

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Cabinet Affairs
Series/Staff Member: Stephen Silverman and Phil Caplan
Subseries:

OA/ID Number: 4599
FolderID:

Folder Title:
Crime Bill [Folder 2]: [4]

Stack:	Row:	Section:	Shelf:	Position:
S	25	1	8	3



11 **Subtitle J—NATIONAL COMMU-**
12 **NITY ECONOMIC PARTNER-**
13 **SHIP**

14 **SEC. 4901. SHORT TITLE.**

15 This subtitle may be cited as the “National Commu-
16 nity Economic Partnership Act of 1994”.

17 **CHAPTER 1—COMMUNITY ECONOMIC**
18 **PARTNERSHIP INVESTMENT FUNDS**

19 **SEC. 4911. PURPOSE.**

20 It is the purpose of this chapter to increase private
21 investment in distressed local communities and to build
22 and expand the capacity of local institutions to better
23 serve the economic needs of local residents through the
24 provision of financial and technical assistance to commu-
25 nity development corporations.

123

1 **SEC. 4912. PROVISION OF ASSISTANCE.**

2 (a) **AUTHORITY.**—The Secretary of Health and
3 Human Services (hereafter referred to in this title as the
4 “Secretary”) is authorized, in accordance with this chap-
5 ter, to provide nonrefundable lines of credit to community
6 development corporations for the establishment, mainte-
7 nance or expansion of revolving loan funds to be utilized
8 to finance projects intended to provide business and em-
9 ployment opportunities for low-income, unemployed, or
10 underemployed individuals and to improve the quality of
11 life in urban and rural areas.

12 (b) **REVOLVING LOAN FUNDS.**—

13 (1) **COMPETITIVE ASSESSMENT OF APPLICA-**
14 **TIONS.**—In providing assistance under subsection
15 (a), the Secretary shall establish and implement a
16 competitive process for the solicitation and consider-
17 ation of applications from eligible entities for lines of
18 credit for the capitalization of revolving funds.

19 (2) **ELIGIBLE ENTITIES.**—To be eligible to re-
20 ceive a line of credit under this chapter an applicant
21 shall—

22 (A) be a community development corpora-
23 tion;

24 (B) prepare and submit an application to
25 the Secretary that shall include a strategic in-
26 vestment plan that identifies and describes the

1 economic characteristics of the target area to be
2 served, the types of business to be assisted and
3 the impact of such assistance on low-income,
4 underemployed, and unemployed individuals in
5 the target area;

6 (C) demonstrate previous experience in the
7 development of low-income housing or commu-
8 nity or business development projects in a low-
9 income community and provide a record of
10 achievement with respect to such projects; and

11 (D) have secured one or more commit-
12 ments from local sources for contributions (ei-
13 ther in cash or in kind, letters of credit or let-
14 ters of commitment) in an amount that is at
15 least equal to the amount requested in the ap-
16 plication submitted under subparagraph (B).

17 (3) EXCEPTION.—Notwithstanding the provi-
18 sions of paragraph (2)(D), the Secretary may reduce
19 local contributions to not less than 25 percent of the
20 amount of the line of credit requested by the com-
21 munity development corporation if the Secretary de-
22 termines such to be appropriate in accordance with
23 section 4916.

1 **SEC. 4913. APPROVAL OF APPLICATIONS.**

2 (a) IN GENERAL.—In evaluating applications submit-
3 ted under section 4912(b)(2)(B), the Secretary shall en-
4 sure that—

5 (1) the residents of the target area to be served
6 (as identified under the strategic development plan)
7 would have an income that is less than the median
8 income for the area (as determined by the Sec-
9 retary);

10 (2) the applicant community development cor-
11 poration possesses the technical and managerial ca-
12 pability necessary to administer a revolving loan
13 fund and has past experience in the development
14 and management of housing, community and eco-
15 nomic development programs;

16 (3) the applicant community development cor-
17 poration has provided sufficient evidence of the ex-
18 istence of good working relationships with—

19 (A) local businesses and financial institu-
20 tions, as well as with the community the cor-
21 poration proposes to serve; and

22 (B) local and regional job training pro-
23 grams;

24 (4) the applicant community development cor-
25 poration will target job opportunities that arise from
26 revolving loan fund investments under this chapter

1 so that 75 percent of the jobs retained or created
2 under such investments are provided to—

3 (A) individuals with—

4 (i) incomes that do not exceed the
5 Federal poverty line; or

6 (ii) incomes that do not exceed 80
7 percent of the median income of the area;

8 (B) individuals who are unemployed or un-
9 deremployed;

10 (C) individuals who are participating or
11 have participated in job training programs au-
12 thorized under the Job Training Partnership
13 Act (29 U.S.C. 1501 et seq.) or the Family
14 Support Act of 1988 (Public Law 100-485);

15 (D) individuals whose jobs may be retained
16 as a result of the provision of financing avail-
17 able under this chapter; or

18 (E) individuals who have historically been
19 underrepresented in the local economy; and

20 (5) a representative cross section of applicants
21 are approved, including large and small community
22 development corporations, urban and rural commu-
23 nity development corporations and community devel-
24 opment corporations representing diverse popu-
25 lations.

1 (b) PRIORITY.—In determining which application to
2 approve under this chapter the Secretary shall give prior-
3 ity to those applicants proposing to serve a target area—

4 (1) with a median income that does not exceed
5 80 percent of the median for the area (as deter-
6 mined by the Secretary); and

7 (2) with a high rate of unemployment, as deter-
8 mined by the Secretary or in which the population
9 loss is at least 7 percent from April 1, 1980, to
10 April 1, 1990, as reported by the Bureau of the
11 Census.

12 **SEC. 4914. AVAILABILITY OF LINES OF CREDIT AND USE.**

13 (a) APPROVAL OF APPLICATION.—The Secretary
14 shall provide a community development corporation that
15 has an application approved under section 4913 with a
16 line of credit in an amount determined appropriate by the
17 Secretary, subject to the limitations contained in sub-
18 section (b).

19 (b) LIMITATIONS ON AVAILABILITY OF AMOUNTS.—

20 (1) MAXIMUM AMOUNT.—The Secretary shall
21 not provide in excess of \$2,000,000 in lines of credit
22 under this chapter to a single applicant.

23 (2) PERIOD OF AVAILABILITY.—A line of credit
24 provided under this chapter shall remain available
25 over a period of time established by the Secretary,

1 but in no event shall any such period of time be in
2 excess of 3 years from the date on which such line
3 of credit is made available.

4 (3) EXCEPTION.—Notwithstanding paragraphs
5 (1) and (2), if a recipient of a line of credit under
6 this chapter has made full and productive use of
7 such line of credit, can demonstrate the need and
8 demand for additional assistance, and can meet the
9 requirements of section 4912(b)(2), the amount of
10 such line of credit may be increased by not more
11 than \$1,500,000.

12 (c) AMOUNTS DRAWN FROM LINE OF CREDIT.—
13 Amounts drawn from each line of credit under this chapter
14 shall be used solely for the purposes described in section
15 4911 and shall only be drawn down as needed to provide
16 loans, investments, or to defray administrative costs relat-
17 ed to the establishment of a revolving loan fund.

18 (d) USE OF REVOLVING LOAN FUNDS.—Revolving
19 loan funds established with lines of credit provided under
20 this chapter may be used to provide technical assistance
21 to private business enterprises and to provide financial as-
22 sistance in the form of loans, loan guarantees, interest re-
23 duction assistance, equity shares, and other such forms
24 of assistance to business enterprises in target areas and
25 who are in compliance with section 4913(a)(4).

1 **SEC. 4915. LIMITATIONS ON USE OF FUNDS.**

2 (a) **MATCHING REQUIREMENT.**—Not to exceed 50
3 percent of the total amount to be invested by an entity
4 under this chapter may be derived from funds made avail-
5 able from a line of credit under this chapter.

6 (b) **TECHNICAL ASSISTANCE AND ADMINISTRA-**
7 **TION.**—Not to exceed 10 percent of the amounts available
8 from a line of credit under this chapter shall be used for
9 the provision of training or technical assistance and for
10 the planning, development, and management of economic
11 development projects. Community development corpora-
12 tions shall be encouraged by the Secretary to seek tech-
13 nical assistance from other community development cor-
14 porations, with expertise in the planning, development and
15 management of economic development projects. The Sec-
16 retary shall assist in the identification and facilitation of
17 such technical assistance.

18 (c) **LOCAL AND PRIVATE SECTOR CONTRIBUTIONS.**—
19 To receive funds available under a line of credit provided
20 under this chapter, an entity, using procedures established
21 by the Secretary, shall demonstrate to the community de-
22 velopment corporation that such entity agrees to provide
23 local and private sector contributions in accordance with
24 section 4912(b)(2)(D), will participate with such commu-
25 nity development corporation in a loan, guarantee or in-
26 vestment program for a designated business enterprise,

1 and that the total financial commitment to be provided
2 by such entity is at least equal to the amount to be drawn
3 from the line of credit.

