

CRIME BILL PREVENTION MEETING
MAY 11, 1994

✓ I. Ounce of Prevention Council

- A. Edelman Memo (HHS)
- B. Waiver Language (DOJ)
- C. National Service
- D. Other Issues

Waiver authority - go for these
in crime bill - youth develop.
- youth - fall back, etc., not program
- health
\$75m

✓ II. President's YES Program

- A. Funding Level : \$1B
- B. Poverty Targeting (DOL) - flexibility
- C. Inclusion of DOL's Bonding Program (DOL) - priority
- D. Public Housing Language (HUD) - joint council b/w DOL, HUD - admin. - EO signing w/bill
- E. Other Issues : eye agent w/DOE

Consult w/STP, Comm. Ent. Board
Single appl. form (waiver) - P&W
Give \$

✓ III. Model Intensive Grants

- A. Jobs and Job Training (DOL)
- B. Public Housing Language (HUD)

✓ IV. Violence Against Women

- A. House Version (HHS/DOE)
- B. Senate Version

✓ V. Safe Schools

- A. Include Senate Provision (DOE/WH)
- B. Other Issues

Galston

✓ VI. Boot Camps, etc. - show language later

- A. Job Corps Language (DOL)
- B. Correctional Education Study (DOE)
- C. Substance Abuse Treatment (ONDCP/HHS)

VII. Other Prevention Programs

- A. Hope In Youth (HUD/HHS)
- B. Boys and Girls Clubs (HUD)
- C. Olympic Youth Centers (HUD)
- D. Summer Camps (HUD) - fed in elsewhere
- E. Urban Recreation/Miller Amendment (HHS)
- F. Substance Abuse Treatment/Prevention (HHS/ONDCP)
- ✓ G. National Community Economic Partnerships (HHS/HUD) - OMB will examine
- ✓ H. Local Partnerships - over 5 yrs - target spending to low-income areas -
- I. Other Issues

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26-Apr-1994 01:52pm

TO: Bruce N. Reed
FROM: Jose Cerda, III
Domestic Policy Council
SUBJECT: Prevent Defense

TO: Bruce
FR: Jose'
RE: Prevention Agenda

I spoke with Jeff Robinson. Here are a mix of his thoughts and mine about what we need to accomplish today with the hug-a-thug crowd:

1. White House lead. Above all us, be assured that this is a White House priority that we intend to take the lead on coordinating. A lot of independent activity by the agencies was allowed during both Senate and House consideration, in part because so much was in play and so many amendments were considered. But it's decision time now, and the prevention monies are as important to the President as any other part of the bill. We expect everyone to work with us -- and not run to their patrons on the Hill. If we don't speak as one voice, the Hill will not heed our advice and do what it wants.
2. Real \$ at stake. Their is a strong commitment from the Dems on the Hill -- and from us -- to retain substantial sums of money in the bill for prevention. Ultimately, as much as a third of the bill may go to prevention (broadly defined of course). This makes coordination all the more important.
3. Political Realities. In our coordinated effort, we are of course limited by the political realities of the conference. For instance, as much as we don't like the Conyers and Schumer prevention funds, we're probably stuck with them. The question then becomes: how can we change them to suit our purposes, or at what level should they funded." We are more likely to impact the substance of the prevention programs by recommending "positive changes or improvements" to the conferees.

4. Now, what to do... (Bruce I don't know if you want to go program-by-program at this point, or if you prefer to give your ideas and then go agency-by-agency. If we go program-by-program, we can use OMB's side-by-side from today's meeting. Let me know, and I'll come up with a handout if you want.)

Title I

The Attorney General's Community Justice Grant Program. [New]

Discretionary Grant program. \$1 billion over 4 years, administered through the Attorney General. Grants of \$200 million each, directly to 5 cities (i.e., not through states) over 4 years.

Model Programs Developed and Proposed by Cities. Cities will develop and propose comprehensive model crime prevention programs. Programs are to be targeted at high crime, high poverty parts of cities. (Working out criteria for how those parts are to be defined -- some combination of population, crime rate, geographic area, etc.)

In general, model programs must:

(1) involve and utilize broad spectrum of community resources, including nonprofit community organizations, law enforcement organizations, and appropriate state and federal agencies.

(2) be aimed at: (a) relieving endemic conditions that encourage crime and (b) providing meaningful and lasting alternatives to involvement in crime.

Attorney General's Authority. The Attorney General will be given broad authority to approve grants. May consult with other federal agency chiefs -- e.g., HUD, HHS, and Education -- and ask for input, but sole discretion resides in Attorney General to award grants.

Statutory Minimums. In addition to general conditions described above, key factors for selecting cities to be awarded grants will be:

(1) degree of innovation within a given proposed plan, and

(2) opportunity to compare different approaches in different cities (i.e., AG should select different models so that comparisons can be made about what worked and didn't work and where).

At conclusion of third year, Attorney General will provide report on effects of programs, and recommendations in which models, or parts therefor, should be implemented nationally.

Title II

Model Federal Prison Job Training [New]

\$300,000,000 discretionary grants to provide substance abuse treatment services to individuals who are not incarcerated but are under criminal justice supervision because of their status (pretrial release, post-trial release, parole, etc.)

Grants to government units and non-profit organizations that administer or provide direct services to pre-trial services, probation departments, or other court-affiliated offender supervision programs.

Title VII
Police Partnerships for Children.
[Glickman Bill - H.R. 3899]

\$10 million first year.

Grants to states through Attorney General (consulting with Secretaries of HHS and Education) to provide police partnership programs for children exposed to or involved in violence. Programs help law enforcement agencies develop competence to deal with children in violent crises, 24-hour counseling services for such children, and programs for non-violent conflict resolution.

Crime Bill Funding Authorizations House-Senate Side-By-Side

(\$ IN MILLIONS)

House Crime Bill [H.R. 4092]				Senate Crime Bill [H.R. 3355]			Provision
Provision	FY 1995	FY 1996	FY 94-99 Total	FY 1995	FY 1996	FY 94-99 Total	Provision
PREVENTION:							
Title X - Crime Prevention & Community Justice Act [H.R. 4033]							
Model Intensive Prevention	300	300	1,500	--	--	--	
Ounce of Prevention							
Prevention Grants	25	25	125	--	--	75	
Schools Grants	230	230	1,150	100	100	600	
Midnight Sports League							
Grants	10	10	50	25	25	150	
Study	--	--	--	--	--	--	
Drug Courts	280	280	1,400	100	100	300	
Assistance for Delinquent & At-Risk Youth	10	10	50	--	--	--	
Local Partnership Act [H.R. 581]	2,000	--	2,000	--	--	40	
Youth Employment & Skills "YES"	75	100	525	--	--	--	
Police Partnerships With Children	20	--	20	--	--	20	
Triads for Seniors	7	--	7	7	--	7	
Title XVI - Violence Against Women Act [H.R. 1133]							
Safe Streets	200	--	400	200	200	600	
Rape Prevention	75	100	235	65	65	195	
Training	1	--	2	--	--	--	
Safe Campuses	--	--	0	--	--	20	
Safe Homes	25	25	75	25	25	125	
Misc. Provisions	1	1	4	0.5	0.5	2	
Domestic Violence Grants	--	--	20	100	100	300	
Equal Justice For Women	--	--	1	--	--	1	
Fir Amt Title X Amendments (Martinez)							
Family Outreach	20	--	20	--	--	--	
Gang Prevention Services	20	--	20	--	--	--	
Anticrime Youth Councils	5	--	5	--	--	--	
Fir Amt Boys & Girls Clubs in Public Housing (Rostenkowski)							
Boys & Girls Clubs in Public Housing	12	12	36	--	--	--	
Title XXII - Juvenile Drug Trafficking & Gang Prevention [H.R. 3353]							
Juvenile Drug Trafficking & Gang Prevention	100	--	200	--	--	100	
Title XX - Federal Prison Drug Treatment [H.R. 3350]							
Federal Prison Drug Treatment	--	--	--	--	--	--	
Title XXI - Alternatives To Incarceration [H.R. 3351]							
Alternatives To Incarceration	200	200	600	200	200	600	
Title XXIII - State Prison Drug Treatment [H.R. 3354]							
State Prison Drug Treatment	100	100	300	100	100	300	
	--	--	--	--	--	20	TB Prevention & Treatment in Prison
	--	--	--	25	25	50	Youth Development Centers
	--	--	--	1	1	3	Protection For The Elderly
	--	--	--	110	110	320	Safe Schools
	--	--	--	10	10	30	Sexual Exploitation Prevention Grants
	--	--	--	100	125	310	Family Violence Prevention Grants
	--	--	--	20	25	60	Child Safety Demonstration Grants
	--	--	--	15	20	60	Community Partnerships Drug Prevention
	--	--	--	--	--	10	Senior Citizen Marketing Scams Prevention
	--	--	--	20	--	20	Community Programs On Domestic Violence
Total Prevention	3,718	1,393	8,745	1,224	1,232	4,218	

- ① YES ^{Lebanon/USD}
- ② HHS cluster (Office of Prevention)
- Council → design elements - indt vs.
- ② SCHUMER
- ③ CONYERS

① Agreement on FIB for YES

PRINCIPLES/IDEAS FOR PRESIDENT TO EMPHASIZE ON VIOLENCE

I. Message

- o Stop the killing
- o Both . . . and: law enforcement and prevention. Law enforcement can't do the job by itself. Law enforcement officers are the first to say so.
- o Violence is pervasive, not just on the street. It's in families, it's against women, it's hate violence, it's sexual assault.
- o There is a continuity of violence.[!] What children see at home or experience themselves reflects itself all too often in their later behavior.
- o Drugs and alcohol are closely interwoven with violence. Massively associated with domestic violence, child abuse, auto accidents. Killings on streets over drug turf. All of this sends message to children that violence is the best way to settle an argument. Immensely costly to the health care system.
- o Responsibility -- everyone has a responsibility: public and private across the board, but also must instill a sense of responsibility in citizens themselves, especially young people.
- o Must give people hope, have to have a reason for hope. Can't build enough prisons to lock up all the perpetrators unless we create real reasons for hope.
- o Must say and teach, over and over, violence is not the way to settle disputes. Stop the killing.
- o This is a genuine national crisis. Everyone has to get involved.

II. Policies

- o Enforce the law. Lock up the bad people. (Pass the crime bill.)
- o Community policing to make the streets safe. (Pass the crime bill.)
- o Build antiviolence coalitions everywhere to strengthen neighborhoods and communities. Support people in neighborhoods coming together, working with elected officials, business leaders, clergy, schools, police, etc. to take back the streets. Mothers Against Drunk Driving as model. Federal interagency response to help

build coalitions. (Examine all federal programs that support community partnerships for prevention, e.g., in the drug area, to consolidate and coordinate for effectiveness.)

o Massive public education. Don't use violence to settle disputes. Guns are dangerous. Real men don't beat up women. Preventive health by controlling our own behavior is the real cost containment for health reform: less violence, less drinking, less drug abuse will save billions in health care costs. (Fund Centers for Disease Control to come up with effective messages.)

o Take guns away from bad people, educate everyone about how dangerous it is to have a gun, and make guns a little less dangerous. Assault weapon ban. Juvenile possession ban. Regulate extra-destructive ammunition. Enforce concealed weapon bans and take away guns from people in the street. Tighten regulation of dealers. Ban laser sights. Stop advertising campaigns directly at women and young people.

o Urge media to be responsible. Cable and films as well as networks. PSAs and proactive messages in shows as well as reduction of gratuitous violence.

o Schools. Teach nonviolence. Mediation and conciliation.

o Keep kids constructively engaged -- after school and summer. Build ties to labor market. (Enact pending school-to-work legislation.)

o Lots of mentoring and adult role models.

o Strengthen families and parenting skills. (Implement recently enacted Family Preservation legislation.)

o Opportunity.

o Hope for the future.



