FOIA Number: 2009-1305-F

FOIA
MARKER

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

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Domestic Policy Council

Series/Staff Member: Dennis Burke

Subseries:

OA/ID Number: 9826

FolderID:

Folder Title:
Crime Bill/Act [1]

Stack:	Row:	Section:	Shelf:	Position:
S	97	2	2	1

facsimile
TRANSMITTAL

to: Dennis Burke
fax #: 456-7028
re: VCRTF
date:
pages: 2, including this cover sheet.

Dennis, will you call me and let me know if this is what you think it is?

From the desk of...

Karen L. Wilson
Office of Legislative Affairs
Department of Justice
10th and Pennsylvania
Washington, DC 20530

202-616-0658
Fax: 202-514-9149

...payment or dis... to in subsection (d)(3)(B) ... section 408A shall be entitled to the ... amount described in such subsection.

(e) SPOUSAL INDIVIDUAL RETIREMENT ACCOUNTS.—For purposes of applying sections 219 and 408 of such Code—

(1) only 69 percent of the contributions to an individual retirement plan which are allowable as a deduction solely by reason of the amendments made by section 6104 of such title VI shall be allowed as a deduction, and

(2) only 69 percent of the income on the assets held in an individual retirement plan which are attributable to contributions permitted solely by reason of the amendments made by section 6101 of such title VI (which would otherwise be includible in gross income) shall be excludible from gross income.

(f) ALTERNATIVE MINIMUM TAX.—

(1) IN GENERAL.—In the case of taxable years beginning after December 31, 1994—

(A) in the case of a taxpayer other than a corporation, the tax imposed by section 55 of such Code shall be determined without regard to paragraph (1) of section 56(a) of such Code, and

(B) in the case of a corporation, the tentative minimum tax under section 55 of such Code shall be zero.

(2) DELAY IN BENEFIT OF REPEAL FOR TAXABLE YEARS 1995 AND 1996.—

(A) IN GENERAL.—Paragraph (1) shall not apply to any taxable year beginning before January 1, 1997, but there shall be allowed as a credit against the tax imposed by subtitle A of such Code for each taxable year referred to in subparagraph (C) an amount equal to the credit determined under subparagraph (B).

(B) AMOUNT OF CREDIT.—The credit determined under this subparagraph for any taxable year to which this paragraph applies is an amount equal to ⅓ of the excess (if any) of—

(i) the aggregate tax paid under section 55 of such Code for taxable years beginning after December 31, 1994, and before January 1, 1997, over

(ii) the amount of tax which would have been imposed by such section 55 for such taxable years had paragraph (1) applied to such taxable years.

(C) YEARS CREDIT ALLOWED.—The taxable years referred to in this subparagraph are the first 3 taxable years of the taxpayer beginning after December 31, 1996.

(D) COORDINATION WITH OTHER PROVISIONS.—For purposes of the Internal Revenue Code of 1986, the credit allowed under paragraph (1) shall be treated as a credit allowed under subpart C of part IV of subchapter A of chapter 1 of such Code and as referred to in paragraph (2) of 1324(b) of title 31, United States Code, immediately before the period at the end thereof.

(g) COMPARABLE TREATMENT FOR ESTATE AND GIFT TAX CHANGES.—A rule similar to the rule of subsection (a) shall apply to any reduction in liability for tax under subtitle B of such Code by reason of the amendments made by section 6351 of such title VI.

TITLE XX—BUDGET ENFORCEMENT

SEC. 20001. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This title may be cited as the "Seven-Year Balanced Budget Enforcement Act of 1995".

(b) PURPOSE.—This title extends and reduces the discretionary spending limits and extends the pay-as-you-go requirements.

SEC. 20002. DISCRETIONARY SPENDING LIMITS.

(a) LIMITS.—Section 601(a)(2) of the Congressional Budget Act of 1974 is amended by striking subparagraphs (A), (B), (C), (D), and (F), by redesignating subparagraph (E) as subparagraph (A) and by striking "and" at the end of that subparagraph, and by inserting after subparagraph (A) the following new subparagraphs:

"(B) with respect to fiscal year 1996, for the discretionary category: $485,074,000,000 in new budget authority and $531,768,000,000 in outlays;

"(C) with respect to fiscal year 1997, for the discretionary category: $481,423,000,000 in new budget authority and $519,288,000,000 in outlays;

"(D) with respect to fiscal year 1998, for the discretionary category: $489,233,000,000 in new budget authority and $511,173,000,000 in outlays;

"(E) with respect to fiscal year 1999, for the discretionary category: $480,420,000,000 in new budget authority and $506,695,000,000 in outlays;

"(F) with respect to fiscal year 2000, for the discretionary category: $497,347,000,000 in new budget authority and $512,202,000,000 in outlays;

"(G) with respect to fiscal year 2001, for the discretionary category: $494,307,000,000 in new budget authority and $514,109,000,000 in outlays; and

"(H) with respect to fiscal year 2002, for the discretionary category: $496,188,000,000 in new budget authority and $512,426,000,000 in outlays:".

(b) COMMITTEE ALLOCATIONS AND ENFORCEMENT.—Section 602 of the Congressional Budget Act of 1974 is amended—

(1) in subsection (c), by striking "1995" and inserting "2002" and by striking the last sentence; and

(2) in subsection (d), by striking "1992 TO 1995" in the side heading and inserting "1996 TO 2002" and by striking "1992 through 1995" and inserting "1996 through 2002".

(c) TERM OF BUDGET RESOLUTIONS.—Section 606 of the Congressional Budget Act of 1974 is amended—

(1) in its section heading by striking "5-YEAR" and inserting "TERM OF";

(2) in the sideheading of subsection (a), by striking "5-YEAR" and inserting "TERM OF";

(3) in subsection (a), by striking "1992, 1993, 1994, or 1995" and inserting "1996 or any fiscal year thereafter through 2002" and by inserting "at least" before "each"; and

(4) in subsection (d)(1), by striking "1992, 1993, 1994, and 1995" and inserting "1996 or any fiscal year thereafter through 2002", and by striking "(i) and (ii)".

(d) EFFECTIVE DATE.—Section 607 of the Congressional Budget Act of 1974 is amended by striking "1991 to 1998" and inserting "1996 to 2002".

(e) SEQUESTRATION REGARDING VIOLENT CRIME REDUCTION TRUST FUND.—(1) Section 251A(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking subparagraphs (B), (C), and (D) and its last sentence and inserting the following:

"(B) For fiscal year 1996, $2,227,000,000.

"(C) For fiscal year 1997, $3,846,000,000.

"(D) For fiscal year 1998, $4,901,000,000.

"(E) For fiscal year 1999, $5,639,000,000.

"(F) For fiscal year 2000, $6,225,000,000.".

(2) Section 310002 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14212) is repealed.

(f) CONFORMING AMENDMENT.—The item relating to section 606 in the table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking "5-year" and inserting "Term of".

SEC. 20003. GENERAL STATEMENT AND DEFINITIONS.

(a) GENERAL STATEMENT.—Section 250(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking the first two sentences and inserting the following: "This part provides for the enforcement of deficit reduction by reducing and extending the discretionary spending limits though fiscal year 2002 and permanently extending pay-as-you-go requirements.".

(b) DEFINITIONS.—Section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) by striking paragraph (4) and inserting the following:

"(4) The term 'category' means:

"(A) For fiscal years 1996 through 2000, all discretionary appropriations except subject to section 251A; and

"(B) For fiscal year 2001 and any subsequent fiscal year, all discretionary appropriations.";

(2) by striking paragraph (6) and inserting the following:

"(6) The term 'budgetary resources' means new budget authority, unobligated balances, direct spending authority, and obligation limitations.";

(3) in paragraph (9), by striking "1992" and inserting "1996"; and

(4) in paragraph (14), by striking "through fiscal year 1995".

SEC. 20004. ENFORCING DISCRETIONARY SPENDING LIMITS.

Section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in the side heading of subsection (a), by striking "1991–1998" and inserting "" 2002";

(2) in the first sentence of subsection (b)(1), by striking "1992, 1993, 1994, 1995, 1996, 1997 or 1998" and inserting "1997 or any fiscal year thereafter through 2002" and by striking "through 1998" and inserting "through 2002";

(3) in subsection (b)(1), by striking "the following:" and all that follows through "The adjustments" and inserting "the following: the adjustments" and by striking subparagraphs (B) and (C);

(4) in subsection (b)(2), by striking "1991, 1992, 1993, 1994, 1995, 1996, 1997, or 1998" and inserting "1996 or any fiscal year thereafter through 2002" and by striking "through 1998" and inserting "through 2002";

(5) in subsection (b)(2)(E), by striking clauses (i), (ii), and (iii) and by striking "(iv) if, for fiscal years 1994, 1995, 1996, 1997, and 1998" and inserting "If, for fiscal years 1996 through 2002"; and

(6) in subsection (b)(2)(F), by striking everything after "the adjustment in outlays" and inserting "for a category for a fiscal year is the amount of the excess but not to exceed 0.5 percent of the adjusted discretionary spending limit on outlays for that fiscal year in fiscal year 1996 or any fiscal year thereafter through 2002.".

SEC. 20005. ENFORCING PAY-AS-YOU-GO.

(a) EXTENSION.—(1) Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(A) in the side heading of subsection (a), by striking "FISCAL YEARS 1992–1998"; and

(B) in subsection (e), by striking ", for any fiscal year from 1991 through 1998," and by striking "through 1995".

(b) ROLLING PAY-AS-YOU-GO SCORECARD.—Section 252(d) of the Balanced Budget and Emergency Deficit Control Act of is amended by striking "each fiscal year through fiscal year 1998" each place it appears and inserting "the current year (if applicable), the budget year, and each of the first 4 outyears".

SEC. 20006. REPORTS AND ORDERS.

Section 254 of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in subsection (d)(2), by striking "" and inserting "2002"; and

(2)(A) in subsection (g)(2)(A), by striking "1998" and inserting "2002"; and

Date: Monday, July 31, 1995 4:24 pm
From: CRM04(SHANDY)
Subject: Proposed Crime Bill

Julie,

I gave Sheila copies of two spreadsheets I ran for Grace. The first shows the state minumum and block grant allocations to the states. The second estimates the allocations to the 50 so-called "high crime areas."

These 50 high crime areas include **only cities**, because my data exclude counties. It's possible that a couple of highly populated urban counties should be included among the 50. In fact, with a formula grant this prescriptive and dependent upon populations, it will cause problems because of the difficulty of determining actual county/city populations served by each agency.

I have a few other comments:

p. 2., l. 15: Brian Reaves (BJS) informed me that BJS publishes these law enforcement data that Census Bureau collects. The BJS staff person responsible is Sue Lindgren. I have a call into her, but she has not returned it so far. Hopefully, BJS will have a data set of this info. that the COPS office can use to make its projections.

p. 11, l. 11 through p. 12, l.8: There must be a problem with their calculation of the expenditures cap, because, as written, all units of government would be subject to it. The denominator (p.12, l. 4-7) is the problem. The numerator is the statewide average expenditure per capita. For example, if all units in state A spent $1,000,000,000 on law enforcement and the state had a population of 500,000, the per capita expenditure for law enforcement would be $2,000. If City Z had a population of 10,000, the fraction would be $2,000/10,000, or $0.2.

P. 12, l. 16-22: Does this mean that units that already have received their "formula" allocation but which have not exceeded the cap can get more funds from jurisdictions that must forego part of their allocation because they exceed their cap? I don't understand how this works?

p.14, l. 20-25: Does the "crime rate index's" denominator represent the number of crimes reported by all units of government within the state or those "reported by the State" (i.e., the state governmental agencies). I suspect the former; however, the language used here appears to refer to the latter and is very similar to that on pp. 8-9.

Also, I have a question about the state minimums. Does the legislation merely guarantee a minimum of 0.6% for each state, or does it "set aside" 0.6% for each state **and then** allocate the remainder by the fraction of violent crimes in the state out of the total for the nation? (I generated my estimates based on the latter interpretation, but if it's the former, they need to be recalculated.) -Steve

Summary of the Draft Neighborhood Safety Act

The draft Neighborhood Safety Act of 1995 reportedly embodies Senator Dole's current thinking about a possible replacement for the existing COPS program. The principal features of the Neighborhood Safety Act (NSA) proposal are as follows:

(1) The COPS program and most of the prevention programs of the 1994 Crime Act would be repealed, and replaced with a program of block grants to support police and prosecution functions.

(2) Funding under the new program would mostly be distributed to state and local governments on the basis of formulas, which would take account of grantees' law enforcement expenditures and part I violent crimes. Some funding would be set aside for technology assistance and a "troops to cops" program. Total funding under this part would be $10 billion.

(3) There would be a special large program of grants for 50 "high crime" areas. Total funding under this part would be $2 billion.

(4) The total authorization for the programs would be $12 billion over 5 years. There would be no matching funds requirement under any of the programs.

The remainder of this statement provides a more detailed description of the main features of the NSA proposal.

I. General Relationship To Existing Programs

While the NSA supporting materials portray it as a replacement for the COPS program, it actually supplants a wide range of existing programs. Section 3 of the draft bill repeals the drug courts program of title V of the 1994 Crime Act, the Presidential Summit on Violence and National Commission on Crime Control and Prevention proposed in title XXVII of the 1994 Crime Act, and most of the crime prevention programs in title III of the 1994 Crime Act.

The specific title III programs that would be repealed are: subtitle A (ounce of prevention), subtitle B (local crime prevention block grants), subtitle C (model intensive grants), subtitle D (family and community endeavor schools grants), subtitle G (assistance for delinquent and at-risk youth), subtitle H (police recruitment), subtitle J (local partnership act), subtitle K (national community economic partnership), subtitle O (urban recreation and at-risk youth), subtitle Q (community-based justice grants for prosecutors), subtitle S (family unity demonstration projects), subtitle U (residential substance abuse treatment for state prisoners), and subtitle X (gang resistance education and training).

Since the funding objectives of the proposed NSA program are essentially limited to support for law enforcement and prosecution functions, it provides no substitute for the vast majority of programs it would abolish.

II. Funding Objectives

The authorized funding objectives under the NSA proposal are:

(1) hiring, training, and employing on a continuing basis, new law enforcement officers and necessary support personnel;

(2) paying overtime to law enforcement officers and necessary support personnel;

(3) procuring equipment, technology, and other material that is directly related to basic law enforcement functions, including the detection or investigation of crime and the prosecution of criminals; and

(4) establishing and operating cooperative programs between community residents and law enforcement agencies for the control, detection, or investigation of crime or the prosecution of criminals.

Under the existing COPS program, most funding is reserved for police hiring grants to increase the number of officers deployed in community policing. In comparison, the NSA proposal does not require that increased police hiring or resources be used to strengthen community policing, and does not ensure any particular increase in police staffing levels, since it authorizes the use of funds for a broad range of law enforcement and prosecution functions at the discretion of grantees.

The existing COPS program also imposes a general 25% minimum matching funds requirement, and provides that recipients of police hiring grants are to assume a progressively larger share of the cost in the course of time, looking towards the continuation of the increased hiring level using state or local sources of funding following the conclusion of federal support. The absence of any comparable requirements under the NSA proposal makes it more likely that grantees will be unable to maintain resource increases after the end of the federal funding period.

II. General Block Grants

Subtitle B in the NSA proposal authorizes $2 billion for each of fiscal years 1996 through 2000 (total of $10 billion). 98% of these funds would be distributed by BJA as general block grants to states and units of local government. States are defined to include the 50 states, D.C., and the usual list of larger territories (Puerto Rico, Virgin Islands, Samoa, Guam, and the Northern Marianas). Units of local government are essentially defined to include political subdivisions of states, and also D.C., Puerto Rico, and Indian tribal governments.

The specifics of the allocation formula are as follows:

Minimum state allocation. Each of the 50 states would be entitled to 0.6% of the total appropriation, and D.C. and the territories would have smaller minimum allocations. In comparison, the minimum state allocation under the COPS program is 0.5%.

General state allocation. Each state would receive a general allocation proportionate to its average annual number of reported part 1 violent crimes.

The relationship of this general state allocation rule to the minimum state allocation is unclear because of deficiencies in drafting. The probable intent is that this general allocation formula will apply to the funds remaining after each state has been allocated its required minimum.

Division of funds between state and local governments. Of the amount allocated to each state, some would go to the state government, and some would go to the local governments within the state. The division between state and local governments would be based on the average annual number of part 1 violent crimes reported by state government agencies, in comparison with the corresponding figure for part 1 violent crimes reported by all local governments within the state. (This is drafted wrong, but the intent seems obvious.) For example, if the state police reported 10% of the part 1 violent crimes in the state, and local units of government reported 90% of the part 1 violent crimes in the state, the state government would get 10% of the state's allocation.

Allocation of funds to local governments within a state. Here's where things get complicated. The funds allocated to a state -- aside from the amount reserved for the state government, as described above -- would be distributed by BJA to local governments within the state. Very roughly speaking, the allocation of these funds to local governments within the state would be in proportion to their respective levels of expenditure for law enforcement. (Law enforcement expenditures are defined to include expenditures for police, legal and judicial services, and corrections).

However, the distribution would not be in proportion to actual law enforcement expenditures, but rather in proportion to an adjusted expenditure figure. The adjusted expenditure figure for a unit of local government would be obtained as the sum of (1) one-third of the unit's actual law enforcement expenditures, and (2) two-thirds of the unit's actual law enforcement expenditures multiplied by its "crime rate index."

The "crime rate index" is a measure of a unit's rate of part 1 violent crimes in comparison with the statewide rate. For example, suppose that in the state as a whole, there are 10 part 1 violent crimes per 1,000 population annually, but in the area of a unit of local government, there are 20 part 1 violent crimes per 1,000 population annually. The unit's crime rate index would then be 2.

Figuring in the crime rate index in the local allocation formula increases the allocation for units of local government with higher violent crime rates. Hence, the local allocation formula takes account of both how much the grantee is putting out on its own (law enforcement expenditures), and its need for assistance based on its violent crime rate in comparison with the statewide rate.

Special allocation rules. The proposal incorporates several special rules or qualifications that affect the allocation of funds:

First, there is a special rule governing the allocation of funds among units of local government in the Virgin Islands, Samoa, Guam, and the Northern Marianas, which are treated as one "state" for allocation purposes.

Second, there is a rule which limits the law enforcement expenditures for which a unit of local government gets credit for purposes of the local distribution formula. This rule is incorrectly drafted and nonsensical as written. It may be that the drafter divided where he should have multiplied, and that the intent is to deny a local government credit for its law enforcement expenditures to the extent that its rate of expenditure is more than 3 times the statewide expenditure rate.

For example, suppose that a town with a population of 10,000 spends $5 million on law enforcement, giving a local per capita expenditure of $500. Suppose further that all units of local government in the state comprise a population of one million and spend $100 million on law enforcement, giving a statewide per capita expenditure of $100. If the suggested reconstruction of the intended rule is correct, the town's law enforcement expenditures would only be reckoned as $3 million for local funding distribution purposes, since this is what if would have spent if it had expended funds at three times the statewide rate.

Third, there is a cap on local distribution which says that the allocation any local government receives may not exceed 100% of its law enforcement expenditures. The bill provides that funds which are withheld from units of local government based on this cap shall be available to other units of local government that are not affected by the cap. The bill does not say how this redistribution is to be effected.

Fourth, there are special rules governing the allocation of funds to units of local government which are recently incorporated or annexed, and for determining the "crime rate index" of units that do not report crimes to the FBI.

Fifth, there is a special rule which makes a unit of local government ineligible for funding in a payment period if its law enforcement expenditures in the preceding payment period were less than 90% of its law enforcement expenditures for the period before that.

For example, if a local government's expenditures in 1998 were less than 90% of its expenditures in 1997, then it would be ineligible for funding in 1999.

III. Technology Assistance and Troops-to-Cops

The draft bill directs the Attorney General, acting through the Director of NIJ, to provide assistance to units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement personnel. $100 million (1% of a $10 billion pot) is set aside for that purpose. This is the only part of the proposal that amounts to a discretionary grant program.

The draft bill also directs the Attorney General to establish a program to provide assistance to units of local government to hire former members of the armed forces to serve as career law enforcement officers, with an emphasis on hiring persons who were adversely affected by base closings. The setaside for this program is likewise $100 million (1% of a $10 billion pot).

Under this troops-to-cops program, the Attorney General would award $25,000 to a local government for each officer hired. The awards would be made on a "first come, first served basis."

IV. Block Grants Targeted To High Crime Areas

Subtitle C in the proposal authorizes $400 million annually from 1996 through 2000 (total of $2 billion) for grants by BJA to the "50 units of local government with the highest murder and nonnegligent manslaughter rates."

Actually, eligibility would not be based on homicide rates, but on a specially defined "ranking factor." The ranking factor would be the sum of (1) seven-tenths of the number of murders and nonnegligent manslaughters reported by the unit, and (2) three-tenths of the population of the unit.

The fifty units of local government with the highest ranking factors would be eligible for grants. BJA would distribute funds to these units in proportion to their ranking factors.

As a practical matter, this part would probably result in the distribution of funding to the 50 units of local government with the largest populations, pretty much in proportion to their populations. While the number of homicides is given weight in determining the ranking factor, the number of homicides in any city is sufficiently small that it would be overwhelmed by the weight given to population.

The Prison Grants Program in the Commerce, Justice, State, and Judiciary Appropriations Bill (H.R. 2076) As Reported by the Senate Appropriations Committee

Section 115 of H.R. 2076 as reported would repeal the existing prison grants program enacted by the 1994 Crime Act, and replace it with a new prison grants program involving different standards and provisions.

This change is undesirable because it would disrupt the largely completed implementation effort under the existing program, and because the proposed alternative is inferior in several respects to the existing program. The implementation process would need to begin anew, resulting in an expected additional delay of 6 to 12 months in making prison grants funding available to the states.

I. The Existing Program

The existing program authorizes funding to increase the availability of prison space for the confinement of violent offenders. It includes general grants, incentive grants for states that require violent offenders to serve at least 85% of the sentence imposed or meet other stringent "truth in sentencing" standards on the most dangerous offnenders, and a discretionary grants program. The Department of Justice has created a new Corrections Program Office within the Office of Justice Programs to develop and administer these programs.

In 1995, Congress funded a Boot Camp Initiative within the existing funding framework. The Department has already provided 43 jurisdictions with over $21 million under this initiative.

The Department is also now ready to implement the regular prison grant programs created by the 1994 Crime Act (described above), which are scheduled to begin in October. Designated as the "BARS" (Building and Renovating Secure Space for Violent Offenders) Program, this initiative will enable the Department to provide funds to states and localities soon after the fiscal year 1996 appropriation is enacted. Under BARS, the Department will be able to put over $250 million in the hands of virtually every state corrections department quickly, efficiently, and with minimum red-tape.

The Department has engaged in extensive consultations with those in the corrections field to obtain their input and familiarize them with the existing programs. As a result, states not only understand the existing programs, but many have already begun making changes to their sentencing statutes and practices to better qualify for prison grant assistance. The states, as well as the Department of Justice, are ready to move on these programs.

II. The Appropriations Bill Program

There is no need for the new prison grants program proposed in the appropriations bill because a sound prison grants program already exists, for which the necessary implementation measures have nearly been completed. Repealing the existing program and substituting a revised program would eliminate the progress that has been made, and seriously set back the effort to provide much-needed funding to the states to increase prison space for violent offenders.

The program proposed in the appropriations bill is also counterproductive on its own terms, because it incorporates a number of unsound or problematic features that do not appear in the existing program. The problems include (among others) the following:

- The appropriations bill program provides that funds are to be used to expand or enhance conventional correctional facilities for the confinement of violent offenders. This apparently precludes the use of funds to free existing secure prison space for violent offenders by transferring non-dangerous prisoners to less expensive facilities -- an approach that can be quicker and more cost-efficient. Hence, the proposed alternative program will produce less increase in the prison space available for violent offenders for the same amount of funding.

