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BIDEN CRIME BILL -- MAJOR PROVISIONS

COMMUNITY POLICING

- * Authorizes five-year, \$3.4 billion community policing "cop on the beat" program to put 50,000 police officers on the street -- a key component of the President's "100,000 police" initiative.**
- * Authorizes \$200 million for college scholarships to students who commit to 4 years service as police officers.**
- * Provides additional educational scholarships for in-service officers.**

STATE & LOCAL LAW ENFORCEMENT

- * Authorizes total of \$1.8 billion for state and local law enforcement for fiscal year 1995 -- to support police, rural anti-crime efforts, juvenile justice, corrections, and drug treatment in the criminal justice system.**

PRISONS AND BOOT CAMPS

- * Authorizes \$300 million for military-style boot camps for nonviolent offenders and regional drug-treatment prisons for violent drug criminals.**
- * Mandates that state and local law enforcement agencies be notified of the release of drug and violent criminals to federal supervision.**
- * Enhances penalties for drug trafficking in federal prisons.**
- * Mandates drug testing of federal offenders on post-conviction release.**
- * Establishes schedule for treatment of federal drug-abusing prisoners.**

"DRUG COURT" PROGRAMS FOR OFFENDERS

- * Authorizes three-year, \$1.2 billion program for "Drug Courts" -- that require drug testing, drug treatment and alternative punishments for young drug offenders.**

DEATH PENALTY

- * Provides the largest-ever expansion of the federal death penalty to cover 47 offenses, including murder of a law enforcement officer, drive-by-shootings, and carjackers who murder.**

HABEAS CORPUS REFORM

- * Limits inmates to a single federal habeas corpus appeal, subject to a first-ever 6 month time limit.**
- * Provides indigent capital defendants with qualified counsel.**

TERRORISM

- * Provides the death penalty for terrorists and increases penalties for terrorist bombings.**
- * Provides the Attorney General with special authority to develop terrorist informants.**
- * Creates new penalties for providing material support to terrorists, and provides implementing legislation for aviation and maritime terrorism treaties.**

SAFE SCHOOLS

- * Authorizes \$100 million for grants to schools to fund anti-crime and safety measures and to develop education and training programs for the prevention of crime, violence and drug and alcohol abuse.**

GANGS

- * Strengthens federal penalties for employing children to distribute drugs.**
- * Imposes additional penalties for crimes committed by gang members or on behalf of criminal street gangs.**
- * Authorizes \$100 million for youth gang enforcement and prevention grants.**
- * Authorizes programs to prosecute violent juveniles as adults.**

INCREASED PENALTIES

- * Provides over 60 penalty increases and new offenses, covering violent crimes, drug trafficking and gun crimes. Enhances penalties for, among other crimes, the use of semiautomatics, gun possession by convicted criminals, and drug dealing in "drug-free" zones.**

VICTIMS OF CRIME

- * Permits victims to speak at the sentencing of their assailants.**
- * Mandates that criminals pay restitution to their victims.**
- * Prohibits diversion of victims' funds to other federal programs.**

SEXUAL VIOLENCE AND CHILD ABUSE

- * Develops a national criminal background check system for child care providers -- the "Oprah" bill.**
- * Provides the death penalty for rapists who murder and for the fatal sexual exploitation of a child.**
- * Requires convicted child sex offenders to register their addresses with state law enforcement agencies.**

RURAL CRIME AND DRUGS

- * Provides \$50 million for rural anti-crime efforts.**
- * Establishes federal-state-local Rural Law Enforcement Task Forces in every federal judicial district with significant rural lands.**
- * Enhances penalties for drug dealing near truck stops and safety rest areas.**

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MAJOR DIFFERENCES BETWEEN S.1607 AND S.1488

More Money For Community Policing

- * S.1607 provides \$5.2 billion to states to hire 60,000 new officers over 5 years
- * S.1488 provided \$3.4 billion to hire 50,000 officers over 6 years

More Money for Boot Camps and Prisons

- * S.1607 provides \$2 billion to states for military-style boot camps for nonviolent offenders and state or multi-state prisons for violent drug criminals
- * S.1488 provided \$300 million for these programs

Habeas "Byrne Grant" Condition Dropped

- * S.1488 provided that states refusing to certify compliance with the habeas corpus counsel provisions could lose 75% of their Byrne grant monies
- * S.1607 does not include this compliance provision: the Justice Department has concluded that Congress has the power under section 5 of the 14th Amendment to mandate the counsel provisions

Mandatory Minimum "Safety Valve" Included

- * S.1607 includes the Simon-Thurmond-Kennedy-Simpson-Leahy proposal (S.1596), which permits a small number of low-level, non-violent drug offenders to be sentenced under the Sentencing Guidelines, rather than under mandatory minimum laws

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STATE & LOCAL LAW ENFORCEMENT

Authorizes \$2.4 billion for state and local law enforcement for FY 1995 – to support police, rural anti-crime efforts, juvenile justice, corrections, and drug treatment in the criminal justice system.

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SIDE BY SIDE -- DEMOCRATIC CRIME BILL V. REPUBLICAN BILL

<u>PROVISION</u>	<u>DEMOCRATIC BILL</u>	<u>REPUBLICAN BILL</u>
COMMUNITY POLICING	\$5.2 billion to states to hire 60,000 new officers over 5 years for community policing	\$1.8 billion to states to hire 27,000 new police officers over 5 years
POLICE CORPS & LAW ENFORCEMENT SCHOLARSHIPS	\$200 million for college scholarships/salaries for students who commit to 4 years service as police officers \$150 million for scholarships for current officers	\$250 million for college scholarships to students who commit to 4 years service as police officers No provision
PRISONS AND BOOT CAMPS	\$2 billion to states for <u>military-style boot camps</u> for nonviolent offenders and <u>regional prisons</u> for violent drug criminals Note: Budget now includes \$2.2 billion for expanding federal prisons by 32% over the next five years	\$1 billion over 5 years to states to build prisons No provision for boot camps \$2 billion over 5 years for 10 regional prisons for violent criminals (50% federal, 50% state); requires participating states to increase time served at additional cost to states of up to \$12 billion per year
Drug treatment	Regional prisons will provide drug treatment Establishes schedule for treatment of federal drug-abusing prisoners	No provision No provision

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL****Drug testing****Mandates drug testing of federal offenders on post-conviction release****No provision****Enhanced penalties****Enhances penalties for drug offenses in prisons****No provision****Prison overcrowding****No provision (corrections officers fear excessively crowded prisons)****Limits judicial ability to correct for overcrowding****DRUG COURT PROGRAMS****\$1.2 billion program over 3 years for drug testing/treatment and alternative punishments for young non-violent drug offenders****No provision****YOUTH VIOLENCE INITIATIVES****Punishment and Prevention****Strengthens federal penalties for using children to distribute drugs****Same****Additional penalty (of up to 10 years) for second federal drug or violent crime by gang member****Creates mandatory minimum penalties for crimes by gang members****\$100 million to states for youth gang enforcement and prevention****\$20 million for federal prosecution of gangs; authorizes use of Byrne grants for gang-prevention programs**

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL**

**Punishment and
Prevention**

**Authorizes use of Byrne
grants for state bindover
systems to prosecute 16
and 17-year-olds as
adults for violent crimes**

**Expands categories of
federal drug, gun
offenses for which
juveniles may be
prosecuted as adults**

Safe Schools

**\$100 million per year to
states for enhanced
school security measures
and prevention programs**

**\$100 million per year to
states for enhanced
school security measures**

No provision

**\$100 million to pay
salaries of former
Armed Forces members
as teachers**

**No provision. Note:
Kohl "Kids and Guns"
amendment prohibits
possession of handgun
by juvenile and transfer
of handgun to juvenile**

**Up to 5 years for
juvenile possession of
gun in school; up to 10
years imprisonment for
use of gun in schools**

RURAL CRIME

**\$50 million for rural law
enforcement;
\$1 million for drug
enforcement training**

Same

**No provision (existing
HHS program)**

**\$25 million for rural
drug prevention and
treatment**

**Establishes rural law
enforcement task forces**

Same

**Enhances penalties for
drug dealing near truck
stops/safety rest areas**

No provision

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL****DEATH PENALTY**

Death penalty for approximately 50 crimes (some differences)

Death penalty for approximately 50 crimes (some differences)

OTHER PENALTIES

Over 60 increased penalties and new offenses, primarily for violent crimes, drug trafficking and gun crimes (some differences)

Over 60 increased penalties and new offenses, primarily for violent crimes, drug trafficking and gun crimes (some differences)

HABEAS CORPUS

6-month federal statute of limitations for capital cases and for non-capital cases where state provides lawyer for state post-conviction proceedings

6-month federal statute of limitations for capital cases; 1-year statute for non-capital cases

Provides indigent capital defendants with counsel meeting rigorous qualifications at all state proceedings

No counsel qualification standards

Preserves role of federal court in reviewing state convictions

Severely curtails role of federal court in reviewing state convictions

TERRORISM

Death penalty for terrorists and increased penalties for terrorist bombings; new penalties for providing material support to terrorists; implements regulations for aviation and maritime terrorism treaties; gives Attorney General authority to develop terrorist informants

Substantially the same

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL****IMMIGRATION****Alien smuggling**

Increases penalties for alien smuggling. Note: Administration's Immigration bill also provides for expanded forfeiture of vessels or proceeds of alien smuggling

Same penalty increases. Also includes penalties for smuggling with intent that alien commit crime; expands definition of aggravated felonies under Immigration and Nationality Act

Border Control

No provision (FY94 appropriations adds 600 border patrol agents)

\$60 million through FY98 for 1,000 more border agents; \$77 million for 1,000 more INS criminal inspectors

Alien Terrorist Removal

No provision

Creates special procedures for deportation of suspected alien terrorists; provides for expedited deportation of aliens convicted of aggravated felonies without opportunity for judicial review; enhances penalties for reentry after deportation order

SEXUAL VIOLENCE AND CHILD ABUSE

"Oprah Bill" -- establishes national background checks for day care workers

Substantially the same

PROVISION

VICTIMS OF CRIME

DEMOCRATIC BILL

**Permits victims to speak
at sentencing**

**Mandates that criminals
pay restitution**

**Prohibits diversion of
victims' funds to other
federal programs**

REPUBLICAN BILL

No provision

**Substantially the same,
but would suspend
federal benefits for
defendants delinquent in
making restitution**

No provision

VIOLENT CRIME CONTROL & LAW ENFORCEMENT ACT OF 1993
(dollars in millions)