JAN 11 1994

TO: George Stephanopoulos, Senior Advisor to the President
Bruce Reed, Deputy Domestic Policy Advisor

THROUGH: Kevin Thurm, Chief of Staff *Justin Hargis for*

FROM: Peter Edelman, Counselor to the Secretary *PBE*

SUBJECT: Provisions in the Violent Crime Control and Law
Enforcement Act of Particular Interest to HHS

The Department of Health and Human Services has concerns about both specific provisions of the Violent Crime Control and Law Enforcement Act as passed by the Senate and the allocation of the limited amount of funding available for crime bill programs in fiscal year 1995. There are a number of specific items in the Senate bill that we hope the Administration will support in conference. On the other hand, there are several provisions, in the areas of substance abuse treatment and prevention, gang prevention and child abuse, that duplicate existing programs and provide for insufficient coordination between DHHS and DOJ. We believe these issues must also be addressed in conference.

In addition, since we understand that \$2.4 billion will be set aside for crime bill programs in fiscal year 1995, we believe that at least \$100 million should be made available for prevention activities. We have taken this opportunity to highlight several programs that are particularly important pieces of a violence prevention agenda. If we are going to address the issue of dramatically increasing violence in our homes and on our streets, we must provide substantial funding for comprehensive community-based prevention programs targeted at children and their families and for local economic development and job creation.

We understand that the House may only agree to conference on those provisions that have passed both the House and Senate. If this is the case, action will need to be taken in the House early this session in order to ensure that the prevention provisions remain in the bill Congress passes. We also understand that the Congressional Black Caucus (CBC) has requested a meeting with members of the Administration to discuss the crime bill. The prevention initiatives and economic development provisions are of great interest to the CBC and are an important part of the balanced attack on crime the bill sets forth. It is also important to note that there is bipartisan support for the

prevention provisions in the Senate, so strong support from the Administration for these initiatives would please members across the political spectrum.

I. ISSUES TO BE ADDRESSED IN CONFERENCE

(A) Keeping "Prevention" Pieces in the bill

There are a number of provisions in the bill that focus on prevention and are important to retain in conference. Several of these provisions, we strongly believe, should be funded in fiscal year 1995. They will be discussed again in the funding section below.

The Violence Against Women Act contains a number of provisions that focus on prevention. These provisions are an important piece of our efforts to ensure that women and children are safe in their homes and in their communities. We believe the following programs should be included in the final bill and should remain housed at DHHS, as provided in the Senate bill:

*** Education and Prevention Grants to Reduce Sexual Assaults** -- This program authorizes funding for rape prevention and education programs conducted by rape crisis centers or similar nonprofit entities. Twenty-six percent of the funds must be used for programs targeted for junior high and high school students.

*** Education and Prevention Grants to Reduce Sexual Abuse of Female Runaway, Homeless and Street Youth** -- This provision authorizes the Secretary of HHS to make grants to non-profits for treatment, counseling and information and referral for female runaway, homeless, and street youth who have been subjected to or are at risk of being subjected to sexual abuse.

*** Domestic Violence and Family Support Grant Program** -- This provision authorizes grants to support programs to prevent and stop domestic violence, including training of law enforcement officers, victims services programs, education and prevention programs, and shelters.

*** Additional Funds for the Family Violence Prevention and Services Act** -- This provision provides additional funds for programs to prevent violence within families and assist families at risk of experiencing violence.

*** Educating Youth About Domestic Violence** -- This program funds the development and implementation of four model programs for educating young people about domestic violence and violence among intimate partners. Responsibility for carrying out this section is delegated to the Secretary of Education.

In addition to the programs in the Violence Against Women Act, there are a number of other prevention programs that we consider very important:

* **The Ounce of Prevention Fund** -- This provision establishes The Ounce of Prevention Fund to be chaired by the Attorney General and the Secretaries of HHS and Education and to include the Secretaries of Agriculture, Housing and Urban Development, and Labor and the Director of the Office of National Drug Control Policy. The Fund would provide grants for a range of prevention activities, including youth enrichment and recreation programs, mentoring and tutoring programs, and substance abuse treatment and prevention programs.

* **National Community Economic Partnership** -- This provision is an important part of a prevention strategy because it provides funds to communities to establish businesses and create jobs. The inclusion of a job creation initiative in the crime bill is of particular interest to the Congressional Black Caucus. This provision authorizes the Secretary of HHS to provide nonrefundable lines of credit to community development corporations to establish revolving loan funds that will increase business and employment opportunities in distressed communities.

* **Community Schools Youth Services and Supervision Grant Program** -- This program would also be run under the auspices of the Ounce of Prevention Council. Under this program, the Council will provide grants to community-based organizations in each state to develop school-based after-school, weekend, and summer recreation and education programs for children in disadvantaged communities. Both this provision and the Olympic Youth Development Centers have strong bipartisan support.

* **Olympic Youth Development Centers** -- This program would also operate under the auspices of the Ounce of Prevention Council. The Council will make a grant to the United States Olympic Committee to establish youth development centers for use after school, on weekends and holidays, and in the summer.

* **Youth Violence Prevention Block Grants** -- This provision provides funds to states to establish and coordinate programs to prevent youth violence and make grants to public and private agencies to develop education, training, prevention, treatment and rehab programs in the area of youth violence. As currently drafted, the program will be administered by the Office of Juvenile Justice and Delinquency Prevention. While we strongly endorse the idea of providing additional funds to prevent youth violence, this initiative would largely duplicate work already being done at DHHS in the Drug Education and Prevention for Runaway and Homeless Youth program and the Youth Gang Drug Prevention program. We believe funding in this area should go to DHHS to continue its work in this area or, at the very least, language should be added requiring collaboration with DHHS in this area and coordination with existing DHHS programs.

(B) Problems with Substance Abuse Treatment and Prevention Provisions in the bill

Although H.R. 3355 now includes a single paragraph instructing the Attorney General to consult with the Secretary of Health and Human Services on the bill's substance abuse treatment and prevention components, the requirement does not track individual authorization language nor does it ensure that each DOJ program will collaborate with existing programs in DHHS. Given the degree of overlap between the programs created in the bill and existing programs at DHHS and the limited funds available for substance abuse treatment and prevention, these programs must be carefully coordinated to avoid duplication and ensure the most efficient use of resources.

We are particularly concerned about the duplicative nature of two programs, Juvenile Drug Trafficking and Gang Prevention Grants and the Department of Justice Community Substance Abuse Prevention. The Juvenile Drug Trafficking and Gang Prevention grant programs overlaps with DHHS programs that fund both gang prevention activities and substance abuse treatment for juveniles. The Substance Abuse and Mental Health Services Administration's (SAMHSA) High Risk Youth Project has already initiated programs in this area including grants specific to the juvenile justice system and treatment networks. The portions of this provision that deal with substance abuse prevention and treatment should be authorized to DHHS to avoid the establishment of duplicative programs.

If these programs remain in DOJ, language must be included requiring collaboration between DHHS and DOJ in these areas and coordination between any programs funded under this section and existing DHHS-funded programs.

The Department of Justice Community Substance Abuse Prevention program replicates the existing Community Partnership program in DHHS. This provision should be deleted from the bill and the authorization allocated to SAMHSA's Community Partnership program to enable it to fund more community partnership programs consistent with the goals of this legislation.

The bill also creates a number of new programs that have substance abuse treatment components, Drug Court Programs, Certainty of Punishment for Young Offenders, Boot Camps and Prisons for Violent Drug Offenders, Residential Substance Abuse Treatment for Prisoners, and Drug Treatment in Federal Prisons. In each instance, the authorizing language should require that these programs provide substance abuse treatment with comprehensive aftercare services and that they coordinate with existing SAMHSA programs on initiatives involving diversionary treatment programs for offenders and the provision of substance abuse treatment in various criminal justice environments. In addition, language should be included in each provision mandating collaboration between DOJ and DHHS on any substance abuse

treatment initiatives and coordination of any programs funded under this sections with existing DHHS-funded programs.

We also believe that the **National Commission to Study the Causes of the Demand for Drugs in the United States** is unnecessary. DHHS already has the expertise and knowledge base to conduct this study. If, however, a commission is to be established its mission should be expanded to cover abuse of alcohol and other licit drugs that have a significant bearing on criminal behavior, the reduction of demand for substances by use of effective treatment methodologies, and effective approaches to treating alcohol and other drug abuse and addiction.

Finally, the bill focuses primarily on drug, rather than substance abuse, treatment and prevention, thereby excluding alcohol from the prevention and treatment-related programs authorized. Authorizing language should be reviewed to ensure that the bill language is consistent throughout and that all programs focus on "substance use and abuse".

(C) Other Provisions of Concern to HHS

There are a range of other provisions in the bill that affect DHHS. We strongly support the **National Domestic Violence Hotline Grant** which would be established through a grant awarded by the Secretary of HHS.

We also support three studies authorized by the bill: (1) a **Study of the Number and Cost of Injuries Resulting from Domestic Violence** that would be conducted by CDC and include recommendations for strategies for reducing the incidence and cost of such injuries; (2) a **Study of Mental Health Treatment within the Juvenile Justice System** that would be conducted by the Attorney General in collaboration with DHHS (SAMHSA) to evaluate the prevalence of mental illness among youth in the juvenile justice system and develop a model system for assessment and treatment of the mental health needs of these youth; and (3) a **Sense of the Senate Regarding A Study of Out-of-Wedlock Births** that would be conducted by HHS and the National Center for Health Statistics to analyze the increase in out-of-wedlock births and present Congress within 12 months an analysis of the problem, its causes and possible remedial measures.

In addition to our concerns about a number of the substance abuse treatment and prevention provisions discussed above, there are several other provisions in the bill that we find problematic.

The provision establishing a **Community Programs on Domestic Violence Grant Program** within DHHS overlaps significantly with the Domestic Violence Grant program authorized in the Violence Against Women Act, and also is redundant since the activities described can be done under the Family Violence Prevention and Services Act. While we certainly support additional funding in

the area of domestic violence prevention, there is no need to create a new program when DHHS already has the authorization to fund these activities.

The Rural Domestic Violence and Child Abuse Enforcement initiative which establishes a DOJ grant program to provide funds for domestic violence and child abuse prevention and enforcement in rural areas also duplicates existing Administration for Children and Families' programs. These activities are already funded under the Child Abuse Prevention and Treatment Act and the Family Violence Prevention and Services Act. If additional funds are available in this area, they should be used to expand existing DHHS programs. If the program remains in DOJ, language should be added requiring collaboration with DHHS in this area and coordination with existing DHHS programs to ensure that these programs and activities are complementary and not duplicative.

DHHS strongly objects to the approach taken in the provision concerning the Prohibition on Payment of Federal Benefits to Illegal Aliens. While we agree with the goal of this provision, we believe that changes in eligibility should be accomplished by amending specific benefit program statutes rather than through a broad-based provision in the crime bill. In addition, these requirements should be consistent with Administration initiatives, particularly in the area of health care reform.

We also have concerns about the Agreement to Assist in Locating Missing Children Under Parent Locator Service provision which requires the Secretary of Health and Human Services to enter into an agreement with the Attorney General to make the services of the Parent Locator Service available to the Office of Juvenile Justice and Delinquency Prevention for the purpose of locating any parent or child. We believe DOJ should have access to this service only for the same purposes that HHS has access, to enforce State or Federal law with respect to the unlawful taking or restraint of a child or to make or enforce a child custody determination.

II. CRIME BILL FUNDING FOR FISCAL YEAR 1995

Given the limited amount of crime bill funding available for new programs in fiscal year 1995, it is particularly important that some funds be provided for violence prevention programs. We believe there are several community-based violence prevention initiatives included in the bill as it passed the Senate that could be grouped together to provide critical new services to communities struggling to reduce both youth and domestic violence. These programs were also mentioned in the discussion about keeping "prevention" in the crime bill.