4 (d) USE OF PROCEEDS FROM INVESTMENTS.—Pro-
5 ceeds derived from investments made using funds made
6 available under this chapter may be used only for the pur-
7 poses described in section 4911 and shall be reinvested
8 in the community in which they were generated.

9 **SEC. 4916. PROGRAM PRIORITY FOR SPECIAL EMPHASIS**
10 **PROGRAMS.**

11 (a) IN GENERAL.—The Secretary shall give priority
12 in providing lines of credit under this chapter to commu-
13 nity development corporations that propose to undertake
14 economic development activities in distressed communities
15 that target women, Native Americans, at risk youth, farm-
16 workers, population-losing communities, very low-income
17 communities, single mothers, veterans, and refugees; or
18 that expand employee ownership of private enterprises and
19 small businesses, and to programs providing loans of not
20 more than \$35,000 to very small business enterprises.

21 (b) RESERVATION OF FUNDS.—Not less than 5 per-
22 cent of the amounts made available under section
23 4932(a)(2)(A) may be reserved to carry out the activities
24 described in subsection (a).

CHAPTER 2—Emerging Community

Development Corporations

SEC. 4921. COMMUNITY DEVELOPMENT CORPORATION IMPROVEMENT GRANTS.

(a) PURPOSE.—It is the purpose of this section to provide assistance to community development corporations to upgrade the management and operating capacity of such corporations and to enhance the resources available to enable such corporations to increase their community economic development activities.

(b) SKILL ENHANCEMENT GRANTS.—

(1) IN GENERAL.—The Secretary shall award grants to community development corporations to enable such corporations to attain or enhance the business management and development skills of the individuals that manage such corporations to enable such corporations to seek the public and private resources necessary to develop community economic development projects.

(2) USE OF FUNDS.—A recipient of a grant under paragraph (1) may use amounts received under such grant—

(A) to acquire training and technical assistance from agencies or institutions that have extensive experience in the development and

1 management of low-income community eco-
2 nomic development projects; or

3 (B) to acquire such assistance from other
4 highly successful community development cor-
5 porations.

6 (c) OPERATING GRANTS.—

7 (1) IN GENERAL.—The Secretary shall award
8 grants to community development corporations to
9 enable such corporations to support an administra-
10 tive capacity for the planning, development, and
11 management of low-income community economic de-
12 velopment projects.

13 (2) USE OF FUNDS.—A recipient of a grant
14 under paragraph (1) may use amounts received
15 under such grant—

16 (A) to conduct evaluations of the feasibility
17 of potential low-income community economic de-
18 velopment projects that address identified needs
19 in the low-income community and that conform
20 to those projects and activities permitted under
21 subtitle A;

22 (B) to develop a business plan related to
23 such a potential project; or

1 (C) to mobilize resources to be contributed
2 to a planned low-income community economic
3 development project or strategy.

4 (d) APPLICATIONS.—A community development cor-
5 poration that desires to receive a grant under this section
6 shall prepare and submit to the Secretary an application
7 at such time, in such manner, and containing such infor-
8 mation as the Secretary may require.

9 (e) AMOUNT AVAILABLE FOR A COMMUNITY DEVEL-
10 OPMENT CORPORATION.—Amounts provided under this
11 section to a community development corporation shall not
12 exceed \$75,000 per year. Such corporations may apply for
13 grants under this section for up to 3 consecutive years,
14 except that such corporations shall be required to submit
15 a new application for each grant for which such corpora-
16 tion desires to receive and compete on the basis of such
17 applications in the selection process.

18 **SEC. 4922. EMERGING COMMUNITY DEVELOPMENT COR-**
19 **PORATION REVOLVING LOAN FUNDS.**

20 (a) AUTHORITY.—The Secretary is authorized to
21 award grants to emerging community development cor-
22 porations to enable such corporations to establish, main-
23 tain or expand revolving loan funds, to make or guarantee
24 loans, or to make capital investments in new or expanding
25 local businesses.

1 (b) ELIGIBILITY.—To be eligible to receive a grant
2 under subsection (a), an entity shall—

3 (1) be a community development corporation;

4 (2) have completed not less than one nor more
5 than two community economic development projects
6 or related projects that improve or provide job and
7 employment opportunities to low-income individuals;

8 (3) prepare and submit to the Secretary an ap-
9 plication at such time, in such manner, and contain-
10 ing such information as the Secretary may require,
11 including a strategic investment plan that identifies
12 and describes the economic characteristics of the
13 target area to be served, the types of business to be
14 assisted using amounts received under the grant and
15 the impact of such assistance on low-income individ-
16 uals; and

17 (4) have secured one or more commitments
18 from local sources for contributions (either in cash
19 or in kind, letters of credit, or letters of commit-
20 ment) in an amount that is equal to at least 10 per-
21 cent of the amounts requested in the application
22 submitted under paragraph (2).

23 (c) USE OF THE REVOLVING LOAN FUND.—

24 (1) IN GENERAL.—A revolving loan fund estab-
25 lished or maintained with amounts received under

1 this section may be utilized to provide financial and
2 technical assistance, loans, loan guarantees or in-
3 vestments to private business enterprises to—

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

8 (B) build and expand the capacity of
9 emerging community development corporations
10 and serve the economic needs of local residents.

11 (2) TECHNICAL ASSISTANCE.—The Secretary
12 shall encourage emerging community development
13 corporations that receive grants under this section to
14 seek technical assistance from established commu-
15 nity development corporations, with expertise in the
16 planning, development and management of economic
17 development projects and shall facilitate the receipt
18 of such assistance.

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

23 (d) USE OF PROCEEDS FROM INVESTMENTS.—Pro-
24 ceeds derived from investments made with amounts pro-
25 vided under this section may be utilized only for the pur-

1 poses described in this subtitle and shall be reinvested in
2 the community in which they were generated.

3 (e) AMOUNTS AVAILABLE.—Amounts provided under
4 this section to a community development corporation shall
5 not exceed \$500,000 per year.

6 **CHAPTER 3—MISCELLANEOUS**
7 **PROVISIONS**

8 **SEC. 4931. DEFINITIONS.**

9 As used in this subtitle:

10 (1) COMMUNITY DEVELOPMENT CORPORA-
11 TION.—The term “community development corpora-
12 tion” means a private, nonprofit corporation whose
13 board of directors is comprised of business, civic and
14 community leaders, and whose principal purpose in-
15 cludes the provision of low-income housing or com-
16 munity economic development projects that primarily
17 benefit low-income individuals and communities.

18 (2) LOCAL AND PRIVATE SECTOR CONTRIBU-
19 TION.—The term “local and private sector contribu-
20 tion” means the funds available at the local level (by
21 private financial institutions, State and local govern-
22 ments) or by any private philanthropic organization
23 and private, nonprofit organizations that will be
24 committed and used solely for the purpose of financ-

1 ing private business enterprises in conjunction with
2 amounts provided under this subtitle.

3 (3) POPULATION-LOSING COMMUNITY.—The
4 term “population-losing community” means any
5 county in which the net population loss is at least
6 7 percent from April 1, 1980 to April 1, 1990, as
7 reported by the Bureau of the Census.

8 (4) PRIVATE BUSINESS ENTERPRISE.—The
9 term “private business enterprise” means any busi-
10 ness enterprise that is engaged in the manufacture
11 of a product, provision of a service, construction or
12 development of a facility, or that is involved in some
13 other commercial, manufacturing or industrial activ-
14 ity, and that agrees to target job opportunities stem-
15 ming from investments authorized under this sub-
16 title to certain individuals.

17 (5) TARGET AREA.—The term “target area”
18 means any area defined in an application for assist-
19 ance under this subtitle that has a population whose
20 income does not exceed the median for the area
21 within which the target area is located.

22 (6) VERY LOW-INCOME COMMUNITY.—The term
23 “very low-income community” means a community
24 in which the median income of the residents of such

1 community does not exceed 50 percent of the median
2 income of the area.

3 **SEC. 4932. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) IN GENERAL.—There are authorized to be appro-
5 priated to carry out chapters 1 and 2, \$_____ for fiscal
6 year 1994, and \$_____ for fiscal years 1995 and 1996.

7 (b) EARMARKS.—Of the aggregate amount appro-
8 priated under subsection (a) for each fiscal year—

9 (1) 60 percent shall be available to carry out
10 chapter 1; and

11 (2) 40 percent shall be available to carry out
12 chapter 2.

13 (c) AMOUNTS.—Amounts appropriated under sub-
14 section (a) shall remain available for expenditure without
15 fiscal year limitation.

16 **SEC. 4933. PROHIBITION.**

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

19 **Subtitle K—Gang Prevention**
20 **Services for Boys and Girls**

21 **SEC. 1099H. PROGRAM AUTHORITY.**

22 (a) IN GENERAL.—The Attorney General, in con-
23 sultation with the Secretary of Education and Secretary
24 of Health and Human Services, may make grants to eligi-
25 ble service providers to carry out programs that prevent

1 young children from becoming gang involved. In making
2 such grants, the Attorney General shall give priority to
3 eligible service providers that have a proven track record
4 of serving young children and have an overall budget of
5 not more than \$750,000 a fiscal year, prior to receiving
6 a grant under this section.

