

Crime Bill Implementation Briefing Book

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U.S. Department
Office of Legislative

Washington, D.C. 20535

by General

**IMPLEMENTATION
GROUP**

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Divider Title: _____

Members of DAG's Crime Bill Implementation Task Force

1. DAG: Andy Fois
Kent Marcus
Shay Bilchik
Tony West
2. OJP - Laurie Robinson
Kathleen Townsend
Jack Nadol (acting Dir BJA)
Carol Petrie (acting Dir NIJ)
John Wilson (acting Dir OJJDP)
3. OPD: Eldie Acheson
Grace Mastalli
Bill Mercer
Gail Hoffman
Sam Dubbin (NPR)
4. JMD: Steve Colgate
Mike Roper
Janis Sposato
Bob Diegelman
5. Julie Samuels (Crim)
6. John Dwyer (ASG)
7. Jeff Robinson (OLA)
8. Liz Fine: OAG
9. Richard Shiffrin (OLC)
10. Mike Bromwich et al (IG)
11. Nick Gess (EOUSA)

Emeritus: Ron Klain

Subcommittees

1. Major Structural and Organizational Issues
Chair: Kathleen Townsend
Members: Virtually everyone on main working group participated in these talks
2. Cops
Chair: Julie Samuels
3. Prevention
Chair: Shay
4. Administration
Chair: Colgate
5. Prisons and Boot camps
Chair: Liz Fine
6. USAO's
Chair: Nick Gess
7. IG
Chair: Mike Bromwich

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Divider Title: _____

Summary Chart of DOJ Grants in Crime Bills Now

<u>Program</u>	<u>Grant Authority</u>	<u>Authorized Amount</u>
Cops	AG	apprx \$ 9 billion
(Police Corps and Police Recruitment and Law Enforcement Scholarships: add apprx \$1 billion additional authorization)		
Prisons	AG	\$6-8 billion
Drug Courts	AG	\$1 - 1.5 billion
Model Intensive Grants	AG	\$1 -1.5 billion
Youth:		
Ounce of Prevention	Council	\$25 - 75 million
Gangs	AG	\$100 million
Gangs	BJA	\$200 million
Youth Viol Prev (3 programs)	JJ	\$75 million
At Risk youth	AG	\$50 million
Police Partnerships	AG	\$20 million
Community Juvie Facilities	BOP	\$500 million
Drug Treatment	AG	\$60 million
State Prisoner Drug Trtment	BJA	\$300 million
Certainty of Punishment (innovative alternatives)	BJA	\$600 million
Senior Crime Prev	BJA	\$7 million
Violence Agst Women (consolidation efforts underway)		
Grants	BJA	\$400-500
Ed and prev grants	BJA	apprx \$200 million
Hotline	AG	\$3 million
Task Force	AG	\$ 5 million
Arrest Policy Grants	BJA	\$75 million
Grants to Nonprofits	BJA	\$20 million

Totals:

AG: apprx \$17-20 billion

OJP: apprx \$2.2 billion

BOP: \$500 million

SIGNIFICANT PREVENTION-RELATED GRANT PROGRAMS

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
OUNCE OF PREVENTION FUND/COUNCIL To encourage and support the healthy development and nurturance of children and youth in order to promote successful transition into adulthood and for preventing violent crime through substance abuse treatment and prevention. (Discretionary grants.) (Title I § 103) Administered by: Ounce of Prevention Council (Chaired by AG, Secs. of HHS & Education) Key Sponsors: Dodd	\$75 m (FY 94)	\$75 m (FY 94)	\$25 m	\$125 m (FYs 95-99)	OUNCE OF PREVENTION COUNCIL/GRANT PROGRAMS (Part I) Convene an Interagency Task Force/grants for summer and after-school programs, mentoring and tutoring programs, employment and job placement programs, and substance abuse treatment and prevention. (Title X, Sub. A, §§ 1010 & 1011) Administered by: HHS (with advice of Ounce of Prevention Council - Chaired by AG) Key Sponsors: Schumer (by request)
CHILD-CENTERED ACTIVITIES Empower distressed and disconnected communities to develop their resources and abilities in order to meet the needs of children. (Title LI § 5142) Administered by: Ounce of Prevention Council Sponsors:	\$100 m	\$400 m (FYs 94-97)	\$230 m	\$1.15 b (FYs 95-99)	FAMILY & COMMUNITY ENDEAVOR SCHOOLS GRANTS (Part II) Grants to community based organizations. (Title X, Sub. B, § 1015) Administered by: HHS Key Sponsors: Schumer (by request)

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
OLYMPIC YOUTH DEVELOPMENT Grants to U.S. Olympic Committee to establish youth centers. (Title LI § 5143) Administered by: Ounce of Prevention Council Key Sponsors: Stevens & Domenici	\$1.25 m	\$1.25 m			No comparable provisions.
GANGS, JUVENILES, DRUGS, AND PROSECUTORS Gang Prosecution - Additional federal prosecutors. (Title VI, Sub. B, § 621) Administered by: AG Key Sponsors:	\$20 m	\$100 m (FYs 94-98)			CRIME PREVENTION AND COMMUNITY JUSTICE No comparable provisions.
No comparable provisions.			\$20 m	\$100 m (FYs 95-99)	Community-based Justice grant program to speed the prosecution of young violent offenders. (Discretionary grants.) (Title X, Sub. P, § 1099DD) Administered by: AG Key Sponsors: Joseph Kennedy
Gang investigation coordination and information collection. (Title VI, Sub. B, § 622) Administered by: AG (Treasury) Key Sponsors:	\$1 m	\$1 m (FY 94)			No comparable provisions.

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Juvenile anti-gang and drug trafficking. (Formula grants.) (Title VI, Sub. C, § 631) Grants to states, units of general local government, private not-for-profit anticrime organizations, or combinations thereof to assist them in planning, establishing, operating, coordinating, and evaluating projects for the development of more effective programs to reduce the formation or continuation of juvenile gangs and the use and sale of illegal drugs by juveniles. Administered by: OJJDP Key Sponsors:	\$100 m	\$200 m (FYs 94-95)	\$100 m	\$200 m (FYs 94-95)	Juvenile anti-gang and drug trafficking discretionary grants. (Title XXII § 2201) Grants to states and units of local government or combinations thereof to assist them in planning, establishing, operating, coordinating, and evaluating projects for the development of more effective programs, including education, prevention, treatment and enforcement programs to reduce the formation or continuation of juvenile gangs and the use and sale of illegal drugs by juveniles. Administered by: BJA Key Sponsors: Brooks
Youth Development Centers Youth violence prevention block grants. (Formula grants.) (Title VI, Sub. C, § 633) Administered by: OJJDP Key Sponsors: Conrad (?)	\$25 m	\$50 m (FYs 95-96)			No comparable provisions.
No comparable provisions.			\$20 m (FY 95)	\$20 m (FY 95) (Such sums for FYs 96-98)	GANG PREVENTION SERVICES FOR BOYS AND GIRLS Grants to prevent young children from becoming gang involved. (Discretionary grants.) (Title X, Sub. P, § 1099H) Administered by: OJJDP Key Sponsors:

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
DOJ COMMUNITY SUBSTANCE ABUSE PREVENTION Grant program to combat drug abuse. (Discretionary grants.) (Title X, Sub. B, § 1011) Administered by: AG (through BJA) Key Sponsors:	\$15 m (FY 95), \$20 m (FY 96), \$25 m (97)	\$60 m (FYs 95-97)			No comparable provisions.
NATIONAL COMMUNITY ECONOMIC PARTNERSHIPS Increase private investment in distressed local communities. (Title XLVIX, Sub. A, § 4911) Administered by: HHS Key Sponsors: Kennedy	\$40 m (FY 94)	\$40 m (FY 94) (Such sums for FYs 95-96)			No comparable provisions.
No comparable provisions.			\$300 m	\$1.5 b (FYs 95-99)	MODEL INTENSIVE GRANT PROGRAMS Grants to no more than 15 chronic high intensive crime areas to develop comprehensive model crime prevention programs. (Discretionary grants.) (Title X, Sub. A, § 1001) Administered by: AG (HHS & HUD) Key Sponsors: Schumer

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
No comparable provisions.			\$10 m	\$50 m (FYs 95-99)	MIDNIGHT SPORTS LEAGUES Grants to eligible entities to assist in carrying out midnight sports league programs. (Title X, Sub. D, § 1038) Administered by: HUD (AG, Labor & Education) Key Sponsors: Washington
No comparable provisions.			\$10 m	\$50 m (FYs 95-99)	ASSISTANCE FOR DELINQUENT AND AT-RISK YOUTH Grants for residential services for delinquent and at-risk youth. (Discretionary grants.) (Title X, Sub. F, § 1051) Administered by: AG Key Sponsors: Schumer
No comparable provisions.			\$2 b	\$4 b (FYs 95-96) Note: \$5.3 b for 1st two yrs, according to Admin. estimates)	LOCAL PARTNERSHIP ACT Complex revenue sharing scheme for education, job programs, and substance abuse treatment to prevent crime. (Title X, Sub. I, § 1075) Administered by: Treasury Key Sponsors: Conyers

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
No comparable provisions.			\$75 m (FY 95, \$100 m (FY 96), \$110 m (FY 97), \$115 m (FY 98), \$125 m (FY 99)	\$525 m (FYs 95-99)	YOUTH EMPLOYMENT AND SKILLS (Y.E.S.) CRIME PREVENTION Reduce crime in neighborhoods with high incidences of crime and poverty. (Title X, Sub. J, § 1081) Administered by: Labor (AG & HUD) Key Sponsors: Washington (by Admin. request)
No comparable provisions.			\$20 m (FY 95)	\$20 m (FY 95) (Such sums for FYs 96-98)	HOPE IN YOUTH PROGRAM Empower low-income and minority communities. (Title X, Sub. L, § 1099A) Administered by: HHS Key Sponsors: Martinez
No comparable provisions.			\$5 m (FY 95)	\$5 m (FY 95) (Such sums for FYs 96-98)	ANTICRIME YOUTH COUNCILS Establishment of youth anticrime councils to give intermediate and secondary school students a structured forum to work with the community and police. (Discretionary grants.) (Title X, Sub. N, § 1099P) Administered by: OJJDP Key Sponsors:

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
No comparable provisions.			\$12 m	\$36 m (FYs 95-97)	BOYS & GIRLS CLUBS IN PUBLIC HOUSING HUD shall enter into contracts with the Boys & Girls Clubs of America to establish clubs in public housing. (Title X, Sub. P, § 1099AA) Administered by: HUD (AG) Key Sponsors: Rostenkowski
No comparable provisions.			\$10 m	\$50 m (FYs 95-99)	URBAN RECREATION AND AT-RISK YOUTH Improve recreation facilities and expand recreation services in urban areas with high incidence of crime. (Title X, Sub. O, § 1099V) Administered by: Interior Key Sponsors: Miller
POLICE PARTNERSHIPS FOR CHILDREN Grants to law enforcement agencies for the creation of partnerships with child and family support agencies to address the needs of children involved in violent incidents. (Title XLVIII § 4801) Administered by: AG (HHS & Education) Key Sponsors: Dodd	\$20 m (FY 94)	\$20 m (FY 94) (Such sums for FYs 95-98)	\$20 m (FY 95)	\$20 m (FY 95) (Such sums for FYs 96-99)	POLICE PARTNERSHIPS FOR CHILDREN Different formulation (includes funding for police to live in high-crime areas). (Discretionary grants.) (Title X, Sub. C, § 1031) Administered by: AG (HHS) Key Sponsors: Glickman

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
No comparable provisions.			\$6 m	\$30 m (FYs 95-99)	POLICE RECRUITMENT Grants to assist in meeting the costs of qualified programs which are designed to recruit and retain applicants to police departments. (Discretionary grants.) (Title X, Sub. G, § 1061) Administered by: AG Key Sponsors: Schumer & CBC
State court programs regarding interstate and international parental child abduction. (Title XXVII § 2703) Administered by: State Justice Institute Key Sponsors:	\$25 m	\$25 m			No comparable provisions.
Safe schools discretionary grants. (Title XXVIII § 2802) Administered by: BJA (Education) Key Sponsors:	\$100 m	\$300 m (FYs 94-96)			No comparable provisions.
State leadership activities to promote safe schools program. (Discretionary grants.) (Title XXVIII § 2803) Administered by: Education Key Sponsors:	\$10 m	\$20 m (FYs 95-96)			No comparable provisions.