PROGRAM	FY94	FY95	FY96	FY97	FY98	FY99	TOTALS
Public Safety & Policing	\$620	\$1,040	\$1,160	\$1,225	\$1,200		\$5,245
DRUG COURT TITLE							\$1,200
Drug Testing Upon Arrest		100	100	100			
Certainty of Punishment for Young Offenders		200	200	200			
Substance Abuse Treatment for Prisoners		100	100	100			
Boot Camp Prisons & State Prisons for Violent Drug Offenders		500	750	750			\$2,000
Habeas funding		50	50	50			\$150
Juvenile Drug Trafficking & Crime Prevention		100	"such sums as may be necessary"				\$100
Safe Schools Assistance	100	100	100				\$300
Police Corps		100	100	"such sums as may be nec."			\$200
Law Enforcement Scholarships		30	30	30	30	30	\$150
Law Enforcement Family Support		5	5	5	5	5	\$25
Oprah Bill		20					\$20
Rural Drug Enforcement		50	"such sums as may be necessary"				\$50
Community Substance Abuse Prevention		15	20	25			\$60
DNA Identification Act		14	14	14	14	14	\$70
Racial Bias Study		2	2	2	2	2	\$10
TOTALS	\$720	\$2,426	\$2,631	\$2,501	\$1,251	\$51	\$9,580

**S. 1488 - THE VIOLENT CRIME CONTROL
AND LAW ENFORCEMENT ACT OF 1993**

Two principles inform the key crime-fighting provisions of the 1993 Anti-Crime Bill. First, more police on our streets means less crime. Plain and simple, a police officer standing on the street corner reduces the opportunities for violence. The federal government must help get more police on our streets, and the crime bill contains a new Title I to put 50,000 new police officers in community policing programs. Second, punishment for all criminals - including juveniles - must be swift, certain, and effective. Violent criminals must be removed from our communities, and those who have not yet committed themselves to violence, but have broken the law, must be deterred from future, more serious, crime. The crime bill contains tough federal penalties and, more importantly, it contains programs that encourage states and local law enforcement - where 95% of crime is investigated and prosecuted - to hold violent criminals strictly accountable and to prevent nonviolent, young offenders from committing more crimes.

The key provisions of the bill include:

Title I - Community Policing

Title I is a brand-new provision that will put more police officers on the streets of our communities to practice "community policing." Today, a typical urban police department assigns officers to large precincts; they ride in cruisers and respond to radio calls from any and all parts of the oversized "beat." This system isolates police officers; they are strangers in the very communities they are trying to protect. One result is that they are always behind the curve - responding after the fact to a crime's occurrence, picking up the pieces after the violence is already done.

Community policing is designed to integrate police officers back into the life of the community, so they can help prevent crime from occurring in the first place and be better positioned to respond when it does occur. It takes police out of their cars to walk smaller "beats" of five or ten block areas. It allows them to learn who is in the community - so they know the trouble spots, the trouble makers, the at-risk juveniles. They work cooperatively with community leaders, school officials, family workers, and others to tailor preventative programs to best fit the community.

The provision is the largest single component of the President's "100,000 police" initiative, with the remaining 50,000 being funded through other legislation. Current funding in the bill calls for \$3.4 billion over six years which will fund a total of 50,000 new officers. States must match funds by paying 25% of the costs of new officers.

Title XIII – Prisons and Boot Camps

Our ability to reduce crime in a cost-effective manner depends directly on our ability to target offenders with the appropriate type of sentence. This means, first and foremost, that we must identify violent offenders and make sure they go to prison. Second, it means separating out the nonviolent offenders who can be diverted from a career in crime through intensive, cost-effective programs, such as military-style boot camps. Third, it means making drug treatment (which cuts recidivism rates in half) available for all addicts who enter the criminal justice system, whether at the state or federal level. These are the goals served by Title XIII of the bill on Regional Prisons and Boot Camps. Let's take these one at time.

Violent offenders must go to prison

First – what can we do to ensure that violent offenders are sent to prison? It is very important to understand where the problem lies. At the federal level, there is no need to authorize additional spending for new prison construction: the current budget already includes funding to accommodate the projected 32% increase in federal prisoners over the next five years. There is a prison space crisis, but it exists at the state level, where some localities have been forced to release criminals because of overcrowding. (Currently, 32 states are under court orders concerning overcrowding at one or more facilities in the state.) By the end of 1992, state prisons were housing 840,000 inmates – and local jails held an additional 450,000 persons. The price tag for this incarceration is steep: state spending on prisons doubled between 1988 and 1992, and there is no end in sight unless we get smarter in using our resources.

To respond to the problem, the crime bill focuses new prison funding on states and localities. It contains a grant program under which states can fund prisons for violent drug offenders. States can use the funds not only to build new state prisons -- (construction accounts for only 5% of the total cost of running a prison) -- but also to operate state prisons that are already constructed but sit idle for lack of operating funds.

Nonviolent offenders need alternatives

Second, to encourage states to identify nonviolent offenders and offer them alternative, more cost-effective programs, the states can apply for grants to run military-style boot camps. These camps provide a regimented program of work and exercise for young, nonviolent offenders. They have shown some success with young offenders, who learn discipline and a respect for the law and for authority. Particularly when combined with follow-up job placement efforts, the programs can turn some offenders from a criminal path.

Running these boot camps costs less than half what a prison costs on a per inmate basis, and making use of them — where appropriate — is essential.

All addicts must get drug treatment

Third, both the federal and state systems suffer from the same key shortcoming: the lack of drug treatment. Drug treatment, as former Drug Director Bill Bennett acknowledged, cuts recidivism rates in half, and it is cost effective: for every \$1 dollar we spend treating drug offenders, we save \$3 dollars later — in reduced crime and in the other high social costs of addiction. The need is great. Each year, over 200,000 drug-addicted offenders are released from state prisons or jails without being treated; approximately 15,000 addicts are released annually from federal prisons without ever receiving adequate treatment.

At the federal level, the bill includes a provision which sets a schedule for the Bureau of Prisons to place all eligible federal prisoners into drug treatment programs lasting between 9 and 12 months — in facilities separate from the general prison population. At least 50% of prisoners with abuse problems who seek help must be in treatment by the end of FY95, 75% by the end of FY96, and 100% by the end of FY97.

The bill also requires periodic drug-testing of federal offenders on post-conviction release.

Title XII — "Drug Court" Programs For Nonviolent Offenders

Title XII of the bill is a grant program called "Drug Court Programs." As with boot camps, the key to drug court programs is to identify those nonviolent offenders who can be diverted from a criminal career. In most states, such offenders are either simply released back onto the streets, or they occupy prison spaces that are in short supply for violent offenders. Neither option is a good one. These are not programs for violent offenders. These are cost-effective programs that combine the concepts of prevention plus responsibility to reach those offenders whose minor crimes have just brought them into the criminal justice system.

Drug court programs combine the "carrots" of intensive supervision by probation/parole officers and mandatory drug testing and treatment — with the "stick" of a certain prison term if the individual again strays from the straight and narrow. The bill authorizes a three-year, \$1.2 billion grant program to states for "drug courts" that offer drug testing, drug treatment, and alternative punishments for young drug offenders.

Here's how a drug court works — a nonviolent offender arrested on a drug charge is given a choice: go to prison or enter an intensive supervision and treatment program. The alternative to prison is no free ride. Participants must get and keep a job. They must agree to random, mandatory drug testing. If they successfully complete the program, they don't have to do time.

But if they flunk out of the program -- they go to prison and serve all their time and they get drug treatment there. Punishment is certain unless they succeed fully. Moreover, sanctions are increased incrementally each time there's a lapse. The idea here is that there must be immediate and direct consequences for every mistake.

The results of one existing Drug Court program -- that in Dade County, Florida -- are impressive: from June 1989 to December 1991, 1,740 offenders successfully graduated from the program and only 3% have been rearrested. Before the drug court program was instituted, the rearrest rate for these offenders was 33%. And the program is saving money that can be redirected to incarcerating and treating violent, career criminals. In Miami, it costs \$17,000 year to keep an offender in the county jail. That same offender can get the benefits of the drug court at a price of about \$2,000 a year.

This is smart punishment. There are currently 600,000 offenders nationwide who meet the profile used for drug court programs who are now effectively ignored by the system. The Drug Court Title programs can make a difference with that part of the offender population that can still be deterred from future, more serious, crime.

Title VI and XXVIII -- Youth Violence

More and more violent crime in our nation is committed by juveniles. To respond effectively, we must separate violent juveniles from those who have not yet committed themselves to serious criminal activity. And, again, the problem of juvenile crime is one fought primarily at the state and local levels -- the federal government's role is one of providing guidance and support. The youth violence title in the crime bill encourages states to hold juveniles responsible for their crimes. It provides both for tougher treatment of serious violence and for important prevention and enforcement programs for juveniles.

First, it targets gang activity, which accounts for an ever increasing percentage of violent juvenile behavior, creating new federal penalties for violent crime or drug crime by gang members: when a gang member who once before has been convicted of a drug offense or crime of violence commits another such crime -- he gets up to 10 extra years additional time to run consecutively to any other sentence he must serve. The bill also triples the penalties for using kids for selling drugs in "drug-free" zones.

Finally, the bill encourages states to treat those most violent among juveniles as adults -- providing grants for bindover systems permitting prosecution and sentencing as adults of 16 and 17 year-olds who commit certain violent crimes, such as murder, attempted murder, armed robbery, and drive-by shootings. These tough responses are necessary to combat violent juveniles.

At the same time, we can help communities fight and try to deter juvenile drug trafficking and gang activity. The bill authorizes \$100 million for grants to states for anti-gang programs; participating states must devote 50% of the money to law enforcement and 50% to prevention. Each community can devise programs that best fit its needs, whether they be: investigating and prosecuting juveniles involved in drug-related crimes; targeting violent juveniles with increased efforts at apprehension and punishment; working to disband gangs ravaging rural or city neighborhoods; developing programs for counseling and treatment of drug-involved youth; or creating active programs to help high-risk kids avoid criminal behavior.

Examples of successful programs already in use are the Boys and Girls Clubs' anti-gang and drug programs. Located in public housing projects, the program involves those at risk for gang recruitment in positive group activities, designed to teach independence, self-esteem, and responsibility. The public housing clubs focus as well on drug prevention, reduction, and elimination. The program was named one of 10 exemplary prevention programs for 1990, and a recently completed evaluation found that public housing communities with clubs saw the number of children involved in unhealthy and dangerous activities decrease as more constructive educational and social activities were available.

The bill also includes the Safe Schools Program, to provide grants for anti-crime and safety measures, and to develop education and training programs for the prevention of crime, violence and drug and alcohol abuse. For example, the funds could be used to hire teachers for after-school drug and crime counseling, to hire police patrol officers, and for safety measures, such as metal detectors and video surveillance devices.

The youth violence provisions in the bill attack the problem of juvenile crime from both ends: punishment and prevention. This is the heart of our fight against crime. We can not afford to lose the next generation of juveniles.

Title XIV - Rural Crime

Rural crime is on the rise - and at a faster rate than in any other part of America. According to the most recent report of the FBI, violent assaults rose 30 faster in rural America than in our 25 largest cities; the number of rapes rose more than 9% in rural counties, while decreasing by nearly 4% in urban America; and drugs are an increasing menace in rural states: the number of arrests for drug abuse violations in rural areas jumped almost 23% in 1992. New drugs - such as the smokable methamphetamine "ICE" and a new inhalant "CAT" - have proven especially popular in rural areas.

