

THE WHITE HOUSE
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MEMORANDUM FOR HILLARY RODHAM CLINTON

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SUBJECT: ISSUES UPDATE

LEGISLATIVE AND ISSUES UPDATE

EDUCATION

Education Savings Accounts. Last Thursday, the Senate passed (61-39) S. 1134, the bill containing Education Savings Accounts. The President has vetoed this bill twice and Secretaries Summers and Riley have recommended that he veto S. 1134. The bill was made more objectionable after the adoption of a Roth (R-DE) amendment making the increase from \$500 to \$2000 in the annual contribution limit to the educational savings account permanent. It also eliminated \$5.5 billion in budgetary offsets provided in the underlying bill. The House has not yet considered this legislation and has no plans to do so in the immediate future.

The Senate Democrats offered a number of their education message amendments, including class size, teacher quality, and accountability, which were all defeated, largely along party lines. Senator Boxer's (D-CA) amendment expressing the Sense of the Senate that Congress implement policies to reduce the threat of gun violence in schools before April 20th, 2000 failed (49-49) in a tie vote. There was no advance notice that the vote would be a tie. The Senate then considered an amendment by Senator Durbin (D-IL) providing \$7 million in grants for violence reduction programs and funding for public notices and school programs on the dangers associated with guns. Vice President Gore came to the Senate to break a tie on this vote had it been necessary. In order to prevent this from happening, Republicans supported the amendment, which passed easily (91-7).

Elementary and Secondary Education Mark-up: The Senate Health, Education, Labor, and Pensions (HELP) Committee began marking up Senator Jeffords' (R-VT) Elementary and Secondary Education Act reauthorization bill on Wednesday, March 1st. Committee Democrats oppose the Jeffords bill because it does not incorporate any new Democratic initiatives, including those put forward by the Administration, and it contains a version of "Straight As" legislation

passed by the House which would allow States to block grant most of their Federal education dollars with no accountability. Committee Republicans dislike the bill because it does not sufficiently block grant programs. The markup reconvened today and the Committee considered a number of amendments, including:

- **Senator Kennedy** offered an amendment to **improve teacher quality** that was voted down along party lines. The amendment included a major **teacher recruitment** component that would have authorized \$270 million for a national teacher corps, supported a \$75 million initiative to recruit and retain "hometown" teachers in high-need areas, and supported alternative routes to certification through the expansion of Troops to Teachers. This amendment also included a strong accountability component based on the Administration's proposals to ensure that the public has good information on teacher quality and it would have demanded progress in improving teacher quality by reducing the number of unlicensed and out-of-field teachers.
- **Senator Gregg** offered an amendment to include a slightly revised version of the "Straight As" block grant in ESEA. This amendment passed along party lines. The block grant would allow local school districts to use funds under 14 separate authorities for general education reform rather than for the purposes outlined in statute. The Democrats and the Administration have argued that the role of the Federal government in education is to set national priorities to help local communities focus on strategies that work for our neediest children, including reducing class-sizes, providing afterschool opportunities, and providing educational technology to prepare students for the 21st Century. This block grant obliterates this role and has very weak accountability measures to ensure that local school districts help children meet high academic standards.

Tomorrow the Senate HELP committee will continue marking up ESEA and is expected to consider several more amendments, including:

- **Senator Mikulski** will offer an amendment aimed at **closing the digital divide**. The amendment will create a "one-stop shop" for technology education that would include a clearinghouse for best practices, including public/private partnerships; double funding for teacher training in using technology in the classroom; expand the e-rate; create an E.Corps within AmeriCorps to support community service efforts to close the digital divide; put E.villages in public housing; and create tax incentives to encourage donations of equipment, training, and technology maintenance.

