carrying out the evaluation.

14 **SEC. 30304. APPLICATIONS.**

15 To request a grant under this subtitle the chief local
16 elected official of an area shall—

17 (1) prepare and submit to the Attorney General
18 an application in such form, at such time, and in ac-
19 cordance with such procedures, as the Attorney Gen-
20 eral shall establish; and

21 (2) provide an assurance that funds received
22 under this subtitle shall be used to supplement, not
23 supplant, non-Federal funds that would otherwise be
24 available for programs funded under this subtitle.

1 SEC. 30305. REPORTS.

2 Not later than December 31, 1998, the Attorney
3 General shall prepare and submit to the Committees on
4 the Judiciary of the House and Senate an evaluation of
5 the model programs developed under this subtitle and
6 make recommendations regarding the implementation of
7 a national crime prevention program.

8 SEC. 30306. DEFINITIONS.

9 In this subtitle—

10 “chief local elected official” means an official
11 designated under regulations issued by the Attorney
12 General. The criteria used by the Attorney General
13 in promulgating such regulations shall ensure ad-
14 ministrative efficiency and accountability in the ex-
15 penditure of funds and execution of funded projects
16 under this subtitle.

17 “chronic high intensity crime area” means an
18 area meeting criteria adopted by the Attorney Gen-
19 eral by regulation that, at a minimum, define areas
20 with—

21 (A) consistently high rates of violent crime
22 as reported in the Federal Bureau of Investiga-
23 tion’s “Uniform Crime Reports”, and

24 (B) chronically high rates of poverty as de-
25 termined by the Bureau of the Census.

1 "State" means a State, the District of Colum-
 2 bia, the Commonwealth of Puerto Rico, the United
 3 States Virgin Islands, American Samoa, Guam, and
 4 the Northern Mariana Islands.

5 **SEC. 30307. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated to carry out
 7 this subtitle—

8 ~~(1) \$ _____ for fiscal~~

9 ~~year 1995;~~

10 ~~(1) (2) \$ _____ for fiscal~~

11 ~~year 1996;~~

12 ~~(2) (3) \$ _____ for fiscal~~

13 ~~year 1997;~~

14 ~~(3) (4) \$ _____ for fiscal~~

15 ~~year 1998;~~

16 ~~(4) (5) \$ _____ for fiscal~~

17 ~~year 1999; and~~

18 ~~(5) (6) \$ _____ for fiscal~~

19 ~~year 2000.~~

1 **Subtitle D—Family and Community**
2 **Endeavor Schools Grant Program**

3 **SEC. 30401. COMMUNITY SCHOOLS YOUTH SERVICES AND**
4 **SUPERVISION GRANT PROGRAM.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Community Schools Youth Services and Supervision
7 Grant Program Act of 1994”.

8 (b) **DEFINITIONS.**—In this section—

9 “child” means a person who is not younger
10 than 5 and not older than 18 years old.

11 “community-based organization” means a pri-
12 vate, locally initiated, community-based organization
13 that—

14 (A) is a nonprofit organization, as defined
15 in section 103(23) of the Juvenile Justice and
16 Delinquency Prevention Act of 1974 (42 U.S.C.
17 5603(23)); and

18 (B) is operated by a consortium of service
19 providers, consisting of representatives of 5 or
20 more of the following categories of persons:

21 (i) Residents of the community.

22 (ii) Business and civic leaders actively
23 involved in providing employment and busi-
24 ness development opportunities in the com-
25 munity.

- 1 (iii) Educators.
- 2 (iv) Religious organizations (which
- 3 shall not provide any sectarian instruction
- 4 or sectarian worship in connection with an
- 5 activity funded under this title).
- 6 (v) Law enforcement agencies.
- 7 (vi) Public housing agencies.
- 8 (vii) Other public agencies.
- 9 (viii) Other interested parties.

10 "eligible community" means an area identified

11 pursuant to subsection (e).

12 "Indian tribe" means a tribe, band, pueblo, na-

13 tion, or other organized group or community of Indi-

14 ans, including an Alaska Native village (as defined

15 in or established under the Alaska Native Claims

16 Settlement Act (43 U.S.C. 1601 et seq.), that is rec-

17 ognized as eligible for the special programs and serv-

18 ices provided by the United States to Indians be-

19 cause of their status as Indians.

20 "poverty line" means the income official poverty

21 line (as defined by the Office of Management and

22 Budget, and revised annually in accordance with sec-

23 tion 673(2) of the Community Services Block Grant

24 Act (42 U.S.C. 9902(2)) applicable to a family of

25 the size involved.

1 “public school” means a public elementary
2 school, as defined in section 1201(i) of the Higher
3 Education Act of 1965 (20 U.S.C. 1141(i)), and a
4 public secondary school, as defined in section
5 1201(d) of that Act.

6 “Secretary” means the Secretary of Health and
7 Human Services, in consultation and coordination
8 with the Attorney General.

9 “State” means a State, the District of Colum-
10 bia, the Commonwealth of Puerto Rico, the Com-
11 monwealth of the Northern Mariana Islands, Amer-
12 ican Samoa, Guam, and the United States Virgin Is-
13 lands.

14 (c) PROGRAM AUTHORITY.—

15 (1) IN GENERAL.—

16 (A) ALLOCATIONS FOR STATES AND IN-
17 DIAN COUNTRY.—For any fiscal year in which
18 the sums appropriated to carry out this section
19 equal or exceed \$20,000,000, from the sums
20 appropriated to carry out this subsection, the
21 Secretary shall allocate, for grants under sub-
22 paragraph (B) to community-based organiza-
23 tions in each State, an amount bearing the
24 same ratio to such sums as the number of chil-
25 dren in the State who are from families with in-

1 comes below the poverty line bears to the num-
2 ber of children in all States who are from fami-
3 lies with incomes below the poverty line. In view
4 of the extraordinary need for assistance in In-
5 dian country, an appropriate amount of funds
6 available under this subtitle shall be made avail-
7 able for such grants in Indian country.

8 (B) GRANTS TO COMMUNITY-BASED ORGA-
9 NIZATIONS FROM ALLOCATIONS.—For such a
10 fiscal year, the Secretary may award grants
11 from the appropriate State or Indian country
12 allocation determined under subparagraph (A)
13 on a competitive basis to eligible community-
14 based organizations to pay for the Federal
15 share of assisting eligible communities to de-
16 velop and carry out programs in accordance
17 with this section.

18 (C) REALLOCATION.—If, at the end of
19 such a fiscal year, the Secretary determines
20 that funds allocated for community-based orga-
21 nizations in a State or Indian country under
22 subparagraph (B) remain unobligated, the Sec-
23 retary may use such funds to award grants to
24 eligible community-based organizations in an-
25 other State or Indian country to pay for such

1 Federal share. In awarding such grants, the
2 Secretary shall consider the need to maintain
3 geographic diversity among the recipients of
4 such grants. Amounts made available through
5 such grants shall remain available until ex-
6 pended.

7 (2) OTHER FISCAL YEARS.—For any fiscal year
8 in which the sums appropriated to carry out this
9 section are less than \$20,000,000, the Secretary
10 may award grants on a competitive basis to eligible
11 community-based organizations to pay for the Fed-
12 eral share of assisting eligible communities to de-
13 velop and carry out programs in accordance with
14 this section.

15 (3) ADMINISTRATIVE COSTS.—The Secretary
16 may use not more than 3 percent of the funds ap-
17 propriated to carry out this section in any fiscal year
18 for administrative costs.

19 (d) PROGRAM REQUIREMENTS.—

20 (1) LOCATION.—A community-based organiza-
21 tion that receives a grant under this section to assist
22 in carrying out such a program shall ensure that the
23 program is carried out—

24 (A) when appropriate, in the facilities of a
25 public school during nonschool hours; or

1 (B) in another appropriate local facility in
2 a State or Indian country, such as a college or
3 university, a local or State park or recreation
4 center, church, or military base, that is—

5 (i) in a location that is easily acces-
6 sible to children in the community; and

7 (ii) in compliance with all applicable
8 local ordinances.

9 (2) USE OF FUNDS.—Such community-based
10 organization—

11 (A) shall use funds made available through
12 the grant to provide, to children in the eligible
13 community, services and activities that—

14 (i) shall include supervised sports pro-
15 grams, and extracurricular and academic
16 programs, that are offered—

17 (I) after school and on weekends
18 and holidays, during the school year;
19 and

20 (II) as daily full-day programs
21 (to the extent available resources per-
22 mit) or as part-day programs, during
23 the summer months;

24 (B) in providing such extracurricular and
25 academic programs, shall provide programs

1 such as curriculum-based supervised edu-
2 cational, work force preparation, entrepreneur-
3 ship, cultural, health programs, social activities,
4 arts and crafts programs, dance programs, tu-
5 torial and mentoring programs, and other relat-
6 ed activities;

7 (C) may use—

8 (i) such funds for minor renovation of
9 facilities that are in existence prior to the
10 operation of the program and that are nec-
11 essary for the operation of the program for
12 which the organization receives the grant,
13 purchase of sporting and recreational
14 equipment and supplies, reasonable costs
15 for the transportation of participants in
16 the program, hiring of staff, provision of
17 meals for such participants, provision of
18 health services consisting of an initial basic
19 physical examination, provision of first aid
20 and nutrition guidance, family counselling,
21 parental training, and substance abuse
22 treatment where appropriate; and

23 (ii) not more than 5 percent of such
24 funds to pay for the administrative costs of
25 the program; and

1 (D) may not use such funds to provide sec-
2 tarian worship or sectarian instruction.

3 (e) ELIGIBLE COMMUNITY IDENTIFICATION.—

4 (1) IDENTIFICATION.—To be eligible to receive
5 a grant under this section, a community-based orga-
6 nization shall identify an eligible community to be
7 assisted under this section.

8 (2) CRITERIA.—Such eligible community shall
9 be an area that meets such criteria with respect to
10 significant poverty and significant juvenile delin-
11 quency, and such additional criteria, as the Sec-
12 retary may by regulation require.

13 (f) APPLICATIONS.—

14 (1) APPLICATION REQUIRED.—To be eligible to
15 receive a grant under this section, a community-
16 based organization shall submit an application to the
17 Secretary at such time, in such manner, and accom-
18 panied by such information, as the Secretary may
19 reasonably require, and obtain approval of such ap-
20 plication.

21 (2) CONTENTS OF APPLICATION.—Each appli-
22 cation submitted pursuant to paragraph (1) shall—

23 (A) describe the activities and services to
24 be provided through the program for which the
25 grant is sought;

1 (B) contain an assurance that the commu-
2 nity-based organization will spend grant funds
3 received under this section in a manner that the
4 community-based organization determines will
5 best accomplish the objectives of this section;

6 (C) contain a comprehensive plan for the
7 program that is designed to achieve identifiable
8 goals for children in the eligible community;

9 (D) set forth measurable goals and out-
10 comes for the program that—

11 (i) will—

12 (I) where appropriate, make a
13 public school the focal point of the eli-
14 gible community; or

15 (II) make a local facility de-
16 scribed in subsection (d)(1)(B) such a
17 focal point; and

18 (ii) may include reducing the percent-
19 age of children in the eligible community
20 that enter the juvenile justice system, in-
21 creasing the graduation rates, school at-
22 tendance, and academic success of children
23 in the eligible community, and improving
24 the skills of program participants;

- 1 (E) provide evidence of support for accom-
2 plishing such goals and outcomes from—
3 (i) community leaders;
4 (ii) businesses;
5 (iii) local educational agencies;
6 (iv) local officials;
7 (v) State officials;
8 (vi) Indian tribal government officials;
9 and
10 (vii) other organizations that the com-
11 munity-based organization determines to
12 be appropriate;
- 13 (F) contain an assurance that the commu-
14 nity-based organization will use grant funds re-
15 ceived under this section to provide children in
16 the eligible community with activities and serv-
17 ices that shall include supervised sports pro-
18 grams, and extracurricular and academic pro-
19 grams, in accordance with subparagraphs (A)
20 and (B) of subsection (d)(2);
- 21 (G) contain a list of the activities and serv-
22 ices that will be offered through the program
23 for which the grant is sought and sponsored by
24 private nonprofit organizations, individuals, and

1 groups serving the eligible community,
2 including—

3 (i) extracurricular and academic pro-
4 grams, such as programs described in sub-
5 section (d)(2)(B); and

6 (ii) activities that address specific
7 needs in the community;

8 (H) demonstrate the manner in which the
9 community-based organization will make use of
10 the resources, expertise, and commitment of
11 private entities in carrying out the program for
12 which the grant is sought;

13 (I) include an estimate of the number of
14 children in the eligible community expected to
15 be served pursuant to the program;

16 (J) include a description of charitable pri-
17 vate resources, and all other resources, that will
18 be made available to achieve the goals of the
19 program;

20 (K) contain an assurance that the commu-
21 nity-based organization will use competitive pro-
22 cedures when purchasing, contracting, or other-
23 wise providing for goods, activities, or services
24 to carry out programs under this section;

1 (L) contain an assurance that the program
2 will maintain a staff-to-participant ratio (in-
3 cluding volunteers) that is appropriate to the
4 activity or services provided by the program;

5 (M) contain an assurance that the pro-
6 gram will maintain an average attendance rate
7 of not less than 75 percent of the participants
8 enrolled in the program, or will enroll additional
9 participants in the program;

10 (N) contain an assurance that the commu-
11 nity-based organization will comply with any
12 evaluation under subsection (m), any research
13 effort authorized under Federal law, and any
14 investigation by the Secretary;

15 (O) contain an assurance that the commu-
16 nity-based organization shall prepare and sub-
17 mit to the Secretary an annual report regarding
18 any program conducted under this section;

19 (P) contain an assurance that the program
20 for which the grant is sought will, to the maxi-
21 mum extent possible, incorporate services that
22 are provided solely through non-Federal private
23 or nonprofit sources; and

1 (Q) contain an assurance that the commu-
2 nity-based organization will maintain separate
3 accounting records for the program.