7 (b) CONSULTATION WITH OUNCE OF PREVENTION
8 COUNCIL.—The Attorney General may consult with the
9 Ounce of Prevention Council in making grants under sub-
10 section A.

11 **SEC. 1099I. PROGRAM REQUIREMENTS.**

12 The eligible service providers receiving a grant under
13 section 1099H shall—

14 (1) provide a comprehensive array of support
15 services to assist the participants to reach their full
16 potential as contributing law-abiding citizens (which
17 support services may include education and health
18 services; career development training; music, art,
19 and drama activities; physical fitness training; life
20 skills training; mental health counseling; and job
21 placement counseling);

22 (2) to the extent practicable, involve the parents
23 and other family members of participating children,
24 and the members of local organizations that support
25 the educational and law enforcement institutions of

1 the community, as is appropriate, in the administra-
2 tion and operation of the gang prevention program;

3 (3) utilize community resources and related
4 support services as needed in the operation of the
5 program;

6 (4) accept referrals from public institutions, as
7 is appropriate, such as law enforcement, mental
8 health, local school systems, and other entities of
9 local government; and

10 (5) utilize volunteer staff, including participants
11 in programs funded under the National and Commu-
12 nity Service Program, Public Law 103-62, to the
13 maximum extent practicable in the operation of the
14 program.

15 **SEC. 1099J. ELIGIBLE PROVIDERS.**

16 Community-based service providers, as defined in the
17 Juvenile Justice and Delinquency Prevention Act of 1974,
18 that have a proven track record of providing services to
19 children ages 5 to 18 shall be eligible to apply for funds
20 under this subtitle. A priority shall be given to service pro-
21 viders that have a history of providing services uniquely
22 designed to meet the needs of young children such as the
23 Boys and Girls Clubs of America or service providers that
24 display the potential for providing such targeted services.

1 **SEC. 1099K. ELIGIBLE PARTICIPANTS.**

2 Children that have the potential, because of commu-
3 nity composition and other factors, to come into contact
4 with gangs, or who have a family member that has come
5 into contact with a gang, and are not more than 18 years
6 old at the time of entry into the program, shall be eligible
7 to receive services provided by programs receiving assist-
8 ance under this subtitle.

9 **SEC. 1099L. APPLICATIONS PROCESS.**

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

13 **SEC. 1099M. EVALUATION.**

14 The Attorney General shall conduct an evaluation of
15 the effectiveness of the program model grants authorized
16 under this subtitle, and the extent to which it can be rep-
17 licated by other local communities. The Attorney General
18 shall report to the Congress no later than January 1,
19 1999, on the details of such evaluations.

20 **SEC. 1099N. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated \$_____
22 for fiscal year 1995, 1996, 1997, and 1998 to carry out
23 this subtitle.

L 142

**Subtitle ~~X~~—Olympic Youth
Development Centers**

3 SEC. 5143. OLYMPIC YOUTH DEVELOPMENT CENTERS.

4 (a) DEFINITIONS.—In this section:

5 “child” means an individual who is not younger
6 than 8 and not older than 18.

7 “Committee” means the United States Olympic
8 Committee.

9 “Council” means the Ounce of Prevention
10 Council.

11 (b) GRANT.—The Council may make a grant to Unit-
12 ed States Olympic Committee for the purpose of establish-
13 ing Olympic Youth Development Centers and carrying out
14 programs through such centers.

15 (c) PROGRAM REQUIREMENTS.—

16 (1) LOCATION.—The Committee, on receiving a
17 grant under this section to establish such a center
18 shall ensure that the center is established in an ap-
19 propriate facility in a State, such as a college or uni-
20 versity, a local or State park or recreation center,
21 church, or military base, that is—

22 (A) in a location that is easily accessible to
23 children in the community; and

24 (B) in compliance with all applicable local
25 ordinances.

(2) CENTERS.—The Committee shall, subject to the availability of appropriations, not later 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 such centers.

12 (3) USE OF FUNDS.—The Committee—

(A) may use funds made available through the grant to provide supervised sports and recreation programs that are offered—

16 (i) after school and on weekends and
17 holidays, during the school year; and

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

22 (B) may use—

(i) such funds for the minor renovation of facilities that are in existence prior to the operation of the program and nec-

1 essary for the operation of the program for
2 which the Committee receives the grant,
3 purchase of sporting and recreational
4 equipment and supplies, reasonable cost
5 for transportation of participants in the
6 program, hiring of staff, provision of meals
7 for such participants, provision of health
8 services consisting of an initial basic phys-
9 ical examination, and provision of first aid
10 and nutrition guidance; and

11 (ii) not more than 5 percent of such
12 funds to pay for the administrative costs of
13 the program; and

14 (C) may not use such funds to provide sec-
15 tarian worship or sectarian instruction.

16 (4) EXECUTIVE DIRECTOR.—The Committee
17 shall appoint an Executive Director to coordinate
18 the centers and programs described in subsection
19 (b), and shall appoint a Director for each such cen-
20 ter to carry out such programs at the center.

21 (d) APPLICATION.—

22 (1) IN GENERAL.—To be eligible to receive a
23 grant under this section, the Committee shall submit
24 an application to the Council at such time, in such
25 manner, and accompanied by such information, as

1 the Council may reasonably require, and obtain ap-
2 proval of such application.

3 (2) CONTENTS OF APPLICATION.—The applica-
4 tion submitted pursuant to paragraph (1) shall—

5 (A) contain an assurance that the program
6 to be carried out through the center for which
7 the grant is sought will maintain an average at-
8 tendance rate of not less than 75 percent of the
9 participants enrolled in the program, or will en-
10 roll additional participants in the program;

11 (B) contain an assurance that the Commit-
12 tee will comply with any evaluation under sub-
13 section (i), any research effort authorized under
14 Federal law, and any investigation by the Ad-
15 ministrator;

16 (C) contain an assurance that the Commit-
17 tee shall prepare and submit to the Adminis-
18 trator an annual report regarding any program
19 conducted under this section;

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

1 (E) contain an assurance that the Commit-
2 tee will maintain separate accounting records
3 for the program; and

4 (F) contain an assurance that the program
5 will include outreach efforts in order to encour-
6 age participation in the program.

7 (e) ELIGIBILITY OF PARTICIPANTS.—

8 (1) IN GENERAL.—The Committee shall select
9 children to participate in programs that receive as-
10 sistance under this section without regard to the
11 athletic ability of the children. In selecting children
12 to participate in programs that receive assistance
13 under this section, the Committee shall give priority
14 to children from low-income communities and high-
15 crime areas with demonstrated gang activity as de-
16 termined by the Council.

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

23 (3) NONDISCRIMINATION.—In selecting children
24 to participate in a program that receives assistance
25 under this section, the Committee shall not discrimi-

1 nate on the basis of race, color, religion, sex, na-
2 tional origin, or disability.

3 (4) BEHAVIOR PROBLEMS.—The Committee
4 may find a child ineligible to participate in such a
5 program if the Committee determines that the child
6 has behavior problems that pose an unacceptable
7 risk of injury or illness to other participants or has
8 a physical or mental disability so serious that the
9 child would be unable to participate in the program
10 with reasonable accommodation.

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

15 (g) FEDERAL SHARE.—

16 (1) PAYMENTS; FEDERAL SHARE; NON-FED-
17 ERAL SHARE.—

18 (A) PAYMENTS.—On approval of an appli-
19 cation under subsection (d), the Council shall,
20 subject to the availability of appropriations pay
21 to the Committee the Federal share of the costs
22 of establishing the centers and carrying out the
23 programs described in subsection (b).

24 (B) FEDERAL SHARE.—The Federal share
25 of such costs shall be not more than—

1 (i) 75 percent for fiscal years 1995
2 and 1996;

3 (ii) 70 percent for fiscal year 1997;
4 and

5 (iii) 60 percent for fiscal year 1998.

6 (2) NON-FEDERAL SHARE.—

7 (A) IN GENERAL.—The non-Federal share
8 of such costs may be in cash or in kind, fairly
9 evaluated, including plant, equipment, and serv-
10 ices (including the services described in sub-
11 section (d)(2)(D)).

12 (B) SPECIAL RULE.—The Committee may
13 not charge fees for the participation of children
14 in programs carried out under this section.

15 (h) REPORTS.—At the end of each fiscal year, the
16 Council shall submit to Congress a report on the activities
17 conducted under this section, including a summary of the
18 information in the report submitted under subsection
19 (d)(2)(C).

20 (i) EVALUATION.—The Council shall conduct a thor-
21 ough evaluation of the programs assisted under this sec-
22 tion, which shall include an assessment of—

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

25 (2) the academic achievement of such children;

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

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

5 (j) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There are authorized to be
7 appropriated to carry out this section, \$_____
8 for fiscal year 1995 and \$_____ for each of fis-
9 cal years 1996, 1997, and 1998.

10 (2) AVAILABILITY.—Amounts appropriated to
11 carry out this section shall remain available until ex-
12 pended.