To meet this challenge, the crime bill provides \$50 million in drug crime fighting money to aid state and local law enforcement in rural areas. 50% of this aid - \$25 million - will be divided

equally among 19 rural states. The \$1.3 million per state is enough to deploy an additional 50 drug-fighting police in each state -- and this is above and beyond the grants for community policing also available to the states under Title I of the bill. The remaining 50% of this aid is targeted to rural areas of the other 31 non-rural states.

The crime bill also responds to this problem by establishing a rural drug enforcement task force in every federal judicial district encompassing significant rural lands. The goal is to make the resources of federal agencies -- both in manpower and in expertise -- available to law enforcement in rural areas who lack the staff and the funds to focus solely on investigating and prosecuting drug trafficking. These task forces will be chaired by the U.S. Attorney for the district, and will include representatives from state and local law enforcement agencies, the DEA, the FBI, the Park Police and Forest Service. The Attorney General is specifically authorized to cross-designate federal agents to fight drug trafficking in local jurisdictions. This plan can effectively add hundreds of new federal agents to anti-drug efforts in rural America.

The federal government can also help rural areas learn the hard lessons about drugs and crime taught by our experience in our cities. The crime bill directs the Director of the Federal Law Enforcement Training Center in Glynco, Georgia, to develop a special course specially devoted to training rural law enforcement officers in the investigation of drug trafficking and related crimes.

Titles II, IV, XV. -- Federal Death Penalty and Other Increased Penalties

The crime bill authorizes the federal death penalty for 47 offenses, most of which have passed the Senate previously. These include murder of a federal law enforcement officer, drive-by-shootings, and car-jackers who murder. A complete list appears in the accompanying title-by-title summary.

The death penalty procedures contained in the bill have also passed the Senate before -- either as part of the bill passed in 1991 or as part of the drug Kingpin death penalty enacted in 1988. Among other specifics, these procedures set forth the intent standard that must be proven; delineate the mitigating and aggravating factors a jury must consider; outline the process by which a sentencing hearing is to occur separate from the guilt determination; and provide for appellate review. The procedures allow for the government to present a victim impact statement at sentencing and for the victim's family to testify at the sentencing hearing. The procedures also provide that no one under 18 may be sentenced to death, and that no one with mental retardation may be executed. They also require juries to be informed of their option to sentence the defendant either to death or to life imprisonment without the possibility of release.

The death penalties are tough; the procedures are fair.

In addition, the bill authorizes over 60 increased penalties and new offenses covering violent crimes, drug-trafficking, and gun crimes. These include, for example, increased penalties for drug dealing in "Drug-free Zones;" for the use of semi-automatics in committing a federal crime; and for drunk-driving where a child is injured.

Title III -- Habeas Corpus Reform

The Biden Habeas Bill:

- * Limits prisoners to a single federal habeas petition;
- * Places a six-month time limit on that single petition;
- * Applies to both death row inmates and non-capital inmates where a state has offered counsel for state habeas proceedings;
- * Allows exceptions for second petitions only in extraordinary cases, either to establish innocence or to show a constitutional defect in the sentence;
- * Specifically disavows "full and fair," which would virtually eliminate all federal habeas review;
- * Allows a claim of innocence based on newly discovered evidence to be heard by a federal court;
- * Requires states to provide indigent capital defendants with counsel who possess specific qualifications at all stages of state proceedings. Authorizes federal grants of up to 75% for the additional costs imposed by the new counsel requirements for the first three years (50% thereafter).

This is a very tough, fair habeas reform package hammered out with the nation's prosecutors -- who for years have been concerned about excessive delays in carrying out state sentences. To speed up the process and promote finality, the provision limits prisoners -- both death row inmates and non-capital prisoners -- to a single federal habeas corpus petition. And for the first time ever, it sets a six-month time limit on the filing of that petition. At the same time, it also helps ensure that we don't execute people, or keep them in jail, in violation of the United States Constitution. To ensure fairness, the provision makes sure that indigent capital defendants get good lawyers at trial -- and throughout state proceedings.

Judiciary Committee's hearings over the years have documented that capital defendants in many states receive utterly incompetent or unqualified representation. I worked both with the prosecutors and the criminal defense bar to come up with counsel provisions that would make a difference. The bill includes detailed qualification standards for lawyers defending capital defendants. The goal is to eliminate the very need for protracted habeas proceedings by making

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the first criminal trial the "main event" -- where competent counsel work to keep error from occurring in the first place.

The habeas provision also recognizes that if a death row inmate comes forward with new and exceptionally persuasive evidence that he is innocent, he should have a chance to have a federal court hear his claim before he is sent to death. Finally, the provision also makes sure that the federal courts continue to play their historic role as the final arbiters of federal Constitutional law. The Republican alternative -- called "full and fair" reform -- would make a radical and unprecedented shift -- by giving states the final word on what the federal Constitution requires. This proposal forces federal courts to defer to state court decisions on an issue, even where the state decision is wrong.

Last Congress, it was the opposition of the nation's prosecutors that stopped passage not only of habeas reform, but of an entire crime bill. This bill is a tough, hard-nosed compromise between finality and fairness. It has the support of the National District Attorneys Association, of two dozen state Attorneys General, and of Attorney General Reno and President Clinton. It has also drawn a lot of fire from those on both sides who are unwilling to compromise. I believe as well that compromise is necessary to preserve the writ of habeas corpus from further erosion in the name of finality. The proposal strikes the necessary balance.

Other Provisions

A title-by-title summary of the entire crime bill is attached.

SIDE BY SIDE -- DEMOCRATIC CRIME BILL V. REPUBLICAN BILL

<u>PROVISION</u>	<u>DEMOCRATIC BILL</u>	<u>REPUBLICAN BILL</u>
COMMUNITY POLICING	\$3.4 billion to states to hire 50,000 new officers over 6 years for community policing	\$1.8 billion to states to hire 27,000 new police officers over 5 years
POLICE CORPS & LAW ENFORCEMENT SCHOLARSHIPS	\$200 million for college scholarships/salaries for students who commit to 4 years service as police officers \$150 million for scholarships for current officers	\$250 million for college scholarships to students who commit to 4 years service as police officers No provision
PRISONS AND BOOT CAMPS	\$300 million to states for <u>military-style boot camps</u> for nonviolent offenders and <u>regional prisons</u> for violent drug criminals Note: Budget now includes \$2.2 billion for expanding federal prisons by 32% over the next five years	\$1 billion over 5 years to states to build prisons No provision for boot camps \$2 billion over 5 years for 10 regional prisons for violent criminals (50% federal, 50% state); requires participating states to increase time served at additional cost to states of up to \$12 billion per year
Drug treatment	Regional prisons will provide drug treatment Establishes schedule for treatment of federal drug-abusing prisoners	No provision No provision

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL****Drug testing****Mandates drug testing of federal offenders on post-conviction release****No provision****Enhanced penalties****Enhances penalties for drug offenses in prisons****No provision****Prison overcrowding****No provision (corrections officers fear excessively crowded prisons)****Limits judicial ability to correct for overcrowding****DRUG COURT PROGRAMS****\$1.2 billion program over 3 years for drug testing/treatment and alternative punishments for young non-violent drug offenders****No provision****YOUTH VIOLENCE INITIATIVES****Punishment and Prevention****Strengthens federal penalties for using children to distribute drugs****Same****Additional penalty (of up to 10 years) for second federal drug or violent crime by gang member****Creates mandatory minimum penalties for crimes by gang members****\$100 million to states for youth gang enforcement and prevention****\$20 million for federal prosecution of gangs; authorizes use of Byrne grants for gang-prevention programs****Authorizes use of Byrne grants for bindover systems to prosecute 16 and 17 year olds as adults for violent crimes****Creates presumption in favor of federal prosecution of gang leaders as adults**

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL****Safe Schools**

\$100 million per year to states for enhanced school security measures and prevention programs

\$100 million per year to states for enhanced school security measures

No provision

\$100 million to pay salaries of former Armed Forces members as teachers

RURAL CRIME

\$50 million for rural law enforcement,
\$1 million for drug enforcement training

Same

No provision (existing HHS program)

\$25 million for rural drug prevention and treatment

Establishes rural law enforcement task forces

Same

Enhances penalties for drug dealing near truck stops/safety rest areas

No provision

DEATH PENALTY

Death penalty for 47 crimes
(some differences)

Death penalty for 47 crimes
(some differences)

OTHER PENALTIES

Over 60 increased penalties and new offenses for violent crimes, drug trafficking and gun crimes (some differences)

Over 60 increased penalties and new offenses for violent crimes, drug trafficking and gun crimes (some differences)

HABEAS CORPUS

6-month federal statute of limitations for capital cases and for non-capital cases where state provides lawyer for state post-conviction proceedings

6-month federal statute of limitations for capital cases; 1-year statute for non-capital cases

PROVISION**DEMOCRATIC BILL****REPUBLICAN BILL****HABEAS (Continued)**

Provides indigent capital defendants with counsel meeting rigorous qualifications at all state proceedings

No counsel qualification standards

Preserves role of federal court in reviewing state convictions

Severely curtails role of federal court in reviewing state convictions

TERRORISM

Death penalty for terrorists and increased penalties for terrorist bombings; new penalties for providing material support to terrorists; implements regulations for aviation and maritime terrorism treaties; gives Attorney General authority to develop terrorist informants

Substantially the same

**SEXUAL VIOLENCE
AND CHILD ABUSE**

"Oprah Bill" -- establishes national background checks for day care workers

Substantially the same

VICTIMS OF CRIME

Permits victims to speak at sentencing

No provision

Mandates that criminals pay restitution

Substantially the same, but would suspend federal benefits for defendants delinquent in making restitution

Prohibits diversion of victims' funds to other federal programs

No provision

THE BIDEN CRIME BILL – S. 1607 – MAJOR PROVISIONS
The Violent Crime and Law Enforcement Act of 1993

FUNDING

- o Provides for the transfer of \$22.268 billion to the Violent Crime Reduction Trust Fund. These resources comprise the estimated savings – as calculated by the Congressional Budget Office – realized from fully implementing the reductions in federal employment for fiscal years 1994-1998 endorsed by the Senate. The bill makes the necessary adjustments to discretionary spending caps to accommodate establishment of the Trust Fund.

COMMUNITY POLICING

- o Authorizes a five year \$8.9 billion community policing -- "cop on the beat" -- program to put 100,000 police officers on the streets of our neighborhoods and local communities where they can more effectively prevent crime and apprehend criminals.
- o Authorizes \$200 million for college scholarships to students who commit to four years service as police officers.
- o Provides \$150 million additional educational scholarships for in-service officers.

ASSAULT WEAPONS BAN

- o Bans the manufacture, transfer, or possession of deadly, military-style assault weapons. Specifies a list of banned weapon types, replicas, and duplicates. Prohibits the manufacture, transfer, or possession of large capacity ammunition feeding devices.