4 (3) PRIORITY.—In awarding grants to carry out
5 programs under this section, the Secretary shall give
6 priority to community-based organizations who sub-
7 mit applications that demonstrate the greatest effort
8 in generating local support for the programs.

9 (g) ELIGIBILITY OF PARTICIPANTS.—

10 (1) IN GENERAL.—To the extent possible, each
11 child who resides in an eligible community shall be
12 eligible to participate in a program carried out in
13 such community that receives assistance under this
14 section.

15 (2) ELIGIBILITY.—To be eligible to participate
16 in a program that receives assistance under this sec-
17 tion, a child shall provide the express written ap-
18 proval of a parent or guardian, and shall submit an
19 official application and agree to the terms and condi-
20 tions of participation in the program.

21 (3) NONDISCRIMINATION.—(A) In selecting
22 children to participate in a program that receives as-
23 sistance under this section, a community-based orga-
24 nization shall not discriminate on the basis of race,
25 color, religion, sex, national origin, or disability.

1 (B) In selecting children to participate in a pro-
2 gram that receives assistance under this section, a
3 community-based organization may find a child ineli-
4 gible to participate in such a program if the organi-
5 zation determines that the child has behavior prob-
6 lems that pose an unacceptable risk of injury or ill-
7 ness to other participants or has a physical or men-
8 tal disability so serious that the child would be un-
9 able to participate in the program.

10 (h) PEER REVIEW PANEL.—

11 (1) ESTABLISHMENT.—The Secretary may es-
12 tablish a peer review panel that shall be comprised
13 of individuals with demonstrated experience in de-
14 signing and implementing community-based pro-
15 grams.

16 (2) COMPOSITION.—A peer review panel shall
17 include at least 1 representative from each of the
18 following:

19 (A) A community-based organization.

20 (B) A local government.

21 (C) A school district.

22 (D) The private sector.

23 (E) A charitable organization.

1 (F) A representative of the United States
2 Olympic Committee, at the option of the Sec-
3 retary.

4 (3) FUNCTIONS.—A peer review panel shall
5 conduct the initial review of all grant applications
6 received by the Secretary under subsection (f), make
7 recommendations to the Secretary regarding—

8 (A) grant funding under this section; and

9 (B) a design for the evaluation of pro-
10 grams assisted under this section.

11 (i) INVESTIGATIONS AND INSPECTIONS.—The Sec-
12 retary may conduct such investigations and inspections as
13 may be necessary to ensure compliance with the provisions
14 of this section.

15 (j) PAYMENTS; FEDERAL SHARE; NON-FEDERAL
16 SHARE.—

17 (1) PAYMENTS.—The Secretary shall, subject to
18 the availability of appropriations, pay to each com-
19 munity-based organization having an application ap-
20 proved under subsection (f) the Federal share of the
21 costs of developing and carrying out programs de-
22 scribed in subsection (c).

23 (2) FEDERAL SHARE.—The Federal share of
24 such costs shall be no more than—

1 (A) 75 percent for each of fiscal years
2 1995 and 1996;

3 (B) 70 percent for fiscal year 1997; and

4 (C) 60 percent for fiscal year 1998 and
5 thereafter.

6 (3) NON-FEDERAL SHARE.—

7 (A) IN GENERAL.—The non-Federal share
8 of such costs may be in cash or in kind, fairly
9 evaluated, including plant, equipment, and serv-
10 ices (including the services described in sub-
11 section (f)(2)(P)), and funds appropriated by
12 the Congress for the activity of any agency of
13 an Indian tribal government or the Bureau of
14 Indian Affairs on any Indian lands may be used
15 to provide the non-Federal share of the costs of
16 programs or projects funded under this subtitle.

17 (B) SPECIAL RULE.—At least 15 percent
18 of the non-Federal share of such costs shall be
19 provided from private or nonprofit sources.

20 (k) EVALUATION.—The Secretary shall conduct a
21 thorough evaluation of the programs assisted under this
22 section, which shall include an assessment of—

23 (1) the number of children participating in each
24 program assisted under this section;

25 (2) the academic achievement of such children;

1 (3) school attendance and graduation rates of
2 such children; and

3 (4) the number of such children being processed
4 by the juvenile justice system.

5 **SEC. 30402. FAMILY AND COMMUNITY ENDEAVOR SCHOOLS**
6 **GRANT PROGRAM.**

7 (a) **SHORT TITLE.**—This section may be cited as the
8 “Family and Community Endeavor Schools Act”.

9 (b) ~~FINDINGS AND PURPOSES.~~—

10 ~~(1) FINDINGS.—The Congress finds that~~

11 (A) children in areas with a high incidence
12 of poverty are more likely to be exposed to
13 problems created by economic depreciation,
14 poor housing, overwhelming family responsibil-
15 ities, inadequate parental educational back-
16 ground or parental substance abuse and are at
17 risk of failure;

18 (B) students from poor families are 3
19 times more likely to drop out of school than
20 students from more advantaged homes;

21 (C) without social intervention, at-risk chil-
22 dren are often unable to improve academic per-
23 formance;

24 (D) schools are accessible, central re-
25 sources in every community where social and

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~~educational services can be coordinated and disseminated to at-risk children and their families;~~

~~(E) schools are most effective at serving a community when the people of the community are involved in school management and help design activities to fulfill the needs of children in the community; and~~

~~(F) many schools have successfully improved the academic performance and social development of at-risk children by instituting an organizational and management plan that incorporates parental involvement in school management and incorporates mental health and social intervention services in the daily academic curriculum.~~

(2) PURPOSE.—It is the purpose of this section to improve the overall development of at-risk children who reside in eligible communities as defined in subsection (1)(3).

(c) PROGRAM AUTHORITY.—The Secretary may award grants on a competitive basis to eligible local entities to pay for the Federal share of assisting eligible communities to develop and carry out programs in accordance with this section. No local entity shall receive a grant of less than \$250,000 in a fiscal year. Amounts made avail-

1 able through such grants shall remain available until ex-
2 pended.

3 (d) PROGRAM REQUIREMENTS.—

4 (1) IMPROVEMENT PROGRAMS.—A local entity
5 that receives funds under this section shall develop
6 or expand programs that are designed to improve
7 academic and social development by instituting a
8 collaborative structure that trains and coordinates
9 the efforts of teachers, administrators, social work-
10 ers, guidance counselors, parents, and school volun-
11 teers to provide concurrent social services for at-risk
12 students at selected public schools in eligible commu-
13 nities.

14 (2) OPTIONAL ACTIVITIES.—A local entity that
15 receives funds under this section may develop a vari-
16 ety of programs to serve the comprehensive needs of
17 students, including—

18 (A) homework assistance and after-school
19 programs, including educational, social, and
20 athletic activities;

21 (B) nutrition services;

22 (C) mentoring programs;

23 (D) family counseling; and

24 (E) parental training programs.

1 (e) ELIGIBLE COMMUNITY IDENTIFICATION.—The
2 Secretary through regulation shall define the criteria nec-
3 essary to qualify as an eligible community as defined in
4 subsection (1)(3).

5 (f) GRANT ELIGIBILITY.—To be eligible to receive a
6 grant under this section, a local entity shall—

7 (1) identify an eligible community to be as-
8 sisted;

9 (2) develop a community planning process that
10 includes—

11 (A) parents and family members;

12 (B) local school officials;

13 (C) teachers employed at schools within
14 the eligible community;

15 (D) public housing resident organization
16 members, where applicable; and

17 (E) public and private nonprofit organiza-
18 tions that provide education, child protective
19 services, or other human services to low-income,
20 at-risk children and their families; and

21 (3) develop a concentrated strategy for imple-
22 mentation of the community planning process devel-
23 oped under paragraph (2) that targets clusters of at-
24 risk children in the eligible community.

25 (g) APPLICATIONS.—

1 (1) APPLICATION REQUIRED.—To be eligible to
2 receive a grant under this section, a local entity shall
3 submit an application to the Secretary at such time,
4 in such manner, and accompanied by such informa-
5 tion, as the Secretary may reasonably require, and
6 obtain approval of such application.

7 (2) CONTENTS OF APPLICATION.—Each appli-
8 cation submitted under paragraph (1) shall—

9 (A) contain a comprehensive plan for the
10 program that is designed to improve the aca-
11 demic and social development of at-risk children
12 in schools in the eligible community;

13 (B) provide evidence of support for accom-
14 plishing the objectives of such plan from—

15 (i) community leaders;

16 (ii) a school district;

17 (iii) local officials; and

18 (iv) other organizations that the local
19 entity determines to be appropriate;

20 (C) provide an assurance that the local en-
21 tity will use grant funds received under this
22 subsection to implement the program require-
23 ments listed in subsection (d);

1 (D) include an estimate of the number of
2 children in the eligible community expected to
3 be served under the program;

4 (E) provide an assurance that the local en-
5 tity will comply with any evaluation requested
6 under subsection (k), any research effort au-
7 thorized under Federal law, and any investiga-
8 tion by the Secretary;

9 (F) provide an assurance that the local en-
10 tity shall prepare and submit to the Secretary
11 an annual report regarding any program con-
12 ducted under this section;

13 (G) provide an assurance that funds made
14 available under this section shall be used to
15 supplement, not supplant, other Federal funds
16 that would otherwise be available for activities
17 funded under this section; and

18 (H) provide an assurance that the local en-
19 tity will maintain separate accounting records
20 for the program.

21 (3) PRIORITY.—In awarding grants to carry out
22 programs under this section, the Secretary shall give
23 priority to local entities which submit applications
24 that demonstrate the greatest effort in generating
25 local support for the programs.

1 (h) PEER REVIEW PANEL.—

2 (1) ESTABLISHMENT.—The Secretary shall es-
3 tablish a peer review panel not to exceed 8 members
4 that shall be comprised of individuals with dem-
5 onstrated experience in designing and implementing
6 programs to improve the academic and social devel-
7 opment of at-risk children.

8 (2) FUNCTIONS.—Such panel shall make rec-
9 ommendations to the Secretary regarding—

10 (A) an illustrative model that effectively
11 achieves the program requirements indicated in
12 subsection (d) and a process whereby local enti-
13 ties can request such model; and

14 (B) a design for the evaluation of pro-
15 grams assisted under this section.

16 (i) INVESTIGATIONS AND INSPECTIONS.—The Sec-
17 retary may conduct such investigations and inspections as
18 may be necessary to ensure compliance with the provisions
19 of this section.

20 (j) FEDERAL SHARE.—

21 (1) PAYMENTS.—The Secretary shall, subject to
22 the availability of appropriations, pay to each local
23 entity having an application approved under sub-
24 section (g) the Federal share of the costs of develop-

1 ing and carrying out programs referred to in sub-
2 section (d).

3 (2) FEDERAL SHARE.—The Federal share of
4 such costs shall be 70 percent.

5 (3) NON-FEDERAL SHARE.—

6 (A) IN GENERAL.—The non-Federal share
7 of such costs may be in cash or in kind, fairly
8 evaluated, including personnel, plant, equip-
9 ment, and services.

10 (B) SPECIAL RULE.—Not less than 15 per-
11 cent of the non-Federal share of such costs
12 shall be provided from private or nonprofit
13 sources.

14 (k) EVALUATION.—The Secretary shall require a
15 thorough evaluation of the programs assisted under this
16 section, which shall include an assessment of the academic
17 and social achievement of children assisted with funds pro-
18 vided under this section.

19 (l) DEFINITIONS.—For purposes of this section—

20 (1) the term “Secretary” means the Sec-
21 retary of the Department of Education;

22 (2) the term “local entity” means—

23 (A) a local educational agency, or

1 (B) a community-based organization as de-
 2 fined in section 1471(3) of the Elementary and
 3 Secondary Education Act of 1965;

4 (3) the term "eligible community" means an
 5 area which meets criteria with respect to significant
 6 poverty and significant violent crime, and such addi-
 7 tional criteria, as the Secretary may by regulation
 8 require; and

9 (4) the term "public school" means an elemen-
 10 tary school (as defined in section 1471(8) of the Ele-
 11 mentary and Secondary Education Act of 1965 (20
 12 U.S.C. 2891(8))) and a secondary school (as defined
 13 in section 1471(21) of that Act).