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
BILL SUBTOTAL (General Prevention - excluding Violence Against Women & Criminal Justice Programs)		\$1,267,500,000		\$7,881,000,000	
DOJ ADMINISTERED PROGRAMS (General Prevention - excluding Violence Against Women & Criminal Justice Programs)		\$731,000,000		\$1,925,000,000	
NON-DOJ ADMINISTERED PROGRAMS (General Prevention - excluding Violence Against Women & Criminal Justice Programs)		\$536,500,000		\$5,956,000,000	
Drug testing upon arrest. Grants to states and units of local government for developing, implementing, or continuing a drug testing project when individuals are arrested, during the pre-trial period or during participation in any pre- or post-conviction diversion program. (Formula grants.) (Title XII § 1202) Administered by: BJA Key Sponsors: Biden	\$100 m	\$300 m (FYs 95-97)			No comparable provisions.

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
No comparable provisions.			\$280 m	\$1.45 b (FYs 95-99)	DRUG COURT Grants supporting comprehensive drug court programs involving continuing judicial supervision over drug-abusing offenders. (Discretionary grants.) (Title X, Sub. E, § 1041) Administered by: AG (HHS) Key Sponsors: Schumer (by Admin. request)
Certainty of punishment for young offenders. Grants to states and units of local government for developing alternative methods of punishment for young nonviolent offenders to traditional forms of incarceration and probation. (Formula grants.) (Title XII § 1203) Administered by: BJA Key Sponsors: Biden	\$200 m	\$600 m (FYs 95-97)	\$200 m	\$600 m (FYs 94-96)	Certainty of punishment for young offenders. Grants to states and units of local governments for developing alternative methods of punishment for young offenders to traditional forms of incarceration and probation. (Formula grants.) (Title XXI § 2101) Administered by: BJA Key Sponsors: Schumer
Residential substance abuse treatment for prisoners. Grants to states for developing and implementing residential substance abuse treatment programs within the state correctional facilities. (Formula grants.) (Title XII § 1204) Administered by: BJA Key Sponsors: Biden	\$100 m	\$300 m (FYs 95-97)	\$100 m	\$300 m (FYs 94-96)	Residential substance abuse treatment for state prisoners. Grants to states and units of local government for developing and implementing residential substance abuse treatment programs within state and local correctional facilities. (Formula grants.) (Title XXIII § 2301) Administered by: BJA Key Sponsors: Schumer

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
NATIONAL TRIAD PROGRAM To support a coordinated effort among law enforcement and social service agencies to stem the tide of violence against senior citizens. (Title IX, Sub. C, § 921) Administered by: BJA Key Sponsors: Johnston		\$6 m		\$7 m	NATIONAL TRIAD PROGRAM To support a coordinated effort among law enforcement, older Americans organizations, and social service agencies to stem the tide of violence against older Americans. (Title X, Sub. H, § 1065) Administered by: BJA (Admin. on Aging & NLJ) Key Sponsors:
BILL SUBTOTAL (Prevention*, Drugs, Certainty of Punishment & Residential Treatment) (*Excluding Violence Against Women)		\$2,473,500,000		\$10,238,000,000	
DOJ ADMINISTERED PROGRAMS (Prevention*, Drugs, Certainty of Punishment & Residential Treatment) (*Excluding Violence Against Women)		\$1,937,000,000		\$4,282,000,000	
NON-DOJ ADMINISTERED PROGRAMS (Prevention*, Drugs, Certainty of Punishment & Residential Treatment) (*Excluding Violence Against Women)		\$536,500,000		\$5,956,000,000	

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
VIOLENCE AGAINST WOMEN; SAFE STREETS FOR WOMEN Grants to combat violent crime against women. (Discretionary and formula grants.) (Title XXXII, Sub. B, § 3221) Administered by: BJA Key Sponsors: Biden & others	\$100 m	\$300 m (Subpart 1) (FYs 94-96) \$190 m (Subpart 2) \$10 m (Subpart 3)	\$200 m	\$400 m (FYs 94-95)	VIOLENCE AGAINST WOMEN Safe streets for women - Grants to combat violence against women. (Discretionary grants.) (Title XVI, Sub. A, § 1602) Administered by: BJA Key Sponsors: Schumer, Slaughter & Schroeder
Grants for capital improvements to prevent crime in public transportation. (Title XXXII, Sub. C, § 3231) Administered by: Transportation Key Sponsors:		Not to exceed \$10 m			No comparable provisions.
Grants for capital improvements to prevent crime in National Parks. (Title XXXII, Sub. C, § 3232) Administered by: Interior Key Sponsors:		Not to exceed \$10 m			No comparable provisions.
Grants for capital improvements to prevent crime in public parks. (Title XXXII, Sub. C, § 3233) Administered by: Interior Key Sponsors:		Not to exceed \$10m			No comparable provisions.

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Establishment of a National Commission on Violence against Women. To recommend federal, state, and local strategies for preventing and sanctioning violent crime against women, including the enhancement and protection of the rights of the victims of such crimes. (Title XXXII, Sub. D, § 3241) Administered by: Commission Key Sponsors:	\$5 m	\$5 m	\$5 m (FY 94)	\$5 m (FY 94)	Attorney General's Task Force on Violence Against Women Review federal, state, and local strategies for preventing and punishing violent crimes against women, including enhancement and protection of the rights of victims of such crimes. (Title XVI, Sub. D, § 1643) Administered by: AG Key Sponsors:
Education and prevention grants to reduce sexual abuse of female runaway, homeless, and street youth. (Title XXXII, Sub. F, § 3263) Administered by: HHS Key Sponsors:	\$65 m	\$195 m (FYs 94-96)	\$60 m (FY 94), \$75 m (FY 95, \$100 m (FY 96)	\$235 m (FYs 94-96)	Education and prevention grants to reduce sexual assaults against women. (Discretionary grants.) (Title XVI, Sub. A, § 1606) Administered by: BJA Key Sponsors:
Grant for a National Domestic Violence Hotline. (Title XXXIII, Sub. A, § 3311) Administered by: HHS Key Sponsors:	\$5 m	\$15 m (FYs 94-96)	\$1 m	\$3 m (FYs 94-96)	National Domestic Violence Hotline Grant. (Discretionary grant.) (Title XVI, Sub. D, § 1653) Administered by: AG (through BJA) Key Sponsors:

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Encouraging arrest policies. Grants to encourage states, Indian tribes, and localities to treat spousal violence as a serious violation of criminal law. (Discretionary grants.) (Title XXXIII, Sub. C, § 3331) Administered by: AG Key Sponsors:	\$25 m	Not in excess of \$25 m for each FY	\$25 m	\$75 m (FYs 94-96)	Encouraging arrest policies. Grants to states, Indian tribes, and units of local government to treat domestic violence as a serious violation of criminal law. (Discretionary grants.) (Title XVI, Sub. B, § 1623) Administered by: BJA Key Sponsors:
Domestic violence and family support grant program. Grants to strengthen and improve state and local efforts to prevent and punish domestic violence and other criminal and unlawful acts that particularly affect women, and to assist and protect the victims of such crimes and acts. (Discretionary and formula grants.) (Title XXXIII, Sub. D, § 3341) Administered by: HHS Key Sponsors:	\$85 m (FY 94), \$100 m (FY 95), \$125 m (FY 96)	\$310 m (FYs 94-96)			No comparable provisions.

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Establishment of community programs on domestic violence. Grants to nonprofit private organizations to establish projects in local communities involving many sectors of each community to coordinate intervention and prevention of domestic violence. (Demonstration grants.) (Title LI §§ 5122 & 5140) Administered by: HHS Key Sponsors:	\$20 m (FY 95)	\$20 m (FY 95) (Such sums as necessary for FYs 96-98)	\$20 m (FY 94)	\$20 m (FY 94) (Such sums as necessary for FYs 95-97 – until expended)	Grants for community programs on domestic violence. Grants to establish projects in local communities involving many sectors of each community to coordinate intervention and prevention of domestic violence. (Discretionary grants.) (Title XVI, Sub. D, § 1654) Administered by: BJA Key Sponsors:
Victims of child abuse programs. (Title LI § 5126) Court-appointed special advocate program. Child abuse training programs for judicial personnel and practitioners. Grants for televised testimony. Administered by: HHS (?) Key Sponsors:	\$7 m (FY 95), \$10 m (FYs 96-98)	\$37 m (FYs 95-98)			No comparable provisions.
Family Violence Protection and Services Act Amendments. (Title XXXIII, Sub. E, § 3351) Administered by: Key Sponsors:					No comparable provisions.

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Educating youth about domestic violence. Select, implement, and evaluate four model programs for education of young people about domestic violence and violence among intimate partners. (Title XXXIII, Sub. F, § 3361) Administered by: Education Key Sponsors:	\$4 m (FY 94)	\$4 m (FY 94)			No comparable provisions.
No comparable provisions.			\$1 m	\$2 m (FYs 94-95)	National Institute of Justice Training Programs - develop training. (Title XVI, Sub. A, § 1607). Administered by: NIJ (AG) Key Sponsors:
National Baseline Study on Campus Sexual Assault. To examine the scope of the problem of campus sexual assaults and the effectiveness of institutional and legal policies in addressing such crimes and protecting victims. (Title XXXVII § 3707) Administered by: DOJ (BJS, NIJ & Office for Victims of Crime) Key Sponsors:	\$2 m	\$2 m	\$2 m	\$2 m	Campus sexual assault study. (Title XVI, Sub. A, § 1610) To examine the scope of the problem of campus sexual assaults and the effectiveness of institutional and legal policies in addressing such crimes and protecting victims. Administered by: DOJ (BJS, NIJ & Office for Victims of Crime) Key Sponsors:

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Equal justice for women in the courts. Grants for developing, testing, presenting, and disseminating model programs to be used by states in training judges and court personnel on rape, sexual assault, domestic violence, and other crimes motivated by gender. (Title XXXVI, Sub. A, § 3611) Administered by: State Justice Institute Key Sponsors:	\$.6 m (FY 94)	\$.6 m (FY 94)	\$.6 m (FY 94)	\$.6 m (FY 94)	Equal justice for women in the courts. Grants for developing, testing, presenting, and disseminating model programs to be used by states in training judges and court personnel on rape, sexual assault, domestic violence, and other crimes motivated by gender. (Title XVI, Sub. E, § 1662) Administered by: State Justice Institute Key Sponsors:
Authorizations of circuit studies: education and training grants. Study to gain a better understanding of the nature and the extent of gender bias in the federal courts. (Title XXXVI, Sub. B, § 3621) Administered by: Judicial Conference of U.S. Key Sponsors:	\$.5 m	\$.5 (\$.4 m to salaries and expenses account of the Courts of Appeals, District Courts, and other Judicial Services - to be available until expended through FY 95; \$.1 m to the Federal Judicial Center)	\$.7 m	\$.7 m (\$.6 m to salaries and expense account of the courts - to be available until expended through FY 96; \$.1 m to Federal Judicial Center)	Authorizations of circuit studies; education and training grants. Study to gain better understanding of the nature and extent of gender bias in the federal courts. (Title XVI, Sub. E, § 1665) Administered by: Judicial Conference of U.S. Key Sponsors:

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
SAFE CAMPUSES FOR WOMEN Grants to colleges to fund rape education and prevention education programs. (Title XXXV § 3501) Administered by: Key Sponsors:	\$20 m (FY 94)	\$20 m (FY 94) (Such sums for FYs 95-97)			No comparable provisions.
Federal Victim's Counselors. Appoint Victim/Witness Counselors for the prosecution of sex crimes and domestic violence crimes. (Title XXXII, Sub. A, § 3214) Administered by: U.S. Attorneys Key Sponsors:	\$1.5 m (FY 94)	\$1.5 m (FY 94)			No comparable provisions.
Child Visitation Centers (Demonstration grants.) (Title XL § 4004) Administered by: HHS Key Sponsors:	\$15 m (FY 94), \$20 m (FY 95), \$25 m (FY 96)	\$60 m (FY 94-96)			No comparable provisions.
Supplementary Grants for states adopting effective laws relating to sexual violence. (Title XXXVII § 3713) Administered by: AG Key Sponsors:		Such sums			No comparable provisions.

