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Subgroup/Office of Origin: Domestic Policy Council

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Subseries:

OA/ID Number: 5873

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Folder Title:

Crime Bill Decision Memos [1]

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PROPOSED CHANGES

Penalty Provisions

1. Sexual offenders: Extend registration to lifetime. Reinstate original language on community notification
2. Prior Crimes Evidence: Biden and Molinari to negotiate solution.

Crime Prevention

1. 9.5% (\$3+ billion) across-the-board-cut in authorization levels, with the remaining \$30.2 billion fully funded from the Trust Fund
2. Consolidation of youth programs: See attached draft list.

Assault Weapons

1. Congressional review of future ATF decisions: Assault weapons banned while under review. Congress must pass joint resolution to overrule ATF decision, or ban becomes permanent after 180 days.
2. Clips provision: Grandfather clips to current owners

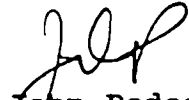
THE PRESIDENT HAS
THE WHITE HOUSE
WASHINGTON

February 5, 1994

Mr. President:

Attached are two Cabinet memos concerning possible youth employment initiatives in the crime bill. I've circulated these to Carol, Bruce, Ron Klain, and Rahm.

Ron, Bruce and the DOJ team are working the House side to try to get some of these ideas, along with other crime prevention ideas proposed by the Black Caucus, included in the Crime bill. They'll keep you posted.


John Podesta

*Let's make sure we push this
places (as a whole is a lot of money)
we want to make sure to show
that = let's make sure*

Copies to:
7
Ron Klain
Bruce Reed

94 FEB 4 P7:51

MEMORANDUM FOR THE PRESIDENT

FROM: ATTORNEY GENERAL JANET RENO *JR*
 LABOR SECRETARY ROBERT B. REICH *BR*
 HOUSING AND URBAN DEVELOPMENT SECRETARY
 HENRY G. CISNEROS *HG*

SUBJECT: Strengthening Youth Employment Linkages in the Crime
 Bill: Needed Steps to Help Prevent Violence

DATE: February 3, 1994

In response to your request, this memorandum outlines our ideas for preventing crime by improving the labor market prospects of at-risk youth and ex-offenders. We propose to:

(1) Add a very targeted employment program designed to prevent crime by addressing the needs of at-risk youth and young ex-offenders in high-crime, high-poverty inner city and rural areas. This program would be modeled in part after the Labor Department's Youth Fair Chance program. Funding: at least \$1 billion over five years.

(2) Include or enhance specific employment-related features, where appropriate, in existing provisions of the Senate-passed crime bill. As examples, aftercare services to include job training and placement could be required as a component of drug treatment grants, and the education and training components of bootcamps and alternative sentencing arrangements could be strengthened to complement shock incarceration.

Bleak employment prospects among disadvantaged youths demand that the battle against crime proceed on several fronts. Those who commit crimes must be caught and punished; at the same time, prevention programs, including ones which make employment a reasonable, available alternative for at-risk youth, must be undertaken to break the cycle of poverty, crime and violence (see Appendix). Experience with employment-related programs demonstrates that they are effective at fighting crime. For example, Job Corps participation reduces the incidence of serious crime and work experience combined with job training in prisons has been shown to lower recidivism. As you said in the State of the Union, young people must have "something to say yes to" or the battle against crime will not be won.

Create a Crime Prevention Youth Employment Program

We propose a program that would build upon the targeting and neighborhood-centered approaches of the Labor Department's Youth Fair Chance program (Representative Maxine Waters is a strong supporter of Youth Fair Chance). The new program would be designed to be highly leveraged, would focus on violence prevention and be targeted on neighborhoods with a substantial number of at-risk youth and young ex-offenders, and would include employment components aimed at developing meaningful job paths. The initiative would be financed from the Crime Control Fund.

The current Youth Fair Chance program is targeted directly at inner-city and rural areas with poverty rates of 30 percent and higher. Within these high-poverty areas, all youth and young adults age 14 to 30 can be served regardless of family income, thus avoiding stigma. The Youth Fair Chance program saturates neighborhoods of roughly 25,000 people with a comprehensive program, aiming to directly expand and alter the opportunities of youths in those areas (about 6,750 individuals age 14 to 30 live in each neighborhood).

The Youth Fair Chance model provides a framework upon which many initiatives can be added; our proposal would expand upon the model in several ways.

- o There would be an even more intense focus on high-crime areas with substantial numbers of at-risk youth and youthful ex-offenders. Because at-risk youth, young offenders, and gang members are frequently concentrated in public housing and assisted housing projects, this initiative targets resources to these communities, in addition to other sites.
- o Through grant criteria and other means, the program would insist that grantees develop programs that include access to legitimate private sector jobs. This would involve a variety of strategies, such as mentoring or microenterprise.
- o An employment component such as a youth conservation corps or public service employment would be added.
- o The requirement that local governments involve the full, larger community in the effort to leverage federal funds would be strengthened. Collaboration between the local areas, the private sector, community-based organizations and nonprofits would be stressed.
- o Educational linkages would be beefed up, and would include a strong role for community colleges, as well as incorporating the successful work-based learning approach used in San Jose's Center for Employment and Training program (CET).

Incorporate other Employment-Related Provisions into the Crime Bill

As passed by the Senate, and in the provisions which the House has already passed, the crime bill contains a number of grant programs which have some focus on preventing crime by keeping young people out of the criminal justice system or seeking to prevent recidivism by those who do enter. We have identified a number of these programs which could benefit from strengthened or additional employment-related provisions. The approach is to design programs that offer the carrot of real economic opportunity to complement the stick of punishment. Our proposals would be flexible to meet the diverse needs of various populations and communities, and would leverage the federal government's contribution to get states, localities and the private sector to do more.

For example, in order to better address recidivism, we propose expanding the existing boot camp provisions in the Senate bill to strengthen the aftercare services following shock incarceration. The aftercare services would include necessary education, job training and placement designed to help ex-offenders obtain meaningful employment. Moreover, the education and training components in the boot camps themselves should be enhanced. The education and training components both in the boot camps and during the aftercare period should be premised upon approaches that have proven successful, such as the Job Corps.

Other crime bill programs, such as the Residential Drug Treatment, Drug Court, Youth Development Center, and Juvenile Drug Trafficking and Gang Prevention provisions, also would benefit from improved aftercare requirements or other specific employment linkages.

The Secretary of Labor is sending a separate memorandum that will include additional proposals for incorporating employment linkages into the crime bill.

Conclusion

The combination of strengthening existing crime bill provisions by adding employment linkages and a stand-alone prevention-through-employment program would improve the crime bill by better tuning the balance between crime control and crime prevention. It provides further evidence of our "tough and smart" approach to the serious problems of crime and violence in our communities.

Appendix 1. Deteriorating Economic Conditions and Rising Crime

A major factor underlying the nation's rising crime problem has been the growing concentration of poverty and the erosion in the economic position of disadvantaged youths.

The 1990 Census suggests an increasing concentration of poverty in the United States. Between 1980 and 1990, the number of census tracts with 40 percent or higher poverty rates almost doubled, as did the population living in such high-poverty tracts. These areas are very likely to have high crime rates; for example, a recent study indicated that between 1986 and 1989, the rates of violent crime in public housing in Washington, D.C., Los Angeles, and Phoenix were more than double that for these respective cities as a whole.

In particular, during the last twenty years, the economic and social well-being of disadvantaged American youths and young adults -- those with limited education or skills who are from poor families and impoverished neighborhoods -- has deteriorated substantially.

- o The real wages of the young and less-educated plummeted, breaking the historic pattern of rising earnings for American workers at all skill levels. In the early 1990s the real wages of recent male high school graduates were more than 20 percent below those of the previous generation; the decline in pay of young high school dropouts has been even more extreme.

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- o More disadvantaged young men and young women are "idle," not in school, working, or looking for work. Approximately 50 percent of out-of-school young Americans (those age 16 to 24 years) without a high school degree are currently not employed. And more than 70 percent of young black high school dropouts are currently not employed. Many of these out-of-school youths are persistently out of work and have the potential for being permanently lost to the legitimate economy.

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- o At the same time, the proportion of young men in trouble with the law has increased dramatically. Almost 700,000 young men from 16 to 34 years of age were incarcerated in 1989. Richard Freeman of Harvard estimates that approximately 50 percent of 18 to 34 year old, black male, high school dropouts had criminal records in the late 1980s. No other developed country faced such levels of crime among its youth.

It also bears mentioning that ex-offenders frequently lack legal employment, in part because little effort is made at facilitating their transition into the labor market. Freeman found that youth jailed in the mid-1980s had a far greater chance of future unemployment than comparable young people with similar educations and work histories but who had not been in prison.

THE WHITE HOUSE
WASHINGTON

DATE: 05/25/93

NOTE FOR: BRUCE REED

The President has reviewed the attached, and it is forwarded to you
for your:

Information ☒

Action ☐

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc:

THE WHITE HOUSE
WASHINGTON

May 21, 1993

MR. PRESIDENT:

Attached is a memo from Bruce Reed and Jose Cerda updating the status of your plans to put 100,000 new cops on the street.

Note that the Safe Schools program is listed as adding 100 police at a cost of \$235 million -- which would be an extremely high cost per officer. In fact, that \$235 million is intended to cover other security measures, such as installation of metal detectors, and would not be spent entirely on police.

(Altogether, the Safe Schools program calls for spending \$475 million over five years, half for anti-drug and violence education, half for security measures like police and metal detectors.)

John Podesta
Todd Stern *ds*

THE WHITE HOUSE
WASHINGTON

May 20, 1993

93 MAY 20 PM 10:22

*Hi! Look good
close here on stay
to Jones*

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED, DEPUTY ASSISTANT TO THE PRESIDENT
JOSE CERDA III, SENIOR POLICY ANALYST

SUBJECT: UPDATE ON 100,000 NEW POLICE

Carol Rasco passed along your request for an update on the status of the Administration's plans to put 100,000 cops on the street. We have been working with the Justice Department and OMB on a credible proposal to meet your campaign promise.

Although funds are tight, we believe the Administration can claim credit for up to 100,000 new law enforcement personnel from the following sources:

Crime Bill	- 50,000	-- \$3-5 billion over 5 years
Jobs Package	- 10,000	-- \$200 million over 2 years
Enterprise Zones	- 15,000	-- \$500 million over 2 years
HUD's Compac	- 5,000	-- \$750 million over 5 years
ED's Safe Schools	- 100	-- \$235 million over 5 years
National Service	- 20,000	-- no set amount
Troops to Cops	-	to be determined

Total Cops 100,100

I. Revised Crime Bill -- Community Policing/Cop on the Beat

The Domestic Policy Council and the Justice Department recommend that our main vehicle for putting more cops on the street should be a modified version of last year's crime bill, with a new Administration-backed title on community policing. There is widespread support on the Hill for more cops. Senator Biden is working with the state attorneys general on habeas corpus reform, the main sticking point from last year. The rest of last year's conference report would remain largely unchanged. The Brady Bill would still be included.

✓ ~~Senator Biden is concerned that we work this out quickly because he believes that Gramm and the GOP could introduce their own crime bill any day. He would like the Senate to take up this issue in June, before the July 4th recess. We will be ready to proceed as soon as the economic plan clears the House.~~

The linchpin of the 100,000 new police proposal should be a single grant program administered by the Justice Department that helps states and localities put police on the street by providing a source of direct funding.

TOTAL NEW POLICE -- 50,000

II. Jobs Package -- Re-Hire/New Hire Proposal

Per your request, the new jobs bill now contains \$200 million to re-hire or hire additional police officers, perhaps as many as 10,000. These funds could also be used to redeploy police officers onto the streets in community policing roles.

If passed, DOJ would have to spend \$44 million of this money in FY 1993 through its current discretionary authority. The Attorney General has considerable flexibility in awarding these funds. Hopefully, if we move quickly on a crime bill, the remainder of the funds could be spent under the authorizing language to be included in the Biden/Brooks crime bill.

TOTAL NEW POLICE -- 10,000

III. Empowerment Zones -- Community Investment Program

The Empowerment Zone legislation authorizes \$250 million in FY 1994 (already appropriated) and \$250 million in FY 1995 for community policing grants to these 110 areas selected by the Enterprise Board. The Attorney General has broad discretion to make these grants: they can be made under the general language in the legislation; they can be made under current Justice programs; or they can be made under authorizing language passed in a new crime bill.