14 **SEC. 30403. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) **IN GENERAL.**—There are authorized to be appro-
 16 priated to carry out this subtitle—

17 (1) \$ _____ for fiscal
 18 year 1995;

19 (2) \$ _____ for fiscal
 20 year 1996;

21 (3) \$ _____ for fiscal
 22 year 1997;

23 (4) \$ _____ for fiscal
 24 year 1998;

1 (5) \$ _____ for fiscal
2 year 1999; and

3 (6) \$ _____ for fiscal
4 year 2000.

5 (b) PROGRAMS.—Of the amounts appropriated under
6 subsection (a) for any fiscal year—

7 (1) 70 percent shall be made available to carry
8 out section 30401; and

9 (2) 30 percent shall be made available to carry
10 out section 30402.

11 **Subtitle E—Police Partnerships for** 12 **Children**

13 **SEC. 30501. DEFINITIONS.**

14 In this subtitle—

15 “Indian tribe” means a tribe, band, pueblo, na-
16 tion, or other organized group or community of Indi-
17 ans, including an Alaska Native village (as defined
18 in or established under the Alaska Native Claims
19 Settlement Act (43 U.S.C. 1601 et seq.)), that is
20 recognized as eligible for the special programs and
21 services provided by the United States to Indians be-
22 cause of their status as Indians.

23 “partnership” means a cooperative arrangement
24 or association involving one or more law enforcement

1 agencies, and one or more public or private agencies
2 that provide child or family services; and

3 "State" means a State, the District of Colum-
4 bia, the Commonwealth of Puerto Rico, the United
5 States Virgin Islands, American Samoa, Guam, and
6 the Northern Mariana Islands.

7 **SEC. 30502. GRANT AUTHORITY.**

8 (a) **PARTNERSHIP GRANTS.—**

9 (1) **IN GENERAL.—**The Attorney General, in
10 consultation with the Secretary of Health and
11 Human Services, may make grants to partnerships
12 for—

13 (A) teams or units involving both specially
14 trained law enforcement professionals and child
15 or family services professionals of the partner-
16 ship that on a 24-hour basis respond to or deal
17 with violent incidents in which a child is in-
18 volved as a perpetrator, witness, or victim;

19 (B) training for law enforcement officers
20 regarding behavior, psychology, family systems,
21 and community culture and attitudes that is
22 relevant to dealing with children who are in-
23 volved in violent incidents or at risk of involve-
24 ment in such incidents, or with families of such
25 children;

1 (C) programs for children and families
2 that are designed jointly by the law enforce-
3 ment and child or family services components of
4 the partnership, including programs providing
5 24-hour response to crisis situations affecting
6 children, in-school programs (including
7 D.A.R.E. America), after-school activity and
8 neighborhood recreation programs, parent sup-
9 port groups that are led jointly by child or fam-
10 ily services and law enforcement personnel,
11 mentoring programs, and programs that pro-
12 vide training in nonviolent conflict resolution;
13 and

14 (D) regularly scheduled case conferences
15 by the team of child or family services profes-
16 sionals and law enforcement officers described
17 in subparagraph (A).

18 (2) CONSULTATION WITH OUNCE OF PREVEN-
19 TION COUNCIL.—The Attorney General may consult
20 with the Ounce of Prevention Council in awarding
21 grants under paragraph (1).

22 (b) GRANTS FOR POLICE RESIDENCE IN HIGH
23 CRIME AREAS.—The Secretary of Housing and Urban De-
24 velopment, in consultation with the Attorney General, may
25 make grants to States, Indian tribal governments, units

1 of local government, public housing authorities, owners of
2 federally assisted housing, and owners of housing in high
3 crime areas in order to provide dwelling units to law en-
4 forcement officers without charge or at a substantially re-
5 duced rent for the purpose of providing greater security
6 for residents of high crime areas.

7 **SEC. 30503. ADMINISTRATION.**

8 (a) **USE OF COMPONENTS.**—The Attorney General
9 may utilize any component or components of the Depart-
10 ment of Justice in carrying out this subtitle.

11 (b) **REGULATORY AUTHORITY.**—The Attorney Gen-
12 eral, for the purposes of section 30502(a), and the Sec-
13 retary of Housing and Urban Development, for purposes
14 of section 30502(b), may issue regulations and guidelines
15 to carry out this subtitle, including specifications concern-
16 ing application requirements, selection criteria, duration
17 and renewal of grants, evaluation requirements, matching
18 funds, limitation of administrative expenses, submission of
19 reports by grantees, recordkeeping by grantees, and access
20 to books, records, and documents maintained by grantees
21 or other persons for purposes of audit or examination.

22 (c) **APPLICATIONS.**—In addition to any other require-
23 ments that may be specified by the Attorney General—

24 (1) an application for a grant under section
25 30502(a) shall—

1 (A) certify that the applicant is a partner-
2 ship as defined in section 30501, or a law en-
3 forcement agency or public or private child or
4 family services agency that is participating in a
5 partnership and seeking support on behalf of
6 the partnership;

7 (B) ensure that the head of the law en-
8 forcement agency and the head of the child and
9 family services organization agree to the estab-
10 lishment of the partnership and that the law
11 enforcement agency and the child and family
12 services organization in the partnership will co-
13 operate in carrying out the program;

14 (C) include a long-term strategy and de-
15 tailed implementation plan;

16 (D) certify that the Federal support pro-
17 vided under this subtitle will be used to supple-
18 ment, and not supplant, State and local sources
19 of funding that would otherwise be available,
20 and in the case of Indian tribal governments,
21 funds supplied by the Bureau of Indian Affairs;

22 (E) identify any related governmental or
23 community initiatives which complement or will
24 be coordinated with the proposal; and

1 (F) specify plans for obtaining necessary
2 support and continuing the proposed program
3 following the conclusion of Federal support; and
4 (2) in addition to any other requirements that
5 may be specified by the Secretary of Housing and
6 Urban Development, an application for a grant
7 under section 30502(b) shall—

8 (A) certify that there has been appropriate
9 consultation with the employing agency of any
10 law enforcement officer who is to be provided
11 with a dwelling unit;

12 (B) identify any related governmental or
13 community initiatives which complement or will
14 be coordinated with the proposal;

15 (C) certify that the Federal support pro-
16 vided will be used to supplement, and not sup-
17 plant, State, Indian tribal government, and
18 local sources of funding that would otherwise be
19 available; and

20 (D) provide assurances that local police of-
21 ficers will not be required to reside in resi-
22 dences funded under this subtitle.

23 (d) MATCHING FUNDS.—The portion of the costs of
24 a program provided by a grant under this subtitle may
25 not exceed 75 percent, unless the Attorney General, for

1 purposes of section 30502(a), or the Secretary of Housing
2 and Urban Development, for purposes of section
3 30502(b), waives, wholly or in part, the requirement under
4 this subsection of a non-Federal contribution to the costs
5 of a program. Funds appropriated by the Congress for the
6 activity of any agency of an Indian tribal government or
7 of the Bureau of Indian Affairs on any Indian lands may
8 be used to provide the non-Federal share of the programs
9 funded under this subtitle.

10 (e) IN-KIND CONTRIBUTIONS.—The Attorney Gen-
11 eral shall accept the value of in-kind contributions made
12 by the grant recipient as a part or all of the non-Federal
13 share of grants.

14 (f) FUNDING PRIORITY.—In making grants under
15 section 30502(a), the Attorney General shall give priority
16 to applications by partnerships involving law enforcement
17 agencies that engage in community-oriented policing for
18 programs assisting distressed communities or populations
19 with a high incidence of violence affecting children.

20 **SEC. 30504. TECHNICAL ASSISTANCE, TRAINING, AND EVAL-**
21 **UATION.**

22 (a) TECHNICAL ASSISTANCE AND TRAINING.—The
23 Attorney General may provide technical assistance and
24 training to further the purposes of this subtitle.

1 (b) EVALUATIONS.—In addition to any evaluation re-
 2 quirements that may be prescribed for grantees, the Attor-
 3 ney General may carry out or make arrangements for eval-
 4 uations of programs that receive support under this sub-
 5 title.

6 (c) ADMINISTRATION.—The technical assistance,
 7 training, and evaluations authorized by this section may
 8 be carried out directly by the Attorney General, or through
 9 grants, contracts, or other cooperative arrangements with
 10 other entities.

11 SEC. 30505. AUTHORIZATION OF APPROPRIATIONS.

12 (a) IN GENERAL.—There are authorized to be appro-
 13 priated to carry out this subtitle—

14 ~~(1) \$ _____ for fiscal~~
 15 ~~year 1995~~

16 (1) ~~(2)~~ \$ _____ for fiscal
 17 year 1996;

18 (2) ~~(3)~~ \$ _____ for fiscal
 19 year 1997;

20 (3) ~~(4)~~ \$ _____ for fiscal
 21 year 1998;

22 (4) ~~(5)~~ \$ _____ for fiscal
 23 year 1999; and

24 (5) ~~(6)~~ \$ _____ for fiscal
 25 year 2000.

1 (b) LIMITATION.—Not more than 35 percent of the
2 funds made available in a fiscal year for this subtitle may
3 be expended for grants under section 30502(b).

4 **Subtitle F—Midnight Sports**

5 **SEC. 30601. GRANTS FOR MIDNIGHT SPORTS LEAGUE** 6 **ANTICRIME PROGRAMS.**

7 (a) AUTHORITY.—

8 (1) IN GENERAL.—The Secretary of Housing
9 and Urban Development, in consultation with the
10 Attorney General of the United States, the Secretary
11 of Labor, and the Secretary of Education, shall
12 make grants, to the extent that amounts are ap-
13 proved in appropriations under subsection (k), to eli-
14 gible entities to assist such entities in carrying out
15 midnight sports league programs meeting the re-
16 quirements of subsection (d).

17 (2) CONSULTATION WITH OUNCE OF PREVEN-
18 TION COUNCIL.—The Attorney General may consult
19 with the Ounce of Prevention Council in awarding
20 grants under paragraph (1).

21 (b) ELIGIBLE ENTITIES.—

22 (1) IN GENERAL.—Grants under subsection (a)
23 may be made only to the following eligible entities:

24 (A) Entities eligible under section 520(b)
25 of the Cranston-Gonzalez National Affordable

1 Housing Act (42 U.S.C. 11903a(b)) for a grant
2 under section 520(a) of that Act.

3 (B) Nonprofit organizations providing
4 crime prevention, employment counseling, job
5 training, or other educational services.

6 (C) Nonprofit organizations providing fed-
7 erally assisted low-income housing.

8 (2) PROHIBITION ON SECOND GRANTS.—A
9 grant under subsection (a) may not be made to an
10 eligible entity if the entity previously received a
11 grant under such subsection.

12 (c) USE OF GRANT AMOUNTS.—Any eligible entity
13 that receives a grant under subsection (a) may use the
14 grant only—

15 (1) to establish or carry out a midnight sports
16 league program under subsection (d);

17 (2) for salaries for administrators and staff of
18 the program;

19 (3) for other administrative costs of the pro-
20 gram, except that not more than 5 percent of the
21 grant may be used for such administrative costs;
22 and

23 (4) for costs of training and assistance provided
24 under subsection (d).

1 (d) PROGRAM REQUIREMENTS.—Each eligible entity
2 receiving a grant under subsection (a) shall establish a
3 midnight sports league program as follows:

4 (1) The program shall establish a sports league
5 of not less than 80 players.

6 (2) Not less than 50 percent of the players in
7 the sports league shall be residents of federally as-
8 sisted low-income housing.

9 (3) The program shall be designed to serve pri-
10 marily youths and young adults from a neighborhood
11 or community whose population has not less than 2
12 of the following characteristics (in comparison with
13 national averages):

14 (A) A substantial problem regarding use or
15 sale of illegal drugs.

16 (B) A high incidence of crimes committed
17 by youths or young adults.

18 (C) A high incidence of persons infected
19 with the human immunodeficiency virus or sex-
20 ually transmitted diseases.

21 (D) A high incidence of pregnancy, or a
22 high birth rate, among adolescents.

23 (E) A high unemployment rate for youths
24 and young adults.

25 (F) A high rate of high school dropouts.

1 (4) The program shall require each player in
2 the league to attend employment counseling, job
3 training, and other educational classes provided
4 under the program, which shall be held in conjunc-
5 tion with league sports games at or near the site of
6 the games.

7 (5) The program shall serve only youths and
8 young adults who demonstrate a need for such coun-
9 seling, training, and education provided by the pro-
10 gram, in accordance with criteria for demonstrating
11 need, which shall be established by the Secretary of
12 Housing and Urban Development, in consultation
13 with the Attorney General, the Secretary of Labor,
14 and the Secretary of Education.

15 (6) The program shall obtain sponsors for each
16 team in the sports league. Sponsors shall be private
17 individuals or businesses in the neighborhood or
18 community served by the program who make finan-
19 cial contributions to the program and participate in
20 or supplement the employment, job training, and
21 educational services provided to the players under
22 the program with additional training or educational
23 opportunities.