13 **Subtitle M—Anticrime Youth**
14 **Councils**

15 **SEC. 10990. PURPOSE.**

16 The purpose of this subtitle is to provide for the es-
17 tablishment of youth anticrime councils to give intermedi-
18 ate and secondary school students a structured forum
19 through which to work with community organizations, law
20 enforcement officials, government and media representa-
21 tives, and school administrators and faculty to address is-
22 sues regarding youth and violence. The purpose of such
23 councils is to empower local youth and ensure that their
24 recommendations for preventing youth involvement in

1 crime and violence will be heard and possibly incorporated
2 into community anticrime strategies.

3 **SEC. 1099P. AUTHORITY TO MAKE GRANTS.**

4 (a) IN GENERAL.—The Attorney General may make
5 grants to public and nonprofit community-based organiza-
6 tions to establish regional anticrime youth councils each
7 of which is composed of intermediate and secondary school
8 students who represent all the schools in a separate con-
9 gressional district.

10 (b) CONSULTATION.—The Attorney General may
11 consult with the Ounce of Prevention Council in making
12 grants under subsection (a).

13 **SEC. 1099Q. APPLICATIONS FOR GRANTS.**

14 To request a grant under section 1099P, a public and
15 nonprofit community-based organization shall submit to
16 the Attorney General an application in such form and con-
17 taining such information as the Attorney General may re-
18 quire by rule, including assurances that—

19 (1) the anticrime youth council with respect to
20 which such grant is requested will be—

21 (A) selected by a teacher or administrator
22 of an intermediate or secondary school in the
23 congressional district involved, in consultation
24 with teachers and administrators of other inter-
25 mediate and secondary schools in such district,

1 (B) composed of not more than 5 students
2 from each of the intermediate and secondary
3 schools in such district, selected as described in
4 subparagraph (A) from among individuals who
5 have first-hand knowledge of issues and prob-
6 lems relating to students who attend schools in
7 such district,

8 (C) supervised by an individual who—

9 (i) is familiar with issues regarding
10 youth violence,

11 (ii) has strong ties to the communities
12 in such district and to the organizations
13 with which such council will interact, and

14 (iii) will be responsible for coordinat-
15 ing the dissemination of information to
16 such council, supervising council meetings,
17 and acting as a liaison between such coun-
18 cil and communities in such district, and

19 (D) meet not less frequently than
20 monthly—

21 (i) to discuss issues of concern, in-
22 cluding youth crime, school violence, job
23 creation, and recreation, and

24 (ii) to develop creative solutions for
25 assisting community organizations, law en-

1 enforcement officials, school officials, govern-
2 ment officials, and others to address such
3 issues, and

4 (2) the applicant will submit to the Attorney
5 General a report, not later than 180 days after the
6 first year for which such applicant receives a grant
7 under section 1099P, that—

8 (A) specifies the number of students and
9 schools involved and represented on such coun-
10 cil,

11 (B) specifies the number of organizations
12 and individuals that council and its subcommit-
13 tees met with,

14 (C) specifies the number of grants, poli-
15 cies, and programs submitted to the youth
16 council for review and recommendation,

17 (D) contains evidence that—

18 (i) the community has consulted such
19 council and adopted its recommendations,
20 and

21 (ii) a grant review process has been
22 established within a school system or police
23 department that includes an evaluation by
24 the youth council,

1 (E) describes the effect that participation
2 on such council has had on the student rep-
3 resentatives, (such as improved school attend-
4 ance and academic performance, and decreased
5 criminal involvement),

6 (F) describes the effect that participation
7 on such council has had on the participating
8 schools (such as decrease in incidence of school
9 violence),

10 (G) describes the extent to which other
11 students attended council and subcommittee
12 meetings, and participated as members of the
13 audience in such council's activities,

14 (H) describes the extent to which family
15 service, youth service, and the education, police,
16 health, and judicial departments within such
17 district coordinate anticrime efforts as a result
18 of the recommendations and programs of such
19 council, and

20 (I) describes the extent to which such
21 council raises public awareness and knowledge,
22 via the media, about youth violence and such
23 council's efforts to help prevent it.

1 **SEC. 1099R. SELECTION OF GRANT RECIPIENTS.**

2 For the purpose of selecting eligible applicants to re-
3 ceive grants under section 1099P, the Attorney General
4 shall take into consideration—

5 (1) the extent to which all schools in a congres-
6 sional district are represented on the proposed youth
7 anticrime council,

8 (2) the extent to which youth crime and vio-
9 lence are an issue of concern in such district,

10 (3) the extent to which the community is com-
11 mitted to coordinating and meeting with the youth
12 councils, and

13 (4) the extent to which the students selected to
14 serve on such council are representative of the geo-
15 graphical area and knowledgeable about the issues
16 that such council will consider.

17 **SEC. 1099S. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated \$_____

19 for fiscal year 1995, and such sums as may be necessary

20 for fiscal years 1996, 1997, and 1998, to carry out this

21 subtitle.

155 - 158

16 **Subtitle ^N —Boys and Girls Clubs**
17 **Public Housing**

18 **SEC. 1099AA. ESTABLISHMENT.**

19 (a) IN GENERAL.—The Secretary of Housing and
20 Urban Development, in consultation with the Attorney
21 General, shall enter into contracts with the Boys and Girls
22 Clubs of America, a national nonprofit youth organization
23 to establish Boys and Girls Clubs in public housing.

1 (b) CONSULTATION.—The Secretary of Housing and
2 Urban Development may consult with the Ounce of Pre-
3 vention Council in making grants under subsection (a).

4 **SEC. 1099BB. REPORT.**

5 By May 1 of each fiscal year for which funds for this
6 section are provided, the Secretary of Housing and Urban
7 Development shall submit a report to the Committee on
8 Banking, Housing, and Urban Affairs of the Senate and
9 the Committee on Banking, Finance and Urban Affairs
10 of the House of Representatives that details the progress
11 of establishing boys and girls clubs in public housing and
12 the effectiveness of the programs in reducing drug abuse
13 and gang violence.

14 **SEC. 1099CC. AUTHORIZATION OF APPROPRIATIONS.**

15 There are authorized to be appropriated the following
16 sums to carry out this subtitle—

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

18 (2) \$_____ for fiscal year 1996; and

19 (3) \$_____ for fiscal year 1997,

20 **Subtitle 9—Community-Based Jus-**
21 **tice Grants for Local Prosecu-**
22 **tors**

23 **SEC. 1099DD. GRANT AUTHORIZATION.**

24 (a) IN GENERAL.—The Attorney General may make
25 grants to local prosecutors for the purpose of supporting

1 the creation or expansion of community-based justice pro-
2 grams.

3 (b) CONSULTATION.—The Attorney General may
4 consult with the Ounce of Prevention Council in making
5 grants under subsection (a).

6 **SEC. 1099EE. USE OF FUNDS.**

7 Grants made by the Attorney General under this sec-
8 tion shall be used—

9 (1) to fund programs that require the coopera-
10 tion and coordination of prosecutors, school officials,
11 police, probation officers, youth and social service
12 professionals, and community members in the effort
13 to reduce the incidence of, and increase the success-
14 ful identification and speed of prosecution of, young
15 violent offenders;

16 (2) to fund programs in which prosecutors
17 focus on the offender, not simply the specific of-
18 fense, and impose individualized sanctions, designed
19 to deter that offender from further antisocial con-
20 duct, and impose increasingly serious sanctions on a
21 young offender who continues to commit offenses;
22 and

23 (3) to fund programs that coordinate criminal
24 justice resources with educational, social service, and
25 community resources to develop and deliver violence

1 prevention programs, including mediation and other
2 conflict resolution methods, treatment, counselling,
3 educational, and recreational programs that create
4 alternatives to criminal activity.

5 **SEC. 1099FF. APPLICATIONS.**

6 (a) **ELIGIBILITY.**—In order to be eligible to receive
7 a grant under this part for any fiscal year, a local prosecu-
8 tor, in conjunction with the mayor from the jurisdiction
9 in which the program will be placed, shall submit an appli-
10 cation to the Attorney General in such form and contain-
11 ing such information as the Attorney General may reason-
12 ably require.

13 (b) **REQUIREMENTS.**—Each applicant shall include—

14 (1) a request for funds for the purposes de-
15 scribed in section 1099EE;

16 (2) a description of the communities to be
17 served by the grant, including the nature of the
18 youth crime and violence problems within such com-
19 munities;

20 (3) assurances that Federal funds received
21 under this part shall be used to supplement, not
22 supplant, non-Federal funds that would otherwise be
23 available for activities funded under this section; and

1 (4) statistical information in such form and
2 containing such information that the Attorney Gen-
3 eral may require.

4 (c) COMPREHENSIVE PLAN.—Each applicant shall
5 include a comprehensive plan that shall contain—

6 (1) a description of the youth violent crime
7 problem;

8 (2) an action plan outlining how the applicant
9 will achieve the purposes as described in section
10 1099EE;

11 (3) a description of the resources available in
12 the community to implement the plan together with
13 a description of the gaps in the plan that cannot be
14 filled with existing resources; and

15 (4) a description of how the requested grant
16 will be used to fill gaps.

