

PORK -- OR JUST GUN LOBBY SQUEALING?

Republicans are claiming that the Crime Bill Conference Report is loaded with "pork." But look at the facts:

First: The Crime Bill's resources principally are devoted to tough, crime fighting measures.

- More than \$7 in \$10 of all spending in the Bill (72%) is for police, federal and state law enforcement, prisons and detention facilities.
- Another 13% is devoted to combatting violence against women, drug courts, and Republican sponsored crime prevention programs, by Senators Danforth and Domenici. Thus, 85% of the Bill's funding is for law enforcement, prisons, drug courts, violence against women, and bipartisan prevention programs.

Second: The Conference reduced spending for many prevention programs from the House-passed levels.

- It's ironic that Republicans are saying that the Bill was "porked up" in Conference; the Conference cut funding for many prevention programs, below their House-passed levels.
- Look at the prevention cuts made in the Conference Report, as compared to the House bill that 65 Republican members voted for in April (in per year amounts, in millions):

	<u>House</u>	<u>Conf Rpt</u>	<u>Cut</u>
Local Partnership Act	\$400m	\$300m	-\$100m
Model Intensive Grants	\$300m	\$145m	-\$155m
Community Schools/FACES	\$230m	\$150m	-\$ 80m
Gang Prevention Grants	\$100m	\$ 5m	-\$ 95m
Boys & Girls Clubs	\$ 20m	\$ 6m	-\$ 14m
Hope in Youth (Gang Prvn)	\$ 20m	\$ 4m	-\$ 16m
Police Partnerships w/Chldrn	\$ 20m	\$ 5m	-\$ 15m
Midnight Basketball	\$ 10m	\$ 7m	-\$ 3m
TOTAL	\$1.1bil	\$622m	-\$478m

- And look at what has been increased since the House passed its Crime Bill in April:

	<u>House Level</u>	<u>Conf Report</u>
Police Officers	\$3.5 bil	\$8.8 bil
FBI Agents	\$ 0 mil	\$250 mil
DEA Agents	\$ 0 mil	\$150 mil
Local Prosecutors	\$100 mil	\$200 mil
Police and Prosecutors to Combat Violence Against Women	\$400 mil	\$1.0 bil
TOTAL	\$4.0 bil	\$10.4 bil

- Republicans can try to explain their flip-flops however they choose. But voting against the Crime Bill now -- after key prevention programs have been cut, and key law enforcement programs increased -- can have only one explanation: it's not "pork," but gun lobby "squealing" that accounts for the change.

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REPUBLICAN SUPPORT FOR CRIME PREVENTION

Domenici, Danforth, Stevens write prevention provisions. On May 17, 1993, Senator Pete Domenici (R-NM) testified before the Senate Labor Committee in favor of the Community Schools and Olympic Youth Development Centers program, which was developed by Republican Senators Danforth, Stevens and Domenici and Democratic Senators Bradley and Dodd.

Domenici: "When it became apparent that a sizable trust fund was being created to fund programs such as 100,000 cops on the beat, new prisons and the like, I thought we ought to spend some money on preventing crime -- rather than wait around until our young people get into trouble and spend taxpayers dollars after the fact."

"The problems of our young people turning toward delinquent behavior are everywhere, not just in major U.S. cities. In New Mexico for instance, police in Albuquerque have documented the existence of 155 gangs with estimates of 6 to 7,000 members. We must try to address this crisis on the front end..." [Federal Document Clearing House Congressional Testimony, 5/17/94]

Danforth: Prevention must be centerpiece of crime bill. On November 18, 1993 Senator John Danforth spoke on the Senate floor in favor of the community schools youth services and supervision grant program and olympic youth development centers: "Prevention must be the centerpiece of any crime package. Police and prisons and alternative sentencing programs all treat symptoms. They are all initiatives directed at people who have crossed the line into criminal activity. This amendment treats the disease. It treats the disease of disenfranchisement and disconnection. And it goes farther. The first generation of children who are given safe, supervised lives will carry inside them the antibody and will transmit it to their own children. This approach carries the hope of actually breaking the cycle." [Congressional Record, 11/18/93]

Dole introduces Durenburger's Family Unity Act. On November 10, 1993, Senator Dole introduced the Family Unity Demonstration Project Act -- sponsored by Senators Durenburger (R-MN) and Simon (D-IL) -- which makes community correction programs available to nonviolent offenders who have sole custody of children under the age of six. [Congressional Record, 11/10/93]

Durenburger: "In addition to being a more cost-effective alternative to incarceration, these supervised programs produce results -- the participants are much less likely to repeat their crimes. Support for this legislation should cut across party, ideological, and geographic lines." [Congressional Record, 6/24/93]

Dole introduces \$100 million anti-gang grant measure. Senator Dole introduced an amendment to S. 1607 that would make gang criminal activity a federal offense with mandatory minimum sentences. The amendment also established a \$100 million grant program to work with gang members and juveniles. Republicans supported the measure 38-5, and the measure was adopted 60-38. [1993 Congressional Quarterly Almanac, p. 46-S]

Gramm supports drug treatment for prisoners. Senator Phil Gramm, on the Senate floor: "I support our Democratic colleagues in getting drug treatment for people in prison -- who could

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be against that..." [Congressional Record, November 4, 1993]

Bennett calls for increased access to drug treatment. William Bennett, *swearing-in as drug czar, 3/13/89*: "We want to see waiting lines for drug treatment reduced." [FedNews, 3/13/89]

Republicans support spending \$1.8 billion to prevent violence against women. A November 4, 1993 amendment to S. 1607 by Senator Byrd included a \$1.8 billion program to help prevent violence against women. The amendment passed 94-4 and Republicans voted 41-1. Senators voting in favor of the amendment include Sens. Dole, Hatch, Domenici, Gramm, Danforth, Durenburger, and Stevens. [1993 Congressional Quarterly Almanac, p. 45-S]

Dole calls violence against women a "national disgrace." The Women's Equality Act of 1991 - sponsored by Senate Minority Leader Robert Dole (R-KS) and Senator Conrad Burns (R-MT), and supported by Senators Lugar (R-IN), Thurmond (R-SC), Warner (R-VA), Roth (R-DE) and McCain (R-AZ) - included provisions to prevent violence against women.

Dole, introducing the Women's Equality Act of 1991, February 21, 1991: "Violence against women is a national disgrace. It's a disgrace that we must have the courage to recognize and the commitment to reform." [StatesNews, 2/21/91]

Specter speaks in favor of prevention. Senator Arlen Specter, on the Senate floor, November 16, 1993: "The current bill further provides that the Justice Department would finance police athletic leagues, Big Brothers and Big Sisters programs, and Girls and Boys Clubs in high crime areas. *This kind of crime prevention is indispensable.*"

"Then there has to be realistic rehabilitation for those who are in jail. It is no surprise that if someone leaves jail as a functional illiterate, cannot read or write, has no trade or skill, is drug dependent, and walks out of that jail, that person, man or woman, is soon going to be caught in a revolving door and is soon going to be back in jail." [Congressional Record, 11/16/93]

Hatch promises to work to prevent crime. On April 6, 1992, Senator Orrin Hatch (R-UT) stood with actor Edward James Olmos and praised programs that counter criminal motivations.

Hatch said he would work to enliven jobs programs for urban youth: "What we're really concerned with is how do you reach these young people, instead of how do you jail them." [StatesNews, 4/6/92]

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DATE: ?

Kassebaum, Dole hear mayor's plea

Senate approves \$1 million to help fight crime

By Tom Walsh
The Wichita Eagle

Just three days after Wichita asked for help, the U.S. Senate has responded, voting Thursday to send \$1 million to bolster the city's fight against gangs and violence.

If the money clears a final hurdle in Congress, the \$1 million could be available as soon as October, funneled through the Justice Department's experimental Weed and Seed program. The money would enable Wichita to quickly hire 20 new police officers, assign them to troubled neighborhoods and aid in fostering greater community involvement, said Wichita Mayor Elma Broadfoot.

The money was earmarked for Wichita by Sens. Bob Dole and Nancy Kassebaum, both Kansas Republicans, who met Monday with Broadfoot in Washington and heard her request for help.

"After talking with the mayor, I believe that Wichita is an ideal site for this innovative pilot program to help fight crime in our cities," Dole

Safe

Inside
Bogged down: More police on the street could swamp criminal justice system. SA

No gripes: Community leaders support proposed sales tax for public safety. SA

said Thursday. "Wichita is determined to take an aggressive approach in combating gang violence."

The Weed and Seed program is designed to strengthen police and aid community efforts to root out troublemakers in high-crime areas, and then to "replant" neighborhoods. Broadfoot said the program's success heavily depends on "really mobilizing neighborhood groups to be part and parcel of community policing."

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MONEY

From Page 1A

On the Senate floor Thursday, both Kansas senators led grain elevators of Wichita's crime problem. Dole cited the 188 drive-by shootings in Wichita last year, and mentioned the Fourth of July gang-related shooting near Cassin Stadium as being "particularly painful for the city."

In the past, Wichita officials hoped that "marshaling" would include Weed and Seed money, but Wichita wasn't among the first group of cities given money. So Kassebaum and Dole hurried up in earlier weeks. Wichita wasn't bypassed. They amended the Justice Department's annual spending bill to require that Wichita get its share. Their amendment passed.

Still, the \$1 million isn't Wichita's yet. The current could be still removed when legislators seek to iron out differences between the House and Senate versions.

Still, even if Wichita gets the money, it's only a one-time grant. When the money runs out, Broadfoot said, "that's where we hope the action will help us."

3. Juvenile Drug Trafficking and Gang Prevention Grants

Republican Supporters: **Sen. Bob Dole (R-KS)**
 Sen. Orin Hatch (R-UT)

The Juvenile Drug Trafficking section of the Criminal Street Gangs title provides grants to state and local governments and community organizations for gang prevention and enforcement programs.

Title XV, Section 150004 reads as follows:

"... The grants made under this section may be used for any of the following specific purposes:

... (9) To promote the involvement of all juveniles in lawful activities, including in-school and after-school programs for academic, athletic, or **artistic enrichment** that also teach that drug and gang involvement are wrong."

Source: Congressional Record
 August 10, 1994
 pp. H7442-43

REFERENCES TO ARTS, CRAFTS, AND DANCE IN THE CRIME BILL

1. Community Schools Program

Republican Supporters: **Sen. Jack Danforth (R-MO)**
 Sen. Pete Domenici (R-NM)

The Community Schools Youth Services and Supervision Grant Program provides grants to community-based organizations to keep schools open late to provide extracurricular activities for young people.

Title III, Subtitle D, Section 30401(c)(2)(B) reads as follows:

"[These organizations] in providing such extracurricular and academic programs, shall provide programs such as curriculum-based supervised educational, work force preparation, entrepreneurship, cultural, health programs, social activities, **arts and crafts programs, dance programs**, tutorial and mentoring programs, and other related activities."

Source: Congressional Record
 August 10, 1994
 pp. H7386-87

2. Boys and Girls Clubs

Republican Supporters: **Sen. Bob Dole (R-KS)**
 Sen. Orin Hatch (R-UT)

The Gang Prevention Services for Boys and Girls program provides grants to Boys and Girls Clubs for efforts to prevent young children from becoming involved in gangs.