Single Sex Education. Due to the increase in public single sex schools and classrooms and a desire by the Administration to support educational reforms that offer schools and school districts more flexibility to address the diverse education needs of their students, the U.S. Department of Education has been drafting a new Title IX regulation on single sex education. The impetus for this new regulation stemmed from a case filed in Harlem. In August of 1996, the New York chapters of the National Organization for Women and the American Civil Liberties Union filed a complaint with U.S. Department of Education's Office of Civil Rights. The complaint asserted that the Young Women's Leadership Academy, a public single-sex school for girls located in Harlem, violates Title IX. This complaint along with several others forced the Department to re-evaluate its Title IX regulation regarding single sex education. The

major changes in the regulation include: (1) allowing school districts to provide single sex classes, programs, or activities in coeducational schools (2) clarifying that when school districts operate single-sex schools (as currently permitted), they must provide equal educational opportunity to both sexes and (3) further defining equality by explaining that equality does not mean that the programs need to be identical, but they do need to be equal in all fundamental respects.

The U.S. Department of Justice has raised Constitutional concerns about the proposed regulation arguing that it may not comport with the Equal Protection clause. Currently, the Domestic Policy Council is working with the White House Counsel, the U.S. Department of Justice, and the U.S. Department of Education to work towards agreement on a regulation that would be Constitutional and would give school districts greater flexibility to operate single-sex classrooms, programs, and schools.

In addition, this issue will come up in the context of ESEA reauthorization. Jeffords' mark includes a proposal to allow for Title VI (block grants to states for general education reform) to be used for single sex schools and classes, provided that equitable educational opportunities are provided for the excluded sex and that the proposal is Constitutionally sound. In addition, Senator Kay Bailey Hutchison is expected to offer a similar amendment on the floor allowing for the use of Title VI funds for single sex schools, classes, and programs provided that "comparable" educational opportunities are provided for the excluded sex.

In the past, women's groups have opposed Senator Hutchison's amendment on two grounds: (1) concern that we do not have the research to support single-sex education in elementary and secondary education; (2) concern that "comparability" will not be monitored or implemented effectively. Historically, the groups have also been concerned that schools would promote sex-based policies, programs, and classes based on out-dated and stereotyped notions of the differences between the sexes and of the limited abilities of girls and women.

PREVENTION OF YOUTH VIOLENCE AND CRIME

Gun Safety. As you recall, last session the Senate passed four major provisions of the Administration's gun control measures including (1) closing the gun show loophole; (2) mandating child safety locks for handguns; (3) banning the importation of large capacity ammunition clips; and (4) banning violent juveniles from owning guns for life. As you know, the House did not pass similar gun control measures as part of its companion bill. Republican Leadership teamed up with Rep. John Dingell (D-MI) and forty-nine other pro-NRA Democrats to defeat the McCarthy (D-NY) amendment. Although it is quite likely that the Conference Committee on this bill could resolve most of the discrepancies on the substantive juvenile justice measures, the committee has made no progress on the gun control provisions. Our objective has been to ensure that these four provisions, most importantly closing the gun show loophole, are included in the Juvenile Justice bill.

Today, the President met with Senators Leahy and Hatch and Representatives Conyers and Hyde to discuss the impasse over gun control. At this meeting, Chairman Hyde (R-IL) stated that he is willing to reach a compromise on gun shows, child safety locks and other issues. While Hyde

indicated a willingness to compromise, the reality is that Chairman Hyde and Senator Hatch have done very little to advance the conference, and, in fact, are trying to lay the blame for the impasse on Democrats. They claim – particularly on trigger locks – that the Republicans are willing and able to reach an agreement, but that the advocates, Democrats and the President want all or nothing. It is important to note, however, that the Hyde gun show compromise is a watered down version of a proposal Chairman Hyde (R-IL) has tried unsuccessfully to get Rep. Conyers (D-MI) to accept. The Hyde compromise is particularly ineffective in closing the gun show loophole because, among other things, it:

- Excludes events where items other than guns are sold, e.g. flea markets.
- Includes a “let’s step outside” loophole that allows an individual to advertise a gun at a gun show, but offer to sell that gun to a prohibited purchaser that same day at another location.
- Prohibits the tracing of all crime guns sold through “instant check registrants,” making gun shows a safe harbor for criminals to buy guns.
- Creates a loophole that weakens existing law by limiting the time law enforcement has under current law (from 3 business days to 24 hours) to complete background checks at gun shows when there are questions about certain “non-official” records relating to domestic violence restraining orders and mental health histories.