- The proposal incorporates a special funding eligibility standard for indeterminate sentencing states: incarcerating certain types of violent offenders for periods exceeding the national average by at least 10%. This would create arbitrary discrepancies in funding eligibility among states and reward less deserving states with larger amounts of funding.

- For example, an indeterminate sentencing state meeting the "10% above average" standard would be eligible for truth in sentencing incentive grants. However, a determinate sentencing state would not be eligible for such grants unless it insured that recidivist violent offenders served at least 85% of their sentences, even if the determinate sentencing state actually incarcerated violent offenders for much longer periods of time.

- The existing program provides that funding for truth in sentencing formula grants which is not utilized will be transferred to general formula grants, and that funding which is not utilized for general formula grants will be transferred to a discretionary grant program. This ensures that all appropriated funds will actually be used to increase correctional capacity for the confinement of violent offenders. In contrast, the program proposed in the appropriations bill makes no provision for utilization of surplus funds, so much of the funding appropriated may never be utilized to increase prison space.

PRISONS PROVISIONS UNDER SENATE APPROPRIATIONS' BILL

- The FY 1996 DOJ Appropriations Bill, as reported by the Senate Appropriations Committee, would repeal the Violent Offender Incarceration and Truth In Sentencing Incentive programs of the 1994 Crime Act and substitute provisions of the proposed Dole/Hatch Crime Bill, S. 3, the "Violent Crime Control and Law Enforcement Improvement Act of 1995."

- Adoption of these proposed amendments not only would establish an inferior program but would risk public safety by delaying the award of much needed aid to keep violent offenders off the streets by 6 months to a year. Such delay would hamper state and local jurisdictions efforts to implement truth in sentencing in an effective manners which targets the most serious violent offenders and keeps them behind bars for longer sentences.

- DOJ, through the OJP Corrections Program Office, stands ready to fulfill the promise of the 1994 Crime Act and award much needed grants to states and localities as soon as appropriations become available.

- Forty-three jurisdictions have already received over $21 million in FY 1995 funds to either plan, build, or renovate adult or juvenile boot camp facilities. These funds, by freeing secure space, enables the states and localities to keep violent offenders in prison.

- Over the past 12 months, the Department has been working on the implementation of both the Truth In Sentencing and the Violent Offender Incarceration programs. DOJ is now ready to implement "BARS (Building And Renovating Secure-Space" for Violent Offenders Program", aimed at assisting states in keeping their most violent offenders behind bars.

- Under BARS, DOJ can put upwards to $250 million in the hands of virtually every state corrections department quickly, efficiently, and with minimum red-tape.

- In contrast, under the proposed amendments, the progress made thus far would be eliminated and the implementation process would have to begin anew, including developing new federal definitions for key terms (eg. a universal definition of serious crimes like assault, robbery, and rape), and determining national base-lines required in establishing eligibility requirements (eg. a national average for time served under certain crimes).

- Months of consultation with and work by state correctional officials and state legislatures would be wasted. Many states not only understand the current law, but have already begun making changes to their sentencing statutes and practices to better qualify for prison grant assistance. Not only is DOJ ready to move on this program, but the states are ready as well.

The Stop Turning Out Prisoners (STOP) Provisions in the Commerce, Justice, State, and Judiciary Appropriations Bill (H.R. 2076) As Reported by the Senate Appropriations Committee

Section 615 of H.R. 2076 as reported contains the "STOP" proposal limiting remedies in prison conditions litigation. This proposal has been passed by the House of Representatives in title III of H.R. 667.

Associate Attorney General John Schmidt presented the views of the Department of Justice and the Administration concerning the STOP proposal in testimony before the Senate Judiciary Committee on July 27, 1995. As stated in that testimony, the Department supports the basic objective of the STOP legislation, but has constitutional or policy concerns about a few specific provisions in the proposal.

The Department particularly supports the principle that judicial caps on prison populations must be used only as a last resort measure when no other remedy is available for a constitutional violation. Of course the Department remains firmly committed to ensuring the existence of effective remedies for unconstitutional prison conditions, and believes that the essential objectives of this legislation can be accomplished consistently with that commitment.

I. The STOP Provisions

The main provisions of the STOP proposal are as follows:

- Prospective relief in prison conditions suits can extend no further than necessary to remove conditions that violate plaintiffs' federal rights; such relief must be narrowly drawn and the least intrusive means of remedying a violation; and substantial weight must be given to any adverse impact on public safety or criminal justice system operations in determining intrusiveness. Relief reducing or limiting prison population is not allowed unless crowding is the primary cause of the federal rights violation and no other relief will remedy the violation.

- Any prospective relief automatically terminates after two years, and terminates immediately if it was imposed without a judicial finding that prison conditions violated a federal right.
Prompt judicial decisions of motions to modify or terminate prospective relief are required.

- Standing to oppose relief that reduces or limits prison population is broadened, including giving prosecutors standing to oppose such relief.

- The use of masters in federal court prison conditions suits is prohibited, except for use of magistrates to make proposed findings concerning complicated factual issues, and certain limitations are imposed on awards of attorney's fees in prison conditions suits.

- The new provisions apply to all relief regardless of whether it was originally granted or approved before, on, or after their enactment.

II. Department of Justice Comments

As noted above, the Department of Justice supports the basic objective of the STOP proposal, including particularly the principle that population caps must be only a "last resort" measure. Responses to unconstitutional prison conditions must be designed and implemented in the manner that is most consistent with public safety. Incarcerated criminals should not enjoy opportunities for early release, and the system's general capacity to provide adequate detention and correctional space should not be impaired, where any feasible means exist for avoiding such a result.

The Department notes the following problems which may point to a need for refinement of some features of the proposal:

- The STOP provisions are apparently intended to govern prisons conditions litigation in both federal and state courts, where relief is sought on the basis of alleged violations of federal rights. However, the language of the proposal does not make it entirely clear that the proposal applies to state court litigation, or that it does not affect claims premised on state law rights. These points should be clarified.

- The limitation of prison caps to cases where crowding is the "primary" cause of a federal rights deprivation might preclude any remedy in certain cases where crowding is a substantial and independent, but secondary, cause of unconstitutional prison conditions. Removing this limitation would not be inconsistent with or undermine the proposal's provision that prison caps and the like can only be used where no other remedy would work.

- Application of the new provisions to terminate uncompleted perspective relief ordered in judgments that became final prior to the legislation's enactment may be inconsistent with the Supreme Court's decision in Plaut v. Spendthrift Farm, Inc., 115 S.Ct. 1447 (1995).

- The proposal's limitation of prospective relief to cases involving a judicial finding of a federal rights violation would make it difficult to settle prison conditions suits, because defendants would have to concede that they have caused or tolerated unconstitutional conditions in their facilities in order to secure judicial approval of the settlement.

- In cases where defendants have not corrected unconstitutional conditions within two years, the automatic termination of prospective relief would require plaintiffs to refile cases in order to achieve the objectives of the original order, disserving the interest in judicial and litigative economy.

involve these amendments that Senators have the opportunity to look at them.

So, we would have to object to anything beyond the opportunity to make opening statements at this point.

Mr. GRAMM. Mr. President, we are certainly narrowing it down to opening statements.

So with that, I ask unanimous consent that we begin opening statements and that it not be in order to offer an amendment until those opening statements are completed; at that point that—let me state it this way: I ask unanimous consent that it be in order now to have opening statements; that at the conclusion of the opening statements, subject to the agreement of the minority leader, at that point that it be in order for the distinguished Senator from Oregon, Senator HATFIELD, to offer an amendment on behalf of himself and Senator HOLLINGS.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMM. Mr. President, let me try to give an opening statement on a very complicated bill without getting into too many of the details but in such a way as to basically cover the issues that are involved in this bill.

I think there are many reasons why this is a very complicated and a very controversial bill. One reason is money. This bill, probably more than any other appropriation that we will consider this year, has a very tight budget. It, in fact, provides $4.26 billion less for Commerce-State-Justice appropriations than was requested by the President.

It provides almost $2 billion less than a nominal freeze in the current level of appropriations for Commerce-State-Justice. And I remind my colleagues that, compared to some of the larger appropriation accounts, this is a fairly small appropriations bill in terms of actual dollar outlays. So when we are talking about $2 billion less for fiscal year 1996 than we are spending this year, we are talking about a substantial reduction in the ability to expend money for the carrying out of functions in the Department of Commerce, the Department of State, and the Department of Justice.

The bill also has almost $900 million less than our counterparts in the House had. And this is the first point I want my colleagues to understand. When the President criticized this bill for not providing funding for purposes for which he requested funding, it is important for our colleagues—and, quite frankly, it is important for those who are following this debate—to understand that we are operating under a totally different budget than the President proposed.

Our budget comes into balance in 7 years. Our budget substantially reduces discretionary spending. Our budget imposes very real constraints on spending money.

The President, in proposing $4.3 billion more for these three Departments of Government than we proposed, does so in a budget that will not be in balance by the second coming. It does so in a budget that will not bring the deficit below $200 billion in a decade.

So the fact that the President, in his budget, can request funding for many functions that we do not fund is simply a testament to the fact that our budget is a binding budget that is balanced over 7 years and the President's budget is not.

There are several ways to approach the writing of an appropriations bill where you have to cut $4.3 billion. One way—and, quite frankly, in no way being critical, but I want people to understand why this is such a controversial bill—one way is to take the approach which has been taken in most other appropriations bills, and that is to simply take the level of savings that is dictated, nick a whole bunch of programs a little bit and, basically, take the approach that you are going to sort of hunker down and not fundamentally change anything.

It seems to me, Mr. President, that this is roughly equivalent to an action that a family which is running out of money might take at the end of the month when they say, "Well, we're running out of money and what we're going to do is spend a little bit less going to the movie and spend a little bit less on milk for the children."

As we know, families do not operate that way. Families set priorities. Families decide toward the end of the month when they are running out of money that they are not going to go to the movie, but that they are going to continue to buy their children milk.

As chairman of this subcommittee, I decided that if we were shooting with real bullets, if we were going to write an appropriations bill now that set out a path to balance the budget over 7 years, that we ought to recognize, to begin with, that we are going to have less money next year than we had this year, less the next, and less in each successive year for the next 6 years.

So I made the decision to terminate programs, to set priorities. My original recommendation terminated some 12 programs outright. It also set very strong priorities. It was my decision as chairman of the subcommittee that not all programs in the Commerce, State, Justice appropriations bill were created equally. I believe that the American people have very strong preferences, and what I have tried to do within the monetary constraints that I have had as chairman, and this has been supported by the majority in both the subcommittee and the full committee, is to try to fund the President's effort in fighting crime. I am very proud of the fact that this bill fully funds the FBI and the DEA. It fully funds our efforts to incarcerate violent criminals. It provides a strong funding increase for the courts to hire prosecutors to provide the system of criminal and civil justice that we need to deal with the problems that we face.

This bill provides a substantial increase in funding for the Justice Department, funding for our effort to fight violent crime, funding for our effort to fight drugs.

I will come back in a moment and talk about changes in how the Justice Department would function, but let me make this point. While we provide, basically, the same level of funding requested by the President, we have in subcommittee and full committee on this bill changed the allocation of funding. In the crime trust fund, we spend less money on social programs, we spend more money building prisons. It is a belief of the subcommittee and the full committee that we need to get tough on violent crime, and we try to do that in this crime bill.

The second area that we fund in this bill has to do with the Department of State. I have to say, Mr. President, that I have been somewhat disappointed. I visited with the Secretary of State. I explained to the Secretary of State the simple arithmetic of this bill, and the simple arithmetic of this bill is as follows:

If we provide roughly the level of funding requested by the President for the Justice Department, if we provide funding for half of the increase requested by the Federal judiciary, what that means is, given the amount of money we have left, that we have to cut every other program by an average of 36 percent. That is the cold reality that we are looking at.

I tried to explain to the Secretary of State that that was basically where we were and that that meant that we were going to have to reduce the level of funding for the State Department by roughly 20 percent. That is actually better treatment than we provided for the Commerce Department in this bill.

We have not adopted the authorization bill for the State Department, but a majority of the Members of the Senate have voted for that authorization. It has been filibustered. We have been unable to get 60 votes and, as a result, what I did in writing the appropriations bill is I took the authorization bill which has received a majority vote in the Senate on a cloture motion and I used it as the blueprint to write funding for the State Department.

The basic reductions that occur in the State Department budget have to do with American payments for membership in world organizations. The distinguished Senator from North Carolina, Senator HELMS, in his authorization bill, dramatically reduces the amount of taxpayer funding that goes to world organizations to promote objectives that, at least in the minds of the majority of the Members of the Senate, did not reflect the will of the American people.

I think it is important to note, and I want to be sure that it is part of the RECORD, that despite all of the moaning from the State Department that somehow not a sufficient account is taken in this bill that representing

America abroad today is a dangerous business, something that I understand, I appreciate the sacrifice that is made by people who work in the State Department.

As a result, I have fully funded every penny requested by the President in his budget for such expenditures. Even though he spends $4.3 billion more in his budget than we are allowed to spend in ours, I fund every penny the President requests for security abroad for both our Embassies and our personnel.

So the criticism of the State Department that somehow we are underfunding the State Department and the needs of its people is simply verifiably false.

This is a tough budget. It does reflect the fact that the American people do not believe that we are getting our money's worth with all of these world organizations where we pay the bulk of the dues and have a relatively small say in what they do and on how our money is spent.

I think the plain truth is the American people understand that in the postwar period, America has been like a little rich kid in the middle of a slum with a cake. The whole world has looked at this cake and wanted a piece of it. We literally have run all over the world handing out pieces of this cake. Nobody has loved us for it. In fact, in many cases, they have not loved us, thinking they should have gotten more.

The fundamental philosophy behind this appropriations bill is we need to stop sharing the cake, and we need to start sharing the recipe we used to bake the cake, which is free enterprise, individual liberty, and private property.

So in the State Department appropriations bill, we provide $4.4 billion. The President requested $5.6 billion. Much of this reduction is taken in membership in world organizations. And, quite frankly, while this can be debated forever, I would be perfectly content to take my appropriations bill, take the President's budget, to tear the title page off, to put each of them on the table in every kitchen of every working American and let them decide whether they want money spent funding the war on violent crime in America, the war on drugs, gaining control of our borders, or whether they want the money spent paying dues to organizations around the world where the United States is now a member of these organizations and, in many cases, is paying the bulk of the dues.

I do not think there is any doubt that the American people would choose the position that I have chosen. It seems to me that is why the State Department has not wanted to debate the real issue here.

In terms of the Commerce Department, let me remind my colleagues that the budget that we adopted in the Senate was a budget that called for the elimination of the Commerce Department. I have listened to my colleagues talk about eliminating departments, and I then look at their willingness to vote to actually cut the programs, and I often see a gulf between the rhetoric and the reality. It is almost as if when people are talking about eliminating departments, they want to go down and take down the flag and take down the plaque off the wall, but they want the Government to keep doing the things the Department has been doing.

When we adopted a budget that called for the elimination of the Commerce Department, when the Government Operations Committee reported a bill to eliminate the Commerce Department, I, as chairman of this subcommittee, believed that they were serious. And, as a result, we dramatically reduce spending in the Commerce Department. We set up a procedure to provide funds for current employees, and we provide the mechanism that would allow us, if in fact we pass the authorizing bill, to terminate the Department, and to do it in an orderly fashion.

Now, many of the people who voted for the budget to eliminate the Department want to preserve some of its programs and, obviously, we are going to have votes on those. There are many programs within the Commerce Department that this bill eliminates outright. But, basically, it is a bill that begins the process of dramatically reducing the level of expenditures for activities where the Government is attempting to pick winners and losers in the American economy. There is a fundamental philosophical difference between the two parties on this issue. The party which I represent—the philosophy I believe in—believes that the market system ought to be the basic determining factor of who gets money to invest; that Government does not have the wisdom to make that decision and, quite frankly, even if it had the wisdom to make that decision, since it is inherently a political decision, it would not make that decision very well.

That is an outline of the expenditures of the bill. As I said, the bill eliminates some dozen programs from the Minority Business Development Agency to the U.S. Travel and Tourism Administration, to the Technology Administration, to the information infrastructure grants, to the Death Penalty Resource Centers, to the Competitive Policy Council, the Ounce of Prevention Council, and the bill eliminates Legal Services as a Federal program.

Now, let me talk about the language changes in the bill, because almost every one of these provisions is controversial. So let me try to tick through basically what the bill does.

The House appropriations bill appropriated to their crime bill, which was part of the Contract With America. The Senate has not passed a crime bill. The crime bill passed in the House contemplated and, in fact, provided a dramatic change in the President's program to provide funds to State and local governments. We had no corresponding bill pass in the Senate, but we do have a bill that has been introduced by Senator HATCH in conjunction with Senator DOLE. To make the House and Senate crime bills conformable, it was decided by the subcommittee and the full committee to write in the allocation formula from the Dole-Hatfield proposal, so that both appropriations bills are moving in the same direction toward block grants. Needless to say, with Senator BIDEN, this has been a very controversial subject, and we have worked out an agreement where Senator BIDEN will offer a substitute for this provision.

Senator HATCH and Senator DOLE would like to change their proposal, which was written into the bill, and so they will basically put the ball in the air. Each will submit alternatives, and we will determine, based on a vote on the floor of the U.S. Senate, what direction we move in.

But let me be sure that everybody understands what the bill before us does in this area. The bill before us would allow communities to carry out the community policing program exactly as the President proposed, if they choose to. In the bill before us, we would allocate funds to local police departments, and they would have the ability to do community policing exactly as the President has proposed, if they choose to do it. The objection that has been leveled against this block grant is not that they cannot do what the President has proposed we do, but that they have the option of doing it in a different way. The objection to our language is not a dispute about the President's program so much as it is a dispute in the ability of local government and local chiefs of police to decide to use the money in a different way if they think that will work better for them.

We have set out a guideline on how the money could be used. If people chose to do community policing, to put more policemen on the beat, as our crime bill last year proposed, and as the President supports, they could do that. If they decide that they want to have more policemen on the beat, but they want to use the funds for training, they could do that. If they decide that they want to work overtime to get better trained police officers on the street now while they bring new trainees into the police academy, they could do that. If they decide they need to use the funds to buy equipment to make their system more efficient, they could do that. But they have the capacity to carry out the program as the President has proposed, if they choose to.

The second change in language has to do with the Legal Services Corporation. It is not news to any of my colleagues that I am not a fan of the Legal Services Corporation. I believe that is has some legitimate functions. But I think that, in many cases, they have not carried those functions out.

Legal Services Corporation today has a lawsuit underway against every State in the Union that has tried to reform welfare. Every time any State in the Union has had a mandatory work requirement, the Legal Services Corporation has filed a lawsuit against them. Any time any State in the Union has tried to deny additional benefits to welfare recipients who have additional children on welfare, the Legal Services Corporation has filed a lawsuit against them.

The Legal Services Corporation has a long history of using taxpayer funds to promote causes which are not taxpayers' causes. My view is, Mr. President, that if someone wants to file a lawsuit against the State of New Jersey saying that they cannot have a mandatory work requirement for welfare recipients because it violates the constitutional rights of welfare recipients to have to work, people ought to have a right to file that lawsuit. But they ought not to use taxpayers' money to do it.

In any case, after many years of battling on this issue, this year I proposed—and was successful—in the initial mark to eliminate the Legal Services Corporation outright.

I did not have the votes in subcommittee to do that. An agreement was reached where we eliminate the Federal Legal Services Corporation. We take roughly half the money that it is now spending and we give that money in a block grant to State governments. Then State governments, within a set of guidelines which limit the ability of organizations that take Federal taxpayers' money to engage, basically, in the promotion of class action suits, opposing welfare, and a series of other restrictions based on past concerns—have block grants to spend on legal services. It provides roughly half the funds that the existing program provides.

Another controversial area of language in the bill has to do with prisoners' work. This is an issue which I feel very strongly about. I do not have much doubt in my mind that when the votes are counted on the floor of the Senate, I am going to lose on this issue. But I want the American people to know about it. Part of my reward for being chairman is that now people have to take this provision out.

Let me define the problem. To keep someone in the Federal penitentiary this year is going to cost the Federal taxpayers $22,000. We could send somebody to Harvard for what we are going to pay to keep them in the Federal penitentiary. We are paying more to keep someone in the Federal penitentiary than they would make if they could earn twice the minimum wage working.

Now, why is that so? Part of the reason is because of the way we build prisons. I have tried in this bill to begin moving us in the direction of stopping the building of Federal prisons like Holiday Inns, taking out the air conditioner, the color television, the weight room. The key ingredient in this direction is requiring Federal prisoners to work.

Now, this is where we run headlong into greedy special interests. This is not just the greedy special interests of organized labor. It is also, quite frankly, the greedy special interests of corporate America. It is the greedy special interests of big business, and it is the greedy special interests of small business.

We have three laws in effect that basically criminalize working Federal prisoners. It is basically criminal in America for prisoners to work in any conventional sense of working. Most Americans have not the foggiest idea this is true, and they would go absolutely berserk if they understood it.

These three laws basically go back to the Depression era when we took a criminal justice system where prisoners were working, where they were to a substantial degree paying the cost of their own incarceration, and in the Depression era we started eliminating their ability to work.

Now, some people could argue—though I would never make the argument—that it may have made sense in the Depression because by not having prisoners do something, someone else could do it and it would create a job. If one could have made that argument in the Depression, they cannot make that argument today.

We have one Federal statute that makes it illegal for prisoners to work in producing anything sold in interstate commerce. We have a law that makes it illegal foı a prisoner to produce anything that is transported in interstate commerce. We have another law that makes it illegal for prisoners to produce anything that is sold within the State in which it is produced. Then we have another provision that sets out guidelines where, if prisoners did produce something that was sold in the private market, they would have to be paid union scale.

Let me translate all of those amendments and what they mean. What that means, in essence, is you cannot make prisoners work in producing anything to sell in the private sector of the economy.

All over the country we have 100,000 people in the Federal penitentiary. We have 1 million people incarcerated in America. By and large, except for producing a handful of things that are relatively insignificant in value as compared to the total economy, they cannot work.

Now, we have a bunch of programs in States where prisoners produce car tags. We have a Federal program where they produce furniture for the Federal Government. But by and large these laws prevent us from putting prisoners to work. I would like prisoners to work 10 hours a day 6 days a week. I would like to turn our Federal prisons into industrial parks.

What I have done in this bill is I have overturned these three laws, and I have set out a simple guideline. What the bill says is that it is legal for prisoners to be required to work so long as the President certifies that what they produce is not sold in such a way as to glut a local market or to glut the national market.

What I foresee under this provision, if it becomes law, is that we could turn our Federal prisons into industrial parks. Many of the goods that are produced abroad, component parts from everything from air conditioners to wheelbarrows to automobiles, we could produce some of those component parts with prison labor.

If we stopped building prisons like Holiday Inns, we could probably cut the $22,000 in half. If we required prisoners to work, we could probably cut the $11,000 of net cost in half. I believe that within a decade we could cut the cost of incarcerating people by 75 percent. But we are probably not going to do it. Let me tell you why. Because organized labor and because a few industries that do not want any competition will support the offering of an amendment that will continue to criminalize prison labor in America.

Now, I offered this provision in our bill because I think it is needed. I think when you have 1 million people incarcerated, it is inhumane not to have an orderly system where they can work. I will not drag this dead cat across the table too many more times here, but I want to remind my colleagues that when Alexis de Tocqueville came to America in the 1830's and went back home and wrote "Democracy in America," one part of American life that he commented on was our prison system and how enlightened it was because we worked prisoners hard. Prisoners at that time were working 12, 14 hours a day 6 days a week, and de Tocqueville noted how enlightened it was because by making prisoners work it made life in prison bearable.