TOTAL NEW POLICE -- 15,000

IV. Department of Housing and Urban Development -- COMPAC

To help housing authorities fight against crime, HUD has proposed restructuring its current Drug Elimination Grant Program into a considerably more flexible Community Partnership Against Crime (COMPAC). The program is budgeted for \$265 million next year,

and \$1.5 billion over the next five years. HUD expects that about \$150 million of these funds per year will be spent on law enforcement or security personnel, including community-based policing efforts that would increase police presence on public housing complexes.

TOTAL NEW POLICE -- 5,000

V. Department of Education -- Safe Schools

We have amended the Department of Education's draft of Safe Schools legislation to allow the program's monies to be used for "sworn" police officers, not only professional security personnel. While hiring "sworn" police personnel may prove too expensive to use them in the same round-the-clock manner as security guards, they can be used more cost-effectively in community policing roles, including schools as part of their "beat".

TOTAL NEW POLICE -- 100

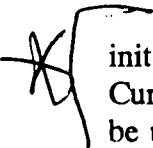
VI. National Service -- National Service Officers

The National Service Trust Fund estimates that some 20,000 of its participants will serve in law enforcement/public safety roles. These "national service officers" could be used to assist police departments in the broad areas of community policing and crime prevention. They could take reports, staff telephone crime reporting units and administer citizen crime prevention surveys. Relieving officers from these time-consuming duties would potentially free more police officers to become cops "on the beat", and the support work will make officers more effective in their crime-fighting. With direct funding available for most of the new police, we believe it is credible to use National Service members serving in public safety/law enforcement roles in our 100,000 count.

TOTAL NEW NSOs -- 20,000

VII. Military/Labor -- Troops to Cops Demonstration Programs

We are working with the Labor and Defense Departments to define these proposals. However, substantial funds are not available from these sources.

 As we understand it, monies available under Senator Nunn's "Troop to Teachers" initiative are not available for a "Troops to Cops" initiative without new authorizing language. Currently, this DoD account has about \$65 million in it, \$20 million of which could probably be used for a cops initiative.

Perhaps as much as \$75 million may be available through the Department of Labor if we develop appropriate demonstration projects under amendments to the Job Training Partnership Act. Authority to undertake such projects was enacted in the 1991 Defense Department Authorization.

TOTAL NEW POLICE -- TO BE DETERMINED

October 9, 1993

MEMORANDUM FOR HOWARD PASTER

FROM: BRUCE REED
DOMESTIC POLICY COUNCIL

SUBJECT: Various Crime Matters

We would like to sit down with you as soon as possible to discuss the Administration's strategy going into the upcoming House and Senate debates on crime.

In response to the memos and letters you forwarded on crime and guns:

1. We welcome the suggestion that the President attend the Oct. 19 anti-violence dinner -- so long as he's going there to promote the crime bill as well as the Brady bill and an assault weapons ban. It would be a mistake for him to call for breaking out Brady now, when the House and Senate are scheduled to act on both the crime bill and the Brady bill within the month.
2. Richard Aborn of Handgun Control is coming in this week to discuss other gun violence measures. The President already acted on one of his suggestions when he signed an executive order in August; we believe the other three recommendations can only be done through legislation. We'll be happy to work with Aborn to pursue these and other suggestions.
3. The President's response to Sen. Moynihan's letter on a bullet tax requires careful thought. Some time ago, Treasury drafted but did not send the attached letter commenting on his bill; the First Lady's office may have other concerns. This matter may have come up in her meeting with Sen. Moynihan last Thursday.

In general, we recommend dealing with this issue -- as well as Sen. Bradley's call for increased gun taxes -- in the context of the health care financing debate rather than the immediate crime and guns debate. We'll have enough trouble getting Southern and Western Senators to change their minds and vote for Brady this fall, without generating a backlash from constituents about taxing their guns. However, we could consider Moynihan's proposal as an element of a broader gun package to send up sometime next year, after Congress has acted on the crime bill and Brady bill.

THE WHITE HOUSE

WASHINGTON

September 19, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
JOSE CERDA III

SUBJECT: CRIME BILL INTRODUCTION

Senator Biden and Chairman Brooks are finally set to introduce the crime bill this week. Last week, we met with the Attorney General, David Gergen, George Stephanopolous, Howard Paster, John Podesta and others to finalize the series of agreements necessary to take up the crime bill. All parties agree that the Administration's public focus should be on community policing and gun legislation.

Further, George has agreed to contact Speaker Foley and Senator Mitchell to secure dates for floor consideration this fall. The Attorney General will continue to educate Members and outside groups on the bill's various provisions, especially habeas. We will have to give Biden and Brooks some latitude to pass the crime bill in their respective chambers. But Justice and White House staff have met with House and Senate staffers to resolve as many differences as possible. In a meeting with David Gergen, Bruce Reed and Sheila Anthony on Thursday, Senator Biden asked that we review a few of these details with you before introduction.

A. Brady and Assault Weapons

In the House, a clean version of the Brady Bill will be included as part of the crime bill. Chairman Brooks strongly believes that he needs Brady in the crime bill to hang on to liberal Democrats concerned with the bill's other provisions (i.e., death penalty). Senator Biden believes that Brady is best considered as a stand-alone bill in the Senate where it lacks the votes to beat a filibuster. Leaving out Brady improves the crime bill's chances in the Senate, and -- if Brady fails -- allows us to increase public pressure on those voting against Brady.

For our part, we have made it very clear to both chairmen that -- as long as Brady is passed this fall -- each house should pursue whatever strategy it deems best. But if the crime bill stalls in both houses, Brady should be considered alone before Congress adjourns.

Passing an assault weapons ban will be much tougher, though well worth the fight. Brooks will not include it in his bill, and the ban is not likely to pass the House floor. Members committed to the ban -- such as Biden and Schumer -- are torn between trying to pass a porous ban that does not cover subsequent copies of those assault weapons banned, or pushing for a more stringent ban that stands very little chance of passing. We have told the Hill that we will take the toughest ban Congress can pass, without favoring any one approach, and that we intend to give the issue a public push.

B. Death Penalty and Habeas Corpus Reform

The Administration has committed to supporting Senator Biden's habeas compromise with the prosecutors. This compromise will help deflate some -- but not all -- of the controversy surrounding the habeas debate. Opposition will be voiced by both the far left and far right who are unhappy with the bill. For instance, we can expect California Attorney General Dan Lungren to generate opposition among Republicans on the Hill.

In the House, Brooks is facing opposition to the Biden-Reno compromise from anti-death penalty Members, particularly the Black and Hispanic Caucuses, and he will need to amend the Biden-Reno compromise to get it out of his committee. Biden wants our assurances that if we get forced to choose between the Biden-Reno version and a House compromise, we will stand by the Biden-Reno version -- even if it means offending the Black Caucus.

The Attorney General has done an exemplary job in reaching out to both conservatives and liberals on this issue. Her continued efforts in this area are crucial to making habeas a non-issue in passing the crime bill.

C. Funding

Senator Biden has agreed to scale back the authorization levels in his bill and to delete funding for less central elements. DPC, Justice and OMB have pushed for the crime bill to represent more realistic spending levels for some time. For his part, Biden would like a commitment from the Administration that we will do our best to fund the priority programs -- community policing, boot camps and prisons, drug courts, etc. The overall funding level for the crime bill is now a total of \$5-6 billion over five years.

Biden is also concerned about authorizing money for the policing title for FY 94 if we are not likely to get those funds in the soon-to-be completed appropriations process. He suggests that we ask for supplemental funds next spring or adjust the authorizations to hit full steam in FY 1995 instead. OMB has found a way to fully fund the community policing provisions out of the Justice baseline and a \$200 million offset in the Byrne program.

D. Mandatory Minimums

At the Attorney General's request, both Biden and Brooks have deleted any new mandatory minimums from the crime bill. And, barring a bipartisan compromise with Senators Hatch and Thurmond, everyone has agreed that the issue of mandatory minimums is best considered afterwards, outside of the crime bill context.

E. Community Policing

Both Biden and Brooks have accepted the community policing title drafted by Justice and DPC and are incorporating it as Title One of the crime bill. This title authorizes \$3.4 billion over five years to help communities put as many as 50,000 more police on the street. Eighty-five percent of these monies will go towards hiring (and re-hiring) police officers "for deployment in community-oriented policing," while the remaining fifteen percent will fund problem-solving training, community crime prevention, agency coordination efforts and other innovative crime prevention programs that are utilized by departments embracing the community policing philosophy.

Since the announcement of your crime plan, some critics have suggested that 50,000 police officers will not have any impact by the time they are spread out over all of America's cities. These critics have not yet seen the text of your plan and believe that you are trying to merely increase police presence. We should not let this assertion go unchallenged.

First, a small number of new officers can make a difference in any department. The average police department in America today consists of less than 20 officers, and as few as five new officers engaged in community outreach and long-term problem solving can have a huge impact.

Second, policing monies will be awarded to communities based on the strength of their community-based policing plans and their public safety need. Specifically, communities will have to submit long-term strategies that explain how many officers they want, for what purpose, how the community intends to eventually fund these officers, and how this plan ultimately reorients a department to community policing. These strategies will also have to reflect consultation with community groups, public and private agencies, and coordination with other government entities and initiatives. Thus, potential impact can be assessed by the Attorney General before grants are made.

November 5, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED

SUBJECT: SENATE ACTION ON CRIME BILL

The Senate voted 94-4 last night to double the crime bill and create a \$22 billion Crime Reduction Trust Fund to pay for it by dedicating the 252,000 FTE reduction called for by the National Performance Review.

The Crime Trust Fund includes:

- * \$8.995 billion to fully fund your 100,000 cops pledge over the next 5 years, at a declining match of 75-50-40-25-10;
- * \$3 billion for 10 regional prisons, with an 85% truth-in-sentencing requirement;
- * \$2 billion for boot camps and state prisons for violent offenders;
- * \$1.8 billion for the Violence Against Women Act;
- * \$1.2 billion for drug courts for criminal addicts;
- * \$500 million for grants to states to house violent juveniles;
- * \$300 million for Safe Schools
- * \$200 million for Police Corps
- * \$150 million for law enforcement scholarships; etc.

The deal was worked out with unprecedented bipartisan support not only from Mitchell, Byrd, Sasser, and Biden, but from Dole, Hatch, and Gramm. Gramm called it "the most important crime bill in years." The agreement extends only to the program funding; the Senate will now begin debate over habeas, death and other penalties, and a host of get-tough amendments to the bill.

Certainly, you can welcome the Senate's bipartisan enthusiasm to help fulfill your campaign pledges. After all, this was your idea in the first place: You said in your speech to the 1992 Democratic Convention that as President, you would

". . . streamline the federal government, and change the way it works; cut 100,000 bureaucrats, and put 100,000 new police officers on the streets of American cities."

Putting People First, p. 224

Beyond broad support for the Senate action, the question is whether you want to embrace the agreement by bringing the sponsors (and key House members) down to the White House. That would ensure that you get the credit for your idea, and more important, let the country know that we are taking unprecedented steps to fight crime and violence. It might also increase the chance that Congress will have the bill on your desk by Thanksgiving. Not surprisingly, the sponsors would like to come down here for an event with you as soon as possible.

At the same time, the Senate approach will have considerable consequences on the FY95 budget and beyond. Embracing the deal will put you on record for these funding levels. It is possible, though by no means certain, that the authorizations will be reduced in conference. But with the Senate Majority Leader and the Appropriations, Budget, and Judiciary Committee chairmen leading the charge for this bill, we may well be forced to face these budget consequences whether we embrace them now or not. Moreover, any effort by the Administration to downplay the Senate deal would give Bob Dole and Phil Gramm bragging rights to claim that they're willing to do more to fight crime than we are.

The Senate will continue to debate the crime bill over the next few days, and pass it perhaps as soon as next week. On Wednesday, by voice vote, the House approved \$5 billion in crime authorizations for cops, juvenile detention, and drug treatment. It is not yet clear whether the House and Senate will undertake a crime bill conference before Thanksgiving.

On the gun front, the House Judiciary Committee reported out the Brady Bill yesterday without any weakening amendments. The House should vote on it next week. The Senate still plans to vote on Brady after dispensing with the crime bill.

Metzenbaum, DeConcini, and Feinstein have reached agreement on a reasonable assault weapons compromise. We don't know yet whether they have the votes, or whether Biden will decide to let them offer it.

November 8, 1993

*Newer sent.
Told him face to face*

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
SUBJECT: CRIME BILL UPDATE

The Senate is hoping to complete action on the crime bill late Wednesday, in time for their Veterans Day recess. The House will vote on Brady this week; the Senate will take it up next week.

If all goes well, these developments will give you a chance to tell the country that you are on the verge of fulfilling your two major campaign promises on crime: the Brady bill and putting 100,000 new police on the street. I believe you should seize this opportunity by bringing House and Senate leaders to the White House for a crime event which could dominate the network news on Thursday.