24 (7) The program shall comply with any criteria
25 established by the Secretary of Housing and Urban

1 Development in consultation with the Attorney Gen-
2 eral, the Secretary of Labor, and the Secretary of
3 Education.

4 (e) GRANT AMOUNT LIMITATIONS.—

5 (1) PRIVATE CONTRIBUTIONS.—The Secretary
6 of Housing and Urban Development, in consultation
7 with the Attorney General, the Secretary of Labor,
8 and the Secretary of Education, may not make a
9 grant under subsection (a) to an eligible entity that
10 applies for a grant under subsection (f) unless the
11 applicant entity certifies to the Secretary of Housing
12 and Urban Development, or the Attorney General,
13 that the entity will supplement the grant amounts
14 with amounts of funds from non-Federal sources, as
15 follows:

16 (A) In each of the first 2 years that
17 amounts from the grant are disbursed (under
18 paragraph (5)), an amount sufficient to provide
19 not less than 35 percent of the cost of carrying
20 out the midnight sports league program.

21 (B) In each of the last 3 years that
22 amounts from the grant are disbursed, an
23 amount sufficient to provide not less than 50
24 percent of the cost of carrying out the midnight
25 sports league program.

1 (2) NON-FEDERAL FUNDS.—For purposes of
2 this subsection, the term “funds from non-Federal
3 sources” includes amounts from nonprofit organiza-
4 tions, public housing agencies, States, units of local
5 government, and Indian housing authorities, private
6 contributions, any salary paid to staff (other than
7 from grant amounts under subsection (a)) to carry
8 out the program of the eligible entity, in-kind con-
9 tributions to carry out the program (as determined
10 by the Secretary of Housing and Urban Develop-
11 ment, in consultation with the Attorney General, the
12 Secretary of Labor, and the Secretary of Edu-
13 cation), the value of any donated material, equip-
14 ment, or building, the value of any lease on a build-
15 ing, the value of any utilities provided, and the value
16 of any time and services contributed by volunteers to
17 carry out the program of the eligible entity. Funds
18 appropriated by the Congress for the activity of any
19 agency of an Indian tribal government or of the Bu-
20 reau of Indian Affairs on any Indian lands may be
21 used to provide the non-Federal share of the costs
22 of programs funded under this subtitle.

23 (3) PROHIBITION ON SUBSTITUTION OF
24 FUNDS.—Grants made under subsection (a), and
25 amounts provided by States and units of local gov-

1 ernment to supplement the grants, may not be used
2 to replace other public funds previously used, or des-
3 ignated for use, under this section.

4 (4) MAXIMUM AND MINIMUM GRANT
5 AMOUNTS.—The Secretary of Housing and Urban
6 Development, in consultation with the Attorney Gen-
7 eral, the Secretary of Labor, and the Secretary of
8 Education, may not make a grant under subsection
9 (a) to any single eligible entity in an amount less
10 than \$50,000 or exceeding \$250,000.

11 (5) DISBURSEMENT.—Each grant made under
12 subsection (a)(1) shall be disbursed to the eligible
13 entity receiving the grant over the 5-year period be-
14 ginning on the date that the entity is selected to re-
15 ceive the grant, as follows:

16 (A) In each of the first 2 years of such 5-
17 year period, 23 percent of the total grant
18 amount shall be disbursed to the entity.

19 (B) In each of the last 3 years of such 5-
20 year period, 18 percent of the total grant
21 amount shall be disbursed to the entity.

22 (f) APPLICATIONS.—To be eligible to receive a grant
23 under subsection (a), an eligible entity shall submit to the
24 Secretary of Housing and Urban Development an applica-
25 tion in the form and manner required by the Secretary

1 of Housing and Urban Development, in consultation with
2 the Attorney General, the Secretary of Labor, and the Sec-
3 retary of Education, which shall include—

4 (1) a description of the midnight sports league
5 program to be carried out by the entity, including a
6 description of the employment counseling, job train-
7 ing, and other educational services to be provided;

8 (2) letters of agreement from service providers
9 to provide training and counseling services required
10 under subsection (d) and a description of such serv-
11 ice providers;

12 (3) letters of agreement providing for facilities
13 for sports games and counseling, training, and edu-
14 cational services required under subsection (d) and
15 a description of the facilities;

16 (4) a list of persons and businesses from the
17 community served by the program who have ex-
18 pressed interest in sponsoring, or have made com-
19 mitments to sponsor, a team in the midnight sports
20 league; and

21 (5) evidence that the neighborhood or commu-
22 nity served by the program meets the requirements
23 of subsection (d)(3).

24 (g) SELECTION.—The Secretary of Housing and
25 Urban Development, in consultation with the Attorney

1 General, the Secretary of Labor, and the Secretary of
2 Education, shall select eligible entities that submit appli-
3 cations under subsection (f) to receive grants under sub-
4 section (a). The Secretary of Housing and Urban Develop-
5 ment, in consultation with the Attorney General, the Sec-
6 retary of Labor, and the Secretary of Education, shall es-
7 tablish criteria for selection of applicants to receive such
8 grants. The criteria shall include a preference for selection
9 of eligible entities carrying out midnight sports league pro-
10 grams in suburban and rural areas.

11 (h) REPORTS.—The Secretary of Housing and Urban
12 Development, in consultation with the Attorney General,
13 the Secretary of Labor, and the Secretary of Education,
14 shall require each eligible entity receiving a grant under
15 subsection (a) to submit for each year in which grant
16 amounts are received by the entity, a report describing the
17 activities carried out with such amounts.

18 (i) STUDY.—To the extent amounts are provided
19 under appropriation Acts pursuant to subsection (k)(2),
20 the Secretary of Housing and Urban Development, in con-
21 sultation with the Attorney General, the Secretary of
22 Labor, and the Secretary of Education, shall make a grant
23 to one entity qualified to carry out a study under this sub-
24 section. The entity shall use such grant to carry out a
25 scientific study of the effectiveness of midnight sports

1 league programs under subsection (d) of eligible entities
2 receiving grants under subsection (a). The Secretary of
3 Housing and Urban Development, in consultation with the
4 Attorney General, the Secretary of Labor, and the Sec-
5 retary of Education, shall require such entity to submit
6 a report describing the study and any conclusions and rec-
7 ommendations resulting from the study to the Congress
8 and the Secretary of Housing and Urban Development
9 and the Attorney General not later than the expiration of
10 the 2-year period beginning on the date that the grant
11 under this subsection is made.

12 (j) DEFINITIONS.—In this section—

13 “eligible entity” means an entity described
14 under subsection (b)(1).

15 “federally assisted low-income housing” has the
16 meaning given the term in section 5126 of the Pub-
17 lic and Assisted Housing Drug Elimination Act of
18 1990.

19 “State” means a State, the District of Colum-
20 bia, the Commonwealth of Puerto Rico, the United
21 States Virgin Islands, American Samoa, Guam, and
22 the Northern Mariana Islands.

23 (k) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated—

25 (1) for grants under subsection (a)—

- 1 ~~(A) \$ _____ for fis-~~
- 2 ~~cal year 1995,~~
- 3 (A) ~~(B)~~ \$ _____ for fis-
- 4 cal year 1996;
- 5 (B) ~~(C)~~ \$ _____ for fis-
- 6 cal year 1997;
- 7 (C) ~~(D)~~ \$ _____ for fis-
- 8 cal year 1998;
- 9 (D) ~~(E)~~ \$ _____ for fis-
- 10 cal year 1999; and
- 11 (E) ~~(F)~~ \$ _____ for fis-
- 12 cal year 2000; and
- 13 (2) for a study grant under subsection (i)—
- 14 ~~(A)~~ \$ _____ for fis-
- 15 cal year ~~1995,~~ 1996.
- 16 ~~(B) \$ _____ for fis-~~
- 17 ~~cal year 1996,~~
- 18 ~~(C) \$ _____ for fis-~~
- 19 ~~cal year 1997,~~
- 20 ~~(D) \$ _____ for fis-~~
- 21 ~~cal year 1998,~~
- 22 ~~(E) \$ _____ for fis-~~
- 23 ~~cal year 1999; and~~
- 24 ~~(F) \$ _____ for fis-~~
- 25 ~~cal year 2000.~~

1 **Subtitle G—Assistance for**
2 **Delinquent and At-Risk Youth**

3 **SEC. 30701. GRANT AUTHORITY.**

4 (a) **GRANTS.—**

5 (1) **IN GENERAL.—**In order to prevent the com-
6 mission of crimes or delinquent acts by juveniles, the
7 Attorney General may make grants to public or pri-
8 vate nonprofit organizations to support the develop-
9 ment and operation of projects to provide residential
10 services to youth, aged 11 to 19, who—

11 (A) have dropped out of school;

12 (B) have come into contact with the juve-
13 nile justice system; or

14 (C) are at risk of dropping out of school or
15 coming into contact with the juvenile justice
16 system.

17 (2) **CONSULTATION WITH THE OUNCE OF PRE-**
18 **VENTION COUNCIL.—**The Attorney General may con-
19 sult with the Ounce of Prevention Council in making
20 grants under paragraph (1).

21 (3) **SERVICES.—**Such services shall include ac-
22 tivities designed to—

23 (A) increase the self-esteem of such youth;

24 (B) assist such youth in making healthy
25 and responsible choices;

1 (C) improve the academic performance of
2 such youth pursuant to a plan jointly developed
3 by the applicant and the school which each such
4 youth attends or should attend; and

5 (D) provide such youth with vocational and
6 life skills.

7 (b) APPLICATIONS.—

8 (1) IN GENERAL.—A public agency or private
9 nonprofit organization which desires a grant under
10 this section shall submit an application at such time
11 and in such manner as the Attorney General may
12 prescribe.

13 (2) CONTENTS.—An application under para-
14 graph (1) shall include—

15 (A) a description of the program developed
16 by the applicant, including the activities to be
17 offered;

18 (B) a detailed discussion of how such pro-
19 gram will prevent youth from committing
20 crimes or delinquent acts;

21 (C) evidence that such program—

22 (i) will be carried out in facilities
23 which meet applicable State and local laws
24 with regard to safety;

1 (ii) will include academic instruction,
2 approved by the State, Indian tribal gov-
3 ernment, or local educational agency,
4 which meets or exceeds State, Indian tribal
5 government, and local standards and cur-
6 ricular requirements; and

7 (iii) will include instructors and other
8 personnel who possess such qualifications
9 as may be required by applicable State or
10 local laws; and

11 (D) specific, measurable outcomes for
12 youth served by the program.

13 (c) CONSIDERATION OF APPLICATIONS.—Not later
14 than 60 days following the submission of applications, the
15 Attorney General shall—

16 (1) approve each application and disburse the
17 funding for each such application; or

18 (2) disapprove the application and inform the
19 applicant of such disapproval and the reasons there-
20 for.

21 (d) REPORTS.—A grantee under this section shall an-
22 nually submit a report to the Attorney General that de-
23 scribes the activities and accomplishments of such pro-
24 gram, including the degree to which the specific youth out-
25 comes are met.

1 (e) DEFINITIONS.—In this subtitle—

2 “Indian tribe” means a tribe, band, pueblo, na-
3 tion, or other organized group or community of Indi-
4 ans, including Alaska Native village (as defined in or
5 established under the Alaska Native Claims Settle-
6 ment Act (43 U.S.C. 1601 et seq.)), that is recog-
7 nized as eligible for the special programs and serv-
8 ices provided by the United States to Indians be-
9 cause of their status as Indians.

10 “State” means a State, the District of Colum-
11 bia, the Commonwealth of Puerto Rico, the United
12 States Virgin Islands, American Samoa, Guam, and
13 the Northern Mariana Islands.

14 SEC. 30702. AUTHORIZATION OF APPROPRIATIONS.

15 There are authorized to be appropriated for grants
16 under section 30701—

17 ~~(1) \$ _____ for fiscal~~
18 ~~year 1995;~~

19 (1) ~~(2)~~ \$ _____ for fiscal
20 year 1996;

21 (2) ~~(3)~~ \$ _____ for fiscal
22 year 1997;

23 (3) ~~(4)~~ \$ _____ for fiscal
24 year 1998;

1 (4) ~~(5)~~ \$ _____ for fiscal
2 year 1999; and

3 (5) ~~(6)~~ \$ _____ for fiscal
4 year 2000.

5 **Subtitle H—Police Recruitment**

6 **SEC. 30801. GRANT AUTHORITY.**

7 (a) GRANTS.—

8 (1) IN GENERAL.—The Attorney General may
9 make grants to qualified community organizations to
10 assist in meeting the costs of qualified programs
11 which are designed to recruit and retain applicants
12 to police departments.

13 (2) CONSULTATION WITH THE OUNCE OF PRE-
14 VENTION COUNCIL.—The Attorney General may con-
15 sult with the Ounce of Prevention Council in making
16 grants under paragraph (1).