17 **SEC. 1099GG. ALLOCATION OF FUNDS; LIMITATIONS ON**
18 **GRANTS.**

19 (a) ADMINISTRATIVE COST LIMITATION.—The Attor-
20 ney General shall use not more than 5 percent of the funds
21 available under this program for the purposes of adminis-
22 tration and technical assistance.

23 (b) RENEWAL OF GRANTS.—A grant under this part
24 may be renewed for up to 2 additional years after the first
25 fiscal year during which the recipient receives its initial

1 grant under this part, subject to the availability of funds,
2 if—

3 (1) the Attorney General determines that the
4 funds made available to the recipient during the pre-
5 vious years were used in a manner required under
6 the approved application; and

7 (2) the Attorney General determines that an
8 additional grant is necessary to implement the com-
9 munity prosecution program described in the com-
10 prehensive plan required by section 1099FF.

11 **SEC. 1099HH. AWARD OF GRANTS.**

12 The Attorney General shall consider the following
13 facts in awarding grants:

14 (1) Demonstrated need and evidence of the abil-
15 ity to provide the services described in the plan re-
16 quired under section 1099FF.

17 (2) The Attorney General shall attempt, to the
18 extent practicable, to achieve an equitable geo-
19 graphic distribution of grant awards.

20 **SEC. 1099II. REPORTS.**

21 (a) **REPORT TO ATTORNEY GENERAL.**—Local pros-
22 ecutors that receive funds under this subtitle shall submit
23 to the Attorney General a report not later than March
24 1 of each year that describes progress achieved in carrying
25 out the plan described under section 2(c).

1 (b) REPORT TO CONGRESS.—The Attorney General
2 shall submit to the Congress a report by October 1 of each
3 year in which grants are made available under this subtitle
4 which shall contain a detailed statement regarding grant
5 awards, activities of grant recipients, a compilation of sta-
6 tistical information submitted by applicants, and an eval-
7 uation of programs established under this subtitle.

8 **SEC. 1099JJ. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated \$_____
10 for each of fiscal years 1995, 1996, 1997, 1998, and 1999
11 to carry out this subtitle.

12 **SEC. 1099KK. DEFINITIONS.**

13 The term “young violent offender” means individuals,
14 ages 7–22, who have committed crimes of violence, weap-
15 ons offenses, drug distribution, hate crimes and civil rights
16 violations, and offenses against personal property of an-
17 other.

18 **Subtitle —Child Safety**

19 **SEC. 4001. SHORT TITLE.**

20 This subtitle may be cited as the “Child Safety Act”.

21 **SEC. 4002. PURPOSE.**

22 The purpose of this subtitle is to authorize funding
23 to enable supervised visitation centers to provide the fol-
24 lowing:

1 (1) Supervised visitation in cases where there is
2 documented sexual, physical or emotional abuse as
3 determined by the appropriate court.

4 (2) Supervised visitation in cases where there is
5 suspected or elevated risk of sexual, physical or emo-
6 tional abuse, or where there have been threats of pa-
7 rental abduction of the child.

8 (3) Supervised visitation for children who have
9 been placed in foster homes as a result of abuse.

10 (4) An evaluation of visitation between parents
11 and children for child protection social services to
12 assist such service providers in making determina-
13 tions of whether the children should be returned to
14 a previously abusive home.

15 (5) A safe location for custodial parents to tem-
16 porarily transfer custody of their children to non-
17 custodial parents, or to provide a protected visitation
18 environment, where there has been a history of do-
19 mestic violence or an order for protection is involved.

20 (6) An additional safeguard against the child
21 witnessing abuse or a safeguard against the injury
22 or death of a child or parent.

23 (7) An environment for families to have healthy
24 interaction activities, quality time, non-violent mem-

1 ory building experiences during visitation to help
2 build the parent/child relationship.

3 (8) Parent and child education and support
4 groups to help parents heal and learn new skills, and
5 to help children heal from past abuse.

6 **SEC. 4003. DEMONSTRATION GRANTS FOR SUPERVISED VIS-**
7 **ITATION CENTERS.**

8 (a) IN GENERAL.—The Secretary of Health and
9 Human Services (hereafter referred to in this subtitle as
10 the “Secretary”) is authorized to award grants to and
11 enter into contracts and cooperative agreements with pub-
12 lic or nonprofit private entities to assist such entities in
13 the establishment and operation of supervised visitation
14 centers.

15 (b) CONSIDERATIONS.—In awarding grants, con-
16 tracts and agreements under subsection (a), the Secretary
17 shall take into account—

18 (1) the number of families to be served by the
19 proposed visitation center to be established under
20 the grant, contract or agreement;

21 (2) the extent to which supervised visitation
22 centers are needed locally;

23 (3) the relative need of the applicant; and

1 (2) the number of families served per year cat-
2 egorized by—

3 (A) families who require that supervised
4 visitation because of child abuse only;

5 (B) families who require supervised visita-
6 tion because of a combination of child abuse
7 and domestic violence; and

8 (C) families who require supervised visita-
9 tion because of domestic violence only;

10 (3) the number of visits per family in the report
11 year categorized by—

12 (A) supervised visitation required by the
13 courts;

14 (B) supervised visitation based on sus-
15 pected or elevated risk of sexual, physical, or
16 emotional abuse, or threats of parental abduc-
17 tion of the child that is not court mandated;

18 (C) supervised visitation that is part of a
19 foster care arrangement; and

20 (D) supervised visitation because of an
21 order of protection;

22 (4) the number of supervised visitation arrange-
23 ments terminated because of violations of visitation
24 terms, including violence;

1 (5) the number of protective temporary trans-
2 fers of custody during the report year;

3 (6) the number of parental abduction cases in
4 a judicial district using supervised visitation services,
5 both as identified in criminal prosecution and cus-
6 tody violations;

7 (7) the number of safety and security problems
8 that occur during the report year;

9 (8) the number of families who are turned away
10 because the center cannot accommodate the demand
11 for services;

12 (9) the process by which children or abused
13 partners will be protected during visitations, tem-
14 porary custody transfers and other activities for
15 which the supervised visitation centers are created;
16 and

17 (10) any other information determined appro-
18 priate in regulations promulgated by the Secretary.

19 (b) EVALUATION.—In addition to submitting the re-
20 ports required under subsection (a), an entity receiving a
21 grant, contract or cooperative agreement under this Act
22 shall have a collateral agreement with the court, the child
23 protection social services division of the State, and local
24 domestic violence agencies or State and local domestic vio-
25 lence coalitions to evaluate the supervised visitation center

1 operated under the grant, contract or agreement. The en-
2 tities conducting such evaluations shall submit a narrative
3 evaluation of the center to both the center and the
4 grantee.

5 (c) DEMONSTRATION OF NEED.—The recipient of a
6 grant, contract or cooperative agreement under this Act
7 shall demonstrate, during the first 3 years of the project
8 operated under the grant, contract or agreement, the need
9 for continued funding.

10 **SEC. 4006. SPECIAL GRANTS TO STUDY THE EFFECT OF SU-**
11 **PERVISED VISITATION ON SEXUALLY ABUSED**
12 **OR SEVERELY PHYSICALLY ABUSED CHIL-**
13 **DREN.**

14 (a) AUTHORIZATION.—The Secretary may award spe-
15 cial grants to public or nonprofit private entities to assist
16 such entities in collecting clinical data for supervised visi-
17 tation centers established under this Act to determine—

18 (1) the extent to which supervised visitation
19 should be allowed between children who are sexually
20 abused or severely physically abused by a parent,
21 where the visitation is not predicated on the abusive
22 parent having successively completed a specialized
23 course of therapy for such abusers;

24 (2) the effect of supervised visitation on child
25 victims of sexual abuse or severe physical abuse

1 when the abusive parent exercising visitation has not
2 completed specialized therapy and does not use the
3 visitation to alleviate the child victim's guilt, fear, or
4 confusion;

5 (3) the relationship between the type of abuse
6 or neglect experienced by the child and the use of
7 supervised visitation centers by the maltreating par-
8 ent; and

9 (4) in cases of spouse or partner abuse only,
10 the extent to which supervised visitation should be
11 predicated on participation by the abusive spouse in
12 a specialized treatment program.

13 (b) APPLICATION.—To be eligible to receive a grant
14 under this section an entity shall prepare and submit to
15 the Secretary an application at such time, in such manner
16 and containing such information as the Secretary may re-
17 quire, including documentary evidence to demonstrate that
18 the entity possesses a high level of clinical expertise and
19 experience in child abuse treatment and prevention as they
20 relate to visitation. The level of clinical expertise and expe-
21 rience required will be determined by the Secretary.

22 (c) REPORT.—Not later than 1 year after the date
23 on which a grant is received under this section, and each
24 year thereafter for the duration of the grant, the grantee

1 shall prepare and submit to the Secretary a report con-
2 taining the clinical data collected under such grant.