BAN ON TRANSFERS OF GUNS TO JUVENILES

- o Prohibits the sale or transfer of a gun to a juvenile, as well as the possession of a gun by a juvenile.
- o Increases the penalty for transferring a gun to a juvenile when the transfer is made with the knowledge that the juvenile will use the gun to commit a crime of violence.

PRISONS AND BOOT CAMPS

- o Authorizes \$3 billion in grants to states for the construction of jails, boot camps, and other low or medium security state and local facilities, to house non-violent and less serious offenders in more cost-effective prison space.
- o Authorizes \$3 billion for the construction and operation of regional prisons for federal and state prisoners; participating states must have "truth in sentencing" where those who commit serious violent crimes against other people serve at least 85% of their sentence.
- o Authorizes \$500 million in state grants for the construction and operation of secure facilities to incarcerate violent juveniles.
- o Establishes a schedule for treatment of federal prisoners who are drug addicts; requires drug testing of federal offenders on post-conviction release; enhances penalties for drug trafficking within federal prisons.
- o Mandates that state and local law enforcement agencies be notified of the release of drug offenders and violent criminals to federal supervision.

THE VIOLENCE AGAINST WOMEN ACT

- o Authorizes \$1.8 billion over three years for the Violence Against Women Act, including \$800 million to aid police, prosecutors, and victim advocates in combatting violence against women; \$300 million for battered women's shelters; \$200 million for rape education in secondary schools and community prevention programs; \$20 million for rape education and prevention on college campuses; and \$1.5 million for a national family violence hotline.
- o Creates a federal civil rights cause of action for victims of violence motivated by gender bias.
- o Changes evidentiary rules to make the justice system more fair to victims of rape and family violence.
- o Provides nationwide coverage for "stay-away" orders, encourages the arrest of spouse abusers, and increases penalties for rape and family violence offenses.

"DRUG COURT" PROGRAMS FOR NONVIOLENT OFFENDERS

- o Authorizes \$1.2 billion over three years in grants to states for programs providing drug testing/treatment, alternative punishments, job training and counseling, and other preventative measures for nonviolent drug offenders who are sentenced to probation.

ANTI-GANGS ENFORCEMENT AND PREVENTION

- o Authorizes \$100 million for state grants to be used for youth gang enforcement and prevention grants. The prevention programs can include academic, athletic, and artistic after-school activities, Girls' and Boys' Clubs in public housing projects, scout troops, and little leagues.
- o Expands federal criminal jurisdiction over violent juveniles and provides \$20 million for additional federal prosecutors for gang crimes.
- o Increases federal penalties for employing children to distribute drugs; imposes new penalties for crimes committed by gang members.

RURAL CRIME AND DRUGS

- o Provides \$250 million for rural anti-crime efforts to establish federal-state-local Rural Law Enforcement Task Forces in every federal judicial district with significant rural lands, and to train rural law enforcement officers in the investigation and prosecution of drug trafficking and related crimes.
- o Enhances penalties for drug dealing near truck stops and safety rest areas.

SAFE SCHOOLS

- o Authorizes \$100 million per year for grants to schools to fund anti-crime and safety measures and to develop in-school education and training programs for the prevention of crime, violence, and drug and alcohol abuse.

AID TO LAW ENFORCEMENT

- o Provides for the following authorizations over five years for federal agents, prosecutors, and judges: \$250 million for additional FBI agents; \$100 million for Drug Enforcement Agency agents; \$150 million for federal prosecutors; \$600 million for the Department of Justice; and \$300 million for the federal judiciary.
- o Authorizes \$50 million for expanded programs and improved training at the FBI Academy at Quantico.
- o Authorizes \$50 million for technical automation for state and local law enforcement.

SEXUAL VIOLENCE AND CHILD ABUSE

- o Contains the "Oprah" bill -- authorizing \$40 million to develop a national criminal background check system for those who provide care to children, the elderly, or the disabled.
- o Authorizes \$60 million for the establishment of supervised child visitation centers for families with a history of violence or abuse.
- o Provides the death penalty for rapists who murder and for the fatal sexual exploitation of a child.
- o Requires convicted child sex offenders to register their addresses with state law enforcement agencies; encourages states to establish registration, tracking, and community notification procedures for released sexually violent predators.

VICTIMS OF CRIME

- o Permits victims to speak at the sentencing of their assailants.
- o Mandates that criminals pay restitution to their victims, and prohibits diversion of victims' funds to other federal programs.

TERRORISM

- o Provides the death penalty for terrorists and increases penalties for terrorist bombings.
- o Provides the Attorney General with special authority to develop terrorist informants; expands the State Department's terrorism rewards program by allowing the Secretary and the Attorney General to admit into the United States up to 25 foreign informants whose lives are endangered.
- o Creates new penalties for providing material support to terrorists, and provides implementing legislation for aviation and maritime terrorism treaties.

DEATH PENALTY

- o Expands the federal death penalty to cover approximately 50 offenses, including murder of a law enforcement officer, drive-by-shootings, and carjackers who murder.

INCREASED PENALTIES

- o Provides over 60 penalty increases and new offenses, primarily covering violent crimes, drug trafficking, gun crimes, arson, and hate crimes. Enhances penalties for, among other things, the use of semi-automatic weapons, gun possession by convicted criminals, three-time felons, and drug dealing in "drug-free" zones.

THE BIDEN BILL: BEYOND CRIME AND PUNISHMENT

The Biden Crime Bill recognizes that there are two sides to solving the crime equation: punishing violent criminals is one part of the solution; reaching out to help those who have not committed crimes, but are at risk to do so, is the second part. Although much of the Senate floor debate focused on penalties and punishment because of the amendments offered by other Senators, the Biden Crime Bill contains many initiatives and considerable funding to deter crime by helping at-risk youth and nonviolent offenders.

The provisions in the Biden bill that address the underlying causes of crime include:

COMMUNITY POLICING PREVENTION AND TREATMENT PROGRAMS

- o **Community Policing for Crime Prevention:** Of the total \$8.9 billion authorized for community policing programs, \$1.2 billion may be used to fund innovative prevention programs, such as:
 - * **Early Intervention teams:** police, social workers, educators and doctors working together to intervene early in the lives of juvenile victims and offenders -- to help them turn their lives around.
 - * **Proactive Prevention:** police involvement in prevention programs for youth, such as --
 - ** The Police Athletic League;
 - ** Big Brothers/Big Sisters programs; and
 - ** Girls' and Boys' Clubs.

ALTERNATIVES TO INCARCERATION

- o **Boot Camps:** The bill authorizes \$3 billion for states to build and operate boot camps as an alternative to prisons to help get young, non-violent offenders back on their feet. Offenders assigned to boot camps receive a reduced sentence -- boot camp terms last no more than six months.

Boot camps must provide intensive drilling and supervision, involving work programs, education and job training, and drug treatment.

Boot camp participants must receive aftercare services, to be coordinated with human service and rehabilitation programs, such as:

- * educational and job training programs;**
 - * drug counseling or treatment;**
 - * halfway house programs;**
 - * job placement programs; and**
 - * self-help and peer group programs.**
- o Drug Courts: The bill authorizes \$1.2 billion in grants to states for "Drug Court" programs to provide an alternative to prison and to help non-violent drug offenders get the treatment they need to get their lives back on track.**

Instead of serving time, a drug offender is placed on probation with mandatory drug testing and treatment. If an offender fails the tests, he or she becomes subject to graduated alternative punishments, which intensify treatment and supervision, but stop short of traditional incarceration. The alternative punishments include:

- * community service programs which employ offenders with nonprofit and community organizations;**
- * community-based incarceration like halfway houses, weekend incarceration, and electric monitoring; and**
- * boot camp programs.**

If an offender fails the Drug Court program completely and is sentenced to prison, he or she receives treatment there -- in facilities set apart from general prison population. The treatment programs should address the offender's social, behavioral, and vocational problems, as well as drug addiction.

Preference in making grants is given to states providing assurance that offenders are provided with aftercare services, such as:

- * educational and job training programs; and**
- * self-help and peer group programs.**

JUVENILE DRUG TRAFFICKING AND GANG PREVENTION

o Gang and Drug Abuse Prevention: The bill authorizes \$100 million in state grants for drug and gang prevention programs, such as:

- * education, prevention, and treatment programs for at-risk juveniles;**
- * academic, athletic, and artistic after-school activities;**
- * sports mentor programs where athletes serve as role models and counselors for kids at risk for gang and drug activity;**
- * alternative activities in public housing projects, such as Girls' and Boys' clubs, scout troops, and little leagues;**
- * education and treatment programs for juveniles exposed to severe violence;**
- * pre- and post-trial drug abuse treatment for juvenile offenders;**
- * treatment for drug-dependent pregnant juveniles and drug dependant juvenile mothers; and**
- * training for judicial and correctional agencies to identify, counsel, and treat drug-dependent or gang involved juvenile offenders.**

DRUG TREATMENT AND PREVENTION

- o **Community Substance Abuse Prevention Grants:** The bill provides \$60 million over three years for coalitions of community organizations (such as schools, health and social service agencies, parents, civic groups, academics) to:
 - * plan and implement comprehensive long-term strategies for drug abuse prevention; and
 - * coordinate drug abuse services and activities, including prevention activities in schools.
- o **Drug Treatment in Prisons:** The bill establishes a schedule for drug treatment for all federal drug-addicted prisoners.

VIOLENCE AGAINST WOMEN

- o **Grants to fight violence against women:** The bill authorizes \$870 million over 3 years for state grants to combat violence against women, with a special earmark for high intensity crime areas. Programs can include:
 - * expanding or strengthening victim services programs, such as rape crisis centers, battered women's shelters, and rape and family violence programs, including nonprofit organizations assisting victims through the legal process;
 - * training law enforcement officers to more effectively identify and respond to violent crimes against women; and
 - * expanding units of law enforcement officers specifically to target violent crimes against women.
- o **Victim Counselors:** \$1.5 million is provided for federal victim/witness counselors in sex and domestic violence cases.
- o **Indian Tribes:** \$30 million is available over 3 years for grants to Indian tribes for programs to reduce violence against women.

- o **Rape Education:** The bill authorizes \$65 million for rape prevention and education programs, starting in junior high school, such as:
 - * educational seminars for students and training programs for professionals; and
 - * public awareness programs in under-served racial, ethnic, and language minority communities.
- o **Help for the Homeless and Runaways:** The bill provides \$10 million for education and prevention grants addressing the problem of homeless and runaway women and girls, such as:
 - * street-based outreach and education programs; and
 - * treatment and counseling programs for runaway, homeless, and street youth who are at risk of being subjected to sexual abuse.
- o **Battered Women's Shelters:** The bill provides \$300 million in grant money specifically for the operation of shelters for women and their children who are fleeing violent homes.
- o **National Family Violence Hotline:** The bill authorizes \$1.5 million.
- o **Youth Education:** \$400,000 is provided for programs to educate youth about family violence and abuse.
- o **Safe Colleges:** \$20 million is targeted to rape and violence prevention and education on college campuses.