It is not clear whether Hyde could successfully sell his compromise to his own leadership. A full analysis of the Hyde proposal is attached.

For this meeting, the President also released *Kids and Guns*, a bulletin derived from *Juvenile Offenders and Victims: 1999 National Report*, which provides an overview of national data that show the impact the availability of guns has had on the lives and well-being of American youth. While other types of homicide remained constant between 1987 and 1993, the number of juveniles killed with a firearm increased greatly. Analysis of the data show that the rise in murders of juveniles from the mid-1980's through the 1993 peak year was all firearm related, as was the subsequent decline in juvenile murders that occurred between 1993 and 1997. The bulletin also reports on the large role guns have in juvenile suicides.

Public Trust and Integrity in Law Enforcement. This week, Representative John Conyers plans to introduce the “Law Enforcement Trust and Integrity Act” to help force a partnership between police and community groups. In his “Dear Colleague” letter, he conjures up the images of Diallo, LA’s Rampart division, and the Abner Louima case to argue for a comprehensive approach to address the issues of police accountability and trust between police and communities. This bill includes provisions to improve law enforcement management and to improve misconduct prosecution tools including: developing and refining accreditation standards for local law enforcement agencies, supporting the development of pilot programs such as civilian review boards, requiring the AG to establish a National Task Force on Law Enforcement oversight to coordinate investigations related to law enforcement misconduct, requiring Federal data collection on racial profiling, and including a whistleblower protection to protect law enforcement officers who expose police misconduct.

ECONOMIC ISSUES

Minimum Wage/Tax Cuts. On Wednesday, the President will hold a rally on Capitol Hill to boost support for the Administration's minimum wage proposal. On Thursday, the House will consider another round of tax cuts and the minimum wage. The Republican Leadership has decided to take up two bills (1) a \$110 billion, ten year unfinanced tax cut, \$80 billion of which is in high income, estate tax relief; and (2) a \$1.00, three year minimum wage measure. The Democrats will try to propose the Administration's \$1.00, two year minimum wage increase, and Representative Charlie Rangel (D-NY) will seek to offer a Democratic alternative tax proposal, which is fully paid for, is targeted at small businesses and includes school construction bonds (it also contains a number of other provisions that the Administration does not support).

Social Security Earnings Limit. This week, the Senate may consider H.R. 5, the Social Security Earnings Test Elimination bill. The bill would amend Title II of the Social Security Act to eliminate the earnings test for individuals who have reached retirement age. Last week the House voted unanimously to repeal the Social Security earnings limit. Senator Daschle (D-SD) stated that he would allow the measure to move through the Senate as a clean bill.

HEALTH CARE ISSUES

Vaccines. Last week, the President held a meeting with representatives of key pharmaceutical and biotechnology companies, foundations, and the public health community to follow up on his State of the Union challenge to develop and deliver vaccines for diseases world-wide. For the meeting, the Administration garnered significant commitments from these sectors that will boost the impact of the Administration's Millennium Vaccine Initiative. Please see attached paper from the meeting, as well as paper on the Millennium Vaccine Initiative.

Abortion: Gag Rule. As you know, one of the first Executive Orders the President signed when he took office was the revocation of the Federal gag rule which prevented medical practitioners in Title X funded facilities to offer women a full set of family planning options, including abortion. Now, Title X projects are required to provide non-directive counseling to the patient on all of her options, including abortion, but may not specifically promote or perform abortions. This rule permits clinics to provide referrals for abortion services, but prohibits additional action to secure abortion services for a patient. Although the lift of the gag rule became effective when the President signed the executive order, the final rule for its revocation has only now been submitted for final review by the OMB. Last week, we attended a meeting led by OMB to hear from pro-choice advocates who strongly recommended that we release the final rule as quickly as possible, and that we stick fairly closely to pre-gag rule (1988) language, so as not to engender a Congressional backlash, open it up to a legal challenge, and ensure that it remains strong after this Administration.