3 **SEC. 4007. REPORTING.**

4 Not later than 18 months after the date of enactment
5 of this Act, and annually thereafter, the Secretary shall
6 prepare and submit to the appropriate committees of Con-
7 gress a report containing the information collected under
8 the reports received under sections 4005 and 4006, includ-
9 ing recommendations made by the Secretary concerning
10 whether or not the supervised visitation center demonstra-
11 tion and clinical data programs should be reauthorized.

12 **SEC. 4008. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—For the purpose of awarding
14 grants, contracts and cooperative agreements under this
15 Act, there are authorized to be appropriated \$_____
16 for fiscal year 1995, \$_____ for fiscal year 1996, and
17 \$_____ for fiscal year 1997.

18 (b) DISTRIBUTION.—Of the amounts appropriated
19 under subsection (a) for each fiscal year—

20 (1) not less than 80 percent shall be used to
21 award grants, contracts, or cooperative agreements
22 under section 4004; and

23 (2) not more than 20 percent shall be used to
24 award grants under section 4006.

1 (c) DISBURSEMENT.—Amounts appropriated under
2 this section shall be disbursed as categorical grants
3 through the 10 regional offices of the Department of
4 Health and Human Services.

5 **Subtitle ~~B~~—Family Unity**
6 **Demonstration Project**

7 **SEC. 4101. SHORT TITLE.**

8 This subtitle may be cited as the “Family Unity
9 Demonstration Project Act”.

10 **SEC. 4102. PURPOSE.**

11 The purpose of this subtitle is to evaluate the effec-
12 tiveness of certain demonstration projects in helping to—

13 (1) alleviate the harm to children and primary
14 caretaker parents caused by separation due to the
15 incarceration of the parents;

16 (2) reduce recidivism rates of prisoners by en-
17 couraging strong and supportive family relation-
18 ships; and

19 (3) explore the cost effectiveness of community
20 correctional facilities.

21 **SEC. 4103. DEFINITIONS.**

22 In this subtitle—

23 “child” means a person who is less than 7 years
24 of age.

1 “community correctional facility” means a resi-
2 dential facility that—

3 (A) is used only for eligible offenders and
4 their children under 7 years of age;

5 (B) is not within the confines of a jail or
6 prison;

7 (C) has a maximum capacity of 50 pris-
8 oners in addition to their children; and

9 (D) provides to inmates and their
10 children—

11 (i) a safe, stable, environment for chil-
12 dren;

13 (ii) pediatric and adult medical care
14 consistent with medical standards for cor-
15 rectional facilities;

16 (iii) programs to improve the stability
17 of the parent-child relationship, including
18 educating parents regarding—

19 (I) child development; and

20 (II) household management;

21 (iv) alcoholism and drug addiction
22 treatment for prisoners; and

23 (v) programs and support services to
24 help inmates—

1 (I) to improve and maintain men-
2 tal and physical health, including ac-
3 cess to counseling;

4 (II) to obtain adequate housing
5 upon release from State incarceration;

6 (III) to obtain suitable education,
7 employment, or training for employ-
8 ment; and

9 (IV) to obtain suitable child care.

10 “eligible offender” means a primary caretaker
11 parent who—

12 (A) has been sentenced to a term of im-
13 prisonment of not more than 7 years or is
14 awaiting sentencing for a conviction punishable
15 by such a term of imprisonment; and

16 (B) has not engaged in conduct that—

17 (i) knowingly resulted in death or se-
18 rious bodily injury;

19 (ii) is a felony for a crime of violence
20 against a person; or

21 (iii) constitutes child neglect or men-
22 tal, physical, or sexual abuse of a child.

23 “primary caretaker parent” means—

1 (A) a parent who has consistently assumed
2 responsibility for the housing, health, and safe-
3 ty of a child prior to incarceration; or

4 (B) a woman who has given birth to a
5 child after or while awaiting her sentencing
6 hearing and who expresses a willingness to as-
7 sume responsibility for the housing, health, and
8 safety of that child,

9 a parent who, in the best interest of a child, has ar-
10 ranged for the temporary care of the child in the
11 home of a relative or other responsible adult shall
12 not for that reason be excluded from the category
13 “primary caretaker”.

14 “State” means a State, the District of Colum-
15 bia, the Commonwealth of Puerto Rico, the United
16 States Virgin Islands, American Samoa, Guam, and
17 the Northern Mariana Islands.

18 **SEC. 4104. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) **AUTHORIZATION.**—There is authorized to be ap-
20 propriated to carry out this subtitle \$_____ for each
21 of fiscal years 1995, 1996, 1997, 1998 and 1999.

22 (b) **AVAILABILITY OF APPROPRIATIONS.**—Of the
23 amount appropriated under subsection (a) for any fiscal
24 year—

1 (1) 90 percent shall be available to carry out
2 subtitle B; and

3 (2) 10 percent shall be available to carry out
4 subtitle C.

5 **CHAPTER 1—GRANTS TO STATES**

6 **SEC. 4111. AUTHORITY TO MAKE GRANTS.**

7 (a) GENERAL AUTHORITY.—The Attorney General
8 may make grants, on a competitive basis, to States to
9 carry out in accordance with this subtitle family unity
10 demonstration projects that enable eligible offenders to
11 live in community correctional facilities with their chil-
12 dren.

13 (b) PREFERENCES.—For the purpose of making
14 grants under subsection (a), the Attorney General shall
15 give preference to a State that includes in the application
16 required by section 4112 assurances that if the State re-
17 ceives a grant—

18 (1) both the State corrections agency and the
19 State health and human services agency will partici-
20 pate substantially in, and cooperate closely in all as-
21 pects of, the development and operation of the fam-
22 ily unity demonstration project for which such a
23 grant is requested;

24 (2) boards made up of community members, in-
25 cluding residents, local businesses, corrections offi-

1 cials, former prisoners, child development profes-
2 sionals, educators, and maternal and child health
3 professionals will be established to advise the State
4 regarding the operation of such project;

5 (3) the State has in effect a policy that provides
6 for the placement of all prisoners, whenever possible,
7 in correctional facilities for which they qualify that
8 are located closest to their respective family homes;

9 (4) unless the Attorney General determines that
10 a longer timeline is appropriate in a particular case,
11 the State will implement the project not later than
12 180 days after receiving a grant under subsection
13 (a) and will expend all of the grant during a 1-year
14 period;

15 (5) the State demonstrates that it has the ca-
16 pacity to continue implementing a community cor-
17 rectional facility beyond the funding period to ensure
18 the continuity of the work;

19 (6) for the purpose of selecting eligible offend-
20 ers to participate in the project, the State will—

21 (A) give written notice to a prisoner, not
22 later than 30 days after the State first receives
23 a grant under subsection (a) or 30 days after
24 the prisoner is sentenced to a term of imprison-
25 ment of not more than 7 years (whichever is

1 later). of the proposed or current operation of
2 the project;

3 (B) accept at any time at which the project
4 is in operation an application by a prisoner to
5 participate in the project if, at the time of ap-
6 plication, the remainder of the prisoner's sen-
7 tence exceeds 180 days;

8 (C) review applications by prisoners in the
9 sequence in which the State receives such appli-
10 cations; and

11 (D) not more than 50 days after reviewing
12 such applications approve or disapprove the ap-
13 plication; and

14 (7) for the purposes of selecting eligible offend-
15 ers to participate in such project, the State author-
16 izes State courts to sentence an eligible offender di-
17 rectly to a correctional facility, provided that the
18 court gives assurances that the offender would have
19 otherwise served a term of imprisonment.

20 (c) SELECTION OF GRANTEEES.—The Attorney Gen-
21 eral shall make grants under subsection (a) on a competi-
22 tive basis, based on such criteria as the Attorney General
23 shall issue by rule and taking into account the preferences
24 described in subsection (b).

1 (d) NUMBER OF GRANTS.—In any fiscal year for
2 which funds are available to carry out this subtitle, the
3 Attorney General shall make grants to no fewer than 4
4 and no greater than 8 eligible States geographically dis-
5 persed throughout the United States.

6 **SEC. 4112. ELIGIBILITY TO RECEIVE GRANTS.**

7 To be eligible to receive a grant under section 4111,
8 a State shall submit to the Attorney General an applica-
9 tion at such time, in such form, and containing such infor-
10 mation as the Attorney General reasonably may require
11 by rule.

12 **SEC. 4113. REPORT.**

13 (a) IN GENERAL.—A State that receives a grant
14 under this title shall, not later than 90 days after the 1-
15 year period in which the grant is required to be expended,
16 submit a report to the Attorney General regarding the
17 family unity demonstration project for which the grant
18 was expended.

19 (b) CONTENTS.—A report under subsection (a)
20 shall—

21 (1) state the number of prisoners who submit-
22 ted applications to participate in the project and the
23 number of prisoners who were placed in community
24 correctional facilities;

1 (2) state, with respect to prisoners placed in the
2 project, the number of prisoners who are returned to
3 that jurisdiction and custody and the reasons for
4 such return;

5 (3) describe the nature and scope of educational
6 and training activities provided to prisoners partici-
7 pating in the project;

8 (4) state the number, and describe the scope of,
9 contracts made with public and nonprofit private
10 community-based organizations to carry out such
11 project; and

12 (5) evaluate the effectiveness of the project in
13 accomplishing the purposes described in section
14 4102.