There is much debate among your advisers about the relative merits of the House and Senate bills and the funding tradeoffs they imply. We've been having the same argument for weeks now, and if the results of Tuesday's elections weren't enough to break the stalemate, nothing will. But while we quibble with one another over details, Congress is rushing to pass the largest domestic initiative of your term so far -- and the Administration is not getting any credit.

Consider this: William Schneider of CNN wrote in the Washington Post this weekend that the public gives you "worse ratings on crime than on any other issue, including foreign policy." This is not because Americans regard you as soft on crime, but because fear of crime has skyrocketed while the Administration's perceived response to it has not. The airwaves are filled with reports of a nationwide epidemic of crime, but the Attorney General's reticence about your major anti-crime initiatives means that most of the time, we're not part of the story.

I strongly recommend that you carve out some time later this week for a crime event that underscores how seriously you take this issue. You wouldn't have to choose between the House and Senate bills; you could simply emphasize how delighted you are about all the progress Congress has made on 100,000 cops, boot camps, drug courts, and Brady. In the meantime, we can develop a strategy for how to get more of what we want from conference.

Howard and George don't agree with me -- they think you should lay low until we've figured out what positions we will take in conference. I think that's the kind of inside strategy that cheated you out of any credit from the American people for national service. If we defer to Congress, months will go by before you're seen doing anything about crime, and in the meantime we'll get hit with stories about how Congress is forcing you to do more than you wanted -- even though 100,000 cops was your idea to begin with.

$x \rightarrow$ Crime - IDEAS

* → Crime
 GS/Bell
 Boy is the right
 is men and wife to
 for a group of experts
 to keep witness with them
 to all seen this
 This is important

β .

This makes a
lot of sense
(GS)

January 14, 1994

MEMORANDUM

TO: George Stephanopoulos
FROM: Jody Powell 
RE: Gun Control

I am reluctant to stick my nose into an area in which I am by no means an expert. However, gun control is something that I have thought about a good deal; and I believe it poses real dangers to the administration. So, here goes.

If there is an area that needs "new thinking," "rethinking," "a different kind of Democrat," and all that, crime/gun control is it. From the outside this does not appear to be happening. What I hear and read sounds like the same old ideas being presented with the same worn-out rhetoric.

There are, I think, two cardinal principles that ought to be kept in mind:

1. To make it worth the effort, you must be able to come up with something on gun control that holds real promise of being effective, and, most importantly, being effective in dealing with the type of violent crime that concerns most Americans.
2. You must talk about what you are doing, even in the policy formulation process, in ways that clearly set this effort apart from past Democratic efforts that have proven to be both ineffective and politically costly.

Let's start with effectiveness. The first and last question that must be asked about any of the policy proposals is, "Do you honestly believe this will really make a significant difference in street crime -- not hunting accidents, not domestic violence, but street crime?"

In my humble estimation, the reason we never get the political benefit from gun control that the polls seem to promise is because our proposals are substantively weak. We have yet to propose anything that people believe will make any difference. The people who are generally for gun control don't make it a voting issue because it has no real impact on their lives. On the other hand, the inconvenience and hassle of wading through another round with indifferent and

incompetent bureaucrats and the fear that this is only the first step toward more radical measures are quite real to people who own guns. As much as I hate to say it, the NRA is effective primarily because it is largely right when it claims that most gun control laws inconvenience and threaten the law-abiding while having little or no impact on violent crime or criminals.

(If you doubt this last, call the D.C. government, say you just moved to town with a couple of shotguns for hunting, and ask what you need to do to comply with the law. Then ask yourself whether you think this law and what you are told to do has had, or is ever likely to have, any beneficial impact on your chances of being shot down on the street, or in your car, or in your house by some kid with no hope and no conscience.)

I do not have the answer to the question of what you could propose that really would make a difference. But I do have a thought or two.

Focus on what really upsets and scares people. It is the growing threat of random violence by strangers. What you want to do is get guns off the street. It is certainly true that too many people die in hunting accidents or domestic violence or occasionally because a five-year old got his hands on a loaded gun. But none of that is what drives the crime issue. And none of that is worth the political capital you would have to expend to make a real difference.

It is easy to be distracted from this focus. The much-publicized Emory study of a few months ago is a classic example. You may think that having a gun in the house for personal protection is ill-advised, but the people who think otherwise don't have to be your enemies. And they aren't all nuts. Once you get past all the rhetoric, my read is that the Emory study basically said, that if you have relatives or frequent guests in your home who are inclined to settle arguments by killing people, it is probably not a good idea to have a gun around.

* My advice is not to try to go after or spend a lot of time talking about guns in the home. To
* repeat myself, that is not what is driving the crime issue. Moreover, given the state of this
* society, trying to convince people to support a law that denies their right to protect their homes
X is probably a loser.

Whatever you propose will require sacrifices from people who own guns or think they might want to someday. If violent crime is truly is a national emergency, perhaps other compromises need to be considered, too. Specifically, is there not some way to broaden and strengthen the ability of police to act against people carrying unlicensed firearms on their person or readily accessible in their vehicle? That is the guts of the issue. Unless you figure out a way to improve enforcement against this type of behavior, the impact of licensing, registration, and the like is marginal at best.

I support registration in principle. But two questions need to be asked. Are the people causing the problem going to comply voluntarily? If not, do you have a way to effectively enforce compliance? If the answer is "no" in both cases, consider whether the benefits are worth making Bob Dole majority leader.

Finally, a word or rhetoric and positioning. What I have heard thus far are things like, "ending our national love affair with guns" and "making it as least as hard to buy a gun as to get a driver's license." Your problem and the national problem does not come from people who love guns and hunting and other shooting sports. The truth is you need their help. I'm not sure what the second comment means; and I doubt whoever said it is either; but I doubt Washington's murder rate is due to the fact that street punks are insufficiently educated in the safe and effective use of their weapons.

My first bit of advice on positioning is to think carefully before you make gun control the centerpiece of your crime package (which is the way it sounds like you are headed.) Unless you come up with something much more effective than anything yet proposed (which means solving the enforcement problem), it ain't gonna work; and, what is worse, you ain't gonna be able to convince very many people that it will. You will be asking some good Democrats to cast a very tough vote for no good end -- and in a year in which you are already going to be asking for more than a few tough votes.

If you are able to come up with something that really has a chance of working, why not make a direct appeal for the support of rational, reasonable gun owners? That would involve choking off the silly rhetoric noted above, telling the truth about what you are proposing and what it is likely to accomplish, and providing some reassurances from the president that he opposes the more radical agendas of some of your allies in the gun control movement -- such as a total ban on handguns or requiring that hunters deposit their guns in government warehouses or the like. It would also involve acknowledging that we are asking people who are not responsible for the problem to make some sacrifice in terms of time and convenience. Most importantly, it would involve a crime program with other workable, effective elements so you would not be in the untenable position of implying that the problem could be solved through gun control alone.

I would like nothing better than to help kick the NRA's butt. With good substance and decent positioning I think it can be done. I also think it would be possible to put together a strong, well-financed coalition that goes well beyond the traditional gun control groups. Indeed, I think such a coalition is critical. You really don't want the traditional groups as the principal leaders. Though I have supported and contributed to some of them, their ineffectiveness is demonstrable and the goals of some are not consistent with the best interests of the administration.

Sorry this is so long and rambling and late. If any of it makes sense to you and I can help, give me a call.

January 17, 1994

MEMORANDUM FOR THE CHIEF OF STAFF

**FROM: BRUCE REED
 JOSE CERDA III**

SUBJECT: CRIME BILL: OUTSTANDING POLICY ISSUES

Paul Toback requested that we briefly summarize for you the current status of the crime bill and other related issues. Here is our assessment.

White House staff and Web Hubbell have met twice to discuss the substantive issues that need to be finalized before the Administration can clearly communicate its conference committee strategy to the Hill. Based on these first two meetings, we will be forwarding initial policy recommendations to the President tomorrow. In a nutshell, here's what will recommend:

1. Insist on the inclusion of those proposals that the President has publicly supported. The President has repeatedly called for passage of the 100,000 more police program and community policing program; boot camps that both increase the certainty of punishment for young offenders, but that offer them a second chance; drug court programs that will ensure that criminal addicts receive treatment the need to stop living a life of crime; and the gun control provisions -- a ban on assault weapons, a ban on the possession of handguns by juveniles and on the transfer of handguns to minors, and critical federal firearms licensing reforms. These are the provisions of the crime bill with which the President will be most identified, and the burden is on all members of the Administration to push for their passage in the form that is most acceptable to us.

2. Fortify the Administration's crime policies and rhetoric by publicly supporting the "three strikes your out" provision to the crime bill, "truth in sentencing" requirement for states to be eligible for increased prison monies, and other tough punishment measures. While the President's call for more cops and fewer guns has been well received by the public, our lack of focus on the more controversial pro-punishment provisions has become apparent to the Republicans and the press. To fill this policy void -- and to keep pressure on Republicans to accept the gun and cops proposals we strongly support -- we firmly believe that it is necessary for the President to support the above-stated provisions. Justice believes that, in conference, it can sufficiently narrow the crime bill's pro-punishment measures to ensure that they are focused on only the worst offenders. We have recommended that the President's support for the "three strikes your out" amendment be included in his State of the Union Address.

3. Support the establishment of the Violent Crime Reduction Trust Fund contained in the Senate Bill. The creation of the crime bill fund is essential to sustaining the momentum to pass a crime bill conference report. The President has already elected to include it in the FY 1995 budget, but members of the House remain skeptical about its inclusion in the final crime bill. We must continue to push for the fund's creation (with some minor edits to ensure that the Administration has maximum flexibility in achieving its goal to reduce the federal workforce by 252,000).

4. Accept Justice's recommended miscellaneous changes concerning federalization of state crimes, prison monies, and others -- but reject their proposal to categorically oppose mandatory minimum sentences. We do not think the President should have to defend a policy of no new long sentences for criminals. Instead, we should accept or reject such sentences on a case-by-case basis. With Justice and the White House already in support of the "three strikes your out" proposal, which will represent the toughest mandatory minimum on the books, how could we be in principle opposed to mandatory minimum sentences. The Administration should make abundantly clear that it is not opposed to mandatory sentences, but that it reserves the right to oppose those which it believes are unnecessary.

5. One final recommendation: the President should call on Congress to expand the death penalty in the crime bill to include the murder of any police officer in the line of duty. We believe that since the President has been proposing that cities and states hire 100,000 more police to work on the streets -- and in harm's way -- it's essential that the Administration send a strong signal to criminals about the repercussions of killing a police officer. Officer Jason White, the third-generation patrol officer who was recently killed while patrolling the streets of DC, did the same job we are asking our 100,000 new police to do. His killer will not be sentenced to death because DC has no death penalty. In the limited number of cases where a police officer is slain in a state where there is no applicable death penalty, the federal government should step in and prosecute these cop killers, with the threat of a sentence of death.

Finally, as members of Congress return over the next week, we need to finalize with the House leadership and Jack Brooks exactly what their timeline for conferencing the crime bill will be. Brooks is said to be undecided as to whether or not he will proceed by marking up several additional crime bills, the Senate's crime bill, or his own omnibus crime bill, before going to conference with the Senate. Whatever approach is taken, it is imperative that the bill be reach the President's desk by the Easter holiday. If not, we will have great difficulty in funding the President's anti-crime efforts during the budget and appropriations process.

January 27, 1994

MEMORANDUM FOR THE PRESIDENT

**FROM: BRUCE REED
 JOSE CERDA**

SUBJECT: U.S. CONFERENCE OF MAYORS' ANTI-CRIME PLAN

On Friday, you will meet with the U.S. Conference of Mayors to discuss the issue of crime and violence. As you know for past meetings with them, they have released a six-point "National Action Plan to Reduce Violent Crime" that is largely in agreement with the crime policies that you have advocated. Specifically, the Plan calls for the following:

- (1) **100,000 more police, but make the plan more flexible.** Let cities use money for overtime, training, equipment, etc.
- (2) **Omnibus firearms legislation.** Ban assault weapons, juvenile possession of handguns and enact tough reforms to the Federal Firearms Licensing system. Support individual firearms licensing, increase taxes on guns and ammunition, destroy all impounded weapons and make gun manufacturers liable for the damage their guns do.
- (3) **Expanded drug control efforts.** More and better drug treatment, education and prevention -- but continued law enforcement support. Expand the role of the Office of National Drug Control Policy, increase the number of DEA agents and keep tough, mandatory penalties for drug traffickers.
- (4) **"Radically" altering the criminal justice system.** Improve the outdated juvenile justice system so that it includes punishment and prosecute violent youths as adults. Increase resources to stop the criminal justice system's "revolving door" (more court services, probation and parole officers, more prisons, and more boot camps).
- (5) **Make other social investments.** Pass a jobs program for the Nation's cities, provide educational opportunities and recreational activities for our youth, re-examine child labor laws to promote work for some 14 and 15 year-olds, etc..