Title III, Subtitle L, Section 31202 reads as follows:

"...The eligible service providers receiving a grant under section 31201 shall --
(1) provide a comprehensive array of support services to assist the participants to reach their full potential as contributing law-abiding citizens (which support services may include education and health services; career development training; **music, art, and drama activities**; physical fitness training; life skills training; mental health counseling; and job placement counseling);"

Source: Congressional Record
 August 10, 1994
 pp. H7400

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

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

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

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

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

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

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

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

21 (i) Residents of the community;

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

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

10 "eligible community" means an area identified

11 pursuant to subsection (e).

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

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

14 ans, including an Alaska Native village (as defined

15 in or established under the Alaska Native Claims

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

17 ognized as eligible for the special programs and serv-

18 ices provided by the United States to Indians be-

19 cause of their status as Indians.

20 "poverty line" means the income official poverty

21 line (as defined by the Office of Management and

22 Budget, and revised annually in accordance with sec-

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

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

25 the size involved.

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

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

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

14 (c) PROGRAM AUTHORITY.—

15 (1) IN GENERAL.—

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

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

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

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

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

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

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

19 (d) PROGRAM REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

7 (C) may use—

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

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

1 (c) AMOUNTS.—Amounts appropriated under sub-
2 section (a) shall remain available for expenditure without
3 fiscal year limitation.

4 **SEC. 31193. PROHIBITION.**

5 None of the funds authorized under this subtitle shall
6 be used to finance the construction of housing.

7 **Subtitle L—Gang Prevention**
8 **Services for Boys and Girls**

9 **SEC. 31201. PROGRAM AUTHORITY.**

10 (a) IN GENERAL.—The Attorney General, in con-
11 sultation with the Secretary of Education and Secretary
12 of Health and Human Services, may make grants to eligi-
13 ble service providers to carry out programs that prevent
14 young children from becoming gang involved. In making
15 such grants, the Attorney General shall give priority to
16 eligible service providers that have a proven track record
17 of serving young children and have an overall budget of
18 not more than \$750,000 per program per fiscal year, prior
19 to receiving a grant under this section.

20 (b) CONSULTATION WITH OUNCE OF PREVENTION
21 COUNCIL.—The Attorney General may consult with the
22 Ounce of Prevention Council in making grants under sub-
23 section (a).

1 **SEC. 31202. PROGRAM REQUIREMENTS.**

2 The eligible service providers receiving a grant under
3 section 31201 shall—

4 (1) provide a comprehensive array of support
5 services to assist the participants to reach their full
6 potential as contributing law-abiding citizens (which
7 support services may include education and health
8 services; career development training; music, art,
9 and drama activities; physical fitness training; life
10 skills training; mental health counseling; and job
11 placement counseling);

12 (2) to the extent practicable, involve the parents
13 and other family members of participating children,
14 and the members of local organizations that support
15 the educational and law enforcement institutions of
16 the community, as is appropriate, in the administra-
17 tion and operation of the gang prevention program;

18 (3) utilize community resources and related
19 support services as needed in the operation of the
20 program;

21 (4) accept referrals from public institutions, as
22 is appropriate, such as law enforcement, mental
23 health, local school systems, and other entities of
24 local government; and

25 (5) utilize volunteer staff, including participants
26 in programs funded under the National and Commu-

1 for which the guidelines already provide a two-level
2 enhancement; and

3 (4) the possible relevance of the proximity in
4 age between the offender and the minor(s) involved
5 in the offense.

6 **TITLE XV—CRIMINAL STREET** 7 **GANGS**

8 **SEC. 150001. CRIMINAL STREET GANGS.**

9 (a) **IN GENERAL.**—Part I of title 18, United States
10 Code, is amended by inserting after chapter 25 the follow-
11 ing new chapter:

12 **“CHAPTER 26—CRIMINAL STREET GANGS**

13 **“§ 521. Criminal street gangs**

14 **“(a) DEFINITIONS.—**

15 **“ ‘conviction’ includes a finding, under State or**
16 **Federal law, that a person has committed an act of**
17 **juvenile delinquency involving a violent or controlled**
18 **substances felony.**

19 **“ ‘criminal street gang’ means an ongoing**
20 **group, club, organization, or association of 5 or**
21 **more persons—**

22 **“(A) that has as 1 of its primary purposes**
23 **the commission of 1 or more of the criminal of-**
24 **fenses described in subsection (c);**

1 “(B) the members of which engage, or
2 have engaged within the past 5 years, in a con-
3 tinuing series of offenses described in sub-
4 section (c), and

5 “(C) the activities of which affect inter-
6 state or foreign commerce.

7 “(b) PENALTY.—The sentence of a person convicted
8 of an offense described in subsection (c) shall be increased
9 by up to 10 years if the offense is committed under the
10 circumstances described in subsection (d).

11 “(c) OFFENSES.—The offenses described in this sec-
12 tion are—

13 “(1) a Federal felony involving a controlled sub-
14 stance (as defined in section 102 of the Controlled
15 Substances Act (21 U.S.C. 802)) for which the max-
16 imum penalty is not less than 5 years;

17 “(2) a Federal felony crime of violence that has
18 as an element the use or attempted use of physical
19 force against the person of another; and

20 “(3) a conspiracy to commit an offense de-
21 scribed in paragraph (1) or (2).

22 “(d) CIRCUMSTANCES.—The circumstances described
23 in this section are that the offense described in subsection
24 (c) was committed by a person who—

1 “(1) participates in a criminal street gang with
2 knowledge that its members engage in or have en-
3 gaged in a continuing series of offenses described in
4 subsection (c);

5 “(2) intends to promote or further the felonious
6 activities of the criminal street gang or maintain or
7 increase his or her position in the gang; and

8 “(3) has been convicted within the past 5 years
9 for—

10 “(A) an offense described in subsection (c);

11 “(B) a State offense—

12 “(i) involving a controlled substance
13 (as defined in section 102 of the Controlled
14 Substances Act (21 U.S.C. 802)) for which
15 the maximum penalty is not less than 5
16 years’ imprisonment; or

17 “(ii) that is a felony crime of violence
18 that has as an element the use or at-
19 tempted use of physical force against the
20 person of another;

21 “(C) any Federal or State felony offense
22 that by its nature involves a substantial risk
23 that physical force against the person of an-
24 other may be used in the course of committing
25 the offense; or

1 “(D) a conspiracy to commit an offense de-
2 scribed in subparagraph (A), (B), or (C).”

3 (b) TECHNICAL AMENDMENT.—The part analysis for
4 part I of title 18, United States Code, is amended by in-
5 serting after the item relating to chapter 25 the following
6 new item:

“26. Criminal street gangs 521”

7 **SEC. 150002. ADULT PROSECUTION OF SERIOUS JUVENILE**
8 **OFFENDERS.**

9 Section 5032 of title 18, United States Code, is
10 amended—

11 (1) in the first undesignated paragraph by
12 striking “922(p)” and inserting “924(b), (g), or
13 (h)”;

14 (2) in the fourth undesignated paragraph by in-
15 serting “or in section 924(b), (g), or (h) of this
16 title,” before “criminal prosecution” the first place
17 it appears, and

18 (3) in the fifth undesignated paragraph by add-
19 ing at the end the following: “In considering the na-
20 ture of the offense, as required by this paragraph,
21 the court shall consider the extent to which the juve-
22 nile played a leadership role in an organization, or
23 otherwise influenced other persons to take part in
24 criminal activities, involving the use or distribution
25 of controlled substances or firearms. Such a factor,

1 if found to exist, shall weigh in favor of a transfer
2 to adult status, but the absence of this factor shall
3 not preclude such a transfer.”

4 **SEC. 150003. ADDITION OF ANTI-GANG BYRNE GRANT FUND-**
5 **ING OBJECTIVE.**

6 Section 501(b) of title I of the Omnibus Crime Con-
7 trol and Safe Streets Act of 1968 (42 U.S.C. 3751(4)),
8 as amended by section 140004, is amended—

9 (1) by striking “and” at the end of paragraph
10 (22);

11 (2) by striking the period at the end of para-
12 graph (23) and inserting “; and”; and

13 (3) by adding at the end the following new
14 paragraph:

15 “(24) law enforcement and prevention programs
16 relating to gangs, or to youth who are involved or
17 at risk of involvement in gangs.”

18 **SEC. 150004. JUVENILE DRUG TRAFFICKING AND GANG**
19 **PREVENTION GRANTS.**

20 Part D of title II of the Juvenile Justice and Delin-
21 quency Prevention Act of 1974 (42 U.S.C. 5631 et seq.)
22 is amended—

23 (1) by redesignating subpart III as subpart IV;

24 (2) by redesignating section 283 as section 284;

25 and

1 (3) by inserting after subpart II the following
2 new subpart:

3 "Subpart III—Juvenile Drug Trafficking and Gang
4 Prevention Grants

5 "FORMULA GRANTS

6 "SEC. 283. (a) AUTHORIZATION.—The Adminis-
7 trator may make grants to States, units of general local
8 government, private not-for-profit anticrime organizations,
9 or combinations thereof to assist them in planning, estab-
10 lishing, operating, coordinating, and evaluating projects,
11 directly or through grants and contracts with public and
12 private agencies, for the development of more effective
13 programs including prevention and enforcement programs
14 to reduce—

15 "(1) the formation or continuation of juvenile
16 gangs; and

17 "(2) the use and sale of illegal drugs by juve-
18 niles

19 "(b) PARTICULAR PURPOSES.—The grants made
20 under this section can be used for any of the following
21 specific purposes:

22 "(1) To reduce the participation of juveniles in
23 drug-related crimes (including drug trafficking and
24 drug use), particularly in and around elementary
25 and secondary schools.

1 “(2) To reduce juvenile involvement in orga-
2 nized crime, drug and gang-related activity, particu-
3 larly activities that involve the distribution of drugs
4 by or to juveniles.

5 “(3) To develop within the juvenile justice sys-
6 tem, including the juvenile corrections system, inno-
7 vative means to address the problems of juveniles
8 convicted of serious drug-related and gang-related
9 offenses.

10 “(4) To reduce juvenile drug and gang-related
11 activity in public housing projects.

12 “(5) To develop and provide parenting classes
13 to parents of at-risk youth, giving parents the skills
14 they need to provide adequate care and supervision
15 of such youth and to counteract the influences lead-
16 ing youth to a life of gangs, crime, and drugs.

17 “(6) To develop and provide training in meth-
18 ods of nonviolent dispute resolution to youth of jun-
19 ior high school and high school age.

20 “(7) To reduce and prevent juvenile drug and
21 gang-related activity in rural areas.

22 “(8) To provide technical assistance and train-
23 ing to personnel and agencies responsible for the ad-
24 judicatory and corrections components of the juve-
25 nile justice system to

1 “(A) identify drug-dependent or gang-in-
2 volved juvenile offenders; and

3 “(B) provide appropriate counseling and
4 treatment to such offenders.

5 “(9) To promote the involvement of all juveniles
6 in lawful activities, including in-school and after-
7 school programs for academic, athletic, or artistic
8 enrichment that also teach that drug and gang in-
9 volvement are wrong.