If we made prisoners work today, not only would we save money, but people when they got out of prison would have a skill that they learned working in prison. If we made them go to school at night, they would know how to read and write, and having worked 10 hours a day 6 days a week, go to school at night, serve their full term, when they get out of prison they would not want to go back.

That is not going to happen because this provision is going to be stricken out by special interests. I know it, but I want people to have to vote on it, and I want people to be able to look at their vote. Prisoners in America should be required to work. They should be allowed to work in producing things that we can sell.

Every year our dear colleague, Senator HELMS, offers an amendment to ban trade with countries that make prisoners work. Every year I wonder why we cannot make our prisoners work. How is it that we have people who are working two and three jobs, struggling to make ends meet, and we are paying $22,000 a year to keep somebody in prison, and then we cannot force them to work to produce something of value to pay for their own incarceration?

It is called greedy, petty, special interests. The world ought to know about it. I hope to awaken them by putting this provision in this bill that somebody has to take out.

Now let me talk very briefly about two other language provisions in the bill. One has to do with the 8(a) program. The 8(a) program is designed to help disadvantaged businesses. The basic idea of the 8(a) program was that there are some businesses that are disadvantaged and that we want to try to help them get on the playing field and be more competitive.

The problem is that over the years, disadvantaged has come to mean minority or female. You cannot be disadvantaged, under the 8(a) contract, if you are not a minority and if you are male. So what I try to do is open up the 8(a) contract and say, no matter what your gender is, no matter what your race is, if you are operating in a depressed area, if you are a small, struggling business and you are hiring people who live in a distressed area, you ought to be treated in exactly the same way as someone doing exactly the same things you are who is from a different ethnic group or from a different gender.

We do not eliminate the 8(a) program, we simply open it up to people who are disadvantaged because they are small business people in depressed areas with high unemployment and they are hiring people from those areas.

This is a controversial subject. I understand that. But I believe, again, if we could put this proposal on the kitchen table in every kitchen in America and ask, if somebody is a small business person, if they are operating in an area of high unemployment, if they are hiring people who are from a high unemployment area, why should they be discriminated against based on race or gender? I think America has asked that question and I think America has answered it. They are waiting for the U.S. Senate to answer it and I want to give them a chance to answer it today.

The final provision I want to talk about in the bill, in terms of language, has to do with quotas and set-asides. I understand where the Senate stands on this issue. Of all people here, I understand it. I offered an amendment earlier this year to ban set-asides, to open up competition, and to say that in bidding on a Government contract you have to be judged on merit; that you cannot be judged based on gender or race. The American people say, by an 80-percent margin, that they support the merit system. America was built on it. Discriminating against people is fundamentally un-American, but the Senate supports discrimination and proved it on that night in that amendment.

This is my bill, as chairman of this subcommittee, and I am very proud of the fact that we have, in this bill, in the jurisdiction of Commerce, State, Justice under this bill, we say that it is illegal to discriminate against anybody in hiring, promotion, and contracting, and it is illegal to discriminate in favor of anybody. It is simple language. In fact, it is the language which the distinguished majority leader, Senator DOLE, has worked out. I had worked out similar language but, frankly, I thought his language was better so I included it.

It is basically a commitment to merit. I have to believe, based on our past vote, that this provision will be stripped out. But, again, America ought to know who is and who is not for quotas; who is and who is not for set-asides. Let me make it clear that the language in this bill preserves our total effort of outreach. It preserves our ability to go out and recruit people to apply for jobs. It gives us the full ability to work, to see that everybody gets on the playing field. But it requires that, once people are on the playing field, when it comes to being hired, being promoted, or getting a contract, that must be done by merit.

So this is a very controversial bill. It is no accident that we have kept it to the end. I am quite proud of the bill. Obviously, others oppose it. And the way democracy works is that we propose and we debate, and I accept the outcome of it. But I think this bill represents a dramatic change and, quite frankly, I have been disappointed in the other appropriations bills in that we have committed to a budget that calls for a dramatic change but everybody seems to be waiting until next year or the next year or the next year to make these changes. I wanted to make them now. I may not be here 2 years from now. I do not know. I may not be on this committee next Monday—I do not know that either. But I do know that I believe this represents a dramatic break with the past.

This bill terminates programs. This bill dramatically changes the way we operate the Federal Government. And I think it gives people a very clear choice. It defines a movement in the direction that I would like to see us go. I am proud that the subcommittee and full committee supported the effort to bring the bill to this point. I know there are some people on the subcommittee and full committee who, now that we are on the floor, will abandon us on some of these issues. But I think we have before us a good bill and, Mr. President, I appreciate the indulgence of the Chair as I outlined the bill.

Let me yield the floor for the distinguished ranking member, a man who has served on this subcommittee as both chairman and ranking member, a man for whom I have very great respect, the distinguished Senator from South Carolina.

The PRESIDING OFFICER (Mr. GORTON). The Senator from South Carolina.

Mr. HOLLINGS. Mr. President, I rise today to speak against H.R. 2076, the fiscal year 1996 Commerce, Justice, and State appropriations bill. For me, this is unprecedented. Never in my 25 years on the Appropriations Committee—or my 18 years as serving as either the chairman or ranking minority member of this subcommittee—have I opposed this bill. And never in my career here have I seen an appropriations bill prepared in such a partisan manner and voted out of committee on straight party lines.

I am against this bill because I simply cannot go along with its recommendations and because of its extreme nature. This bill represents a 180-degree departure from the way we on this committee have approached our job when senators Rudman, Weicker, Pastore, Laxalt, and DOMENICI and I were chairman or ranking member. In the past, we focused on the business of governing. We worked together to ensure that the agencies under our jurisdiction are well-run and appropriately funded. Our job always was to see to it that the taxpayers' dollars were well spent. If a program was worth it, we sought to fund it adequately. At the same time, we conducted budget scrubs to ensure that we achieved savings from delayed contracts, program changes, and other technical matters.

But Mr. President, that is not what today's bill is about. It is not about governing. It is about politics and making philosophical policy statements. It is about picking winners and losers. It is about throwing money at one part of this bill, the Department of Justice, and about wreaking havoc on the rest of the bill. In many ways, this bill seems more like a budget resolution than an appropriations bill.

Mr. President, government is not a dirty word. I know that there are some who have come to Washington intending to have a fire sale. Well, those people will probably like this bill because it is a bonfire. Agency after agency is eliminated or subjected to unprecedented reductions of 20 percent or more. This bill slashes programs with little description or detail of what is being cut. For example, the International Trade Administration is cut by $47 million below a freeze. But the report does not direct how the reduction should be made. Should it be from the Import Administration that protects U.S. industry from foreign dumping? Or should it come from the foreign commercial service that promotes U.S. industry overseas or from trade and industry sector analysis? This bill just does not say.

So, we have wholesale elimination of agencies. And we will have wholesale reductions in force and office closures. They are not being highlighted in this report, but mark my words on that.

Take the Small Busin Administration. My friend SBA Administrator Phil Lader tells me that his appropriation for salaries and expenses means that the SBA will have to lay off 1,200 of their 3,100 employees.

Mr. President, maybe I am old fashioned, but I will not join in this fad that denigrates public service. In the 25 years I have worked on this bill, I have learned that much of it supports what we in the budget game call salaries and expenses. What that means is that most of this bill funds people. And I have come to have great respect for the dedicated public servants who work hard to serve the people of this country.

I think of Emilio Iodice, of the International Trade Administration, our senior commercial officer in Madrid, Spain, who is hustling day in and day out to get contracts for American business. I think of Dr. Neal Frank and Bob Sheets, of NOAA, who have run the hurricane center in Miami, FL, and who worked around the clock to warn us of killer storms. I think of Ambassador Princeton Lyman in South Africa who is helping that nation build a lasting democracy and of the many foreign service officers I have met. In my view, these State Department and USIA foreign service officers truly are the best and the brightest. I sometimes wonder how many of us could pass their stringent entry requirements. And of course, I think of the many professional comptrollers who with us on a day-to-day basis—people like Mike Roper at Justice, Mark Brown at Commerce, and Stan Silverman at USIA.

With this bill, I worry about the message that we are sending to these dedicated public servants and young people who might want to enter government service. I think we should be praising these people for their service, not denigrating them.

JUSTICE INCREASES

In the Commerce, Justice and State hearing room in the Capitol, there is a painting of Edmund Randolph, our first Attorney General. I think about him when I look at what is happening to this Justice budget in this bill. We are throwing money at a problem without being responsible. Do my colleagues know when funding for the justice department hit the $3 billion level? It was 1983. In other words, it took 194 years for the Justice Department's budget to reach $3 billion. And that is how much the increase is for Justice in this bill for just 1 year. That is nothing short of amazing.

I think most of us who were around in the early 1980's realize that we tried to throw too much money at Defense too quickly. And as some will remember, I was one of those who pushed hard to increase Defense in 1980. But, I fear that this is exactly what we are doing with Justice in the 1990's. This year, the Federal Bureau of Investigation is unable to spend almost $50 million that we gave it last year to hire more agents. Of course, the bureau will find other u for the mo y. But this bill before us plans to give the FBI an increase of almost half a billion dollars above this year—an increase of 20 percent in one year. I am all for my good friend Judge Freeh and the dedicated agents who serve us. But a 20-percent increase in 1 year? And when I look at the Immigration Service, we are adding 1,300 border patrol agents per year, which again, is more than a 20-percent annual increase.

Now I stand second to none in my support for the Justice Department. During the span that I last served as subcommittee chairman of this appropriations subcommittee, the Justice Department grew from $3.9 billion in 1986 to $13.7 billion in 1994. In the Senate, Attorney General Janet Reno probably does not have a bigger fan than me. But we have got to slow down and take a look at where all this money is going. We have got to stop the bidding war to see who can throw more money at law enforcement to rack up political points.

Mr. President, this bill is largely the story of two bills. For Justice and judiciary, it represents increases and for the remainder of the bill it will cause destruction. It did not have to be done this way. I would urge my colleagues to look at how much more reasonable and moderate the bill is that the House sent to us. The Contract With America crowd developed a much more responsible bill.

I would like to describe some of the recommendations for my colleagues.

For the Commerce Department, the bill: Eliminates entirely several Commerce technology programs: the Technology Administration, new Advanced Technology Program and manufacturing extension program grants. It eliminates previous funding to modernize National Institute of Standards and Technology laboratories.

The bill eliminates the Minority Business Development Agency, a program created during the Nixon administration to empower minority entrepreneurs, and to expand minority-owned businesses.

The bill eliminates the U.S. Travel and Tourism Administration.

The bill cuts the International Trade Administration by $45 million or 17 percent below a freeze. This would result in office closures around the country and overseas, and debilitate our trade promotion efforts for U.S. industry.

It cuts the Economic Development Administration [EDA] from its current level of $410 million to $100 million. It reduces one of the only programs with a direct charter to assist communities impacted by defense base closures and realignments.

It severely reduces the National Telecommunications and Information Administration [NTIA] operations, the public broadcasting and facilities program, and it terminates the information infrastructure grant program and the children's educational television program.

Mr. President, the bill authorizes and appropriates funds for a new Commerce Reorganization transition fund which finances personnel separation costs and termination costs for the various agencies proposed for elimination.

It provides $395 million for economic statistics and the Census Bureau, an increase of $84.5 million above the House bill, and $70.4 million above this year.

It provides $1.867 billion for the National Oceanic and Atmospheric Administration [NOAA], a decrease of $45 million below the current year, but $92 million above the House bill. Like the House, the NOAA fleet modernization program is terminated.

For the State Department and international affairs agencies, the bill severely cuts State Department operations funding $340 million below this year's level. This will result in the closing of many embassies and consulates around the world and the layoff of 1,100 foreign service and civil service employees.

The bill rescinds $140 million in prior year appropriations for embassy construction, repairs and maintenance. This will likely result in the cancellation of our new embassy in Ottawa, Canada, and the elimination of repairs, maintenance and security improvements around the world.

The bill assumes S. 908, Senator HELMS' authorization, which never proceeded in the Senate because of its controversial provisions. This bill, however, provides $890 million less funding for the State Department than Senator HELMS proposed to authorize.

The bill authorizes and funds a new Foreign Affairs reorganization transition fund and provides $26 million for this account. Bill language directs the director of OMB rather than the Secretary of State to consolidate programs under State, USIA and ACDA.

Funding for international organizations is cut by 37 percent below current levels. This year the United States paid $873 million to the United Nations, the Organization of American States and 49 other international organizations. These assessments are based on treaty obligations. In 1996, the administration requested $923 million for these obligations. The bill provides only $550 million. We would have to pull out of a lot of international organizations or simply refuse to pay our bills.

The U.S. Information Agency [USIA] is devastated under the recommended bill. USIA is cut $364 million below the current year and $53 million below the House bill.

This bill cuts international educational exchanges, like the Fulbright program, by $43 million below the current year.

The bill provides $355 million for international broadcasting—the Voice of America, Radio Free Europe Liberty, and Radio and TV Marti. It is far below last year's level, but above the House.

For independent and regulatory agencies, the bill terminates the Legal

Services Corporation, current funding of $400 million, and replaces it with a civil legal assistance block grant under the Justice Department. The bill carries 13 pages of legislation including a long list of restrictions on the use of these funds. For example, the block grant could not be used for helping a poor person seek a legal separation from an abusive spouse.

The Corporation was created during the Nixon Administration. I worked closely with Lewis Powell in the endeavor, and I stood with my friend, Warren Rudman, in his yeoman efforts to save the LSC. Like the Senator from Texas, I have had concerns about the LSC being involved in class-action suits. But the House bill had already dealt with that, and it retained funding for the LSC.

The bill cuts all regulatory agencies at least 20 percent below a freeze. In each case, the bill uses fee collections to cut appropriations even though these fees often were created to enhance operations. The recommended bill will result in significant reductions in personnel and operations.

The Federal Trade Commission [FTC] is proposed to receive $79 million instead of $98 million as proposed by the House and provided currently. The FTC is charged with consumer protection and anti-trust duties. Again, we are looking at a one-third reduction in staff and cancellation of many important programs such as the FTC's efforts to combat telemarketing fraud.

The Federal Communications Commission [FCC] is proposed to receive $166 million instead of the current level of $185 million. We keep giving new responsibilities to the FCC under the communications bills, but here we are cutting them below current levels.

The Securities and Exchange Commission [SEC] is funded at $238 million instead of the current level of $297 million. Further, the bill reduces charges to individuals registering securities and shifts $60 million in costs to the federal taxpayers. So I guess that says we want to combat violent crime in Justice, but white-collar crime by Ivan Boesky is fine.

The Competitiveness Policy Council is eliminated.

The Maritime Administration is funded at $70.6 million instead of $94.7 million, the current level, and far below the administration's request of $309 million.

The Small Business Administration [SBA] is funded at $558 million, $359 million below this year, and $73 million below the request. SBA says that they will have to reduce over a third of their workforce based on the committee's report language direction to fund grants and loans instead of personnel. This ignores many of the streamlining efforts that Erskine Bowles and Phil Lader have already accomplished, resulting in reduction of 500 positions during the past 2 years.

REWRITING THE CRIME BILL/LEGISLATION

Finally, I oppose this bill because it proposes to terminate the successful Cops on the Beat program and other authorized Violent Crime Reduction Trust Fund programs. In their place, the appropriations bill essentially authorizes a new Crime bill. Talk about breaking new ground for legislation on an appropriations measure.

The Cops on the Beat or Community Oriented Policing program is one of the most efficient and effective programs that has ever been created. Within a year of passage, 25,000 additional police are on the street in America. We will be debating this program soon, in more detail. But I must say that I simply do not understand why any member would want to terminate this program.

Drug courts is another authorized program. It was Janet Reno's creation, based on her experience in Miami. This is not a soft prevention program. Drug courts work and are getting non-violent defenders off of illicit substances and back into society.

This bill is block grant crazy. Legal services—They say, "Let us make it into a block grant." Community policing and drug courts—They say, "Let us make it into a block grant." I guess I do not understand. I remember the Republican filibuster against the President Clinton's stimulus package in the spring of 1993. As I recall, the principal argument against that bill was that it was funding block grants and recipients had a wide discretion of how they could use block grants. In law enforcement in the past, we had a block grant program—LEAA—and it was a disaster.

Mr. President, this bill contains many other pieces of legislation. It takes the limits off of sales from prison labor, and it changes affirmative action and procurement regulations.

I hope that my colleagues will carefully examine this bill. Many have said, "Yes, it is a travesty, but the President will veto it." That may be true. All indications are that it could not be signed in its current form.

I, for one, hope that the Senate will not go on record by supporting such an extreme, irresponsible measure. I hope we can make some changes to this bill and improve it.

Mr. President, obviously I am not disposed to speak at length, but I have to comment about my distinguished colleague and his opening statement on two or three items. Just in closing, he said: This is open. This is the way we do it. It is open to debate. We debate these things, and we vote on them and we make decisions.

Unfortunately, having been on this committee for over 25 years, in this subcommittee we did not debate, we did not discuss, and we did not do anything other than vote. That is why the bill comes on a bipartisan split, so to speak, of 15–13. It reminds me of Mao Tse-tung when he got a birthday wish. It said, "From the Central Committee, by a vote of 15 to 13, we wish you a happy birthday."

This bill is an atrocity. In my experience in particular measures, it is voted that way because, very conscientiously, we did not have a chance to debate and rectify certain things. But I do not want to dwell on that too much at length because the distinguished chairman of the full committee is henceforth coming to the floor to try to give us an additional allocation and correct some things, like the elimination of the Minority Business Enterprise Administration—an entity that started out with President Nixon back 25 years ago in 1970—and various other things like that which were eliminated.

The bill is called an atrocity because the distinguished chairman of the subcommittee, for whom I have great respect, says we overturned laws. He is dead right in this particular measure. It is not the function of an Appropriations Committee to overturn laws. On the contrary, we are supposed to conform to the authorized law, or the law authorizing the amounts, and thereupon appropriate within those particular amounts.

Here we see a measure that takes a bill that has been debated fully and voted three readings in the House, three in the Senate—with respect to cops on the beat—signed into formal law, the law of the land, and participated in with enthusiasm by the overwhelming majority of the police forces over the entire country. It is a program that is working and working extremely well.

Without any authorization, that law, as provided by way of money in this measure, is overturned. It is just repealed. The formal law is totally disregarded, and in its place, we have a so-called block grant approach.

Similarly, with respect to the Legal Services Corporation, that was more or less created by the distinguished former Associate Justice of the Supreme Court, Justice Powell, when he was president of the American Bar Association. Here is a corporate entity, the Legal Services Corporation, worked in by the private sector, by the professional attorney sector and by the Federal Government in a most successful fashion, but it is not within this bill. That endeavor that has been going on successfully for years is totally overturned and repealed. A new program is put in. It is not authorized.

Of course, the parliamentary tactic is to raise a point of order. But in the spirit of trying to move along, we can have some votes around here on points of order and everything else. But I am not trying to turn back anything parliamentarily. I am trying to turn it back on the basis of merit.

But if you go through this particular measure, they come down real hard on the future of this country with respect to, for example, the programs within the Department of Commerce and the Department of State. The Department of State is not really left with an operating budget. We have been closing consulates and closing down various endeavors on behalf of the Department of State over the last 15 years. Somehow, somewhere, people have forgotten that, after all, we had President Reagan come to town with spending cuts, and then President Bush. After 8 years of President Reagan and President Bush for 4 years, we had 12 years of spending cuts. Then we had, of course, President Clinton come to town and cut out another $500 billion in spending cuts.

So what we are on to is the tail end, so to speak, of 15 years of various spending cuts whereby programs like WIC, Head Start, title I for the disadvantaged, and many others, are only half funded, as are many programs in health research. That is the reason we just rejected, by way of extended debate, the Labor, Health, and Human Resources appropriations bill. For every dollar we spend over at NIH, we save the taxpayers $13.50.

So these money-saving programs have run into a frontal assault of a so-called political contract that is devastating to the functioning of our society.

I almost wish when it comes to the Department of Commerce that President Clinton had said we ought to get rid of the Department of Commerce. If President Clinton said we have to get rid of the Department of Commerce, the whole business community—all of that crowd that runs under the white tent for NAFTA and for GATT, and all the Republican crowd, all of those executives, that Business Round Table—would come running up here: "What do you mean this Democratic President is trying to do away with the voice of business at the Cabinet table?" You cannot find them today. Why? Because the Republicans thought of that idea.

Yes, labor is to have a voice at the Cabinet table, but not commerce, the business leadership. Agriculture is to have a voice at the Cabinet table, but they want to do away with the Department. You will not find agriculture in the Constitution. You will not find the Labor Department there. But you will find, under article I, section 8 of the Constitution, that the Congress is hereby authorized to regulate foreign commerce. We are doing away with constitutional responsibilities in a willy-nilly contract fashion. Now with the fall of the wall, we really look upon the State Department to promulgate our values the world around and capitalism the world around along with the Department of Commerce.

Very interestingly, that is exactly what they are doing. Secretary Christopher and Secretary Brown have been doing an outstanding job, but there is no acknowledgment or recognition of it whatever in this particular appropriation. Rather, they tried to do away with the technology, the advanced technology program, the manufacturing centers, the Office of Technology and all, as we go on down the list—these various endeavors to keep America competitive.

Our foreign policy, our security as a nation, our success in this global competition, rests like a stool on three legs. We have, on the one leg, the values of a nation which are very strong and are unquestioned. America voluntarily will try to feed the hungry in Somalia, voluntarily will try to set up democracy in Haiti, and now is trying to help, of course, in Bosnia and in the Mideast where they are meeting right now. With respect to our values, it is very strong, and with respect to our military leg, it is unquestioned. But with respect to the economic leg, over the past 45, almost 50 years, it is fractured and willingly so.

We set up the Marshall plan. We sent our money and our technology and our expertise to countries abroad in the conflict between capitalism and communism, and capitalism has won out. And we are all very grateful for that. But during that 50-year period, what we had to do was sort of sacrifice our economy and give up markets with the assault on market share. We had to give up markets to our friends in the Pacific rim, in Europe, and otherwise around, with a sort of nudist trade policy—running around here like ninnies hollering "free trade," free trade"—when there was not any such thing, and it is not now. We all understand that.

But now with the fall of the wall comes the opportunity to rebuild the strength of the economy. Yes, in many instances, that means more government. I want a Senator to say that on the floor of this U.S. Senate. What we need is more in education, more in the inner-city restructuring, more in transportation, more in science and technology, and more in medical research. That is exactly what we are not doing in this particular measure here.

Let me go right to the point about the President's budget for which we get a gratuitous statement from our distinguished chairman of the subcommittee. He said again that the President's budget would not be in balance at the second coming, and had $200 billion deficits as far as the eye can see. If you want to read the gratuitous statement, you just look at the committee report of State, Justice, Commerce, and on page 4. I will quote this one sentence:

> The administration's request in a budget that made no attempt to balance the budget, not in 7 years, not in 10 years, not ever.

Here comes a committee report from a crowd that we could not get a single vote from to cut $500 million in spending and raise revenues to pay for some of these programs. Yes, we raised taxes on Social Security, and $25 billion of the increased revenue on Social Security we gave to what? To Medicare. They are running all over the Hill. "It is going broke. It is going broke." Last year they said, "What is the matter? Nothing is wrong with America's health programs. It is the best health system in the world. What is the matter?

I can show you the same crowd that they quote now as saying it is going broke in the year 2002. Last year, that same entity reported it was going broke in the year 2001. At least we got one year's grace out of the discipline that we set for spending cuts and revenue increases and foregoing programs.