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PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
BILL SUBTOTAL (Violence Against Women and related programs)		\$1,257,700,000		\$743,300,000	
DOJ ADMINISTERED PROGRAMS (Violence Against Women and related programs)		\$526,700,000		\$742,000,000	
NON-DOJ ADMINISTERED PROGRAMS (Violence Against Women and related programs)		\$731,000,000		\$1,300,000	
BILL SUBTOTAL (Prevention, Drugs, Certainty of Punishment, Residential Substance Abuse & Violence Against Women)		\$3,731,200,000		\$10,981,300,000	
DOJ ADMINISTERED PROGRAMS (Prevention, Drugs, Certainty of Punishment, Residential Substance Abuse & Violence Against Women)		\$2,463,700,000		\$5,024,000,000	
NON-DOJ ADMINISTERED PROGRAMS (Prevention, Drugs, Certainty of Punishment, Residential Substance Abuse & Violence Against Women)		\$1,267,500,000		\$5,957,300,000	

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
CORRECTIONAL/DETENTION FACILITY RELATED GRANT & STUDY PROGRAMS Federal prisoner drug testing. (Title XIII, Sub. A, § 1303) Establishment of a program of drug testing of federal offenders on post-conviction release. Administered by: Administrative Office of U.S. Courts (AG & HHS) Key Sponsors:		77			CORRECTIONAL/DETENTION FACILITY RELATED GRANT & STUDY PROGRAMS No comparable provisions.
Boot camps and prisons for violent drug offenders. Grants to states and multi-state compact associations to develop, construct, expand, operate, and improve boot camp prison programs, city or county detention facilities, or low to medium security prisons. (Title XIII, Sub. B, § 1321) Administered by: AG Key Sponsors: Biden	\$3 b	\$ 3 b (Available until expended)	\$600 m	\$3 b (FYs 95-99)	Grants for correctional facilities. Grants to individual states and to states organized as multi-state compacts, to develop, expand, modify, or improve correctional facilities and programs to ensure that prison cell space is available for the confinement of violent offenders. (Title VI § 601) Administered by: AG Key Sponsors: Hughes

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
Regional prisons for violent criminals and violent criminal aliens. Construct and operate a minimum of 10 regional prisons, situated throughout the U.S., each containing space for at least 2,500 inmates. (Title XIII, Sub. D, § 1341) Administered by: AG Key Sponsors:	\$600 m	\$3 b (FYs 94-98)	\$2.5 b (FY 95) \$2 b (FYs 96-99)	\$10.5 b (FYs 95-99)	Truth in Sentencing. Formula grants to states to build, expand, or operate space in correctional facilities in order to increase the prison bed capacity in such facilities. (Title VIII § 801) Administered by: AG Key Sponsors: Chapman
Grants for community-based violent juvenile facilities. Grants to states and units of general local government to assist them in planning, establishing, and operating secure facilities for violent and chronic juvenile offenders. (Title XIII, Sub. C, § 1331) Administered by: BOP Key Sponsors:	\$100 m	\$500 m (FYs 94-98)			No comparable provisions.
BILL SUBTOTAL (Prisons) DOJ ADMINISTERED PROGRAMS (Prisons) NON-DOJ ADMINISTERED PROGRAMS (Prisons)		\$6,500,000,000 \$6,500,000,000 \$0		\$13,500,000,000 \$13,500,000,000 \$0	

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
PUBLIC SAFETY AND COMMUNITY POLICING Community Policing: "Cops on the Beat" Grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and the community. (Discretionary grants.) (Title I § 103) Administered by: AG Key Sponsors: Biden	\$1.035 b (FY 94), \$1.72 b (FY 95), \$2.070 b (FY 96), \$2.27 b (FY 97), \$1.9 b (FY 98)	\$8.995 b (FYs 94-98)	\$200 m (FY 94), \$650 m (FYs 95-99)	\$3.45 b (FYs 94-99)	COMMUNITY POLICING Community Policing: "Cops on the Beat" Grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and the community. (Discretionary grants.) (Title XIV § 1401) Administered by: AG Key Sponsors: Brooks/Schumer
POLICE CORPS AND LAW ENFORCEMENT OFFICERS TRAINING AND EDUCATION Police Corps - Address violent crime by increasing the number of police with advanced education and training. (Discretionary grants.) (Title XI, Ch. 1, Sub. C, § 1121) Law Enforcement Scholarship Program. (Formula grants.) (Title XI, Ch. 2, Sub C, § 1143) Identical distribution formula in the House Bill. Administered by: AG (Director, Office of the Police Corps and Law Enforcement Education) Key Sponsors: Ted Kennedy	\$100 m (FY 95), \$250 m (FY 96) \$30 m	\$350 m (FYs 95-96) (Such sums for FYs 97-99) \$150 m (FYs 95-99)	\$100 m (FY 95), \$250 m (FY 96) \$30 m	\$350 m (FYs 95-96) (Such sums for FYs 97-99) \$150 m (FYs 95-99)	POLICE CORPS AND LAW ENFORCEMENT SCHOLARSHIP ACT Police Corps - Address violent crime by increasing the number of police with advanced education and training on community patrol. (Discretionary grants.) (Title XXVII, Sub. A, § 2711) Law Enforcement Scholarship Program. (Formula grants.) (Title XXVII, Sub. B, § 2731) Identical distribution formula in the Senate bill. Administered by: AG (Director, Office of Police Corps and Law Enforcement Education) Key Sponsors: McCurdy & Gephardt

SENATE (H.R. 3355)			HOUSE BILL (H.R. 3355)		
PROGRAM/DESCRIPTION	AUTHORIZATIONS		AUTHORIZATIONS		PROGRAM/DESCRIPTION
	PER YEAR	BILL TOTAL	PER YEAR	BILL TOTAL	
BILL SUBTOTAL (Policing)		\$9,495,000,000		\$3,950,000,000	
DOJ ADMINISTERED PROGRAMS (Policing)		\$9,495,000,000		\$3,950,000,000	
NON-DOJ ADMINISTERED PROGRAMS (Policing)		\$0		\$0	
BILL TOTALS		\$19,726,200,000		\$28,431,300,000	
DOJ ADMINISTERED PROGRAMS TOTAL		\$18,458,700,000		\$22,474,000,000	
NON-DOJ ADMINISTERED PROGRAMS TOTAL		\$1,267,500,000		\$5,957,300,000	

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Divider Title: _____

ADMINISTRATIVE CONSIDERATIONS
IN THE ESTABLISHMENT OF
THE CRIME BILL IMPLEMENTATION ORGANIZATION

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ADMINISTRATIVE CONSIDERATIONS
IN THE ESTABLISHMENT OF
THE CRIME BILL IMPLEMENTATION ORGANIZATION

I. Personnel

- A. Appointing Authorities. There must be a legal authority for every appointment made in the Federal Government.

1. Political Appointees

- a. Presidential. Presidential appointments are established in statute and are, by definition, in the excepted service. New statutory authority would be necessary to create a Presidentially appointive position in the new organization. The position could be identified specifically in the Crime Bill (e.g., the Director of the Crime Bill Implementation Organization) or another position could be added in title 28 U.S.C. (for example, an additional Assistant Attorney General). Care must be taken to provide for both an appointing authority and a pay authority.

- b. Noncareer Senior Executive Service (SES). Noncareer SES appointments are made by the Department with the concurrence of the White House and the U.S. Office of Personnel Management (OPM). The White House concurs in the individual and OPM oversees the position establishment process. Because of the commitment of the Department's current SES resources, it would be necessary to seek an additional allocation of SES positions from OPM and the Office of Management and Budget.

Attorneys who will be appointed as Noncareer SES members may be brought on temporarily as Special Assistants to the Attorney General until permanent appointments may be made.

- c. Schedule C. These are politically appointive support positions at GS-15 or below. Appointments are made with the approval of the White House and OPM. Thirty-day temporary appointments may be used to bring individuals on board prior to permanent appointment.

2. Career Appointees

- a. SES. As with the Noncareer SES, it would be necessary for the Department to seek an increase in its allotment of SES positions from OPM and OMB. Individuals not already in the SES would have to go through a competitive process in order to enter the SES.
- b. Attorneys. There is a government-wide authority for employment of attorneys in Title 5 of the Code of Federal Regulations. No competitive process is required.

Attorneys' background investigations must be completed before they may be brought on permanently, but they may be given temporary appointments while their background checks are completed.

- c. Others. Most other employees would be in the competitive Civil Service. Competitive procedures would be used to fill positions unless 1) they were filled by transfers or 2) an exception from competitive procedures is granted in the statute. The attached legislation would grant such an exception and would greatly simplify the process of bringing on employees.

3. Staffing strategies. There are many staffing strategies that can be used singly or in combination to quickly staff the Crime Bill implementation organization, regardless whether the exemption from competitive processes is enacted. Some of these include:

- a. Close and aggressive coordination with other Department components that must reduce FTE, with the U.S. Office of Personnel Management, and with other civilian and defense agencies, to find employees whose jobs are imperiled by government-wide downsizing.
- b. Examination of various excepted appointing authorities which may be used by all agencies, including:
 - . the Intergovernmental Personnel Act, which enables agencies to draw upon the talent of academia and state and local government for periods up to 4 years;

- . the Presidential Management Intern Program, which brings high-potential graduate students to Federal employment;
 - . employment of experts and consultants under 5 U.S.C. 3109;
 - . legal interns and physically and mentally disabled individuals eligible for appointment under Schedule A.
4. We also suggest several minor statutory provisions to give greater flexibility in staffing the new organization:

- a. Experts and consultants. The general appointing authority for experts and consultants (5 U.S.C. § 3109) limits their pay to the daily equivalent of GS-15/10. The following language would give the new organization the ability to pay up to the daily equivalent of Executive Level IV, the rate at which Assistant Attorneys General and most other office heads are paid:

An expert or consultant employed under title 5, section 3109, of the United States Code, in connection with the implementation of this Act may be compensated at a rate of pay not in excess of the daily equivalent of the rate of basic pay for Level IV of the Executive Schedule.

- b. Voluntary services. Generally, agencies are prohibited from accepting voluntary services except those of students. In the Office of Justice Programs, the Office of Juvenile Justice and Delinquency Prevention is, however, authorized to accept other voluntary services. It may be useful, therefore, to provide in the Crime Bill legislation that:

The Attorney General may, in carrying out the provisions of this Act, accept and employ volunteers and uncompensated services, notwithstanding the provisions of title 31, section 1342, of the United States Code.

B. Security Requirements

1. Pre-appointment. Every employee must undergo a favorably adjudicated background investigation (BI) prior to employment. The BI may vary from a National Agency Check (NAC) to a Single Scope Background Investigation (SBI) depending on the sensitivity of the position. The Department Security Officer (DSO) may waive this requirement and permit an employee to be brought on board prior to the completion of the pre-appointment BI through a waiver investigation. This investigation consists of completed: name and fingerprint checks, credit check, review of security questionnaire, vouchering of references and prior supervisors and verification that the BI has been initiated. (Additional checks may be required.) Urinalysis for illegal drug use is required of all applicants coming from outside the Department.
2. Post-appointment. All Department employees in sensitive positions must undergo some type of post-employment background reinvestigation (RI) every 5 years. The degree of the RI depends upon the sensitivity of the employee's position.
3. All pre- and post-appointment Bis must be favorably adjudicated by the DSO.
4. An individual who needs access to National Security Information (NSI) must have the BI appropriate to the level of NSI access needed.

C. Personnel and Payroll Servicing.

1. A determination will have to be made where the new organization will receive its personnel and payroll support -- from OJP, from its own personnel organization, or elsewhere.
2. Organization codes will have to be established in the National Finance Center personnel/payroll system.
3. PC-TARE capability and training will have to be arranged for the timekeepers who will input employees' time records.

- D. Ethics. Virtually all employees involved in grants management will be required to file financial disclosure forms. Those employees who are SES and above will be required to file public forms. The remainder will be required to file confidential forms. Annual ethics training will also be required.

II. Facilities

A. Space Acquisition/Build-Out

1. Current Replacement Project. The Office of Justice Programs (OJP) currently houses approximately 430 personnel (358 OJP personnel, plus contractors, visiting fellows, volunteers, and students) in 93,744 square feet of space in the Indiana Building (IND), 633 Indiana Avenue, NW. The Department is working with the General Services Administration (GSA) to recompetete the expiring lease for IND. The 114,558 square feet of replacement space will provide relief of overcrowded conditions in IND and provide space for an additional 10 personnel. Occupancy is scheduled for Fall 1995.
2. Delineated Area for Replacement Project. The current delineated area for this project is the Washington metropolitan area, which includes the District of Columbia, Montgomery and Prince George Counties in Maryland, and the City of Alexandria, Fairfax County and Arlington County in Virginia. (Recent conversations indicate that OJP leadership may wish to revisit the delineated area issue with the aim of remaining in Washington, DC. If this position is supported by Department leadership, the IND replacement procurement would have to be cancelled and restarted after the Department obtains Congressional (Public Works and Appropriations) approval. Recent experience indicates that obtaining such agreement will be extremely difficult.)
3. Status of Replacement Project. Evaluation of the potential offerors has been completed and GSA is preparing to solicit formal offers.
4. Space Impact of the Crime Bill. The OJP Budget Staff has estimated that the maximum number of additional personnel due to the pending Crime Bill is 310 FTEs. The amount of space to house this number of employees is approximately 75,000 square

feet. This large an increase of personnel cannot be accommodated in the replacement project. We had previously recognized this problem and OJP preliminarily agreed that if the Crime Bill were passed and the implementation functions fell to OJP, a second location could be necessary to accommodate the increase in personnel.