The Domestic Violence and Family Support Grant Program, authorized as part of the Violence Against Women Act, will provide communities with funding to support programs designed to

stop and prevent domestic violence. We recommend that \$25 million be allocated for this program.

We also strongly support the **National Community Economic Partnership** amendment to the Senate bill. This provision will provide critical assistance to disadvantaged communities struggling to improve economic opportunities and provide jobs for young people. Jobs and economic infrastructure are an important aspect of a strong violence prevention program. We recommend that \$25 million be provided for this program.

The **Ounce of Prevention Fund** authorized in the Senate bill will enable various federal agencies to work together to strengthen our national efforts to reduce violence and substance abuse among our youth by establishing high quality enrichment and recreation programs for at-risk youth. The Fund would provide grants to community-based applicants for afterschool and summer academic enrichment and recreation programs, mentoring, tutoring, and substance abuse treatment and prevention programs. We recommend that the Fund be allocated \$25 million.

The bill also authorizes the **Community Schools Youth Services and Supervision Grant Program** to be operated under the auspices of the Ounce of Prevention Fund. This program would provide funds for community-based organizations in disadvantaged neighborhoods to establish extracurricular, academic and sports programs primarily utilizing existing public school facilities. The program emphasizes the development of community-based public-private partnerships to operate these programs. We recommend that \$25 million be provided for this program.

Sarah Walzer and I have been handling these issues for DHHS. We would be pleased to meet with whoever you designate for follow-up discussions and to provide any assistance necessary as the bill goes to conference.



U. S. Department of Justice

Office of Legislative Affairs

Deputy Assistant Attorney General

Washington, D.C. 20530

MEMORANDUM TO CRIME BILL PREVENTION GROUP

FROM: Jeffrey Robinson *JDR*

DATE: May 5, 1994

SUBJECT: Proposed Conference Letter Prevention Provisions

Attached for your review are two documents. The first is the draft proposed cover letter to the conference committee setting forth the Administration's views on the major items in the Crime Bill including the general role of prevention programs. This draft is also being circulated by OMB so you may already have it.

The second document contains two sections from the attachment to the conference committee letter which deal specifically with prevention issues -- the attachment is quite long and still being prepared. The first section in this document deals with the overall question of the Ounce of Prevention Council and the coordination the bill's crime prevention programs. The second section is the proposed language on the Y.E.S. program which is provided as an example of how we propose to deal with the coordination issue in the specific sections on individual programs.

Please call me, 514-4047, or fax me, 514-9149, today with your comments on this provisions. We are also still awaiting detail comments on programs from some of you which we need ASAP so in order to incorporate them into the attachment.

DRAFT/5/4/94-5:50pm

Honorable Joseph R. Biden, Jr.
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20515

Dear Chairman Biden:

This letter, in combination with the attached detailed comment statement, presents the recommendations of the Administration concerning the reconciliation of the final House and Senate versions of H.R. 3355, the Violent Crime Control and Law Enforcement Act of 1994.

The Administration strongly supports prompt passage of H.R. 3355, which embodies the central elements of the President's anti-crime legislative agenda. This critical legislation sets forth a balanced and intelligent approach that will enable the Federal Government to play a significantly enhanced role in the nation's fight against the crime and violence that plague too many of our communities.

Passage of H.R. 3355 will assist the states and localities in their efforts against violent crime -- particularly in the critical areas of police, prisons and prevention. In addition, H.R. 3355 will provide necessary tools to federal law enforcement officials, improving their effectiveness in combating violent crime.

Both the Senate and House versions of H.R. 3355 contain provisions addressing the key elements of police, prisons and prevention, which, while they differ at times in their specific approaches, are in many respects quite similar. In order to take advantage of the historic opportunity to enhance public safety presented by this legislation, the conference committee must act promptly and wisely to craft the final legislation.

While we have a historic opportunity to act, we also have a tremendous responsibility to act wisely. Both the House and Senate bills include unprecedented efforts to provide the police, prisons and prevention necessary for a serious attack on crime. This is money needed to address this critical national issue, but in these times of fiscal restraint, we must ensure that the money is spent well. Spending our money well requires that we effectively coordinate and integrate the federal government's crime-fighting efforts. Thus many of the views we express in the attached statement are aimed at assuring that we avoid duplication, waste and bureaucratic battles that too often accompany government programs.

The Administration believes that the final version of H.R. 3355 should contain the following key provisions, among others:

- A Funding Mechanism to Make the Promise of the Crime Bill a Reality.

The promise of the crime bill -- more police on our nation's streets, prisons to house violent offenders, and prevention programs to keep kids from starting a life of crime -- can only be realized if there is funding for these initiatives. To insure adequate funding for these priority programs, the Administration strongly supports inclusion of a Crime Control Fund in the final legislation; a specific legislative draft for such a Fund is attached. Like the Violent Crime Reduction Trust Fund contained in the Senate bill (title XIII.E), the Crime Control Fund provides a mechanism by which the savings attributable to the Administration-initiated reductions in the Federal workforce would be used to fund programs authorized in H.R. 3355.

Further, to fully fund the important programs included in the crime bill, we would propose a sixth year for the fund, to set aside over \$29 billion for this purpose. Only through the inclusion of a Crime Control Fund can we honestly say to the American people that we have delivered on the promise to seriously address crime and violence.

- Help for Communities to Put an Additional 100,000 Police Officers on Our Streets Engaged in Community Policing.

This is the centerpiece of the President's anti-crime program. Putting more officers on the street, working with communities, is the best way to prevent crime and illicit drug trafficking, to ensure that criminals are apprehended when crimes occur, and to return to our citizens the sense of security that has been taken from them.

To accomplish the critical goal of putting 100,000 officers on our streets and to help implement community policing nationwide, the Administration strongly recommends that the conference committee authorize full and adequate funding for this program. Specifically, we support the Senate authorization level of \$8.9 billion, which will support hiring 100,000 officers, if the conferees also adopt the House bill's funding-per-officer cap (which we support with waiver authority for the Attorney General in appropriate cases). We will have some additional, technical changes to this important proposal as well.

• Assisting the States Build and Operate More Correctional and Detention Facility Space to Get More Violent Offenders and Criminal Aliens Off Our Streets.

It is incumbent upon the Federal Government to aid states that are struggling to make sure that violent criminals and criminal aliens are not being released prematurely for lack of space. The Federal Government is building the prisons and detention facilities necessary to ensure that Federal offenders are not being prematurely released, and this Administration is committed to maintaining the necessary capacity. However, none of us will be safe until the states can do the same.

The Administration believes that the best way to accomplish this objective in H.R. 3355 is for the conference committee to adopt an overall authorization level for state prison and jail assistance which approximates that contained in title XIII of the Senate bill -- \$6.5 billion.

In particular, we support a union of two plans to help states incarcerate offenders. First, we support the prison grant programs authored by Senator Biden and Representative Hughes -- § 1321 of the Senate bill and title VI of the House bill -- because we believe that federal funds should be made available on a discretionary basis to states to build and operate appropriate facilities for housing serious drug and violent offenders -- including bootcamps, prisons, jails and community detention facilities.

We also believe that some federal grant funds should be used, in part, to encourage states to adopt "truth in sentencing" policies and to make other improvements in their criminal justice systems that will insure that the most violent offenders are kept behind bars. Title VIII of the House bill -- a "Truth in Sentencing" measure sponsored by Rep. Chapman -- intends to do just that; and does so in a manner superior to that found in the Regional Prisons program in § 1341 of the Senate bill. The Regional Prisons proposal is unduly expensive, has significant operational problems, and will take too long to get violent criminals off the streets.

The Administration's objective in this area is clear: the Crime Bill should adopt the plan that most effectively -- within funding constraints -- locks up the largest number of violent criminals and criminal aliens, as quickly as possible, at the lowest possible cost. A formulation combining the House and Senate bill provisions outlined above will achieve this result.

• Launching a "Smart and Tough" Approach to Youth Crime and Violence.

One of the most disturbing aspects of the nation's crime problem is the significant increases in the crime, particularly violent crime, being committed by juveniles and young adults. The Administration urges the conference committee to include in the final legislation programs designed to combat this growing trend including:

- o Proven and extensive drug and crime prevention programs -- discussed below -- to give kids something to say "yes" to (including House bill title X.J);
- o Smart incarceration and alternative programs such as: Boot Camps that provide the discipline and training that will prevent them from embarking on a life of crime; Drug Courts, to intensively supervise drug offenders and get them turned around before they commit more serious crimes; and Intermediate Sanctions, that provide certainty of punishment for young offenders so that they learn early that there will be consequences for criminal behavior (House bill titles XXI and X.E, and Senate bill title XII);
- o The Youth Handgun Safety Act, to get guns out of the hands of young people. This law, with certain exceptions, prohibits handguns from being possessed by or transferred to juveniles (House bill title XIX and Senate bill § 662); and
- o Measures to combat Youth Gangs and facilitate Gang Prosecutions, such as those found in Title VI of the Senate bill. We particularly recommend including in a final bill §§ 613-14 (Armed Career Criminal predicates and predicates for adult prosecution), 615 (strengthening penalties for using minors to distribute drugs), 616 (increased penalties for drug trafficking near public housing), 617 (increased penalties for violent Travel Act violations), and 618 (juvenile records). However, the authorization of funding for more prosecutors for gang prosecutions should be stated in broader terms.
- o To deal with hardened young criminals, the discretionary authority to try 13 year olds as adults for serious violent offenses. We generally prefer the approach of House bill § 1101 to Senate bill § 651, which unduly restricts the ability of judges to make case-appropriate transfer decisions.

• Measures to Stiffly Punish Violent Crime.

To deal with the problem of repeat violent offenders, the Administration urges the conference committee to include several measures to stiffly punish those who prey upon our communities in addition to the prison program discussed above. The punishment which should be part of the final legislation include:

- o The President's "three strikes and you're out" life imprisonment provision, which is targeted on the career violent offenders who do so much harm to society (House bill title V); and
- o Reinstating the federal death penalty for the most heinous offenses, including the killing of Federal law enforcement officers, fatal drive-by shootings, and the other capital crimes in the pending proposals (House bill title VII and Senate bill title II).

As we punish violent criminals more severely, we must not squander always limited resources on lengthy prison terms for low-level, non-violent criminals. Consequently, we support the House version of the so-called "safety valve" (title II), modified to be exclusively prospective in effect, as in the Senate bill version (§ 2404).

• Authorizations for the Departments of Justice and Treasury to support federal law enforcement initiatives and implementation of crime bill related programs.

The primary focus of the crime bill -- as it should be -- is on bolstering state and local efforts to increase the number of police on our streets, the number of violent criminals behind bars, and the scope and extent of efforts to prevent crime and give young people something to say "yes" to. But the bill also stiffens penalties for many federal offenses -- such as the "three strikes" law and the federal death penalty -- and clearly envisions an expansion of federal efforts to combat violent crime, gun crime, and drug trafficking.

Consequently, we consider it essential that the crime bill provide additional support to federal law enforcement agencies who lead our national attack on crime and violence. Particularly if Congress is going to set aside substantial resources over the next five or six years to fight crime, some share of those resources should bolster our principal federal law enforcement efforts in this regard.

Thus, we support including § 3016 of the House bill with authorizes \$1 billion for Treasury Department law enforcement activities and the inclusion of the various Justice Department authorizations in the Senate bill, totalling_____ (which appear

in §§ 5132, _____). Only in this way can the principal federal crime fighting agencies -- FBI, DEA, ATF, USMS, Customs, and others -- keep up the needed efforts and carry out the additional responsibilities envisioned by the crime bill.

Furthermore, we urge that all new Administration responsibilities and mandates, including but not limited to commissions, task forces, guidelines and standards development, model statutes, reports, and studies, be made explicitly subject to the availability of appropriations and contain appropriate authorization language.