SAFE SCHOOLS

- o **Education and Prevention in Schools:** The bill offers \$100 million in local school and community grants, to be used for:
 - * drug and alcohol education and training programs;
 - * counselling programs for children who are victims of school crimes; and
 - * programs to provide alternative, constructive programs for youth at risk for gang recruitment.

SEXUAL VIOLENCE AND CHILD ABUSE

- o **The "Oprah" bill:** \$40 million will pay for the development of a national criminal background check system for those who provide care to children, the elderly, or the disabled.
- o **The Child Safety Act:** \$60 million in state grants is available to establish supervised child visitation centers for families with a history of violence or abuse.



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

D R A F T

**Violent Crime Control and Law Enforcement Act of 1993
H.R. 3355**

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C L O S E H O L D

NOT FOR DISTRIBUTION OUTSIDE THE ADMINISTRATION

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title I - Public Safety and Policing							
Community Policing Grants		SUPPORT	1,035	1,720	2,070	2,270	1,900
Ounce of Prevention Fund			75	—	—	—	—
Title II - Death Penalty							
Death Penalty Procedures - 25 Aggravating Factors							
Death Penalty Procedures - 8 Mitigating Factors							
Include Intent To Kill and Reckless Disregard For Life							
Protection Due To Deminished Capacity, Pregnancy, or Under 18 Years							
27 Specific Offenses							
Title III - Firearms							
Licensees Required To Be Photographed & Fingerprinted		SUPPORT					
Requires Reporting of Theft of Firearms By Licensees							
Requires Notification of Names & Addresses of Licensees							
Title IV - Gun Crime Penalties							
FIX							
Mandatory Minimums			TREASURY: Secs 401, 402, & 412 — Prefers Prior Enacted Panalties Rather Than Changing Sentencing Guidelines				
Use of a Semi-Automatic Firearm During a Crime	Enhanced						
Second Offense Using An Explosive To Commit A Felony	Enhanced						
Smuggling Firearms in Aid of Drug Trafficking	10 Year Maximum						
Theft of Firearms and Explosives	10 Year Maximum						
Drug or Firearm Possession and Drug Testing Refusal	Parole/Probation Revocation						
Making False Statements To Acquire a Firearm	Added						
Possession of Explosives By Felons	Added						
Using A Firearm in Counterfeiting or Forgery	Enhanced						
Firearms Possession By Violent Felons & Serious Drug Offenders	Enhanced						
Receipt of Firearms by Nonresident	Added						
Firearms and Explosives Conspiracy							
Conspiracy Any Weapon	20 Year Maximum						
Conspiracy Silenced Machinegun	Life Maximum						
Conspiracy Explosives	20 Year Maximum						
Requires Study of Incendiary Ammunition			TREASURY: Sec 416 — Study of Incendiary Ammunition Unnecessary				
Theft of Firearms From Licensee	10 Year Maximum						
Interstate Gun Trafficking	10 Year Maximum						

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title V - Obstruction of Justice							
Attempted Murder of Court Officer or Witness	20 Year Maximum						
Attempted Retaliatory Killings of Witnesses, Victims, and Informants	20 Year Maximum						
Title VI - Gangs, Juveniles, Drugs, and Prosecutors							
Creates Criminal Street Gang Offenses		FIX	TREASURY: Sec. 611 -- Provision Is Silent On Jurisdiction - Thus Would Give FBI Exclusive Investigative Jurisdiction Over Firearms Violations Committed By Gangs				
Employing Children To Distribute Drugs	Triple Sentence		HHS: Concerns With Overlapping Treatment Grant Authorities				
Gang Activity [Drug, Violence, or Conspiracy]	10 Year Maximum						
Violent Juvenile Bindover [16 & 17 Year Olds]	Bindover As Adults						
Violent Juvenile Offenders Prosecuted As Adults							
Prohibits Transfer of a Handgun To a Juvenile	10 Year Maximum						
Gang Prosecution - Additional U.S. Attorneys		USA	20	20	20	20	20
Gang Investigation, Coordination, & Information Collection		FBI	1	---	---	---	---
Juvenile Drug Trafficking and Gang Prevention Grants (Formula)			100	88	---	---	---
Eliminates Part D Gang Grants (Discretionary)							
Youth Development Centers Grants To Study Youth Crime			---	25	25	---	---
Title VII - Terrorism							
Threat To Safety - Maritime Platform	5 Year Maximum						
Threatened Use of Weapon of Mass Destruction	10 Year Maximum						
Violence Against Civil Aviation	20 Year Maximum						
Counterfeiting of U.S. Currency Abroad	15 Year Maximum						
Any Act Promoting Terrorism	Enhanced						
Providing Material Support To Terrorists	10 Year Maximum						
Title VIII - Sexual Violence and Abuse of Children, Elderly, and Disabled							
Establishes National Criminal Background Check System For Caregivers							
Establishes Criteria For Access To System							
Defines "Child Abuse" and "Sex Crime" and Others							
Requires OJJDP To Study Information on Abuse Offenders							
Grants To Improve Child Abuse Crime Information (Records Upgrade)			---	40	---	---	---
Reduces By 10% Amount of Federal Grants To States Not Complying							
Admissibility of Evidence of Similar Crimes In Sex Offense Cases							
Requires Reporting of Location of Violent Sexual Offenders							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title IX - Crime Victims							
Allows Victim or Relative of Victim To Make Statement in Court							
Mandate Restitution Regardless of Financial Circumstances of Offender							
Changes Allocation of Crime Victims Fund							
Allows Grants For Pilot Crime Prevention Programs for Senior Citizens							
Triad Pilot Program			---	2	2	2	2
Nat'l Training			---	1	1	1	1
Public Service Announcements			---	1	1	1	1
Nat'l Assessment and Training Assistance			---	2	2	2	2
Title X -- State and Local Enforcement							
		SUPPORT					
Established Drug Control and System Improvement Grant Program							
DNA Identification State & Local Grants			5	5	5	5	5
DNA Identification Index - FBI		FBI	4.5	4.5	4.5	4.5	4.5
Community Partnerships - Substance Abuse Prevention			---	15	20	25	---
Racial/Ethnic Bias Study Grants			---	2	2	2	2
Training & Tech. Automation Grants			100	---	---	---	---
Training Facility Improvements at Quantico		FBI	40	---	---	---	---
Intelligence Gathering		FBI	10	---	---	---	---
Title XI -- Provisions Relating To Police Officers							
		FIX					
Establishes a Family Support Office Within DOJ							
Establishes Grant Program To Assist States			---	5	5	5	5
Establishes Cause of Action for Unlawful Conduct of Police Officers							
Requires Annual AG Report on Data On Use of Excessive Force							
Establishes Police Corps Program (Including Payments To States)			---	100	250	88	88
Law Enforcement Scholarship Program			---	30	30	30	30
OMB: Sec 1131 -- Opposes Additional Payments To States Employing PC Officers							
Title XII - Drug Court Program							
		SUPPORT					
Limits Participation To Non Violent Offenders							
Establishes Grant Program To Provide Drug Testing Upon Arrest			---	100	100	100	---
Provides Funding For Grants For Alternative Punishments [Boot Camps]			---	200	200	200	---
Residential Substance Abuse Treatment for Prisoners			---	100	100	100	---
Title XIII -- Prisons							
		FIX					
Establishes Program of Impact Assessment							
Provides Funds To Test Federal Prisoners			88	88	88	88	88
Requires Drug Treatment for 50% of Federal Prisoners in 1995							
75 % in 1996, and 100% Thereafter			---	88	88	88	88

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XIII (Con't)							
Provides Authority For US Sentencing Commission To Set Fines							
Using Consideration of Cost To Government of Incarceration and Treatment							
Provides Grants For Boot Camps & Prisons For Violent Offenders			== =	3,000	---	---	---
Authorizes Use Of Closed Military Facilities For Camps			Two prison initiatives are redundant (Boot Camp/Prisons - Democrat Proposal Regional Prison Proposal Is Republican)				
Restricts Usage for Construction of Treatment Facilities To One Third			Need To Convert Regional Prison Funding To Grants-In-Aid For States Rather Than Federal Dollars and FTE. Creates Major Burden To FTE Ceilings.				
Requires NJ Study Housing Prisoners Close To Their Families							
Requires NJ Study of Alcohol Use and Treatment							
Requires BOP To Notify S&L Law Enforcement of Release Information							
Establishes Grants For Community Based Violent Juvenile Facilities			100	100	100	100	100
Provides For Construction of No Less Than 10 Regional Prisons							
Prison Capacity @ 2500 Beds With 75% Allotted To State Prisoners			== =	600	600	600	600
Violent Crime Reduction Trust Fund			FIX				
Sense of Congress That Measures Must Be Fully Funded			FY 1994 BA & OL Need To Be Deleted -- Budget Authority Cannot Be Spent				
Establishes Levels of Full Time Equivalent Employees			FY 1995 OL Need To Be Reduced To Accomodate Spendout of BA For Priority				
Creates The VCRTF By Tranferring Funds At Start of Each Fiscal Year			Insure Pre-Crime Bill Provisions Are Not Excluded [e.g., Brady Bill]				
Provides For Appropriations From The Fund @ Specified Amounts							
Requires Report By President of Status of The Fund							
Requires Listing of The VCRTF In Budget Among Government Trust Funds							
Title XIV - Rural Crime							
Authorizes Grants For Rural Drug Enforcement			50	50	50	50	50
Creates Rural Drug Enforcement Task Forces							
Provides For Cross Designation of Federal Officers							
Provides Funds For Rural Drug Enforcement Training			1	1	1	1	1
Provides Funds For Hiring More DEA Agents		DEA	20	20	20	20	20
Drug Free Truck Stops	Enhanced						
Provides Grants For Rural Domestic Violence & Child Abuse Enforcement			---	10	10	10	---
Title XV - Drug Control							
			SUPPORT				
Drug Trafficking In Prison	Enhanced						
Drug Dealing in Public Housing	Enhanced						
Anabolic Steroids	5 Year Maximum						
Drug Dealing in Drug-Free Zones	Level 20 Minimum						
Drug Use in Federal Prison	Enhanced						
Requires Inclusion of Drug Treatment In National Strategy							
Title XVI -- Drunk Driving Provisions							
Increases Penalties Under Certain Conditions	Enhanced Minimum						