5. Amount of Time to Provide Permanent Space Through the Normal GSA Space Acquisition Procedure. Depending on the delineated area, the cost of rent for 75,000 square feet of additional space may or may not be impacted by the prospectus limit (\$1.6 million in net annual rent). If a prospectus is required, even with an accelerated schedule, acquiring permanent space could take as long as 3 to 5 years. If a prospectus is not required, space could be provided in 1 to 2 years.
6. Amount of Time to Provide Permanent Space if the Department is Authorized to Acquire Space Outside the Normal Acquisition Procedures. If language is added to the Crime Bill authorizing the Department to proceed to acquire office space outside the normal acquisition process, we can acquire and occupy the space in 1 to 2 years. Proposed language will be found in the attachment.
7. Cost Impact. The cost for above-standard build-out for 75,000 square feet of office space is approximately \$1 million. (This does not include telecommunications, personal computers, furniture, or miscellaneous office equipment.) If the Department is authorized to lease the space we may be able to amortize this cost in the lease. Depending on the location, rent for 75,000 square feet of space can vary between \$20 and \$50 per square foot. Assuming an average of \$35 per square foot, the annual rent would be \$2,625,000.
8. Immediate Temporary Space. Until recently, there was approximately 10,000 square feet of space available for immediate occupancy in the Indiana Building; however, GSA has just assigned that space to a Presidential commission. We will attempt to obtain space that may be available in GSA's existing metropolitan wide inventory. Depending on the anticipated growth of Crime Bill programs and the decisions made on the final location of the program, we can work with GSA to provide additional space on a short-term basis.

- B. Telecommunications. The Department is responsible for funding all telecommunications costs. If the new location is in the downtown Washington DC area, the facility could be served by the Department's WASP system. If the location is not in the downtown Washington DC area, GSA would provide telecommunication service. The costs for telecommunications vary by location. Assuming a cost of \$5 to \$7 per square foot, the cost for a 75,000 square foot facility would range from \$375,000 to \$525,000. This includes the cost to furnish telephone instruments.

As required by law, all long distance voice and data services must be provided by the Federal government's FTS2000 contract.

- C. Furniture. The estimated cost for furniture and office equipment is \$6,000 per FTE. For the maximum of 310 FTEs, this amount would be \$1,860,000.
- D. Security. The estimated cost for security is approximately \$1 per square foot annually, for a total of \$75,000 per year.

III. Finance

- A. Accounting. Regardless whether a new organization is established or the function is placed within the Office of Justice Programs, the finance and accounting functions should be serviced by the Office of Justice Programs, since OJP is the only organization within the Department with a fully functional and well respected grants management system.
- B. Budget.
1. For the immediate start-up of the Crime Bill implementation during FY 1994, including initial core staffing, there are available within the Office of Justice Programs funds which have "reverted" to OJP from the States as unspent. Since OJP has already allocated the largest percentage of these funds for high priority projects, it may be necessary for the AG to direct OJP to reserve any currently unused and anticipated reversionary funds for Crime Bill start-up costs that may be required during FY 1994. At present, it is expected that approximately \$ would be available for these purposes.

2. For the longer term funding of Crime Bill implementation (Fiscal Year 1995 and beyond), we suggest that language be added to the Bill which would provide for Management and Administration (M&A) funding similar to that provided for the Office of Juvenile Justice and Delinquency Prevention:

General Provisions:

Management and Administration of Crime Bill Programs:

- . There are authorized to be appropriated from funds authorized under any of the provisions of this act such sums as may be necessary to carry out the management and administration of such programs.

Language for Authorization of Crime Bill Programs Through the Year 2000:

- . Notwithstanding any other provisions of this Act, all funds authorized to be appropriated for fiscal year 1995 through fiscal year 2000 shall remain available until drawn down by appropriations acts.

IV. Procurement

Acquiring goods and services in the Federal government can be a complicated and very lengthy process. The reason for this is the myriad of laws, regulations and policies which Federal agencies must follow. Most of the regulations affecting Federal procurement are found in the Federal Acquisition Regulation (FAR) and the Federal Information Resources Management Regulation (FIRMR). Because of the nature of many of these laws and regulations, it would not be possible for a Federal agency to acquire goods and services quickly enough to meet the needs of the Crime Bill unless Congress grants a waiver from the application of these laws and regulations. Language to grant such a waiver is found in the attachment.

Enactment of the language will enable the Department to complete procurement actions within days or weeks rather than months or years.

V. Information Resources Management

- A. Office Automation Support. It is recommended that each employee be provided with a PC workstation, connected to servers and gateways through a local area network. Using EAGLE as a cost-estimation template and assuming that all installations will be new, the cost per employee will involve a one-time capital outlay of approximately \$7,600 and a recurring maintenance/upgrade cost of approximately \$800. This assumes one office server for every 50 employees, one Data Center/FTS-2000 gateway for every 150 employees, one application (Oracle) server for every 200 employees, and one laptop computer for every 50 employees. In addition, there should be one network administrator (GS-12) and one help-desk technician (GS-9) for every 50 employees (for the first 200 employees, with ratio dropping thereafter). Much of the equipment necessary to build a system could be acquired through existing DOJ or Governmentwide contracts.
- B. Mainframe Computer Support. Typically, large-scale data processing needs are provided by the Department's two data centers in Rockville, Maryland and Dallas, Texas. Exceptions to the use of these two facilities must be approved by the Assistant Attorney General for Administration. These centers offer state-of-the-art equipment, software, competitive processing rates, and approved security; that is, they are certified to process sensitive, but not classified, information. (Currently, the FBI operates the only Departmental classified/national security data processing center.)
- C. Telecommunications Support. DOJ's telecommunications support, including local and long distance telephone services, calling cards, and video transmissions, is provided and centrally managed at the Departmental level.
- D. Computer Security

The governmentwide and Departmental computer security requirements are fairly straightforward. It should not be necessary to waive these requirements in establishing the new office.

- VI. Legal Counsel. Grants management programs cannot be run without the support of legal counsel. Some allocation of positions for legal support is advisable.

**Subtitle ____ -- The Crime Control and Prevention Grant
Administration Act of 1994.**

SEC. ____1. SHORT TITLE.

This subtitle may be cited as the "Crime Control and Prevention Grant Administration Act of 1994".

SEC. ____2. PURPOSE.

To provide The Department of Justice with emergency hiring authority and other such authorities as may be necessary for the management and administration of new programs authorized under the Crime Control and Law Enforcement Act of 1994.

SEC. ____3. MANAGEMENT AND ADMINISTRATION OF PROGRAMS AUTHORIZED.

There are authorized to be appropriated from funds authorized under any of the provisions of this act such sums as may be necessary to carry out the management and administration of such programs.

SEC. ____4. TEMPORARY SUSPENSION OF LIMITATION ON APPOINTMENTS.

During the period beginning on the effective date of this Act and ending on September 30, 1995, the provisions of title 5 of the United States Code governing appointments in the competitive service shall not apply with respect to appointments under section 3 of this Act.

SEC. ____5. STAFF AND OTHER EMPLOYEES.

The Attorney General or designee, in carrying out the provisions of this Act, may employ staff and other employees, including volunteers, experts and consultants.

(a) The Attorney General may, accept and employ volunteers and uncompensated services, notwithstanding the provisions of title 31, section 1342, of the United States Code.

(b) An expert or consultant employed under title 5, section 3109, of the United States Code, in connection with the implementation of this Act may be compensated at a rate of pay not in excess of the daily equivalent of the rate of basic pay for Level IV of the Executive Schedule.

SEC. ____6. PROCUREMENT OF SUPPLIES AND EQUIPMENT

During the period beginning on the effective date of this

CBADMIN.1 Draft May 27, 1994

Act and ending on September 30, 1996, the Attorney General or designee may acquire supplies, equipment, and services needed to support the administration of new programs, authorized under the Violent Crime Control and Law Enforcement Act of 1994, without regard to competitive procurement procedures including the Commerce Business Daily publication requirements.

SEC. ____ 7. SPACE ACQUISITION.

Notwithstanding any other provisions of law, the Attorney General is authorized to enter directly into agreements to lease, renew leases for existing departmental locations, regardless of original lessee, and pay lessors directly for real property for office, storage or such other space as is necessary to carry out the purposes of this Act, wherever the real property is situated, including the District of Columbia, and under such terms and conditions as the Attorney General finds to be in the best interest of the United States, provided that no lease agreement or option to renew exceeds ten years. The Attorney General is authorized to enter directly into agreements for architectural and engineering studies and services, alterations and construction operation and maintenance, and other such services for real property leased under this section. Other than requirements pertaining to health, safety and accessibility, under this Section, the Attorney General shall be exempt from any General Services Administration space or facilities management reg

PROPOSED STATUTORY LANGUAGE TO RAISE THE NUMBER OF ASSISTANT ATTORNEYS GENERAL TO ELEVEN

Section 506 of title 28, United States Code, is amended by striking:

"ten",

and inserting in lieu thereof:

"eleven".

REDLINED VERSION OF THE STATUTE AS PROPOSED TO BE AMENDED

[§ 506. Assistant Attorneys General

The President shall appoint, by and with the advice and consent of the Senate, ~~ten~~^{eleven} Assistant Attorneys General, who shall assist the Attorney General in the performance of his duties.]

PROPOSED STATUTORY LANGUAGE TO RAISE THE NUMBER OF ASSOCIATE ATTORNEYS GENERAL TO TWO

(a) The heading of section 504a of title 28, United States Code, is amended by striking:

"Attorney",

and inserting in lieu thereof:

"Attorneys".

(b) Section 504a of title 28, United States Code, is amended by striking:

"an Associate Attorney",

and inserting in lieu thereof:

"two Associate Attorneys".

REDLINED VERSION OF THE STATUTE AS PROPOSED TO BE AMENDED

[§ 504a. Associate Attorneys General

The President may appoint, by and with the advice and consent of the Senate, ~~an Associate Attorney~~two Associate Attorneys General.]

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Divider Title: _____



U.S. Department of Justice

Office of Justice Programs

Office of the Deputy Assistant Attorney General

Washington, D.C. 20531

MAY 19 1994

TO: Andrew Fois
Special Assistant to the Attorney General

FROM: Kathleen Kennedy Townsend *KKT*
Deputy Assistant Attorney General

SUBJECT: Options for DOJ Crime Bill Implementation

Introduction:

This memorandum should help guide the working group in making its recommendations to the DAG on what structure would be best for implementing the Crime Bill. To put it plainly, is the Office of Justice Programs, with its inelegant structure of multiple bureaus, the best organization within which to accomplish the Administration's crime goals.

Because the ad hoc members of our internal working group have not yet considered this issue in depth, or in written form, this document should be viewed as a first cut at a revised organizational strategy. It is intended to elicit discussion and further define a framework for the participants.

Any strategy must address two issues regarding Crime Bill implementation: 1) what structure allows us to maximize the political impact so the criminal justice community and the public at large know this Administration has made crime prevention and control a top priority; and 2) what structure ensures that we deliver high quality services to state and local governments efficiently and effectively, and without waste, fraud and abuse.

The options below, to varying degrees, either involve shoring up the existing OJP structure or, in the alternative, create new structure and lines of authority.

We should determine the extent to which the advantages of forming a new organization in terms of excitement, energy and political clout are outweighed by the inevitable glitches and bureaucratic infighting. Alternatively, we must examine the to which existing structures can be reconfigured so that the programmatic efficiency is preserved while the political impact

enhanced.

In order to facilitate our discussion, I have simplified and reduced the plethora of options by grouping them into three broad approaches: 1) keep all Crime Bill programs at OJP and have the AAG-OJP report to the DAG or new/old Associate Attorney General; 2) create a new Associate Attorney General with overall responsibility for policy, and a Director of Police with responsibility for Cops on the Beat and the Police Corps; 3) create a New Associate Attorney General with both program and policy functions under her or his purview.