• Significant and Innovative Crime Prevention Programs that Give Our Young People Something to Say "Yes" To.

While we must -- and will -- insist upon personal responsibility and punish those who commit crimes regardless of their circumstances, we must also do what we can to keep young people from beginning to engage in crime.

To achieve this objective, the Administration strongly supports the full authorization level contained in the House bill for prevention programs. Among the prevention programs included in the House and/or Senate bills which the Administration urges be included in the final legislation are:

- o The President's Y.E.S. program (Youth Employment and Skills) which gives employment opportunities to kids in hard hit, high-crime areas (House bill title X.J), and which we believe should be funded at a level of \$1 billion;
- o The Ounce of Prevention Council (Title I and §§ 5142-43 of the Senate bill and Subtitle B of Title X of the House bill) and related programs to keep schools open after hours (Senate bill §5142 and House bill §1015), expand activities such as Boys and Girls Clubs (House bill §1099 H and parallel Senate bill provisions) that keep kids off the streets, and better coordinate the efforts of the Federal Government to assist communities prevent crime;
- o Comprehensive prevention programs such as the House's Model Intensive Grant Programs (title X.A) and Local Partnership Act (title X.I); and
- o Innovative alternatives like Midnight Sports and Police Partnerships for Youth (various House bill title X programs and parallel Senate bill programs).

Prevention programs make sense, and are a critical part of any balanced attack on the crime, violence, and drug abuse that plague our cities, towns, neighborhoods, and rural communities. However, in order to insure that these programs both have meaningful impact and are cost-effective, we must insist that they be coordinated and integrated and that we have the flexibility and tools necessary to avoid duplication and wasted effort.

• The Violence Against Women Act and Related Provisions.

The Administration strongly supports enactment of the Violence Against Women Act (Senate bill titles XXXII-XXXVII and House bill title XVI). We prefer certain key elements of the Senate version of that legislation, including among others, Title XXXIV, a civil rights remedy for victims of gender-motivated crimes of violence. We also support some aspects of the House bill including some grant program formulations. In conference, we believe that conforming changes can eliminate duplication and improve coordination and integration of the many new funding programs proposed in this area. Above all, we believe it is important that the bill take a comprehensive, cost-beneficial and well-coordinated approach to this escalating crime problem.

* * * * *

As noted above, accompanying this letter are detailed comments containing the Administration's specific recommendations for reconciling the House and Senate bills in the critical areas discussed above and elsewhere. The organization of the attachment generally follows the order of titles in the Senate bill, with parallel House bill provisions noted as appropriate. Additional House bill provisions that have no counterpart in the Senate bill are addressed in the final section of the Appendix.

The Office of Management and Budget advises that the views expressed in this letter are in accord with the program of the President. We urge the conference committee to report legislation expeditiously so that omnibus anti-crime legislation can be enacted as soon as possible.

Sincerely,

Title I -- Ounce of Prevention

Provisions at the end of title I of the Senate bill authorize grants to support youth-oriented prevention programs, to be administered by a Cabinet-level Ounce of Prevention Council. Sections 5142-43 of the Senate bill authorize additional programs to be administered by the same Council.

Subtitle B of title X of the House bill contains programs that are parallel to the Ounce of Prevention programs in title I and § 5142 of the Senate bill, but with the primary role in the administration of the programs assigned to the Secretary of Health and Human Services.

The Administration strongly supports the concept of an Ounce of Prevention Council as well as the related programs that are common to the two bills. A strong Ounce of Prevention Council that can help coordinate the various prevention programs in the bills is essential to assuring that money we spend on crime prevention is spent well. To achieve such a strong Council, we recommend several revisions necessary to facilitate better administration and coordination of certain of the proposed youth-oriented prevention programs contained in the House and Senate bills.

Specifically, the Administration recommends that the President be authorized to designate the chair of a slightly reformulated cabinet-level Council. The membership of the Ounce of Prevention Council should include the Attorney General, the Secretaries of the Departments of Health and Human Services, Housing and Urban Development, Labor, Education, Agriculture, Interior, the Director of the Office of National Drug Control Policy, and one or more other officials as the President may deem appropriate. The interdepartmental Council should be authorized to help maximize the impact of the crime bills' youth-oriented crime prevention initiatives through collaboration and consultation with other agencies and entities, (such as the Juvenile Justice Coordinating Council), coordinated planning, technical assistance, program integration and grant simplification strategies. The Council's direct funding should be authorized at the Senate level. Furthermore, we recommend that the Council be authorized to accept and to help administer specified related program funds upon request by the relevant agency.

Prevention programs make sense, and are a critical part of any balanced attack on the crime, violence, and drug abuse that plague our cities, towns, neighborhoods, and rural communities. However, in order to insure that these programs both have meaningful impact and are cost-effective, we must insist that they be coordinated and integrated and that we have the flexibility and tools necessary to avoid duplication and wasted

effort. We would be pleased to work with the committee in finalizing this priority proposal.

Additional title X programs. Title X of the House contains several additional prevention and assistance programs, beyond the program discussed in earlier parts of this letter: model intensive grants (subtitle A), midnight sports (subtitle D), residential services for delinquent and at-risk youth (subtitle F), recruiting and training persons from underrepresented areas for police employment (subtitle G), local partnership act (subtitle I), youth employment and skills (subtitle J), hope in youth (subtitle L), gang prevention services for boys and girls (subtitle M), anticrime youth councils (subtitle N), urban recreation and at-risk youth (subtitle O), boys and girls clubs in public housing (subtitle P), and community-based justice grants for prosecutors relating to young violent offenders (subtitle Q). [MORE SPECIFIC STATEMENTS OF POSITION TO BE PROVIDED FOR THESE PROGRAMS.]

Youth Employment Skills (Y.E.S.) The Administration strongly supports the Y.E.S. program contained in Title X Subtitle J of the House bill and urges the committee to include it in the final legislation. Y.E.S. is an Administration designed program that targets job training and creation efforts on youth and young adults in high crime, hard-hit neighborhoods. The program is premised on the simple notion that one effective way of keeping young people away from criminal activity is to give them meaningful work opportunities that serve as an alternative, help instill the discipline and habits necessary for productive lives, and that are linked to future jobs and adult employment.

The Administration believes that the Y.E.S. program is sufficiently promising that it should receive a larger share of the overall dollars directed to prevention programs. We also would be pleased to work with the committee to sharpen the targeting provisions of the program and to insure that it is well coordinated with the other prevention programs in the final legislation.

April 26, 1994

Education Issues in Crime Bill

Ounce of Prevention

The Department of Education strongly supports the Council and prefers the House version. The Family and Community Endeavor Schools Grant program in the House fits well with the Secretary's objectives of providing constructive activities for youth to keep them off the streets. The Secretary supports this program and the midnight sports provisions in the House version.

Safe Schools Act

If the White House wants to promote metal detectors and security personnel in schools, this act would be a good place to do it. We believe that this legislation should focus on the hardware/law enforcement side of the issue and be coordinated with the prevention activities at Education. The Department of Education's Safe Schools Act and the Safe and Drug Free Schools Act could provide schools with funding for more comprehensive education programs to accompany the enhanced security measures. ED should have joint administering authority with Justice to create an active collaboration between the two Departments.

Violence Prevention, Drugs, and Gangs

ED should be consulted on youth violence prevention activities, including gang resistance education. We should also be consulted on substance abuse prevention programs targeted on youth in schools.

Violence against Women

ED supports the programs in the House version. The Rape Prevention for Women program administered by BJA should be coordinated with violence prevention activities at the Department of Education. The Campus Sexual Assault Study should be done in cooperation with the Department of Education because we administer the Student Right to Know Law.

Amendments to the Department of Education Organization Act and the National Literacy Act of 1991.

The Senate version amends two Education Acts to include a study by a panel of experts on correctional education. The Department of Education supports the amendments so that we may study the effectiveness of higher education for prisoners.

Employment and Skills Crime Prevention

ED supports this program to enhance job opportunities and job skills for youth and would like to be consulted on the administration of this program.

April 26, 1994

Labor Department Views on the Crime Conference

Youth Employment and Skills (YES)

Consistent with the discussion at 4/25's meeting at OMB, our first priority is raising the funding level of the YES program. The President originally envisioned a \$1 billion program and DOL has been assured that the House starting level was not the ending level. As also discussed at the meeting, funding could come from some of the other prevention provisions of the House bill -- totaling billions of dollars -- that are defined in a very broad and general fashion.

There are also some changes to the YES language that should be made. We've begun to receive substantial outside feedback on the program so some additional changes may be forwarded soon. But, at a minimum, the changes should include:

- o P. 221, L.10 (working from H.R. 4092 as reported out of Committee). Insert "Youth" before "Employment" in the title.
- o Program Target Area -- P. 222, L.7. Insert "with a poverty rate of 30 percent or higher, as determined by the U.S. Bureau of the Census" after the word "unemployment".
L. 9. Add a new sentence -- "Target areas shall be limited to a population of 25,000, unless the Secretaries and the Attorney General determine that areas of up to 50,000 may be considered." (This is the original language that we hope can be reinserted.)
- o Participants -- P. 223, L. 5. Insert "up to age 19" after "adults".
- o Allowable Activities -- P. 224, after L. 13. Insert a new "(11) expanding the Federal Bonding Program in the Department of Labor to improve job placement capabilities."

Previously-forwarded list

Attached to this memo is a list of changes that updates a list that had been previously sent to the DPC and to Ron Klain and others at Justice. Some of these changes were referred to in the joint memorandum to the President from Attorney General Reno, Secretary Reich, and Secretary Cisneros. Most of the rest were described in a separate memorandum from Secretary Reich to the President. Bruce Reed said that the ideas in these memorandums were the type that the President has supported throughout the crime bill process.

In short, the list consists of a variety of employment-related approaches that are designed either to promote prevention or reduce recidivism. For example, we recommend a stronger focus on the use of the Job Corps model in boot camps and alternative punishment programs; Job Corps participation has been found to reduce the incidence of serious crimes. In another example, we suggest expanding the Federal Bonding Program, which provides fidelity bonding insurance coverage to ex-offenders and other high-risk job applicants. The program has proven successful; the average default rate is only one percent. (Any expansion in the program would have to be done carefully so that the default rate would remain low. DOL has drafted expansion language.)

Model Intensive Grant Programs, House bill

- o Grant Authorization/Establishment -- Section 1001. The "Secretary of Labor" should be added to the list of Secretaries that the Attorney General should consult with.
- o Program Requirements -- P.112, L.13. Insert "job training and community service employment programs," after the word "facilities,".

Top Priorities

The proposed changes to the YES program and the boot camps are the Labor Department's highest priorities.

EMPLOYMENT-RELATED AMENDMENTS TO THE CRIME BILL CONFERENCE
H.R. 3355 as passed by the Senate
H.R. 4092 as passed by the House

AMENDMENTS TO PROGRAMS IN THE SENATE BILL

* **BOOT CAMPS.** (Sec. 1321) Amend the Boot Camps Program to include education and training programs modeled after successes such as the Job Corps program, by accepting the House bill language in Title XXI, Sec. 2101 on Alternative Punishments for Youth Offenders. This language would modify the definition of boot camps by proposing that education and job training programs be "modeled to the extent practicable" after successful programs such as the Job Corps programs. Also delete the six months limit on boot camps to allow for more intensive programs and for longer aftercare or follow-up services.

Clarify the language on aftercare services to ensure that boot camp program funds may be provided for this purpose (since aftercare implies "after the program" and funding is not explicitly authorized).

Amend further to give priority to boot camp proposals that provide education and job training services using successful models such as the Job Corps or community service employment programs and provide a priority to those providing comprehensive after care services to assist in transition and job placement services for offenders returning to society.