(6) Partner with cities to prevent violent crime. Meet with Mayors and other government officials on crime. Sharing intelligence, new technologies. etc.

Although the Mayors are very supportive of the crime bill, there largest concern is that there will not be sufficient funding in your budget to fund the 100,000 cops program. Late Thursday evening, the Mayors of the eight largest cities attending Friday's meeting -- Giuliani of New York, Riordan of Los Angeles, Lanier of Houston, Rendell of Philadelphia, Goldsmith of Indianapolis, Daley of Chicago, White of Cleveland, and Archer of Detroit -- sent you a letter asking you to fully fund the 100,000 cops title in the crime bill and to distribute the monies on a per capita basis. Funding the policing program on a per capita basis will fundamentally alter the program's requirement that these new officers be deployed pursuant to an overall community policing plan. We recommend that you not commit to such a change. It would reduce your policing program to formula grant program for cities, as opposed to a catalyst program that changes the way we police our streets.

However, your FY 1995 budget does fully fund the 100,000 new police program at the Senate's authorization levels -- \$1.7 billion in the first year, and we would encourage you to let the Mayors know that you intend to fully fund the Violent Crime Reduction Trust Fund in your FY 1995 budget (\$2.4 billion in the first year).

As for the issue of overtime, we would still prefer to not have to pay these costs, which will diminish our ability to reach the 100,000 new police mark. But, as we discussed in our recent crime bill memorandum, there is considerable pressure from the Hill to fund overtime, and we are prepared to support a limited or "bridge" overtime provision if we have to. That is, we could allow policing funds to be used for overtime costs until the new officers are fully trained and ready to hit the streets.

July 8, 1994

MEMORANDUM FOR LEON PANETTA

FROM: Rahm Emanuel
Ron Klain
Bruce Reed

SUBJECT: Negotiations with Schumer on 100,000 Cops

We need your help with Schumer to resolve one of the last remaining crime issues -- the funding scheme for community policing. After weeks of negotiations, we have come up with a compromise that falls short of what Schumer wanted, but is the most we can get from Brooks and Biden. We need you to tell him that this is the best he can do, and it's time for him to declare victory and take the deal. If he agrees, we can try to persuade Brooks and Biden to let Schumer announce the deal Monday when the Attorney General will be in New York for a crime event with him and Giuliani.

At issue is how to allocate \$8.9 billion in community policing funds in the crime bill. The current scheme, which was drafted by the White House and Justice and passed with few changes by the House and Senate, provides that at least 85% of the grant funds be used to hire, rehire, and train new officers, with up to 15% to be used to promote community policing in other ways (redeploying existing officers, purchasing new equipment, paying overtime, etc.). This formula was designed to ensure that the \$8.9 billion goes primarily toward putting 100,000 new cops on the street, not toward picking up the tab for cities that decide to call their existing officers "community police".

Schumer wants a special provision to make another 25% of the cop money available for cities like New York, which have expanded their police force in recent years, to redeploy existing officers. He argues that if hiring more secretaries enables New York City to put more of its force on the street, we should help them do so.

We share Schumer's desire to put as many police on the street as quickly as possible, and to give cities some flexibility in the short run on how to get there. But 25,000 secretaries doesn't have the same ring as 100,000 cops. Even if we wanted to give Schumer everything he wants, Brooks and Biden wouldn't do it. They don't share our desire to make Schumer happy. Biden is worried about the Republicans, who wrote their alternative bill to put 100% (not 85%) of the money toward new hires -- not new equipment or new secretaries -- because they want to criticize our policing and prevention programs as pork-laden payoffs to big-city mayors. Brooks is insisting that if we set anything aside to help cities like New York pay for civilians or equipment, he'll make sure cities like Houston can use the cop money to pay for police overtime -- which if applied on a large scale would mean that instead of 100,000 new cops, we'd end up with a lot of cops making \$100,000.

After countless efforts at compromise, Brooks and Biden have given us their bottom line: They're willing to give Schumer his own provision, based substantially on his language, but the amount of money set aside has to be smaller and overtime has to be included as well. Schumer wanted 25% of the 85% for the full six years of the program. They say they'll give him 20% of the 85% in FY95 and 10% of the 85% in FY96. After that, the provision would expire (unless the idea was working and we helped Schumer get it reauthorized).

This is a good deal for us. The mayors will be pleased -- especially Bob Lanier in Houston, who has nagged the President for months on the overtime issue. We'll get more flexibility while only putting about 5,000 of our 100,000 cops at risk (and if the idea works, we can still claim credit for those 5,000). And we can sell the provision as a way to get more cops on the street faster in the next two years in response to America's crime crisis.

It's a pretty good deal for Schumer, too, but he may not think so. We have not communicated this final offer to Schumer or his staff. But we know that he has made an extraordinarily big deal out of this whole dispute, even for him. He thinks his provision is better than ours on the merits -- he likes to point out that he sponsored a cops-on-the-beat provision before Bill Clinton ran for President. He wants to bring home the bacon for New York and Buffalo, and outmaneuver Giuliani, who has criticized the crime bill for not doing more for New York. He is angry that we deal so much with Brooks and Biden, and thinks we ask him to carry our water on Racial Justice and other issues but give him nothing in return.

But we think Schumer will swallow this provision in the end, once he is convinced it's the best deal he can get. There are plenty of good reasons why he should take it: 1) It's his language, his provision, his idea, with his name on it; 2) It commits a two-year total of up to \$500 million to the Schumer approach, in addition to \$1.3 billion over six years that New York and other cities can seek (out of the 15% pot) for similar purposes; and 3) If he doesn't take this deal, Biden and Brooks would just as soon give him nothing at all.

There is no point arguing the merits with Schumer any longer. He needs to get the message that we care deeply about making him happy, we've bent over backwards to do all we can for him, Brooks and Biden won't budge any further, and we've got to close the deal or we'll lose a provision that is important to him and good for the bill. Justice has drafted a provision based largely on his language, and we'll be happy to work on it with him. If he goes along, we'll do our best to persuade Brooks and Biden to let him announce it on Monday. But we need to close this deal and start working together on the other things he cares about -- making sure Henry Hyde doesn't help Brooks water down the assault weapons provisions, and shepherding the crime bill out of conference and through the House so that all his years of hard work on this issue will be rewarded.

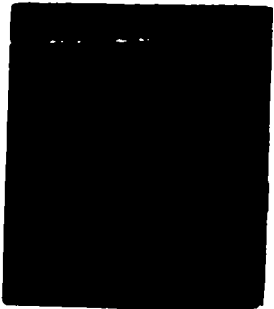


THE WHITE HOUSE
WASHINGTON

DATE: 11/05/93

THE VICE PRESIDENT
MACK MCLARTY
HOWARD PASTER
TO: GEORGE STEPHANOPOULOS
DAVID GERGEN
CAROL RASCO
BRUCE REED
BOB RUBIN
FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

The attached has been forwarded
to the President.





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

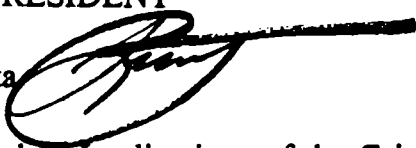
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THE DIRECTOR

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November 5, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon Panetta 
SUBJECT: FY 1995 Budget Implications of the Crime Bill Amendment

Last night the Senate passed a Byrd, Mitchell, Biden, Dole, Gramm, Hatch amendment to the Crime Bill by a vote of 94-4. The amendment increases the authorized spending in the bill to a total of \$22.3 billion over five years (1994-98), and fully funds those authorizations by creating a Violent Crime Reduction Trust Fund.

Spending out of this Trust Fund would be subject to the appropriations process, but not subject to the Budget Enforcement Act caps. Instead, the Crime Bill spending is financed by reducing the discretionary caps by the appropriate amounts in each of the five years -- a total of \$22.3 billion in budget authority (BA) and \$21.5 billion in outlays. Most importantly, for the purposes of planning your FY 1995 Budget, the FY 1995 caps are reduced by \$2.4 billion in BA and \$2.3 billion in outlays.

The cap reductions are "financed" by reductions in government personnel. These are taken from the reductions specified in Vice President Gore's National Performance Review, advanced one year. However, the amendment contains explicit annual ceilings on Federal employment, contrary to the recommendation of the NPR. The FY 1994 and FY 1995 reductions in the amendment are more aggressive than are required under your February Executive Order by approximately 8-9,000 per year. Effectively, 80% of 5-year savings we had forecast from the NPR's reductions of 252,000 full-time equivalent positions are by this amendment dedicated exclusively to spending out of the Violent Crime Reduction Trust Fund. These savings would have been used to meet the caps and fund your investment program.

Of the \$22.3 billion in authorizations, OMB's planning ceiling includes only \$3.5 billion, for 50,000 cops. The major increases over OMB's planning ceilings include:

- Full funding (with same match) of 100,000 cops;
- Regional prisons (operated by states);
- State and Local Boot Camps and minimum security facilities construction;
- Secure Juvenile Facilities for States; and
- Anti-Violence Programs (women, spousal abuse, families, sexual assault).

In addition to the severe problems that will result from this amendment in funding your investment priorities in the FY 1995, I have two other concerns.

- This amendment could be a precedent for reestablishing firewalls. If we have a firewall for crime, why not for children or for civilian technology?
- Over half of our anticipated FTE savings come from DoD. By reducing the discretionary caps, savings that would otherwise have helped DoD (and other agencies) hit their top line have now been earmarked for crime.

While the amendment appears certain to pass, perhaps we can work with the committees to modify the FY 1995 funding -- while continuing to support increased outyear expenditures for the crime initiative.

THE WHITE HOUSE
WASHINGTON

July 29, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
JOSE CERDA

SUBJECT: Keeping Your Pledge on 100,000 Cops

The community policing program was preserved, even strengthened, in conference. The crime bill conference report authorizes nearly \$9 billion over 6 years -- enough for you to credibly say that we will be able to put 100,000 more police on the street. We also made changes in conference that will give cities like Houston and New York more flexibility to try different ways to expand the number of police on the street.

I. MAJOR PROVISIONS OF THE COMMUNITY POLICING PROGRAM

The final crime bill authorizes \$8.995 billion over the next 6 years out of the Violent Crime Reduction Trust Fund for community policing. That works out to almost an even swap -- a reduction of 100,000 positions in the federal bureaucracy is enough to pay for 100,000 more police, which is exactly the promise you made in your acceptance speech at the Democratic Convention.

1. How the Program Works: The money will be divided equally among large and small cities: half goes for cities with populations over 150,000, the other half for cities and towns under 150,000. The bill provides \$450 million for technical assistance and evaluation. As in our pilot program, the Administration will award policing grants on a competitive basis. With \$9 billion, we should be able to meet the full demand for new police.

The program will emphasize new hires, with some flexibility for cities that want to redeploy their current force. At least 85% of the grant funds must go to hire, rehire, and train new police officers. Communities are encouraged to use these funds to hire former members of the Armed Forces to serve as community policing officers, particularly in areas where a military base has closed. At the Attorney General's discretion, the remaining grant funds -- up to 15% -- can be used to promote community policing in other ways: redeploying existing officers (through overtime, new equipment, etc.), developing new technologies, and offering specialized training to officers.

2. Added Flexibility: To give cities even more flexibility and make it easier for them to put more police on the street faster, we added a provision that for the first three years of the program will allow cities to use some of the money from the 85% hiring pot for innovative strategies to redeploy existing officers, so long as they can demonstrate that doing so will put more police on the street. New York City, which has already expanded its police force, will be able to purchase the technology for a paperless arrest system that will allow the department to increase its street presence by at least 300 to 400 officers. Houston, which used overtime to put the equivalent of 655 officers on the streets within 90 days and cut crime by 22% in 2 years, will be able to expand that effort. To keep overtime from eating up the whole program (and make sure that we're not accused of hiring 100,000 secretaries instead of 100,000 cops), this provision expires after three years and is limited to a maximum of 20% of the grant money in FY95 and FY96 and 10% in FY97.

Mayors like Lanier and Giuliani are very happy with the added flexibility, as is Schumer, who pushed hardest for it. So, too, are police chiefs from major cities -- such as New York's Bill Bratton and Chicago's Matt Rodriguez -- who are committed to making your program work. Last week, the mayors who earlier expressed doubts about the community policing program -- Lanier, Rendell, and Giuliani -- sent us strong letters of support.