15 **CHAPTER 2—FAMILY UNITY DEMONSTRA-**
16 **TION PROJECT FOR FEDERAL PRIS-**
17 **ONERS**

18 **SEC. 4121. AUTHORITY OF THE ATTORNEY GENERAL.**

19 (a) **IN GENERAL.**—With the funds available to carry
20 out this subtitle for the benefit of Federal prisoners, the
21 Attorney General, acting through the Director of the Bu-
22 reau of Prisons, shall select eligible prisoners to live in
23 community corrections facilities with their children.

24 (b) **GENERAL CONTRACTING AUTHORITY.**—In imple-
25 menting this title, the Attorney General may enter into

1 contracts with appropriate public or private agencies to
2 provide housing, sustenance, services, and supervision of
3 inmates eligible for placement in community correctional
4 facilities under this title.

5 (c) USE OF STATE FACILITIES.—At the discretion of
6 the Attorney General, Federal participants may be placed
7 in State projects, under chapter 1 as defined in subtitle
8 B. For such participants, the Attorney General shall, with
9 funds available under section 4104(b)(2), reimburse the
10 State for all project costs related to the Federal partici-
11 pant's placement, including administrative costs.

12 **SEC. 4122. REQUIREMENTS.**

13 For the purpose of placing Federal participants in
14 a family unity demonstration project under section 4121,
15 the Attorney General shall consult with the Secretary of
16 Health and Human Services regarding the development
17 and operation of the project.

18 **Subtitle ~~B~~—Substance Abuse**
19 **Treatment in Federal Prisons**

20 **SEC. 2001. SUBSTANCE ABUSE TREATMENT IN FEDERAL**
21 **PRISONS.**

22 Section 3621 of title 18, United States Code, is
23 amended—

24 (1) in the last sentence of subsection (b), by
25 striking “, to the extent practicable,”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(e) SUBSTANCE ABUSE TREATMENT.—

4 “(1) PHASE-IN.—In order to carry out the re-
5 quirement of the last sentence of subsection (b) of
6 this section, that every prisoner with a substance
7 abuse problem have the opportunity to participate in
8 appropriate substance abuse treatment, the Bureau
9 of Prisons shall, subject to the availability of appro-
10 priations, provide residential substance abuse
11 treatment—

12 “(A) for not less than 50 percent of eligi-
13 ble prisoners by the end of fiscal year 1995,
14 with priority for such treatment accorded based
15 on an eligible prisoner’s proximity to release
16 date;

17 B) for not less than 75 percent of eligi-
18 ble prisoners by the end of fiscal year 1996,
19 with priority for such treatment accorded based
20 on an eligible prisoner’s proximity to release
21 date; and

22 “(C) for all eligible prisoners by the end of
23 fiscal year 1997 and thereafter, with priority
24 for such treatment accorded based on an eligi-
25 ble prisoner’s proximity to release date.

1 “(2) INCENTIVE FOR PRISONERS’ SUCCESSFUL
2 COMPLETION OF TREATMENT PROGRAM.—

3 “(A) GENERALLY.—Any prisoner who, in
4 the judgment of the Director of the Bureau of
5 Prisons, has successfully completed a program
6 of residential substance abuse treatment pro-
7 vided under paragraph (1) of this subsection,
8 shall remain in the custody of the Bureau for
9 such time (as limited by subparagraph (B) of
10 this paragraph) and under such conditions, as
11 the Bureau deems appropriate. If the conditions
12 of confinement are different from those the
13 prisoner would have experienced absent the suc-
14 cessful completion of the treatment, the Bureau
15 shall periodically test the prisoner for substance
16 abuse and discontinue such conditions on deter-
17 mining that substance abuse has recurred.

18 “(B) PERIOD OF CUSTODY.—The period
19 the prisoner remains in custody after success-
20 fully completing a treatment program shall not
21 exceed the prison term the law would otherwise
22 require such prisoner to serve, but may not be
23 less than such term minus one year.

24 “(3) REPORT.—The Bureau of Prisons shall
25 transmit to the Committees on the Judiciary of the

1 Senate and the House of Representatives on Janu-
2 ary 1, 1995, and on January 1 of each year there-
3 after, a report. Such report shall contain—

4 “(A) a detailed quantitative and qualitative
5 description of each substance abuse treatment
6 program, residential or not, operated by the
7 Bureau;

8 “(B) a full explanation of how eligibility
9 for such programs is determined, with complete
10 information on what proportion of prisoners
11 with substance abuse problems are eligible; and

12 “(C) a complete statement of to what ex-
13 tent the Bureau has achieved compliance with
14 the requirements of this title.

15 “(4) AUTHORIZATION OF APPROPRIATIONS.—
16 There are authorized to be appropriated to carry out
17 this subsection _____.

18 “(5) DEFINITIONS.—As used in this
19 subsection—

20 “(A) the term ‘residential substance abuse
21 treatment’ means a course of individual and
22 group activities, lasting between 6 and 12
23 months, in residential treatment facilities set
24 forth from the general prison population—

1 “(i) directed at the substance abuse
2 problems of the prisoner; and

3 “(ii) intended to develop the pris-
4 oner’s cognitive, behavioral, social, voca-
5 tional, and other skills so as to solve the
6 prisoner’s substance abuse and related
7 problems; and

8 “(B) the term ‘eligible prisoner’ means a
9 prisoner who is—

10 “(i) determined by the Bureau of
11 Prisons to have a substance abuse prob-
12 lem; and

13 “(ii) willing to participate in a resi-
14 dential substance abuse treatment pro-
15 gram.”.

16 **Subtitle ⁵ 2—Residential Substance**
17 **Abuse Treatment for State Pris-**
18 **oners**

19 **SEC. 2301. RESIDENTIAL SUBSTANCE ABUSE TREATMENT**
20 **FOR STATE PRISONERS.**

21 (a) RESIDENTIAL SUBSTANCE ABUSE TREATMENT
22 FOR PRISONERS.—Title I of the Omnibus Crime Control
23 and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.),
24 is amended by inserting after part V (as added by section
25 2201(a)) the following new part:

1 **“PART W—RESIDENTIAL SUBSTANCE ABUSE**
2 **TREATMENT FOR STATE PRISONERS**

3 **“SEC. 2301. GRANT AUTHORIZATION.**

4 “The Attorney General may make grants under this
5 part to States, for the use by States and units of local
6 government for the purpose of developing and implement-
7 ing residential substance abuse treatment programs within
8 State correctional facilities as well as within local correc-
9 tions and detention facilities, as well as within local correc-
10 tional facilities in which inmates are incarcerated for a pe-
11 riod of time sufficient to permit substance abuse treat-
12 ment.

13 **“SEC. 2302. STATE APPLICATIONS.**

14 “(a) IN GENERAL.—(1) To request a grant under
15 this part the chief executive of a State shall submit an
16 application to the Attorney General in such form and con-
17 taining such information as the Attorney General may rea-
18 sonably require.

19 “(2) Such application shall include assurances that
20 Federal funds received under this part shall be used to
21 supplement, not supplant, non-Federal funds that would
22 otherwise be available for activities funded under this part.

23 “(3) Such application shall coordinate the design and
24 implementation of treatment programs between State cor-
25 rectional representatives and the State Alcohol and Drug
26 Abuse agency (and, if appropriate, between representa-

1 tives of local correctional agencies and representatives of
2 either the State alcohol and drug abuse agency or any ap-
3 propriate local alcohol and drug abuse agency).

4 “(b) SUBSTANCE ABUSE TESTING REQUIREMENT.—

5 To be eligible to receive funds under this part, a State
6 must agree to implement or continue to require urinalysis
7 or similar testing of individuals in correctional residential
8 substance abuse treatment programs. Such testing shall
9 include individuals released from residential substance
10 abuse treatment programs who remain in the custody of
11 the State.

12 “(c) ELIGIBILITY FOR PREFERENCE WITH AFTER
13 CARE COMPONENT.—

14 “(1) To be eligible for a preference under this
15 part, a State must ensure that individuals who par-
16 ticipate in the substance abuse treatment program
17 established or implemented with assistance provided
18 under this part will be provided with aftercare
19 services.

20 “(2) State aftercare services must involve the
21 coordination of the correctional facility treatment
22 program with other human service and rehabilitation
23 programs, such as educational and job training pro-
24 grams, parole supervision programs, half-way house
25 programs, and participation in self-help and peer

1 group programs. that may aid in the rehabilitation
2 of individuals in the substance abuse treatment
3 program.

4 “(3) To qualify as an aftercare program, the
5 head of the substance abuse treatment program, in
6 conjunction with State and local authorities and or-
7 ganizations involved in substance abuse treatment,
8 shall assist in placement of substance abuse treat-
9 ment program participants with appropriate commu-
10 nity substance abuse treatment facilities when such
11 individuals leave the correctional facility at the end
12 of a sentence or on parole.