Amend Sec. 1321(c)(2)(F) on aftercare to include an expansion of the Federal Bonding Program in the Department of Labor to improve job placement capabilities.

* **GRANTS FOR COMMUNITY-BASED VIOLENT JUVENILE FACILITIES.** Amend Sec. 1331(a) to add that the Attorney General shall give priority to applicants proposing to provide education and job training using the Job Corps model and to those proposing to provide comprehensive aftercare and job placement services for juveniles in transition back to their communities. Include an amendment to expand the Federal Bonding Program in the Department of Labor to improve job placement capabilities.

PROGRAMS IN THE HOUSE BILL

* **ALTERNATIVE PUNISHMENTS FOR YOUNG NONVIOLENT OFFENDERS.** (Sec. 1203.) Retain the House bill language in Title XXI, Sec. 2101 the Alternative Punishments for Youth Offenders program, (which includes language that education and job training be provided in

boot camps and innovative projects and that it be modeled to the extent practicable after the Job Corps program).

Amend further to give priority to proposals that provide education and job training services and use successful models such as the Job Corps or work in conjunction with a local Job Corps program to ensure appropriate referrals to education and training. Also, give a priority to those providing comprehensive after care services to assist in transition and job placement services for offenders returning to society. Allow local alternative programs the flexibility to contract with local Job Corps Centers to provide Job Corps activities at alternative facilities. Amend the aftercare provision to include an expansion of the Federal Bonding Program in the Department of Labor to improve job placement capabilities.

AMENDMENTS TO PROGRAMS IN BOTH THE HOUSE AND SENATE BILLS

* JUVENILE DRUG TRAFFICKING AND GANG PREVENTION GRANTS. (Authorized in the House and Senate legislation.) Amend to provide priority to proposals developed in coordination with other youth prevention and employment programs, such as Youth Fair Chance and Youth Build programs where these programs are available. Add a new (b)(15) to establish community service job opportunities which include education and training for youth involved in gang activities.

Crime Prevention and Youth Development Strategy

I. The separate categorical targeted programs (Ounce of Prevention, YES, Model Intensive Prevention/Schumer grants) should be used together as a coherent crime prevention and youth development strategy. We plan to saturate distressed, high crime, high poverty areas (particularly areas with public housing) with positive interventions that work together to improve the life prospects of youth and young adults in these areas. The key problems are social isolation (lack of positive adult contacts and role models), poor skills, and lack of connection to jobs with a future. Our approach will be to use the funds together to create a coherent strategy of interventions that will follow youth from ages 10 to 18 and then into the labor market (up to their early 20s in some cases).

In each targeted community, we will allow flexibility but expect a concrete strategy to accomplish the five following goals:

- increase adult contacts for youth and increase duration of such contacts (mentors, coaches, group situations)
- increase activities in after-school and weekend hours
- improve skills by increasing the availability of work-based, experience-based learning activities.
- improve connections to jobs throughout metropolitan area
- employment guarantee for those that play by the rules (YES)

This approach deals directly with the problems associated with high crime and other social problems (social isolation and poor labor market prospects).

Collaboration among agencies at Federal and Local level is key. This can be viewed as a single coherent crime prevention and youth development strategy not just a bunch of categorical programs.

II. Conyers Local Partnership Act

1. Try to get the maximum targeting possible to high poverty, high crime areas.
2. Encourage collaborative efforts and links to other prevention programs in the crime bill.

TO:

FROM:

SUBJECT: Provisions in the Violent Crime Control and Law Enforcement Act of Particular Interest to HHS

The Department of Health and Human Services is particularly interested in the provisions of the Violent Crime Control and Law Enforcement Act concerning youth development and crime prevention, violence against women, substance abuse prevention and treatment, and violence against senior citizens. We are concerned about provisions that duplicate existing programs, or provide for insufficient coordination among the affected federal agencies. We believe these issues need to be addressed in conference.

In the area of youth development and crime prevention, we support the House version of the Ounce of Prevention programs with some proposed modifications to provide better coordination among the federal programs in this area proposed in the bill and those already in place (See Attachment A, Proposed Changes to H.R. 4092). We also propose better coordination between HHS and DOJ of those programs focused on gang prevention and substance abuse treatment and prevention (See Attachment A and Attachment B, Proposed Changes to H.R. 3355, As Passed By the Senate).

We support the Senate version of the Violence Against Women Act as passed in H.R. 3355 with some modifications (See Attachment B).

We strongly support substance abuse prevention and treatment activities in state and federal prisons, and in boot camps and other alternative punishment programs for young offenders. These programs should focus on "substance abuse" not "drug abuse" and should include provisions requiring coordination with after care services. Treatment and prevention programs should be required to work in collaboration with existing HHS-funded treatment and prevention programs in the community (See Attachments A and B for coordination and collaboration language). HHS also supports the Drug Courts provision in the House version of the bill.

HHS supports the House version of the National Triad program to prevent violence against senior citizens.

The Department also recommends the inclusion of language in the conference report highlighting concerns about the increased involvement of individuals with developmental disabilities in the criminal justice system, both as victims and as those accused and convicted of committing crimes. (See Attachment C, Proposed Report Language on Individuals with Developmental Disabilities and the Criminal Justice System.)

ATTACHMENT A

PROPOSED CHANGES IN H.R. 4092, THE VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994 (Page Numbers from Bill as Reported out of Committee)

(1) TITLE X, SUBTITLE A -- MODEL INTENSIVE GRANT PROGRAMS

Page 110, line 21, delete "who may consult with", insert "in consultation with".

(2) TITLE X, SUBTITLE B, PART I -- THE OUNCE OF PREVENTION COUNCIL

Page 116, line 23, insert following "conditions", "(d) FEDERAL PROGRAM COORDINATION.--(1) All programs administered by the Ounce of Prevention Council shall be administered in a coordinated fashion".

"(2) All other programs related to youth development and youth crime prevention in this bill shall be administered in coordination and collaboration with Ounce of Prevention Council programs. In order to maximize the impact of these programs and simplify the grantmaking process, the Ounce of Prevention Council is authorized to consult with and be consulted by other federal agencies with an interest in youth development and youth crime prevention programs."

(3) The Ounce of Prevention Council is authorized to enter into Memoranda of Understanding and Cooperative Agreements with other federal agencies to collaborate and jointly fund youth development and youth crime prevention programs, including at a minimum such programs authorized in this bill."

(4) In making grants the Ounce of Prevention Council shall take into account a community's status as an empowerment zone or an enterprise community.

(3) TITLE X, SUBTITLE B, PART II -- FAMILY AND COMMUNITY ENDEAVOR SCHOOLS GRANT PROGRAM

[House should recede to Senate language on Program Authority]

Page 118, line 4, delete "(a)" and all that follows through page 119, line 13. Replace with Section 5142(e) of the Senate bill.

Page 130, line 9, delete "(B)" and all that follows through line 11, insert "(B) preference shall be given to coalitions consisting of a broad spectrum of community-based and social service organizations that have a coordinated team approach to reducing gang membership and the effects of substance abuse, and providing alternatives to at-risk youth. Coalitions should

include representatives of five or more of the following categories of person:".

Page 130, line 24, insert "(x) community anti-drug coalitions. (xi) private non-profit substance abuse prevention organizations."

Page 131, line 3, delete "1024", insert "1017".

(4) TITLE X, SUBTITLE D -- MIDNIGHT SPORTS

Page 138, line 24, insert following "Labor," "the Secretary of Health and Human Services."

Page 146, line 3, insert following ";" "(5) letters of agreement from service providers to provide substance abuse counseling and treatment services;".

Page 146, line 4, redesignate "(5)" as "(6)".

(5) TITLE X, SUBTITLE E -- DRUG COURTS

Department of Health and Human Services supports the House language on Drug Courts. The Senate should recede to the House language.

(6) TITLE X, SUBTITLE F -- ASSISTANCE FOR DELINQUENT AND AT-RISK YOUTH

Page 151, line 26, insert following "General" ", in consultation with the Secretary of Health and Human Services."

Page 153, line 16, insert following ";" "(D) a detailed description of how the program will be coordinated with the Federal assistance for youth development and youth crime prevention provided by other federal agencies."

(7) TITLE X, SUBTITLE H -- NATIONAL TRIAD PROGRAM

The Department of Health and Human Services supports the House language on the Triad Program. The Senate should recede to the House language.

(8) TITLE X, SUBTITLE J -- EMPLOYMENT AND SKILLS CRIME PREVENTION

Page 221, line 24, insert following "General" ", Secretary of Health and Human Services,".

Page 222, line 1, insert following "," "including the Ounce of Prevention Council and the Community Empowerment Board,".

Page 226, line 6, insert following "," "substance abuse treatment and prevention programs,".

Page 227, line 1, insert following "initiatives" ", including the Ounce of Prevention programs and empowerment zones and enterprise communities,".

Page 229, line 5, insert following ";" (5) demonstrate coordination with Ounce of Prevention programs and other federal youth development and youth crime prevention programs;".

Page 229, line 6, redesignate "(5)" as "(6)".

(9) TITLE XVI -- VIOLENCE AGAINST WOMEN ACT

The Department of Health and Human Services supports the Senate version of the Violence Against Women Act. The House should recede to the Senate version.

(10) TITLE XX -- SUBSTANCE ABUSE TREATMENT IN FEDERAL PRISONS

Page 364, line 13, strike "means" and all that follows through page 364, line 23, insert "means a program which provides comprehensive substance abuse treatment services that attempt to the maximum extent possible to match the individual needs of the offenders to the treatment appropriate for their care, including health, social and rehabilitative services, and community-based treatment programs to ensure appropriate care after release; and".

Page 365, line 6, insert "(6) COORDINATION OF FEDERAL ASSISTANCE.--The Bureau of Prisons shall consult with the Department of Health and Human Services concerning substance abuse treatment and related services and the incorporation of applicable components of existing comprehensive approaches including relapse prevention and aftercare services."

(11) TITLE XXI -- ALTERNATIVE PUNISHMENTS FOR YOUNG OFFENDERS

Page 366, line 4, insert "(b) COLLABORATION OF FEDERAL AGENCIES.--The Director shall consult and collaborate with the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration and other existing Federal programs to ensure that projects of alternative methods of punishment for young offenders include applicable components of existing comprehensive substance abuse treatment and related service programs."

Page 366, line 4, redesignate "(b)" as "(c)".

Page 368, line 7, insert "(b) COORDINATION OF FEDERAL ASSISTANCE.--Each State application submitted for a grant under this section shall include a detailed description of how the funds made available under this section will be coordinated with Federal assistance provided for substance abuse treatment programs and aftercare services by the Department of Health and

Human Services' Substance Abuse and Mental Health Services Administration."

Page 368, line 7, redesignate "(b)" as "(c)".

(12) TITLE XXII -- JUVENILE DRUG TRAFFICKING AND GANG PREVENTION GRANTS

Page 379, line 20, insert "(b) COORDINATION OF FEDERAL ASSISTANCE.--In addition to the requirements prescribed under subsection (a), each State application submitted for a grant under this Title shall include a detailed description of how the funds made available under that section will be coordinated with the Federal assistance for substance abuse prevention and treatment programs provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration.

"(c) COLLABORATION OF FEDERAL AGENCIES.--The Attorney General shall consult and collaborate with the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration and other existing Federal programs to ensure that projects concerning juvenile drug trafficking and gang prevention incorporate applicable components of existing comprehensive substance abuse and treatment-related service programs."

Page 379, line 20, redesignate "(b)" as "(d)".

(13) TITLE XXIII -- RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS

Page 381, line 6, insert "(b) COLLABORATION OF FEDERAL AGENCIES.--The Director shall consult and collaborate with the Department of Health and Human Services' Substance Abuse and Mental Health Administration to ensure that projects of substance abuse treatment and related services for State prisoners incorporate applicable components of existing comprehensive approaches including relapse prevention and after care services."