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XVII -- Commissions		FIX	OMB: Pursue Combining Commission Into Single Entity Consistent With EO				
Establishes National Commission on Crime and Violence			SS	SS	SS	SS	SS
Establishes National Commission To Study Demand Causes For Drugs							
Establishes National Commission To Support Law Enforcement							
Establishes National Commission On Violence In Schools		DEd	SS	SS	SS	SS	SS
Calls For President To Convene A National Summit On Violence							
Title XVIII -- Bail Posting Reporting							
Requires Report of Bails Above \$10K To IRS							
Title XIX -- Motor Vehicle Theft Prevention							
Require The Attorney General To Develop Voluntary Prevention Program							
Establishes Decal System To Allow Cars To Be Stopped			SS	SS	SS	SS	SS
Establishes Crime of Unlawful Use of Theft Decal	Fine						
Title XX -- Protections For The Elderly							
Missing Alzheimer's Disease Patient Alert Program			---	1	1	1	---
Sentencing Guideline For Crimes Against Elderly	Enhanced						
Title XXI - Consumer Protection							
Insurance Crime Affecting Interstate Commerce	10 Year Maximum						
Credit Card Fraud - Access Devices							
Title XXII - Financial Institution Fraud							
Financial Institution Fraud	5 Year Maximum/\$1M Fine						
Title XXIII -- Savings and Loan Prosecution Task Force							
Require AG To Establish Task Force							
Title XXIV - Sentencing Provisions		FIX					
Revocation of Supervised Release							
Flexibility in Application of Mandatory Minimum Sentences							
Mandatory Prison For Firearms Use In A Crime							
Death or Life In Prison For Murder Involving A Firearm	Mandatory Minimum						

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Mandatory Minimum For Selling Drugs To Minors							
Life In Prison For 3rd Offense		Life Imprisonment					
Enhanced Sentences For Hate Crimes		Enhanced					
Sentencing Commission Study							
Title XXV -- Sentencing and Magistrate Amendments		SUPPORT					
Authorizes Trial By Magistrate For Petty Offenses							
Title XXVI -- Computer Crime							
Creates Computer Abuse Crimes		Maximum 1 Year					
Creates Cause of Civil Action							
Title XXVII - International Parental Kidnapping		FIX	OMB: Replicates Enacted Statute (H.R. 3378)				
Creates Offense of International Parental Kidnapping		3 Year Maximum					
Establishes Training Program for State Courts			0.25	---	---	---	---
Title XXVIII -- Safe Schools		FIX	DoED: Replicates Currently Enacted Program; Grants Administered By DoED				
Establishes BJA Grants To States For Safe Schools Programs			100	100	100	---	---
Provides Funds To State To Coordinate Statewide Efforts							
			G-DEd	---	10	10	---
			OMB:				
Title XXIX - Miscellaneous		FIX					
Increased Penalties							
Assault On Certain Protected Persons		Increased Fines					
Manslaughter		From 3 Yrs to 6 Yrs Max					
Civil Rights Violations		Various Increases					
Murder For Hire							
Conspiracy To Commit Murder For Hire							
Travel Act Violations							
Fair Housing Act Violations		Various Increases					
Damage To Religious Property							
Trafficking in Counterfeit Goods		From 5 Yrs to 10 Yrs Max					
White Collar Crime							
Receiving Proceeds of Extortion		3 Year Maximum					
Receiving Proceeds of Postal Robbery		10 Year Maximum					
Theft of Major Artwork		10 Year Maximum					
Extension of Protection of Civil Rights Statutes							
Conspiracy Against Rights							
Deprivation Under Color of Law							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Audit Requirement For S&L Receiving Forfeiture Funds							
Requires Report To Congress On Administrative & Contracting Costs							
Gambling							
Undercover Operations - Churning							
AG Report on Battered Women's Syndrome							
Balance in the Criminal Justice System - SoC Regarding Add'l Judgeships							
Extension of Statute of Limitations For Arson							
Gun Free School Zones - SoC							
Title XXX - Technical Corrections							
Title XXXI -- Driver's Privacy Protection Act							
Prohibits The Release of Personal Information From DMV Records							
Defines Scope of Personal Information							
Title XXXII -- Violence Against Women; Safe Streets							
Enhanced Penalties For Repeat Sex Offenders	Enhanced						
Sentencing Commission Review and Report on Guidelines							
Mandates Restitution For Sex Crimes							
Provides For Federal Victims/Witness Counselors			1.5	---	---	---	---
Establishes Grant Program For High Intensity Crime Areas			100	100	100	---	---
Establishes Grant Program To Combat Crimes Against Women			190	190	190	---	---
Grants To Indian Tribes			10	10	10	---	---
Grants For Capital Improvement in Public Transportation		G-DOT	10	---	---	---	---
Grants For Capital Improvements To National Parks		G-INT	10	---	---	---	---
Grants For Capital Improvements in Public Parks		G-INT	15	---	---	---	---
National Commission on Violence Against Women			0.5	---	---	---	---
Allows Sexual History To Be Used In Civil Cases							
Amendments To Rape Shield Law							
Waiverability of Evidence By Victims							
Victim's Clothing Not Admissable For Defense							
Establishes Education and Prevention To Reduce Sexual Assaults		G-HHS	65	65	65	---	---
Requires States To Pay For Rape Examinations							
Establishes Grants To Prevent Sexual Exploitation		G-HHS	10	10	10	---	---
Establishes Victim's Right To Allocution in Sentencing							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XXXIII -- Safe Homes For Women							
Establishes Grants For National Domestic Violence Hotline		G-HHS	0.5	0.5	0.5	---	---
Interstate Enforcement - Traveling To Commit Spousal Abuse	Maximum 20 Years						
Interstate Violation of Protection Orders	Maximum 20 Years						
Establishes Restitution Mechanism							
Establishes Grants To Improve Spousal Abuse Law Enforcement		G-HHS	25	25	25	25	25
Establishes Grants For Domestic Violence and Family Support		G-HHS	100	100	100	---	---
Establishes Family Violence Prevention Grants		G-HHS	85	100	125	---	---
Establishes Youth Education Programs		HHS	0.4	---	---	---	---
Domestic Violence Injury Study		HHS	0.1	---	---	---	---
NIJ Research Into Domestic Violence		NIJ	88	88	88	88	88
Title XXXIV -- Civil Rights			SUPPORT				
Sense of Congress Regarding Gender Discrimination							
Sense of Senate Regarding Right To Privacy of Rape Victims							
Title XXXV -- Safe Campuses For Women							
Authorization For Campus Programs		G-DEd	20	88	88	88	---
Title XXXVI -- Equal Justice For Women In Courts							
Established Grants To Train Court Personnel			0.6	---	---	---	---
Establish Courts Clearinghouse & Education Programs							
Courts of Appeals, District Courts		Judiciary	0.4	---	---	---	---
Federal Judicial Center		Judiciary	0.1	---	---	---	---
Administrative Office of Courts		Judiciary	88	---	---	---	---
Title XXXVII -- Violence Against Women Act Improvement							
Increases Penalties For Sex Offenses Against Victims Under 16							
Requires Payment For Cost of HIV Testing		DOJ	88	88	88	88	88
Extends and Strengthens Restitution Provisions							
Provides For Suspension of Federal Benefit To Support Restitution Claims							
Makes Inadmissable Provocation or Invitation By Victim							
Requires Campus Baseline Study on Campus Sexual Assault		DOJ	0.2				
Requires AG Report On Battered Women's Syndrome							
Requires Report on Confidentiality of Addresses For Victims							
Requires AG Report on Recordkeeping Relating To Domestic Violence							
Requires AG Report on Fair Treatment in Legal Proceedings							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Requires Judicial Conference Report on Federal Rule of Evidence							
Establishes Supplemental Grants For States For Effective Laws [Up to \$1M]			88	88	88	88	88
Title XXXVIII -- Enhanced Penalties For Anti-Fraud Efforts							
Health Care Fraud	Maximum 10 Years						
Provides For Forfeiture of Property For Health Care Fraud							
Adds Health Care Fraud To List of RICO Offenses							
Adds False Claims To List of Offenses Covered Under Fraud							
Title XXXIX -- Senior Citizens Against Marketing Scams							
Enhanced Penalties For Telemarketing Fraud	Added 5 Years						
Enhanced Penalties For Telemarketing Fraud Against Seniors	Added 10 Years						
Provides For Forfeiture of Fraud Proceeds							
Establishes A System of Rewards For Information							
Additional Funding To Support Fraud Investigations							
Federal Bureau of Investigation		FBI	10	---	---	---	---
Adds 30 New U.S. Attorneys		USA	3.5	---	---	---	---
Senior Citizen Awareness Seminars		OJP	10	---	---	---	---
Broadens Mail Fraud Coverage To Include Cash Access Devices							
Requires AG To Establish A National Fraud Hotline							
Title XL -- Child Safety							
Establishes Grant For Supervised Visitation Centers		G-HHS	15	20	25	---	---
20% of Grants To Be Earmarked For Abused Children							
Title XLI -- Family Unity Demonstration Project							
Establishes "Community Correctional Facilities" Grants		G-BOP	---	8	8	8	8
Allow Up To 50 Inmates To Be Housed With Children Under Age 7							
Up To 10% of Funds May Be Used For Violators of Federal Law							
Title XLII -- Domestic Violence							
Prohibition Against Sale or Transfer of A Weapon To Persons							
Who Have Committed Domestic Violence							

Major Provisions of Violent Crime Control Act of 1993

	<u>Penalty</u>	<u>Conference Position</u>	<u>Authorizations</u>				
			<u>FY 1994</u>	<u>FY 1995</u>	<u>FY 1996</u>	<u>FY 1997</u>	<u>FY 1998</u>
Title XLIII --- Missing and Exploited Children							
Establishes A Missing Children Task Force							
Task Force Empowered To Enforce Federal Law Related To Child Abduction							
Title XLIV -- Public Corruption							
Provides For Public Corruption Offenses	Maximum 10 Years + Fine						
Provides For Narcotics-Related Public Corruption	Class B Felony						
Title XLV -- Semiautomatic Assault Weapons		FIX		OMB: Strong Public Presidential Support			
Bans The Manufacture, Transfer, and Possession of Semi Automatic Firearms							
Establishes Record Keeping Requirement and Restrictions							
Exempts Weapons Owned Prior To Effective Date of Law							
Exempts Semi-Automatic Shotguns Holding Five Rounds or Less							
Bans Large Capacity Ammunition Feeding Devices							
Defines Large as 10 Rounds							
Requires AG Study Of Impact of Title To Drug Trafficking Crime							
Requires Large Capacity Magazine Manufactured After Enactment To Be Dated							
Provision Expires 10 Years After Enactment							
Title XLVI -- Recreational Hunting Safety							
Creates An Offense of Obstructing A Lawful Hunt	Up To \$5,000 Fine						
Obstruction of Hunt Involving Force or Violence	Up To \$10,000 Fine						
Authorizes Collection of Damages and Attorney's Fees							
Provides For Non Preempting of State and Local Law							
Title XLVII -- Correctional Job Training and Placement							
Provides For Establishing An Office of Correctional Job Tng and Placement							
Office To Enhance Job Placement Activities and Information Sharing							
Title XLVIII -- Police Partnerships For Children							
Establishes Grant Program To Support Activities For Children			20	88	88	88	88
Provides For Reducing Federal Share From 80% to 60% Over 3 Years							
Limits Mentoring and Conflict Resolution Portion To 10%							