10 “(10) To facilitate Federal and State coopera-
11 tion with local school officials to develop education,
12 prevention, and treatment programs for juveniles
13 who are likely to participate in drug trafficking,
14 drug use, or gang-related activities.

15 “(11) To prevent juvenile drug and gang in-
16 volvement in public housing projects through pro-
17 grams establishing youth sports and other activities,
18 including girls' and boys' clubs, scout troops, and lit-
19 tle leagues.

20 “(12) To provide pre- and post-trial drug abuse
21 treatment to juveniles in the juvenile justice system
22 with the highest possible priority to providing drug
23 abuse treatment to drug-dependent pregnant juve-
24 niles and drug-dependent juvenile mothers.

AFTER-SCHOOL YOUTH PROGRAMS

AFTERSCHOOL

Ounce of Prevention Grants
Family & Community Endeavor Schools (FACES)
Community Schools Youth Services Grants
Family & Community Endeavor Schools Grants
Midnight Sports League
Hope in Youth
Boys and Girls
Police Partnerships
Anticrime Youth Councils
Olympic Youth Development
Urban Recreation and At-Risk Schools

GANGS

Juvenile Drug Trafficking Gang Prevention
Community Youth Academies
Gang Prevention Services
GREAT
Youth Violence Prevention

STRONG FAMILIES

Child Visitation
Family Unity

SENIORS

Triad, Alzheimers, Corridors

OTHERS

LPA
MIG
Kennedy
Prison Drug Treatment
Drug Courts
VAWA

PROPOSED CONSOLIDATION OF PREVENTION PROGRAMS
(Consolidates 27 Line Items into 15)

A. AFTER-SCHOOL

Community Schools Youth Services Grants (HHS)
Hope in Youth (HHS)

B. AT-RISK YOUTH

Family & Community Endeavor Schools Grants (ED)
Midnight Sports League (HUD)
Boys and Girls Clubs (HUD)
Police Partnerships for Children (HUD)
Olympic Youth Development Centers (HUD)

C. YOUTH VIOLENCE PREVENTION

Juvenile Drug Trafficking Gang Prevention (DOJ)
Community Youth Academies (DOJ)
Gang Prevention Services (DOJ)
Youth Violence Prevention Block Grants (DOJ)
Anticrime Youth Councils (DOJ)
[Fold in Urban Recreation and At-Risk Youth (Interior) with no funding]

D. SENIORS

Triads (DOJ)
Safe Corridors (DOJ)
Missing Alzheimers (DOJ)

STAND-ALONE PROGRAMS

- E. Youth Employment and Skills (DOL)
- F. Local Partnership Act
- G. Model Intensive Grants
- H. GREAT (Treasury)
- I. National Community Economic Partnership
- J. Violence Against Women Act
- K. Prison Drug Treatment (state)
- L. Prison Drug Treatment (federal)
- M. Family Unity (DOJ)
- N. Child Visitation Centers (DOJ)
- O. Ounce of Prevention Grants

To Bruce

PROPOSED CONSOLIDATION OF PR
(Consolidates 27 Line It

Reversion

From [Signature]

AFTER-SCHOOL

- 1 Ounce of Prevention Grants
- 2A Community Schools Youth Services Grants (HHS)
- 3, Family & Community Endeavor Schools Grants (EDA)

Removes you
Can + combine
FRCS + Com School.

B. AT-RISK YOUTH

- 3 Midnight Sports League (HUD)
- 2b. [Hope in Youth (HUD) HHS
- 3 Boys and Girls Clubs (HUD)
- 3 Police Partnerships for Children (HUD)

C. YOUTH VIOLENCE PREVENTION

- 4 [Juvenile Drug Trafficking Gang Prevention (DOJ)
- [Community Youth Academies (DOJ)
- [Gang Prevention Services (DOJ)
- [Youth Violence Prevention Block Grants (DOJ)
- [Anticrime Youth Councils (DOJ)
- 3 [Olympic Youth Development Centers (DOJ) HUD]

D. FAMILY SECURITY

- 5 Triads (DOJ)
- 5 Safe Corridors (DOJ)
- 5 Missing Alzheimers (DOJ)
- 6 Family Unity (DOJ)
- 7 Child Visitation Centers (DOJ)

STAND-ALONE PROGRAMS

- 8 E. Youth Employment and Skills (DOL)
- 9 F. Local Partnership Act
- 10 G. Model Intensive Grants
- 11 H. GREAT (Treasury)
- 12 I. National Community Economic Partnership
- 13 J. Violence Against Women Act
- 14 K. Prison Drug Treatment (state)
- 15 L. Prison Drug Treatment (federal)

M. Urban Recreation and At-Risk Youth (Interior) defund program/ DOJ

To: Bruce Reed
Grant

PROPOSED CONSOLIDATION OF PREVENTION PROGRAMS

(Consolidates 27 Line Items into 13)

12

A. AFTER-SCHOOL

- Ounce of Prevention Grants
- Community Schools Youth Services Grants (HHS)
- Family & Community Endeavor Schools Grants (ED)

B. AT-RISK YOUTH

- Midnight Sports League (HUD)
- Hope in Youth (~~HUD~~) HHS
- Boys and Girls Clubs (HUD)
- Police Partnerships for Children (HUD)

C. YOUTH VIOLENCE PREVENTION

- Juvenile Drug Trafficking Gang Prevention (DOJ)
- Community Youth Academics (DOJ)
- Gang Prevention Services (DOJ)
- Youth Violence Prevention Block Grants (DOJ)
- Anticrime Youth Councils (DOJ)
- Olympic Youth Development Centers (~~DOJ~~) HUD

D. FAMILY SECURITY

- Triads (DOJ)
- Safe Corridors (DOJ)
- Missing Alzheimers (DOJ)
- Family Unity (DOJ)
- Child Visitation Centers (DOJ)

STAND-ALONE PROGRAMS

- E. Youth Employment and Skills (DOL)
- F. Local Partnership Act
- G. Model Intensive Grants
- H. GREAT (Treasury)
- I. National Community Economic Partnership
- J. Violence Against Women Act
- K. Prison Drug Treatment (state)
- L. Prison Drug Treatment (federal)
- M. Urban Recreation and At-Risk Youth (Interior) defunding w/ DOJ

TO: Ron Klain
FROM: Grace Mastalli

Per your request, five options, I like Option Five best:

OPTION ONE

Untouched by consolidation:

LPA (F)
Nat'l Comm. Econ. Partnership
NIGB
YES
VAWA
Prison Drug Treatment (federal and state)

A: After School/Recreation

- FACES (ED)
- Community Schools (EHS)

- Oz of Prevention
 - o Midnight Sports (HUD)
 - o Hope in Youth (HUD)
 - o Boys and Girls Clubs (HUD)
 - o Police Partnerships/Safe Housing (HUD)
 - o Olympic Youth Development
 - o Anticrime Youth Councils (DOJ)
 - o Urban Rec. and at Risk Youth (Interior)

B. Gang Prevention

- o Juv. Drug Trafficking & Gang Prevent. (DOJ)
- o Community Youth Academies (§30701) (DOJ)
- o Gang Prevention Services (Sub. L) (DOJ)
- o Youth Violence Prevention Block Grants (DOJ)
- o GREAT (Treasury)

C. Seniors

- o TRIADS (DOJ)
- o Safe Corridors (DOJ)
- o Missing Alzheimers (DOJ)

D. Family

- o Family Unity
- o Child Visitation Centers

OPTION TWO

The same as Option One above but leaves out FACES and Community Schools

OPTIONS THREE & FOUR

The same as Option One &/or Two above but combines Afterschool and Prevention (A & B) programs into one title.

OPTION FIVE

Like Option One except:

Combines all HUD PROGRAMS in OPTION ONE above together.

Combines all DOJ Youth Programs (possibly with GREAT as well)

Combines OZ and Olympic Youth (and possibly FACES and Comm. Schools)

PROPOSED CONSOLIDATION OF PREVENTION PROGRAMS
(Consolidates 27 Line Items into 13)

A. AFTER-SCHOOL

Ounce of Prevention Grants
Community Schools Youth Services Grants (HHS)
Family & Community Endeavor Schools Grants (ED)

B. AT-RISK YOUTH

Midnight Sports League (HUD)
Hope in Youth (HUD)
Boys and Girls Clubs (HUD)
Police Partnerships for Children (HUD)

C. YOUTH VIOLENCE PREVENTION

Juvenile Drug Trafficking Gang Prevention (DOJ)
Community Youth Academies (DOJ)
Gang Prevention Services (DOJ)
Youth Violence Prevention Block Grants (DOJ)
Anticrime Youth Councils (DOJ)
Olympic Youth Development Centers (DOJ)

D. FAMILY SECURITY

Triads (DOJ)
Safe Corridors (DOJ)
Missing Alzheimers (DOJ)
Family Unity (DOJ)
Child Visitation Centers (DOJ)

STAND-ALONE PROGRAMS

- E. Youth Employment and Skills (DOL)
- F. Local Partnership Act
- G. Model Intensive Grants
- H. GREAT (Treasury)
- I. National Community Economic Partnership
- J. Violence Against Women Act
- K. Prison Drug Treatment (state)
- L. Prison Drug Treatment (federal)
- M. Urban Recreation and At-Risk Youth (Interior)



PUBLIC WORKS AND TRANSPORTATION

SUBCOMMITTEES:

ECONOMIC DEVELOPMENT
WATER RESOURCES AND ENVIRONMENT

VETERANS' AFFAIRS

SUBCOMMITTEES:

EDUCATION, TRAINING AND EMPLOYMENT
OVERSIGHT AND INVESTIGATIONS

CONGRESSIONAL REFORM TASK FORCE

Congress of the United States

House of Representatives

Washington, DC 20515-3230

- WASHINGTON OFFICE:
331 CANNON BUILDING
WASHINGTON, DC 20515
(202) 226-3306
FAX: 226-0267
- MAIN OFFICE:
403 MAIN STREET
SUITE 810
BUFFALO, NY 14203-2189
(716) 845-6267
FAX: 847-0323
- SATELLITE OFFICE:
1490 JEFFERSON AVENUE
BUFFALO, NY 14208
(716) 888-4078

August 16, 1994

President William J. Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mr. President:

In our recent telephone conversations I have emphasized how important it is to help our cities, towns and constituents to fight crime. We both agreed that now is the time to act.

I suggested to you the need for "flexibility" for local officials in using any crime prevention funding. This "flexibility" allows use of financing to its greatest potential.

The Mayor of the City of Buffalo, has requested this flexibility so that our local officials who witness our crime problems first-hand, can craft the best solutions.

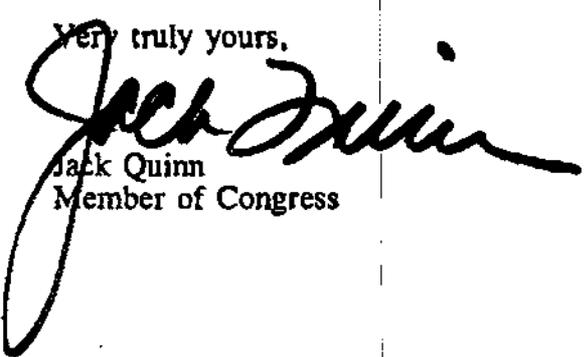
For example, if a locality received \$500,000 for the midnight basketball program, but needed to use \$200,000 of that funding for new police automobiles and/or to help a successful D.A.R.E. program operate, it could do so.