Page 383, line 6, insert "(d) COORDINATION OF FEDERAL ASSISTANCE.--Each application submitted for a grant under this section shall include a detailed description of how the funds made available under this section will be coordinated with Federal assistance for substance abuse treatment and aftercare services currently provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration."

Page 383, line 6, redesignate "(d)" as "(e)".

Page 385, line 121, strike from "means" and all that follows through page 386, line 8, insert "means a program which provides comprehensive substance abuse treatment services that attempt to

the maximum extent possible to match the individual needs of offenders to the treatment appropriate for their care, including health, social and rehabilitative services, and community-based treatment programs to ensure appropriate care after release."

ATTACHMENT B

PROPOSED CHANGES IN H.R. 3355, THE VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1993, AS PASSED BY THE SENATE

(1) SECTION -- THE OUNCE OF PREVENTION FUND

Page 40, line 16, insert following "corporations", "community anti-drug coalitions, private non-profit substance abuse prevention organizations".

Page 41, line 7, insert following "government", "community anti-drug coalitions, private non-profit substance abuse prevention organizations".

(2) SECTION 631 -- JUVENILE DRUG TRAFFICKING AND GANG PREVENTION

Page 127, line 23, insert "(c) COORDINATION OF FEDERAL ASSISTANCE.--In addition to the requirements prescribed under subsection (b), each State application submitted for a grant under Section 231 shall include a detailed description of how the funds made available under that section will be coordinated with the Federal assistance for substance abuse prevention and treatment programs provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration.

"(d) COLLABORATION OF FEDERAL AGENCIES.--The Attorney General shall consult and collaborate with the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration and other existing Federal programs to ensure that projects concerning juvenile drug trafficking and gang prevention incorporate applicable components of existing comprehensive substance abuse and treatment-related service programs."

(3) SECTION 633 -- YOUTH VIOLENCE PREVENTION BLOCK GRANTS

Page 133, line 4, insert "(G) describe how the funds made available under this section will be coordinated with the federal assistance for youth gang prevention provided by the Department of Health and Human Services;"

Page 133, line 4, strike "(G)", insert "(H)".

Page 133, line 7, strike "(H)", insert "(I)".

Page 134, line 3, insert "(g) COLLABORATION OF FEDERAL AGENCIES.--The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall consult and collaborate with the Department of Health and Human Services and other Federal agencies to ensure that programs to prevent youth violence and youth gangs complement rather than duplicate each other."

(4) SECTION 1011 -- DEPARTMENT OF JUSTICE COMMUNITY SUBSTANCE ABUSE PREVENTION

Page 259, line 17, strike Subtitle B--Department of Justice Community Substance Abuse Prevention and all that follows through page 264, line 16.

Page 264, line 17, redesignate "C" as "B".

Page 264, line 19, redesignate "1021" as "1011".

(5) SECTION 1201 -- DRUG COURT PROGRAMS

Page 310, line 5, strike ";", insert "which must include assurances that programs of incarceration or alternative punishment provide substance abuse treatment and an aftercare component to those with substance abuse problems;"

Page 310, line 15, insert "(5) certify that they have coordinated with the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration any initiatives involving diversionary treatment programs for offenders."

Page 310, line 15, redesignate "(5)" as "(6)".

Page 310, line 17, redesignate "(6)" as "(7)".

Page 310, line 20, redesignate "(7)" as "(8)".

(6) SECTION 1202 -- DRUG TESTING UPON ARREST

Page 314, line 1, strike "Drug"; insert "Substance Abuse".

Page 314, line 10, strike "Drug", insert "Substance Abuse".

Page 314, line 15, strike "drug", insert "substance abuse".

Page 314, line 26, strike "similar drug", insert "other substance abuse".

(7) SECTION 1203 -- CERTAINTY OF PUNISHMENT FOR YOUNG OFFENDERS

Page 320, line 3, insert "(b) COLLABORATION OF FEDERAL AGENCIES.--The Director shall consult and collaborate with the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration and other existing Federal programs to ensure that projects of alternative methods of punishment for young offenders include applicable components of existing comprehensive substance abuse treatment and related service programs."

Page 320, line 3, redesignate "(b)" as "(c)".

Page 322, line 1, insert "(c) COORDINATION OF FEDERAL ASSISTANCE.--Each State application submitted for a grant under this section shall include a detailed description of how the funds made available under this section will be coordinated with Federal assistance provided for substance abuse treatment programs and aftercare services by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration."

Page 322, line 1, redesignate "(c)" as "(d)".

(8) SECTION 1204 -- RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR PRISONERS

Page 329, line 7, insert "(b) COLLABORATION OF FEDERAL AGENCIES.--The Director shall consult and collaborate with the Department of Health and Human Services' Substance Abuse and Mental Health Administration to ensure that projects of substance abuse treatment and related services for State prisoners incorporate applicable components of existing comprehensive approaches including relapse prevention and after care services."

Page 330, line 9, strike ".", insert "which focus on relapse prevention."

Page 331, line 1, insert "(d) COORDINATION OF FEDERAL ASSISTANCE.--Each application submitted for a grant under this section shall include a detailed description of how the funds made available under this section will be coordinated with Federal assistance for substance abuse treatment and aftercare services currently provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration."

Page 331, line 1, redesignate "(d)" as "(e)".

Page 333, line 16, strike from "means" and all that follows through page 334, line 4, insert "means a program which provides comprehensive substance abuse treatment services that attempt to the maximum extent possible to match the individual needs of offenders to the treatment appropriate for their care, including health, social and rehabilitative services, and community-based treatment programs to ensure appropriate care after release."

(9) SECTION 1304 -- DRUG TREATMENT IN FEDERAL PRISONS

Page 341, line 11, strike "Drug", insert "Substance Abuse".

Page 341, line 13, strike "Drug", insert "Substance Abuse".

Page 341, line 16, strike "means" and all that follows through page 341, line 25, insert "means a program which provides comprehensive substance abuse treatment services that attempt to the maximum extent possible to match the individual needs of the

offenders to the treatment appropriate for their care, including health, social and rehabilitative services, and community-based treatment programs to ensure appropriate care after release; and".

Page 344, line 11, insert "(e) COORDINATION OF FEDERAL ASSISTANCE.--The Bureau of Prisons shall consult with the Department of Health and Human Services concerning substance abuse treatment and related services and the incorporation of applicable components of existing comprehensive approaches including relapse prevention and aftercare services."

Page 344, line 11, redesignate "(e)" as "(f)".

(10) SECTION 1321 -- BOOT CAMPS AND REGIONAL PRISONS FOR VIOLENT DRUG OFFENDERS

Page 350, line 7, insert following "certify", "that there has been appropriate consultation and collaboration with the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration concerning facilities conversion and to ensure that the provision of substance abuse treatment and related services for prisoners incorporate applicable components of existing comprehensive approaches including relapse prevention and aftercare services, and".

(11) SECTION 1421 -- RURAL DOMESTIC VIOLENCE AND CHILD ABUSE ENFORCEMENT ASSISTANCE

Page 378, line 25, insert "(c) COORDINATION OF FEDERAL ASSISTANCE.--Each State application submitted for a grant under this section shall include a detailed description of how the funds made available under this section will be coordinated with Federal assistance provided for domestic violence and child abuse treatment, counseling, education and prevention by the Department of Health and Human Services.

"(d) COLLABORATION OF FEDERAL AGENCIES.--The Attorney General shall consult and collaborate with the Department of Health and Human Services and other existing Federal programs on programs to improve domestic violence and child abuse treatment, counseling, education, and prevention services."

Page 378, line 25, strike "(c)", insert "(e)".

(12) SECTION 1535 -- NATIONAL DRUG CONTROL STRATEGY

Page 409, line 13, strike "Drug", insert "Substance Abuse".

Page 409, line 18, strike "Drug", insert "Substance Abuse".

Page 409, line 21, strike all following "goal", insert "of ensuring that programs of incarceration and alternative punishment provide substance abuse treatment services with an

aftercare component to those with substance abuse problems."

Page 409, line 24, strike "Drug", insert "Substance Abuse".

Page 410, line 1, strike "drug", insert "substance abuse".

(13) SECTION 1711 -- NATIONAL COMMISSION TO STUDY THE CAUSES OF THE DEMAND FOR DRUGS IN THE UNITED STATES

Page 416, line 20, insert following "Drugs", "and Alcohol".

Page 416, line 24, insert following "Drugs", "and Alcohol".

Page 417, line 3, insert following "Drugs", "and Alcohol".

Page 417, line 8, insert following "abuse" ", alcohol use and abuse, and use and abuse of legal drugs, which have a bearing on criminal behavior,".

Page 417, line 11, strike "drug abuse;", insert "substance abuse, including an examination of how the demand for substances is reduced by use of effective treatment methodologies and a review of what currently constitutes effective approaches to treating alcohol and other drug abuse and addiction;".

Page 417, line 12, strike "drug abuse", insert "substance abuse".

Page 417, line 14, strike "drug abuse", insert "substance abuse".

Page 417, line 18, insert following "drugs", ", alcohol, and legal drugs".

Page 417, line 20, strike "the use of illicit drugs", insert "substance abuse".

Page 418, line 4, strike "illicit drug use and abuse", insert "substance abuse".

Page 418, line 15, strike "illicit drug use and abuse", insert "substance abuse".

Page 418, line 19, insert following "drugs", "alcohol, and legal drugs".

Page 418, line 22, strike "illicit drug use and abuse", insert "substance abuse".

Page 418, line 23, strike "drug".

Page 418, line 25, strike "illicit drug use and abuse", insert "substance abuse".

Page 419, line 19, strike "drug user", insert "substance abuser".

Page 419, line 1, strike "drug user", insert "substance abuser".

Page 422, line 14, insert "(j) EX OFFICIO MEMBERS.--The Secretary of the Department of Health and Human Services and the Director of the Office of National Drug Control Policy or their designees shall serve as Ex Officio members of the Commission."

(14) SECTION 3341 -- DOMESTIC VIOLENCE AND FAMILY SUPPORT GRANT PROGRAM

Page 643, line 9, insert following "violence" ", including substance abuse treatment and mental health services".

Page 643, line 23, insert following ";" "(12) training for health care providers who may treat victims of domestic violence".

Page 643, line 24, redesignate "(12)" as "(13)".

(15) SECTION 3707 -- NATIONAL BASELINE STUDY ON CAMPUS SEXUAL ASSAULT

Page 681, line 19, insert following ";" "(G) the nature and availability of substance abuse prevention and treatment programs and mental health services designed to address and deter substance abuse associated with sexual abuse and assaults".

Page 681, line 20, redesignate "(G)" as "(H)".

(16) SECTION 3708 -- REPORT ON BATTERED WOMEN'S SYNDROME

Page 683, line 1, delete line 1 and all that follows through line 20.

[This provision duplicates Section 2964.]

(17) SECTION 5122 -- ESTABLISHMENT OF COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE

Page 868, line 7, strike "Section 5122.Establishment of Community Programs on Domestic Violence." and all that follows through Page 872, line 13.

(18) SECTION 5140 -- ESTABLISHMENT OF COMMUNITY PROGRAMS ON DOMESTIC VIOLENCE

Page 894, line 12, strike "Section 5140.Establishment of Community Programs on Domestic Violence." and all that follows through Page 898, line 23.

(19) SECTION 5142 -- CHILD-CENTERED ACTIVITIES

Page 904, line 3, insert "(ix) Community anti-drug coalitions and private non-profit substance abuse prevention organizations".

Page 904, line 3, delete "(ix)", insert "(x)".

Page 908, line 3, insert following "programs,", "life skills training, community service programs, leadership development, peer counseling and mediation programs, drug and alcohol education".

Page 911, line 3, delete "and".