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference		Authorizations				
		Position		FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Title XLIX -- National Community Economic Partnership		FIX	OMB: Duplicative of "Empowerment Zones" Need To Work To Make It Consistent With Administration Initiatives					
Establishes Lines of Credit To Community Development Corps								
Limits Lines To \$2M Per Applicant								
Establishes Community Development Corp Improvement Grants								
Requires 60% Use For Lines of Credit		G-HHS		40	88	88	--	--
Title L -- Deportation of Criminal Aliens		SUPPORT	DoC: Objects To HHS Management of Grants -- EDA Has Function Currently					
Expands Definition of Aggravated Felony To Include Drug Trafficking & Other Offenses								
Eliminates Administrative Hearings For Criminal Aliens								
Provides For Assumption of Deportability Of Aliens Convicted of Agg. Felony								
Provides For Jurisdiction of District Court Over Deportation								
Restricts Defenses To Deportation								
Provides For Enhanced Penalties For Failure To Depart	Adds 4 to 10 Years							
Establishes Criminal Alien Tracking Centers		INS		5	2	2	2	2
Title LI -- General Provisions								
Provides For BOP Discretion Regarding Awarding of "Good Time"								
Prohibits Payment of Federal Benefits To Illegal Aliens								
Creates A Task Force Addressing Introduction of Non Indigenous Plants								
Establishes A Task Force on Prison Construction and Techniques								
Requires Report on Royal Hong Kong Police Recruitment								
Prohibits Interstate Wagering Mechanisms								
Alien Terrorist Removal								
Establishes Special Court and Procedures								
Requires Mandatory Life For 3rd Violent Felony	Life Imprisonment							
Requires Assessment of Prison Construction Methods								
Resticts Payments of Benefits To Persons Confined To Mental Institutions								
Driving While Intoxicated Programs								
Provides For Civil Penalties For Parents of Juvenile Offenders								
Mandatory Minimum Fine	Minimum \$100							
Provides For Community Service or Parenting Class In Lieu								
Provides For Protection of Recipients of Counterterrorism Rewards								
Established Violent Crime and Drug Emergency Areas Program								
Eligibility For Federal Assistance								
AG Required To Establish Regulations To Implement Program								
State and Local Cooperation With Immigration Service								
AG Report On Adverse S&L Laws								
Denial Of Federal Funds For Refusing To Cooperate With INS								
Department of Education Organization Act Amendments								

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Prevention, Diagnosis, Treatment of Tuberculosis In Prisons							
AG To Develop Guidelines							
Establishes Grants To State & Local Corrections Authorities			20	---	---	---	---
Federal Share of Grants Shall Not Exceed 50%							
Community Program On Domestic Violence							
Establishes Demonstration Grants			---	20	88	88	88
Adds "Disabilities" To Hate Crime Statistics Act							
Penalties For Document Fraud	Increased Fines						
Directs AG Study of Model Anti-Loitering Laws							
Victims of Child Abuse							
Court Appointed Special Advocates			---	7	10	10	10
Child Abuse Training For Judicial Officials			---	7	10	10	10
Grants For Televised Testimony			---	3.5	5	5	5
Special Treatment of Indian Tribes and DC For Grant Matching							
SSA Agreement To Assist In Locating Parents							
Adds Solicitation of a Minor To Commit A Crime	Enhanced Penalties						
SoC on Asylum							
Increased Funding For Federal Judicial Processing							
Federal Judiciary		Judicial	20	70	70	70	70
Department of Justice		DOJ	25	125	150	150	150
Federal Bureau of Investigation		FBI	20	50	60	60	60
United States Attorneys		USA	10	35	35	35	35
Funds Used In Indian Country Need Not Be Matched							
Statute of Limitations On RTC Prosecutions Extended							
Prohibits Awards of Pell Grants To Prisoners							
Transfer of Certain Aliens Criminals To Federal Facilities							
Provides For Compensation To Be Paid To States For Costs of Incarceration							
Grants To State Courts To Ease Burden of Act			100	100	100	100	100
Requires FBI Report On How To Accelerated Automated Fingerprint ID							
Appropriate Remedies For Prison Overcrowding							
Prisoner Must Prove Crowding Is Cruel or Unusual Punishment							
Prohibits Courts From Placing Capacity Ceilings On Prisons							
Establishes Community Programs On Domestic Violence							
Grants To States		G-HHS	---	20	88	88	88
Child Centered Activities							
Establishes School Youth Services Grants		G-HHS	100	100	100	100	100
Grants Eligible For Disbursement To Community Based Organizations							
Establishes Olympic Youth Development Centers		G-HHS	50	25	25	25	25
Makes Federal Land and Wilderness Available To Youth Programs							

OMB: Enacted In RTC Bill (H.R. 5714)
DoED/DOJ: Object To Provision

Major Provisions of Violent Crime Control Act of 1993

	Penalty	Conference Position	Authorizations				
			FY 1994	FY 1995	FY 1996	FY 1997	FY 1998
Bankruptcy Fraud							
Concealment of Assets	Maximum 5 Years, \$5,000 Fine						
Embezzlement Against An Estate	Maximum 5 Years, \$5,000 Fine						
Adverse Interest and Conduct							
Handguns In Schools							
Provides For Award of Up To 25% More In Grant Funds Incentives							
Driver's License Revocation For Gun In School							
Sense of Senate Regarding Study of Out-Of-Wedlock Births							
Congressional Approval For Expansion of Lorton Prison							
National Narcotics Leadership Act							
Extends "Sunset" of ONDCP to September 30, 1993							
Authorizes Staff At 75. Subject To Appropriations							
Extension of Full Time Status of Member of U.S. Sentencing Commission							
Sense of Senate That Able Bodied Prisoners Should Work							
First Time Violent Offender Rehabilitation Program							
Asset Forfeiture							
Allows For Payment of Property Taxes On Seized Property							
Clarification of Definition of "Court of United States"							
Permits Cooperative Extradition of Criminals To U.S.							
Provides Funds For Expedited Deportation of Denied Asylum Applicants		INS	88	88	88	88	88
Provides For Improved Border Controls Through Increase INS Funding		INS	88	88	88	88	88
Expands Special Deportations Proceedings							
Provides Funds For Construction of INS Service Processing Centers		INS	---	---	88	---	---
Assistant U.S. Attorneys Shall Reside Within 50 Miles of District							
Additional Funding For Department of Treasury							
Create 50 Gang Resistance Education and Training Projects [GREAT]		ATF	88	88	88	88	88
Adds 200 BATF Agents		ATF	30	30	30	30	30
Provides Funding For More U.S. Secret Service Agents		USSS	6	6	6	6	6
Sense of Congress That Law Enforcement Personnel Should Not Be Reduced							
Requires AG Review of Prison Capacity and Standards							
Requires AG and Secretary HHS Consultation on Coordination of Treatment and Prevention Programs							
Authorizes Juvenile Anti-Drug and Anti-Gang Grants in Federal Housing							
Total Authorizations			6,391	4,494	4,991	4,186	3,380

SENATE CRIME BILL FUNDING
(\$ In Millions)

		FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Bill Authorizations:	BA	6,365	4,733	5,231	4,384	3,292	72	24,077
Violent Crime Reduction Trust Fund								
	BA	720	2,423	4,287	6,313	8,545	---	22,288
	OL	314	2,330	4,184	6,221	8,443	---	21,492
Crime Bill Initiatives Funded Within DOJ Budget								
Community Policing	BA	---	1,720	2,072	2,270	1,900	---	7,962
[100,000 Cops]	OL	---	378	1,057	1,878	2,085	1,631	7,029
Criminal Records Upgrade	BA	---	100	100	---	---	---	200
[Brady Bill]	OL	---	22	57	73	43	5	200
All Other	BA	---	603	2,115	4,043	6,645	---	
[Includes Immigration Reform, Drug Courts, Police Corps, Boot Camps, & Others]	OL	---	368	n/a	n/a	n/a	n/a	
Total Budget	BA	---	2,423	4,287	6,313	8,545	0	21,568
	OL	---	768	n/a	n/a	n/a	n/a	n/a

Funding Issues For Conference

- o Authorizations in the Crime Bill are significantly greater than amounts provided for within the Trust Fund; Presidential priorities should be the principal consideration when allocating among competing initiatives.
- o FY 1994 Trust Fund allocations are unworkable and should be eliminated.
- o Trust Fund "Outlay Caps" should reflect actual outlays associated with planned spending.
- o Changes need to be enacted which reduce pressures for outyear growth [e.g., mandatory minimums].
- o Crime bill initiatives call for increases to Federal FTE's which are inconsistent with Executive Order order to reduce Federal FTE's.
- o Technical changes need to be made to ensure Brady provision is covered by Trust Fund.

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total	
Authorizations Summary								
Public Safety and Policing	1,035	1,720	2,072	2,270	1,900	--	8,997	
Haheas Corpus Reform	--	50	50	50	--	--	150	
Youth Violence - Juvenile Anti-Gang Grants	0	100	100	0	0	0	200	
Sexual Violence and Child Abuse	0	60	60	60	0	0	180	
State & Local Law Enforcement	5	27	32	37	12	12	122	
Police Officer Provisions	0	135	135	135	35	35	475	
Drug Court Programs	0	400	400	400	0	0	1,200	
Prisons	3,720	708	708	708	708	0	6,552	
Rural Crime	0	51	51	51	0	0	153	
Protection For The Elderly	--	1	1	1	--	--	3	
Parental Kidnapping	0	0	0	0	0	0	2	
Safe Schools	100	100	100	--	--	--	300	
Safe Streets For Women	377	375	375	0	0	0	1,127	
Safe Homes For Women	ss	ss	ss	ss	ss	ss	0	
Violence Against Women Act Improvements	ss	ss	ss	ss	ss	ss	0	
Rural Domestic Violence	--	10	10	10	--	--	30	
Law Enforcement	200	50	50	50	50	0	400	
Gang Violence	121	20	20	20	20	0	201	
Additional Justice Funding	55	210	245	245	245	0	1,000	
Total DOJ Authorizations	5,613	4,017	4,409	4,037	2,970	47	21,092	
Violent Crime Reduction Trust Fund	BA	720	2,423	4,287	6,313	8,545	—	22,288
	OL	314	2,330	4,184	6,221	8,443	—	21,492

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

		FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Authorizations Summary								
Office of Justice Programs - Grants								
Discretionary Grants		4,670	2,816	3,173	3,066	2,070	12	15,809
Formula Grants		190	365	365	100	30	30	1,080
Sub-Total Grants		4,860	3,181	3,538	3,166	2,100	42	16,889
Federal Programs								
Bureau of Prisons (Regional Prisons)		620	600	600	600	600	0	3,020
Federal Bureau of Investigation		65	55	65	65	65	5	317
US Attorneys		30	55	55	55	55	0	250
Other Justice		38	126	151	151	150	0	616
Sub-Total Federal Programs		753	836	871	871	870	5	4,203
Total Justice Authorizations In Bill		5,613	4,017	4,409	4,037	2,970	47	21,092
Non Justice Authorizations								
Judiciary		21	88	95	95	95	---	394
All Other		416	321	326	25	25	---	1,112
Total Authorizations To Date		6,050	4,425	4,829	4,157	3,090	72	22,622
Violent Crime Reduction Trust Fund								
BA		720	2,423	4,287	6,313	8,545	---	22,288
OL		314	2,330	4,184	6,221	8,443	---	21,492