Your description to "fold-in" a number of approved programs, which local officials could choose to adjust, gets us to the same conclusion. I envision it almost as an ANTI-CRIME BLOCK GRANT PROGRAM.

The "folding-in" of this funding, and the added flexibility it would give mayors and other local officials, would allow for the most effective use of federal funding to prevent crime.

Thank you for your consideration.

Very truly yours,


Jack Quinn
Member of Congress

JQ:bmm

Daily Talking Points on Anti-Crime Legislation Monday, August 15, 1994

PORK -- OR JUST GUN LOBBY SQUEALING?

Minority Whip Newt Gingrich says that the Crime Bill Conference Report is loaded with "pork." He asks "Why did the Bill go to Conference at \$27 billion, but come out at \$33 billion?" Here's the answer:

First: The Crime Bill Conference increased spending largely to put more resources into tough, crime fighting measures.

- Look at what's been increased since the House passed its Crime Bill in April:

	<u>House Level</u>	<u>Conf Report</u>
Police Officers	\$3.5 bil	\$ 8.8 bil
FBI Agents	\$ 0 mil	\$250 mil
DEA Agents	\$ 0 mil	\$150 mil
Local Prosecutors	\$100 mil	\$200 mil
Police and Prosecutors to Combat Violence Against Women.	\$400 mil	\$1.0 bil
TOTAL	\$4.0 bil	\$10.4 bil

- Overall, more than \$7 in \$10 of all spending in the Bill (72%) is for police, federal and state law enforcement, prisons and detention facilities. Another 13% is devoted to combatting violence against women, drug courts, and crime prevention programs originally sponsored by Republican Senators Danforth, Stevens and Domenici.

Second: The Conference reduced spending for prevention programs from the House-passed levels.

- It's ironic that Rep. Gingrich is saying that the Bill was "porked up" in Conference; **the Conference cut funding for many prevention programs, below their House-passed levels.**
- Here are the prevention cuts made in the Conference Report, as compared to the House bill that 65 Republican members voted for in April (in per year amounts, in millions):

	<u>House</u>	<u>Conf Rpt</u>	<u>Cut</u>
Local Partnership Act	\$400m	\$300m	-\$100m
Model Intensive Grants	\$300m	\$145m	-\$155m
Community Schools/FACES	\$230m	\$150m	-\$ 80m
Gang Prevention Grants	\$100m	\$ 5m	-\$ 95m
Boys & Girls Clubs	\$ 20m	\$ 6m	-\$ 14m
Hope in Youth (Gang Prvn)	\$ 20m	\$ 4m	-\$ 16m
Police Partnerships w/Chldrn	\$ 20m	\$ 5m	-\$ 15m
Midnight Basketball	\$ 10m	\$ 7m	-\$ 3m
TOTAL	\$1.1bil	\$622m	-\$ 478m

- Members can try to explain their flip-flops however they choose. But voting against the Crime Bill now -- after key prevention programs have been cut, and key law enforcement programs increased -- can have only one explanation: **it's not "pork," but gun lobby "squealing" that accounts for the change.** [Attached is a chart comparing funding levels for prevention programs in the House-passed Bill, and in the Conference Report.]

**Violent Crime Control and Law Enforcement Act
Prevention Programs
(Dollars in thousands)**

08/12/94
03:50 PM

PREVENTION	House Bill		Conference Report		Difference	
	Per Year ¹	Total	Per Year ²	Total	Per Year	Total
Ounce of Prevention Fund.....	25,000	125,000	16,667	100,000	(8,333)	(25,000)
Family & Community Endeavor School Grants.....	230,000	1,150,000	150,000	900,000	(80,000)	(250,000)
Youth Employment Skills Grants.....	105,000	525,000	91,667	550,000	(13,333)	25,000
Model Intensive Grant Programs.....	300,000	1,500,000	149,167	895,000	(150,833)	(605,000)
Police Partnerships & Safe Low Income Housing.....	20,000	100,000	5,000	30,000	(15,000)	(70,000)
Midnight Sports League Grants.....	10,000	50,000	6,667	40,000	(3,333)	(10,000)
Community Youth Academies.....	10,000	50,000	6,667	40,000	(3,333)	(10,000)
Triad Programs.....	1,200	6,000	1,000	6,000	(200)	0
Local Partnership Act.....	400,000	2,000,000	300,000	1,800,000	(100,000)	(200,000)
National Community Economic Partnerships.....	...	...	50,000	300,000	50,000	300,000
Gang Prevention Grants.....	16,000	80,000	3,333	20,000	(12,667)	(60,000)
Olympic Youth Development Centers.....	...	...	8,333	50,000	8,333	50,000
Anticrime Youth Prevention Councils.....	4,000	20,000	833	5,000	(3,167)	(15,000)
UPARR.....	1,000	5,000	833	5,000	(167)	0
Boys & Girls Clubs in Public Housing.....	7,200	36,000	5,000	30,000	(2,200)	(6,000)
Child Visitation Centers.....	...	...	5,000	30,000	5,000	30,000
Gang Resistance Education and Training.....	...	...	8,333	50,000	8,333	50,000
Drug Treatment in Federal Prisons.....	10,279	51,393	20,833	125,000	10,555	73,607
Res. Substance Abuse Treatment for State Prisoners....	60,000	300,000	50,000	300,000	(10,000)	0
Hope in Youth Program.....	16,000	80,000	3,333	20,000	(12,667)	(60,000)
Juvenile Drug Trafficking & Gang Prevention.....	40,000	200,000	20,833	125,000	(19,167)	(75,000)
Youth Development Centers.....	10,000	50,000	8,333	50,000	(1,667)	0
Missing Alzheimers.....	...	...	800	4,800	800	4,800
Family Unity Demonstration Projects.....	...	...	3,667	22,000	3,667	22,000
Safe Senior Corridors.....	...	...	1,083	6,500	1,083	6,500
MegaCommission.....	...	...	167	1,000	167	1,000
Total.....	1,265,679	6,328,393	917,550	5,505,300	(348,129)	(823,093)

¹ Average cost of program over 5 years.

² Average cost of program over 6 years.

08/15/94 12:00 202 514 9077 DOJ BRUCE REED 003/003

PORK -- OR JUST GUN LOBBY SQUEALING?

Republicans are claiming that the Crime Bill Conference Report is loaded with "pork." But look at the facts:

First: The Crime Bill's resources principally are devoted to tough, crime fighting measures.

- More than \$7 in \$10 of all spending in the Bill (72%) is for police, federal and state law enforcement, prisons and detention facilities.
- Another 13% is devoted to combatting violence against women, drug courts, and Republican sponsored crime prevention programs, by Senators Danforth and Domenici. Thus, 85% of the Bill's funding is for law enforcement, prisons, drug courts, violence against women, and bipartisan prevention programs.

Second: The Conference reduced spending for many prevention programs from the House-passed levels:

- It's ironic that Republicans are saying that the Bill was "porked up" in Conference; the Conference cut funding for many prevention programs, ★ below their House-passed levels.
- Look at the prevention cuts made in the Conference Report, as compared to the House bill that 58 Republican members voted for in April (in per year amounts, in millions):

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TOTAL	\$1.1bil	\$622m	-\$478m

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- Republicans can try to explain their flip-flops however they choose. But voting against the Crime Bill now -- after key prevention programs have been cut, and key law enforcement programs increased -- can have only one explanation: it's not "pork," but gun lobby "squealing" that accounts for the change.

Additional Letter to CBC Democrats who supported rule.

Dear Congress[wo]man _____:

I write to you specially to thank you for your support for the Rule to allow the Crime Bill to come to a vote in the House. The President and I are truly appreciative of your decision to stand with us and get this bill up for vote.

I know that you were troubled by some of the provisions contained in the Crime Bill and by the absence of other provisions, most notably the Racial Justice Act. Despite those concerns, you voted to let the House consider this measure on its merits, to allow us to move forward in a historic effort to fight the crime which is plaguing our communities. This legislation will help us combat that crime by providing for more and better law enforcement, the banning of killer assault weapons, and proven prevention programs that will give our young people meaningful alternatives to crime.

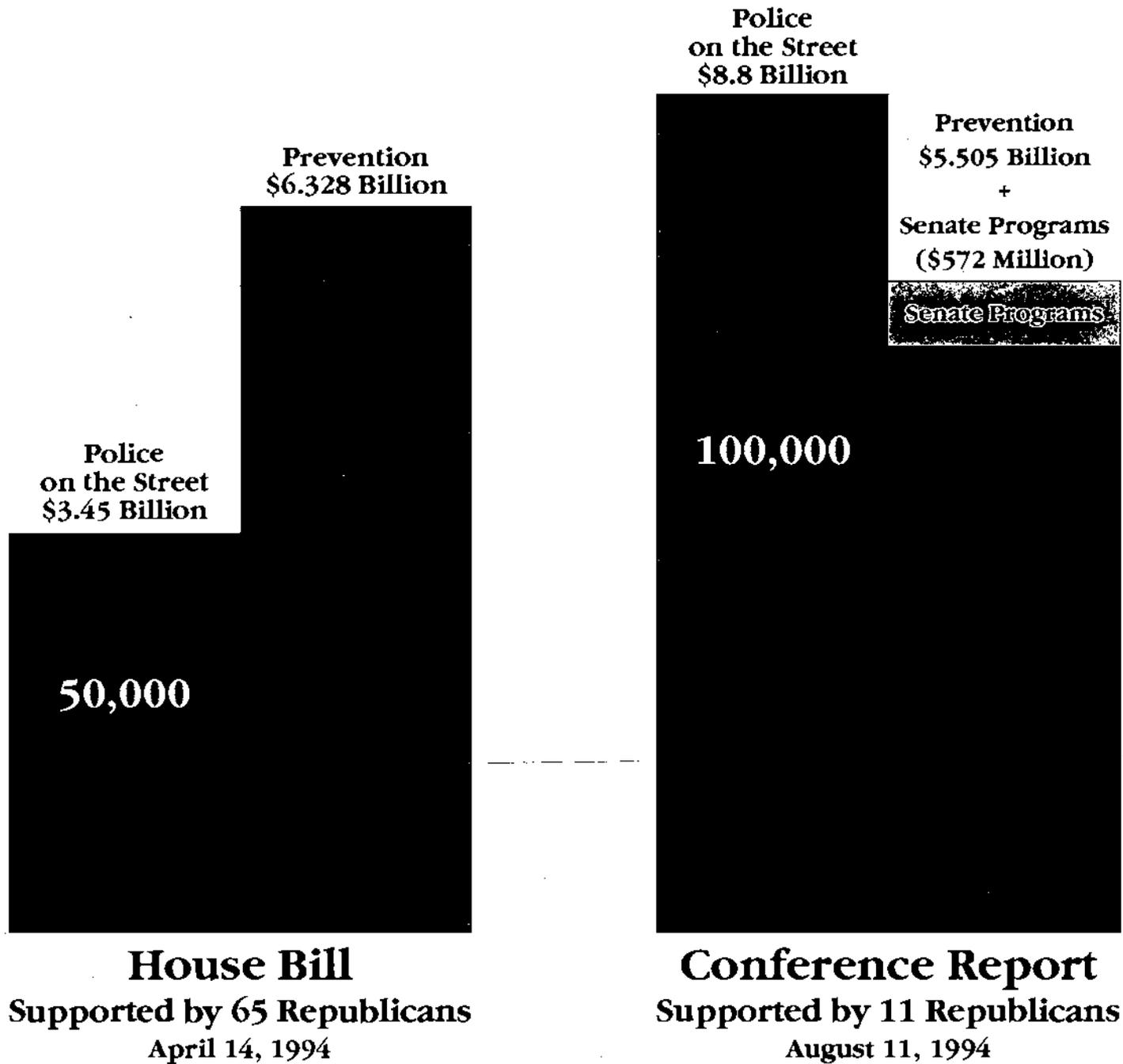
While Thursday's outcome was a setback, it was not a defeat. Your continued support is crucial in our effort to pass this critical legislation. Our communities demand that we take meaningful action to fight crime, and we will.