Abortion: So-called "Partial-Birth" Abortion. Tomorrow, the House Judiciary Committee will begin marking up HR 3660, the so-called "Partial-Birth" Abortion Ban. This bill is being marked-up even though the Supreme Court is set to hear arguments on April 25th regarding Nebraska's so-called "partial-birth" ban. The Supreme Court agreed to take this case after the federal court of appeals failed to agree on whether such laws are constitutional. Currently, the

Administration is determining whether we should file an *amicus* brief in the case. The women's groups have weighed-in strongly arguing that this Administration should not remain silent in the Court's first opportunity to undermine *Roe*. The question being considered by the White House Counsel is whether we could put forth a brief that is broad enough to support the argument against Nebraska's ban. Currently, the Counsel's office plans to propose to the President that we should submit a brief and that we should consider doing so on three grounds: (1) that this ban is unconstitutional in that it constitutes an "undue burden" on a woman's right to choose; (2) that it is overly vague because it is unclear to what procedures the ban applies; and (3) that the law lacks an exception to protect women's health.

MISCELLANEOUS

FAA Authorization Conference Report. Last Wednesday, Senators Lott and Domenici and Congressman Shuster (R-PA) reached an agreement on the FAA reauthorization bill's budget provisions. The Senate and House are planning to take up and pass the conference report this week. The bill provides funding increases for the FAA and the nation's airports for fiscal years 2001-2003, including a \$2.6 billion increase in FY 2001. Both the Airport Grants and Facilities (AIP) and Equipment (F&E) programs receive significant increases in funding and the President's Operations request for FY2001 is fully funded. Although all aviation funds remain on budget, the bill creates a de facto firewall around aviation taxes and interest in the Airport and Airways Trust Fund. The Department of Transportation supports the general agreement; and the Administration, while concerned about the de facto firewalls, expects to support the agreement because it contains sufficient funding levels for FAA and aviation programs. Please see attached article on FAA Reauthorization.

CABINET REPORT

Below are selected Cabinet reports:

Department of Justice

Internet Child Pornography Conference: From March 14-16, DOJ will co-sponsor an Internet Child Pornography and Child Support Investigations and Prosecutions conference in Savannah, GA. Attendees will include federal, state, and local prosecutors, investigators, and service providers. The training will focus on computer search and seizure, child sexual exploitation, international parental kidnapping, and trial presentations in Internet and child support cases.

Firearm Background Check Report: This week, DOJ's Bureau of Justice Statistics is expected to release *Survey of States Related to Firearm Sales, Midyear 1999*. The report provides an overview of the firearm check procedures in each state and interaction with the National Instant Criminal Background Check System operated by the FBI. This report continues ongoing data collection on the number of applications received the number of rejections, the reason for the rejection, and other processing information associated with each application to purchase a firearm.

Department of Agriculture

Organic Foods: On March 8, Secretary Glickman will unveil USDA's new proposal to establish a national organic foods standard. When first announced two years ago, the proposal attracted

more public comments than any other USDA proposal, over 250,000, and has since been rewritten to address concerns about the use of genetically-modified organisms, irradiation, and biosludge.

Department of Commerce

Child Online Protection Act (COPA): The COPA Commission held its first meeting today at DOC in Washington. As part of COPA, Congress established a Commission to study methods of reducing access to material that is harmful to minors on the Internet and to report its findings to Congress. DOC is working with the other ex- officio members of the Commission from DOJ and the FTC to organize this effort.

Wireless Innovations Initiative: On February 29, DOC announced the Wireless Innovations in Communications Initiative (WICI) to enable Federal agencies to promote more actively innovation in communications technologies. WICI will be led by a committee of federal experts within the Interdepartment Radio Advisory Committee, which is chaired by NTIA.