Page 911, line 4, insert "(vi) community anti-drug coalitions; and".

Page 911, line 4, delete "(vi)", insert "(vii)".

ATTACHMENT C -- PROPOSED REPORT LANGUAGE ON INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES AND THE CRIMINAL JUSTICE SYSTEM

Both as victims and those accused and convicted of committing crimes, individuals with developmental disabilities (especially mental retardation) are becoming increasingly involved in the criminal justice system. Moreover, these individuals often face unequal justice at the hands of police and the Courts precisely because the current system is ill prepared to respond or adapt to their disabilities. Advocates, scholars and others argue that people who have been very carefully taught all their lives to trust and please authority figures confess to crimes which they have not and could not have committed when urged to do so by prosecutors and police. On the opposite side of the coin, the much publicized gang rape case involving a young woman with mental retardation in New Jersey once again reminded many of us of just how much police, prosecutors and the public need to learn about the raw vulnerability of many of these citizens.

The Americans with Disabilities Act requires police departments to take steps, including training when necessary, to avoid discriminatory treatment on the basis of disability. However, to date, states and localities have received little direction on how to carry out these provisions in respect to Americans with developmental and other disabilities who get caught up in the criminal justice system in particular. Hence, much more focused efforts must be placed on identifying and replicating best and promising practices in this area.

This is especially true if the critical concept of community policing is going to be applied to individuals with disabilities in a fair and effective manner throughout our Nation. Much greater emphasis must be placed on providing current police and new recruits with the training and technical assistance needed to afford people with disabilities who are victims or alleged perpetrators of crime with equal justice under the law. In order to be most effective, training needs to be carried out at least in part by people with developmental and other disabilities themselves to better familiarize police and others with their unique range of needs and abilities. Additional training is needed to better prepare individuals with disabilities to avoid conduct which might place them at risk of becoming potential victims or perpetrators of criminal activities. State Developmental Disabilities Planning Councils and University Affiliated Programs funded by the Administration on Developmental Disabilities, in collaboration with local self advocacy groups, should be enlisted to develop and sponsor model projects.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20410-0001
April 21, 1994

MEMORANDUM FOR: Rahm Emanuel
Bruce Reed
Ron Klain
Chris Edley

FROM: Bruce Katz
Bill Gilmartin
Liz Arky

RE: Crime Bill

We are grateful for your assistance in securing provisions in the House crime bill to fund HUD initiatives. As we have briefly discussed, Secretary Cisneros would like us to further explore HUD's participation in certain provisions in the bill. As we also discussed, we have not fully aired these issues until this point in the legislative process based upon your advice that these issues would be better raised in conference. Below are specific proposals for which we would like your support and assistance during conference negotiations.

Youth Employment and Skills

Secretary Cisneros feels very strongly that providing employment opportunities for youth who live in and around public and assisted housing will lower the crime rate in those areas. He was pleased to join Secretary Reich and Attorney General Reno in developing a proposal that the President approved.

While the Secretary is pleased that the YES program will be administered jointly with DOL, he is concerned that public and assisted housing residents especially need access to job opportunities. A focus of the initiative from the beginning was to provide jobs to public housing residents, but as currently drafted, the bill provides enough local prerogative so that this purpose may be thwarted.

The way in which the program is structured in the House bill, the local governing official develops the application, which may be done with or without the assistance of the public housing authority. While targeted areas must include public and assisted housing, there is no guarantee that public and assisted housing residents must be placed in jobs. Our concern is that, in some cities, ensuring jobs for public and assisted housing residents will not be a priority for the governing official.

HUD, through its networks, is in the best position to ensure that apprenticeship and employment opportunities will be available for public and assisted housing residents under the YES program. HUD has been working very hard to form a partnership with labor unions. We have already successfully proven our ability to work with labor unions in developing apprenticeship and employment programs with our Step-up program and Youth Apprenticeship set-aside in the Youthbuild program. We therefore propose that \$260 million of the funding under the YES program be directly allocated to HUD for the purpose of supporting a youth apprenticeship and public housing partnership program.

The attached description more fully describes the proposal. Essentially, a portion of the YES funding could support a competitive grant program for public housing authorities to provide public housing youth with educational opportunities, labor-management supported apprenticeship and training as well as public and private sector jobs. To qualify, public housing authorities would have to work with community organizations, technical assistance entities and joint labor-management organizations. Because the public housing authorities would work with nonprofits to ensure other private sector opportunities would be made available, e.g., day care, health, recreation, literacy, etc., participants would be trained in occupations not only related to public housing and public works construction.

Gun Searches

Given developments with respect to the Chicago Housing Authority's Operation Clean Sweep and the Presidential directive to implement a national policy on these issues, HUD recommends that funding be made available for this purpose, and for complementary activities to secure buildings that are currently controlled by gangs.

Only a small number of housing authority law enforcement agencies exist over which HUD has jurisdiction. HUD recommends improving these agencies, rather than expanding them, by increasing training (as discussed below). We also recommend that of the 100,000 additional police officers provided in the crime bill, certain of them should be charged with conducting gun searches and other complementary enforcement activities in public housing (such as patrols, like the Chicago BITE teams, metal detectors, etc.). This could be accomplished by conditioning receipt of funds by the locality on cooperating with the local PHA for such anti-crime law enforcement activities. Therefore, we recommend the following amendment to the community policing provisions of the House bill, page 246, line 15:

(c) ADDITIONAL GRANT PROJECTS.-- Grants made under the authority of subsection (a) of this section also may include programs, projects, and other activities to --

(10) establish and implement, in conjunction with local public and Indian housing agencies, gun search programs and complementary enforcement activities in public, Indian and assisted housing developments under the United States Housing Act of 1937.

TOO
SPECIFIC

Midnight Sports League

The Midnight Sports League is an exciting program that will build upon the success of current Midnight Sports programs funded through our Drug Elimination and Youth Sports programs. There are a few items that we seek your assistance on.

First, the current House language provides for 5-year grants of \$50,000 to \$125,000 for the full 5-year period. Based upon our experience with the average 2-year grant award (\$56,242) for the smaller housing authorities (up to 100 units) during the FY 1993 Drug Elimination Program, the minimum funding level for each Midnight League grant (with the life span of 5 years) should be \$125,000. The maximum grant amount should be \$500,000 for the larger housing authorities over a 5 year grant; this would provide for activities in multiple sites (e.g., Los Angeles -- South Central and East L.A.).

The program needs to take into consideration the baseline requirements for developing and implementing programs that not only require coaching staff and referees but also coordinators, counselors and possibly other staff to provide counseling, training and educational opportunities. At a minimum the grants need to be large enough to cover these basic program costs to assure for success in all types and sizes of public housing communities.

Therefore, we recommend amending the language on page 144 at line 16 --

"than \$125,000 and not to exceed \$500,000."

We would like to note that the Goals 2000 Education bill contained a provision regarding Midnight Basketball that HUD objected to. Senator Moseley Braun added language to the bill to create a set-aside (\$2.65 million in each of FY 95 and 96) out of the Youth Sports Grant Program (\$13.5 million) for the purpose of Midnight Basketball. During the clearance process HUD opposed this provision because it takes money off the top of a very limited program that has a number of permissible activities. In the administration of Youth Sports and the Drug Elimination program, under which Midnight Basketball is a permissible activity, HUD prefers to let communities decide what permissible activities it wants to fund. While HUD would like to make more money available for Midnight Basketball, we would not like to do so at the expense of other activities for which communities

request funding.

Therefore, we prefer to set up a separate program for Midnight Sports Leagues and would like to repeal this set-aside. Obviously we need to approach Senator Moseley Braun, which we have not done, to see if she would support a repeal, given the greater amounts of funds that would be available under the program in the crime bill. ?

Finally, we believe to do an effective evaluation of the program, HUD would need \$500,000 rather than \$250,000. Therefore we suggest the additional amendment to the authorization of appropriations on p. 148, line 10:

(2) for a study grant under subsection (i), \$500,000 in fiscal year 1995.

Operation Safe Home

There are a few items within our joint efforts under Operation Safe Home that we would suggest as additional eligible activities under certain provisions in the crime bill. First, with respect to training law enforcement officers, one of the goals of Operation Safe Home is to provide training to housing authority law enforcement officers.

It would be advantageous if public housing authorities could be eligible to receive training under grants provided to localities under the community policing provisions, especially in light of the recently announced search policy. We would recommend amending the Additional Grant Projects section, page 246, line 2 of the House bill as follows:

(2) provide specialized training to law enforcement officers, **including public housing police officers**, to enhance their conflict resolution, mediation, problem solving service, and other skills needed to work in partnership with members of the community; NO

In addition (or in the alternative) Subtitle D of the Senate bill, with respect to Improved Training and Technical Automation, page 267, line 13 could be amended as follows:

(1) IN GENERAL. The Attorney General shall, subject to the availability of appropriations --

(A) expand and improve investigative and managerial training courses for State and local law enforcement agencies, **including public housing police authorities**, NO

Second, we would suggest that Sec. 615 of the Senate bill, which increases penalties for employing children to distribute

drugs near schools and playgrounds, page 117, be amended to include public housing. OK

Finally, there is a lot of interest among HUD, DOJ, FBI, ATF, DEA and Secret Service to receive reimbursement for investigation and law enforcement activities accrued by carrying out the Operation Safe Home program in public and assisted housing. Reimbursement would cover employee overtime, facilities, temporary safe housing for witnesses and other activities associated with investigation and prosecution. We would like to explore the possibility of providing for such reimbursement in the crime bill. TOO
LATE

Boys and Girls Clubs

As you know, Chairman Rostenkowski offered an amendment to make available \$12 million per year for FY 95, 96 and 97 to support Boys and Girls Clubs in public housing developments. Secretary Cisneros strongly supports this amendment because he believes Boys and Girls Clubs provide essential crime prevention activities.

We are delighted that the Rostenkowski amendment was passed as an amendment to the Brooks Bill. We strongly urge that it be supported in conference. We would also suggest a minor amendment to include Indian and assisted housing, as follows: OK

TITLE -- BOYS AND GIRLS CLUBS IN PUBLIC, INDIAN AND ASSISTED HOUSING

SEC. 1. ESTABLISHMENT

The Secretary for Housing and Urban Development, in consultation with the Attorney General shall enter into contracts with the Boys and Girls Clubs of America, a national nonprofit youth organization, to establish Boys and Girls Clubs in public, Indian and assisted housing.

Summer Camps

The American Camping Association, which represents and provides accreditation to 2,600 summer camps in 50 states, has proposed a prevention program to send inner-city children to summer camps. HUD proposes a program to provide public housing residents ages 6 to 16 the opportunity to attend camp for at least two weeks and potentially all summer. Camps could recruit no more than 50 children, so that the children would be integrated into the regular camp program rather than be separated in a program for inner-city kids. To qualify for the program, older children would be required to participate in a community service, education or recreation program for youth at the They're
approaching
late (?)

completion of the camp experience.

\$15 million could provide a three week camp experience to approximately 12,000 children nationwide. Funds would provide room, board, tuition, transportation and necessary incidentals. HUD would work with public and Indian housing authorities and community groups to identify eligible children, who would be chosen from public, Indian and assisted housing; HUD would contract with an Administrator who would identify camps and largely administer the program (rather than necessitate more HUD staff resources).

Attached is a concept piece. We would supply legislative language if approved as an amendment to whichever of the prevention titles would be deemed appropriate.

Hope In Youth

We appreciate your efforts to include generic language within the Ounce of Prevention provision to give Hope In Youth, and like organizations, a preference in receiving funding. We continue to urge the inclusion of preference language for another organization requested by Rep. Maxine Waters.

cc: Jose Cerda
Andy Fois
Grace Mastalli
Jeff Robinson
Kitty Higgins
Larry Katz
Issac Shapiro
Pat Fahey

OK
NO?