Your vote to allow consideration of the crime bill was the responsible choice for our communities. Again I thank you for that vote and ask for your continued support when the House again considers this matter.

Sincerely,

	<u>House</u>	<u>Sen.</u>	<u>Conf</u>
Prevention	6.6	1.3	5.6
[VAWA	.7	1.8	†1.8]
Drug CTS.	<u>1.4</u>	1.2	<u>1.3</u>
Drug Prevention in 2000	8.0		6.9

A Tough Crime Bill Gets Tougher



H 7886

CONGRESSIONAL RECORD—HOUSE

August 10, 1994

...this section may be carried out directly by the Secretary or through grants, contracts, or other cooperative arrangements with the Attorney General, the Secretary of Housing and Urban Development, or other Federal agencies.

(b) TECHNICAL AMENDMENTS.—

(1) EXCEPTION FROM LIMITATION ON EMPLOYMENT.—Section 141(A) of the Job Training Partnership Act (29 U.S.C. 1451(a)) is amended by inserting "or the individual employed in a program under part H of title IV" before the period.

(2) CLARIFICATION OF AUTHORIZATION OF APPROPRIATIONS.—Section 3(c)(3) of the Job Training Partnership Act (29 U.S.C. 1402(c)(3)) is amended to read as follows:

(3) There are authorized to be appropriated to carry out part H of title IV (other than section 498) such sums as may be necessary for each of the fiscal years 1994 through 1997.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out section 608 of the Job Training Partnership Act, as added by subsection (a)—

(A) \$150,000,000 for fiscal year 1996, of which \$45,000,000 is authorized to be appropriated from the Violent Crime Reduction Trust Fund established by this Act, and \$105,000,000 is authorized from the General Fund of the Treasury;

(B) \$155,000,000 for fiscal year 1996, of which \$45,000,000 is authorized to be appropriated from the Violent Crime Reduction Trust Fund established by this Act, and \$110,000,000 is authorized from the General Fund of the Treasury;

(C) \$180,000,000 for fiscal year 1997, of which \$100,000,000 is authorized to be appropriated from the Violent Crime Reduction Trust Fund established by this Act, and \$80,000,000 is authorized from the General Fund of the Treasury;

(D) \$200,000,000 for fiscal year 1998, of which \$145,000,000 is authorized to be appropriated from the Violent Crime Reduction Trust Fund established by this Act, and \$55,000,000 is authorized from the General Fund of the Treasury; and

(E) \$205,000,000 for fiscal year 2000, of which \$185,000,000 is authorized to be appropriated from the Violent Crime Reduction Trust Fund established by this Act, and \$20,000,000 is authorized from the General Fund of the Treasury.

(2) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this subsection shall remain available for obligation until expended.

(3) EVALUATIONS AND TECHNICAL ASSISTANCE.—Of the amounts appropriated under paragraph (1) for a fiscal year, the Secretary of Labor, in consultation with the Attorney General and the Secretary of Housing and Urban Development, may reserve not more than 5 percent of such amounts for the fiscal year to carry out section 481(f) of the Job Training Partnership Act as added by subsection (a).

Subtitle C—Model Intensive Grant Programs

SEC. 5806. GRANT AUTHORIZATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Attorney General may award grants to not more than 15 chronic high intensive crime areas to develop comprehensive model crime prevention programs that—

(A) involve and utilize a broad spectrum of community resources, including nonprofit community organizations, law enforcement organizations, and appropriate State and Federal agencies, including the State educational agencies;

(B) attempt to relieve conditions that encourage crime; and

(C) provide meaningful and lasting alternatives to involvement in crime.

(2) CONSULTATION WITH THE COUNCIL OF PREVENTION COUNCIL.—The Attorney General may consult with the Council of Prevention Council in awarding grants under paragraph (1).

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

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

(2) vary in approach to ensure that components of different models may be made; and

(3) coordinate crime prevention programs funded under this program with other existing Federal programs to address the special needs of communities that benefit from grants received under this title.

SEC. 5807. USE OF FUNDS.

(a) IN GENERAL.—Funds awarded under this subtitle may be used only for purposes described in an approved application. The intent of grants under this subtitle is to fund intensive comprehensive crime prevention programs in chronic high intensive crime areas:

(b) GUIDELINES.—The Attorney General shall issue and publish in the Federal Register guidelines that describe suggested purposes for which funds under approved programs may be used.

(c) EQUITABLE DISTRIBUTION OF FUNDS.—In disbursing funds under this subtitle, the Attorney General shall ensure the distribution of grants equitably on a geographic basis, including urban and rural areas of varying population and geographic size.

SEC. 5808. PROGRAM REQUIREMENTS.

(a) DESCRIPTION.—An applicant shall include a description of the curative factors that contribute to chronic violent crime within the area proposed to be served by the grant. Such factors may include lack of alternative activities and programs for youth, deterioration or lack of public facilities, inadequate public services such as public transportation, street lighting, community-based substance abuse treatment facilities, or employment services offices, and inadequate police or public safety services, equipment, or facilities.

(b) COMPREHENSIVE PLAN.—An applicant shall include a comprehensive, community-based plan to attack intensively the principal factors identified in subsection (a). Such plans shall describe the specific purposes for which funds are proposed to be used and how such purposes will address specific factors. The plan also shall specify how local nonprofit organizations, government agencies, private businesses, citizens groups, volunteer organizations, and interested citizens will cooperate in carrying out the purposes of the grant.

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

SEC. 5809. APPLICATIONS.

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

(1) prepare and submit to the Attorney General an application in such form, at such time, and in accordance with such procedures, as the Attorney General shall establish; and

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

SEC. 5810. REPORTS.

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

SEC. 5811. DEFINITIONS.

In this subtitle—

"chief local elected official" means an official designated under regulations issued by the Attorney General. The criteria used by the Attorney General in promulgating such regulations shall ensure administrative efficiency and accountability in the expenditure of funds and execution of funded projects under this subtitle.

"chronic high intensive crime area" means an area meeting criteria adopted by the Attorney General by regulation that, at a minimum, includes areas which—

(A) consistently high rates of violent crime as reported in the Federal Bureau of Investigation's "Uniform Crime Reports"; and

(B) chronically high rates of poverty as determined by the Bureau of the Census.

"State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

SEC. 5812. ALLOCATION OF APPROPRIATIONS.

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

(1) \$115,000,000 for fiscal year 1996;

(2) \$150,000,000 for fiscal year 1997;

(3) \$175,000,000 for fiscal year 1998;

(4) \$200,000,000 for fiscal year 1999; and

(5) \$255,000,000 for fiscal year 2000.

Subtitle D—Family and Community Endowment Schools Grant Program

SEC. 5813. COMMUNITY SCHOOLS YOUTH SERVICES AND SUPERVISION GRANT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the "Community Schools Youth Services and Supervision Grant Program Act of 1994".

(b) DEFINITIONS.—In this section—

"child" means a person who is not younger than 5 and not older than 18 years old;

"community-based organization" means a private, locally initiated, community-based organization that—

(A) is a nonprofit organization, as defined in section 101(33) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(33)); and

(B) is operated by a consortium of service providers, consisting of representatives of 3 or more of the following categories of persons:

(i) Residents of the community;

(ii) Business and civic leaders actively involved in providing employment and business development opportunities in the community;

(iii) Educators;

(iv) Religious organizations (which shall not provide any sectarian instruction or sectarian worship in connection with an activity funded under this title);

(v) Law enforcement agencies;

(vi) Public housing agencies;

(vii) Other public agencies;

(viii) Other interested parties.

"eligible community" means an area identified pursuant to subsection (c);

"Indian tribe" means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)) that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians;

"poverty line" means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 8902(2)) applicable to a family of the size involved;

"public school" means a public elementary school, as defined in section 1201(1) of the Higher Education Act of 1965 (20 U.S.C. 1141(1)), and a public secondary school, as defined in section 1201(a) of that Act;

"Secretary" means the Secretary of Health and Human Services, in consultation and coordination with the Attorney General;

"State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the United States Virgin Islands;

(c) FUNDING OF AGRICULTURE.—

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(1) IN GENERAL.—

(A) ALLOCATIONS FOR STATES AND INDIAN COUNTRIES.—For any fiscal year in which the sums appropriated to carry out this section equal or exceed \$20,000,000, from the sums appropriated to carry out this subsection, the Secretary shall allocate, for grants under subparagraph (B) to community-based organizations in each State, an amount during the same ratio to such sums as the number of children in the State who are from families with incomes below the poverty line, in view of the extraordinary need for assistance in Indian country, an appropriate amount of funds available under this subtitle shall be made available for such grants in Indian country.

(B) GRANTS TO COMMUNITY-BASED ORGANIZATIONS FROM ALLOCATIONS.—For each fiscal year, the Secretary may award grants from the appropriate State or Indian country allocations determined under subparagraph (A) on a competitive basis to eligible community-based organizations to pay for the Federal share of assisting eligible communities to develop and carry out programs in accordance with this section.

(C) REALLOCATION.—If, at the end of such a fiscal year, the Secretary determines that funds allocated for community-based organizations in a State or Indian country under subparagraph (B) remain unobligated, the Secretary may use such funds to award grants to eligible community-based organizations in another State or Indian country to pay for such Federal share. In awarding such grants, the Secretary shall consider the need to maintain geographic diversity among the recipients of such grants. Amounts made available through such grants shall remain available until expended.

(2) OTHER FISCAL YEARS.—For any fiscal year in which the sums appropriated to carry out this section are less than \$20,000,000, the Secretary may award grants on a competitive basis to eligible community-based organizations to pay for the Federal share of assisting eligible communities to develop and carry out programs in accordance with this section.

(3) ADMINISTRATIVE COSTS.—The Secretary may use not more than 3 percent of the funds appropriated to carry out this section in any fiscal year for administrative costs.

(4) PROGRAM REQUIREMENTS.—

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

- (A) when appropriate, in the facilities of a public school during nonschool hours; or
(B) in another appropriate local facility in a State or Indian country, such as a college or university, a local or State park or recreation center, church, or military base, that is—
(i) in a location that is easily accessible to children in the community; and
(ii) in compliance with all applicable local ordinances.