Let me qualify. I speak about this budget because I can tell you here and now they act like they have a budget that we have to conform to so their budget balances in the year 2002. Absolutely false. For one, this particular Senator voted against that silly Reaganomics which at the time was called by the then majority leader a "river boat gamble," the then Vice President as "voodoo," and now we have "voodoo" all over again—going on all over this Hill. We do not have a sense of history whatever. I opposed that voodoo and proposed instead a budget freeze like the mayor of a city or the Governor of a State. What they do is just take this year's budget for next year. We would save billions. We could not succeed.

I then joined with the distinguished chairman of our subcommittee in Gramm-Rudman-Hollings, and we said let's have not only freezes, but we are going to have automatic spending cuts across the board. And that worked. Mr. President, it worked, until 1990, when they repealed it. And at 12:41 a.m., October 19, 1990, I raised a point of order against the repeal. And let the RECORD show who voted to repeal it.

Now they are running around and saying it did not work. They repealed it because it was working. It was going to cause cuts across the board. I went along in 1988 with tax reform in order to close loopholes.

So we had budget freezes, we had budget cuts, and we had loophole closings. And then, if you please, Mr. President, I came with increased taxes, a value-added tax proposed in the Budget Committee where I got eight votes, and I got Republican colleagues to go along. And we had a discipline trying to offset this deficit and an end of increased deficits as far as the eye can see.

Right now, the deficit that is projected—we will get it —but it is not 100 something, not 200. It is near $300 billion. I will enter the exact figure in the RECORD. All you need do is figure out how much the Government takes in and how much it spends and find the difference.

I do know that as a result the interest costs for the fiscal year beginning on Sunday, October 1, fiscal year 1996, the interest costs on the national debt—as a result of that voodoo and that riverboat gamble—is $348 billion. We only have 365 days a year, so that is $1 billion a day practically that we go down to the bank the first thing in the morning and borrow—$1 billion a day.

None of these plans, neither the Republican nor the Democratic plan, saves $1 billion a day.

I try my best to keep pointing this out to get level so we all speak the same language. Only this past week, I wrote the Congressional Budget Office. I said that my friends on the other side of the aisle continued to talk in terms of a balanced budget by the year 2002.

I ask unanimous consent that I may include the letter in the RECORD dated September 25 from the Congressional Budget Office, June E. O'Neill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 25, 1995.

Hon. ERNEST F. HOLLINGS,
U.S. Senate, Washington, DC.

DEAR SENATOR: This is in response to your letter of September 20 concerning CBO's scoring of the budget resolution for fiscal year 1996 adopted by the Congress. Because a budget resolution represents a general plan for future Congressional action rather than specific legislative proposals, CBO cannot provide estimates for a budget resolution in the same sense that it estimates appropriation bills or bills that provide changes in direct spending or revenues. CBO has compared the spending, revenues, and deficits proposed by the budget resolution with those projected by CBO in Chapter Three of its August 1995 report, The Economic and Budget Outlook: An Update. A copy of that report has been enclosed.

If you wish further details about this comparison, we will be pleased to provide them. The staff contact is Jim Horney.

Sincerely,

JAMES L. BLUM
(For June E. O'Neill).

Mr. HOLLINGS. The Republican budget, the Kasich budget, the Gingrich budget, or whatever budget you want to call it that they are talking about balancing, has never been scored.

The distinguished chairman of the Budget Committee is here and we worked together when he was ranking member and I was chairman. I can tell you here and now, after we passed that budget in May, we sent over the assumptions so that the Congressional Budget Office could score it. Those scores have never been sent over. From time to time they have asked questions: If we do this, we save that; if we do this, we save that.

But we do not have a CBO-scored figure for President Clinton's budget and we do not have a CBO figure for the Republican budget.

Watching all of this as it occurs, at this particular time, I can guarantee you that it will not be balanced in the year 2002. And anybody who wants to bet me, pick out the odds and the amount. I will jump off the Capitol dome if this budget is balanced by the year 2002. I can tell you that here and now.

What happens is exactly what happened, as the distinguished Presiding Officer and I viewed it this morning in the Committee of Commerce. We were allocated $15 billion. What did we do? We took $8.3 billion that we have already allocated in the telecom bill. So we double-counted that already. Talk about smoke and mirrors. We are not going to have smoke and mirrors. I understand, of course, that in the Finance Committee they were $80 billion shy last week.

Someone said, no, they got up, n[illegible] ing last night, to about $15 billion, and they are still trying to find it. But if they go through with the contract and do away with the Social Security tax increase, they will have to find another $25 billion. They are shy there.

I can go to welfare reform. We passed welfare reform. It was a $63 billion savings. The budget that they say is going to be balanced called for a $113 billion savings. That is $50 billion shy there. The agricultural and everything crowd said, no, we had not met our figure. It is smoke and mirrors.

So what you see now is the moment of truth. And I only mention this to get that moment of truth out. We ought to level with each other. You cannot get on top of this cancer of interest costs on the national debt unless you do all of the above. All of the above includes spending cuts, spending freezes, loophole closings, tax increases, and denying new programs.

We just voted earlier this week—I hated to vote against the distinguished Senator from Maryland, Senator MIKULSKI, and her AmeriCorps Program—but I can tell you now that that program was going to cost billions and billions. I did not think we ought to start new programs that we could not afford and specifically not start an AmeriCorps Program for education whereby in order to get 25,000 scholarships we had to do away with 346,000 student loans.

That is what we did. We took the money from the student loans and put it into a new program and talked about voluntarism. I happen to have been down there the Sunday after Hugo hit us in our own backyard in South Carolina. There was the mayor and me and we had 1,500 to 2,000 volunteers that were working in the rain. We asked for a show of hands and we had them from 38 States. People volunteer.

When little Mr. Segal called me about this particular program and said we already have 2,000 out there working in the flood year before last, I said, "Young man, you have 2 million out there working without this program. You do not need a program at the Federal Government level to start voluntarism."

So the pressures brought on this particular budget are really politically manufactured where we are not going to balance anybody's budget. We are just going to get rid of the Government. That has been the cry of the contract—that the Government is not the solution, the Government is the problem, the Government is the enemy.

So what you have here is a $283 billion estimated deficit for 1995. That is the accurate figure as between what we will take in and what we will spend. So let us not get high and mighty and start criticizing about how I got a balanced budget 7 years from now when people will be lucky to be around 7 years from now and they will know good and well they will come again.

I remember when we used to balance the budget year to year. In fact, President Reagan said, "I'm going to balance that budget in a year." He got into Washington and said, "Whoops, this is going to take me 3 years. I did not realize it was so bad."

Here was a gentleman who was going to do it in a year. Then we got to 3 years. Then under Gramm-Rudman-Hollings we got to 5 years. Now, this crowd comes with 7 years. And I can tell you within the next election we will come and have—excuse me, President Clinton has already gotten to 10 years. Now he has come back to 9.

We are going up, up, and away; 15 years. Say anything except to do the job and tell the American people that we have to deny programs and we have to raise taxes. We have to cut spending. We have to freeze spending. We have to close loopholes. We have to do all of the above to save $1 billion a day. This particular budget that we have that we are working on at this particular time does not come near to saving $1 billion a day to get us really rid of any kind of deficit at any time during that 7-year period.

Now, Mr. President, the distinguished chairman of the subcommittee talks about philosophy—and I must touch on that and then we can go to these amendments—the philosophy here that they are trying to justify these programs to get things back to where they can do it as they please.

They said, if they really want to buy equipment, then they can do that. If they want to put policemen on the beat, then they can do that. It is the old adage that the best government is that closest to the American people, the Jeffersonian philosophy. And I generally adhere to that except through hard experience.

Within the field of law and law enforcement, we have had our experience. We had what you call the legal assistance enforcement program, LEAA, and that particular program gave block grants back to the States and communities. And when we looked around, we had—please, my gracious—down in Hampton, VA, they bought a tank and put it on the courthouse lawn and thought the courthouse was going to be attacked. The sheriff down in Alabama, he bought a tank because he was going to have crowd control. The Governor in Indiana, he bought an airplane so they could fly to New York and buy clothes. And they had all kinds of embarrassments where the money never got through to the policemen on the beat.

Now, there is no education in the second kick of a mule. We learned from hard experience. So we came around with community policing and policemen on the beat and said, in order to qualify, you have to come with a match of 25 percent. And it is working extremely well.

Now they come with the philosophy of getting the grants back, which reminds me—and I have, of course, a memory that is resented many, many times. But I am referring to the stimulus bill where when President Clinton came to town, we were going to stimulate the economy. And the distinguished chairman of my subcommittee, now who believes in block grants, said, heavens above, "We are going to use it for cemeteries, for whitewater canoeing, for fisheries, atlases, for studies of the sickle fin chub," and all these different other programs back at the local level. And the Senator slaughtered President Clinton's stimulus program—just killed it dead in its tracks here on the floor of the U.S. Senate.

Now we come with the philosophy: Whoopee, let us get the money back to the Government; we are not smart enough to do anything here in Washington; only the people back home are smart enough. So here we go again. Here we go again, changing the formative law and making it into block grants. Taking working programs like policemen on the beat and the Legal Services Corporation. Abolishing these laws in that sense and providing monies for a program that has already been derided in the most expert fashion by my distinguished chairman.

I can tell you now that we could not possibly go along with the block grants. I think the President said he is going to veto that particular approach. Maybe we can reconcile it. I hope some of the defects of this particular bill can be cared for in Senator HATFIELD's and my amendment. We worked until 1 in the morning on this particular amendment. I think it will meet generally with the approval of the colleagues.

And a reallocation here, I am grateful for that help. Of course, there are fundamentals still involved. And I will say it right to the point. We will be debating these things, as the distinguished chairman says. What we have done is really savaged Commerce and its programs, the State Department, and, more or less, force-fed a goose in Justice. When I say "force-fed a goose in Justice," I look at the particular figures.

I can see that it took us from 1789 to 1983 or 1984 to get to a $3 billion Justice Department budget. But it has only taken us the last 15 years to quadruple, quintuple—excuse me—and go up, up and away to $16.95 billion in this particular 1996 appropriation. I know we have had various crime bills. I know we have had the problems and everything else of that kind. But I can tell you now that we have, with all the budgetary constrictions, to get a little bit better balance in this particular measure.

And in some of these, I am definitely of a mind where the Senator from Texas and I agree that you should not abuse the use of legal services money to sue the State and Governor and Legislature of New Jersey over welfare reform. We agreed that we could work the prisoners. I have worked prisoners as a Governor. I put in a laundry program. I put in a furniture repair program. I even had a Jaycee chapter as well as our educational programs behind the wall.

We agree on many, many things. But generally speaking, we did not have a chance to debate these things. Unfortunately, we had not conformed the appropriations to the basic statutes, whatever. We have just run willy-nilly through the programs trying to abolish departments and the working programs that have done so much for our society.

I yield the floor.

Mr. PELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. PELL. I thank the Chair.

Mr. President, the Senate is considering the appropriations bill for the Commerce, Justice and State Departments. It would be tempting to address this bill in the same fashion as I have other measures during this session which have contained drastic—indeed, draconian—spending cuts. The natural inclination is to talk about how the cuts will affect specific programs or policies, many of which are vital to the security of our Nation or the well-being of our people.

In this context, I would be led to talk about how the CJS appropriations bill, as reported by the committee, lops off more than $1 billion—I repeat, more than $1 billion—from the President's request for the foreign affairs agencies. There will be dramatic reductions in spending for the administration of foreign affairs, for the acquisition and maintenance of buildings, for the U.S. assessed contributions to the United Nations, for U.S. contributions to U.N. peacekeeping, and for international exchange programs.

I understand that the chairman of the Appropriations Committee may offer an amendment which may add additional funds to the foreign affairs account—which I applaud and will support. I must speak now, however, to the bill as reported by the committee.

Many of my colleagues know that these are programs and functions that are extremely important to me. When I recently announced my intention not to seek reelection to the Senate, some of my fellow Senators graciously came to the floor to say some very kind things about me. For that I am deeply grateful, and indeed humbled. One thing that struck me that day was how many of my colleagues mentioned my support for the United Nations, and the fact that I have carried a copy of the charter with me for many years.

I have not carried it with me all of this time just for show and tell. I carry it because I believe in it, and I think that it has represented—and continues to represent—one of our best hopes for international peace and security. If we proceed with the reductions in funding for the U.S. contributions to the regular and peacekeeping budgets, however, the charter will become nothing more than pretty words. There will be no point, and no joy, in carrying it in my pocket.

I have also been a consistent advocate of the U.S. Arms Control and Disarmament Agency [ACDA]. More than three decades ago, President KENNEDY and the Congress decided to create by statute the Arms Control and Disarmament Agency—which was then and remains now the only separate agency of its type in the world. If the Congress eviscerates ACDA and perversely rewards its employees by discharging them, we will do grievous damage to our ability to lead the world in effective arms control, to verify compliance of often hostile nations with their arms control obligations to us, and to deal effectively with new arms control and proliferation threats.

As I said moments ago, it would be tempting to continue at length about the impact of this and other bills on programs such as arms control, the United Nations and U.N. peacekeeping. Today, however, I want to discuss this bill in broader and more far-reaching terms. Whether or not the Senate cares to admit it, our decisions and actions this year are going to have a direct and negative impact on America's place in the world, and on our fundamental relationships with other world powers.

I am very proud of the U.S. record of leadership, achievement, and engagement in international relations. Twice in the 20th century, our Nation stood with its allies to fight on a global scale against aggression. During the cold war, the United States took the lead to contain the hegemonistic designs of the former Soviet Union. In the early 1990's, the United States led an international coalition of forces in turning back Iraq's illegal grab of Kuwait.

Equally as important, however, are the battles we did not fight—the conflicts that we avoided, the crises that we averted through diplomatic discussion and pressure. Even if we made mistakes from time to time, we were successful in all of these endeavors because of our belief in principles, our commitment to do what we thought right and our willingness to be actively engaged. Our decisions, policies, and programs were often costly in both human and material terms, but they made our world a safer place, and our Nation a better and more profitable place to live.

Our motivation sadly seems to have changed. Decisions are being made out of political expediency rather than sound judgment. Our impulse as politicians—particularly this year—is to rush willy-nilly to make budget cuts for their own sake, without regard to the consequences. Instead of using reason and analysis to construct a foreign policy, we are using calculators.

We must stop, think, and take a good hard look at how the United States can expect to project its power and influence under the circumstances now proposed. The State Department and the foreign affairs agencies—our Nation's eyes, ears, and voice to the world—cannot carry out its mission if they haven't the personnel, resources, and infrastructure required by the times.

GRAMM, Mrs. BOXER, Mr. KOHL, Mr. KERRY, and Mr. WELLSTONE, proposes an amendment numbered 2815.

Mr. BIDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 25, line 19, strike "$100,900,000" and insert "$175,400,000".

On page 25, line 22, strike "$4,250,000" and insert "$6,000,000".

On page 26, line 1, strike "$61,000,000" and insert "$130,000,000".

On page 26, line 7, strike "$6,000,000" and insert "$7,000,000".

On page 26, line 10, insert after "Act;" the following: "$1,000,000 for training programs to assist probation and parole officers who work with released sex offenders, as authorized by section 40152(c) of the Violent Crime Control and Law Enforcement Act of 1994; $500,000 for Federal victim's counselors, as authorized by section 40114 of that Act; $50,000 for grants for televised testimony, as authorized by section 1001(a)(7) of the Omnibus Crime Control and Safe Streets Act of 1968; $200,000 for the study of State databases on the incidence of sexual and domestic violence, as authorized by section 40292 of the Violent Crime Control and Law Enforcement Act of 1994; $1,500,000 for national stalker and domestic violence reduction, as authorized by section 40603 of that Act;"

Mr. BIDEN. Mr. President, I offer this amendment to restore $75 million in funding for the Justice Department programs contained in the Violence Against Women Act, and I am pleased that many of my colleagues, including Senator GRAMM of Texas and Senator HATCH of Utah, are cosponsors of this amendment.

Of all the legislation I have ever worked on here in the Senate, this one—the Violence Against Women Act—has been my first priority and my proudest accomplishment. When it passed the Senate with overwhelming bipartisan support, I thought we were well on our way to making a significant commitment to the women of America. I though we made more than a paper commitment. But passing the law, without following through and providing the funding is meaningless.

For too long, we have looked the other way when it comes to this kind of violence. For too long, we have turned our back on the women injured by men who say they love them. For too long, we have considered this kind of violence a private misfortune rather than a public injustice.

Last year, we took a historic step in the right direction when we passed the Violence Against Women Act. We made a commitment to the women and children of this country. We said: We will no longer look the other way—the violence your suffer will no longer be yours alone. Help is on the way.

And just in case my colleagues have forgotten, let me once again remind them of the dimensions of this problem:

The No. 1 threat to the health of America's women is a violent attack at the hands of a man. It is not breast cancer, it's not heart attacks, it's not strikes. Its violence against women by men.

Th attacks have many nan They are called rape, assault, felonies. And the attackers have many faces. They are friends, relatives, spouses, and strangers.

The statistics are terrifying:

Every 18 seconds, a woman is beaten by her spouse, boyfriend, or other intimate partner.

Every 5 minutes, a woman is raped.

Nearly two out of three female victims of violence are related to, or know, their attackers.

As many as 35 percent of all women who visit emergency rooms are there because of family violence.

This violence also takes a tragic toll on our children:

Three million children each year witness violence in their homes. Studies show that these kids are more likely to drop out of school; abuse alcohol and drugs; attempt suicide; and, sadly, grow up to be abusers themselves.

The violence women suffer reflects as much a failure of our Nation's collective moral conscience as it does the failure of our Nation's laws and regulations.

How else can we explain the results of a study of junior high school students conducted in Rhode Island a few years ago?

In the study, the students were asked: When does a man have the right to have sexual intercourse with a woman without her consent?

It seems like an outrageous question doesn't it? but 80 percent of the students said that a man had the right to use force on his wife, 70 percent said he had the right to use force if the couple was engaged, and 61 percent said force was OK if the couple had already had sexual relations, and 30 percent said force was justified if the man knew that the woman had had sex with other men.

And the appalling answers do not stop.

About 25 percent of the boys said it was OK to force sex on a girl if the boy had spent $10 on her—and, astoundingly, 20 percent of the girls who were interviewed agreed.

If these are the attitudes we have communicated to our youth, it is hardly surprising that we tolerate a level of violence against women unprecedented in our history.

Somehow, we seem to forget that a society suffers what it tolerates.

That's why we cannot retreat from the commitment we made last year with passage of the Violence Against Women Act. The act, let me remind my colleagues, has four basic goals: To make our streets and homes safer for women; to make the criminal justice system more responsive to women; to start changing attitudes—beginning with our kids—about violence against women; and to extend to women the equal protection of our Nation's laws.

The Senate, the House, and the President—we all agreed last year that Federal dollars should be committed to th goals. Specifically, we author funding to:

Hire more police and pr utors specially trained and devoted to combating family violence;

Train police, prosecutors, and judges in the ways of family violence—so they can better understand and respond to the problem;

Implement tougher arrest polic including mandatory arrest for anyone who violates a protection order—so that the burden of seeking an arrest does not fall on the women who may fear further violence;

Expand and improve victim-service programs and provide specially trained family violence court advocates;

Fund rape crisis centers and open more battered women shelters; and

Fund family violence education courses in our schools.

In the past 12 months, the Violence Against Women Act has already been put into action. In States and communities all across the county, Federal dollars are helping coalitions of police, prosecutors, judges, and victim service organizations work together—to make arrests, win convictions, secure tough sentences, and offer women the information and practical resources they need.

As many of you may already know, the first conviction and sentencing under the act took place recently in West Virginia.

It is a case about Christopher Bailey and his wife, Sonja, and it is enough to take your breath away. Christopher Bailey severely beat Sonja, forced her into the trunk of his car, and drove aimlessly across West Virginia and Kentucky for 6 days.

Sonja suffered massive head injuries and severe kidney and liver dysfunctions. Her face was black and blue, and her eyes were swollen shut. She had burn marks on her neck, wrists, and ankles.

Today, Sonja remains in a coma.

Christopher Bailey was convicted under a new provision in the Violence Against Women Act, and for kidnapping. Early this month he was sentenced to serve the rest of his days in prison.

Obviously, Bailey's conviction won't bring Sonja out of her coma. But it does send a clear message all across our land: violence against women will not be tolerated—it will be punished, and it will be punished severely.

Today, we here in the Senate must send that same message. We must keep the promise we made last year, and restore funding for the Justice Department programs authorized by the Violence Against Women Act.

Last year, the Congress authorized over $176 million for the Violence Against Women Act Justice Department programs. This bill as reported by committee cut more than $76 million from these programs.

The most devastating cut was made to the grant program at the heart of talked at length with a judge—Judge Mason—whom I had the pleasure of appointing when I was Governor of Missouri, and the county prosecuting attorney, Clara McCaskle, who said this was one of the best ideas they had seen for trying to get people early on in their careers, after they started taking drugs, off of drugs and off of a life of crime.

There have been about 200 people in the program in 2 years, only 10 have been rearrested. Some of them failed. The nice thing about a drug court is that if you fail the program, that is it, you go into jail. There is no question about it. But 60 people have completed the program. Only one has been rearrested. That is a significantly higher success rate than most of the other programs I have seen for dealing with the minor drug-related offenders.

This, obviously, applies only to nonviolent offenders, who have not used a weapon in their crime. We think this kind of tough supervision by a concerned judge—and it requires a judge who is willing to devote his or her time to these cases, to give the drug offender the attention and discipline needed to get them off of the drug habit and get them out of a life of crime, offers a great degree of promise.

I had asked that the drug court at least be made a permissible use under the block grant program. Frankly, I think making it a permissible use is not enough. Based on what we have seen, I would like to see the drug court procedure in the law in some form.

I look forward to working with my colleague from Delaware and my colleague from New Hampshire to see if we cannot include provisions for drug courts. I can tell you, from the heartland where we have a drug problem, the drug courts seem to be one of the most promising ways of dealing with the problem. Anything in this area that holds out a chance of working I think should be given a chance.

At the very least, the drug court program should be made an option used under the block grant program. I would like to see us go further. I would like to see us say that drug grant programs should be entitled to a certain percentage of the block grants.

I look forward to working with the managers on both sides.

Mr. President, I reserve the balance of my time. I yield the floor.

Mr. BIDEN. Mr. President, in keeping with our informality here, let me finish up. I thank my friend from Missouri for speaking to the efficacy of drug courts.

Let me speak to two other pieces of this amendment. One is the rural drug enforcement grants. The latest reports from rural America tell a bitter story of violent crime, murder, rape, aggravated assault. It is rising faster in rural America. Most of our colleagues from urban States do not realize this. It is rising faster in rural America than in urban America.

From 1992 to 1993 alone, the violent crime rate in rural areas increased 7.4 percent; violent crime among juveniles in rural areas—violent crime now—rose 15.2 percent in rural areas.

Drug trafficking and addiction are also skyrocketing in America's rural States, especially among our young people. Drug abuse violations have increased by nearly 30 percent among young people under the age of 18 in recent years.

At the same time, the number of law enforcement employees per 1,000 inhabitants in rural areas has not changed, leaving already understaffed law enforcement teams in rural America to fight devastatingly high increases in serious offenses.

In 1993, the most recent year that data is available, 12 percent of our population or almost 32 million people were served by rural law enforcement agencies.

That is 32 million people who have watched their communities become frighteningly dangerous. That is 12 percent of the population that has witnessed their children becoming increasingly vulnerable to becoming victims of violent crime or becoming involved in drugs, crime and violence.

Rural drug enforcement grants have, we found, been the best way to target assistance to rural area law enforcement agencies. I might point out that Senator HATCH was one of the leaders in making sure this provision was in the crime bill.

These grants, which place a special emphasis on drug enforcement over the 32 million people living in rural areas, give the protection they need and deserve. These dollars can be used for the same purposes State and local officials use their Byrne grant money; specifically, funding will support the highly successful multijurisdictional State, local, and Federal drug enforcement task forces.