I. KEEP ALL GRANTS IN OJP:

(A) MAINTAINING THE CURRENT STRUCTURE

All DOJ Crime Bill programs in bureaus including grant making authority, with policy coordination in AAG's office

This has all the advantages associated with any decision to maintain the status quo including requiring no new legislation and raising no new political hackles.

Bureau of Justice Assistance and Office of Juvenile Justice Delinquency Programs would distribute the funds in their program areas based on the expertise they have acquired in this area over many years.

OJJDP would distribute the bulk of the prevention money. Research has shown that prevention programs are most effective with young people. OJJDP has worked in prevention since 1974. The Juvenile Justice Coordinating Council provides a built-in coordinating mechanism for bringing other Departments together, and the incoming OJJDP Administrator has strong ties to other parts of the Department, particularly the Attorney General.

BJA has a long tradition of working in the drug court, boot camp, and community policing areas, and would distribute grants based on sound programmatic experience.

The disadvantages of this approach include the difficulty of attracting a person of great stature to run a program buried in the BJA bureaucracy and overcoming OJP's bureaucratic turf battles.

Also, because of the importance of these programs, BJA's other programs might be overwhelmed.

(B) FURTHER EMPOWERING OJP

AAG-OJP keeps policy functions and assumes grant making

responsibility for selected Crime Bill programs

Under this option, the Attorney General would delegate to the AAG-OJP the grant-making authority on the most important and highly visible parts of the Crime Bill: Cops on the Beat, Drug Courts and Boot Camps. Executive Offices would be created for each of these programs.

- These three Executive Offices, headed by Attorney General appointees, would attract people of greater stature and clout than would be possible if the programs stayed in BJA. It would be staffed with a mix of new hires and with talented people drawn from throughout the Department who would be formed into a cohesive and highly dedicated team.

- OJP would have the capacity to award money more quickly and efficiently than any other structure because OJP and its bureaus have an organization and system in place, have experienced staff to train and supervise new staff, and have the established working relationships necessary to succeed. More specifically:

- Departments such as HHS, HUD and ED use OJP Bureaus when they want to distribute grants quickly and efficiently.

- OJP Bureau's grant making process is flexible because it is perceived as being more insulated from the political process than it would be if it were at the ASG level.

- OJP and its components have demonstrated success in this area; they carried a very substantial portion of the load in implementing the Police Hiring Supplement Programs.

- Effective coordination and integration of Federal crime fighting efforts is enhanced under this approach because the OJP team would be under an AAG who also has responsibility for the policy coordination of NIJ, BJS, BJA and OJJDP. Duplication, waste, and bureaucratic battles also could be reduced, if not eliminated.

- This structure builds upon OJP's institutional reputation and status within the criminal justice and juvenile justice communities. Partnerships were long ago formed and relationships solidified with state and local governments, state and local police, prosecutors, judges, community groups and researchers.

- These changes would strengthen the OJP structure and ensure integrated coordination of Crime Bill programs without new legislation and without a political fight. For instance, previously the Presidential appointed bureau heads all competed for part of the community policing pie. BJA, NIJ, and BJS each had their separate programs unnecessarily duplicating and diluting

OJP's impact on the field. But, with an AAG exercising firm control, the risk of muddled objectives is severely and positively diminished.

- OJP and all of its bureaus, except for OJJDP, are up for reauthorization this year. Despite this opportunity to make great changes, we think this is NOT the time to introduce legislation to alter the OJP structure. However, we could take advantage of this opportunity by demonstrating the benefits of having an AAG with some grant-making authority. Next year, our success could be used as an argument for augmenting the AAG's power through new legislation.

- Laurie Robinson, the AAG-Designate for OJP, was selected for the position because of her stature with the state and local constituents of the OJP agencies, and the trust -- political and personal -- that she engenders in the many professional and constituent associations. Her stature is linked to her accomplishments as "one of them" which she achieved during the years she worked in her previous position at the ABA. They believe she understands their needs and those of their state and local constituents, and they know that she and the agencies she leads will work in collaboration with them to effect real change.

- OJP could be renamed to reflect its enhanced mission: Division of Police and Public Safety. The name is much stronger than "Office of Justice Programs" and better conveys OJP's mission.

- The biggest disadvantage of putting the program at OJP is the potential political cost of not being able to attract a person of sufficient stature to run the Executive Office within the OJP structure. Also, BJA personnel may resent losing a program they see as rightfully their own.

(C) FURTHER EMPOWERING OJP BY ESTABLISHING A NEW ASSOCIATE ATTORNEY GENERAL FOR CRIME POLICY

Create a new ASG for Crime Policy who would supervise the "Empowered OJP," or the newly formed Division of Police and Public Safety.

An ASG for Crime Policy could establish an office with a strong policy and political staff. This office would demonstrate to the American people that its government will, in Al From's words: "Put a police officer on every block." Under this approach, the political clout of the programs would be magnified, and OJP's ability to distribute the grants quickly and efficiently would be preserved. This structure would be comparable to that of the original Weed and Seed Office whereby BJA handles the grants while the Executive Office reports to the DAG. (Establishment of the

Weed and Seed, however, did not require legislation.)

II: ESTABLISH A NEW ASG FOR CRIME POLICY WITH A SEPARATE DIRECTOR OF POLICE:

New ASG who oversees OJP and its bureaus including a new Bureau for Police (to include Cops on the Beat and the Police Corps) and perhaps Bureaus for Drug Courts and Boot Camps.

The Crime Bill already stipulates that a Presidentially appointed Director of the Police Corps position be created. Option II simply merges the Cops on the Beat program into the Police Corps, so that we are creating outside of OJP one strong administration overseeing police matters.

(A) Benefits of this Structure

- Because the Director would report directly to the ASG, DOJ could recruit a person with hefty political clout - a close friend of the President's (i.e. Harry Hopkins who within four months had 200,000 men at work; or Sargent Shriver who launched the Peace Corps). This person could:

- Cut through bureaucratic red tape at the Department.
- Collaborate with Mayors to identify their needs and ensure commitment through matching funds.
- Effectively communicate with Congress to keep the monies flowing.
- Embodiment for the American people the Clinton Administration's concern for public safety.

- To assist large and complicated police departments requires a campaign-like approach. Community policing will not succeed simply by distributing money without waste, fraud, and abuse. Our success will depend on our ability to educate the American people regarding their stake in creating peace and order in their neighborhoods. A highly respected Director would galvanize the political will and partnerships required from our police, elected officials, business groups, and community organizations across America, and energize them with the prospect of supporting community policing.

- These same factors would give us the ability to recruit a new team of dynamic and dedicated people, while continuing to draw on experts from OJP and the other components of Justice.

- While this approach suffers from achieving a less than ideal

level of coordination between the current OJP structure and the new team of participants, it will provide for a much needed increase in the integration of community policing activities into the existing programs at the local level. An ASG, possessed of the attributes listed above, would have sufficient stature with Mayors and community leaders to achieve this result.

- This option would be even stronger if the ASG physically sat in the same office building with the COPS on the Beat Team and with OJP.

- Physical proximity would allow for more careful oversight, provide for greater mission cohesion and communication, reduce bureaucratic infighting, and increase program effectiveness.

- When Eli Segal launched the Corporation on National and Community Service, he moved out of the White House to the ACTION offices at Vermont Avenue. He now wants to have everyone move to an office where staff sit on the same floor so that the sense of teamwork is increased and the psychological division between newly arrived political and policy group on one hand and the long term civil servants on the other is decreased.

- Finally, and most importantly, by demonstrating that community policing can work, our success would reinvigorate the American people's trust in the ability of the Federal Government to act efficiently and effectively. The confidence gained by successfully running the Crime Bill Implementation program would inspire people throughout the Department of Justice and the whole Administration.

B) Difficulties with this approach

- Operationally, it is difficult to establish an entirely new bureaucracy in four months which will effectively distribute \$1.7 billion and get 20,000 police officers on the street unless the President's best friend, brother-in-law or Campaign Chief of Staff runs it.

- Do you have a candidate who is ready to hit the ground running today? We do not have a great record of getting our political appointees on board and confirmed. We are over one year into the Administration, and our Bureaus still lack their political appointees.

- High position in the chain of command is no guarantee of bureaucratic effectiveness. Lee Brown, a cabinet official in charge of an issue somewhat related to public safety, still has not been able to get his staff on board.

- The most comparable modern example of launching a new bureaucracy is the Corporation for National and Community Service. It is headed by the President's former Campaign manager and close friend. He planned for nine months with a carefully selected team in the White House before setting up a new Corporation, and they do not plan to give out their first round of grants for yet another nine months!

Failure would further erode confidence in the ability of the Federal Government to fulfill its most basic responsibility: to protect the American people.

- We lose coordination with the Attorney General's other crime control priorities. She believes in a comprehensive strategy in approaching issues of public safety. For example:

- DOJ's public safety strategy requires close links with OJJDP's prevention strategies, and OVC efforts to involve victims. Creating separate and disconnected program offices will make it difficult to implement PACT and the Comprehensive Communities Program.

- The Cops program requires extensive evaluation and therefore, either strong ties to the National Institute of Justice or the establishment of another research entity.

- The experiment of putting the Weed and Seed Office in the Deputy's Office has failed. Its goal of coordinating with other BJA programs was not achieved; rather, a great deal of resentment resulted. Instead of coordination, we run the risk of having ugly, divisive turf battles.

- Moreover, establishing a parallel structure to OJP would confuse state and local governments and community based agencies. Rather than having a single grant application, from a single agency, with a single set of expectations -- a goal often espoused by this Administration -- the grantees would fill out yet another application, with different deadlines and different evaluation criteria.

- Establishing a new bureaucracy is antithetical to NPR. We are supposed to reduce bureaucracy, not expand. When the Corporation for National and Community Service started, they combined the ACTION agencies with the Commission on Community Service. We will be compared with comparable reorganization efforts geared to the new and expanded missions of the Clinton Administration that were accomplished by adapting existing structures with an influx of new leadership and people.

I would also suggest that the Attorney General delegate to AAG-OJP the final sign off for the Crime Bill grants that go to OJP and the Bureaus. For instance, the prevention grants would be signed by both the OJJDP Administrator and the AAG-OJP. This authority would help the AAG-OJP convince the Bureaus to collaborate with each other.

III. ESTABLISHING A NEW ASG FOR CRIME BILL IMPLEMENTATION WITH PROGRAM OFFICES

A new ASG who would have both grant-making authority for high visibility items and policy-making authority over OJP.

This proposal gives the Crime Bill greater visibility and makes it an even higher priority. The ASG has greater authority than a Director does, and endowing this new organization with grant making authority increases the likelihood of it exercising more control over OJP.

- The new ASG should still physically be located with the Police Director and the relevant OJP personnel in order to maximize coordination and esprit de corps. The general sleeps with the troops.

- Although, the creation of a new ASG would require new legislation in the Crime Bill, Congressional support may be in the offing under this plan. In a departure from past practices, where all the grant making authority was lodged in the bureaus, in the Crime Bill Congress gave the Attorney General flexibility in the grant making process.

This proposal may also be acceptable to the relevant constituent groups. The bureaus will retain their political appointees and maintain sole grant making authority in some areas.

Still, there are several disadvantages:

This approach suffers from many of the disadvantages regarding the establishment of an institution apart from OJP as is outlined in Section II above including: start up glitches, turf battles, and a lack of connection with the field.

- Legislation provides a rallying point for those constituent groups and members of Congress who might be threatened by a new structure and the commensurate perceived loss of control.

- The history of LEAA, OJARS and OJP demonstrate clear Congressional intent to remove political and departmental control over state and local grant making functions.

- The current structure has great political appeal to Congress. As Laurie Robinson was told by Congressman Hughes' staff member, "even though we are the same party, we still reject the Thornburgh memo." (The Thornburgh memo attempted to give more power to OJP's AAG by providing the AAG final grant approval authority.)
- Because of the unusual nature of a proposal to give an ASG grant making authority, the program would become subject to intense scrutiny. Every minor problem would be magnified.
- There is a danger that not only would it appear that we are politicizing the grant making process, but that it is indicative of a pattern of politicizing the functions of the Department to possibly include prosecutorial determinations.
- The higher up the chain of command the grant-making authority extends, the more difficult it is for the Attorney General to disassociate herself from the specific grants awarded. Since these grants are discretionary, many in the press may assert that something other than merit played a role in the selection process. In answering a question at the Baltimore Sun Editorial Board on the issue of making the process too political, the AG stated emphatically that it would be entirely non-political.