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

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

(i) shall include supervised sports programs, and extracurricular and academic programs, that are offered—

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

(II) as daily full-day programs (to the extent available resources permit) or as part-day programs, during the summer months;

(B) in providing such extracurricular and academic programs, shall provide programs such as curriculum-based supervised educational, work force preparation, entrepreneurship, child-care health programs, social activities, parent and teacher professional development programs, tutorial and mentoring programs, and other related activities;

(C) MAY NOT—

(1) such funds for the renovation or facilities that are in existence prior to the operation of the program and that are necessary for the operation of the program for which the organization receives the grant; purchase of sporting and recreational equipment and supplies, reasonable costs for the transportation of participants in the program; hiring of staff; provision of meals for such participants; provision of health services consisting of an initial basic physical examination, provision of first aid and nutrition guidance, family counseling, parental training, and substance abuse treatment when appropriate; and
(ii) not more than 3 percent of such funds to pay for the administrative costs of the program; and
(2) may not use such funds to provide sectarian worship or sectarian instruction.

(3) not more than 3 percent of such funds to pay for the administrative costs of the program; and
(2) may not use such funds to provide sectarian worship or sectarian instruction.

(e) ELIGIBLE COMMUNITY IDENTIFICATION.—

(1) IDENTIFICATION.—To be eligible to receive a grant under this section, a community-based organization shall identify an eligible community to be assisted under this section.

(2) CRITERIA.—Such eligible community shall be an area that meets such criteria with respect to significant poverty and significant juvenile delinquency, and such additional criteria, as the Secretary may by regulation require.

(f) APPLICATIONS.—

(1) APPLICATION REQUIRED.—To be eligible to receive a grant under this section, a community-based organization shall submit an application to the Secretary of such State, in such manner, and accompanied by such information, as the Secretary may reasonably require, and obtain approval of such application.

(2) CONTENTS OF APPLICATION.—Each application submitted pursuant to paragraph (1) shall—

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

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

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

(D) set forth measurable goals and outcomes for the program that—

- (i) will—
(I) where appropriate, make a public school the focal point of the eligible community; or
(II) make a local facility described in subsection (d)(1)(B) such a focal point; and
(ii) may include reducing the percentage of children in the eligible community that enter the juvenile justice system, increasing the graduation rates, school attendance, and academic success of children in the eligible community, and improving the skills of program participants;

(E) provide evidence of support for accomplishing such goals and outcomes from—

- (i) community leaders;
(ii) businesses;
(iii) local educational agencies;
(iv) local officials;
(v) State officials;
(vi) Indian tribal government officials; and
(vii) other organizations that the community-based organization determines to be appropriate;

(F) contain an assurance that the community-based organization will use grant funds provided under this section to provide children in the eligible community with activities and services that shall include supervised sports programs, and extracurricular and academic programs, in accordance with subparagraphs (A) and (B) of subsection (d)(2);

(G) contain a list of the activities and services that will be offered through the program for which the grant is sought and sponsored by private nonprofit organizations, individuals, and groups serving the eligible community, including—

(1) extracurricular and academic programs, such as programs described in subsection (d)(2)(B); and

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

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

(12) include an estimate of the number of children in the eligible community expected to be served pursuant to the program;

(13) include a description of charitable private resources, and all other resources, that will be made available to achieve the goals of the program;

(14) contain an assurance that the community-based organization will use competitive procedures when purchasing, contracting, or otherwise providing for goods, activities, or services to carry out programs under this section;

(15) contain an assurance that the program will maintain a staff-to-participant ratio (including volunteers) that is appropriate to the activity or services provided by the program;

(16) contain an assurance that the program will maintain an average attendance rate of not less than 75 percent of the participants enrolled in the program, or will enroll additional participants in the program;

(17) contain an assurance that the community-based organization will comply with any evaluation under subsection (u), any research effort authorized under Federal law, and any investigation by the Secretary;

(18) contain an assurance that the community-based organization shall prepare and submit to the Secretary an annual report regarding any program conducted under this section;

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

(20) contain an assurance that the community-based organization will maintain separate accounting records for the program.

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

(4) ELIGIBILITY OF PARTICIPANTS.—

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

(2) ELIMINATION.—To be eligible to participate in a program that receives assistance under this section, a child shall provide the express written approval of a parent or guardian, and shall submit an official application and agree to the terms and conditions of participation in the program.

(3) NONDISCRIMINATION.—(A) In selecting children to participate in a program that receives assistance under this section, a community-based organization shall not discriminate on the basis of race, color, religion, sex, national origin, or disability.

(B) In selecting children to participate in a program that receives assistance under this section, a community-based organization may find a child ineligible to participate in such a program if the organization determines that the child has behavior problems that pose an unacceptable risk of injury or illness to other participants or has a physical or mental disability so serious that the child would be unable to participate in the program.

(4) PEEF REVIEW PANEL.—

(1) ESTABLISHMENT.—The Secretary may establish a peer review panel that shall be composed of individuals with demonstrated experience in designing and implementing community-based programs.

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(3) prepare and submit to the Secretary an application for such funds, in such amount, and containing such information as the Secretary may require, including a strategic investment plan that identifies and describes the economic characteristics of the target area to be served, the types of business to be assisted, using amounts existing under the grant and the amount of such assistance by low-income individuals and

(4) have secured one or more commitments from local sources for contributions (either in cash, or in kind, letters of credit, or letters of commitment) in an amount that is equal to at least 10 percent of the amounts requested in the application submitted under paragraph (3).

(a) USE OF THE REVOLVING LOAN FUND.—

(1) IN GENERAL.—A revolving loan fund established or established with amounts received under this section may be utilized to provide financial and technical assistance, loans, loan guarantees or participations to private business enterprises to—

(A) finance projects intended to provide business and employment opportunities for low-income individuals and to improve the quality of life in urban and rural areas; and

(B) build and expand the capacity of existing community development corporations and serve the economic needs of local residents.

(2) TECHNICAL ASSISTANCE.—The Secretary shall encourage existing community development corporations that receive grants under this section to seek technical assistance from established community development corporations, with expertise in the planning, development and management of economic development projects and shall facilitate the receipt of such assistance.

(3) LIMITATION.—Not to exceed 10 percent of the amounts received under this section by a grantee shall be used for training, technical assistance and administrative purposes.

(4) USE OF PROCEEDS FROM INVESTMENTS.—Proceeds derived from investments made with amounts provided under this section may be utilized only for the purposes described in this subtitle and shall be reinvested in the community in which they were generated.

(5) AMOUNTS AVAILABLE.—Amounts provided under this section to a community development corporation shall not exceed \$200,000 per year.

CHAPTER 3—MISCELLANEOUS PROVISIONS

SEC. 3101. DEFINITIONS.

As used in this subtitle—

(1) COMMUNITY DEVELOPMENT CORPORATION.—The term "community development corporation" means a private, nonprofit corporation whose board of directors is comprised of business, civic and community leaders, and whose principal purpose includes the provision of low-income housing or community economic development projects that primarily benefit low-income individuals and communities.

(2) LOCAL AND PRIVATE SECTOR CONTRIBUTION.—The term "local and private sector contribution" means the funds available at the local level (by private financial institutions, State and local governments) or by any private philanthropic organization and private, nonprofit organizations that will be committed and used solely for the purpose of financing private business enterprises in conjunction with amounts provided under this subtitle.

(3) POPULATION-LOSING COMMUNITY.—The term "population-losing community" means any county in which the net population loss is at least 7 percent from April 1, 1980 to April 1, 1990, as reported by the Bureau of the Census.

(4) PRIVATE BUSINESS ENTERPRISE.—The term "private business enterprise" means any business enterprise that is engaged in the manufacture of a product, provision of a service, construction or development of a facility, or that is involved in some other commercial, manufacturing or industrial activity, and that agrees to ter-

minate job opportunities stemming from investments authorized under this subtitle in certain individuals.

(5) TARGET AREA.—The term "target area" means any area defined in an application for assistance under this subtitle that has a population whose income does not exceed the median for the area within which the target area is located.

(6) VERY LOW-INCOME COMMUNITY.—The term "very low-income community" means a community in which the median income of the residents of such community does not exceed 50 percent of the median income of the area.

SEC. 3102. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out chapters 1 and 2—

- (1) \$50,000,000 for fiscal year 1995;
- (2) \$30,000,000 for fiscal year 1997;
- (3) \$45,000,000 for fiscal year 1998; and
- (4) \$45,000,000 for fiscal year 1999.

(b) BARNARD.—Of the aggregate amount appropriated under subsection (a) for each fiscal year—

- (1) 60 percent shall be available to carry out chapter 1; and
- (2) 40 percent shall be available to carry out chapter 2.

(c) AMOUNTS.—Amounts appropriated under subsection (a) shall remain available for expenditure without fiscal year limitation.

SEC. 3103. PROHIBITION.

None of the funds authorized under this subtitle shall be used to finance the construction of housing.

SEC. 3104. PROGRAM AUTHORITY.

(a) IN GENERAL.—The Attorney General, in consultation with the Secretary of Education and Secretary of Health and Human Services, may make grants to eligible service providers to carry out programs that prevent young children from becoming gang members. In making such grants, the Attorney General shall give priority to eligible service providers that have a program track record of serving young children and have an overall budget of not more than \$750,000 per program per fiscal year, prior to receiving a grant under this section.

(b) CONSULTATION WITH OFFICE OF PREVENTION COUNCIL.—The Attorney General shall consult with the Office of Prevention Council in making grants under subsection (a).

SEC. 3105. PROGRAM REQUIREMENTS.

The eligible service providers receiving a grant under section 3104 shall—

- (1) provide a comprehensive array of support services to assist the participants to reach their full potential as contributing law-abiding citizens (which support services may include education and health services; career development training; income or asset gains activities; physical fitness training; mental health services; mental health counseling; and job placement counseling);
- (2) to the extent practicable, involve the parents and other family members of participating children, and the members of local organizations that support the educational and law enforcement institutions of the community, as is appropriate, in the administration and operation of the gang prevention program;
- (3) utilize community resources and related support services as needed in the operation of the program;
- (4) accept referrals from public institutions, as is appropriate, such as law enforcement, mental health, local school systems, and other entities of local government; and
- (5) utilize volunteer staff, including participants in programs funded under the National and Community Service Program, Public Law 103-62, to the maximum extent practicable in the operation of the program.

SEC. 3106. ELIGIBLE PROVIDERS.

Community-based service providers, as defined in the Juvenile Justice and Delinquency Prevention Act of 1974, that have a program track record of providing services to children ages 6 to 18 shall be eligible to apply for funds under this subtitle. A priority shall be given to service providers that have a history of providing services uniquely designed to meet the needs of young children such as the Boys and Girls Club of America or service providers that employ the potential for providing such targeted services.

SEC. 3107. ELIGIBLE PARTICIPANTS.

Children that have the potential, because of community competition and other factors, to come into contact with gangs, or who have a family member that has come into contact with a gang, and are not more than 18 years old at the time of entry into the program, shall be eligible to receive services provided by programs receiving assistance under this subtitle.

SEC. 3108. APPLICATION PROCESS.