13 “(d) STATE OFFICE.—The Office designated under
14 section 507—

15 “(1) shall prepare the application as required
16 under this section; and

17 “(2) shall administer grant funds received
18 under this part, including review of spending, proc-
19 essing, progress, financial reporting, technical assist-
20 ance, grant adjustments, accounting, auditing, and
21 fund disbursement.

22 **“SEC. 2303. REVIEW OF STATE APPLICATIONS.**

23 “(a) IN GENERAL.—The Attorney General shall
24 make a grant under section 2301 to carry out the projects

1 described in the application submitted under section 2302
2 upon determining that—

3 “(1) the application is consistent with the re-
4 quirements of this part; and

5 “(2) before the approval of the application the
6 Attorney General has made an affirmative finding in
7 writing that the proposed project has been reviewed
8 in accordance with this part.

9 “(b) APPROVAL.—Each application submitted under
10 section 2302 shall be considered approved, in whole or in
11 part, by the Attorney General not later than 90 days after
12 first received unless the Attorney General informs the ap-
13 plicant of specific reasons for disapproval.

14 “(c) RESTRICTION.—Grant funds received under this
15 part shall not be used for land acquisition or construction
16 projects.

17 “(d) DISAPPROVAL NOTICE AND RECONSIDER-
18 ATION.—The Attorney General shall not disapprove any
19 application without first affording the applicant reason-
20 able notice and an opportunity for reconsideration.

21 **“SEC. 2304. ALLOCATION AND DISTRIBUTION OF FUNDS.**

22 “(a) ALLOCATION.—Of the total amount appro-
23 priated under this part in any fiscal year—

24 “(1) 0.4 percent shall be allocated to each of
25 the participating States; and

“(2) of the total funds remaining after the allocation under paragraph (1), there shall be allocated to each of the participating States an amount which bears the same ratio to the amount of remaining funds described in this paragraph as the State prison population of such State bears to the total prison population of all the participating States.

8 “(b) FEDERAL SHARE.—The Federal share of a
9 grant made under this part may not exceed 75 percent
10 of the total costs of the projects described in the applica-
11 tion submitted under section 2302 for the fiscal year for
12 which the projects receive assistance under this part.

13 "SEC. 2305. EVALUATION.

14 “Each State that receives a grant under this part
15 shall submit to the Attorney General an evaluation not
16 later than March 1 of each year in such form and contain-
17 ing such information as the Attorney General may reason-
18 ably require.”.

19 (b) TECHNICAL AMENDMENT.—The table of contents
20 of title I of the Omnibus Crime Control and Safe Streets
21 Act of 1968 (42 U.S.C. 3711 et seq.), is amended by in-
22 serting after the matter relating to part V (as added by
23 section 2201(b)) the following:

"PART W—RESIDENTIAL SUBSTANCE ABUSE TREATMENT FOR STATE PRISONERS

*Sec. 2301. Grant authorization.

“Sec. 2302. State applications.

“Sec. 2303. Review of State applications.

“Sec. 2304. Allocation and distribution of funds.

“Sec. 2305. Evaluation.”

1 (c) DEFINITIONS.—Section 901(a) of the Omnibus
2 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
3 3791(a)) is amended by adding after paragraph (24) (as
4 added by section 2101(c)) the following:

5 “(25) the term ‘residential substance abuse
6 treatment program’ means a course of individual
7 and group activities, lasting between 6 and 12
8 months, in residential treatment facilities set apart
9 from the general prison population—

10 “(A) directed at the substance abuse prob-
11 lems of the prisoner; and

12 “(B) intended to develop the prisoner’s
13 cognitive, behavioral, social, vocational, and
14 other skills so as to solve the prisoner’s sub-
15 stance abuse and related problems.”.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
17 1001(a) of title I of the Omnibus Crime Control and Safe
18 Streets Act of 1968 (42 U.S.C. 3793), is amended by add-
19 ing at the end the following new paragraph:

20 “(18) There are authorized to be appropriated
21 \$_____ for each of the fiscal years 1994, 1995, and
22 1996 to carry out the projects under part W.”.

194-201

to combat substance abuse

10 **Subtitle ~~2~~¹—Hope in Youth**
11 **Program**

12 **SEC. 1099A. PROGRAM AUTHORITY.**

13 (a) IN GENERAL.—The Secretary of Health and
14 Human Services (in this subtitle referred to as the “Sec-
15 retary”) may make grants to eligible service providers in
16 one or more political subdivisions of a State containing
17 an area designated as an empowerment zone, as author-
18 ized under the Omnibus Budget Reconciliation Act of
19 1993 (Public Law 103-66), that have submitted an ap-
20 proved plan to establish advisory organizations in low-in-
21 come communities within the political subdivision contain-
22 ing an empowerment zone which will serve as umbrella
23 agencies for strategic planning and evaluation of service

1 programs serving the low-income communities in which
2 the advisory organization operates.

3 (b) COORDINATION WITH THE OUNCE OF PREVEN-
4 TION COUNCIL.—The Secretary may coordinate with the
5 Ounce of Prevention Council in making grants under sub-
6 section (a).

7 **SEC. 1099B. PROGRAM REQUIREMENTS.**

8 Each advisory organization established as described
9 in section 1099B shall—

10 (1) provide a permanent multi-issue forum for
11 public policy discussion which will serve as part of
12 a stable infrastructure of community outreach and
13 support,

14 (2) develop a mechanism by which local support
15 service providers may be evaluated and assessed in
16 the level of service they provide to the community,
17 and which establishes a method for advisory organi-
18 zation participants to review and participate in ef-
19 forts to maintain or increase the quality of services
20 provided by such providers,

21 (3) create a Family Outreach Team approach
22 which provides a youth worker, a parent worker, and
23 a school-parent organizer to provide training in out-
24 reach, mentoring, community organizing and peer
25 counseling and mentoring to locally recruited volun-

1 teers in a particular area. The Family Outreach
2 Team assists such volunteers in outreach, develop-
3 ment and coordination of service delivery from
4 among the service providers in the area, including
5 the schools.

6 (4) establish processes by which local public
7 agencies can effectively involve the private sector in
8 the provision of services that meet the needs of local
9 communities,

10 (5) establish processes of coalition building in
11 which diverse groups within low-income communities
12 attempt to work cooperatively to meet the collective
13 needs of low-income communities, and

14 (6) create a training program to foster commu-
15 nity-based leadership in low-income communities.

16 **SEC. 1099C. ELIGIBLE PROVIDERS.**

17 Consortia of public and private nonprofit local social
18 service organizations that have a proven ability to involve
19 disparate populations of low-income citizens and compet-
20 ing service providers are eligible to receive grants under
21 section 1099A.

22 **SEC. 1099D. APPLICATIONS.**

23 Applications may be submitted, for approval by the
24 Secretary, by eligible service providers at such time and

1 teers in a particular area. The Family Outreach
2 Team assists such volunteers in outreach, develop-
3 ment and coordination of service delivery from
4 among the service providers in the area, including
5 the schools.

6 (4) establish processes by which local public
7 agencies can effectively involve the private sector in
8 the provision of services that meet the needs of local
9 communities,

10 (5) establish processes of coalition building in
11 which diverse groups within low-income communities
12 attempt to work cooperatively to meet the collective
13 needs of low-income communities, and

14 (6) create a training program to foster commu-
15 nity-based leadership in low-income communities.

16 **SEC. 1099C. ELIGIBLE PROVIDERS.**

17 Consortia of public and private nonprofit local social
18 service organizations that have a proven ability to involve
19 disparate populations of low-income citizens and compet-
20 ing service providers are eligible to receive grants under
21 section 1099A.

22 **SEC. 1099D. APPLICATIONS.**

23 Applications may be submitted, for approval by the
24 Secretary, by eligible service providers at such time and

1 in such manner as the Secretary may reasonably require.

2 Such applications shall contain—

3 (1) assurances that selection of participants, or-
4 ganizations, and citizens will not be on the basis of
5 religious preference or affiliation,

6 (2) assurances that participating organizations
7 and citizens will not offer services based on any reli-
8 gious preference or affiliation, and

9 (3) assurances that such service providers will,
10 to the extent practicable, involve participation by
11 citizens not traditionally involved in such activities,
12 including homeless individuals, alcohol- and drug-ad-
13 dicted individuals, and gang involved or violent
14 youth.

15 **SEC. 1099E. EVALUATION.**

16 The Secretary shall commence a program to evaluate
17 the success and effectiveness of this program 2 years after
18 the program has received an appropriation, and such eval-
19 uation shall be completed no later than 1 year after the
20 second program year has been completed. A report thereon
21 shall be submitted to the Congress within 60 days of the
22 completion of the evaluation.

23 **SEC. 1099F. DEFINITION.**

24 As used in this subtitle, the term “State” means a
25 State, the District of Columbia, the Commonwealth of

1 Puerto Rico, the United States Virgin Islands, American
2 Samoa, Guam, and the Northern Mariana Islands.

3 **SEC. 1099G. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated \$_____

5 for fiscal year 1995, and such sums as are necessary for

6 each of fiscal years 1996, 1997, and 1998 to carry out

7 this subtitle.