3. How We Can Reach 100,000: Policing grants will be awarded for three to five years, with a declining federal match that will average between 50% and 75%, depending on a city's size and salary levels. The federal share is limited to a total of \$75,000 per officer over the life of the grant. Cities with higher costs or limited resources may apply for a waiver of the federal match. (In the pilot program, only 4 % of all applicants applied for such a waiver.) Per officer costs vary widely from city to city, but our best national estimate is that it costs on average about \$42,000 per year in salary and benefits for each new officer.

Based on these formulas, Justice projects a total of at least 99,000 more police on the street over the next 6 years: a minimum of 88,000 new hires and rehires; another 9,000 more police on the street through redeployment; and over 2,000 new hires and rehires from grants already awarded through the pilot program.

We actually have the potential to exceed 100,000. Justice will have the discretion to use money from the "up to 15%" pot to provide grants for hiring as well as equipment and redeployment -- enough to hire or redeploy up to 17,000 more police. The conferees also authorized \$400 million for the Police Corps, which could provide another 10,000 new officers (but that authorization is not guaranteed out of the Trust Fund, and will remain a contentious issue in future appropriations). We will also help communities put more police on the street by providing up to 25,000 public safety volunteers through National Service, expanding public housing police through the proposed COMPAC program, and giving schools money for police and security guards through Safe and Drug-Free Schools legislation.

II. MAKING SURE THE PROGRAM SUCCEEDS

The crime bill gives us the authority to put 100,000 cops on the street, but to actually achieve that goal, we will need to focus the Administration's efforts in three key areas:

1. Appropriations: In theory, the crime bill is fully paid for -- the Trust Fund authorizes the use of savings realized from the Federal Workforce Reduction Act. But crime bill expenditures are still subject to appropriation, and we can expect resistance from appropriators down the road if money remains tight. So far, we've done relatively well. Last year we asked for \$200 million and got \$150 million. This year we asked for \$1.7 billion and both houses have given us over \$1.3 billion. Community policing will need to remain one of your highest priority investments if we're going to achieve 100,000 cops.

2. Cop Czar: Administering all the grant programs in the crime bill will be an enormous challenge for the Justice Department. With \$30 billion to spend over the next 6 years, the Violent Crime Reduction Trust Fund will have a larger annual budget than two Cabinet agencies -- Commerce and the State Department. The selection of someone to run the community policing program at Justice should be given the same careful attention as a Cabinet appointment, even though it doesn't require Senate confirmation. The Justice Department is developing a list of candidates, including some chiefs who have been at the forefront of community policing. Your cop czar needs to be someone of unquestioned integrity who has the backbone to use this program not just to give away money, but to fundamentally change the way police forces around the country do business.

3. President's Council on Policing: If we're going to bet \$9 billion on a single idea -- community policing -- we've got to preserve and protect the integrity of the idea, and help ensure that it works. The success of this program, more than anything else we do, will affect whether crime goes up or down on your watch. It won't do us any good to have put 100,000 cops on the street if crime doesn't go down, if people's sense of personal security doesn't go up, and if departments dismiss community policing as just one more hoop they have to jump through to get money. We need to hold departments to high standards in return for our grants to ensure that they really do change, and when we find something that works in one community, we ought to help spread the word to others.

One way to make sure that happens, and to see that it gets the highest level of attention from the Administration, would be for you to meet periodically with a group of law enforcement leaders from around the country. This group could serve as a kind of Joint Chiefs of Staff for the war on crime, and allow you to work directly with those on the front lines to see that we're doing all we can. At the same time, you might consider having periodic briefings on personal security with the Attorney General, the Drug Director, and the FBI Director. Restoring Americans' sense of personal security will take the same determination and attention you devote to issues of national security.

August 11, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED

SUBJECT: Punishment Provisions in Crime Bill

The crime bill includes several tough criminal penalties for violent and gun offenders, as well as substantial funds for state prisons, boot camps, and criminal alien incarceration. Forty percent of the prison money is tied to truth-in-sentencing requirements. The major provisions are:

I. PRISONS

* Prison Funds: The crime bill includes over \$10 billion for prisons -- more than any other provision in the bill, and more than any other crime bill in history.

* Truth-in-Sentencing Requirements: 40% of the prison grants must go to states that enact truth-in-sentencing laws which require violent offenders to serve at least 85% of their sentence.

* Criminal Aliens: The bill includes \$1.8 billion to reimburse states that incarcerate criminal aliens.

II. PENALTIES

* Three-Strikes: Effective immediately, the bill will impose life imprisonment on any offender who commits a serious violent felony under federal law, after having been previously convicted of two or more serious violent felonies under either federal or state law.

* Violent and Gun Offenders: The bill includes new minimum sentences for violent and gun offenders, including enhanced penalties for using a semiautomatic weapon in a violent crime or in drug-trafficking.

* Death Penalty: The bill will extend the death penalty to more than 60 crimes not currently covered, such as the killing of a federal law enforcement officer or a state or local law enforcement officer assisting in a federal investigation.

* Violent Youth: The bill lowers the age at which violent offenders can be tried as adults in federal court to 13, so that serious criminals can expect serious punishment no matter what their age.

August 25, 1994

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: BRUCE REED
JOSE CERDA

THROUGH: CAROL RASCO

SUBJECT: Crime Bill Implementation

The Administration needs to be prepared to hit the ground running once the crime bill passes. We have worked with the Justice Department, the Vice President's office, and others in the White House to develop a list of immediate actions the Administration can take to demonstrate that we are moving aggressively to reduce crime and the fear of crime. This memo outlines actions the President can take at the signing and over the rest of the year.

I. FINAL PASSAGE AND SIGNING

The President's remarks on the day the bill passes and at the signing ceremony are an important opportunity for him to define the direction of his Presidency. On both occasions, he should move beyond the specific provisions of the bill and talk about what it means for the country -- that we really can move beyond false choices and partisan divides, and that the will of the people can triumph over the old ways of Washington. In signing the bill, he should challenge the nation to make this moment the beginning of a larger moral crusade for personal responsibility, the family, and community.

At the same time, he needs to show that the Administration is moving quickly to achieve real results. To underscore the central pillars of the bill -- police, punishment, and prevention -- we recommend the following executive actions to accompany the signing:

1. Sign the Commerce-Justice-State Appropriations Bill. Congress has already appropriated FY95 money for many of the programs the crime bill will authorize, including \$1.3 billion for community policing. He can announce that Justice will use \$150 million immediately to fund another round of the Police Hiring Supplement program, to be awarded in early October, which will put more than 2,000 new police on the street in communities that applied this year and would have won if there had been enough money.

2. Announce Nationwide Search for Cop Czar. The Justice Department is developing a short list of candidates to run the community policing program -- ideally, a

prominent police chief who can be the spiritual leader, spokesman, and field marshal for community policing. We can have a choice vetted and ready to announce by late September. In the interim, the President should call on the Attorney General to consult with leading chiefs and law enforcement organizations in a nationwide search for his top cop.

3. Name the Vice President to Head the Prevention Council. We have prepared an executive order for the President to sign that names the Vice President to head the Prevention Council. The Vice President's charge will be two-fold: first, to coordinate crime prevention efforts with our community empowerment efforts through the Community Enterprise Board; and more important, to make sure we hold these prevention programs to the highest standards of reinventing government -- flexibility, accountability, and zero tolerance for pork. Congress has appropriated \$2 million for the Prevention Council in FY95, enough to hire a director and small staff.

4. Ask Marc Klaas to Serve as Special Adviser on Violent Crime and Lead a National Campaign for Truth-in-Sentencing and Tough, Smart Three-Strikes Laws. The success of the punishment provisions in the crime bill will depend on how quickly states make progress toward truth-in-sentencing, and how sensible they are in enacting new three-strikes laws. To make a real dent in violent crime, and make sure that the prison money in the bill is spent wisely, we need to steer state governments toward policies that are tough and smart. The federal version of three-strikes in the crime bill is a model for states to follow as they make three-strikes the law of the land; Marc Klaas is an ideal candidate to see that it happens the right way. He has a national reputation as a proponent of tough laws for violent criminals, but he is also leading the fight against Pete Wilson's too-broad three-strikes initiative in California. By offering him an unpaid, informal role as an adviser on violent crime, the President could bolster Klaas's efforts to secure sensible sentencing laws around the country, and take away our opponents' last remaining hope for a wedge on the crime issue.

5. Declare Law Enforcement Day. The signing ceremony should be an enormous celebration on the South Lawn, with police organizations, victims groups, Klaas, the Bradys, and so on. The President can sign a declaration designating the day as Law Enforcement Day, similar to Armed Services Day, and open the White House to any officer in uniform.

II. THE REST OF THE YEAR

Rahm and others have suggested a number of ways the President can highlight the Administration's efforts to carry out the crime bill, many of which do not require separate Presidential trips or events. For example, it should become standard practice that every time the President visits a city or town that has been awarded a community policing grant, we invite the police chief and the new hires to the airport to meet him -- and if possible, give the President the chance to swear them in. We can find successful anti-crime programs that relate to the crime bill in every metropolitan area he will visit this fall.

In addition, the Administration will be prepared to make the following announcements in the next five months:

1. Cop Czar Announcement in September. A Rose Garden ceremony with the Attorney General, the Drug Director, and Secretary Bentsen would be appropriate.

2. Award 2,000 New Cops in Early October, and Another 2,000 to 5,000 More by Year End. The first round can happen as soon as the FY95 money becomes available on Oct. 1. For the second round, Justice is planning an accelerated application process for communities under 50,000 that will provide expedited awards of another 2,000 to 5,000 new police. The second round will be completed by the end of the year or mid-January at the latest, and will raise the number of new cops awarded in the last 12 months to nearly 10,000.

3. Award Safe Schools Money, Reauthorize the Safe and Drug-Free Schools Act, and Impose Handgun Ban on Minors. The Education Department has \$20 million in FY94 Safe Schools money that could be awarded on an expedited basis this fall. The money goes for violence prevention programs at schools in dangerous neighborhoods (including \$1 million earmarked for Washington, D.C.). We will also get FY95 funds for drug and violence prevention once Congress reauthorizes the Safe and Drug-Free Schools Act as part of the Elementary and Secondary Act. The juvenile handgun ban takes effect immediately.

4. Start Domestic Violence Hotline. The Violence Against Women Act in the crime bill calls on HHS to start a national hotline on domestic violence, and the Commerce-Justice-State appropriation includes money to do so.

5. Host Regional Forums, Town Halls, and/or Crime Summit. The President and Vice President have discussed hosting local forums to highlight success stories in the fight against crime. We could announce that the Administration will hold a series of these in the coming year. In addition, we have a standing offer from Marc Klaas to host a town hall meeting on crime in Petaluma, California, and the crime bill calls for a national summit on crime and violence. We have also had discussions with the networks about some kind of nationally televised dialogue on the subject. Any of these ideas could be carried out in conjunction with a Presidential fly-around to visit innovative anti-crime programs.

Other potential areas for quick action include awarding FY95 funds for immigration control and criminal alien incarceration, announcing stepped-up background checks for federal firearms licenses, closing the curios and relics loophole on gun imports, and carrying out the executive order on fairness and the death penalty.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

edg

October 21, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon E. Panetta 

SUBJECT: Preview of the FY95 Budget Problems

As we approach decisions on the FY95 budget, I just want to remind you of the extraordinary difficulty of the decisions you will be facing as you try to produce a budget that funds your most important priorities and also meets the discretionary spending caps for FY95 and beyond.

- If we were to fund all the FY95 investments identified in our original economic plan (and to keep Defense spending on the agreed track), we would have to cut all other discretionary spending by 10 percent from the 1994 level. Moreover, some current Administration priorities (e.g., spending associated with the Crime Bill) were not even in our original economic plan.
- Many non-investment programs have strong political support, but we have to recognize that they cannot all be funded at levels we expected a year ago. If we funded non-investment discretionary spending at the level we anticipated for FY 1995 in the original economic plan, investments would have to be cut by 78 percent to bring the budget under the caps!

In the next few weeks, many Cabinet Secretaries will urge you to commit to more spending for their programs. Please remember that more spending for one program or department means less spending for others. I attach three memoranda that illustrate the problems:

- Funding problems at Commerce Department--we chose Commerce just as an illustration of a relatively small department charged with several of your most important priorities, which has on-going responsibilities that would be tough to cut back.
- Secretary Jesse Brown's request for increases in veterans spending;
- paying for the Crime Bill;

The only purpose of this package is to get you thinking--and to urge you to be extremely cautious about making any promises until you have reviewed all of the claims.