These joint efforts have proven that they work. They have a proven track record of reducing drug trafficking in rural America.

Put this in commonsense terms. How can a rural sheriff, a rural chief of police in a town of 800 or 1,000 or 1,500 or 5,000 people, with one officer or maybe as many as three or four, how can they possibly deal with the sophisticated drug operations that come into their areas? They cannot do it.

In the good old days when I was chairman of the Judiciary Committee, many of my colleagues, Republican as well as Democrats, would come to me and say, "Joe, can you help me get an extra DEA agent in Montana? Can you help me get an extra DEA agent or two of them in Idaho or North Dakota, South Dakota, Vermont, Maine?" Small States, but rural States. They are big geographically.

The reason they needed them is their local sheriffs, their local police officer coming to them and saying, "We need some expert help and advice." We even went so far as to allow for the providing of training for local law enforcement officers from rural and small police departments down at the FBI training facility. They need the expertise.

These are brave women and men who are outmanned, outgunned and smarted because they are dealing with something that goes well beyond the town limits or the county limits that they have the jurisdiction over.

Ten rural States are eligible for these grants statewide. These States include Alaska, Arkansas, Arizona, Colorado, Idaho, Iowa, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Vermont, and Wyoming.

I will note that Delaware is not on that list. These States that I mention, these 19 rural States are eligible for statewide grants, although all the remaining States, the remaining 31 States could benefit in their rural areas. Rural areas of all other States will receive funds, as well. Th grants must be removed from the unfocused block grant and funded separately. If they are to remain in the block grant scheme, they will have to compete with a great many programs for limited funds.

Let me ask all who are not in the 19 States, what do you think of the possibility your rural law enforcement officer is going to get this money? What do you think the possibility is that your Governor will send it your way? Do you think maybe it will go where the population centers are?

I bet it surprises even some of my colleagues here on the floor to hear me say that violent crime is rising faster in the rural parts of your State than it is in the urban parts of your State.

In the block grant, I very much doubt and I believe you would be hard pressed to convince me or yourself that this money which was specifically earmarked for rural areas and States that are rural in nature, they need the help. So I would like to point out that rural areas often come up last when it comes to the so-called funding fight in each State. This fact has not escaped my colleagues in previous years.

The need for special targets of anticrime funds to rural areas was also expressed by my colleague, Senator HATCH, on February 10, 1994, while he was speaking in support of the Biden-Hatch rural crime amendment, when he said:

> We need to get more officers to rural areas where the violent crime problem is increasing at a greater rate . . . drugs, crime, and violence are national problems facing both urban and rural America. Unfortunately, the crime problems faced in rural America have been overlooked by Federal agencies in Washington. They have focused on the cri in urban areas. Yet the problems of rural states need greater Federal attention as well . . . if there is a place where additional Federal expenditures is warranted, it is to fight crime and violence in rural states.

That was what my colleague said February 10, 1994. In the 102d Cong Senators Adams, BAUCUS, BRYAN, BUMPERS, CONRAD, DASCHLE, Fowler, HARKIN, HEFLIN, LEAHY, PRYOR all cosponsored the Rural Crime and Drug

Control Act which I authored and passed in 1991.

I believe areas experiencing growth in violent crime and drugs are areas to which enforcement funds should be targeted, especially when those areas are already underfunded and their enforcement efforts such as in rural areas are undermanned. That is why I am asking the rural drug enforcement grants receive direct funding, so they can guarantee rural areas their fair share of help from the Federal Government in ridding their communities of drugs and crime related to drugs.

Again, I daresay if you go ask your rural law enforcement people what they would rather have, what chance they think they have of getting any adequate funding out of this when it goes into one big pot and it goes into the State legislature and is distributed by the Governor, I wonder if they think they are going to get a fair share. I predict to you they will not.

If the Dole block grant is adopted, the block grant amendment introduced by Senator DOLE gives targeted aid to urban areas. The formula for the block grants is targeted to high-crime areas, weighs population in its equation for determining crime rates, and the formula guarantees that urban areas will receive targeted funds while assuming that most rural areas will not receive such aid.

In 1993, the most recent year for which data is available, the murder rate grew 3.4 percent in rural America and it decreased 2.8 percent in the Nation's largest cities. Similarly, the violent crime rate rose 1.4 percent in rural areas, while it decreased 3.4 percent in the largest cities.

But the Dole block grant proposal that is in this bill targets aid to the most populous areas. It clearly does not target funds to those areas most in need, rural America. While violent crime rates, including homicide, forcible rape and assault, are declining in urban areas, they are clearly on the rise in rural America. And rural America does not receive the funds under this block grant proposal. Rural areas have historically had the hardest time producing funds for law enforcement, and it seems to me we should not allow these areas to continue to receive less attention and less antidrug-related money than urban areas just because they are less populous.

This is just an example of the creative budget games that are going on. By providing open-ended block grant funds which may be used for this or any other program, while at the same time significantly cutting the amount of total funding available, my friends are limiting programs such as rural drug enforcement block grants without doing so directly because of where they will have to compete.

The last point I wish to speak to at this moment is the boot camps.

Our ability to reduce crime in a manner depends directly upon our ability to target offenders with the appropriate time of sentence.

This means, of course, we have to identify violent offenders and make sure they go to prison. But it also means we must separate out the nonviolent offenders who can be diverted, potentially, from a career of crime through an intensive cost-effective programs such as military-style boot camps.

That is exactly what we did in 1994 with the Biden crime law. We encouraged the States to identify nonviolent offenders and offer them alternative, more cost-effective programs while we, in fact, kept them incarcerated. We provide $9.7 billion to States to build and operate prisons and we gave them the option to use a portion of that money for boot camps.

This appropriations bill would completely eliminate State flexibility to use boot camps for nonviolent offenders in order to free up conventional prison cells for violent offenders. My amendment would restore the State option, the State flexibility to use boot camps for nonviolent offenders, to use their Federal prison money for boot camps.

Let me first tell my colleagues a little bit about boot camps so they can be clear what we are talking about. Boot camps provide a regimented program of work and exercise for young, nonviolent offenders. And they have shown marked success with young offenders who learn discipline and respect for law and authority.

They are put behind barbed wire. They are locked in. They are essentially put in Quonset huts. Some argue it is inhumane. I argue if it is good enough for a marine to sleep in a Quonset hut, it did not hurt him very much, it sure in heck should not be too tough to put a convicted person, a nonviolent person in such a circumstance.

At the time we did this in the Biden crime bill just about everybody stood up and supported boot camps. It was one of the few things everybody agreed on. Now I am a little concerned. I do not know what has happened that we would go contrary to the trend of the last year, which is to give States more flexibility. I have heard no one argue these boot camps are not worthwhile. I have heard no one argue that States should not be allowed to have them. And I have heard no one argue that States should not have flexibility. So, maybe it was an oversight that States were explicitly prevented from using their prison money to build boot camps. I do not know. But the bottom line is quite simple. Boot camps work to do one very important thing—I suspect many others, but one. That is, I will end where I started.

Two years ago the States convicted—not in Federal court, in State court—several hundred thousand violent offenders were convicted in the State court system. Mr. President, 30,000 convicted, violent offenders never spent a day in jail—30,000, in the States; 30,000 convicted State felons, violent felons, never served a day in jail. The reason they did not is because the State legislatures did not want to go back to their folks in the State and say to get tough on crime we have to build more prisons. To get tough on crime we have to raise your taxes. To get tough on crime we are going to increase our spending. Most States did not do that.

What this does, it gives the States the option to be cost effective. For 40 percent of cost, they can take the nonviolent offenders, who are serving time in a penitentiary, behind bars, in a secure, maximum security facility, put them behind barbed wire with folks with guns watching them, in Quonset huts, and free up hard-core prison space for the violent offenders.

At a minimum that is what boot camps do. At a minimum. They also do much more. But in the interests of time I will not belabor the Senate with that argument.

So, to sum up, what I do here is I come up with a total of $117 million in shifting around of how the Appropriations Committee allocates the money. I take $117 million and I get it two ways. One, I take a total of $21.2 million from State prisons, which were increased by a quarter-billion dollars by this committee over the requested amount, and over what the House has, still leaving a total of $225 million for prison grants. And I take money by increased fees on people obtaining green cards, because they now would have to go home and spend the cost of going home and back to be able to get the green card and now they do not have to do that. It is not onerous. It is a reasonable charge for that privilege. And that is how I get the $117 million in offsets.

I take that money and I put it in the drug courts, drug treatment and prisons and rural drugs as well as law enforcement, family support.

I thank my friend from New Hampshire for his indulgence in listening to my amendment and I will be happy to yield the floor for him or anyone else to speak against the amendment. But I ask unanimous consent to send the amendment to the desk, that no amendments to my amendment be in order, and that my amendment be in order.

Mr. GREGG. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2818

(Purpose: To restore funding for residential substance abuse treatment for State prisoners, rural drug enforcement assistance, the Public Safety Partnership and Community Policing Act of 1994, drug courts, grants or contracts to the Boys and Girls Clubs of America to establish Boys and Girls Clubs in public housing, and law enforcement family support programs, to restore the authority of the Office of National Drug Control Policy, to strike the State and Local Law Enforcement Assistance Block Grant Program, and to restore the option of States to use prison block grant funds for boot camps)

Mr. BIDEN. I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN], for himself and Mr. BRYAN, proposes an amendment numbered 2818.

Mr. BIDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 26, line 10, after "Act;" insert the following: "$27,000,000 for grants for residential substance abuse treatment for State prisoners pursuant to section 1001(a)(17) of the 1968 Act; $10,252,000 for grants for rural drug enforcement assistance pursuant to section 1001(a)(9) of the 1968 Act;".

On page 28, line 11, before "$25,000,000" insert "$150,000,000 shall be for drug courts pursuant to title V of the 1994 Act".

On page 29 line 6, strike "$750,000,000" and insert "$728,800,000".

On page 29, line 15, after "Act;" insert the following: "$1,200,000 for Law Enforcement Family Support Programs, as authorized by section 1001(a)(21) of the 1968 Act".

On page 44, lines 8 and 9, strike "conventional correctional facilities, including prisons and jails," and insert "correctional facilities, including prisons and jails, or boot camp facilities and other low cost correctional facilities for nonviolent offenders that can free conventional prison space".

On page 20, line 16 strike all that follows to page 20 line 19 and insert:"

Section 245(i) of the Immigration and Nationality Act (8 U.S.C. 1255(i)) is amended—

(1) in the second sentence of paragraph (1), by striking "five" and inserting "ten"; and

(2) in paragraph (3), by inserting before the period at the end the following: "or, notwithstanding any other provsion of law, may be deposited as offsetting collections in the Immigration and Naturalization Service "Salaries and Expenses" appropriations account to be available to support border enforcement and control programs".

The amendments made by subsection (a) shall apply to funds remitted with applications for adjustment of status which were filed on or after the date of enactment of this Act.

For activities authorized by section 130086 of Public Law 103-322, $10,300,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund.

Mr. BIDEN. I realize this is a mildly backward way of doing it, speaking to it before I send it to the desk, but I did it, and I yield to the Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the presentation of the Senator from Delaware. There is some which I agree with and some which I do not agree with. I would like to point out that I agree with his comments relative to boot camp. We have used the boot camp process in New Hampshire, and it has been quite successful. I have to believe that the decision to drop the boot camp was inadvertent. I hope we will correct it.

If the Senator at some point wishes to divide his amendment and bring that up separately, I would certainly be supportive of it. In any event, hopefully we can at least work out that part of his amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I rise in support of the Biden amendment. I ask unanimous consent to be added as an original cosponsor. Included in this amendment is a provision to restore the Community Oriented Police Service Program and the local community crime prevention block grant and that is the part to which I would like to address my remarks.

The bill the Senate is currently considering: (1) would dismantle the COPS program, (2) would combine the COPS program and the crime prevention block grant into one big block grant, and (3) would cut the funding for both.

I believe this would, first of all, open the door to funding anything under the sun that a Governor determines is law enforcement or crime prevention. And, it effectively would eliminate all crime prevention from this crime bill that is now law. For when law enforcement is pitted against crime prevention efforts, law enforcement always wins.

This, I say to my colleagues, turns the clock back on the commitment we made last year to help communities fighting as well as prevent crime.

Last year Congress passed and the President signed the Violent Crime Control and Law Enforcement Act of 1994. A central part of the crime bill included money for the hiring, over 5 years, of 100,000 more police officers under the Community Oriented Policing Services (COPS) Program. To date, under this program, more than 25,000 police officers have been hired—in Minnesota alone, 354 new cops have been funded. Importantly, each of these officers was hired to be on the beat, not in the office.

At a time of very tight budgets, the money for both the COPS Program and the crime prevention block grant come from savings achieved by reducing the Federal bureaucracy. None of these new police officers or crime prevention programs are adding an additional burden on the taxpayer. We, as a Congress, and indeed a country, made fighting crime a top priority last year when we decided to use the savings from streamlining the Federal Government and from cutting some domestic programs for fighting crime.

The COPS Program is a good program. It is reaching and helping communities. It is very flexible. Local jurisdictions can work with the Justice Department to meet their particular needs. The Justice Department has acted swiftly, has minimized the paperwork, and has staffed 800 numbers for immediate assistance. It is not surprising, therefore, that approximately 200 Minnesota jurisdictions have participated in this program. What's more, just a few weeks ago Attorney General Janet Reno announced a new effort at the Department of Justice to target some of these new cops on the beat to helping address domestic violence.

Having more cops involved in community policing fighting crime, means less crime. It is as simple as that. In only a short time the COPS Program is already delivering on its promise of providing more police officers in a very cost-effective, flexible manner. Not surprisingly those on the front line in the fight against crime have only praise for this program. Police chiefs, sheriffs, deputies, and rank-and-file police officers all support this effort to put more police in communities.

But now this very successful, popular crime-fighting program is under attack by Republicans who want to convert its funding into a block grant. Unfortunately, the Republican block grant plan does not stipulate that the money must be spent on hiring cops. Instead, the money can be redirected to fund restaurant inspectors, parking meters, radar guns—and any other of a host of things.

The money ought to be spent the way it was intended and the way law enforcement officials want it spent: to hire police officers. The Nation's major police enforcement organizations all agree on this point.

We all know that crime is one of the great plagues of our communities. People in the suburbs and people living downtown are afraid—they are afraid to go out at night, they are afraid to venture into the skyways, they are afraid to leave their cars parked on the street. We also all know that having a larger police presence helps deter the very crimes that people fear the most. Buying more parking meters, radar guns, or hiring more restaurant inspectors does not address this plague nor address peoples' legitimate fears.

It is peculiar that the party that claims to be tough on law and order is proposing as one of its first steps to change a successful, cost-effective "law and order" program—one that ought to have broad, bipartisan support.

Crime prevention was also an essential element of the crime bill. Despite the fact that at each step of the way in passing the Crime bill, prevention programs got watered down, in the end we decided that crime prevention had to be part of this bill.

Two years ago, when Congress began consideration of the crime bill we started with a substantial portion of the crime bill addressing prevention; after all, prevention is crime control, stopping crime before it ever happens. It, by the way, included something that I think is extremely important—supervised visitation centers. A model that I brought from Minnesota to help families with a history of violence.

Ultimately, we ended up with a crime bill that included a block grant to the States for prevention programs—the local community crime prevention block grant. And, funding was not even authorized until FY 96. We haven't even given it a chance to work and get into communities—one of the few provisions in the crime bill that was intended to prevent crime, one of the few provisions that was not funded until next year and some in Congress are trying to cut it off at the knees.

The Biden amendment would restore the crime bill structure and ensure that some of the funds that were set aside as part of the Crime Control Trust Fund are spent on real prevention programs.

The local crime prevention block grant, like the COPS Program, provides a lot of flexibility to the States and communities. Under this block grant, communities can determine what types, within a general list of about 14 different ideas, of prevention programs to fund, what prevention plans fit their community the best. But this block grant is for prevention, nothing else. Again, it is one of the few aspects of the crime bill that focuses on prevention, an essential element of any crime fighting effort. And, as I stated earlier, it has not even had a chance to be implemented. This coming year would be the first year funding will actually go to help communities.

I cannot emphasize enough how important crime prevention is—especially now. And, under this appropriation bill very little, if any, funding would go to prevent crime.

If we were to listen to people in the communities that are most affected by the violence, they would say to us you have to have the money in prevention. But how interesting it is that those who would essentially eliminate these prevention programs do not come from those communities, do not know the people in those communities, and I do not think they asked the people in those communities at all what they think should be done.

Mr. President, I can just tell you that in meeting with students, students that come from some pretty tough background—students at the Work Opportunity Center in Minneapolis, which is an alternative school, young students who are mothers and others who come from real difficult circumstances, all of them said to me: You can build more prisons and you can build more jails, but the issue for us is jobs, opportunity. You will never stop this cycle of violence unless you do something that prevents it in the first place.

Then I turn to the judges, the sheriffs, and the police chiefs, and I call them on the phone in Minnesota, and I ask them what they think. And they say yes we need community police and yes we need the other parts of the crime law, but they all say, if you do not do something about preventing crime, if these young people do not have these opportunities, if we do not get serious about reducing violence in the home, do not believe for a moment that we are going to stop the cycle of violence.

Mr. President, I believe that a highly trained police, highly motivated, community-based, sensitive to the people in the communities, can make a difference. They are wanted and they are needed. But the bill we are considering today will do nothing to prevent the criminal of tomorrow. And indeed without more cops on the beat it may not do much to fight the criminals of today.

Every 5 seconds a child drops out of school in America. This is from the Children's Defense Fund study. Every 5 seconds a child drops out of a public school in the United States of America. Every 30 seconds a baby is born into poverty. Every 2 minutes a baby is born with a low birthweight. Every 2 minutes a baby is born to a mother who had no prenatal care.

Every 4 minutes a child is arrested for an alcohol-related crime. Every 7 minutes a child is arrested for selling drugs. Every 2 hours a child is murdered. Every 4 hours a child commits suicide, takes his or her life in the United States of America. And every 5 minutes a child is arrested for a violent crime.

Mr. President, if we do not continue to be serious about the prevention part, we are not going to stop the cycle of violence.

All too many young people are growing up in neighborhoods and communities in our country where if they bump into someone or look at someone the wrong way they are in trouble, where there is too much violence in their homes, where violence pervades every aspect of their life. And people who grow up in such brutal circumstances can become brutal. And that should not surprise any of us.

Prevention and law enforcement—both essential elements of any crime fighting effort. These two should not have to compete with each other for funding, nor should funding be cut for either.

I urge my colleagues to support the Biden amendment.

IN DEFENSE OF THE COPS PROGRAM

Mr. PRYOR. Mr. President, I rise today in support of a program that is vital to each and every one of us. It is vital to the safety of our States, of our towns, of our communities. In 1994, Congress passed the omnibus crime bill. Among other things, this important legislation will put 100,000 more police officers on the street through the Community Oriented Policing Services Program—or COPS Program.

Today, as I stand in this Chamber, there are over 25,000 officers that would not be out there—protecting citizens in communities across this country—if it were not for the COPS Program.

If we eliminate this program and turn the fund over to the States in a block grant, as the Appropriations Committee has proposed, there is no guarantee that a single additional police officer will be hired. Not one. We made a commitment to the American people when we passed the crime bill: all of us, Republicans and Democrats alike, made a commitment to the citizens of this country that we would work with them to reduce crime. The COPS Program insures that more police officers will be on the beat in towns and communities across the country.

Mr. President, of the 100,000 new police officers promised, almost 26,000 have already been hired—253 in Arkansas alone. Our police departments are made up of men and women who put their lives on the line every day to make our streets safer—not just in big urban areas, but in small towns and rural areas. With a block grant, funds may not filter down to small towns that desperately need the extra help. They are being asked to do more with less as crime rates continue to rise rapidly. Gangs and drug dealers are migrating out of the larger, more sizable cities and into the smaller towns at an alarming rate.

It is our duty, Mr. President, to assist the prevention of crime in our country. The major law enforcement organizations in my State of Arkansas, as well as across the country, have united in support the COPS Program. They tell us that this program is working, that it is getting more officers on the streets. So why are we eliminating a program that is working?

I have received phone calls and letters from police chiefs and sheriffs in towns, both large and small, throughout my State praising this program.

For example, the Danville Police Department in Danville, Arkansas, has, through the COPS Program, been able to hire an additional officer to patrol the streets at night. In the month since Mike Pyburn has been hired, he has already made a drug arrest. As he was patrolling the streets one night, Officer Pyburn spotted and stopped a person with a warrant out on a misdemeanor. In this person's possession at the time of the arrest was 14 individually wrapped bags of marijuana. The COPS Program enabled this officer to be on the job and get these illegal drugs off the streets of Danville. This is one of many arrests this officer has made. Having additional night patrols has not only improved public safety, it has relieved the people's fears. The citizens of Danville can now sleep at night feeling a little safer because Officer Pyburn is on duty.

Colonel John Bailey, the Director of the Arkansas State Police, put the importance of the COPS Program into simple terms. He said that "This program puts the money where the problem is. In five years, anyone in Washington can come down and I'll say, 'This is what your money provided for us. Here he is.' and introduce them to my new officer." You can't necessarily say that with block grant funds, Mr. President.

This program is effective, and it is easy for law enforcement agencies to apply for the additional officers they so desperately need. Unlike most Federal grant programs, there are not pages and pages of complicated forms to be filled out, and extensive regulations to follow. For small towns, there is one page to fill out. That's it. One page. And it takes less than an hour to fill out.

I have a letter from Larry Emison, the Sheriff of Craighead County in Northeast Arkansas. They also have used their COPS grant to add an additional deputy to their night patrol. He has been in place since April, but the community has noticed a difference and feels safer on the streets, particularly at night. Mr. President, this feeling of safety is due in large part to this officer made possible through the COPS Program.

Chief Wiley White in DeValls Bluff has called this program "a lifesaver for the community." He hired David Huggs, a former prison guard who he had been working with for years. Chief White told me that Officer Huggs has "been a miracle for this town."

I have a lot of these stories, Mr. President. Officer Rebecca Hanson was hired in Crittenden County, Arkansas, to investigate criminal sexual abuse to children. Officer Hanson has special training in interviewing children about the abuse they have suffered. In her first 5 months since being hired, Officer Hanson has handled a total of 42 cases, resulting in 7 arrests. We can only speculate as to what might have happened to these innocent children if it hadn't been for Officer Hanson's presence on the police force.

The Morning News of Northwest Arkansas reported in July how valuable the COPS Program has been to the Rogers Police Department and the citizens of Northwest Arkansas. Two new officers have been added to their force. According to the article, Capt. Steve Russell of the Rogers Police Department said that the grant program has given them the opportunity to have additional personnel that they would not have had otherwise. Captain Russell said the COPS FAST grant program is an example of how the Federal Government can make it easier for local agencies to reap the benefits of Federal programs. I ask unanimous consent that the article be printed in the RECORD. I also ask unanimous consent that a few of the letters I have received on the COPS Program be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Morning News of Northwest Arkansas, July 19, 1995]

POLICE DEPARTMENT RECEIVES GRANT

(By Thomas Sissom)

The Rogers Police Department will reap the benefits of President Clinton's campaign promise to put 100,000 more law-enforcement officers on the streets with the receipt of a $132,337 COPS FAST grant.

"It certainly is a valuable program to local and rural law-enforcement agencies," Capt. Steve Russell, administrative commander of the Rogers Police Department, said Tuesday. "It's given us . . . the opportunity to have additional personnel we wouldn't otherwise have had."

The COPS FAST program operates under the office of Community Oriented Policing Services of the U.S. Department of Justice. The grant program is designed to help law-enforcement agencies immediately increase their available manpower. The three-year program will allow the Rogers Police Department to add two new officers with the federal grant of $132,337 added to $44,113 in local funds to cover the cost in salaries and benefits of $176,450 over the three years of the grant. After the grant ends, all of the costs will be borne by the local agency.