17 (b) QUALIFIED COMMUNITY ORGANIZATIONS.—An
18 organization is a qualified community organization which
19 is eligible to receive a grant under subsection (a) if the
20 organization—

21 (1) is a nonprofit organization; and

22 (2) has training and experience in—

23 (A) working with a police department and
24 with teachers, counselors, and similar person-
25 nel,

1 (B) providing services to the community in
2 which the organization is located,

3 (C) developing and managing services and
4 techniques to recruit individuals to become
5 members of a police department and to assist
6 such individuals in meeting the membership re-
7 quirements of police departments,

8 (D) developing and managing services and
9 techniques to assist in the retention of appli-
10 cants to police departments, and

11 (E) developing other programs that con-
12 tribute to the community.

13 (c) QUALIFIED PROGRAMS.—A program is a qualified
14 program for which a grant may be made under subsection
15 (a) if the program is designed to recruit and train individ-
16 uals from underrepresented neighborhoods and localities
17 and if—

18 (1) the overall design of the program is to re-
19 cruit and retain applicants to a police department;

20 (2) the program provides recruiting services
21 which include tutorial programs to enable individuals
22 to meet police force academic requirements and to
23 pass entrance examinations;

1 (3) the program provides counseling to appli-
2 cants to police departments who may encounter
3 problems throughout the application process; and

4 (4) the program provides retention services to
5 assist in retaining individuals to stay in the applica-
6 tion process of a police department.

7 (d) APPLICATIONS.—To qualify for a grant under
8 subsection (a), a qualified organization shall submit an ap-
9 plication to the Attorney General in such form as the At-
10 torney General may prescribe. Such application shall—

11 (1) include documentation from the applicant
12 showing—

13 (A) the need for the grant;

14 (B) the intended use of grant funds;

15 (C) expected results from the use of grant
16 funds; and

17 (D) demographic characteristics of the
18 population to be served, including age, disabil-
19 ity, race, ethnicity, and languages used; and

20 (2) contain assurances satisfactory to the Attor-
21 ney General that the program for which a grant is
22 made will meet the applicable requirements of the
23 program guidelines prescribed by the Attorney Gen-
24 eral under subsection (i).

1 (e) ACTION BY THE ATTORNEY GENERAL.—Not later
2 than 60 days after the date that an application for a grant
3 under subsection (a) is received, the Attorney General
4 shall consult with the police department which will be in-
5 volved with the applicant and shall—

6 (1) approve the application and disburse the
7 grant funds applied for; or

8 (2) disapprove the application and inform the
9 applicant that the application is not approved and
10 provide the applicant with the reasons for the dis-
11 approval.

12 (f) GRANT DISBURSEMENT.—The Attorney General
13 shall disburse funds under a grant under subsection (a)
14 in accordance with regulations of the Attorney General
15 which shall ensure—

16 (1) priority is given to applications for areas
17 and organizations with the greatest showing of need;

18 (2) that grant funds are equitably distributed
19 on a geographic basis; and

20 (3) the needs of underserved populations are
21 recognized and addressed.

22 (g) GRANT PERIOD.—A grant under subsection (a)
23 shall be made for a period not longer than 3 years.

24 (h) GRANTEE REPORTING.—(1) For each year of a
25 grant period for a grant under subsection (a), the recipient

1 of the grant shall file a performance report with the Attor-
2 ney General explaining the activities carried out with the
3 funds received and assessing the effectiveness of such ac-
4 tivities in meeting the purpose of the recipient's qualified
5 program.

6 (2) If there was more than one recipient of a grant,
7 each recipient shall file such report.

8 (3) The Attorney General shall suspend the funding
9 of a grant, pending compliance, if the recipient of the
10 grant does not file the report required by this subsection
11 or uses the grant for a purpose not authorized by this
12 section.

13 (i) GUIDELINES.—The Attorney General shall, by
14 regulation, prescribe guidelines on content and results for
15 programs receiving a grant under subsection (a). Such
16 guidelines shall be designed to establish programs which
17 will be effective in training individuals to enter instruc-
18 tional programs for police departments and shall include
19 requirements for—

20 (1) individuals providing recruiting services;

21 (2) individuals providing tutorials and other
22 academic assistance programs;

23 (3) individuals providing retention services; and

1 (4) the content and duration of recruitment, re-
 2 tention, and counseling programs and the means and
 3 devices used to publicize such programs.

4 **SEC. 30802. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated for grants
 6 under section 30801—

7 ~~(1) \$ _____ for fiscal~~
 8 ~~year 1995;~~

9 (1) ~~(2)~~ \$ _____ for fiscal
 10 year 1996;

11 (2) ~~(3)~~ \$ _____ for fiscal
 12 year 1997;

13 (3) ~~(4)~~ \$ _____ for fiscal
 14 year 1998;

15 (4) ~~(5)~~ \$ _____ for fiscal
 16 year 1999; and

17 (5) ~~(6)~~ \$ _____ for fiscal
 18 year 2000.

19 **Subtitle I—National Triad Program**

20 **SEC. 30901. PURPOSES.**

21 The purposes of this subtitle are—

22 (1) to support a coordinated effort among law
 23 enforcement, older Americans organizations, and so-
 24 cial service agencies to stem the tide of violence
 25 against older Americans and support media and

1 nonmedia strategies aimed at increasing both public
2 understanding of the problem and the older Ameri-
3 cans' skills in preventing crime against themselves
4 and their property; and

5 (2) to address the problem of crime against
6 older Americans in a systematic and effective man-
7 ner by promoting and expanding collaborative crime
8 prevention programs, such as the Triad model, that
9 assist law enforcement agencies and older Americans
10 in implementing specific strategies for crime preven-
11 tion, victim assistance, citizen involvement, and pub-
12 lic education.

13 **SEC. 30902. NATIONAL ASSESSMENT AND DISSEMINATION.**

14 (a) IN GENERAL.—The Attorney General, in con-
15 sultation with the Assistant Secretary for Aging, shall con-
16 duct a qualitative and quantitative national assessment
17 of—

18 (1) the nature and extent of crimes committed
19 against older Americans and the effect of such
20 crimes on the victims;

21 (2) the numbers, extent, and impact of violent
22 crimes and nonviolent crimes (such as frauds and
23 “scams”) against older Americans and the extent of
24 unreported crimes;

1 (3) the collaborative needs of law enforcement,
2 health, and social service organizations, focusing on
3 prevention of crimes against older Americans, to
4 identify, investigate, and provide assistance to vic-
5 tims of those crimes; and

6 (4) the development and growth of strategies to
7 respond effectively to the matters described in para-
8 graphs (1), (2), and (3).

9 (b) MATTERS TO BE ADDRESSED.—The national as-
10 sessment made pursuant to subsection (a) shall address—

11 (1) the analysis and synthesis of data from a
12 broad range of sources in order to develop accurate
13 information on the nature and extent of crimes
14 against older Americans, including identifying and
15 conducting such surveys and other data collection ef-
16 forts as are needed and designing a strategy to keep
17 such information current over time;

18 (2) institutional and community responses to el-
19 derly victims of crime, focusing on the problems as-
20 sociated with fear of victimization, abuse of older
21 Americans, and hard-to-reach older Americans who
22 are in poor health, are living alone or without family
23 nearby, or living in high crime areas;

24 (3) special services and responses required by
25 elderly victims;

1 (4) whether the experience of older Americans
2 with some service organizations differs markedly
3 from that of younger populations;

4 (5) the kinds of programs that have proven use-
5 ful in reducing victimization of older Americans
6 through crime prevention activities and programs;

7 (6) the kinds of programs that contribute to
8 successful coordination among public sector agencies
9 and community organizations in reducing victimiza-
10 tion of older Americans; and

11 (7) the research agenda needed to develop a
12 comprehensive understanding of the problems of
13 crimes against older Americans, including the
14 changes that can be anticipated in the crimes them-
15 selves and appropriate responses as the society in-
16 creasingly ages.

17 (c) AVOIDANCE OF DUPLICATION.—In conducting
18 the assessment under subsection (a), the Attorney Gen-
19 eral, in consultation with the Assistant Secretary of Aging,
20 shall draw upon the findings of existing studies and avoid
21 duplication of efforts that have previously been made.

22 (d) DISSEMINATION.—Based on the results of the na-
23 tional assessment and analysis of successful or promising
24 strategies in dealing with the problems described in sub-
25 section (b) and other problems, including coalition efforts

1 such as the Triad programs described in section 1066, the
2 Attorney General, in consultation with the Assistant Sec-
3 retary of Aging, shall disseminate the results through re-
4 ports, publications, clearinghouse services, public service
5 announcements, and programs of evaluation, demonstra-
6 tion, training, and technical assistance.

7 **SEC. 30903. PILOT PROGRAMS.**

8 (a) **AWARDS.**—The Attorney General, in consultation
9 with the Assistant Secretary of Aging, shall make grants
10 to coalitions of local law enforcement agencies and older
11 Americans to assist in the development of programs and
12 execute field tests of particularly promising strategies for
13 crime prevention services and related services based on the
14 concepts of the Triad model, which can then be evaluated
15 and serve as the basis for further demonstration and edu-
16 cation programs.

17 (b) **TRIAD COOPERATIVE MODEL.**—(1) Subject to
18 paragraph (2), a pilot program funded under this section
19 shall consist of a cooperative model, which calls for the
20 participation of the sheriff, at least 1 police chief, and a
21 representative of at least 1 older Americans' organization
22 within a county and may include participation by general
23 service coalitions of law enforcement, victim service, and
24 senior citizen advocate service organizations. If there ex-
25 ists within the applicant county an area agency on aging

1 as defined in section 102(17) of the Older Americans Act
2 of 1965, the applicant county must include the agency as
3 an organizational component in its program.

4 (2) If there is not both a sheriff and a police chief
5 in a county or if the sheriff or a police chief do not partici-
6 pate, a pilot program funded under this section shall in-
7 clude in the place of the sheriff or police chief another
8 key law enforcement official in the county such as a local
9 prosecutor.

10 (c) APPLICATION.—A coalition that desires to estab-
11 lish a pilot program under this section shall submit to the
12 Attorney General an application that includes—

13 (1) a description of the community and its sen-
14 ior citizen population;

15 (2) assurances that Federal funds received
16 under this title shall be used to provide additional
17 and appropriate education and services to the com-
18 munity's older Americans;

19 (3) a description of the extent of involvement of
20 each organizational component (chief, sheriff (or
21 other law enforcement official), and senior organiza-
22 tion representative) and focus of the program;

23 (4) a comprehensive plan including—

1 (A) a description of the crime problems
2 facing older Americans and need for expanded
3 law enforcement and victim assistance services;

4 (B) a description of the types of projects
5 to be developed or expanded;

6 (C) a plan for an evaluation of the results
7 of the program;

8 (D) a description of the resources (includ-
9 ing matching funds, in-kind services, and other
10 resources) available in the community to imple-
11 ment the program's development or expansion;

12 (E) a description of the gaps that cannot
13 be filled with existing resources;

14 (F) an explanation of how the requested
15 grant will be used to fill those gaps; and

16 (G) a description of the means and meth-
17 ods the applicant will use to reduce criminal
18 victimization of older persons; and

19 (5) funding requirements for implementing a
20 comprehensive plan.

21 (d) DISTRIBUTION OF GRANT AWARDS.—The Attor-
22 ney General, in consultation with the Assistant Secretary
23 for Aging, shall attempt, to the extent practicable, to
24 achieve an equitable geographic distribution of grant
25 awards for pilot programs authorized under this subtitle.

1 (e) POST-GRANT PERIOD REPORT.—A grant recipi-
2 ent under this section shall, not later than 6 months after
3 the conclusion of the grant period, submit to the Attorney
4 General a report that—

5 (1) describes the composition of organizations
6 that participated in the pilot program;

7 (2) identifies problem areas encountered during
8 the course of the pilot program;

9 (3) provides data comparing the types and fre-
10 quency of criminal activity before and after the
11 grant period and the effect of such criminal activity
12 on older Americans in the community; and

13 (4) describes the grant recipient's plans and
14 goals for continuance of the program after the grant
15 period.

16 **SEC. 30904. TRAINING ASSISTANCE, EVALUATION, AND DIS-**
17 **SEMINATION AWARDS.**

18 In conjunction with the national assessment under
19 section 30902—

20 (1) the Attorney General, in consultation with
21 the Assistant Secretary for Aging, shall make
22 awards to organizations with demonstrated ability to
23 provide training and technical assistance in estab-
24 lishing crime prevention programs based on the
25 Triad model, for purposes of aiding in the establish-

1 ment and expansion of pilot programs under this
2 section;

3 (2) the Attorney General, in consultation with
4 the Assistant Secretary of Aging, shall make awards
5 to research organizations, for the purposes of—

6 (A) evaluating the effectiveness of selected
7 pilot programs; and

8 (B) conducting the research and develop-
9 ment identified through the national assessment
10 as being critical; and

11 (3) the Attorney General, in consultation with
12 the Assistant Secretary for Aging, shall make
13 awards to public service advertising coalitions, for
14 the purposes of mounting a program of public serv-
15 ice advertisements to increase public awareness and
16 understanding of the issues surrounding crimes
17 against older Americans and promoting ideas or pro-
18 grams to prevent them.