Attachments

bcc: A. Rivlin
P. Lader
C. Edley
N. Min
I. Sawhill
T.J. Glauthier
G. Adams
B. Anderson
J. Angell
Correspondence Unit/DO Records

cc: R. Rubin
D. Gergen
G. Stephanopoulos

Original and copies hand-delivered: Oct 12 -- 6:20 p.m.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon Panetta
Director

SUBJECT: Presidential Investments and Agency Ceiling

The Department of Commerce (DOC) illustrates the difficulty many agencies will face in funding Presidential investments within a declining base. Commerce is a relatively small agency (\$3.68 billion), but funds four of your central investments. These include research, technology, and manufacturing; defense conversion; the information infrastructure; and weather service modernization. The 1995 ceiling of \$3.4 billion is almost \$200 million below the 1994 conference level of \$3.6 billion.

Secretary Brown argues that the planning ceiling would make it impossible to fund the investments already proposed, much less to consider new initiatives. He has submitted a request for \$4.5 billion, more than \$1 billion over the ceiling. Despite the fiscal restraints upon which the planning ceilings were based, Commerce intends that the Administration make the hard choices needed to shift resources among agencies within the discretionary caps to meet Presidential priorities. DOC also argues that many of its non investment programs are nonetheless essential governmental functions. These include Census activities, promotion of international trade, and environmental stewardship and assessment.

Unlike agencies with a significant portion of their budgets directed toward grant programs or other low priority programs, DOC has relatively little flexibility to shift between grants and non grant priorities. While DOC has its share of Congressional earmarks, they are more in the magnitude of \$100 million than the \$500 to \$1 billion needed to fund your investment priorities and other essential functions.

TABLE 1. Department of Commerce Funding
(dollars in billions)

	FY 1993 <u>Enacted</u>	FY 1994 <u>Request</u>	FY 1994 <u>Confinc</u>	FY 1995 Est. in <u>Pres '94 Budget</u>	FY 1995 <u>Ceiling</u>	FY 1995 <u>Request</u>	% Change from <u>Planning Ceiling</u>
Budget Authority	3.2	3.5	3.6	3.9	3.4	4.5	32%
Outlays	3.0	3.2	3.1	3.6	3.4	3.8	12%
FTE	35,996	35,451	---	---	---	37,079	

Note: The total DoC request includes \$224 million in proposed reductions and fees (\$171 million in discretionary fees).

PRESIDENTIAL INVESTMENTS

The Department of Commerce is pursuing long-term investment initiatives for sustaining new economic growth through infrastructure development and private sector job creation. Investments proposed for funding in the FY 1994 Budget include civilian technology, defense conversion, weather service modernization and global change research, and information infrastructure. Table 2 summarizes funding for these investment proposals.

TABLE 2. President's Investment Proposals
(budget authority in millions)

	<u>FY 1994 Request</u>	<u>FY 1994 Confrc</u>	<u>FY 1995 Est. in Pres '94 Budget</u>	<u>FY 1995 Ceiling</u>	<u>FY 1995 Request</u>	
National Institute of Standards and Technology						
o Research, Technology, and Manufacturing	188	171	553	350	605	
Economic Development Administration						
o Defense Conversion	33	33	55	33	206	
National Telecommunications and Information Administration						
o Information Infrastructure		54	26	150	60	150
National Oceanic and Atmospheric Administration						
o Weather Service/FCCSET	244	158	123	113		145

Note: FY 1994 funding for NOAA investments should be adjusted from \$158M to \$217M to reflect agreement between the Administration and Congress to fund \$59M of the proposed investments from an existing Contingency Fund for satellites.

With the exception of the information infrastructure grants, the FY 1994 Conference levels provide sufficient funds to carry out your investments for FY 1994.

COMMERCE'S 1995 STRATEGY

The 1995 request includes increases of \$500 million over 1994 for your investment priorities and an additional \$500 million to retain momentum in other key governmental functions.

National Institute of Standards and Technology (NIST)

Secretary Brown's highest priority is to build NIST into the lead civilian technology agency. You have indicated that investments in NIST are a critical part of your strategy to create high-wage jobs, strengthen America's technological leadership, and increase our long

run productivity and standard of living. To accomplish this, major increases totalling \$382 million are needed in three critical components of the NIST investment: (1) the Advanced Technology Program, which provides matching funds to industry to pursue high risk return technology projects; (2) the Manufacturing Extension Partnership, which helps America's 300,000 small and medium sized manufacturers to modernize; and (3) NIST laboratories, which provide critical technical support to industry in areas such as high-performance computing, advanced manufacturing, and electronics.

Given its mission DOC believes that it is appropriate to look for tradeoffs in other areas, such as the reductions in Defense R&D and from the Department of Energy labs and programs.

Defense Conversion

Commerce has identified the difficulty of effective defense conversion as a significant problem. Given the slow growth in the economy and disproportionate regional impacts (e.g. California) the Secretary proposes a more aggressive program than was anticipated in 1994. An increase of approximately \$150 million would be directed to especially impacted areas to promote more rapid transition to a civilian economy. Such a strategy should result in a cost avoidance in areas such as unemployment compensation and worker retraining. It can be argued that resources should be shifted from Defense to permit growth in this high priority activity.

National Oceanic and Atmospheric Administration (NOAA)

NOAA is responsible for providing critically needed weather warnings and forecasts. It has embarked on a long-term modernization program, now coming to fruition. This includes the investment in highly sophisticated radars and information processing systems, satellites, and oceanographic vessels. These systems are also integral to the environmental stewardship and assessment responsibilities of the government. Further, NOAA is responsible for rebuilding U.S. fisheries and recovering protected species. Overall an increase of \$160 million over FY 1994 is proposed for NOAA.

National Telecommunications and Information Agency (NTIA) Information Infrastructure Grants.

Information highways is a new and emerging area with significant potential for growth. As applications become widespread not only will highly paid jobs be created, but productivity improvements will be stimulated across a broad spectrum of industry. Also this has potential for significant export growth. Commerce has proposed major investment to demonstrate innovative applications and to provide a base for universal deployment. An increase of \$125 million over base is proposed to demonstrate a diverse set of uses. These activities build off the research that has been undertaken by NIST, NSF and DOD.

If one were to look at all of the critical missions of the Department, it becomes apparent that an investment increase of \$500 million would have to come at the expense of base programs, and other critically needed increases. Among the essential non-investment increases are testing the decennial census, rebuilding and recovering fisheries and protected species, coastal ecosystems health, and export promotion. For example, a failure to protect our fisheries will result in a permanent loss of jobs.

OTHER OPPORTUNITIES TO FUND DoC INCREASES

There are opportunities to fund DOC initiatives from other agencies in addition to the major ones already mentioned. To put a portion of the Commerce budget in perspective, the following table exhibits Government-wide spending in three of its most important categories.

TABLE 3. Commerce Portion of Total Funding (1994)
(dollars in millions)

	<u>Federal</u>		
	<u>Commerce</u>	<u>Budget</u>	<u>Agencies Included</u>
Export Promotion	\$325	\$4,135	USDA, EXIM Bank, SBA
Civilian Technology	1,286	33,800	NSF, NASA, DoE, HHS
Environmental	2,394	20,200	USDA, EPA, HHS, DoI

Commerce is proposing a combination of fees and savings which could be expected to help offset the requested increases. However, changes in priorities will require, for the most part, a reallocation of funds within functions.

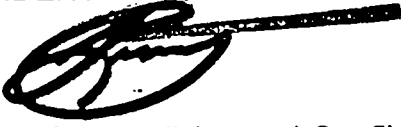


EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon Panetta 

SUBJECT: Veterans Health Care Policies and Conflicts with Other Administration Goals

Summary Overview

The Department of Veterans Affairs has submitted a budget request for FY 1995 through FY 1999 that contains significant increases in spending and FTE for the VA Medical Care program.

In FY 1995 alone, VA is requesting an increase of \$2 billion in outlays and 13,496 FTE. VA asserts that these increases are needed to prepare for national health care reform.

If VA's planned approach to health care reform is accepted, it will create significant problems for the Administration in submitting a FY 1995 Budget that meets the caps and reaches the goal of reducing Federal employment by 12 percent by FY 1999.

Significance of VA's Medical Care Budget Request

VA Medical Care is funded in FY 1994 at \$15.6 billion. VA is requesting an increase of \$2 billion (13 percent) in FY 1995 over the FY 1994 level. By FY 1997, VA's Medical Care request grows to \$3.4 billion over FY 1994. VA's request exceeds the FY 1995 target allowance by \$1.75 billion.

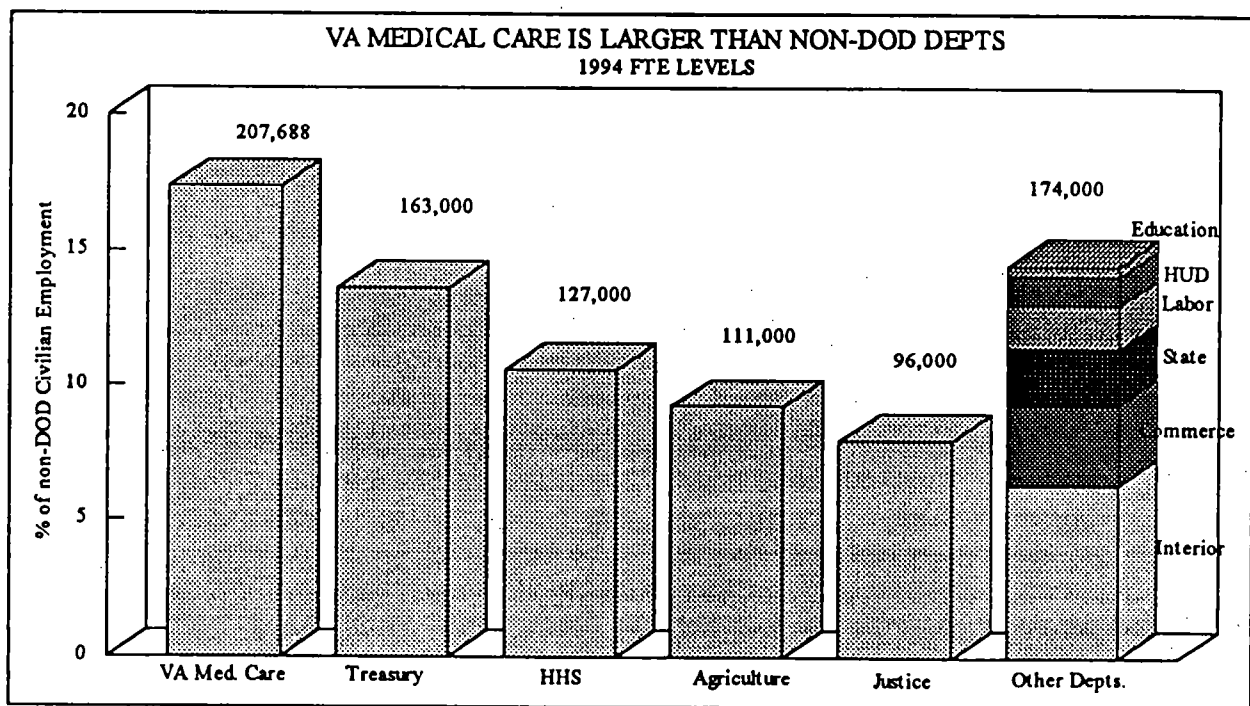
As you know, under the "hard freeze" cap for discretionary programs in FY 1994 through FY 1997, any increases to one agency will have to be funded by reducing another agency's budget.

To put the VA request in perspective, the \$2 billion increase requested for Medical Care would have funded National Service and all the investments in the Departments of Education, Energy, Interior, and Justice proposed in last year's budget.