**PROPOSAL FOR YOUTH APPRENTICESHIP PUBLIC AND ASSISTED HOUSING
PARTNERSHIP PROGRAM**

SUMMARY

HUD is proposing a program within the Youth Employment and Skills Crime Prevention Program (YES). This proposal recommends the development of a Youth Apprenticeship Public and Assisted Housing Partnership Program to help reduce crime and poverty in public and assisted housing communities with high incidence of crime by providing youth living in public and assisted housing with meaningful training and employment opportunities that can lead to full employment through public and private partnerships.

A HUD Youth Apprenticeship Public and Assisted Housing Partnership Program is being proposed for the following reasons:

(1) Although public and assisted housing residents are eligible under the YES Program, the local government has the discretion to choose any residents residing in high crime areas for program participation. This does not guarantee public and assisted housing residents will be chosen for program participation.

(2) Public and assisted housing residents are the poorest residents in low-income communities with the average income being 17% of the median. More programs addressing poverty in low-income communities, must target public and assisted housing residents.

(3) Public and assisted housing communities are communities which have an over preponderance of crime (especially violent crime), unemployment and lack of job skills. Programs providing training and employment opportunities in low-income communities must target public and assisted housing residents.

(4) Too often low- and very low-income persons complete training programs and are unable to obtain meaningful employment or they enter minimum wage dead end jobs. The Youth Apprenticeship Public and Assisted Housing Partnership Program provides assured, viable employment opportunities for program participants in the skilled area in which they are trained.

(5) HUD has a direct relationship with a network of institutions/agencies with the capacity to carry out the Youth Apprenticeship Public and Assisted Housing Partnership Program.

(6) HUD has a commitment from several labor unions to participate in the Youth Apprenticeship Public and Assisted

Housing Partnership Program by assuring program participants acceptance into their apprenticeship programs as well as a commitment from them to supplement grant funds from their own resources.

The Youth Apprenticeship Public and Assisted Housing Partnership Program will enable public and assisted housing youth to climb a ladder to long-term employment opportunities through a cooperative effort of the public housing agency, youth outreach programs (such as Youth Corps and Job Corps), state and Federal registered apprenticeship programs, and joint labor-management initiatives designed to focus on actual on-the-job training and assured employment opportunities.

The program will be a competitive grant program for public and assisted housing communities with severe crime problems (including a high incidence of violent crime or drug trafficking) that can assure participation in public and private national and community partnerships which advance legitimate economic opportunities of public and assisted housing youth. Eight public housing agencies will be selected to implement an intensive program providing public housing youth with educational opportunities, labor-management supported apprenticeship and training, actual job experience, along with private and public works employment assurances.

Awards covering five years will be made to those public housing authorities that join with youth outreach programs, community-based organizations, technical assistance entities, and joint labor-management organizations which together offer increased access to private sector funding and job opportunities. It is intended that as many partners as necessary, to provide broad community involvement, be assembled under the application. **This program will provide 12,000 long-term, viable jobs to youth residing in public and assisted housing.**

Young adults ages 16 to 25 shall be eligible to participate in this program and in certain circumstances, as determined by the Secretary, young adults up to age 30 and youth age 14 to 15 may be eligible to participate. Program participants will be trained in occupations related to public housing and public works construction, modernization, rehabilitation and maintenance. Programs that offer public and assisted housing residents career opportunities beyond the construction trades are also eligible for funding under the Youth Apprenticeship Public Housing Partnership Program. To this end, the Program will also offer participants opportunities to be trained in other high-wage occupations such as, but not limited to, nursing, computer technology, paralegal, dental hygienist, and medical assistants with guaranteed assurances of employment that can end the cycle of poverty, crime and welfare dependency.

Grant funds can be used for a wide variety of activities including, but not limited to, education, school-to-work programs, job training and related training fees, supportive services, stipends, wages to include on-the-job training and work experiences, uniforms, tools, technical assistance, and administrative costs which may include a coordinator for the program.

Funding in the amount of \$262 million is being requested for this program. A total of \$240,000,000 (approximately 91.5% of the total amount) will be awarded to eight public housing agencies over a five year period based on grant performance. A total of 6.5% (\$17,000,000) over five years will be made available to a national non-profit entity or foundation which will provide technical support to local partners in the setting up and operation of programs that arise from these partnerships. The public and private partnerships which submit proposals must supplement grant funds with an amount of funds equal to or greater than 25% of the amount provided by the grant. Approximately two percent (\$5,000,000) of the total funding will be used by HUD to conduct a rigorous evaluation and analysis of program effectiveness.

Labor-management organizations involved in grant applications must have an apprenticeship program which is federally or state registered. They must provide proof of at least three years experience of involvement at the local level in providing training and job placement within the community.

Skills training for program participants will be the major responsibility of the labor-management organization. Training shall occur on site in their training facility and it will be sufficient to assure that each program participant will have acquired the fundamental skills and knowledge needed to successfully perform work in the career they have chosen.

Following the completion of skills training, the Labor-management organization must enroll successful program graduates in their bona fide, authentic apprenticeship program.

In addition to classroom instruction the Labor-management organization shall incorporate "job mentoring" into the training to further enhance the probable success of program participants.

The national technical assistance organization shall be a non-profit corporation with the capacity to provide technical assistance regarding job training, housing rehabilitation, energy conservation, community organization, minority and women-owned business development, labor-management relations, and finance.

JUSTIFICATION

Programs providing training and employment opportunities in low-income communities should target public and assisted housing communities and specifically residents. Many such training programs do not target public housing communities. Public and assisted housing residents and youth need to be prepared for and accepted into the work force in order to have meaningful employment and assist communities in reducing crime. They need education, training and skills to obtain and maintain viable employment that can lead them to economic self-sufficiency and away from a life of crime for survival. Communities need opportunities for their citizens, especially public and assisted housing residents and youth, that provide pathways to meaningful employment and careers within the private sector and ways to develop the skills, businesses and revenue base for a safe and economically healthy living environment.

In various training programs directed at promoting economic self-sufficiency through education and training, one of the major shortcomings has been the lack of assured or guaranteed, viable jobs and long-term employment (that can lead to self-sufficiency) at the completion of the training component of the program. Moreover, programs often lack access to the social networks and support relationships that alert participants to job opportunities and assist them in negotiating decent wages and benefits.

Many times program participants complete training programs and obtain minimum wage jobs with no potential for future career development and/or promotions. They sometimes discover that they were better off in terms of disposable income and benefits (especially health benefits) prior to securing the minimum wage job that resulted from the training experience.

Federal and state registered construction apprenticeship programs serve as one traditional model for lifting participants from poverty. They have the capacity to provide their apprentices with the skills necessary to earn a living at a decent wage rate while simultaneously giving them the tools to meet requirements of a demanding career path. Today, employers in markets directly related to public and assisted housing are expressing more desire and need to include disadvantaged citizens, such as public and assisted housing residents and youth, in their workforce. The Youth Apprenticeship Public and Assisted Housing Partnership Program brings for-profit corporations and other private sector forces to the table to participate in the planning and implementation of these programs. This will significantly increase the likelihood of creating viable long-term job opportunities for public housing residents.

This program will join the forces of labor organizations,

community-based organizations and private sector concerns with public housing agencies to focus their resources and attention on the problems confronting public and assisted housing communities, especially in terms of crime and poverty. The entities will work together to fashion strategies and plans to abate these problems.

SUCCEED Program

Section ()

Sec. 1 Purpose

The purpose of the Summer Camping for Child Enrichment, Education, and Development (SUCCEED) program is to provide an organized children's camping experience for approximately 12,000 at-risk low-income children, ages six to sixteen years, who reside in public housing, Indian housing, or publicly assisted housing.

Sec. 2 Findings

i) There is a critical need to provide constructive outlets for at-risk low-income children during the summer months, and other periods, when school is not in session.

ii) At-risk children are concentrated in the public and Indian housing, where the crime, drug, and gang problems are very serious.

iii) A camping experience, away from hostile environments, can help children mature socially, emotionally, intellectually, and morally.

In a structured environment such as camp, children live, work and play with positive role models. Through fun and challenging outdoor activities, children learn to work together, make choices, take responsibilities, develop creative skills and gain confidence- building self reliance -- critical steps on the youngster's paths to healthy productive lives.

iv) It is in the public interest to utilize existing children's camp programming and facilities in the 50 states to address the critical needs of these children.

Sec. 3

The Secretary shall administer a national program to implement the purposes of this Act. As soon as practicable after the effective date of this Act, the Secretary shall solicit a proposal from the American Camping Association to provide comprehensive and cost-effective administrative services for planning, implementation, and operation of the program herein authorized.

Sec. 4 Distribution of funds

Funds authorized by this section shall be made available for disbursement by the administrator to participating camps within each HUD field office jurisdiction, in an amount that bears the same ratio as the population of children residing therein, aged 6-16 inclusive, to the total population of children, aged 6-16 inclusive, residing in all such jurisdictions. Remaining funds shall then be made available for re-distribution based upon need. Funds disbursed to camps shall be utilized only for room, board, tuition, ground transportation, and necessary incidentals where there is evidence the family is unable to provide them.

Sec. 5 Camp Qualification

i) Prior to participation of any organized children's camp in the program herein authorized, a camp shall become qualified by establishing with the administrator:

- a) camp licensure by a State, or
- b) accreditation by a national accrediting organization, and
- c) demonstrate experience with organized children's camp programming and administration.

ii) Qualifying camps may apply to the administrator for authorization to recruit

- a) a maximum of 50 children per camp session;
- b) for participation in programs of no less than two weeks duration.

iii) The Secretary, or the administrator with the consent of the Secretary, may waive the recruitment limitation of Sec. 5 (ii) (a) upon a finding that such waiver promotes the purposes of this Act.

iv) The Secretary, in consultation with the administrator, shall establish minimum health and safety standards for participating camps. In the event the administrator becomes aware of deficiencies in meeting such standards, it may require prompt remedial efforts or may, in its discretion, disqualify a camp from participation in the program.

Sec. 6 Recruitment Guidelines

The Secretary shall, in consultation with the administrator, promulgate recruitment guidelines for use by participating camps. The administrator shall facilitate placement of children in camps in collaboration with public and Indian housing authorities. Guidelines shall require that priority of placement be given to children:

- i) between the ages of six and sixteen years of age
- ii) who reside in public housing, Indian housing, or other publicly assisted housing, and
- iii) who, if between the ages of 13 and 16, agrees in writing along with a custodial parent or legal guardian, that he or she will participate in an identified community service, education, or recreation program for youth at the completion of the camp experience.

Sec. 7 Administrative responsibilities

The responsibilities of the administrator shall include, where appropriate, public notification of program availability, authorization of recruitment, assistance with development of program guidelines, implementation and monitoring of program guidelines, administrative disbursements, assistance with research development, and accounting. The Administrator shall ensure that all qualified camps seeking participation have equitable access to the program.

Sec. 8 Research

The Secretary shall undertake ongoing research and analysis of the effectiveness of this program in addressing crime prevention.

Sec. 9 Technical assistance

A portion of the funds authorized for use by the administrator may be utilized by the administrator to provide appropriate training and technical assistance to camps.

Sec. 10 Definitions

"Accreditation" is defined as a process of evaluation where organizational operations are reviewed by trained personnel, tested against valid and reliable national criteria, and passed. Such a process should include provision for periodic re-evaluation and re-accreditation.

"Administrator" is defined as the American Camping Association.

"Secretary" is defined as the Secretary of Housing and Urban Development.

Sec. 11 Authorization of appropriations

There are authorized to be appropriated to carry out this Title \$15,000,000 for each of the fiscal years 1995, 1996, 1997, 1998 and 1999. Of said funds, the Secretary may expend up to fifteen percent of appropriated funds for contract services to be provided by the administrator, and up to three percent of appropriated funds for research undertaken pursuant to this subtitle.