19 **SEC. 30905. REPORT.**

20 The Attorney General, in consultation with the As-
21 sistant Secretary for Aging, and the Director of the Na-
22 tional Institute of Justice shall submit to Congress an an-
23 nual report (which may be included with the report sub-
24 mitted under section 102(b) of title I of the Omnibus
25 Crime Control and Safe Streets Act of 1968 (42 U.S.C.

1 3712(b)) describing the results of the pilot programs con-
2 ducted under section 1068.

3 **SEC. 30906. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated—

5 (1) to the Attorney General for the purpose of
6 making pilot program awards in that amount under
7 section 30903—

8 (A) \$ _____ for fis-
9 cal year 1995;

10 (B) \$ _____ for fis-
11 cal year 1996;

12 (C) \$ _____ for fis-
13 cal year 1997;

14 (D) \$ _____ for fis-
15 cal year 1998;

16 (E) \$ _____ for fis-
17 cal year 1999; and

18 (F) \$ _____ for fis-
19 cal year 2000;

20 (2) to the Attorney General for the purpose of
21 funding the national training and technical assist-
22 ance effort under sections 30902 and 30903—

23 (A) \$ _____ for fis-
24 cal year 1995;

*(insert
was ?*

- 1 (B) \$ _____ for fis-
- 2 cal year 1996;
- 3 (C) \$ _____ for fis-
- 4 cal year 1997;
- 5 (D) \$ _____ for fis-
- 6 cal year 1998;
- 7 (E) \$ _____ for fis-
- 8 cal year 1999; and
- 9 (F) \$ _____ for fis-
- 10 cal year 2000;

11 (3) to the Attorney General and to the Admin-
 12 istration on Aging, for the purpose of developing
 13 public service announcements under sections 30902
 14 and 30904—

- 15 (A) \$ _____ for fis-
- 16 cal year 1995;
- 17 (B) \$ _____ for fis-
- 18 cal year 1996;
- 19 (C) \$ _____ for fis-
- 20 cal year 1997;
- 21 (D) \$ _____ for fis-
- 22 cal year 1998;
- 23 (E) \$ _____ for fis-
- 24 cal year 1999; and

1 (F) \$ _____ for fis-
2 cal year 2000;

3 (4) to the Attorney General for the purposes of
4 conducting the national assessment, evaluating pilot
5 programs, and carrying out the research agenda
6 under sections 30902 and 30904—

7 (A) \$ _____ for fis-
8 cal year 1995;

9 (B) \$ _____ for fis-
10 cal year 1996;

11 (C) \$ _____ for fis-
12 cal year 1997;

13 (D) \$ _____ for fis-
14 cal year 1998;

15 (E) \$ _____ for fis-
16 cal year 1999; and

17 (F) \$ _____ for fis-
18 cal year 2000; and

19 (5) to the extent that funds are not otherwise
20 available for the purpose, such sums as are nec-
21 essary to pay the administrative costs of carrying
22 out this subtitle.

1 **Subtitle J—Local Partnership Act**

2 **SEC. 31001. ESTABLISHMENT OF PAYMENT PROGRAM.**

3 (a) ESTABLISHMENT OF PROGRAM.—Title 31, Unit-
4 ed States Code, is amended by inserting after chapter 65
5 the following new chapter:

6 **“CHAPTER 67—FEDERAL PAYMENTS**

“Sec.

“6701. Payments to local governments.

“6702. Local Government Fiscal Assistance Fund.

“6703. Qualification for payment.

“6704. State area allocations; allocations and payments to territorial govern-
ments.

“6705. Local government allocations.

“6706. Income gap multiplier.

“6707. State variation of local government allocations.

“6708. Adjustments of local government allocations.

“6709. Information used in allocation formulas.

“6710. Public participation.

“6711. Prohibited discrimination.

“6712. Discrimination proceedings.

“6713. Suspension and termination of payments in discrimination proceedings.

“6714. Compliance agreements.

“6715. Enforcement by the Attorney General of prohibitions on discrimination.

“6716. Civil action by a person adversely affected.

“6717. Judicial review.

“6718. Investigations and reviews.

“6719. Reports.

“6720. Definitions, application, and administration.

7 **“§ 6701. Payments to local governments**

8 **“(a) PAYMENT AND USE.—**

9 **“(1) PAYMENT.—**The Secretary shall pay to
10 each unit of general local government which qualifies
11 for a payment under this chapter an amount equal
12 to the sum of any amounts allocated to the govern-
13 ment under this chapter for each payment period.
14 The Secretary shall pay such amount out of the

1 Local Government Fiscal Assistance Fund under
2 section 6702.

3 “(2) USE.—Amounts paid to a unit of general
4 local government under this section shall be used by
5 that unit for carrying out one or more programs of
6 the unit related to—

7 “(A) education to prevent crime;

8 “(B) substance abuse treatment to prevent
9 crime; or

10 “(C) job programs to prevent crime.

11 “(3) COORDINATION.—Programs funded under
12 this title shall be coordinated with other existing
13 Federal programs to meet the overall needs of com-
14 munities that benefit from funds received under this
15 section.

16 “(b) TIMING OF PAYMENTS.—The Secretary shall
17 pay each amount allocated under this chapter to a unit
18 of general local government for a payment period by the
19 later of 90 days after the date the amount is available
20 or the first day of the payment period provided that the
21 unit of general local government has provided the Sec-
22 retary with the assurances required by section 6703(d).

23 “(c) ADJUSTMENTS.—

24 “(1) IN GENERAL.—Subject to paragraph (2),
25 the Secretary shall adjust a payment under this

1 chapter to a unit of general local government to the
2 extent that a prior payment to the government was
3 more or less than the amount required to be paid.

4 “(2) CONSIDERATIONS.—The Secretary may in-
5 crease or decrease under this subsection a payment
6 to a unit of local government only if the Secretary
7 determines the need for the increase or decrease, or
8 the unit requests the increase or decrease, within
9 one year after the end of the payment period for
10 which the payment was made.

11 “(d) RESERVATION FOR ADJUSTMENTS.—The Sec-
12 retary may reserve a percentage of not more than 2 per-
13 cent of the amount under this section for a payment pe-
14 riod for all units of general local government in a State
15 if the Secretary considers the reserve is necessary to en-
16 sure the availability of sufficient amounts to pay adjust-
17 ments after the final allocation of amounts among the
18 units of general local government in the State.

19 “(e) REPAYMENT OF UNEXPENDED AMOUNTS.—

20 “(1) REPAYMENT REQUIRED.—A unit of gen-
21 eral local government shall repay to the Secretary,
22 by not later than 15 months after receipt from the
23 Secretary, any amount that is—

24 “(A) paid to the unit from amounts appro-
25 priated under the authority of this section; and

1 “(B) not expended by the unit within one
2 year after receipt from the Secretary.

3 “(2) PENALTY FOR FAILURE TO REPAY.—If the
4 amount required to be repaid is not repaid, the Sec-
5 retary shall reduce payments in future payment peri-
6 ods accordingly.

7 “(3) DEPOSIT OF AMOUNTS REPAID.—Amounts
8 received by the Secretary as repayments under this
9 subsection shall be deposited in the Local Govern-
10 ment Fiscal Assistance Fund for future payments to
11 units of general local government.

12 “(f) EXPENDITURE WITH DISADVANTAGED BUSI-
13 NESS ENTERPRISES.—

14 “(1) GENERAL RULE.—Of amounts paid to a
15 unit of general local government under this chapter
16 for a payment period, not less than 10 percent of
17 the total combined amounts obligated by the unit for
18 contracts and subcontracts shall be expended with—

19 “(A) small business concerns controlled by
20 socially and economically disadvantaged individ-
21 uals and women; and

22 “(B) historically Black colleges and univer-
23 sities and colleges and universities having a stu-
24 dent body in which more than 20 percent of the

1 students are Hispanic Americans or Native
2 Americans.

3 “(2) EXCEPTION.—Paragraph (1) shall not
4 apply to amounts paid to a unit of general local gov-
5 ernment to the extent the unit determines that the
6 paragraph does not apply through a process that
7 provides for public participation.

8 “(3) DEFINITIONS.—For purposes of this
9 subsection—

10 “(A) the term ‘small business concern’ has
11 the meaning such term has under section 3 of
12 the Small Business Act; and

13 “(B) the term ‘socially and economically
14 disadvantaged individuals’ has the meaning
15 such term has under section 8(d) of the Small
16 Business Act and relevant subcontracting regu-
17 lations promulgated pursuant to that section.

18 “(g) NONSUPPLANTING REQUIREMENT.—

19 “(1) IN GENERAL.—Funds made available
20 under this chapter to units of local government shall
21 not be used to supplant State or local funds, but will
22 be used to increase the amount of funds that would,
23 in the absence of funds under this chapter, be made
24 available from State or local sources.

1 “(2) BASE LEVEL AMOUNT.—The total level of
 2 funding available to a unit of local government for
 3 accounts serving eligible purposes under this chapter
 4 in the fiscal year immediately preceding receipt of a
 5 grant under this chapter shall be designated the
 6 ‘base level account’ for the fiscal year in which grant
 7 is received. Grants under this chapter in a given fis-
 8 cal year shall be reduced on a dollar for dollar basis
 9 to the extent that a unit of local government reduces
 10 its base level account in that fiscal year.

11 **“§ 6702. Local Government Fiscal Assistance Fund**

12 “(a) ADMINISTRATION OF FUND.—The Department
 13 of the Treasury has a Local Government Fiscal Assistance
 14 Fund, which consists of amounts appropriated to the
 15 Fund.

16 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
 17 are authorized to be appropriated to the Fund—

18 ~~“(1) \$ _____ for fiscal~~

19 ~~year 1995;~~

20 (1) ~~“(2)~~ \$ _____ for fiscal
 21 year 1996;

22 (2) ~~“(3)~~ \$ _____ for fiscal
 23 year 1997;

24 (3) ~~“(4)~~ \$ _____ for fiscal
 25 year 1998;

1 (4) ~~(B)~~ \$ _____ for fiscal
2 year 1999; and
3 (5) ~~(B)~~ \$ _____ for fiscal
4 year 2000.

5 Such sums are to remain available until expended.

6 “(c) ADMINISTRATIVE COSTS.—Up to 2.5 percent of
7 the amount authorized to be appropriated under sub-
8 section (b) is authorized to be appropriated for the period
9 fiscal year 1995 through fiscal year 2000 to be available
10 for administrative costs by the Secretary in furtherance
11 of the purposes of the program. Such sums are to remain
12 available until expended.

13 “§ 6703. Qualification for payment

14 “(a) IN GENERAL.—The Secretary shall issue regula-
15 tions establishing procedures under which eligible units of
16 general local government are required to provide notice to
17 the Secretary of the units’ proposed use of assistance
18 under this chapter. Subject to subsection (c), the assist-
19 ance provided shall be used, in amounts determined by the
20 unit, for activities under, or for activities that are substan-
21 tially similar to an activity under, 1 or more of the follow-
22 ing programs and the notice shall identify 1 or more of
23 the following programs for each such use:

1 “(1) The Drug Abuse Resistance Education
2 Program under section 5122 of the Elementary and
3 Secondary Education Act of 1965.

4 “(2) The National Youth Sports Program
5 under section 682 of the Community Services Block
6 Grant Act (Public Law 97-35) as amended by sec-
7 tion 205, Public Law 103-252.

8 “(3) The Gang Resistance Education and
9 Training Program under the Act entitled ‘An Act
10 making appropriations for the Treasury Depart-
11 ment, the United States Postal Service, the Execu-
12 tive Office of the President, and certain Independent
13 Agencies, for the fiscal year ending September 30,
14 1991, and for other purposes’, approved November
15 5, 1990 (Public Law 101-509).

16 “(4) Programs under title II or IV of the Job
17 Training Partnership Act (29 U.S.C. 1601 et seq.).

18 “(5) Programs under subtitle C of title I of the
19 National and Community Service Act of 1990 (42
20 U.S.C. 12571 et seq.) as amended.

21 “(6) Programs under the School to Work Op-
22 portunities Act (Public Law 103-239).

23 “(7) Substance Abuse Treatment and Preven-
24 tion programs authorized under title V or XIX of

1 the Public Health Services Act (43 U.S.C. 201 et
2 seq.).

3 “(8) Programs under the Head Start Act (42
4 U.S.C. 9831 et seq.).

5 “(9) Programs under part A or B of chapter 1
6 of title I of the Elementary and Secondary Edu-
7 cation Act of 1965.

8 “(10) The TRIO programs under part A of title
9 IV of the Higher Education Act of 1965 (20 U.S.C.
10 1070 et seq.).

11 “(11) Programs under the National Literacy
12 Act of 1991.

13 “(12) Programs under the Carl Perkins Voca-
14 tional Educational and Applied Technology Edu-
15 cation Act (20 U.S.C. 2301 et seq.).

16 “(13) The demonstration partnership programs
17 including the community initiative targeted to mi-
18 nority youth under section 203 of the Human Serv-
19 ices Reauthorization of 1994 (Public Law 103-232).