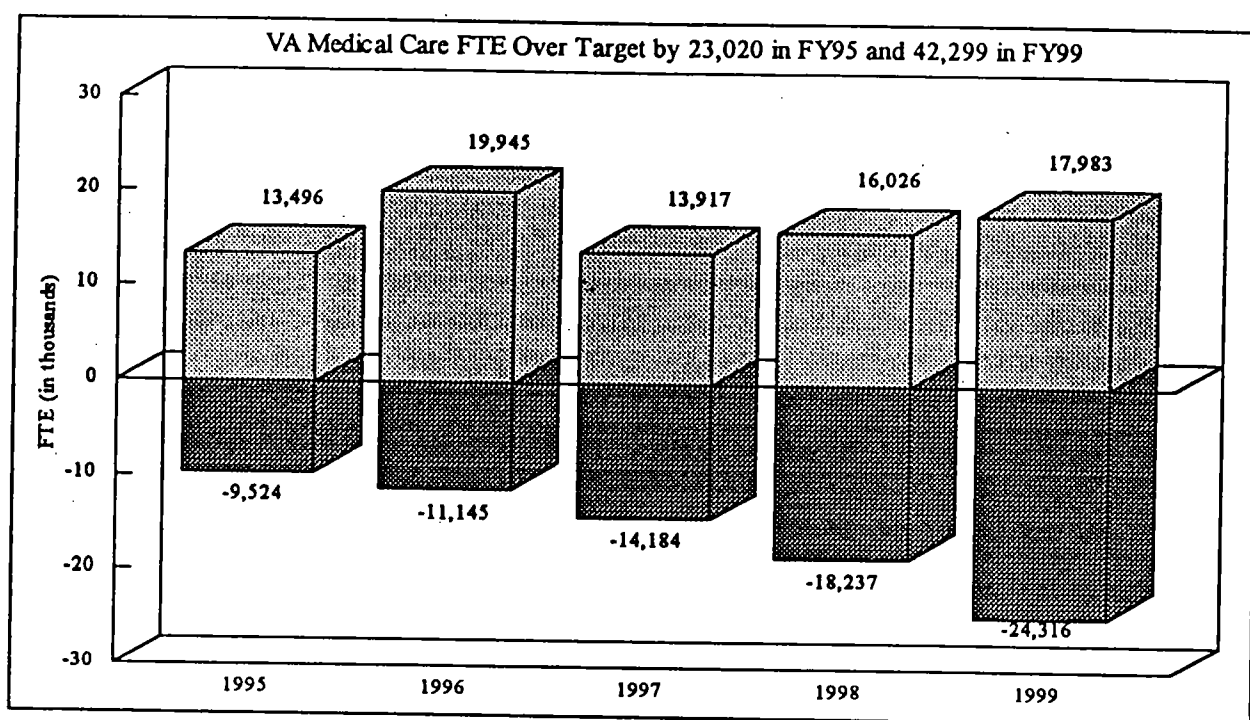
Significance of VA's Medical Care Employment

The VA Medical Care program is, by far, the largest non-Defense civilian employer in the Federal Government. This program employs almost 90 percent of all VA employees.

In FY 1994, Medical Care is projected to employ 207,688 FTE, more FTE than any other non-Defense civilian department, as shown in the accompanying graph.



The graph on the next page shows the magnitude of the VA FTE problem. The top half of each bar is the requested increase by VA over the FY 1993 actual FTE level. The bottom half of each bar represents the VA Medical Care system's pro-rata share of the 12 percent FTE reduction from the actual FY 1993 FTE level.



VA's requested FTE levels would leave the Administration 23,020 FTE short of its FY 1995 goal and 42,299 FTE short of its FY 1999 goal (approximately one-sixth of the total FTE reduction needed).

If VA medical care is considered a high priority, we could reduce other department's FTEs by more than 12% by FY 1999. However, to save 42,299 FTE would require the equivalent of eliminating the Departments of Education, Housing and Urban Development and Labor and the Small Business Administration.

Faced with these facts, we believe that the Administration will not be able to achieve its FTE goals and at the same time provide the staff growth requested by VA in its Medical Care program.

The Justification for VA's Large Increases

VA states that it is requesting these increases in staff and funding to prepare for national health care reform. A substantial share of the requested increase is predicated on VA's projections of the number of new veterans who will come to VA for care under health care reform. Although my staff is awaiting substantive backup for the VA projections, several of the major assumptions, of which we are aware, are questionable.

For example, VA's projection is based on the assumption that the number of veterans seeking care from VA will increase by 5 percent. VA simply assumes that all veterans with military disabilities who are without insurance and who live within 10 miles of a VA facility will seek care from the VA. But under reform these veterans will be eligible to receive insurance from other sources. It is not clear why veterans who have no insurance and do not use VA today, would switch to VA in the future when they will receive national health insurance.

A model created by VA's own statisticians last year projected that demand for VA outpatient care would drop by 11 percent under reform. The General Accounting Office estimated that VA would lose over 40 percent of its patients under reform. The Working Group that developed the VA reform plan for the Administration's health care package estimated that, based on current veterans' preferences for providers, VA would lose 7 to 25 percent of its patients under reform.

One of the major assumptions underlying the plan is that VA will receive and retain funds from outside sources. This includes premiums from the Health Alliances and, in limited cases, Medicare. VA, however, makes no offsetting adjustment in its appropriations request to account for the additional funds from outside sources. As such, VA would "doubledip" under reform.

Another Approach to VA Health Care Reform

The VA has chosen a path of rapid and significant expansion in response to health care reform. This policy guarantees neither a more efficient system or higher quality of care for our nation's veterans.

An alternative approach that may be more prudent and consistent with health care reform's goal of holding down health care costs, would require the VA to demonstrate that it is capable of becoming more efficient and providing quality health care before more funds are invested into the system. To date, VA's track record on developing and following through on commitments to improve systemwide management and increase program efficiencies has been poor. In short, it has not managed its resources wisely.

Under the spur of competition, we can hope for improvements, but I do not recommend making these investments now. To do so would be to deprive other departments of resources needed to fund your investments, many of which have a superior record of success.

Conclusion

Secretary Brown will undoubtedly be seeking your approval of the requests described in this memo. I recommend that you ask him to use health care reform not as a vehicle for expanding the resources available to his Department but rather as an opportunity to provide the veterans' community more choices and better health care. Costs must be contained not only in the private sector but in the public sector as well.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon E. Panetta

SUBJECT: Funding the Crime Bill -- Information

You should be aware of some possible unintended consequences of fully funding all programs proposed in the Biden crime bill (S. 1488). The Department of Justice's (DOJ) FY 1995 request is about 10 percent (+\$0.8 billion) over its 1995 planning baseline. If the Biden bill authorizations were added to this sum, DOJ's request would be about 20 percent (\$1.9 billion) over the planning baseline. A commitment to full funding of the Biden Bill authorizations would put extensive additional pressure on the DOJ FY 1995 budget and could tie your hands as you make difficult tradeoffs in assembling the FY 1995 budget package in the weeks ahead.

Authorizations In the Crime Bill

The attachment shows the \$6.7 billion in FY 1994-99 authorizations. Of this total, over half (\$3.5 billion) supports 50,000 cop hires towards your goal of 100,000 new cops for community policing. The remaining Biden authorizations (\$3.2 billion) support a variety of other grant-in-aid law enforcement programs, such as juvenile anti-gang grants, the Police Corps, law enforcement officer scholarships, "Drug Court" grants, and rural drug enforcement grants.

Currently, only the bill's funding for your cops initiative is anticipated in the 1995-1999 planning baseline OMB provided to the DOJ. That is to say, the full \$650 million 1995 cops authorization is within our planning baseline. *Other new grant programs, with the exception of low levels of funding for the Police Corps and criminal records upgrades (to support the Brady Bill), are not provided for, however.* The table below outlines the principal DOJ programs funded under differing scenarios.

Department of Justice Discretionary Budget Authority (\$ in Billions)					
	1994 Pres. Budget	1994 Likely Enacted	1995 Planning Baseline	1995 DOJ Request	DOJ Req. + Biden Bill
Cops	0.1	*	0.7	0.7	0.7
Other					
Crime Bill	N/A	N/A	*	*	1.1
Prisons	2.3	2.3	2.5	2.9	2.9
INS	1.0	1.0	1.1	1.2	1.2
FBI/DEA	2.8	2.8	2.7	2.9	2.9
Other DOJ	3.4	3.3	3.4	3.5	3.5
TOTAL ---->	9.6	9.4	10.4	11.2	12.3

* - under \$50 million.

Pressures on DOJ's 1995 Budget

Of all the cabinet agencies, DOJ's planning baseline shows the largest percentage increase (+8 percent) from 1994 to 1995. However, much of this increase is necessary to fund a few high-priority programs, including:

- Police Hires. Funds 50,000 cops over the next six years (\$650 million in 1995). Consistent with the Biden bill's community policing authorization level, the planning baseline would permit hiring about 50,000 uniformed police by 1999. To meet fully your 100,000 cops pledge, we either would have to continue the program for another five years or, as we had planned last spring, attribute the remaining cops to other initiatives, such as the law enforcement component of the National Service Program. However, this plan for attributing the remaining 50,000 policing slots to other programs is already in jeopardy because of recently concluded Congressional actions on FY 1994 appropriations bills. In view of those actions, and looking across the departments at the planning baselines with which we are working today, it will be extremely difficult to resuscitate our earlier strategy for funding 100,000 cops.
- Prison operations. New prison activations will require an additional \$500 million for 1995. Over the next five years, another \$2 billion and 15,000 staff will be required to cope with an increasing prison population.
- Health-care fraud. DOJ's plans tentatively include a major initiative on the discretionary side of the budget against health-care fraud. DOJ projects \$300 million and 2,000 staff will be needed for this initiative by FY 1996.
- Immigration and Naturalization Service (INS). To meet announced commitments, INS is estimating \$80 million in added 1995 funding. However, current INS requirements do not include its new pending asylum reform initiative (\$50-100 million).
- Border control and illegal immigration. Nor do current budget plans have room for two other issues I believe you should consider in the weeks ahead: a major initiative directed at the 2-3 million illegal aliens now in the country or a dramatically more aggressive enforcement of the Southwest border. Such a program could cost \$300-500 million per year. (If you want to provide Federal fiscal relief to states and localities facing extraordinary costs from illegal aliens, this number could easily double.)

In short, even without the additional funding required by the Biden bill or a major immigration initiative, we will have to reduce the Attorney General's \$11.2 billion request by \$0.8 billion to hit the FY 1995 planning baseline. This will likely result in the following:

- Reducing the pay for Federal law enforcement officers by over \$100 million by controlling overtime usage.

- Decreasing law enforcement funding for DEA and FBI (\$75 million below 1994 likely action). Significant program and equipment reductions are required. Reductions in force (RIFs) may be required.
- Stemming the influx of new Federal prisoners by reducing low priority prosecutions and assuming State court systems will absorb the resulting case flow.
- Reducing Byrne Anti-Drug Abuse formula grants by about \$250 million, or 65% from 1994 conference level.

Conclusion

The point of this is that OMB and DOJ are struggling to shoehorn DOJ's 1995 funding requirements into its 1995 ceiling. This will be difficult to do and may require large cuts in Federal law enforcement programs. Some may question the advisability of cutting deeply into the "bread and butter" of Federal law enforcement while, at the same time, greatly expanding Federal law enforcement assistance programs, pursuant to the crime bill.

For the reasons cited above, I believe it would be premature for the Administration to sign on to full funding of the total authorizations (\$6.7 billion) in S. 1488. A commitment of that sort should only be made in the context of reviewing the larger, difficult budget choices within DOJ and across the departments. If you wish to extol the virtues of the crime bill, it may be wise to hedge on pledges to finance all of its many funding authorizations.

Attachment

Authorizations in Senate Crime Bill -- S. 1488
(\$ in Millions)

	1994	1995	1996	1997	1998	1999	Total
<u>Programs</u>							
Policing/Cops on the Beat	200	650	650	650	650	650	\$3,450
Habeas Corpus Reform	--	ss	ss	ss	ss	ss	
Youth Violence/Anti-Gang Grants	--	100	ss	--	--	--	\$100
Sex Violence/Child Abuse (Oprah)	--	20	20	20	--	--	\$60
S & L Law Enforcement							
DNA ID - State Grants	--	10	10	10	10	10	\$50
DNA ID - FBI	--	5	5	5	5	5	\$25
Community Partnerships	--	15	20	25	--	--	\$60
Racial Bias Study	--	2	2	2	2	2	\$10
Police Officer Provisions							
Family Support	--	5	5	5	5	5	\$25
Police Corps	--	100	100	ss	ss	ss	\$200
Law Enforcement Scholarships	--	30	30	30	30	30	\$150
Drug Court Programs							
Drug Test Arrestees	--	100	100	100	--	--	\$300
Alt. Punishments for Youth	--	200	200	200	--	--	\$600
Drug Treatment/State Prisoners	--	100	100	100	--	--	\$300
Prisons							
Drug Testing - Fed. Prisoners	ss	ss	ss	ss	ss	ss	\$0
Drug Treatment - Fed. Prisoners	ss	ss	ss	ss	ss	ss	\$0
Boot Camp for Violent Offenders	--	200	--	--	--	--	\$200
Rural Crime							
Rural Drug Enf. Assistance	--	50	50	50	--	--	\$150
Rural Drug Enf. Training	--	1	1	1	--	--	\$3
Missing Alzheimer's Program	--	1	1	1	--	--	\$3
Parental Kidnapping - Grants	--	*	*	*	*	*	\$0
Safe Schools Assistance	100	100	100	--	--	--	\$300
SUBTOTAL----->	\$300	\$1,689	\$1,394	\$1,199	\$702	\$702	\$5,986
Est. of "such sums" totals	\$20	\$40	\$150	\$150	\$160	\$160	\$680
TOTAL ----->	\$320	\$1,729	\$1,544	\$1,349	\$862	\$862	\$6,666

Notes: 'ss' represents "such sums as may be necessary." '*' represents "less than \$500,000."