Finally, this proposal eviscerates what little power the AAG-OJP position has. We could avoid this result by giving the AAG-OJP final grant making authority. Alternatively, we could eliminate the AAG-OJP position entirely and simply move the AAG to ASG (OPTION III B).

One could argue that the ASG's office would **not** be a whole new bureaucracy, but rather a small team of workers comparable to what was done in the Police Hiring Supplement. However, under PHS the bulk of the work was done at OJP, and Main Justice had final oversight responsibility. This too weakens the AAG-OJP's position and divides programmatic accountability. It also does not build esprit de corps.

SUMMARY

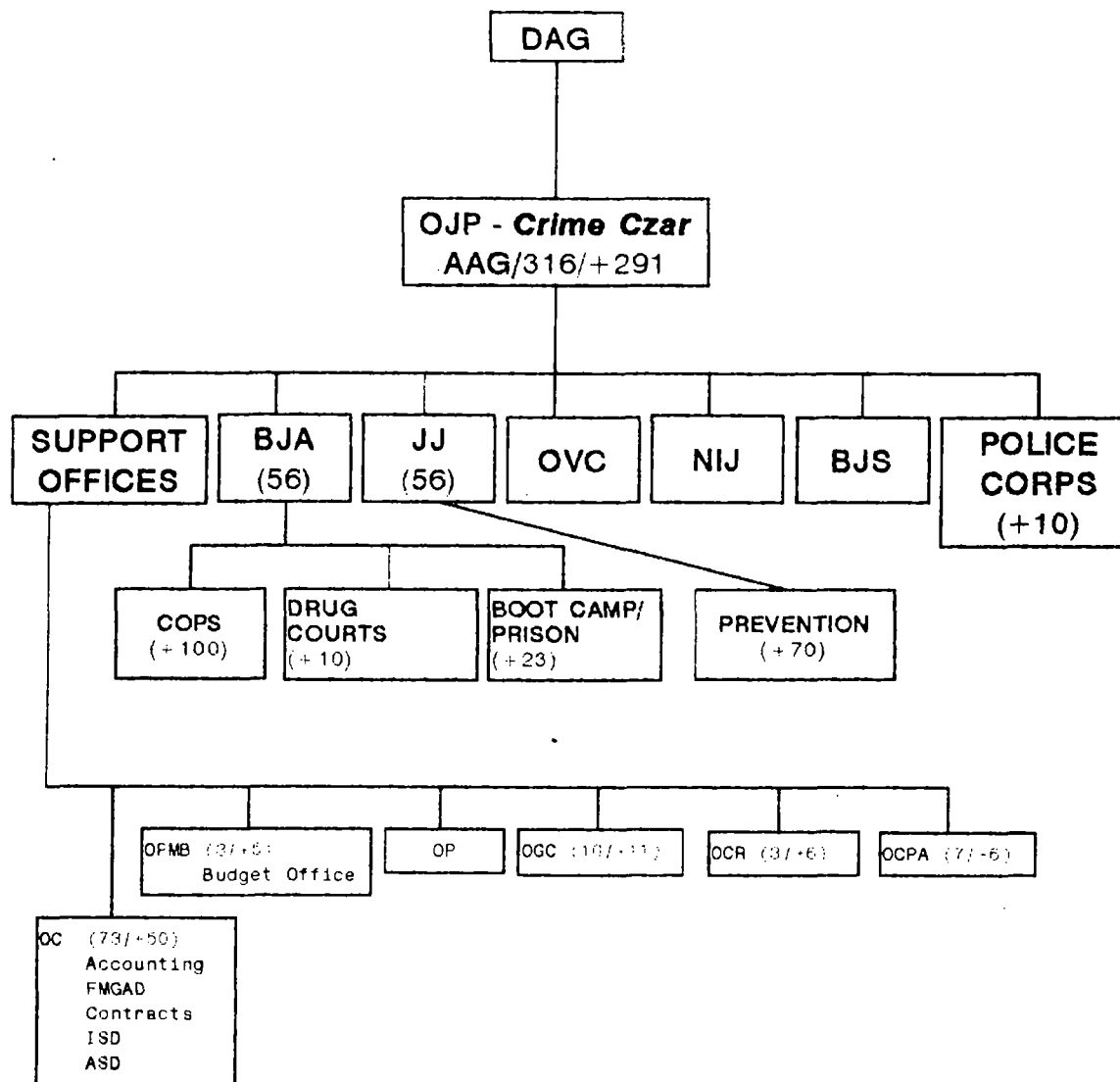
All three options -- keeping the Crime Bill programs at OJP, creating a new Associate Attorney General in conjunction with having a Director of Police, and creating a New Associate Attorney General with responsibility for both programs and policy -- have their attendant advantages and disadvantages.

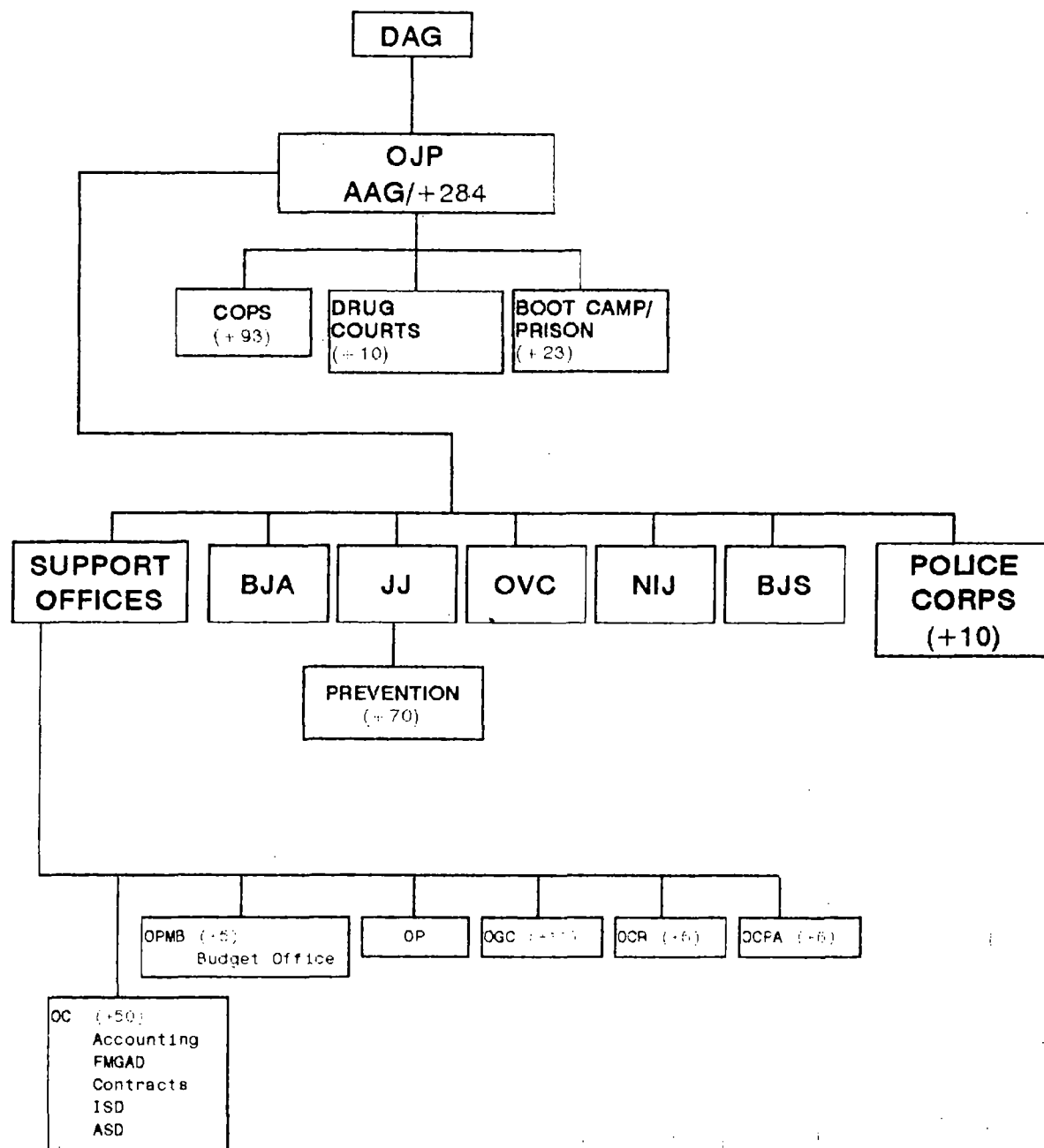
Some variations pose greater obstacles for attaining the

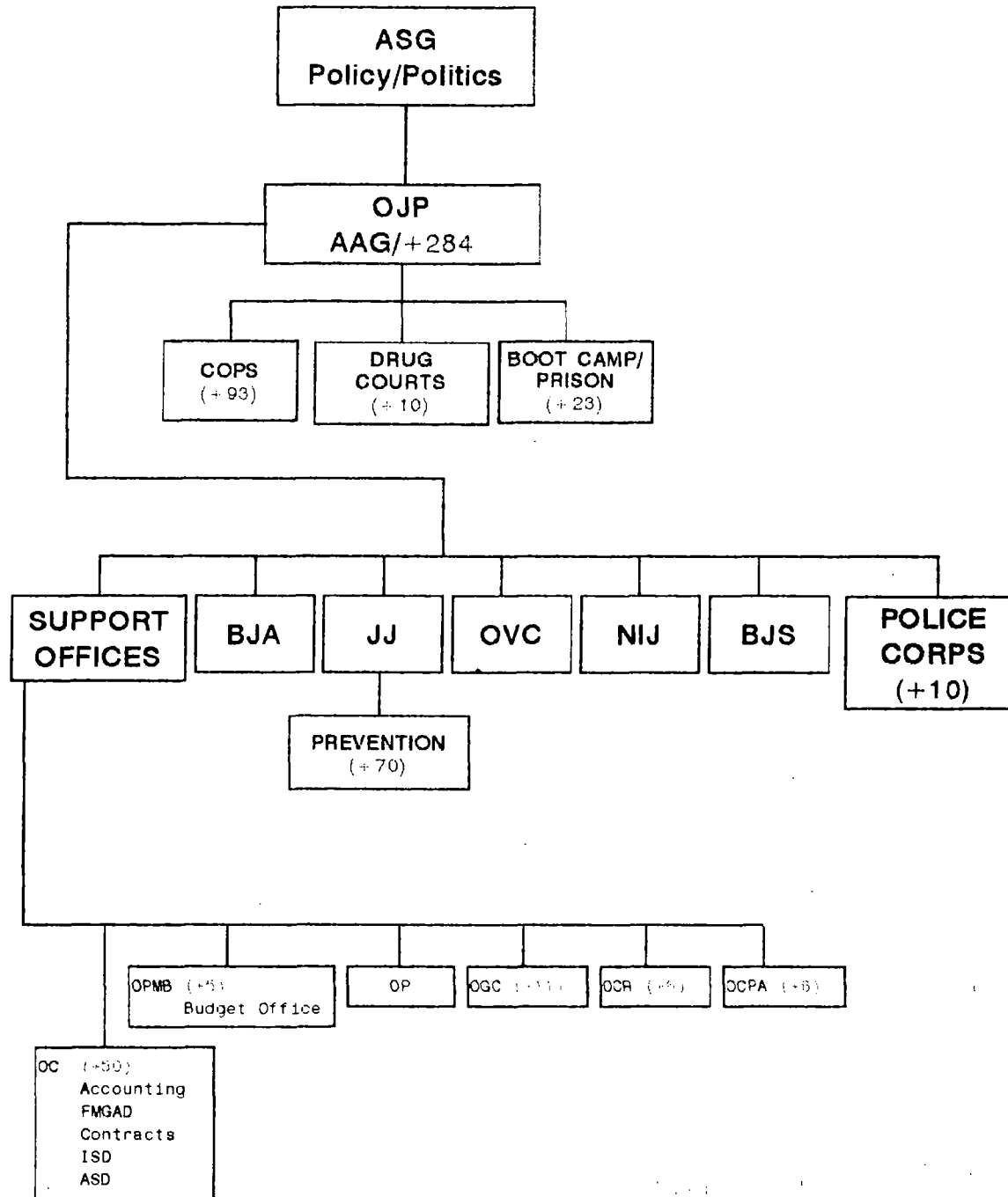
excitement, energy, and political support needed to achieve our goals. Others must overcome significant organizational and management challenges.