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Detail of Authorizations							
Public Safety and Policing							
Cops on the Beat	1,035.0	1,720.0	2,072.0	2,270.0	1,900.0	---	8,997.0
Haabeas Corpus Reform							
Counsel in Capital Cases (State Court)	---	50.0	50.0	50.0	---	---	150.0
Youth Violence - Juvenile Anti-Gang Grants							
Formula Grants	---	75.0	75.0	---	---	---	150.0
Discretionary Grants	---	20.0	20.0	---	---	---	40.0
Special Discretionary Grants	---	5.0	5.0	---	---	---	10.0
Sexual Violence and Child Abuse							
Child Abuse Crime Information Imp.	---	20.0	20.0	20.0	---	---	60.0
Mental Health Screening	88	88	88	88	88	88	0.0
Protection of Children & Elderly	---	40.0	40.0	40.0	---	---	120.0
State & Local Law Enforcement							
DNA Identification - State & Local Grants	---	5.0	5.0	5.0	5.0	5.0	25.0
DNA Identification - FBI	4.5	4.5	4.5	4.5	4.5	4.5	27.0
Community Substance Abuse Prevention	---	15.0	20.0	25.0	---	---	60.0
Racial & Ethnic Bias Study Grants	---	2.0	2.0	2.0	2.0	2.0	10.0
Police Officer Provisions							
Law Enforcement Family Support	---	5.0	5.0	5.0	5.0	5.0	25.0
Police Corps	---	100.0	100.0	100.0	---	---	300.0
Law Enforcement Scholarship Program	---	30.0	30.0	30.0	30.0	30.0	150.0
Drug Court Programs							
Drug Testing of Arrestees	---	100.0	100.0	100.0	---	---	300.0
Certainty of Punishment Youthful Offenders	---	200.0	200.0	200.0	---	---	600.0
Residential Subst. Abuse Treatment For Prisoners	---	100.0	100.0	100.0	---	---	300.0

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Prisons							
Federal Prisoner Drug Testing	88	88	88	88	88	---	
Federal Prisoner Drug Treatment	88	88	88	88	88	---	
Regional Prisons For Violent Criminals	600.0	600.0	600.0	600.0	600.0	---	3,000.0
Boot Camps & State Prisons	3,000.0	---	---	---	---	---	3,000.0
Community Based Violent Juvenile Facilities	100.0	100.0	100.0	100.0	100.0	---	500.0
TB Protection & Treatment in Correctional Inst.	20.0	88	88	88	88	---	20.0
Family Unity Demonstration Grants	---	8.0	8.0	8.0	8.0	---	32.0
Rural Crime							
Rural Drug Enforcement Assistance	---	50.0	50.0	50.0	---	---	150.0
Rural Drug Enforcement Training	---	1.0	1.0	1.0	---	---	3.0
Protection For The Elderly							
Missing Alzheimer's Patients Program	---	1.0	1.0	1.0	---	---	3.0
Parental Kidnapping							
State Court Programs - Child Abduction	0.3	0.3	0.3	0.3	0.3	0.3	1.5
Safe Schools							
Safe Schools Assistance	100.0	100.0	100.0	---	---	---	300.0
Safe Streets For Women							
Federal Victims Counselors	1.5	---	---	---	---	---	1.5
High Intensity Crime Areas Grants	100.0	100.0	100.0	---	---	---	300.0
Grants To States	190.0	190.0	190.0	---	---	---	570.0
Grants To Indian Tribes	10.0	10.0	10.0	---	---	---	30.0
Violence Against Women Task Force	0.5	---	---	---	---	---	0.5
Rape Prevention Education	65.0	65.0	65.0	---	---	---	195.0
Sexual Abuse/Exploitation Prevention	10.0	10.0	10.0	---	---	---	30.0
Safe Homes For Women							
State Data Base Study	88	88	88	88	88	88	0.0
Violence Against Women Act Improvements							
Sexual Violence Supplemental Grants	88	88	88	88	88	88	0.0

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Rural Domestic Violence							
Rural Domestic Violence Grants	---	10.0	10.0	10.0	---	---	
Law Enforcement							
Rural Law Enforcement Grants	50.0	50.0	50.0	50.0	50.0	---	250.0
Technical Assistance To States Grants	100.0	---	---	---	---	---	100.0
FBI Training - Quantico	40.0	---	---	---	---	---	40.0
Intelligence Gathering	10.0	---	---	---	---	---	10.0
Gang Violence							
Grants To States	100.0	ss	---	---	---	---	100.0
Gang Prosecutions	20.0	20.0	20.0	20.0	20.0	---	100.0
AG Report On Gangs	1.0	---	---	---	---	---	1.0
Additional Justice Funding							
Department of Justice	25.0	125.0	150.0	150.0	150.0	---	600.0
Federal Bureau of Investigation	20.0	50.0	60.0	60.0	60.0	---	250.0
United States Attorneys	10.0	35.0	35.0	35.0	35.0	---	150.0
 Total DOJ Authorizations	 5,612.8	 4,016.8	 4,408.8	 4,036.8	 2,969.8	 46.8	 21,091.5
 Other Departments							
Transportation							
Capital Improvements	10.0	---	---	---	---	---	10.0
 Interior							
National Parks	10.0	---	---	---	---	---	10.0
Public Parks	15.0	---	---	---	---	---	15.0

Department of Justice
Violent Crime Control and Law Enforcement Act of 1993
(\$ in Millions)

	FY 1994	FY 1995	FY 1996	FY 1997	FY 1998	FY 1999	Total
Health and Human Services							
Rape Prevention Education	65.0	65.0	65.0	---	---	---	195.0
Sexual Abuse/Exploitation Prevention	10.0	10.0	10.0	---	---	---	30.0
Domestic Violence Hotline	0.5	0.5	0.5	---	---	---	1.5
Spousal Abuse Grants	25.0	25.0	25.0	25.0	25.0	25.0	150.0
Domestic Violence Grants	100.0	100.0	100.0	---	---	---	300.0
Family Violence Prevention	85.0	100.0	125.0	---	---	---	310.0
Youth Education	0.4	---	---	---	---	---	0.4
Domestic Violence Injury Study	0.1	---	---	---	---	---	0.1
Community Programs on Domestic Violence	---	20.0	88	---	---	---	20.0
Ounce of Prevention Fund - Grants	75.0	---	---	---	---	---	75.0
Education							
Safe Campuses for Women	20.0	88	85	88	---	---	20.0
Courts							
Courts Training Grants	0.6	---	---	---	---	---	0.6
Courts Judges Training - Study	0.5	---	---	---	---	---	0.5
Add'l Funds To Judiciary	20.0	70.0	70.0	70.0	70.0	---	300.0
Victims of Child Abuse Special Advocates Program	---	7.0	10.0	10.0	10.0	---	37.0
Child Abuse Training Programs For Judicial Personnel	---	7.0	10.0	10.0	10.0	---	37.0
Grants For Televised Testimony	---	3.5	5.0	5.0	5.0	---	18.5
Total Bill To Date	6,049.9	4,424.8	4,829.3	4,156.8	3,089.8	71.8	22,622.1
Violent Crime Reduction Trust Fund							
BA	720.0	2,423.0	4,287.0	6,313.0	8,545.0	---	22,288.0
OL	314.0	2,330.0	4,184.0	6,221.0	8,443.0	---	21,492.0

Comparison of Senate and House "Cops/Community Policing" Provisions

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Provision	House Version	Senate Version	Administration Preferred/Comment	
Minimum \$ per State	0.25%	0.60%	H	0.25%
Matching Requirements				
Federal Share	75%	75%		75%
Outyear Matching requirement changes	Decreasing annually	Decreasing annually up to 5 years		Either House or Senate
AG Waiver Authority	Y	Y		Y
Size of Applicants - Who Applies Where?				
Applicants which must go through States	Pop. under 100,000 people	Pop. under 150,000 people	S	Pop. under 150,000 people
Applicants which apply directly to AG	Pop. over 100,000 people	Pop. over 150,000 people	S	Pop. over 150,000 people
Indian Tribes	No provision	Directly to AG	S	Directly to AG
Term of Grant Limits				
New cops grants	Up to 3 years	Up to 3 years		Up to 3 years
Community policing program grants	Up to 6 years	Up to 6 years		Up to 6 years
Non-Supplanting Requirement	Y	Y		Y
Other Authorized Activities for Funding				
Administration costs of States	5%	5%		5%
Technical Assistance by AG	5%	5%		5%
Funding Allocation by Size of Jurisdiction				
Applicants which go through States	60%	60%		60%
Applicants which apply directly to AG	40%	40%		40%
Funding Allocation for Cops/Non-Cops Grants				
For Cops Grants	85%	85%		85%
For Comm. Policing Program Grants	15%	15%		15%
Total Cost Officer	Up to \$75,000 over life of grant	\$50,000 annually	H	Up to \$75,000 over life of grant

Comparison of Senate and House "Cops/Community Policing" Provisions

10-Jan-94

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Provision		House Version	Senate Version	Administration Preferred/Comment	
Ounce of Prevention Fund (\$75M)			Y	?	
Authorized Activities for Cops Hiring					
Rehire laid off cops		Y	Y	Y	
Hire & train new cops		Y	Y	Y	
Explicitly authorizes hiring former Armed Forces members		N	Y	S	Y
Authorized Activities for Comm. Policing Grants					
Increase # of officers in community		Y	Y	Y	
Provide Comm. Pol. training		Y	Y	Y	
Increase # of officers in multidiscipline & early intervention teams		Y	Y	Y	
New crime prevention techniques		Y	Y	Y	
Programs for community & police to work together to prevent crime		Y	Y	Y	
Programs to minimize court time of officers		Y	Y	Y	
Programs to increase police interaction with young people		Y	Y	Y	
Programs to reorganize police departments to comm. policing structure		Y	Y	Y	
Programs to coordinate government crime prevention programs		Y	N	H	Y
Preferential Consideration for Applicants					
Greater Non-Federal Match		Y	Y	Y	
Hiring of former Armed Forces members		N	Y	S	Y
Authorizations (in millions)	1994	\$200	\$1,035	\$0	
	1995	\$650	\$1,720	\$1,720	
	1996	\$650	\$2,070	\$2,070	
	1997	\$650	\$2,270	\$2,270	
	1998	\$650	\$1,900	\$1,900	
	1999	\$650	\$0	\$0	
TOTAL ----->		\$3,450	\$8,995	\$7,960	