20 “(14) The runaway and homeless youth pro-
21 gram and the transitional living program for home-
22 less youth under title III of the Juvenile Justice and
23 Delinquency Prevention Act (Public Law 102-586).

1 “(15) The family support program under sub-
2 title F of title VII of the Stewart B. McKinney
3 Homeless Assistance Act (42 U.S.C. 1148 et seq.).

4 “(16) After-school activities for school aged
5 children under the Child Care and Development
6 Block Grant Act (42 U.S.C. 9858 et seq.).

7 “(17) The community-based family resource
8 programs under section 401 of the Human Services
9 Reauthorization Act of 1994 (Public Law 103-232).

10 “(18) The family violence programs under the
11 Child Abuse Prevention and Treatment Act Amend-
12 ments of 1984.

13 “(19) Job training programs administered by
14 the Department of Agriculture, the Department of
15 Defense, or the Department of Housing and Urban
16 Development.

17 “(b) NOTICE TO AGENCY.—Upon receipt of notice
18 under subsection (a) from an eligible unit of general local
19 government, the Secretary shall notify the head of the ap-
20 propriate Federal agency for each program listed in sub-
21 section (a) that is identified in the notice as a program
22 under which an activity will be conducted with assistance
23 under this chapter. The notification shall state that the
24 unit has elected to use some or all of its assistance under
25 this chapter for activities under that program. The head

1 of a Federal agency that receives such a notification shall
2 ensure that such use is in compliance with the laws and
3 regulations applicable to that program, except that any re-
4 quirement to provide matching funds shall not apply to
5 that use.

6 “(c) ALTERNATIVE USES OF FUNDS.—

7 “(1) ALTERNATIVE USES AUTHORIZED.—In lieu
8 of, or in addition to, use for an activity described in
9 subsection (a) and notice for that use under sub-
10 section (a), an eligible unit of general local govern-
11 ment may use assistance under this chapter, and
12 shall provide notice of that use to the Secretary
13 under subsection (a), for any other activity that is
14 consistent with 1 or more of the purposes described
15 in section 6701(a)(2).

16 “(2) NOTICE DEEMED TO DESCRIBE CONSIST-
17 ENT USE.—Notice by a unit of general local govern-
18 ment that it intends to use assistance under this
19 chapter for an activity other than an activity de-
20 scribed in subsection (a) is deemed to describe an
21 activity that is consistent with 1 or more of the pur-
22 poses described in section 6701(a)(2) unless the Sec-
23 retary provides to the unit, within 30 days after re-
24 ceipt of that notice of intent from the unit, written

1 notice (including an explanation) that the use is not
2 consistent with those purposes.

3 “(d) GENERAL REQUIREMENTS FOR QUALIFICA-
4 TION.—A unit of general local government qualifies for a
5 payment under this chapter for a payment period only
6 after establishing to the satisfaction of the Secretary
7 that—

8 “(1) the government will establish a trust fund
9 in which the government will deposit all payments
10 received under this chapter;

11 “(2) the government will use amounts in the
12 trust fund (including interest) during a reasonable
13 period;

14 “(3) the government will expend the payments
15 so received, in accordance with the laws and proce-
16 dures that are applicable to the expenditure of reve-
17 nues of the government;

18 “(4) if at least 25 percent of the pay of individ-
19 uals employed by the government in a public em-
20 ployee occupation is paid out of the trust fund, indi-
21 viduals in the occupation any part of whose pay is
22 paid out of the trust fund will receive pay at least
23 equal to the prevailing rate of pay for individuals
24 employed in similar public employee occupations by
25 the government;

1 “(5) if at least 25 percent of the costs of a con-
2 struction project are paid out of the trust fund, la-
3 borers and mechanics employed by contractors or
4 subcontractors on the project will receive pay at
5 least equal to the prevailing rate of pay for similar
6 construction in the locality as determined by the
7 Secretary of Labor under the Act of March 3, 1931
8 (46 Stat. 1494 et seq.; popularly known as the
9 Davis-Bacon Act), and the Secretary of Labor shall
10 act on labor standards under this paragraph in a
11 manner that is in accordance with Reorganization
12 Plan No. 14 of 1950 (64 Stat. 1267) and section 2
13 of the Act of June 13, 1934 (48 Stat. 948);

14 “(6) the government will use accounting, audit,
15 and fiscal procedures that conform to guidelines
16 which shall be prescribed by the Secretary after con-
17 sultation with the Comptroller General of the United
18 States. As applicable, amounts received under this
19 chapter shall be audited in compliance with the Sin-
20 gle Audit Act of 1984;

21 “(7) after reasonable notice to the government,
22 the government will make available to the Secretary
23 and the Comptroller General of the United States,
24 with the right to inspect, records the Secretary rea-
25 sonably requires to review compliance with this

1 chapter or the Comptroller General of the United
2 States reasonably requires to review compliance and
3 operations under section 6718(b);

4 “(8) the government will make reports the Sec-
5 retary reasonably requires, in addition to the annual
6 reports required under section 6719(b); and

7 “(9) the government will spend the funds only
8 for the purposes set forth in section 6701(a)(2).

9 “(e) REVIEW BY GOVERNORS.—A unit of general
10 local government shall give the chief executive officer of
11 the State in which the government is located an oppor-
12 tunity for review and comment before establishing compli-
13 ance with subsection (d).

14 “(f) SANCTIONS FOR NONCOMPLIANCE.—

15 “(1) IN GENERAL.—If the Secretary decides
16 that a unit of general local government has not com-
17 plied substantially with subsection (d) or regulations
18 prescribed under subsection (d), the Secretary shall
19 notify the government. The notice shall state that if
20 the government does not take corrective action by
21 the 60th day after the date the government receives
22 the notice, the Secretary will withhold additional
23 payments to the government for the current pay-
24 ment period and later payment periods until the Sec-
25 retary is satisfied that the government—

1 “(A) has taken the appropriate corrective
2 action; and

3 “(B) will comply with subsection (d) and
4 regulations prescribed under subsection (d).

5 “(2) NOTICE.—Before giving notice under para-
6 graph (1), the Secretary shall give the chief execu-
7 tive officer of the unit of general local government
8 reasonable notice and an opportunity for comment.

9 “(3) PAYMENT CONDITIONS.—The Secretary
10 may make a payment to a unit of general local gov-
11 ernment notified under paragraph (1) only if the
12 Secretary is satisfied that the government—

13 “(A) has taken the appropriate corrective
14 action; and

15 “(B) will comply with subsection (d) and
16 regulations prescribed under subsection (d).

17 **“§ 6704. State area allocations; allocations and pay-**
18 **ments to territorial governments**

19 “(a) FORMULA ALLOCATION BY STATE.—For each
20 payment period, the Secretary shall allocate to each State
21 out of the amount appropriated for the period under the
22 authority of section 6702(b) (minus the amounts allocated
23 to territorial governments under subsection (e) for the
24 payment period) an amount bearing the same ratio to the
25 amount appropriated (minus such amounts allocated

1 under subsection (e)) as the amount allocated to the State
2 under this section bears to the total amount allocated to
3 all States under this section. The Secretary shall—

4 “(1) determine the amount allocated to the
5 State under subsection (b) or (c) of this section and
6 allocate the larger amount to the State; and

7 “(2) allocate the amount allocated to the State
8 to units of general local government in the State
9 under sections 6705 and 6706.

10 “(b) GENERAL FORMULA.—

11 “(1) IN GENERAL.—For the payment period be-
12 ginning October 1, 1994, the amount allocated to a
13 State under this subsection for a payment period is
14 the amount bearing the same ratio to
15 \$5,300,000,000 as—

16 “(A) the population of the State, multi-
17 plied by the general tax effort factor of the
18 State (determined under paragraph (2)), multi-
19 plied by the relative income factor of the State
20 (determined under paragraph (3)), multiplied
21 by the relative rate of the labor force unem-
22 ployed in the State (determined under para-
23 graph (4)); bears to

1 “(B) the sum of the products determined
2 under subparagraph (A) of this paragraph for
3 all States.

4 “(2) GENERAL TAX EFFORT FACTOR.—The
5 general tax effort factor of a State for a payment
6 period is—

7 “(A) the net amount of State and local
8 taxes of the State collected during the year
9 1991 as reported by the Bureau of the Census
10 in the publication Government Finances 1990–
11 1991; divided by

12 “(B) the total income of individuals, as de-
13 termined by the Secretary of Commerce for na-
14 tional accounts purposes for 1992 as reported
15 in the publication Survey of Current Business
16 (August 1993), attributed to the State for the
17 same year.

18 “(3) RELATIVE INCOME FACTOR.—The relative
19 income factor of a State is a fraction in which—

20 “(A) the numerator is the per capita in-
21 come of the United States; and

22 “(B) the denominator is the per capita in-
23 come of the State.

1 “(4) RELATIVE RATE OF LABOR FORCE.—The
2 relative rate of the labor force unemployed in a
3 State is a fraction in which—

4 “(A) the numerator is the percentage of
5 the labor force of the State that is unemployed
6 in the calendar year preceding the payment pe-
7 riod (as determined by the Secretary of Labor
8 for general statistical purposes); and

9 “(B) the denominator is the percentage of
10 the labor force of the United States that is un-
11 employed in the calendar year preceding the
12 payment period (as determined by the Secretary
13 of Labor for general statistical purposes).

14 “(c) ALTERNATIVE FORMULA.—For the payment pe-
15 riod beginning October 1, 1994, the amount allocated to
16 a State under this subsection for a payment period is the
17 total amount the State would receive if—

18 “(1) \$1,166,666,667 were allocated among the
19 States on the basis of population by allocating to
20 each State an amount bearing the same ratio to the
21 total amount to be allocated under this paragraph as
22 the population of the State bears to the population
23 of all States;

24 “(2) \$1,166,666,667 were allocated among the
25 States on the basis of population inversely weighted

1 for per capita income, by allocating to each State an
2 amount bearing the same ratio to the total amount
3 to be allocated under this paragraph as—

4 “(A) the population of the State, multi-
5 plied by a fraction in which—

6 “(i) the numerator is the per capita
7 income of all States; and

8 “(ii) the denominator is the per capita
9 income of the State; bears to

10 “(B) the sum of the products determined
11 under subparagraph (A) for all States;

12 “(3) \$600,000,000 were allocated among the
13 States on the basis of income tax collections by allo-
14 cating to each State an amount bearing the same
15 ratio to the total amount to be allocated under this
16 paragraph as the income tax amount of the State
17 (determined under subsection (d)(1)) bears to the
18 sum of the income tax amounts of all States;

19 “(4) \$600,000,000 were allocated among the
20 States on the basis of general tax effort by allocat-
21 ing to each State an amount bearing the same ratio
22 to the total amount to be allocated under this para-
23 graph as the general tax effort amount of the State
24 (determined under subsection (d)(2)) bears to the
25 sum of the general tax effort amounts of all States;

1 “(5) \$600,000,000 were allocated among the
2 States on the basis of unemployment by allocating to
3 each State an amount bearing the same ratio to the
4 total amount to be allocated under this paragraph
5 as—

6 “(A) the labor force of the State, multi-
7 plied by a fraction in which—

8 “(i) the numerator is the percentage
9 of the labor force of the State that is un-
10 employed in the calendar year preceding
11 the payment period (as determined by the
12 Secretary of Labor for general statistical
13 purposes); and

14 “(ii) the denominator is the percent-
15 age of the labor force of the United States
16 that is unemployed in the calendar year
17 preceding the payment period (as deter-
18 mined by the Secretary of Labor for gen-
19 eral statistical purposes).

20 bears to

21 “(B) the sum of the products determined
22 under subparagraph (A) for all States; and

23 “(6) \$1,166,666,667 were allocated among the
24 States on the basis of urbanized population by allo-
25 cating to each State an amount bearing the same

1 ratio to the total amount to be allocated under this
2 paragraph as the urbanized population of the State
3 bears to the urbanized population of all States. In
4 this paragraph, the term 'urbanized population'
5 means the population of an area consisting of a
6 central city or cities of at least 50,000 inhabitants
7 and the surrounding closely settled area for the city
8 or cities considered as an urbanized area as pub-
9 lished by the Bureau of the Census for 1990 in the
10 publication General Population Characteristics for
11 Urbanized Areas.

12 "(d) INCOME TAX AMOUNT AND TAX EFFORT
13 AMOUNT.—

14 "(1) INCOME TAX AMOUNT.—The income tax
15 amount of a State for a payment period is 15 per-
16 cent of the net amount collected during the calendar
17 year ending before the beginning of the payment pe-
18 riod from the tax imposed on the income of individ-
19 uals by the State and described as a State income
20 tax under section 164(a)(3) of the Internal Revenue
21 Code of 1986 (26 U.S.C. 164(a)(3)). The income tax
22 amount for a payment period shall be at least 1 per-
23 cent but not more than 6 percent of the United
24 States Government individual income tax liability at-
25 tributed to the State for the taxable year ending

1 during the last calendar year ending before the be-
2 ginning of the payment period. The Secretary shall
3 determine the Government income tax liability at-
4 tributed to the State by using the data published by
5 the Secretary for 1991 in the publication Statistics
6 of Income Bulletin (Winter 1993-1994).