Department of Housing and Urban Development

Selling Homes to Local Governments: HUD has launched a new initiative to sell local governments thousands of HUD-owned homes for \$1 each to create housing for families in need. On February 28, Secretary Cuomo and Congressman Kasich announced the new HUD Good Neighbor Policy. Under the policy, single-family homes that are acquired in foreclosure actions by the Federal Housing Administration will be eligible for sale to local governments around the nation for \$1 each whenever FHA is unable to sell the homes for six months. About 3,000 homes will initially be eligible for sale to local governments under the initiative, with additional homes available for sale each month.

Record Home Sales: New and existing home sales reached their highest level in American history in 1999, according to a report released on March 2 by Secretary Cuomo. The report shows that in all of 1999: New home sales totaled 904,000, up 2 percent from 1998; Existing home sales totaled 5,197,000, up 5 per cent from 1998; Housing permits totaled 1,638,000, the highest since 1986; Housing starts were also at their highest level since 1986, with 1,663,000 homes started in 1999.

Housing Assistance: Secretary Cuomo and Congressman Crowley announced \$75,000 in HUD assistance to benefit residents of the Queensbridge public housing development in Queens, NY. Over 3,000 families currently live in Queensbridge, making it the largest public housing development in the nation. HUD awarded a \$50,000 Community Development Technical Assistance Grant to the development's Jacob Riis Community Center. The center will run a program with LaGuardia Community College to provide job training for young people in telecommunications and information technology. HUD also awarded a \$25,000 Drug Elimination Grant to Queensbridge.

Housing Fraud Initiative: Working with local housing and law enforcement officials, HUD's Fraud Initiative has produced theft and false claims convictions in Los Angeles, CA and Brooklyn, NY. The Initiative has also prompted arrests in Staten Island and Long Island, NY. HUD losses range from as low as \$24,000 to as much as \$6 million.

Department of Education

Annual School Safety Report: In March, the 1999 Annual Report on School Safety, produced by ED's Office of Safe and Drug-Free Schools, will be sent to every school and superintendent in the U.S. The report's findings, based on data from 1997, present an updated description of the nature and extent of crime and violence on school property. The report also describes the steps that schools have taken to prevent school violence, including 54 Safe Schools/Healthy Students sites.

Small Business Administration

Oil Price Relief: At the President's request, SBA will make government-backed loans available to small businesses struggling under the financial burden of rapidly rising oil prices. The 7(a) program loans would be available to qualified businesses that need funds to weather current problems caused by high oil prices. SBA will be able to meet the expected demand for funds using existing loan products under the business loan guaranty program. SBA has several short-term revolving loan programs which are especially suitable for helping small businesses get through this temporary crisis. On February 8, Administrator Alvarez directed SBA field offices to alert affected companies in the fuel oil business of SBA loan programs available to help them.

General Services Administration

African Burial Ground: On February 29, GSA awarded the African Burial Ground Interpretive Center Design and Fabrication contract to IDI Construction Company, Inc. of New York. The firm will have approximately four months to design the center and present the product to GSA.

Success of Afterschool Website: Since the launch of *www.afterschool.gov* by Vice President Gore a few months ago, the website's popularity has soared. More than 5,000 pages on the site are viewed each week. The website is the product of an interagency partnership initiative among GSA, NPR, and 15 other agencies, and is housed on the GSA server. It is a "one-stop" location to learn about Federal resources, programs and best practices to support out-of-school time programs and is the top-rated afterschool website on AOL.

Good Neighbor Efforts: Recently, GSA met with Utica city officials and congressional staff to discuss a new partnership to revitalize the downtown federal courthouse plaza and city park in Utica, NY. Currently the historically significant courthouse and federal building are adjacent to a city-owned park and parking lot. GSA is reaching out to the community to link its improvements to the federal plaza to these two properties in an effort to draw federal employees and building users out into the community and attract new local development.

LEGISLATIVE CALENDAR

Senate

Senate is in town this week, with no recorded votes until Tuesday evening because of Super Tuesday. Next week, the Senate is expected to take a recess.