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OCT 27 1993

Honorable Jack Brooks
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Administration appreciates your prompt consideration of anti-crime legislation. As the President has expressed to you and other Members of the Congress, he would like to see the House and Senate pass crime legislation and the Brady Bill before the Congress adjourns. Crime and the fear of crime have become increasingly urgent concerns across America. It is time for us to act without delay.

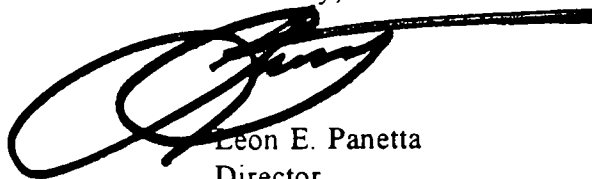
Earlier this year, Congress and the Administration worked together to pass emergency 1993 supplemental appropriations that included \$150 million to help states and localities hire more police. Cities across America responded with great interest to this program. In the last four months, more than 1,000 police departments have applied to the Department of Justice for a program that provides for more than 2,000 new police. The Community Policing and Public Safety Partnerships introduced by you and Representative Schumer would authorize over six years (1994-99) \$3.4 billion more for the Department to expand programs to hire new police officers substantially.

The Office of Management and Budget has already budgeted sufficient funds in its Justice Department planning baseline to fund fully the Community Policing and Public Safety Partnerships. And yesterday, the President endorsed procurement reforms that could save more than \$5 billion in the first year alone. The President has asked Congress to pass these reforms and use some of the savings to fund additional anti-crime efforts. He underscored this commitment by saying:

"I want Congress to pass the crime bill and pass the savings I've asked to help pay for it. I want them to know that if these cuts aren't passed, I'm going to come back with more cuts. And if those aren't passed, I'll come back with still more. I'll keep coming back until we have the money we need to make America safer."

Mr. Chairman, the President strongly believes that there is an epidemic of violence in this country that must be confronted. We commend your committee for responding quickly to this crisis.

Sincerely,

A handwritten signature in black ink, appearing to read "Leon E. Panetta", with a long horizontal flourish extending to the right.

Leon E. Panetta
Director



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

October 21, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: Leon E. Panetta

SUBJECT: Funding the Crime Bill -- Information

You should be aware of some possible unintended consequences of fully funding all programs proposed in the Biden crime bill (S. 1488). The Department of Justice's (DOJ) FY 1995 request is about 10 percent (+\$0.8 billion) over its 1995 planning baseline. If the Biden bill authorizations were added to this sum, DOJ's request would be about 20 percent (\$1.9 billion) over the planning baseline. A commitment to full funding of the Biden Bill authorizations would put extensive additional pressure on the DOJ FY 1995 budget and could tie your hands as you make difficult tradeoffs in assembling the FY 1995 budget package in the weeks ahead.

Authorizations In the Crime Bill

The attachment shows the \$6.7 billion in FY 1994-99 authorizations. Of this total, over half (\$3.5 billion) supports 50,000 cop hires towards your goal of 100,000 new cops for community policing. The remaining Biden authorizations (\$3.2 billion) support a variety of other grant-in-aid law enforcement programs, such as juvenile anti-gang grants, the Police Corps, law enforcement officer scholarships, "Drug Court" grants, and rural drug enforcement grants.

Currently, only the bill's funding for your cops initiative is anticipated in the 1995-1999 planning baseline OMB provided to the DOJ. That is to say, the full \$650 million 1995 cops authorization is within our planning baseline. *Other new grant programs, with the exception of low levels of funding for the Police Corps and criminal records upgrades (to support the Brady Bill), are not provided for, however.* The table below outlines the principal DOJ programs funded under differing scenarios.

Department of Justice Discretionary Budget Authority (\$ in Billions)					
	1994 Pres. Budget	1994 Likely Enacted	1995 Planning Baseline	1995 DOJ Request	DOJ Req. + Biden Bill
Cops	0.1	*	0.7	0.7	0.7
Other					
Crime Bill	N/A	N/A	*	*	1.1
Prisons	2.3	2.3	2.5	2.9	2.9
INS	1.0	1.0	1.1	1.2	1.2
FBI/DEA	2.8	2.8	2.7	2.9	2.9
Other DOJ	3.4	3.3	3.4	3.5	3.5
TOTAL ----->	9.6	9.4	10.4	11.2	12.3

* - under \$50 million.

Pressures on DOJ's 1995 Budget

Of all the cabinet agencies, DOJ's planning baseline shows the largest percentage increase (+8 percent) from 1994 to 1995. However, much of this increase is necessary to fund a few high-priority programs, including:

- Police Hires. Funds 50,000 cops over the next six years (\$650 million in 1995). Consistent with the Biden bill's community policing authorization level, the planning baseline would permit hiring about 50,000 uniformed police by 1999. To meet fully your 100,000 cops pledge, we either would have to continue the program for another five years or, as we had planned last spring, attribute the remaining cops to other initiatives, such as the law enforcement component of the National Service Program. However, this plan for attributing the remaining 50,000 policing slots to other programs is already in jeopardy because of recently concluded Congressional actions on FY 1994 appropriations bills. In view of those actions, and looking across the departments at the planning baselines with which we are working today, it will be extremely difficult to resuscitate our earlier strategy for funding 100,000 cops.
- Prison operations. New prison activations will require an additional \$500 million for 1995. Over the next five years, another \$2 billion and 15,000 staff will be required to cope with an increasing prison population.
- Health-care fraud. DOJ's plans tentatively include a major initiative on the discretionary side of the budget against health-care fraud. DOJ projects \$300 million and 2,000 staff will be needed for this initiative by FY 1996.
- Immigration and Naturalization Service (INS). To meet announced commitments, INS is estimating \$80 million in added 1995 funding. However, current INS requirements do not include its new pending asylum reform initiative (\$50-100 million).
- Border control and illegal immigration. Nor do current budget plans have room for two other issues I believe you should consider in the weeks ahead: a major initiative directed at the 2-3 million illegal aliens now in the country or a dramatically more aggressive enforcement of the Southwest border. Such a program could cost \$300-500 million per year. (If you want to provide Federal fiscal relief to states and localities facing extraordinary costs from illegal aliens, this number could easily double.)

In short, even without the additional funding required by the Biden bill or a major immigration initiative, we will have to reduce the Attorney General's \$11.2 billion request by \$0.8 billion to hit the FY 1995 planning baseline. This will likely result in the following:

- Reducing the pay for Federal law enforcement officers by over \$100 million by controlling overtime usage.

- Decreasing law enforcement funding for DEA and FBI (\$75 million below 1994 likely action). Significant program and equipment reductions are required. Reductions in force (RIFs) may be required.
- Stemming the influx of new Federal prisoners by reducing low priority prosecutions and assuming State court systems will absorb the resulting case flow.
- Reducing Byrne Anti-Drug Abuse formula grants by about \$250 million, or 65% from 1994 conference level.

Conclusion

The point of this is that OMB and DOJ are struggling to shoehorn DOJ's 1995 funding requirements into its 1995 ceiling. This will be difficult to do and may require large cuts in Federal law enforcement programs. Some may question the advisability of cutting deeply into the "bread and butter" of Federal law enforcement while, at the same time, greatly expanding Federal law enforcement assistance programs, pursuant to the crime bill.

For the reasons cited above, I believe it would be premature for the Administration to sign on to full funding of the total authorizations (\$6.7 billion) in S. 1488. A commitment of that sort should only be made in the context of reviewing the larger, difficult budget choices within DOJ and across the departments. If you wish to extol the virtues of the crime bill, it may be wise to hedge on pledges to finance all of its many funding authorizations.

Attachment

Authorizations in Senate Crime Bill -- S. 1488
(\$ in Millions)

	1994	1995	1996	1997	1998	1999	Total
<u>Programs</u>							
Policing/Cops on the Beat	200	650	650	650	650	650	\$3,450
Habeas Corpus Reform	--	ss	ss	ss	ss	ss	
Youth Violence/Anti-Gang Grants	--	100	ss	--	--	--	\$100
Sex Violence/Child Abuse (Oprah)	--	20	20	20	--	--	\$60
S & L Law Enforcement							
DNA ID - State Grants	--	10	10	10	10	10	\$50
DNA ID - FBI	--	5	5	5	5	5	\$25
Community Partnerships	--	15	20	25	--	--	\$60
Racial Bias Study	--	2	2	2	2	2	\$10
Police Officer Provisions							
Family Support	--	5	5	5	5	5	\$25
Police Corps	--	100	100	ss	ss	ss	\$200
Law Enforcement Scholarships	--	30	30	30	30	30	\$150
Drug Court Programs							
Drug Test Arrestees	--	100	100	100	--	--	\$300
Alt. Punishments for Youth	--	200	200	200	--	--	\$600
Drug Treatment/State Prisoners	--	100	100	100	--	--	\$300
Prisons							
Drug Testing - Fed. Prisoners	ss	ss	ss	ss	ss	ss	\$0
Drug Treatment - Fed. Prisoners	ss	ss	ss	ss	ss	ss	\$0
Boot Camp for Violent Offenders	--	200	--	--	--	--	\$200
Rural Crime							
Rural Drug Enf. Assistance	--	50	50	50	--	--	\$150
Rural Drug Enf. Training	--	1	1	1	--	--	\$3
Missing Alzheimer's Program	--	1	1	1	--	--	\$3
Parental Kidnapping - Grants	--	*	*	*	*	*	\$0
Safe Schools Assistance	100	100	100	--	--	--	\$300
SUBTOTAL----->	\$300	\$1,689	\$1,394	\$1,199	\$702	\$702	\$5,986
Est. of "such sums" totals	\$20	\$40	\$150	\$150	\$160	\$160	\$680
TOTAL ----->	\$320	\$1,729	\$1,544	\$1,349	\$862	\$862	\$6,666

Notes: 'ss' represents "such sums as may be necessary." '*' represents "less than \$500,000."



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Police Officer Provisions							
Family Support	--	5	5	5	5	5	\$25
Police Corps	--	100	100	ss	ss	ss	\$200
Law Enforcement Scholarships	--	30	30	30	30	30	\$150
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THE DIRECTOR

OCT 27 1993

Honorable Jack Brooks
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The Administration appreciates your prompt consideration of anti-crime legislation. As the President has expressed to you and other Members of the Congress, he would like to see the House and Senate pass crime legislation and the Brady Bill before the Congress adjourns. Crime and the fear of crime have become increasingly urgent concerns across America. It is time for us to act without delay.

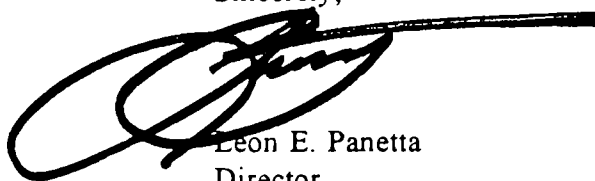
Earlier this year, Congress and the Administration worked together to pass emergency 1993 supplemental appropriations that included \$150 million to help states and localities hire more police. Cities across America responded with great interest to this program. In the last four months, more than 1,000 police departments have applied to the Department of Justice for a program that provides for more than 2,000 new police. The Community Policing and Public Safety Partnerships introduced by you and Representative Schumer would authorize over six years (1994-99) \$3.4 billion more for the Department to expand programs to hire new police officers substantially.

The Office of Management and Budget has already budgeted sufficient funds in its Justice Department planning baseline to fund fully the Community Policing and Public Safety Partnerships. And yesterday, the President endorsed procurement reforms that could save more than \$5 billion in the first year alone. The President has asked Congress to pass these reforms and use some of the savings to fund additional anti-crime efforts. He underscored this commitment by saying:

"I want Congress to pass the crime bill and pass the savings I've asked to help pay for it. I want them to know that if these cuts aren't passed, I'm going to come back with more cuts. And if those aren't passed, I'll come back with still more. I'll keep coming back until we have the money we need to make America safer."

Mr. Chairman, the President strongly believes that there is an epidemic of violence in this country that must be confronted. We commend your committee for responding quickly to this crisis.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leon E. Panetta', with a long horizontal flourish extending to the right.

Leon E. Panetta
Director