7 “(2) GENERAL TAX EFFORT AMOUNT.—The
8 general tax effort amount of a State for a payment
9 period is the amount determined by multiplying—

10 “(A) the net amount of State and local
11 taxes of the State collected during the year
12 1991 as reported in the Bureau of Census in
13 the publication Government Finances 1990-
14 1991; and

15 “(B) the general tax effort factor of the
16 State determined under subsection (b)(2).

17 “(e) ALLOCATION FOR PUERTO RICO, GUAM, AMER-
18 ICAN SAMOA, AND THE VIRGIN ISLANDS.—

19 “(1) IN GENERAL.—(A) For each payment pe-
20 riod for which funds are available for allocation
21 under this chapter, the Secretary shall allocate to
22 each territorial government an amount equal to the
23 product of 1 percent of the amount of funds avail-
24 able for allocation multiplied by the applicable terri-
25 torial percentage.

1 “(B) For the purposes of this paragraph, the
2 applicable territorial percentage of a territory is
3 equal to the quotient resulting from the division of
4 the territorial population of such territory by the
5 sum of the territorial population for all territories.

6 “(2) PAYMENTS TO LOCAL GOVERNMENTS.—
7 The governments of the territories shall make pay-
8 ments to local governments within their jurisdiction
9 from sums received under this subsection as they
10 consider appropriate.

11 “(3) DEFINITIONS.—For purposes of this
12 subsection—

13 “(A) the term ‘territorial government’
14 means the government of a territory;

15 “(B) the term ‘territory’ means Puerto
16 Rico, Guam, American Samoa, and the Virgin
17 Islands; and

18 “(C) the term ‘territorial population’
19 means the most recent population for each ter-
20 ritory as determined by the Bureau of Census.

21 **“§ 6705. Local government allocations**

22 “(a) INDIAN TRIBES AND ALASKAN NATIVES VIL-
23 LAGES.—If there is in a State an Indian tribe or Alaskan
24 native village having a recognized governing body carrying
25 out substantial governmental duties and powers, the Sec-

1 retary shall allocate to the tribe or village, out of the
2 amount allocated to the State under section 6704, an
3 amount bearing the same ratio to the amount allocated
4 to the State as the population of the tribe or village bears
5 to the population of the State. The Secretary shall allocate
6 amounts under this subsection to Indian tribes and Alas-
7 kan native villages in a State before allocating amounts
8 to units of general local government in the State under
9 subsection (c). For the payment period beginning October
10 1, 1994, the Secretary shall use as the population of each
11 Indian tribe or Alaskan native village the population for
12 1991 as reported by the Bureau of Indian Affairs in the
13 publication Indian Service Population and Labor Force
14 Estimates (January 1991). In addition to uses authorized
15 under section 6701(a)(2), amounts allocated under this
16 subsection and paid to an Indian tribe or Alaskan native
17 village under this chapter may be used for renovating or
18 building prisons or other correctional facilities.

19 “(b) NEWLY INCORPORATED LOCAL GOVERNMENTS
20 AND ANNEXED GOVERNMENTS.—If there is in a State a
21 unit of general local government that has been incor-
22 porated since the date of the collection of the data used
23 by the Secretary in making allocations pursuant to sec-
24 tions 6704 through 6706 and 6708, the Secretary shall
25 allocate to this newly incorporated local government, out

1 of the amount allocated to the State under section 6704,
2 an amount bearing the same ratio to the amount allocated
3 to the State as the population of the newly incorporated
4 local government bears to the population of the State. If
5 there is in the State a unit of general local government
6 that has been annexed since the date of the collection of
7 the data used by the Secretary in making allocations pur-
8 suant to sections 6704 through 6706 and 6708, the Sec-
9 retary shall pay the amount that would have been allo-
10 cated to this local government to the unit of general local
11 government that annexed it.

12 “(c) OTHER LOCAL GOVERNMENT ALLOCATIONS.—

13 “(1) IN GENERAL.—The Secretary shall allo-
14 cate among the units of general local government in
15 a State (other than units receiving allocations under
16 subsection (a)) the amount allocated to the State
17 under section 6704 (as that amount is reduced by
18 allocations under subsection (a)). Of the amount to
19 be allocated, the Secretary shall allocate a portion
20 equal to $\frac{1}{2}$ of such amount in accordance with sec-
21 tion 6706(1), and shall allocate a portion equal to $\frac{1}{2}$
22 of such amount in accordance with section 6706(2).
23 A unit of general local government shall receive an
24 amount equal to the sum of amounts allocated to the
25 unit from each portion.

1 “(2) RATIO.—From each portion to be allocated
2 to units of local government in a State under para-
3 graph (1), the Secretary shall allocate to a unit an
4 amount bearing the same ratio to the funds to be al-
5 located as—

6 “(A) the population of the unit, multiplied
7 by the general tax effort factor of the unit (de-
8 termined under paragraph (3)), multiplied by
9 the income gap of the unit (determined under
10 paragraph (4)), bears to

11 “(B) the sum of the products determined
12 under subparagraph (A) for all units in the
13 State for which the income gap for that portion
14 under paragraph (4) is greater than zero.

15 “(3) GENERAL TAX EFFORT FACTOR.—(A) Ex-
16 cept as provided in subparagraph (C), the general
17 tax effort factor of a unit of general local govern-
18 ment for a payment period is—

19 “(i) the adjusted taxes of the unit; divided
20 by

21 “(ii) the total income attributed to the
22 unit.

23 “(B) If the amount determined under subpara-
24 graphs (A) (i) and (ii) for a unit of general local

1 government is less than zero, the general tax effort
2 factor of the unit is deemed to be zero.

3 “(C)(i) Except as otherwise provided in this
4 subparagraph, for the payment period beginning Oc-
5 tober 1, 1994, the adjusted taxes of a unit of gen-
6 eral local government are the taxes imposed by the
7 unit for public purposes (except employee and em-
8 ployer assessments and contributions to finance re-
9 tirement and social insurance systems and other spe-
10 cial assessments for capital outlay), as determined
11 by the Bureau of the Census for the 1987 Census
12 of Governments and adjusted as follows:

13 “(I) Adjusted taxes equals total taxes
14 times a fraction in which the numerator is the
15 sum of unrestricted revenues and revenues dedi-
16 cated for spending on education minus total
17 education spending and the denominator is
18 total unrestricted revenues.

19 “(II) Total taxes is the sum of property
20 tax; general sales tax; alcoholic beverage tax;
21 amusement tax; insurance premium tax; motor
22 fuels tax; parimutuels tax; public utilities tax;
23 tobacco tax; other selective sales tax; alcoholic
24 beverage licenses, amusement licenses; corpora-
25 tion licenses, hunting and fishing licenses;

1 motor vehicle licenses; motor vehicle operator li-
2 censes; public utility licenses; occupation and
3 business licenses, not elsewhere classified; other
4 licenses, individual income tax; corporation net
5 income tax; death and gift tax; documentary
6 and stock transfer tax; severance tax; and taxes
7 not elsewhere classified.

8 “(III) Unrestricted revenues is the sum of
9 total taxes and intergovernmental revenue from
10 Federal Government, general revenue sharing;
11 intergovernmental revenue from Federal Gov-
12 ernment, other general support; intergovern-
13 mental revenue from Federal Government,
14 other; intergovernmental revenue from State
15 government, other general support; intergovern-
16 mental revenue from State government, other;
17 intergovernmental revenue from local govern-
18 ments, other general support; intergovernmental
19 revenue from local governments, other; mis-
20 cellaneous general revenue, property sale-hous-
21 ing and community development; miscellaneous
22 general revenue, property sale-other property;
23 miscellaneous general revenue, interest earnings
24 on investments; miscellaneous general revenue,
25 fines and forfeits; miscellaneous general reve-

1 nue, rents; miscellaneous general revenues, roy-
2 alties; miscellaneous general revenue, donations
3 from private sources; miscellaneous general rev-
4 enue, net lottery revenue (after prizes and ad-
5 ministrative expenses); miscellaneous general
6 revenue, other miscellaneous general revenue;
7 and all other general charges, not elsewhere
8 classified.

9 “(IV) Revenues dedicated for spending on
10 education is the sum of elementary and second-
11 ary education, school lunch; elementary and sec-
12 ondary education, tuition; elementary and sec-
13 ondary education, other; higher education, aux-
14 iliary enterprises; higher education, other; other
15 education, not elsewhere classified; intergovern-
16 mental revenue from Federal Government, edu-
17 cation; intergovernmental revenue from State
18 government, education; intergovernmental reve-
19 nue from local governments, interschool system
20 revenue; intergovernmental revenue from local
21 governments, education; interest earnings, high-
22 er education; interest earnings, elementary and
23 secondary education; miscellaneous revenues,
24 higher education; and miscellaneous revenues,
25 elementary and secondary education.

1 “(V) Total education spending is the sum
2 of elementary and secondary education, current
3 operations; elementary and secondary edu-
4 cation, construction; elementary and secondary
5 education, other capital outlays; elementary and
6 secondary education, to State governments; ele-
7 mentary and secondary education, to local gov-
8 ernments, not elsewhere classified; elementary
9 and secondary education, to counties; elemen-
10 tary and secondary education, to municipalities;
11 elementary and secondary education, to town-
12 ships; elementary and secondary education, to
13 school districts; elementary and secondary edu-
14 cation, to special districts; higher education-
15 auxiliary enterprises, current operations; higher
16 education-auxiliary enterprises, construction;
17 higher education, auxiliary enterprises, other
18 capital outlays; other higher education, current
19 operations; other higher education, construc-
20 tion; other higher education, other capital out-
21 lays; other higher education, to State govern-
22 ment; other higher education, to local govern-
23 ments, not elsewhere classified; other higher
24 education, to counties; other higher education,
25 to municipalities; other higher education, to

1 townships; other higher education, to school dis-
2 tricts; other higher education, to special dis-
3 tricts; education assistance and subsidies; edu-
4 cation, not elsewhere classified, current oper-
5 ations; education, not elsewhere classified, con-
6 struction education, not elsewhere classified,
7 other capital outlays; education, not elsewhere
8 classified, to State government; education, not
9 elsewhere classified, to local governments, not
10 elsewhere classified; education, not elsewhere
11 classified, to counties; education, not elsewhere
12 classified, to municipalities; education, not else-
13 where classified, to townships; education, not
14 elsewhere classified, to school districts; edu-
15 cation, not elsewhere classified, to special dis-
16 tricts; and education, not elsewhere classified,
17 to Federal Government.

18 “(VI) If the amount of adjusted taxes is
19 less than zero, the amount of adjusted tax shall
20 be deemed to be zero.

21 “(VII) If the amount of adjusted taxes ex-
22 ceeds the amount of total taxes, the amount of
23 adjusted taxes is deemed to equal the amount
24 of total taxes.

1 “(ii) The Secretary shall, for purposes of clause
2 (i), include that part of sales taxes transferred to a
3 unit of general local government that are imposed by
4 a county government in the geographic area of which
5 is located the unit of general local government as
6 taxes imposed by the unit for public purposes if—

7 “(I) the county government transfers any
8 part of the revenue from the taxes to the unit
9 of general local government without specifying
10 the purpose for which the unit of general local
11 government may expend the revenue; and

12 “(II) the chief executive officer of the
13 State notifies the Secretary that the taxes sat-
14 isfy the requirements of this clause.

15 “(iii) The adjusted taxes of a unit of general
16 local government shall not exceed the maximum al-
17 lowable adjusted taxes for that unit.

18 “(iv) The maximum allowable adjusted taxes
19 for a unit of general local government is the allow-
20 able adjusted taxes of the unit minus the excess ad-
21 justed taxes of the unit.

22 “(v) The allowable adjusted taxes of a unit of
23 general government is the greater of—

24 “(I) the amount equal to 2.5, multiplied by
25 the per capita adjusted taxes of all units of gen-

1 eral local government of the same type in the
2 State, multiplied by the population of the unit;
3 or

4 “(II) the amount equal to the population
5 of the unit, multiplied by the sum of the ad-
6 justed taxes of all units of municipal local gov-
7 ernment in the State, divided by the sum of the
8 populations of all the units of municipal local
9 government in the State.

10 “(vi) The excess adjusted taxes of a unit of
11 general local government is the amount equal to—

12 “(I) the adjusted taxes of the unit, minus

13 “(II) 1.5 multiplied by the allowable ad-
14 justed taxes of the unit;

15 except that if this amount is less than zero then the
16 excess adjusted taxes of the unit is deemed to be
17 zero.

18 “(vii) For purposes of this subparagraph—

19 “(I) the term ‘per capita adjusted taxes of
20 all units of general local government of the
21 same type’ means the sum of the adjusted taxes
22 of all units of general local government of the
23 same type divided by the sum of the popu-
24 lations of all units of general local government
25 of the same type; and