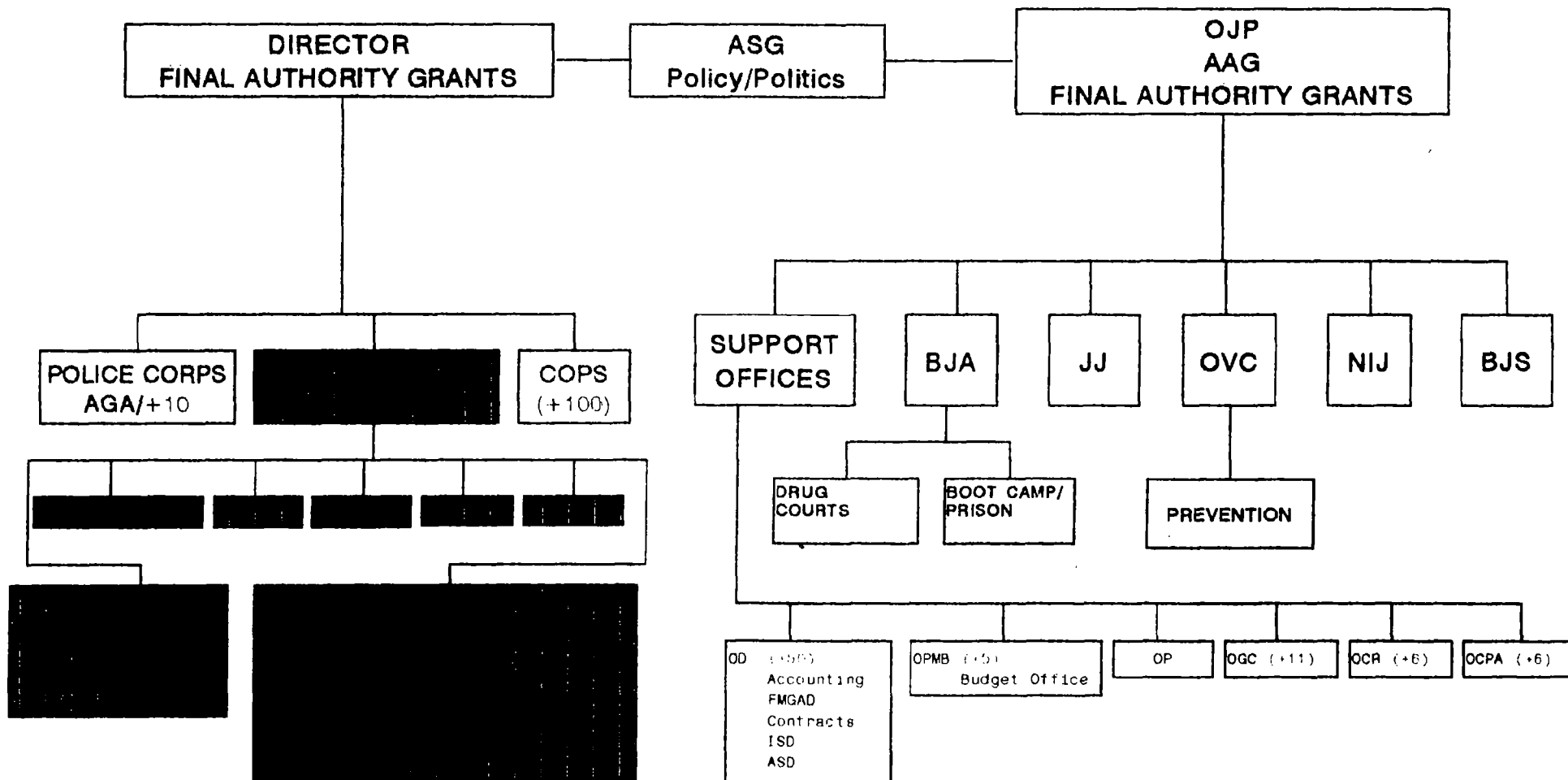
Regardless of whether we decide to shore up and reinvigorate our existing structures or create new ones, to succeed we must, as a Department, commit ourselves to expending significant political capital and marshaling our existing organizational resources. If we do this, we will be able to work in partnership with the criminal justice community to develop effective programs that support police, punishment, and prevention. Equally important, it will allow us to demonstrate to the broader public that the Clinton Administration, and this Attorney General, is committed to making them safe and secure.

We hope this first cut at a revised organizational strategy will elicit discussion and further define a framework for the participants as we move toward making a recommendation to the Deputy Attorney General.

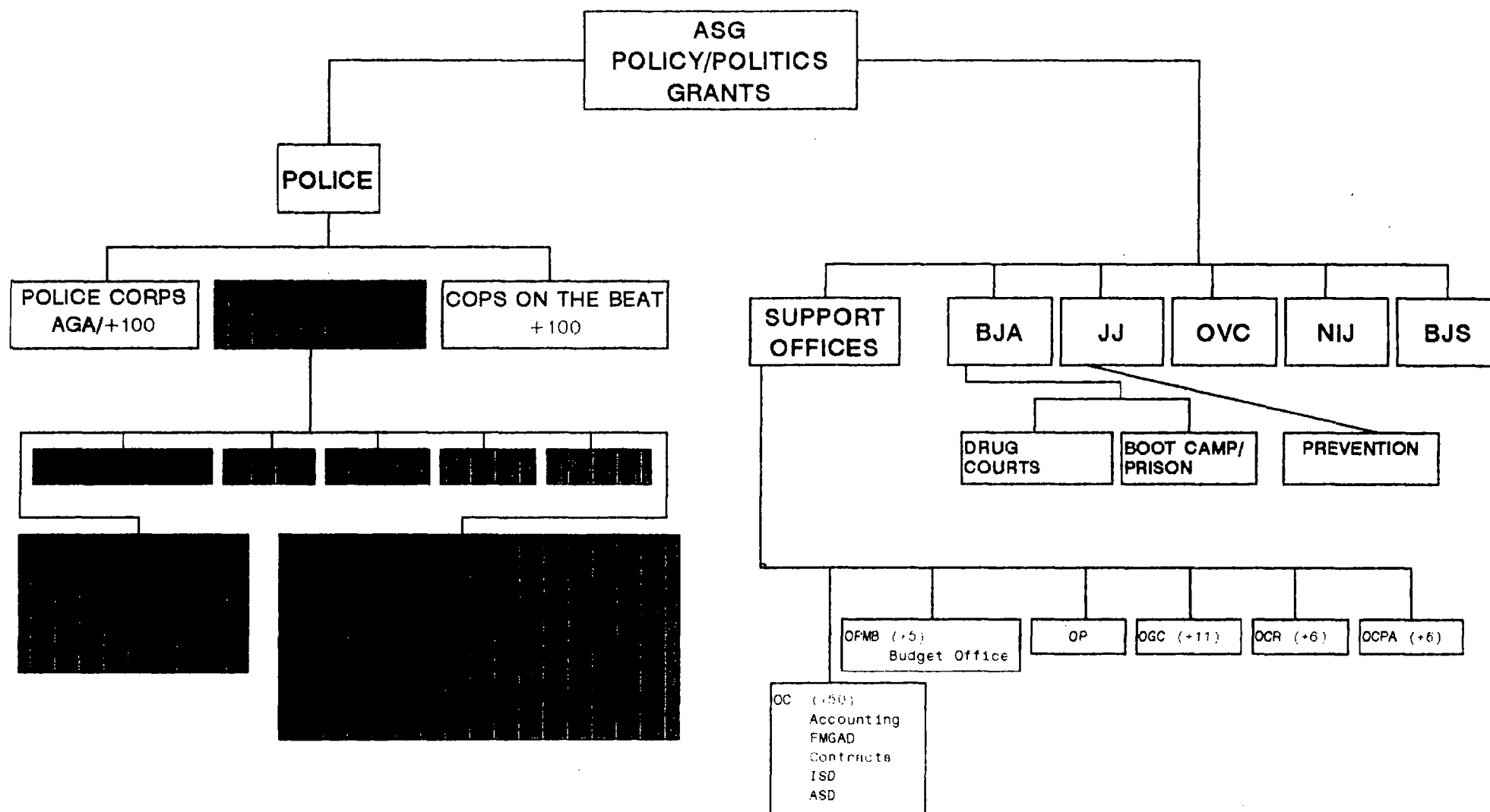








OPT III.B.: Empowered OJP Structure - Boot Camp/Prison and Drug Court in BJA; Prevention in OJJDP and COPS administered by Crime Czar



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This marker identifies the place of a tabbed divider. Given our digitization capabilities, we are sometimes unable to adequately scan such dividers. The title from the original document is indicated below.

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Divider Title: _____

Crime Bill Grants Oversight Options Chart

Option Number	Program Functions	Policy/Coordination	Notes
1	OJP - Bureaus	AAG-OJP	
2	AAG-OJP (w/ or w/out program offices)	AAG-OJP	
3	AAG-OJP (w/ or w/out program offices)	New ASG (w/ or w/out present DAG components)	
4	New ASG (w/ or w/out program offices)	New ASG (w/ or w/out present DAG components)	
5	New AAG (w/ or w/out program offices)	New AAG (reporting to DAG or ASG)	
6	New Director (w/ or w/out program offices)	New Director (reporting to DAG, ASG, AAG-OJP or AAG-OPD)	
7	Program Offices	ASG	
8	Program Offices	AAG-OPD	
9	Mix of existing & new components	Part: current spvrs; part: New ASG (w/ or w/out DAG components)	
10	Mix of existing & new component(s)	Part: current spvrs; part: New Dir(s) (rptng: DAG, ASG or AAG-OPD)	
11			
12			
13			
14			
15			

Note: Any scenario which results in crime bill grant activity reporting lines running through the current ASG, should be considered to have as part of that scenario moving OJP into the reporting line of the current ASG.



Office of the Assistant Attorney General

Washington, D.C. 20530

May 27, 1994

MEMORANDUM

DRAFT

TO: Andy Foiss
Kent Markus

FROM: Eldie Acheson
Bill Mercer

SUBJECT: Discussion Draft: Structural Options for Crime Bill
Implementation

We have reviewed DAAG Townsend's report and the supplemental statements of AAG Robinson. And while their input goes a long way toward informing this internal discussion, we found Kent's chart to be a preferable explication of the variety of structural options for crime bill implementation. Our goal for this document, then, is to borrow liberally from those memoranda and incorporate them into a larger whole as framed by Kent's chart (See Appendix A). This becomes a bit tedious because the pros and cons are interchangeable from option to option.

One additional thought: many of the new programs are pledged to existing OJP bureaus. With this in mind, meaningful oversight in the management of these initiatives might be beyond the reach of a new ASG, the AAG for OJP, or any other lead administrator.

OPTION 1: Place programmatic, policy, and coordination responsibilities in the OJP bureaus. OJP AAG would have a role in crime bill programs comparable to the role in on-going bureau activities (i.e., leadership, advice, and coordination recommendations without actual authority, which is vested in the bureau heads.)

PROS:

- Of all the options, this one involves the least significant operational transition. Major personnel increases and new program responsibilities would be added to BJA, OJJDP, and NIJ, but the leadership would be constant and the existing career staff would add important perspectives to development of the new initiatives.
- This option takes full advantage of OJP's institutional history and practice on grantmaking.
 - OJP would have the capacity to award money more quickly and efficiently than any other structure because OJP and its bureaus have an organization and system in place, have experienced staff to train and supervise new staff, and have the established working relationships necessary to succeed. (KKT-3)
- All programs would be based in the Office of Justice Programs.
 - This structure builds upon OJP's institutional reputation and status within the criminal justice and juvenile justice communities. (KKT-3)
- Actual decisions are so far removed from the locus of power that the program is immune from attack on grounds of political favoritism.
- This has all the advantages associated with any decision to maintain the status quo, including requiring no new legislation and raising few hackles. (KKT-2)

CONS:

- This configuration does not give the President's crime bill programs the prominence -- either structurally or through a well-known, credible outside expert -- they need.
 - It will be difficult to attract a person of great stature to run a program buried in the BJA bureaucracy. (KKT-2)
- It would be more difficult for an established agency with existing core functions to incorporate an entirely new bureaucracy and/or accommodate 300 new employees and manage \$28 billion in major Presidential initiatives.
- Coordination between the OJP bureaus is least probable through this model because of the absolute autonomy vested in the individual bureau heads.