Senate Committee Hearings

In addition to FY 2001 Appropriations Hearings, some other Senate hearings include:

- Senate Energy and Natural Resources Committee (Chairman Murkowski, R-Alaska) will hold a hearing on Wednesday to examine energy supply and demand issues relating to crude oil, heating oil and transportation fuels.
- Senate Small Business (Chairman Bond, R-Mo.) will hold a hearing on the ability of small businesses to protect themselves from cybercrime.

House of Representatives

Following "Super Tuesday," the House reconvenes on Wednesday, March 8th for legislative business. Recorded votes are expected in the afternoon. In addition to considering several measures under suspension of the rules, the House will consider four measures subject to a rule. The last vote of the week is expected by 2:00 PM on Friday.

House of Representatives: Committee Hearings

Some House Committee Hearings include:

- The Full Judiciary Committee has placed HR 3660, the so-called "partial-birth" abortion ban, on the Committee calendar for March 8 at 2pm.
- The House Commerce Subcommittee on Health and the Environment will hold a hearing on the alleged illegal sale of fetal tissue for research on March 9 at 2pm.

UPCOMING POTUS SCHEDULE

Wednesday, Mar. 8

China "Framing" Speech

Location: Johns Hopkins University, Washington, DC site

Minimum Wage Event

Location: White House

Thursday, Mar. 9

Congressional/Prescription Drug Departure Statement

Location: White House

One America Religious Leaders Event

Location: White House

Child Abuse Prevention Act Signing Ceremony

(small signing ceremony in Oval with Members-- not message event)

Friday, Mar. 10	Possible FAA/Summer Delay Event Location: TBD
Saturday, Mar. 11	Live Radio Address Topic: TBD (possibly education)
Monday, Mar. 13	Prescription Drug Pricing Report Event Location: TBD, Cleveland, OH Travel to Chicago, IL
Tuesday, Mar. 14	Medals of Science and Technology Ceremony Location: White House
Wednesday, Mar. 15	Possible Press Conference Location: White House
Thursday, Mar. 16	Possible Digital Divide Event Location: TBD Speaker's St. Patrick's Day Luncheon Location: Capitol Hill
Friday, Mar. 17	Message Event TBD
Saturday, Mar. 18	Radio Address (taped Fri. 3/17) Topic: TBD Depart for Foreign Travel
Saturday, Mar. 18 - Sunday, Mar. 26	Travel to India and Bangladesh

**THE HYDE PROPOSAL:
GUN SHOW LOOPHOLES AND
A MEANINGLESS CLIP BAN**

HOW S. 254 CLOSES THE GUN SHOW LOOPHOLE	HOW THE HYDE PROPOSAL REOPENS THE GUN SHOW LOOPHOLE	WHY IT MAKES A DIFFERENCE.
Defines "gun show" to cover <i>all</i> events where a large number of guns are for sale.	The Hyde proposal resurrects language from the failed Hatch-Craig amendment that applies background checking requirements only to events that are both "sponsored to foster the collecting, competitive use, sporting use, or any other legal use of firearms."	<u>The Hyde proposal creates a "gun runner" loophole.</u> Under the Hyde proposal, there would still be lots of flea markets, sport shows and gun shows where hundreds of guns are being sold without background checks. Under the Hyde proposal, if the event is not "sponsored" for a reason set out in the bill, background checks would not be required at the event, no matter how many guns are for sale. A gun show organizer could simply recast the purpose of his gun show by selling items other than guns and could then argue that his event was sponsored for another purpose such as promoting home security or for making a profit and thereby circumvent background checking requirements. Indeed, the vast majority of flea markets, sport shows and gun shows sell items other than guns, such as knives, books or survival gear.
Prohibits evasion of the Brady Law by requiring background checks on all gun show transactions.	The Hyde proposal applies only to transactions where the purchaser sells, transfers or exchanges a gun while the gun is accessible at the gun show or the curtilage area of the gun show.	<u>The Hyde proposal creates a "let's step outside" loophole,</u> allowing a gun seller to offer to sell a gun at a gun show, the purchaser to accept the offer and the transaction to be completed at another location without a background check.