Russell said the COPS FAST grant program is an example of how the federal government can make it easier for local agencies to reap the benefits of federal programs.

"This was one of the fastest programs we've seen, in terms of the time from the application to us getting the money," Russell said. "That just allows us to put more police on the streets faster, which we certainly need. The application process was very simple, unlike most federal grants."

Russell said the Rogers department currently has 59 certified law-enforcement officers, with one approved slot remaining open. The department has four officers who are just completing their 10-week training course at the Arkansas Law Enforcement Training Academy in Camden. Another five are scheduled to start the course Monday. Officers who successfully complete the academy training course still have to complete another 12 weeks of field training with the department, he said, giving new officers about six months of initial training.

According to Russell, the Rogers Police Department's staffing levels are below national average for law-enforcement agencies. Rogers has 1.82 officers for every 1,000 people. The national average is 2.65 officers per 1,000 people. To reach the national average, he said, Rogers would need 87 officers.

POLICE DEPARTMENT,
CITY OF BULL SHOALS,
Bull Shoals, AR, August 1, 1995.

Senator DAVID PRYOR,
267 Russell,
Washington, DC.

SENATOR, I wish to express my sincere thanks for all your work related to the "Cops" Programs. As I am sure you know, my Department received a grant to add an Officer to the staff. That hiring has turned out to be a very progressive move. Our citizen contacts have risen markedly, and the results have been very positive.

Charles Robert Chapman is the Officer who was hired. Since his employment, which began 04–15–95, Officer Chapman has been very productive. Within the first month Officer Chapman was on the street he developed the information which lead to a search warrant and arrest of a 32 year old male subject on the charge of being a Felon in Possession of Firearm. The subject who was disarmed, had been convicted and jailed on Felonies for Burglary and Drugs. Officer Chapman also developed information from a citizen that led to the location and confiscation of Marijuana plants being grown on Federal Property. I know that in many Cities these cases along with several cases related to weapons, probation violations, domestic batteries and DWI, would not make an Officer stand out. But here in a relatively secure retirement and recreation area these significant arrests go a long way to ease and assure the minds of our citizens. I have been involved in Law Enforcement for over 20 years and have never seen an Officer so well accepted and welcomed into a community. The "Cops" program is what facilitated this boost to our Department.

Again thank You for all your work. I would also like to compliment a member of your staff, Cynthia Wetmore, who has always very responsive and made many of the processes much easier.

Sincerely,

ROBERT R. WOCHNER,
Chief of Police.

UNIVERSITY OF ARKANSAS FOR MEDICAL SCIENCES, OFFICE OF THE CHANCELLOR,
July 20, 1995.

Sheriff DICK BUSBY,
Crittenden County Sheriff Dept.,
Marion, AR.

DEAR SHERIFF BUSBY: As Multi-disciplinary Team Project Coordinator for the Arkansas Commission on Child Abuse, Rape and Domestic Violence, I wanted to commend your department for their involvement on the Crittenden County Multi-disciplinary Team. The dedication of local community professionals has had a positive impact upon the child abuse victims in your county. The Commission is particularly pleased with the number of joint investigations being conducted. Crittenden County is one of the few counties involved in joint investigations. Children are indeed much less traumatized and the quality of investigations is improved. Your time is extremely valuable and we appreciate that you are willing to give so generously to child abuse victims. We hope that you will continue to participate in the Crittenden County Multi-disciplinary Team efforts.

Sincerely,

SHANA H. CHAPLIN,
MDT Project Coordinator.

LARRY EMISON,
COUNTY SHERIFF,
Jonesboro, AR. August 2, 1995.

Senator DAVID PRYOR,
Russell Building, Room 267,
Washington, DC.
Attn: Cynthia Wetmore
REF: COPS Grant

DEAR SENATOR PRYOR: We are very pleased to be the recipient of a COPS grant for 1 deputy sheriff. Due to a lack of manpower in the past, our night patrol was lacking. This additional deputy has been placed on the night shift, therefore, giving us at least 2 deputies per night patrolling Craighead county. This has only been in place a short period of time and I can already see a difference with this additional coverage. I have had several comments from citizens within the county, stating that they now see a patrol car at night more than they have in the past.

I want to personally thank you, Congress, and President Clinton for making this program available. This will make great difference in the fight against crime in the United States.

Sincerely,

LARRY EMISON,
Craighead County Sheriff.

Mr. PRYOR. Mr. President, putting an additional 100,000 officers on the streets is a promise that this body made last year when it passed the crime bill. It is our duty to continue this vital program that represents an approximate 20 percent increase in the American police force. What the American people want is to feel safe in their homes and on the streets of their neighborhoods. They deserve this safety and the COPS Program is delivering it to them. I urge my colleagues to stand with me in protecting what is important to our country. I urge you to vote to save the COPS Program.

LEGAL SERVICES TO NATIVE AMERICANS

Mr. INOUYE. Mr. President, I seek a few moments in order to seek clarification from my esteemed colleague, the senior Senator from Alaska, with regard to language that is contained in an amendment proposed by my colleague. When the Subcommittee on Commerce, Justice, State and the Judiciary met to consider H.R. 2076, the appropriations bill for fiscal year 1996, Senator STEVENS proposed an amendment to the amendment proposed by the esteemed chairman of the full committee, Senator HATFIELD, relating to the provision of legal services as it affects Native American households.

Mr. STEVENS. Mr. President, my amendment, which was adopted by the Subcommittee on Commerce, Justice, State and Judiciary on September 7, 1995, provides that in States that have significant numbers of eligible Native American households, grants to such States would equal an amount that is 140 percent of the amount such states would otherwise receive. My amendment was necessary in order to prevent a serious reduction in legal services to Native Americans. Under current law, there is a separate, additional appropriation for legal services to the Native American community. The Legal Services Corporation is also given the flexibility to allocate additional resources to States like Alaska, which experience increased costs due to the difficulty of providing legal services to remote populations, many of which are comprised of Native Americans. Given the fact that the Legal Services Corporation, including the separate Native American appropriation, was eliminated the committee's bill, my amendment was necessary in order to ensure the continued provision of legal services to the Native American community.

Mr. INOUYE. Mr. President, I wish to express my deep appreciation to my colleague from Alaska for his efforts in this area, and for recognizing that the significant needs for legal assistance in Native American communities span a broad range of issues, from housing and sanitation to health care and education. In my own State of Hawaii, Native Hawaiians comprise less than 13 percent of the population, but represent more than 40 percent of the prison inmate population. Native Hawaiians have twice the unemployment rate of the State's general population and represent 30 percent of the State's recipients of aid to families with dependent children. Over 1,000 Native Hawaiians are homeless, representing 30 percent of the State's homeless population. Native Hawaiians have the lowest life expectancy, the highest death rate, and the highest infant mortality rate of any other group in the State. Moreover, they have the lowest education levels and the highest suicide rate in Hawaii.

Mr. President, in my State, we have the Native Hawaiian Legal Corp. [NHLC], a nonprofit organization established to provide legal services to Native Hawaiian community. NHLC has a 20 year history of providing exemplary legal assistance to Native Hawaiians, and it has long been affiliated with the Native American Rights Fund. Fifteen percent of NHLC's annual funding comes from the Native American portion of the Legal Services Corporation budget. It is my understanding that the language proposed by my esteemed colleague from Alaska is to ensure the continued provision of legal services to Native Americans that are currently being provided through a separate Native American allocation of the funding provided to the Legal Services Corporation. My question of my colleague from Alaska is whether it is his intent that Native Hawaiians would continue to be eligible to receive funds appropriated for the provision of legal services under your amendment, consistent with the current situation under the Legal Services Corporation?

Mr. STEVENS. I thank the Senator for his earlier comments. My colleague from Hawaii, in his capacity as the former chairman of the Indian Affairs Committee, has traveled many, many times to my State of Alaska, and I know that he has come to appreciate the very difficult circumstances under which the vast majority of our native villages live. I know the challenges the Senator from Hawaii faces in trying to meet the needs of native communities in the State of Hawaii, and I therefore understand full well his desire to clarify the meaning of "Native American households". When I proposed this language, it was my intention to ensure that those Native American communities, including native Hawaiian households, currently being served by the Legal Services Corporation would continue to have access to legal services under the block grant approach proposed by Senator HATFIELD. Have I sufficiently addressed my colleague's concerns?

Mr. INOUYE. Mr. President, I wish to thank my colleagues from Alaska, for clarifying this matter for me. I am certain that the native Hawaiian community will be most appreciative of the Senator's clarification.

ABUSES INVOLVING MICROWAVE INCUMBENTS

Mr. BREAUX. I would like to raise an issue that has become of concern to several members of this committee on both sides of the aisle.

Previously, as chairman of this committee and of the Appropriations Subcommittee, the Senator from South Carolina was instrumental in establishing spectrum auctions for new PCS services, and was a guiding force on developing the rules that were adopted by the FCC governing relocation of microwave licensees out of this spectrum.

He is aware, as we have discussed, that certain enterprising individuals have recruited a number of microwave incumbents as clients and now seem to be manipulating the FCC rules on microwave relocation to leverage exorbitant payments from new PCS licensees.

I am advised that if this practice continues unchecked, more and more microwave incumbents are likely to employ these unintended tactics. More importantly, it will reportedly devalue spectrum in future auctions to the tune of up to $2 billion as future bidders factor this successful gamesmanship into their bidding strategy. Previously scored revenue for deficit reduction will be unfairly diverted instead into private pockets.

Would the Senator agree with me:

First, that this type of gaming of relocation negotiations was unintended, is unreasonable, and should not be permitted to continue unchecked;

Second, that the affected parties should attempt to agree on a mutually acceptable solution to this problem;

Third, that if an acceptable compromise cannot be brought forth by the affected parties within a reasonable time period, then either Congress or the FCC should address this matter as quickly as possible with appropriate remedies?

Mr. HOLLINGS. I thank my colleague for raising this issue. As he noted, I offered an amendment on the State, Justice, Commerce Appropriations bill in 1992 on this issue. The electric utilities, oil pipelines, and railroads must have reliable communications systems. The FCC initially proposed to move these utilities' communications systems from the 2 gigahertz band to the 6 gigahertz band without ensuring that the 6 gigahertz band would provide reliable communications.

My amendment, which the FCC subsequently adopted in its rules, guaranteed that the utilities could only be moved out of the 2 gigahertz band if they are given 3 years to negotiate an agreement, if their costs of moving to the new frequency are paid for, and if the reliability of their communications at the new frequency is guaranteed.

Now I understand that some of the incumbent users may be taking advantage of the negotiation period to delay the introduction of new technologies. It was certainly not my intention to give the incumbent users an incentive to delay moving to the 6 gigahertz band purely to obtain more money. I agree with my friend that the parties involved in this issue should try to work out an acceptable solution to this issue. If the parties cannot agree to work out a compromise, I believe that Congress or the FCC may need to revisit this issue.

WOMEN'S BUSINESS PROGRAMS

Mrs. HUTCHISON. Mr. President, I would like to address an important portion of the Hatfield amendment, preservation of Small Business Administration funding for women's busir programs.

I believe the issue of women in business needs to be placed in the clearer context.

The new dynamics of the American economy have brought about a seachange in society. Thirty years ago, when most women entered the work force, they did so to supplement their families' incomes. Most often, women working outside the home did so in clerical and support roles.

Thirty years ago, a young couple could live on the income of one professional. On that income, a schoolteacher could buy a nice house in a good neighborhood. Young families could hope to save, drive a nice car, educate their children, and take vacations. Today many cannot.

Economic restructuring and societal changes have accelerated the entry of women into the work force, into the professions and into business. We see the challenges these changes have generated all around us.

Nothing has been more exciting and challenging, though, than the emergence of women as business builders and entrepreneurs. Without exception, every aspect of business offers extraordinary opportunities for women.

Women-owned firms are an increasingly dynamic sector of our economy.

According to the most recent census data available—1982–87—the number of women-owned firms increased by 57 percent—more than twice the rate of all U.S. businesses.

These businesses employed 35 percent more people in the United States than the Fortune 500 companies employed worldwide, and had a payroll of nearly $41 billion.

More women-owned businesses have staying power—over 40 percent have been in business for 12 or more years.

Businesses owned by women tend to hire more women. It is not unusual to find that two-thirds of their employees are women.

In 1993, the Small Business Administration's flagship lending program, the 7(a) program, guaranteed 25,000 loans totaling $6.4 billion to women-owned businesses. While women-owned businesses accounted for nearly one-third of all small businesses, they only made up about 10 percent of loan recipients that year. In 1994, that total rose to 24 percent.

In spite of their successes in getting started in providing employment, one of the biggest impediments that women-owned businesses face today is constraints on their growth—they remain small. Women-owned businesses average annual sales of $67,000, compared to $140,000 in sales for all small businesses.

That is why, Mr. President, the National Women's Business Council and the Women's Business Ownership Development Program are so important.

The National Women's Business Council monitors plans and programs developed in the private and public sector which affect the ability of women-owned businesses to obtain capital and credit. The council also develops and promotes new initiatives, policies and plans designed to foster women's business enterprises.

It has conducted: symposiums on getting access to capital, in conjunction with the Federal Reserve; and informational meetings on Federal Government procurement contract opportunities for women-owned businesses.

In November, the council plans to initiate a project with Northwestern University's Kellogg School of Management to develop an agenda for national research on women's entrepreneurship.

The continuation of current funding for this council's salaries and expenses at a level of $200,000 represents a modest—but prudent—investment in our Nation's business sector.

There is an urgent argument to be made for well-thought-out initiatives aimed at encouraging more women to create their own businesses:

Here are some disturbing facts: half of all working women are sole support for themselves and their families; and women and the children they support comprise more than 75 percent of people who live in poverty in the United States.

Mr. President, if we as a Nation want to reduce the reliance of women and children on welfare and social service programs, these women must become economically self-sufficient—and the opportunity for self-sufficiency will most likely come from women-owned enterprises.

The Women's Business Ownership Development Program addresses these problems in constructive ways. It is a public-private partnership whose goal is the creation of new jobs, increasing the earning potential of women, and forging a larger pool of skilled women entrepreneurs.

There are 38 demonstration sites in 20 States, with plans for more. More than 25,000 clients have been served in urban and rural locations. Each center tailors its program to the particular needs of the community. Training activities include: assistance in accessing capital; management assistance; marketing and procurement assistance; and specialized programs that address home-based businesses and international trade.

The North Texas Women's Business Development Center, which is being dedicated tomorrow, is a shining example of the promise this program holds. It is a collective effort of the National Association of Women Business Owners, the North Texas Women's Business Council, the Greater Dallas Chamber of Commerce, the Dallas-Fort Worth Minority Business Development Corp. and the Dallas County Community College.

Under the auspices of the Women's Business Consortium, this broad-based, private-sector supported initiative will help start-up and growing women-owned businesses. One of the areas on which they will concentrate is Government contracting opportunities for women.

Four million dollars will help establish demonstration sites like the one in Dallas in cities all across this country.

Programs like the National Women's Business Council and the Women's Business Ownership Development Program—modest in scope but breathtaking in the possibilities they hold out to those willing to work hard—have the potential to turn America around. I am pleased my colleagues saw their value and agreed to continued funding.

Mr. LIEBERMAN. Mr. President, I would like to express my concern about the programs that are suffering as a result of the appropriations in this bill. The programs that I am referring to are critical to the future of the U.S. economy. Economic security, competitiveness, jobs. That is what is at risk.

Technology development is slated to be the victim of our budget axe. Investments in technology are investments in our future and should not be terminated. In our enthusiasm to make cuts to balance the budget we are losing sight of the reason we want to balance the budget in the first place—to make our economy stronger. The irony is that by cutting technology programs we are cutting programs that are already making our economy stronger. We will be defeating our own purpose.

I am particularly concerned about the integration of the technology and trade functions in the Department of Commerce. Within the Department of Commerce there are programs that work with the private sector to foster new ideas that may underpin the next generation of products. This is one of the few places where information channels are developed that make sure that the ideas generated in our world class research institutions find their way into the marketplace. Previous Administrations had the foresight to realize that we are entering a new era, an era where economic battles are as fiercely fought as any previous military actions. New kinds of technology programs were begun with bipartisan support to make sure that the United States was well armed for these economic battles. I do not want to see us lose our technology edge in the marketplace, because this edge translates directly into jobs for our work force, new markets for American business, improvements in our balance of trade, and from this economic success, desperately needed revenues for our treasury. The home of technology programs is with our trade programs where they will have the most impact and do the most good for our economy. The Technology Administration is a critical component of the Department of Commerce and we need to make sure that its key functions are maintained.

Making changes in technology and trade functions at this juncture in time must be done extremely carefully. New markets are emerging in developing countries. Conservative estimates suggest that 60 percent of the growth in world trade will be with these developing countries over the next two decades. The United States has a large share of imports in big emerging markets currently, in significant part because of the efforts of the Department of Commerce. While we are making changes in the Department of Commerce, our foreign competitors are increasing their investments in their economies. Competing advanced economies are just waiting for us to make a move that will weaken our economic capacity. We cannot afford to dismantle successful programs that are making and keeping the United State competitive. We should be sure that changes we make will be improving the Government's efficiency and improving the taxpayer's return on investment.

The kind of technology programs that I am advocating are not corporate welfare or techno pork. I find these terms not only inaccurate and derived from ignorance, but offensive. American industry is not looking for a handout. Quite the contrary. These programs are providing incentives to elicit support from the private sector for programs that are the responsibility of the Government. Times are tough and the Government needs to cut back, so we are looking for the handout from private industry, not the other way around. Let me explain.

Everyone agrees that when markets fail, it is legitimate to have the Government step in. For example, so-called basic research, the Government funds, because no one industry can capture the benefits of the investment. Basic research is described as research that is so far reaching that it will impact a wide array of applications in a variety of different industries on a timeframe that could be quite long. No one expects a single company to make an investment, when it can not capture a sufficient return on its investment, or when the investment would be too risky or too long term. That would be bad business. I agree with this definition of basic research and I agree with these criteria for the appropriate role for government investments. These criteria apply equally to investment in technology research, as long as the technology research is precompetitive, high risk, and long term.

So-called basic research has also been defined as research that does not have any clear application. This definition is puzzling. One could legitimately ask, why perform research that deliberately has no application? In reality, research is rather fickle and difficult to predict. Sometimes one can plot a nice logical progression from basic research, to applied research, to product development, but this is usually not the case. Often what appears to be basic research turns out to be product development, or applied research results in a fundamental breakthrough with farreaching results, or as most commonly happens, at the end of an experiment, the research scientist must go back to the drawing board and try one more experiment before she can claim success. Thus, the research scenario is complicated and trying to make clear distinctions is artificial at best.

Our goal should be, not to try and categorize research, but to make investments that are appropriate, and that strengthen our economy. I believe that there is an important and legitimate role for government to play in technology research. The National Association of Manufacturers has spoken out strongly in favor of the kind of technology programs that are run by the Department of Commerce. I would like to read some quotes from their statement about Federal technology programs:

The NAM is concerned that the magnitude and distribution of the R&D spending cuts proposed thus far would erode US technological leadership.

A successful national R&D policy requires a diverse portfolio of programs that includes long- and short-term science and technology programs, as well as the necessary infrastructure to support them. The character of research activities has changed substantially in the past decade, making hard and fast distinctions between basic and applied research or between research and development increasingly artificial. R&D agendas today are driven by time horizons not definitions. In short, rigid delineations between basic and applied research are not the basis on which private sector R&D strategies are executed, nor should they be the basis for federal R&D policy decisions.

The NAM believes the disproportionate large cuts proposed in newer R&D programs are a mistake. R&D programs of more recent vintage enjoy considerable industry support for one simple fact: They are more relevant to today's technology challenges. For example, "bridge" programs that focus on the problem of technology assimilation often yield greater payoff to a wider public than programs aimed at technology creation. Newer programs address current R&D challenges far more effectively than older programs and should not fall victim to the "last hired, first fired" prioritization.

In particular, partnership and bridge programs should not only not be singled out for elimination, but should receive a relatively greater share of what federal R&D spending remains. These programs currently account for approximately 5 percent of federal R&D spending. The NAM suggests that 15 percent may be a more appropriate level.

Given the critical importance of R&D, far too much is being cut on the basis of far too little understanding of the implications. The world has changed considerably in the past several years, and R&D is no different. Crafting a federal R&D policy must take stock of these changes; to date this has not happened.

As the major funder and performer of the R&D in the US, industry believes its voice should be heard in setting the national R&D agenda. The Congress and the Administration should draw on industry's experience and expertise in determining policy choices. For example, as a guide to prioritizing federal R&D programs, the NAM would favor those programs that embody the following attributes: industry led; cost-shared; relevant to today's R&D challenges; partnership/consortia; deployment-oriented; and dual use.

We believe these criteria provide the basis for creation of a template for prioritizing federal R&D spending.

In sum, the NAM remains firmly committed to a balanced federal budget. But we also firmly believe that the action taken thus far in downsizing and altering the direction of US R&D spending is tantamount to fighting hunger by eating the seed corn. We urge the Congress to consider carefully the impact of R&D on US economic vitality and to move forward in crafting an R&D agenda that will sustain US technological leadership far into the future.

I would like to describe two programs in which I have taken a particular interest, the Advanced Technology Program [ATP] and the Manufacturing Extension Program [MEP].

ATP

Dr. Alan Bromley, President Bush's Science Advisor in 1991, determined a list of 20 technologies that are critical to develop for the United States to remain a world economic power. There has been very little disagreement among analysts and industry about the list. No one company benefits from these technologies, rather a variety of industries would benefit with advances in any one of these areas. These are the kinds of areas that form the focus areas of the ATP. The focus areas are determined by industry, not by bureaucrats, to be key areas where research breakthroughs will advance the economy as a whole not single companies.

There is no doubt that industry benefits from partnering with the Government. The nature of the marketplace has changed, and technological advances are a crucial component in maintaining our stature in the new world marketplace. Product life cycles are getting more and more compressed, so that the development of new products must occur at a more and more rapid pace. The market demands products faster, at higher quality and in wider varieties—and the product must be delivered just in time. Innovative technological advances enhance speed, quality, and distribution, to deliver to customers the product they want, when they want it. Ironically, the competitive market demands that companies stay lean and mean, diminishing the resources that are available for R&D programs that foster the kind of innovation necessary to stay competitive. Because of all of these pressures, industrial R&D is now focused on short-term product development at the expense of long-term research to generate future generations of products.

The conclusion is clear. This short-term focus will lead to technological inferiority in the future. Our economy will suffer. Some of my colleagues in Congress believe that basic research will provide the kind of innovation necessary to generate new generations of high-technology products. On the contrary, we have seen historically that basic research performed in a vacuum, that is without communication with industry, is unlikely to lead to products.