Eligible service providers may submit to the Attorney General, for approval, an application in such form at such time as the Attorney General deems appropriate.

SEC. 3109. EVALUATION.

The Attorney General shall conduct an evaluation of the effectiveness of the program model grants authorized under this subtitle, and the extent to which it can be replicated by other local communities. The Attorney General shall report to the Congress no later than January 1, 1999, on the results of such evaluations.

SEC. 3107. AUTHORIZATION OF APPROPRIATIONS.

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

- (1) \$5,000,000 for fiscal year 1995;
- (2) \$1,000,000 for fiscal year 1997;
- (3) \$4,000,000 for fiscal year 1998;
- (4) \$5,000,000 for fiscal year 1999; and
- (5) \$5,000,000 for fiscal year 2000.

Subtitle 3—Olympic Youth Development Centers

SEC. 3101. OLYMPIC YOUTH DEVELOPMENT CENTERS.

(a) DEFINITIONS.—In this section—"child" means an individual who is not younger than 6 and not older than 18. "Committer" means the United States Olympic Committee. "Council" means the Council of Presidents Council.

"State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(b) GRANT.—The Council may make a grant to United States Olympic Committees for the purpose of establishing Olympic Youth Development Centers and carrying out programs through such centers.

(c) PROGRAM REQUIREMENTS.—

(1) LOCATION.—The Committee, in requesting a grant under this section to establish such a center shall ensure that the center is established in an appropriate facility in a State, such as a college or university, a local or State park or recreation center, church, or military base, that is—
(A) in a location that is easily accessible to children in the community; and
(B) in compliance with all applicable local ordinances.

(2) CENTERS.—The Committee shall, subject to the availability of appropriations, not less than 1 year after the date of enactment of this Act, establish not fewer than 6 such centers and shall, subject to the availability of appropriations, to the extent possible, establish not less than 1 such center in each State by fiscal year 1997. In selecting locations for such centers, the Committee shall consider the need to maintain geographic diversity, and to maintain a balance of urban and rural locations for its centers.

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Section 1001 of the Controlled Substances Act (21 U.S.C. 881) is amended—

Section 1002 of the Controlled Substances Act (21 U.S.C. 882) is amended by section 1001, to read—

(1) by striking "and" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (2) and inserting "; and"; and

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

"(2) programs that address the need for effective diversion systems for the prosecution of violent 16- and 17-year-old juveniles in courts with jurisdiction over adults for the crimes of—

"(A) murder in the first degree;

"(B) murder in the second degree;

"(C) attempted murder;

"(D) armed robbery when armed with a firearm;

"(E) aggravated battery or assault when armed with a firearm;

"(F) criminal sexual penetration when armed with a firearm; and

"(G) crimes prohibited as described in article 18 of title 18, United States Code."

Section 1003 of title 18, United States Code, is amended in subsection (f) by adding "or whenever a juvenile has been found guilty of committing an act after his 15th birthday which if committed by an adult would be an offense described in the second sentence of the fourth paragraph of section 502 of this title," after "title 21."

SEC. 1004. INCREASED PENALTIES FOR RE-PLAYING CHILDREN TO DISTRIBUTE DRUGS NEAR SCHOOLS AND PLAY-GROUNDS.

Section 110 of the Controlled Substances Act (21 U.S.C. 880) is amended—

(1) by redesignating subsections (c) and (4) as subsections (d) and (5), respectively; and

(2) by inserting after subsection (b) the following new subsection:

"(c) Notwithstanding any other law, any person at least 21 years of age who knowingly and intentionally—

"(1) employs, hires, uses, persuades, induces, entices, or coerces a person under 18 years of age to violate this section; or

"(2) employs, hires, uses, persuades, induces, entices, or coerces a person under 18 years of age to assist in avoiding detection or apprehension for any offense under this section by any Federal, State, or local law enforcement official, is punishable by a term of imprisonment, a fine, or both, up to triple those authorized by section 801."

SEC. 1005. INCREASED PENALTIES FOR TRAVEL ACT CRIMES INVOLVING VIOLENCE AND CONSPIRACY TO COMMIT CONTACT KILLINGS.

(a) TRAVEL ACT PENALTIES.—Section 1853(a) of title 18, United States Code, is amended by striking "and thereafter performs or attempts to perform any of the acts specified in subparagraphs (1), (2), and (3), shall be fined not more than \$10,000 or imprisoned for not more than five years, or both," and inserting "and thereafter performs or attempts to perform—

"(A) an act described in paragraph (1) or (3) shall be fined under this title, imprisoned not more than 5 years, or both; or

"(B) an act described in paragraph (2) shall be fined under this title, imprisoned for not more than 20 years, or both, and if death results shall be imprisoned for any term of years or for life."

(b) MURDER CONSPIRACY PENALTIES.—Section 1954(a) of title 18, United States Code, is amended by inserting "or who conspires to do so" before "shall be fined" the first place it appears.

SEC. 1006. SOLICITATION OF MINOR TO COMMIT CRIME.

(a) DIRECTIVE TO SENTENCING COMMISSION.—

(1) The United States Sentencing Commission

shall promulgate guidelines for sentencing certain guidelines to provide that a defendant 21 years of age or older who has been convicted of an offense shall receive an appropriate sentence or treatment if the defendant induces a minor in the commission of the offense.

(2) The Commission shall provide that the guideline enhancement promulgated pursuant to paragraph (1) shall apply for any offense in relation to which the defendant has solicited, procured, recruited, conspired, encouraged, trained, directed, commanded, intimidated, or otherwise used or attempted to use any person less than 18 years of age with the intent that the minor would commit a Federal offense.

(b) RELIEF CONSIDERATIONS.—In implementing the directive in subsection (a), the Sentencing Commission shall consider—

(1) the gravity of the crime that the defendant intended the minor to commit;

(2) the number of minors that the defendant used or attempted to use in relation to the offense;

(3) the fact that involving a minor in a crime of violence is frequently of more serious nature than involving a minor in a drug trafficking offense, for which the guidelines already provide a two-level enhancement; and

(4) the possible relevance of the maturity in age between the offender and the minor(s) involved in the offense.

TITLE IV—CRIMINAL STREET GANGS

SEC. 1007. CRIMINAL STREET GANGS.

(a) IN GENERAL.—Part 1 of title 18, United States Code, is amended by inserting after chapter 18 the following new chapter:

CHAPTER 18—CRIMINAL STREET GANGS

§ 881. Criminal street gangs

"(a) DEFINITIONS.—

"(1) 'conviction' includes a finding, under State or Federal law, that a person has committed an act of juvenile delinquency involving a violent or controlled substance felony.

"(2) 'criminal street gang' means an ongoing group, club, organization, or association of 5 or more persons—

"(A) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subsection (c);

"(B) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subsection (c); and

"(C) the activities of which affect interstate or foreign commerce.

"(b) PENALTY.—The sentence of a person convicted of an offense described in subsection (c) shall be increased by up to 10 years if the offense is committed under the circumstances described in subsection (4).

"(c) OFFENSES.—The offenses described in this section are—

"(1) a Federal felony involving a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) for which the maximum penalty is not less than 5 years;

"(2) a Federal felony crime of violence that has as an element the use or attempted use of physical force against the person of another; and

"(3) a conspiracy to commit an offense described in paragraph (1) or (2).

"(d) CIRCUMSTANCES.—The circumstances described in this section are that the offense described in subsection (c) was committed by a person who—

"(1) participated in a criminal street gang with knowledge that its members engage in or have engaged in a continuing series of offenses described in subsection (c);

"(2) intends to promote or further the felonious activities of the criminal street gang or maintain or increase his or her position in the gang; and

"(3) has been convicted within the past 5 years for—

"(A) an offense described in subsection (c);

"(B) a State offense—

"(1) involving a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) for which the maximum penalty is not less than 5 years' imprisonment; or

"(2) that is a felony crime of violence that has as an element the use or attempted use of physical force against the person of another;

"(C) any Federal or State felony offense that by its nature involves a substantial risk that physical force against the person of another may be used in the course of committing the offense; or

"(D) a conspiracy to commit an offense described in subparagraph (A), (B), or (C)."

(b) TECHNICAL AMENDMENT.—The part entitled for part 1 of title 18, United States Code, is amended by inserting after the item relating to chapter 18 the following new item:

"§ 881. CRIMINAL STREET GANGS. SEC. 1007. ADULT PROSECUTION OF SERIOUS JUVENILE OFFENSES.

Section 5035 of title 18, United States Code, is amended—

(1) in the first undesignated paragraph by striking "922(p)" and inserting "204(b), (5), or (4)";

(2) in the fourth undesignated paragraph by inserting "or in section 804(b), (5), or (7) of this title," before "criminal prosecution," the first place it appears; and

(3) in the fifth undesignated paragraph by adding at the end the following: "In considering the nature of the offense, as required by this paragraph, the court shall consider the extent to which the juvenile played a leadership role in an organization, or otherwise influenced other persons to take part in criminal activities, including the use or distribution of controlled substances or firearms. Such a factor, if found to exist, shall weigh in favor of a transfer to adult court, but the absence of this factor shall not preclude such a transfer."

SEC. 1008. ABILITY OF ANTI-GANG BUREAU GRANT FUNDING OBJECTIVE.

Section 501(b) of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)), as amended by section 1006, is amended—

(1) by striking "and" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (2) and inserting "; and"; and

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

"(24) law enforcement and prevention programs relating to gangs, or to youth who are involved or at risk of involvement in gangs."

SEC. 1009. JUVENILE DRUG TRAFFICKING AND GANG PREVENTION GRANTS.

Part D of title 17 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631 et seq.) is amended—

(1) by redesignating subpart III as subpart IV;

(2) by redesignating section 202 as section 704; and

(3) by inserting after subpart II the following new subpart:

Subpart III—Juvenile Drug Trafficking and Gang Prevention Grants

"FORMULA GRANTS

"SEC. 203. (a) AUTHORIZATION.—The Administrator may make grants to State, local, and tribal government, private not-for-profit enterprise organizations, or combinations thereof to assist them in planning, establishing, operating, coordinating, and evaluating programs, directly or through grants and contracts with public and private agencies, for the development of more effective programs including prevention and enforcement programs to reduce—

"(1) the formation or continuation of juvenile gangs; and

"(2) the use and sale of illegal drugs by juveniles.

"(b) PARTICULAR PURPOSES.—The grants made under this section can be used for any of the following specific purposes:

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(10) To reduce the participation of juveniles in drug-related crimes including drug trafficking and drug use, particularly in and around elementary and secondary schools.

(11) To reduce juvenile involvement in organized crime, drug and gang-related activity, particularly activities that involve the distribution of drugs by or to juveniles.

(12) To develop within the juvenile justice system, including the juvenile corrections system, innovative means to address the problems of juvenile offenders of serious drug-related and gang-related offenses.

(13) To reduce juvenile drug and gang-related activities in public housing projects.

(14) To develop and provide parenting classes to parents of at-risk youth, giving parents the skills they need to provide adequate care and supervision of such youth and to counteract the influences leading youth to a life of gang, crime, and drugs.

(15) To develop and provide training in skills of nonviolent dispute resolution to youth of junior high school and high school age.