- It will be difficult to overcome OJP's bureaucratic turf battles. (KKT-2)
- Senior management in the Department will want to participate in the development and coordination of these programs. This structure dilutes the authority of all DOJ management, including OJP AAG, by granting decisionmaking to the bureaus.
- Also, because of the importance of these programs, OJP's other programs might be overwhelmed. (KKT-2)
- Outsiders interested in making a contribution to crime bill implementation will be less interested in joining an existing bureaucracy with 350 employees. This hierarchy serves to blunt enthusiasm, energy, creativity, and the many other attributes a new organization can engender.

OPTION 2: Vest policy and coordination functions in the OJP AAG, in addition to administration and management of the program functions placed in existing bureaus and/or new entities (either additional bureaus or executive offices within the Office of the AAG).

PROS:

- Like Option #1, Option #2 maintains the status quo's operational structure: OJP is responsible for all DOJ-sponsored "justice programs." This minimizes internal and external confusion.
- Unlike Option #1, the AAG for OJP and other DOJ leaders would have greater authority to shape and manage the new initiatives. Given the "strong bureau" model currently in place in OJP and driven by statute, this crime bill implementation configuration would provide the AAG for OJP with actual programmatic responsibility.
- Executive Offices (at a minimum, for Cops on the Beat, Drug Courts and Boot Camps) headed by non-career personnel, would attract people of greater stature and clout than would be possible if the programs stayed in the bureaus. (KKT-3)
- It would be easier to attract staff -- a mix of new hires and talented people drawn from throughout the Department who would be formed into a cohesive and highly dedicated team -- to a newly established executive office rather than a very hierarchical, tenure-driven structure. (KKT-3)
- All of our comprehensive programs within OJP (Weed & Seed, PACT, Comprehensive Communities Program, Title V of the

Juvenile Justice Act) entail bringing together for a jurisdiction the resources needed for community policing, a coordinated corrections options program, community crime prevention, etc. It will be hard to implement this effectively if "pieces" of the funding are outside OJP. Community policing, as an example, will remain an integral part of all these AG priority initiatives. (LR-1)

CONS:

- Like Option #1, Option #2 falls short if a primary goal for crime bill implementation is heft/institutional prominence for the new structure and its leadership.
- Coordination is more probable, but far from guaranteed with this model.
 - If executive offices are established within OJP, turf battles between bureaus and the new EOs are almost guaranteed.
- It would be easier to attract personnel to the Office of a new ASG rather than OJP.
- It is easier to establish a culture in a new organization than to reconstitute the culture in an existing entity.
 - Although implementation of the Crime Bill programs demands rigorous analysis and a deliberative program development and implementation process, it must be done expeditiously. Much more than a traditional work week will be necessary to deliver these resources -- especially in the first two years of implementation. It is easier to extract these commitments and establish this tone in a job interview rather than attempting to impose them on an existing structure.
- OJP has an important and challenging mission without adding the multiple tasks of crime bill implementation to its responsibilities.
 - Reauthorization, PACT/Comprehensive Communities, Weed and Seed, and the on-going programmatic operations of BJA, OJJDP, NIJ, OVC, and BJS -- including well over one-hundred discretionary grant programs -- and other Clinton Administration initiatives (e.g., Empowerment Zones and Enterprise Communities) demand focus and coordination.
 - It would be more difficult for an established agency with existing core functions to incorporate an entirely new bureaucracy and/or accommodate 300 new employees

and manage \$28 billion in major Presidential initiatives.

OPTION 3: A new ASG would handle policy and coordination of crime bill resources. The OJP AAG would oversee the implementation of this policy and the OJP bureaus and/or a set of new executive offices within the OJP AAG's Office tasked with doing the program work.

PROS:

- Because of the stature of the ASG, the Administration could recruit a person with political clout and expertise.
 - This person could:
 - collaborate with public officials to identify their needs;
 - embody for the American people the Clinton Administration's concern for public safety.
 - galvanize the political will and partnerships required from our police, elected officials, business groups, and community organizations across America, and energize them with the prospect of supporting community policing. (KKT-5)
- These same factors would give us the ability to recruit a new team of dynamic and dedicated people, while continuing to draw on experts from OJP and the other components of Justice. (KKT-5)
- Although the creation of a new ASG would require new legislation, Congressional support may be in the offing under this plan. In a departure from past practices, where all the grant making authority was lodged in the bureaus, both houses have voted to give the Attorney General substantial flexibility in the structure and process of crime bill grantmaking. (KKT-8)
- The ASG structure is comparable to what was done in the Police Hiring Supplement. Senior management had responsibility for policy, management, and oversight of the process.
- This structure would provide heft/prominence internally and externally.
- OJP's ability to distribute the grants quickly and efficiently would be preserved.

CONS:

- OJP has an important and challenging mission without adding the multiple tasks of crime bill implementation to its responsibilities.
- It is easier to establish a culture in a new organization than to reconstitute the culture in an existing entity.
- This option involves the vagaries -- candidate preparation and the attendant delays and controversies -- of the Senate confirmation process. We do not have a great record of getting our political appointees on board and confirmed.
- Would require authorization of new ASG slot in the legislation.

OPTION 4: Establishes a new ASG for policy, coordination, and actual program functions. This person would utilize executive offices within the Office of the ASG to implement the crime bill programs. Under this configuration, OJP might report to the new ASG instead of the DAG.

PROS:

- All of the pros under option 3 are pertinent to option 4.

CONS:

- Even if OJP reports to the new ASG, this approach would achieve less than the ideal level of coordination between the current OJP structure and the new organization. This is attributable, in large part, to the balkanization of OJP and the significant autonomy vested in the bureau heads.
- Operationally, it is difficult to establish an entirely new bureaucracy in four months which will effectively distribute \$1.7 billion and get 20,000 police officers on the street, not to mention the other crime bill resources/programs.
- This option involves the vagaries -- candidate preparation and the attendant delays and controversies -- of the Senate confirmation process. We do not have a great record of getting our political appointees on board and confirmed.
- We lose coordination with the Attorney General's other crime control priorities. She believes in a comprehensive strategy in approaching issues of public safety.
 - DOJ's public safety strategy requires close links with OJJDP's prevention strategies, and OVC efforts to

involve victims. Creating separate and disconnected structures will make it difficult to implement PACT and the Comprehensive Communities Program. (KKT-7)

- Moreover, establishing a parallel structure to OJP would confuse state and local governments and community based agencies. (KKT-7)
- Establishing a new bureaucracy is antithetical to NPR. We are supposed to reduce bureaucracy, not expand it. (KKT-7)
- Legislation provides a rallying point for those constituent groups and members of Congress who might be threatened by a new structure and the commensurate perceived loss of control. History demonstrates Congresses intent to remove senior management's control over state and local grantmaking functions. (KKT-8)
- Would require authorization of new ASG slot in the legislation.
- The higher up the chain of command the grant-making authority extends, the more difficult it is for the Attorney General to disassociate herself from the specific grants awarded. (KKT-9)

OPTION 5: Creation of a new AAG for crime bill policy, coordination, and program implementation.

PROS:

- It will be easier to attract outside experts and a diverse group of well-trained professionals to a new, narrowly-targeted organization.
 - Instead of joining a staff in which seniority dictates status/roles, newcomers will be on a more equal footing and not suppressed by an established hierarchy.
- It is easier to establish a culture in a new organization than to reconstitute the culture in an existing entity.
- Although implementation of the Crime Bill programs demands rigorous analysis and a deliberative program development and implementation process, it must be done expeditiously. Much more than a traditional work week will be necessary to deliver these resources -- especially in the first two years of implementation. It is easier to extract these commitments and establish this tone in a job interview rather than attempting to impose them on an existing structure.

- OJP has an important and challenging mission without adding the multiple tasks of crime bill implementation to its responsibilities.
- Reauthorization, PACT/Comprehensive Communities, Weed and Seed, and the on-going programmatic operations of BJA, OJJDP, NIJ, OVC, and BJS -- including well over one-hundred discretionary grant programs -- demand focus and coordination.
- It would be more difficult for an established agency with existing core functions to incorporate an entirely new bureaucracy and/or accommodate 300 new employees and manage \$28 billion in major Presidential initiatives.
- DOJ staff with expertise relevant to crime bill implementation can be redeployed to the new organization.

CONS:

- Each Crime Bill initiative is a justice program. OJP's mission would be compromised by diverting these resources and programs to another entity.
- A new structure created outside existing DOJ organizations with temporary employees is antithetical to the career civil service and ignores institutional history and continuity.
- Operationally, it is difficult to establish an entirely new bureaucracy in four months which will effectively distribute \$1.7 billion and get 20,000 police officers on the street.

OPTION 6: Creates a new Directorate for crime bill policy, coordination, and program implementation, who would report to the DAG, ASG, or an AAG.

PROS:

- Statements supporting option 5 are pertinent to option 6.
- Unlike option 5, this option (1) obviates the need to seek an additional AAG slot in the crime bill, and (2) avoids preparation and the attendant delays and controversies of the Senate confirmation process.

CONS:

- Statements weighing against option 5 are equally pertinent to option 6.

OPTION 7: Establishes executive offices within the existing Office of the ASG to implement the crime bill programs and vests policymaking and coordination authority in the ASG.

PROS:

- This option achieves the prominence/heft objective within the DOJ structure. The addition of a heavy hitter to handle policing/police corps as a director of an executive office will only enhance the visibility.

CONS:

- The Office of the ASG has a clearly defined mission and this additional jurisdiction would rob the crime bill programs of the energy and focus they require.
- The Office of the ASG lacks experience in program development and implementation. Of course, a new entity, like the one envisioned in Option 5, would lack institutional history. However, it is easier to create the necessary culture and focus in a new organization instead of one with a clearly defined role and on-going operations with nothing in common with the new tasks.

OPTION 8: Establishes executive offices within the existing Office of Policy Development to implement the crime bill programs and vests policymaking and coordination authority in the OPD AAG.

PROS:

- An Office of Policy Development should be tasked facilitating discussions with internal and external sources to developing broad policy directives, program objectives, application and promotional language, evaluation frameworks, etc.

CONS:

- Each Crime Bill initiative is a justice program. OJP's mission would be compromised by diverting these resources and programs to another entity.
- Operationally, it is difficult to establish an entirely new bureaucracy in four months which will effectively distribute \$1.7 billion and get 20,000 police officers on the street.

- OPD has a broad mission and this added responsibility would rob the crime bill programs of the energy and focus they require.
- OPD has no program implementation expertise. Of course, a new entity, like the one envisioned in Option 5, would lack institutional history. However, it is easier to create the necessary culture and focus in a new organization rather than in one with on-going operations sharing nothing in common with the new tasks.
- It would be no easier to achieve prominence/heft in the existing OPD structure than in the existing OJP structure.

OPTION 9: Hybrid A: Place the Ounce of Prevention initiative in OJJDP, the Boot Camps and Prison programs in BOP (NIC), and the residual in a new entity outside of OJP, reporting to a new ASG.

PROS:

- The hybrids recognize the importance of tapping into real expertise where it exists, but creating new structures if the expertise is minimal or non-existent.
- This option would help to focus the new ASG on a narrower set of programs. For instance, the Director of BOP would be tasked with the program functions of boot camps and prison construction. The ASG would focus on policing, the Model Intensive Prevention Program, Schumer grants, and drug courts efforts developed by his/her executive offices.

CONS:

- Any of the hybrid models will dull the focus created by an office for crime bill implementation (whether it is a new entity or OJP) because it splits up the component parts of the bill.

OPTION 10: Hybrid B: A new ASG with a reasonably small staff to guide and promote the initiative; OPD would, based upon internal and external consultation and approval of senior management, establish program policy through regulation/directive, program objectives, and develop the actual application/promotional materials; OJP, through new executive offices within the Office of the AAG unless otherwise determined by the ASG, would score applications and make recommendations to the ASG on what jurisdictions to fund; NIJ would evaluate all programs.

PROS:

- The hybrids recognize the importance of tapping into real expertise where it exists, but creating new structures if the expertise is minimal or non-existent.
- This structure would provide heft/prominence within DOJ and to the public.
- The Department would speak with one voice if the new ASG and staff addressed all inquiries, handled promotion and oversight of the process, and were cloaked with complete authority for the initiatives.
- This option takes full advantage of OJP's institutional history and practice on grantmaking.
- OJP's current mission would not be overwhelmed because of its additional crime bill implementation responsibilities.

CONS:

- Any hybrid model will dull the focus created by an office for crime bill implementation (whether it is a new entity or OJP) because it splits up the component parts of the bill.