In this country, we have the best basic research anywhere in the world. There is no contest. Yet, we continue to watch our creative basic research capitalized by other nations. We must improve our ability to get our brilliant ideas to market. Basic research focuses on a time horizon of 10 to 20 years. Product development focuses on a time

COMPARISON OF THE TWO G.O.P. CRIME BILLS AND THE VIOLENT CRIME CONTROL ACT OF 1994, as passed

Current Law	H.R. 728	S.3
Establishes the COPS Program within DoJ to fund **100,000 new community policing police officers** over the next 6 years.	Provides funding for the Bureau of Justice Assistance to give block grants to local governments for **law enforcement purposes in general**.	Authorizes the A.G. to make grants to states for a range of **law enforcement hiring purposes, as well as equipment and community programs**.
3-year hiring grants are given directly to police and sheriff's departments. One year grants -- with potential for renewal -- are given for equipment, overtime, and support personnel. (Grantees can apply for one to two year renewals of their 3-year grants.)	**1-year grants are given to qualifying units of local government** (cities, counties and towns), for distribution to law enforcement agencies, schools and non-profits for one year. (Money may be used over a two-year period).	**1-year grants go to states to distribute** to localities, although they may keep 15% for state law enforcement efforts and administration of the program (2.5%). (Money may be used over more than a one-year period.)
Grants are for up to 75% of the salary and benefits of each officer authorized, with a cap of $75,000. (A.G. may waive either part of this at her discretion.)	There is a required local match of 10% but no statutory cap on the amount of grant awards.	There is no local or state match required.
This is a **discretionary grant program**, with a minimum per state of .5% of total grant funds. Grants will be monitored through- out the life of the grant.	This is a **block grant program based on crime rates**.	This is a **block grant program based on population** with a minimum .6% per state.
Eighty-five percent or more of the grant monies must put additional officers on the street.	The grants are for hiring, training, overtime, support salaries, purchase of equipment, and technology. Grants may also be used for safe schools and citizen neighborhood watch programs.	The grants are for hiring, training, overtime, support salaries, purchase of equipment, and technology. Grants may also be used for citizen neighborhood watch programs and **prosecution of criminals.**

Administrative cost for the first, start-up, year is $11 million, or .8% of the FY'95 appropriation. With the addition of significant grant monitoring functions, the administrative cost will rise slightly the second year and is anticipated to be 1.39% in FY'96.

Administrative cost of 2.5% per year (or **$250 million for 6 years**) provided to Bureau of Justice Assistance for FY'96. **The bill does not provide for any administrative costs at the state or local level.**

Administrative cost of 2.5% per state (or **$211.7 million over 5 years**).

Training/Tech Asst'ce will be provided to police agencies that request it.

H.R. 2076

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

Ordered to lie on the table and to be printed AMENDMENT intended to be proposed by Mr.

Section 115 is amended --

by striking "and" in line 22 and inserting thereafter the following :

(7) assurances that the State or States will provide space for detention of persons held in custody of a United States marshal as required by the Attorney General; and

by striking "(7)" in line 23 and inserting "(8)".

(Dollars in thousands)

Viol. Crime Control & Law Enforcement Act of 1994 (P.L. 103-322)

Title	Total Authorization
Public Safety and Policing	
Community Policing; "Cops on the Beat"	$8,800,000
Prisons	
Correctional Facil./Viol. Offender Incarceration Grants	7,895,000
Certain Punishment for Young Offenders	150,000
Incarceration of Undocumented Criminal Aliens	1,800,000
Crime Prevention	
Ounce of Prevention Grant Program	90,000
l Crime Prevention Block Grant Program	377,000
Model Intensive Grant Program	625,500
Assistance for Delinquent & At-Risk Youth	36,000
Police Recruitment	24,000
Community-Based Justice Grants for Prosecutors	50,000
Family Unity Demonstration Project:	
Grants to States	17,820
Federal Prisoners	1,980
Substance Abuse Treatment in Federal Prisons	112,500
Res. Substance Abuse Treatment for State Prisoners	270,000
Treatment of Tuberculosis in Correctional Instits.:	
State Grants	2,500
Federal Correctional Facilities	2,500
Violence Against Women	
Federal Victim Counselors	1,500
Grants to Combat Violent Crimes Against Wmn	800,000
Training Programs	2,000
Victims of Child Abuse Programs:	
Court-Appointed Special Advocate Program	38,000
Training for Judicial Personnel & Practitioners	8,050
Grants for Televised Testimony	4,250
G to Encourage Arrest Policies	120,000
Databases Study	200
Rural Domestic Violence & Child Abuse Enforcement	30,000
National Baseline Study On Campus Sexual Assault	200
National Stalker & Domestic Violence Reduction	6,000
Drug Courts	
Drug Courts	1,000,000
Criminal Aliens & Immigration Enforcement	
Criminal Alien Tracking Center	18,400
Expedited Deportation for Denied Asylum	338,000
Improving Border Controls	675,000
Expanded Spec. Deportation Proceedings	160,000
Criminal Street Gangs	
Investigation Coordination & Info. Collection	1,000
Rural Crime	
Rural Drug Enforcement Assistance	240,000
Additional DEA Agents	150,000
Federal Law Enforcement	
Federal Judiciary & Federal Law Enforcement:	
Additional Appropriation for the Dept. of Justice	199,000
Additional Appropriations for the FBI	245,000
Additional Appropriations for the USA	50,000
Police Corps & Law Enforcement Off. Trng. and Ed.	
Police Corps	100,000
Law Enforcement Scholarship Program	100,000

Taking Back Our Streets Act of 1995 (H.R. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
Law Enforcement Block Grants		
Community Policing; "Cops on the Beat"	(8,800,000)	0
Law Enforcement Block Grants	10,000,000	10,000,000
Amendments To VCC&LE Act		
Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)	0
Truth In Sentencing Grants		
Truth In Sentencing Grants	10,499,600	10,499,600
		150,000
		1,800,000
Amendments To VCC&LE Act		
Ounce of Prevention Grant Program	(90,000)	0
Local Crime Prevention Block Grant Program	(377,000)	0
Model Intensive Grant Program	(625,500)	0
Assistance for Delinquent & At-Risk Youth	(36,000)	0
Police Recruitment	(24,000)	0
Community-Based Justice Grants for Prosecutors	(50,000)	0
Family Unity Demonstration Project:		
Grants to States	(17,820)	0
Federal Prisoners	(1,980)	0
		112,500
		270,000
		2,500
		2,500
		1,500
		800,000
		2,000
		38,000
		8,050
		4,250
		120,000
		200
		30,000
		200
		6,000
Truth In Sentencing Grants		
Drug Courts	(1,000,000)	0
		18,400
		338,000
		675,000
		160,000
		1,000
		240,000
		150,000
		199,000
		245,000
		50,000
		100,000
		100,000

Violent Crime Control & Law Enforcement Amendments Act of 1995 (S. 38)

Title	Total Amended Authorization	Total Crime Bill Authorization
		8,800,000
Viol. Offender Incarceration/Truth In Sentencing Grants		
Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)	0
Viol. Offender Incarceration/Truth In Sentencing Grants	8,720,000	8,720,000
Punishment for Young Offenders		
Certain Punishment for Young Offenders	(150,000)	0
		1,800,000
Elimination of Ineffective Programs		
Ounce of Prevention Grant Program	(90,000)	0
Local Crime Prevention Block Grant Program	(377,000)	0
Model Intensive Grant Program	(625,500)	0
Assistance for Delinquent & At-Risk Youth	(36,000)	0
Police Recruitment	(24,000)	0
Community-Based Justice Grants for Prosecutors	(50,000)	0
Family Unity Demonstration Project:		
Grants to States	(17,820)	0
Federal Prisoners	(1,980)	0
		112,500
Res. Substance Abuse Treatment for State Prisoners	(270,000)	0
		2,500
		2,500
		1,500
		800,000
		2,000
		38,000
		8,050
		4,250
		120,000
		200
		30,000
		200
		6,000
Elimination of Ineffective Programs		
Drug Courts	(1,000,000)	0
		18,400
		338,000
		675,000
		160,000
		1,000
		240,000
		150,000
		199,000
		245,000
		50,000
		100,000
		100,000

Violent Crime Control & Law Enforcement Improvement Act of 1995 (S. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
State and Local Law Enforcement Assistance		
Community Policing; "Cops on the Beat"	(8,800,000)	0
State & Local Law Enforcement Block Grants	8,468,000	8,468,000
Incarceration of Violent Criminals		
Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)	0
Viol. Offender Incarceration/Truth In Sentencing Grants	8,720,000	8,720,000
Certain Punishment for Young Offenders	(150,000)	0
		1,800,000
Elimination of Certain Programs		
Ounce of Prevention Grant Program	(90,000)	0
Local Crime Prevention Block Grant Program	(377,000)	0
Model Intensive Grant Program	(625,500)	0
Assistance for Delinquent & At-Risk Youth	(36,000)	0
Police Recruitment	(24,000)	0
Community-Based Justice Grants for Prosecutors	(50,000)	0
Family Unity Demonstration Project:		
Grants to States	(17,820)	0
Federal Prisoners	(1,980)	0
		112,500
Res. Substance Abuse Treatment for State Prisoners	(270,000)	0
		2,500
		2,500
		1,500
		800,000
		2,000
		38,000
		8,050
		4,250
		120,000
		200
		30,000
		200
		6,000
Elimination of Certain Programs		
Drug Courts	(1,000,000)	0
		18,400
		338,000
		675,000
		160,000
		1,000
		240,000
Additional DEA Agents	(150,000)	0
Fed. Emergency Law Enforcement Assistance Act		
Additional Appropriations for DEA	350,000	350,000
Fed. Emergency Law Enforcement Assistance Act		
Federal Judiciary & Federal Law Enforcement:		
Additional Appropriations for DOJ	(199,000)	0
Additional Appropriations for DOJ	199,000	199,000
Additional Appropriations for FBI	(245,000)	0
Additional Appropriations for FBI	945,000	945,000
Additional Appropriations for USA	(50,000)	0
Additional Appropriations for USA	150,000	150,000
		100,000
		100,000

Crime Comparisons
Total Authorized Funding
(C in thousands)

Viol. Crime Control & Law Enforcement Act of 1994 (P.L. 103-322) Title	Total Authorization	Taking Back Our Streets Act of 1995 (H.R. 3) Title	Total Amended Authorization	Total Crime Bill Authorization	Violent Crime Control & Law Enforcement Amendments Act of 1995 (S. 38) Title	Total Amended Authorization	Total Crime Bill Authorization	Violent Crime Control & Law Enforcement Improvement Act of 1995 (S. 3) Title	Total Amended Authorization	Total Crime Bill Authorization
State and Local Law Enforcement										
Byrne Program	1,000,000			1,000,000			1,000,000			1,000,000
Law Enforcement Family Support	25,000			25,000			25,000			25,000
DNA Identification:										
State Grants	40,000			40,000			40,000			40,000
Fe[illegible]al Bureau of Investigation	25,000			25,000			25,000			25,000
Improved Training & Technical Automation:										
Training & Tech. Automation Grants	100,000			100,000			100,000			100,000
S&L Training at Quantico/Intelligence Gathering	20,000			20,000			20,000			20,000
Improve Tech Automation at Quantico	10,000			10,000			10,000			10,000
Federal Assistance to Ease State Court Burdens	150,000			150,000			150,000			150,000
Brady Handgun Violence Prevention Act	150,000			150,000			150,000			150,000
Vehicle Theft Prevention										
Vehicle Theft Prevention Program	5,000			5,000			5,000			5,000
Protections for the Elderly										
Missing Alzheimer's Disease Patient Alert Program	2,700			2,700			2,700			2,700
Senior Citizens Against Marketing Scams										
FBI Agents	7,500			7,500			7,500			7,500
U.S. Attorneys	2,500			2,500			2,500			2,500
Public Awareness & Prevention Initiatives	10,000			10,000			10,000			10,000
Total, Department of Justice	26,089,100	Total, Department of Justice	1,582,300	27,671,400	Total, Department of Justice	(1,817,300)	24,271,800		(1,149,300)	24,939,800
OTHER DEPARTMENTS										
C[illegible]s								**Courts**		
Education & Training for Federal Judges:										
Courts of Appeals, District Courts, other Jud. Services	500			500			500			500
Federal Judiciary Center	100			100			100			100
Admin. Office of U.S. Courts	100			100			100			100
Additional Appropriations	200,000			200,000			200,000	Additional Appropriations	(200,000)	0
								Additional Appropriations	200,000	200,000
Education		**Education**			**Education**			**Education**		
F[illegible]ly & Comm. Endeavor Schools Grant Program	243,000	Family & Comm. Endeavor Schools Grant Program	(243,000)	0	Family & Comm. Endeavor Schools Grant Program	(243,000)	0	Family & Comm. Endeavor Schools Grant Program	(243,000)	0
Health and Human Services		**Health and Human Services**			**Health and Human Services**			**Health and Human Services**		
Com. Schools Youth Services & Supervision Grant Prog.	567,000	Com. Schools Youth Services & Supervision Grant Prog.	(567,000)	0	Com. Schools Youth Services & Supervision Grant Prog.	(567,000)	0	Com. Schools Youth Services & Supervision Grant Prog.	(567,000)	0
National Community Economic Partnership	270,000	National Community Economic Partnership	(270,000)	0	National Community Economic Partnership	(270,000)	0	National Community Economic Partnership	(270,000)	0
Ed. & Prev. to Reduce Sexual Assaults Against Wm	205,000			205,000			205,000			205,000
Ed. & Prev. to Reduce Sexual Abuse of Runaway, ...	30,000			30,000			30,000			30,000
National Domestic Hotline (Safe Homes for Wm)	3,000			3,000			3,000			3,000
G[illegible]s for Battered Women's Shelters	325,000			325,000			325,000			325,000
Youth Education & Domestic Violence	400			400			400			400
Community Programs on Domestic Violence	10,000			10,000			10,000			10,000
Number & Cost of Injuries Study	100			100			100			100
Housing and Urban Development		**Housing and Urban Development**			**Housing and Urban Development**			**Housing and Urban Development**		
L[illegible] Partnership Act	1,620,000	Local Partnership Act	(1,620,000)	0	Local Partnership Act	(1,620,000)	0	Local Partnership Act	(1,620,000)	0
Interior		**Interior**			**Interior**			**Interior**		
Urban Recreation and At-Risk Youth	4,500	Urban Recreation and At-Risk Youth	(4,500)	0	Urban Recreation and At-Risk Youth	(4,500)	0	Urban Recreation and At-Risk Youth	(4,500)	0
Capital Improvement to Prevent Crime in Nat'l Parks	10,000			10,000			10,000			10,000
Capital Improvement to Prevent Crime in Public Parks	15,000			15,000			15,000			15,000
Nat'l Commission on Crime Control & Prevention	1,000			1,000	**Nat'l Commission on Crime Control & Prevention**	(1,000)	0	**Nat'l Commission on Crime Control & Prevention**	(1,000)	0
State Justice Institute										
Equal Justice of Women in the Courts: Training Grants	600			600			600			600

Crime Bill Comparisions
Total Authorized Funding
(Dollars in thousands)

01/18/95
10:24 AM

Viol. Crime Control & Law Enforcement Act of 1994 (P.L. 103-322)

Title	Total Authorization
Transportation	
Capital Improvement to Prevent Crime in Public Trans.	10,000
Treasury	
Gang Resistance Education & Training Projects:	
State Funding	22,500
Bureau of Alcohol, Tobbacco and Firearms	22,500
Rural Drug Enforcement Training: FLETC	5,000
Additional Appropriations	550,000
Total, Other Departments	4,115,300
Total, Crime Bill	30,204,400
Violent Crime Reduction Trust Fund	
Budget Authority	30,210,000
Outlays	23,741,000

Taking Back Our Streets Act of 1995 (H.R. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
		10,000
Treasury		
Gang Resistance Education & Training Projects:		
State Funding	(22,500)	0
Bureau of Alcohol, Tobbacco and Firearms	(22,500)	0
		5,000
		550,000
Total, Other Departments	(2,749,500)	1,365,800
Total, Crime Bill	(1,167,200)	29,037,200
		30,210,000
		23,741,000

Violent Crime Control & Law Enforcement Amendments Act of 1995 (S. 38)

Title	Total Amended Authorization	Total Crime Bill Authorization
		10,000
Treasury		
Gang Resistance Education & Training Projects:		
State Funding	(22,500)	0
Bureau of Alcohol, Tobbacco and Firearms	(22,500)	0
		5,000
		550,000
Total, Other Departments	(2,750,500)	1,364,800
Total, Crime Bill	(4,567,800)	25,636,600
		30,210,000
		23,741,000

Violent Crime Control & Law Enforcement Improvement Act of 1995 (S. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
		10,000
Treasury		
Gang Resistance Education & Training Projects:		
State Funding	(22,500)	0
Bureau of Alcohol, Tobbacco and Firearms	(22,500)	0
		5,000
Additional Appropriations	(550,000)	0
Additional Appropriations	550,000	550,000
	(2,750,500)	1,364,800
	(3,899,800)	26,304,600
		30,210,000
		23,741,000

CC Klain
Fois
Burke
K. Hancock
T. Thornton
P. Griffin

Congress of the United States
House of Representatives

U.S. CONGRESSMAN JIM CHAPMAN

1st Congressional District, Texas
(202) 225-3035

2417 Rayburn House Office Building
Washington, DC 20515

FAX FORM

TO: Sheila Anthony

FAX #: 514-4482

FROM: Pat Devlin

FAX #: (202) 225-7265

NUMBER OF PAGES INCLUDING THIS ONE: 5

COMMENTS:

Ms Anthony -

It was nice to talk w/ you. Enclosed, please find: 1) Brewster letter to Newt re: gun ban repeal; 2) HR 125 - Chapman bill.

Have a nice weekend!

P

BILL K. BREWSTER
3D DISTRICT
OKLAHOMA

WAYS AND MEANS
COMMITTEE

PATRICK J. RAFFANIELLO
CHIEF OF STAFF
TAX COUNSEL

1727 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3603
(202) 225-4565
FAX: (202) 225-3029

Congress of the United States
House of Representatives
Washington, DC 20515-3603

January 23, 1995

The Honorable Newt Gingrich
Speaker
U.S. House of Representatives
H-232, The Capitol
Washington, D.C. 20515

Dear Mr. Speaker:

As you know, there is a large bloc of Democrats who were vehemently opposed to including a ban on firearms in President Clinton's Omnibus Crime Bill signed into law during the 103rd Congress. The purpose of this letter is to let you know that we remain opposed to the gun ban and are resolute in our commitment to repealing this ill-conceived measure at the first opportunity. Such an opportunity appears to be at hand with the Republican "Contract with America" crime bill scheduled for Judiciary Committee mark-up January 25th.

We believe that a central theme established by the most recent Congressional elections is that the American people strongly resent government intrusions into their personal freedoms. As a party which has always striven to represent individual freedom, as a group we are going to work to focus our leadership's attention on the importance of this issue for the system of government for which we share a common love.

With this purpose in mind, we hope that you and the rest of the Republican leadership will join us in supporting the inclusion of a repeal of this gun ban as original text in the bill when it is marked up and reported by the Judiciary Committee in the coming weeks. If such a provision is not included in the Sub-Committee or Committee mark, it is our intention to offer an amendment to the Rules Committee to accomplish this purpose. With this correspondence we wish to inform you and the rest of the Republican leadership it is our full intention to use every parliamentary opportunity and procedure to repeal the ban. It is our sincere hope that we will be able to work in full cooperation with the Republican leadership and party on this most important issue.

If we can be of assistance in bringing the facts of this issue to the attention of the American people please call on us. It is our belief that our nation is served best by those who support the rights inimical to preserving their personal freedom. We urge you to join with us in addressing this issue, and look forward to your reply.

Sincerely,

Bill K. Brewster (D-OK)

W. J. (Billy) Tauzin (D-LA)

Ralph Hall (D-TX)

Charlie Stenholm (D-TX)

Collin Peterson (D-MN)

Gene Taylor (D-MS)

Greg Laughlin (D-TX)

Nathan Deal (D-GA)

Bill Orton (D-UT)

Karen Thurman (D-FL)

James Hayes (D-LA)

Pete Geren (D-TX)

John Tanner (D-TN)

Mike Parker (D-MS)

Glenn Poshard (D-IL)

Rick Boucher (D-VA)

Lee Hamilton (D-IN)

John Murtha (D-PA)

Bud Cramer

Robert (Bud) Cramer, Jr. (D-AL)

Harold L. Volkmer

Harold Volkmer (D-MO)

L. F. Payne

L. F. Payne (D-TX)

Charlie Wilson

Charles Wilson (D-TX)

Jim Chapman

Jim Chapman (D-TX)

Gene Green

Gene Green (D-TX)

Frank Tejeda

Frank Tejeda (D-TX)

Solomon P. Ortiz

Solomon P. Ortiz (D-TX)

VERSION As Introduced in the House
104th CONGRESS
1st Session

BILL H. R. 125

TITLE To repeal the ban on semiautomatic assault weapons and the ban on large capacity ammunition feeding devices.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. Chapman (for himself, Mr. Bartlett, Mr. Boucher, Mr. Brewster, Mr. Canady, Mr. Geren, Mr. Gordon, Mr. Hall of Texas, Mr. Hamilton, Mr. Hayes, Mr. Holden, Mr. Klink, Mr. Laughlin, Mr. Montgomery, Mr. Shuster, Mr. Skelton, Mr. Solomon, Mr. Talent, Mr. Tauzin, Mr. Volkmer, Mr. Wise, Mr. Young of Alaska, Mr. Mollohan, Mr. Murtha, Mr. Costello, Mr. Stenholm, Mr. DeLay, Mr. Stump, Mr. Emerson, Mr. Baker of Louisiana, Mr. McCrery, Mr. Hancock, Mr. Sam Johnson of Texas, Mr. Cunningham, Mr. Burton, Mr. Hostettler, Mr. McCollum, Mr. Rahall) introduced the following bill; which was referred to the Committee on the Judiciary

---

TEXT A BILL

To repeal the ban on semiautomatic assault weapons and the ban on large capacity ammunition feeding devices.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF THE BAN ON SEMIAUTOMATIC ASSAULT WEAPONS AND THE BAN ON LARGE CAPACITY AMMUNITION FEEDING DEVICES.

(a) In General. - Section 922 of title 18, United States Code, is amended by striking subsections (v) and (w) and by striking the appendix.

(b) Conforming Amendments and Repeal. -

(1) Section 921(a) of such title is amended by striking paragraph (31).

(2) Section 924(a)(1)(B) of such title is amended by striking '(r), (v),'.

(3) Section 923(i) of such title is amended by striking the last 2 sentences.

(4) Section 110104 of the Violent Crime Control and Law Enforcement Act of 1994 is hereby repealed.