(16) To reduce and prevent juvenile drug and gang-related activities in rural areas.

(17) To provide technical assistance and training to personnel and agencies responsible for the identification and correctional treatment of the juvenile justice system to—

(A) identify drug-dependent or gang-related juvenile offenders; and

(B) provide appropriate counseling and treatment to such offenders.

(18) To promote the involvement of all juveniles in travel activities, including international and off-shore programs for academic, athletic, and cultural activities, that also teach that drug and gang involvement is wrong.

(19) To facilitate Federal and State cooperation with local school officials to develop education, prevention, and treatment programs for juveniles who are likely to participate in drug trafficking, drug use, or gang-related activities.

(20) To prevent juvenile drug and gang involvement in public housing projects through programs establishing youth sports and other activities, including girls' and boys' clubs, scout groups, and 4-H clubs.

(21) To provide pre- and post-trial drug abuse treatment to juveniles in the juvenile justice system with the highest priority to providing drug abuse treatment to drug-dependent pregnant juveniles and drug-dependent juvenile mothers.

(22) To provide education and treatment programs for juveniles exposed to severe violence in their homes, schools, or neighborhoods.

(23) To establish sports mentoring and coaching programs in which athletes serve as role models for juveniles to teach that athletes provide a positive alternative in drug and gang involvement.

AUTHORIZATION OF APPROPRIATIONS

SEC. 281A. There is authorized to be appropriated to carry out this subtitle—

- (1) \$75,000,000 for fiscal year 1996;
- (2) \$21,000,000 for fiscal year 1997;
- (3) \$25,000,000 for fiscal year 1998;
- (4) \$30,000,000 for fiscal year 1999; and
- (5) \$34,000,000 for fiscal year 2000.

APPLICATION

SEC. 281B. (a) IN GENERAL.—Each State or entity applying for a grant under section 281 shall submit an application in the Administrator in such form and containing such information as the Administrator shall prescribe.

(b) REGULATIONS.—To the extent practicable, the Administrator shall prescribe regulations governing applications for this subtitle that are substantially similar to the regulations governing applications required under part D, including the regulations relating to competition.

MENTAL HEALTH SCREENING

SEC. 281C. (a) SOURCE OF THE COMPLAINT.—It is the sense of the Congress that no child should have to be incarcerated in a State youth center

or detention facility unless it is clear to receive mental health treatment.

(b) IN GENERAL.—Not later than 2 years after the date of enactment of this subtitle, the Attorney General, acting through the Administrator of the Office of Juvenile Justice and Delinquency Prevention, in consultation with the Secretary of Health and Human Services, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, shall submit to the committee of appropriations—

(1) a study the nature and prevalence of mental illness among youth in the juvenile justice system at several different points in the system, including the arrest stage, the adjudication, and dispositional stage, and the commitment stage, such study to be based on the best available data and include reviews of existing studies by the Government Accounting Office, the Inspector General's office, and such other interested parties as appropriate;

(2) a study of the extent to which the States can use to assess, diagnose, and treat the mental health needs of youth who come in contact with the juvenile justice system; and

(3) a summary of the results of the study and the work of each State's Juvenile Justice Advisory Group.

(c) STUDY.—The study should include—

(1) national prevalence of rates of the different clinical categories of mental illness for youth who come in contact with the juvenile justice system;

(2) the prevalence of multiple mental disorders among youth who have come in contact with the juvenile justice system;

(3) recommendations to the Committee on the Judiciary of the Senate and the Committee on Education and Labor of the House of Representatives as to the appropriation and need for further Federal action; and

(4) such other analysis as is appropriate.

(d) MODEL.—The study should provide—

(1) guidelines for accurate and timely assessment, diagnosis, and treatment at several different points in the juvenile justice system including the arrest stage, the adjudication and dispositional stage, and the commitment stage;

(2) a method for fostering collaboration between the mental health agencies, juvenile justice agencies, educational agencies, social services agencies, substance abuse treatment agencies, police, and families;

(3) a funding mechanism for implementing the model; and

(4) such other guidelines as are appropriate.

SEC. 281D. GRANTS FOR YOUTH DEVELOPMENT CENTERS

Part B of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631 et seq.), is amended—

(1) by inserting before section 221 the following heading:

“Subpart I—Juvenile Justice and Delinquency Prevention Formula Grant Program”;

and

(2) by adding at the end the following new subpart:

“Subpart II—Youth Violence Prevention Model Grants

SEC. 217. (a) IN GENERAL.—The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall subject to availability of appropriations make grants to States to assist the States in planning, establishing, operating, coordinating, and evaluating programs directly or through grants and contracts with public and private agencies for the development of more effective education, training, treatment, prevention, diversion, treatment, and rehabilitation programs in the area of juvenile violence.

(b) ISSUES TO BE ADDRESSED.—A program funded under subsection (a) shall address issues identified as contributing to youth violence, which may include—

(1) one/one mentoring programs to reduce youth violence; and

(2) juvenile court diversion programs; and

(3) other innovative projects.

(c) ALLOCATION OF FUNDS.—The amount appropriated under this section for a fiscal year shall be allocated among the States by allocating to each State an amount that bears the same proportion to the amount appropriated as the number of residents of the State under the age of 14 years bears to the number of residents of all of the States under the age of 14 years.

(d) ADMINISTRATION.—Grants made under this section shall be administered by the State agency designated under section 221 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751).

(e) APPLICATIONS BY PUBLIC AND PRIVATE AGENCIES

(1) IN GENERAL.—A public or private agency desiring to receive a grant or enter into a contract under this subtitle shall submit an application in such form, in such manner, and containing such information as the office described in subsection (4) may prescribe.

(2) CONTENT.—In accordance with guidelines established by the office described in subsection (4), an application under paragraph (1) shall—

(A) set forth a program of activity for carrying out 2 or more of the purposes described in subsections (a) and (b) and specifically identify each such purpose that the program or activity is designed to carry out;

(B) provide that the program or activity will be administered by or under the supervision of the applicant;

(C) provide for the proper and efficient administration of the program or activity;

(D) provide for regular evaluation of the program or activity;

(E) provide an assurance that the proposed program or activity will supplement, not supplant, similar programs and activities already available in the community;

(F) describe how the program or activity will be coordinated with programs, activities, and services available locally;

(G) provide that regular reports on such program or activity shall be sent to the administering office served in subsection (4); and

(H) provide for such fiscal control and fund accounting procedures as may be necessary to insure prudent use, proper disbursement, and accurate accounting of funds received under this subtitle.

(3) MATCHING FUND REQUIREMENTS

(A) FUNDS RESERVED UNDER THIS SUBTITLE.—Funds received through a grant under this section may not be expended for more than 75 percent of the cost of any program that is so funded.

(B) FUNDS FROM OTHER SOURCES.—In providing for the 25 percent share of the cost of a program from other sources, a State—

(1) shall provide for such share through a program in cash or in kind, fairly evaluated, financing facilities, equipment, or services; and

(2) may provide for such share through State sources, local sources, private sources, nonprofit sources, other Federal sources, or any combination of these sources.

(4) AUTHORIZATION OF APPROPRIATIONS

There are authorized to be appropriated to carry out this section—

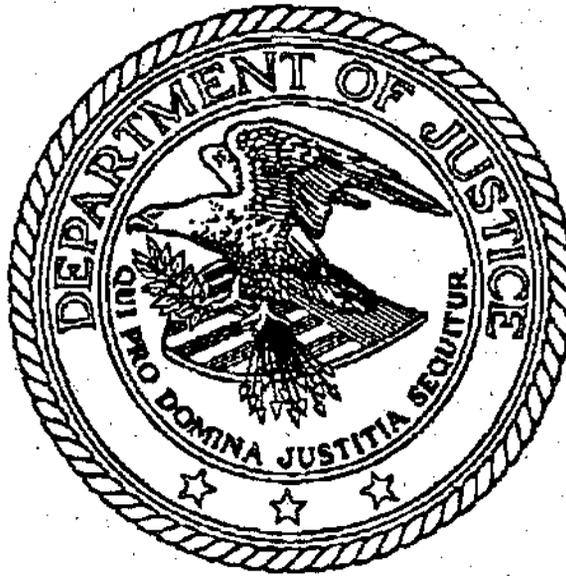
- (1) \$5,000,000 for fiscal year 1996;
- (2) \$5,000,000 for fiscal year 1997;
- (3) \$10,000,000 for fiscal year 1998;
- (4) \$12,000,000 for fiscal year 1999; and
- (5) \$15,000,000 for fiscal year 2000.

SEC. 281E. MATCHING PROGRAM

Section 280C of part C of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 is amended to read as follows:

“(a) MATCHING AND GUIDELINES

“(1) PROGRAM GUIDELINES.—The Administrator shall issue program guidelines to



Office of Policy Development
 United States Department of Justice
 10th and Constitution Ave. NW
 Washington, D. C. 20530

TO: Bruce Reed & Jose

FAX: () 456-7028

FROM: Grace Messalli

VOICE: (202)
 FAX: (202) 514-8639

Total Pages (excluding this cover): 6

Additional Message:

Arts, crafts, music or dance
 provisions from computer search.

August 11, 1994

MEMORANDUM FOR THE PRESIDENT

**FROM: BRUCE REED
JOSE CERDA**

SUBJECT: Prevention Programs in the House Crime Bill and the Conference Report

You asked us to compare the funding for prevention programs contained in the original House-passed crime bill to the funding levels for prevention programs included in the crime bill conference report. Here's what we found.

1. Most of the House-passed prevention programs were cut in conference -- by nearly \$2 billion. Here's a list of programs that were cut:

Ounce of Prevention Council	(--\$25 million)
Community Schools Program	(--\$250 million)
Model Intensive Grants	(--\$895 million)
Midnight Sports Leagues	(--\$10 million)
TRIADS for Seniors	(--\$1 million)
Local Partnership Act	(--\$200 million)
Boys and Girls Clubs	(--\$6 million)
Gang Prevention Grants	(--\$75 million)
Certainty of Punishment	(--\$450 million)

Total Cuts to Prevention Programs (\$1.912 billion)

2. In conference, the overall funding level for prevention programs dropped from about \$8 billion to \$6.9 billion. Although Senate conferees added approximately \$500 million of their own prevention programs to the conference report, prevention funding came in at a lower amount than the original House crime bill.

3. The crime bill conference report increased funding for Federal, state and local law enforcement -- by more than \$6 billion. Here's what has been increased:

Police Officers	(+\$5.3 billion)
FBI Agents	(+250 million)
DEA Agents	(+150 million)
Local Prosecutors	(+\$200 million)
Police and Prosecutors to Combat Violence Against Women	(+600 million)

Total Law Enforcement Increases (\$6.4 billion)

4. Conclusion: The 65 Republicans who voted for the House crime bill in April can't say that the crime bill was "porked up" in conference. The truth is that prevention programs were cut, and that law enforcement funding was increased. And overall, more than \$7 in \$10 of all spending in the crime bill conference report (72%) is for police, state and federal law enforcement, prisons and detention facilities. Thus, no matter how Republicans try and explain their flip-flops, "pork" can't be the reason.

For your information, we have also attached an estimate -- prepared by the Senate Judiciary Committee -- of the crime bill's impact on Minnesota.