Crime Bill Comparisons
Total Authorized Funding
(Dollars in thousands)

Viol. Crime Control & Law Enforcement Act of 1994 (P.L. 103-322)

Title	Total Authorization
Public Safety and Policing	
Community Policing; "Cops on the Beat"	$8,800,000
Prisons	
Correctional Facil./Viol. Offender Incarceration Grants	7,895,000
Certain Punishment for Young Offenders	150,000
Incarceration of Undocumented Criminal Aliens	1,800,000
Crime Prevention	
Ounce of Prevention Grant Program	90,000
Local Crime Prevention Block Grant Program	377,000
Model Intensive Grant Program	625,500
Assistance for Delinquent & At-Risk Youth	36,000
Police Recruitment	24,000
Community-Based Justice Grants for Prosecutors	50,000
Family Unity Demonstration Project:	
Grants to States	17,820
Federal Prisoners	1,980
Substance Abuse Treatment In Federal Prisons	112,500
Res. Substance Abuse Treatment for State Prisoners	270,000
Treatment of Tuberculosis in Correctional Instits.:	
State Grants	2,500
Federal Correctional Facilities	2,500
Violence Against Women	
Federal Victim Counselors	1,500
Grants to Combat Violent Crimes Against Wmn	800,000
Training Programs	2,000
Victims of Child Abuse Programs:	
Court-Appointed Special Advocate Program	38,000
Training for Judicial Personnel & Practitioners	8,050
Grants for Televised Testimony	4,250
Grants to Encourage Arrest Policies	120,000
State Databases Study	200
Rural Domestic Violence & Child Abuse Enforcement	30,000
National Baseline Study On Campus Sexual Assault	200
National Stalker & Domestic Violence Reduction	6,000
Drug Courts	
Drug Courts	1,000,000
Criminal Aliens & Immigration Enforcement	
Criminal Alien Tracking Center	18,400
Expedited Deportation for Denied Asylum	338,000
Improving Border Controls	675,000
Expanded Spec. Deportation Proceedings	160,000
Criminal Street Gangs	
Gang Investigation Coordination & Info. Collection	1,000
Rural Crime	
Rural Drug Enforcement Assistance	240,000
Additional DEA Agents	150,000
Federal Law Enforcement	
Federal Judiciary & Federal Law Enforcement:	
Additional Appropriation for the Dept. of Justice	199,000
Additional Appropriations for the FBI	245,000
Additional Appropriations for the USA	50,000
Police Corps & Law Enforcement Off. Trng. and Ed.	
Police Corps	100,000
Law Enforcement Scholarship Program	100,000

Taking Back Our Streets Act of 1995 (H.R. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
Law Enforcement Block Grants		
Community Policing; "Cops on the Beat"	(8,800,000)	0
Law Enforcement Block Grants	10,000,000	10,000,000
Amendments To VCC&LE Act		
Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)	0
Truth In Sentencing Grants		
Truth In Sentencing Grants	10,499,600	10,499,600
		150,000
		1,800,000
Amendments To VCC&LE Act		
Ounce of Prevention Grant Program	(90,000)	0
Local Crime Prevention Block Grant Program	(377,000)	0
Model Intensive Grant Program	(625,500)	0
Assistance for Delinquent & At-Risk Youth	(36,000)	0
Police Recruitment	(24,000)	0
Community-Based Justice Grants for Prosecutors	(50,000)	0
Family Unity Demonstration Project:		
Grants to States	(17,820)	0
Federal Prisoners	(1,980)	0
		112,500
		270,000
		2,500
		2,500
		1,500
		800,000
		2,000
		38,000
		8,050
		4,250
		120,000
		200
		30,000
		200
		6,000
Truth In Sentencing Grants		
Drug Courts	(1,000,000)	0
		18,400
		338,000
		675,000
		160,000
		1,000
		240,000
		150,000
		199,000
		245,000
		50,000
		100,000
		100,000

Violent Crime Control & Law Enforcement Amendments Act of 1995 (S. 38)

Title	Total Amended Authorization	Total Crime Bill Authorization
		8,800,000
Viol. Offender Incarceration/Truth In Sentencing Grants		
Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)	0
Viol. Offender Incarceration/Truth In Sentencing Grants	8,720,000	8,720,000
Punishment for Young Offenders		
Certain Punishment for Young Offenders	(150,000)	0
		1,800,000
Elimination of Ineffective Programs		
Ounce of Prevention Grant Program	(90,000)	0
Local Crime Prevention Block Grant Program	(377,000)	0
Model Intensive Grant Program	(625,500)	0
Assistance for Delinquent & At-Risk Youth	(36,000)	0
Police Recruitment	(24,000)	0
Community-Based Justice Grants for Prosecutors	(50,000)	0
Family Unity Demonstration Project:		
Grants to States	(17,820)	0
Federal Prisoners	(1,980)	0
		112,500
Res. Substance Abuse Treatment for State Prisoners	(270,000)	0
		2,500
		2,500
		1,500
		800,000
		2,000
		38,000
		8,050
		4,250
		120,000
		200
		30,000
		200
		6,000
Elimination of Ineffective Programs		
Drug Courts	(1,000,000)	0
		18,400
		338,000
		675,000
		160,000
		1,000
		240,000
		150,000
		199,000
		245,000
		50,000
		100,000
		100,000

Violent Crime Control & Law Enforcement Improvement Act of 1995 (S. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
State and Local Law Enforcement Assistance		
Community Policing; "Cops on the Beat"	(8,800,000)	0
State & Local Law Enforcement Block Grants	8,468,000	8,468,000
Incarceration of Violent Criminals		
Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)	0
Viol. Offender Incarceration/Truth In Sentencing Grants	8,720,000	8,720,000
Certain Punishment for Young Offenders	(150,000)	0
		1,800,000
Elimination of Certain Programs		
Ounce of Prevention Grant Program	(90,000)	0
Local Crime Prevention Block Grant Program	(377,000)	0
Model Intensive Grant Program	(625,500)	0
Assistance for Delinquent & At-Risk Youth	(36,000)	0
Police Recruitment	(24,000)	0
Community-Based Justice Grants for Prosecutors	(50,000)	0
Family Unity Demonstration Project:		
Grants to States	(17,820)	0
Federal Prisoners	(1,980)	0
		112,500
Res. Substance Abuse Treatment for State Prisoners	(270,000)	0
		2,500
		2,500
		1,500
		800,000
		2,000
		38,000
		8,050
		4,250
		120,000
		200
		30,000
		200
		6,000
Elimination of Certain Programs		
Drug Courts	(1,000,000)	0
		18,400
		338,000
		675,000
		160,000
		1,000
		240,000
Additional DEA Agents	(150,000)	0
Fed. Emergency Law Enforcement Assistance Act		
Additional Appropriations for DEA	350,000	350,000
Fed. Emergency Law Enforcement Assistance Act		
Federal Judiciary & Federal Law Enforcement:		
Additional Appropriations for DOJ	(199,000)	0
Additional Appropriations for DOJ	199,000	199,000
Additional Appropriations for FBI	(245,000)	0
Additional Appropriations for FBI	945,000	945,000
Additional Appropriations for USA	(50,000)	0
Additional Appropriations for USA	150,000	150,000
		100,000
		100,000

(D in thousands)

Viol. Crime Control & Law Enforcement Act of 1994 (P.L. 103–322)		Taking Back Our Streets Act of 1995 (H.R. 3)			Violent Crime Control & Law Enforcement Amendments Act of 1995 (S. 38)			Violent Crime Control & Law Enforcement Improvement Act of 1995 (S. 3)		
Title	Total Authorization	Title	Total Amended Authorization	Total Crime Bill Authorization	Title	Total Amended Authorization	Total Crime Bill Authorization	Title	Total Amended Authorization	Total Crime Bill Authorization
State and Local Law Enforcement										
Byrne Program	1,000,000			1,000,000			1,000,000			1,000,000
Law Enforcement Family Support	25,000			25,000			25,000			25,000
DNA Identification:										
State Grants	40,000			40,000			40,000			40,000
Federal Bureau of Investigation	25,000			25,000			25,000			25,000
Improved Training & Technical Automation:										
Training & Tech. Automation Grants	100,000			100,000			100,000			100,000
S&L Training at Quantico/Intelligence Gathering	20,000			20,000			20,000			20,000
Improve Tech Automation at Quantico	10,000			10,000			10,000			10,000
Federal Assistance to Ease State Court Burdens	150,000			150,000			150,000			150,000
Brady Handgun Violence Prevention Act	150,000			150,000			150,000			150,000
Vehicle Theft Prevention										
Motor Vehicle Theft Prevention Program	5,000			5,000			5,000			5,000
Protections for the Elderly										
Missing Alzheimer's Disease Patient Alert Program	2,700			2,700			2,700			2,700
Senior Citizens Against Marketing Scams										
FBI Agents	7,500			7,500			7,500			7,500
U.S. Attorneys	2,500			2,500			2,500			2,500
Public Awareness & Prevention Initiatives	10,000			10,000			10,000			10,000
Total, Department of Justice	26,089,100	Total, Department of Justice	1,582,300	27,671,400	Total, Department of Justice	(1,617,300)	24,271,800		(1,149,300)	24,939,800
OTHER DEPARTMENTS										
Courts								**Courts**		
Education & Training for Federal Judges:										
Courts of Appeals, District Courts, other Jud. Services	500			500			500			500
Federal Judiciary Center	100			100			100			100
Admin. Office of U.S. Courts	100			100			100			100
Additional Appropriations	200,000			200,000			200,000	Additional Appropriations	(200,000)	0
								Additional Appropriations	200,000	200,000
Education		**Education**			**Education**			**Education**		
Family & Comm. Endeavor Schools Grant Program	243,000	Family & Comm. Endeavor Schools Grant Program	(243,000)	0	Family & Comm. Endeavor Schools Grant Program	(243,000)	0	Family & Comm. Endeavor Schools Grant Program	(243,000)	0
Health and Human Services		**Health and Human Services**			**Health and Human Services**			**Health and Human Services**		
Com. Schools Youth Services & Supervision Grant Prog.	567,000	Com. Schools Youth Services & Supervision Grant Prog.	(567,000)	0	Com. Schools Youth Services & Supervision Grant Prog.	(567,000)	0	Com. Schools Youth Services & Supervision Grant Prog.	(567,000)	0
onal Community Economic Partnership	270,000	National Community Economic Partnership	(270,000)	0	National Community Economic Partnership	(270,000)	0	National Community Economic Partnership	(270,000)	0
Ed. & Prev. to Reduce Sexual Assaults Against Wm	205,000			205,000			205,000			205,000
Ed. & Prev. to Reduce Sexual Abuse of Runaway, ...	30,000			30,000			30,000			30,000
National Domestic Hotline (Safe Homes for Wm)	3,000			3,000			3,000			3,000
Grants for Battered Women's Shelters	325,000			325,000			325,000			325,000
Youth Education & Domestic Violence	400			400			400			400
Community Programs on Domestic Violence	10,000			10,000			10,000			10,000
Number & Cost of Injuries Study	100			100			100			100
Housing and Urban Development		**Housing and Urban Development**			**Housing and Urban Development**			**Housing and Urban Development**		
l Partnership Act	1,620,000	Local Partnership Act	(1,620,000)	0	Local Partnership Act	(1,620,000)	0	Local Partnership Act	(1,620,000)	0
Interior		**Interior**			**Interior**			**Interior**		
Urban Recreation and At–Risk Youth	4,500	Urban Recreation and At–Risk Youth	(4,500)	0	Urban Recreation and At–Risk Youth	(4,500)	0	Urban Recreation and At–Risk Youth	(4,500)	0
Capital Improvement to Prevent Crime in Nat'l Parks	10,000			10,000			10,000			10,000
Capital Improvement to Prevent Crime in Public Parks	15,000			15,000			15,000			15,000
Nat'l Commission on Crime Control & Prevention	1,000			1,000	**Nat'l Commission on Crime Control & Prevention**	(1,000)	0	**Nat'l Commission on Crime Control & Prevention**	(1,000)	0
State Justice Institute										
Equal Justice of Women in the Courts: Training Grants	600			600			600			600

Crime Bill Comparisions
Total Authorized Funding
(Dollars in thousands)

Viol. Crime Control & Law Enforcement Act of 1994 (P.L. 103-322)

Title	Total Authorization
Transportation	
Capital Improvement to Prevent Crime in Public Trans.	10,000
Treasury	
Gang Resistance Education & Training Projects:	
State Funding	22,500
Bureau of Alcohol, Tobbacco and Firearms	22,500
Rural Drug Enforcement Training: FLETC	5,000
Additional Appropriations	550,000
Total, Other Departments	4,115,300
Total, Crime Bill	30,204,400
Violent Crime Reduction Trust Fund	
Budget Authority	30,210,000
Outlays	23,741,000

Taking Back Our Streets Act of 1995 (H.R. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
		10,000
Treasury		
Gang Resistance Education & Training Projects:		
State Funding	(22,500)	0
Bureau of Alcohol, Tobbacco and Firearms	(22,500)	0
		5,000
		550,000
Total, Other Departments	(2,749,500)	1,365,800
Total, Crime Bill	(1,167,200)	29,037,200
		30,210,000
		23,741,000

Violent Crime Control & Law Enforcement Amendments Act of 1995 (S. 38)

Title	Total Amended Authorization	Total Crime Bill Authorization
		10,000
Treasury		
Gang Resistance Education & Training Projects:		
State Funding	(22,500)	0
Bureau of Alcohol, Tobbacco and Firearms	(22,500)	0
		5,000
		550,000
Total, Other Departments	(2,750,500)	1,364,800
Total, Crime Bill	(4,567,800)	25,636,600
		30,210,000
		23,741,000

Violent Crime Control & Law Enforcement Improvement Act of 1995 (S. 3)

Title	Total Amended Authorization	Total Crime Bill Authorization
		10,000
Treasury		
Gang Resistance Education & Training Projects:		
State Funding	(22,500)	0
Bureau of Alcohol, Tobbacco and Firearms	(22,500)	0
		5,000
Additional Appropriations	(550,000)	0
Additional Appropriations	550,000	550,000
	(2,750,500)	1,364,800
	(3,899,800)	26,304,600
		30,210,000
		23,741,000

August 30, 1994

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: RON KLAIN

SUBJECT: CRIME BILL: PRE- AND POST-SIGNING EVENTS

I have met with most of the key individuals and components involved in Crime Bill implementation, and we have assembled the following plan of events for the month between now and October 1st (when the Crime Bill's funding becomes effective).

The goals of these events are to: (1) show that the Department intends to implement the Crime Bill in a open, responsive fashion; (2) show momentum and activity in the earliest days; and (3) explain to the public what we believe the Crime Bill will mean in practical terms.

Events Being Planned

The following is a schedule of 16 events we have agreed upon, and are in the process of planning, subject to your final approval:

(1) **Immigration/Border Control** (San Diego -- 9/9)

You and Doris Meissner would visit the border to explain the Crime Bill's benefits for border control.

(2) **First Regional Crime Bill Forum** (L.A. -- 9/9)

This would be the first of four regional forums, where you would meet with local mayors, police chiefs, officials, prosecutors, community leaders, and the like, to solicit their views on Crime Bill implementation, and offer your thoughts on where things stand. We are hoping that Mayor Riordan will host. John Schmidt may attend some of these forums with you.

(3) **Second Regional Forum** (Rural Missouri -- 9/10)

The second forum would focus on the Crime Bill's impact in rural areas. We are looking to Sen. Danforth to host.

(4) **AmeriCorps Community Policing** (N.Y.C. -- 9/12)

This is a National Service event in Central Park, where you address volunteers planning to work as aides to community police officers and community policing programs.

(5) **Third Regional Forum** (N.Y.C. -- 9/12)

Another forum in the series. We would envision Mayor Guiliani hosting, with Rep. Schumer having a key role.

(6) **Media Tour** (N.Y.C. -- 9/12)

While in New York, we will arrange Crime Bill implementation interviews for you with major magazines, and the TV network anchors.

(7) **Final Regional Forum** (Atl/N.Fla -- 9/13)

The final regional forum will be at a site to be determined in the Southeast (you will be in Glynco that day).

(8) **Crime Bill Speech** (D.C. -- 9/14)

You will speak at the National Press Club, to outline our implementation plans, and to discuss what you have learned at the regional forums.

(9) **Border Control Event** (Arizona -- 9/16)

While in Arizona for the HNBA, we will add a Crime Bill border contorl event to the schedule.

(10) **Crime Bill Pre-Signing** (D.C. -- 9/19)

The day before the signing, you will probably host a thank you reception at the Justice Department. Guests will include individuals who were helpful, Congressmen and Senators, U.S. Attorneys, police groups, other organizations, and the like.

(11) **Crime Bill Signing** (D.C. -- 9/20)

Events on this day will include the signing itself, and your participation in a televised "town meeting" on crime. The U.S. Attorneys may also be invited to meet, as a group, with the President this day.

(12) **National Crime Bill Forum** (D.C. -- 9/21)

With many key persons in town, we would host a national version of the regional Crime Bill forums at the Justice Department. The President would attend, as might other Cabinet officers.

(13) **Police Swearing-Ins** (Site TBA -- 9/21)

The President will leave the forum to attend a police swearing-in someplace; you will probably attend a similar ceremony at a different location.

(14) **Violence Against Women Announcement** (D.C. -- 9/23)

You would announce, with AAG Harris, and some USAs, a memorandum to U.S. Attorneys to direct them to immediately implement some of the Bill's key "violence against women" provisions, including increased penalties for repeat sex offenders and mandatory restitution for victims.

(15) **COPS Director Announcement** (D.C. -- 9/30)

By this date, we would hope to be able to announce, in a Rose Garden ceremony, a director of the COPS program.

(16) **First 1,500 Cops Awarded** (D.C. -- 10/4)

You would announce, with the President, awards for about 1,500 cops to about 150 cities and towns. This would indicate our seriousness about immediate action.

We believe that these events will achieve the goals outlined above, and demonstrate that the Department is serious and purposeful about implementing this important bill.

Events Not Yet Scheduled

We have several more events that we are trying to plan, but have not yet scheduled. These include:

- **Presidential Directive/AG Response on Racial Justice**

  We still need to plan when the President will sign his directive on racial justice -- and the timing of our new procedures in response to that directive.

- **Racial Justice Commission**

  Moreover, we need to set up and announce the study Commission we have promised.

- **Ounce of Prevention Council**

  At some point, the President will convene the first meeting of the Ounce Council, and name the Vice President as its chair.

- **"Real" Cop Policing Forum**

  Finally, we would like to arrange, by satellite if possible, a forum where street-level police officers could comment on Crime Bill implementation. The idea would be that we should hear -- not just from chiefs, or officials -- but also from the folks in the trenches.

Other events that might fit in this time frame would be the announcement of a person to head implementation of the Violence Against Women program within OJP, announcement of an Advisory Group to assist that program, and possibly other events as well.

cc: Kent Markus
All relevant offices and components

Cynthia C
703
522
1640

THE WHITE HOUSE
WASHINGTON

FAX COVER SHEET

OFFICE OF THE ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY
SECOND FLOOR, WEST WING
THE WHITE HOUSE
WASHINGTON, DC 20500
(202)456-5392 PHONE
(202)456-2878 FAX

TO: Jeremy Ben-Ami / Dennis Burke / Debbie Fine / Mike Schmidt

FAX #:

FROM: JULIE DEMEO

NUMBER OF PAGES (including cover sheet): 5

COMMENTS: Please deliver copies to each of the above ASAP! Thank you.

If you have any problems with the fax transmission, please call Julie at (202)456-5392.

12/15/95 11:14 ☎ 002

Document No. ____________

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12-15 ACTION/CONCURRENCE/COMMENT DUE BY: Immediate

SUBJECT: VETO MESSAGE - COMMERCE, STATE, JUSTICE

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	✓	☐	McCURRY	✓	☐
PANETTA	✓	☐	McGINTY	☐	☐
McLARTY	☐	☐	NASH	☐	☐
ICKES	✓	☐	QUINN	✓	☐
BOWLES	✓	☐	RASCO	✓	☐
RIVLIN	☐	☐	SOSNIK	✓	☐
BAER	✓	☐	STEPHANOPOULOS	✓	☐
CURRY	☐	☐	STIGLITZ	☐	☐
EMANUEL	✓	☐	STREETT	☐	☐
GIBBONS	☐	☐	TYSON	✓	☐
GRIFFIN	✓	☐	WALLEY	☐	☐
HALE	☐	☐	WILLIAMS	☐	☐
HERMAN	✓	☐	REED	✓	☐
HIGGINS	✓	☐	J. O'CONNOR	✓	☐
KLAIN	✓	☐	TOIV	✓	☐
LAKE	✓	☐	FOLEY	✓	☐
LINDSEY	☐	☐		☐	☐

REMARKS: Any comments/edits should be referred to our office this morning.

RESPONSE: Action on this is expected soon.

Staff Secretary
Ext. 6-2702

TO THE HOUSE OF REPRESENTATIVES:

I am returning today without my approval H.R. 2076, the "Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, FY 1996."

Regrettably, H.R. 2076 provides insufficient funds to support the important activities covered by this bill. It would undermine our ability to fight the war on crime; weaken our leadership by drastically cutting funding for international organizations, peacekeeping, and other international affairs activities; decimate technology programs that are critical to building a strong U.S. economy; and cripple our ability to provide legal services for disadvantaged individuals.

I deeply regret that the bill eliminates the Community Oriented Policing Services (COPS) program -- a program designed to put 100,000 additional police officers on the streets of America. The bill, instead, funds a local law enforcement block grant program that would not guarantee a single new police officer. The American public has shown a clear desire for more police to work hand-in-hand with communities to fight crime. The COPS program has reinvented Federal grant-making, putting grant monies into the hands of local agencies on an expedited basis. A block grant program cannot accomplish what the current program has. The American people deserve better. As I have stated, I will not sign any version of this appropriations bill unless it funds the COPS program.

Similarly, I am concerned that the bill fails to ensure funding for important anti-crime programs, notably "drug courts," the Ounce of Prevention Council, and the Community Relations Service. While I am pleased that the bill provides substantial increases for Border Patrol activities, I am concerned that the bill does not provide funding for my immigration initiative in full. This could slow immigration reform efforts. In addition, I ask the Congress to continue the Associate Attorney General's Office.

The prison grants "Truth in Sentencing" provisions of the bill would disproportionately and unfairly benefit a small number of States, deprive some States of any funds, and harm many States -- including some with very strong sentencing policies. In addition, the provisions would delay the awarding of much needed prison grant funds for some States. I urge the Congress to drop these provisions.

I regret that section 103 of the bill would prohibit the use of Department of Justice funds for performing abortions, with exceptions for situations involving rape or where the mother's life is endangered. The Department of Justice believes that there is a serious question as to the constitutionality of this provision as applied to female prison inmates and that there is a substantial risk that it would be held unconstitutional.

The Administration objects to provisions in the bill that would exempt States from the National Voter Registration Act of 1993 if these States had enacted same-day registration laws by August 1, 1994, rather than March 11, 1993, as under current law. These changes would unjustifiably provide exemptions beyond those envisioned by Congress when the Act was initially enacted.

I am deeply concerned that the bill drastically reduces the technology programs of the Department of Commerce that work to expand our economy, help Americans compete in the global marketplace, and create high quality jobs.

The bill eliminates the Advanced Technology Program (ATP), an industry-driven, highly competitive, cost-shared program that fosters technology development, promotes industrial alliances, and creates jobs. Eliminating the ATP would unnecessarily jeopardize our Nation's long-term economic growth and competitiveness. I strongly believe that funding for this program should be restored.

The bill reduces funding sharply for other technology programs such as the National Information Infrastructure Program, GLOBE, and the Manufacturing Extension Program. It also fails to provide funding for the U.S. commitment for the U.S.-Israel Science and Technology Commission. It makes harmful reductions to the Economics and Statistics Administration and the Census Bureau, which would endanger the quality of our Nation's statistics. In addition, the bill reduces funding for the Economic Development Administration's Defense Conversion program.

In addition, I am concerned that the bill contains a legislative rider that would impose a moratorium on future listings under the Endangered Species Act by the National Oceanic and Atmospheric Administration and other agencies.

I am deeply concerned that the bill would seriously undermine our international leadership role by cutting funds for international organizations and peacekeeping activities. I also strongly believe that these reductions would impair the Nation's ability to protect and defend important U.S. interests around the world.

The bill reduces other international affairs programs, including the State Department, the Arms Control and Disarmament Agency, and United States Information Agency operations and broadcasting activities, to levels that would hinder the execution of important national security and foreign policy activities. Some of these programs are also affected by restrictive language in the bill. In addition, funding for these agencies shall cease to be available on April 1, 1996, unless the State Department Authorization Act and related authorization legislation has been signed into law.

I also note with regret the inclusion of extraneous language in the bill that would limit the conduct of U.S. diplomatic relations with Vietnam.

I am greatly concerned that the bill reduces funding for the Legal Services Corporation (LSC) and would cripple the LSC's ability to serve people in need. I urge the Congress to restore funding for the LSC, including funding for the basic field and special population programs such as the migrant legal services programs. I do not support the excessive restrictions on LSC operations contained in language provisions in the bill, such as restrictions on the use of non-LSC funds. The restrictions imposed on the representation of clients would unduly limit their access to the justice system. An allocation of $9 million for management and administration is essential to permit Corporation management to meet its statutory responsibilities, which include, for the first time, the awarding of grants on a competitive basis, and to ensure continuity of compliance monitoring and enforcement.

The bill does not reflect my priorities or the values of the American people. I urge the Congress to send me an appropriations bill that truly serves the American people.