HOW S. 254 CLOSES THE GUN SHOW LOOPHOLE	HOW THE HYDE PROPOSAL REOPENS THE GUN SHOW LOOPHOLE	WHY IT MAKES A DIFFERENCE.
Applies the current Brady Law to all transfers of guns at gun shows.	The Hyde proposal would allow prohibited purchasers such as wife beaters and mentally disturbed persons to buy guns at gun show if the NICS system does not respond within 24 hours and there is no "official record" which indicates the individual is a prohibited purchaser. This significantly shortens the up to three business days allowed under current law to investigate any potentially disqualifying information.	<u>The Hyde proposal</u> creates a "convicted felon" <u>loophole</u>. Under the Hyde proposal, felons, fugitives, and other prohibited persons will get guns at gun shows, even though they could not get guns at gun stores. Although more than 70% of all Brady checks are completed within minutes, some checks require a few days and we know that those purchasers who require additional time to investigate are <u>20 times more likely to be a prohibited purchaser</u>. Non- "official" records, currently used by the background checking system, such as non-finalized domestic violence restraining orders, letters from courts and communications from law enforcement officials could not be investigated for more than 24 hours and - consequently - a gun would have to be transferred to a possible wife beater or mentally disturbed person at the expiration of that time period.
Requires everyone who wants to sell a gun at a gun show to verify their identity to the gun show promoter, and to be notified that they understand they must have a background check done on their buyer.	The Hyde proposal does not require that anyone notify ALL sellers of background check requirements and exempts all gun sellers who do not rent a table as a "vendor" -- but instead walk around selling guns at the gun show -- from verifying their identity.	<u>The Hyde proposal</u> creates a "roving vendor" <u>loophole</u> allowing gun vendors at gun shows to sell firearms with no background checks if they are simply walking the premises and not fixed at an assigned location. This loophole complicates what is otherwise a very simple rule: if you intend to sell a gun at a gun show, you must check in with the promoter and be notified of your obligations to have a background check done on your buyer.

HOW S. 254 CLOSES THE GUN SHOW LOOPHOLE	HOW THE HYDE PROPOSAL REOPENS THE GUN SHOW LOOPHOLE	WHY IT MAKES A DIFFERENCE.
Enhances law enforcement's ability to trace used guns if those guns are used in crimes.	The Hyde proposal prevents tracing of <i>all</i> crime guns sold through "instant check registrants" at gun shows and does nothing to improve tracing of used guns sold by licensed dealers.	<u>Under the Hyde proposal</u> , gun shows remain a safe harbor for criminals, who know that there are no recordkeeping requirements on unlicensed sales at gun shows and, therefore, law enforcement will be unable to trace used guns bought and sold at gun shows.
Uses existing framework of federally-licensed firearms licensees to do background checks on behalf of unlicensed sellers at gun shows. Protects privacy of gun buyers who get their backgrounds checked by using licensed professional dealers – who are subject to strict recordkeeping and inspection – to do background checks.	The Hyde proposal adds new layer of bureaucracy to federal firearms regulation by resurrecting the "special registrants" (now called "instant check registrants") from the repudiated Craig Amendment to the Senate bill. Allows anyone to get an "instant check registration" that will allow them to do background checks and transfer guns, even if they don't know anything about guns or the firearms business.	<u>The Hyde proposal opens up a "fly-by-night background checker" loophole.</u> Creation of "instant check registrants" invites fraudulent transactions by creating a fly-by-night background checker with no vested interest in the integrity of the background checking system. Licensed professional firearms dealers already have experience filling out the appropriate paperwork and using the NICS, and will make entries with fewer errors than non-professionals, assuring more accurate background checks and crime gun tracing information. Licensed dealers also stand to lose their business if they engage in fraud while "instant check registrants" do not.

HOW S. 254 CLOSES THE GUN SHOW LOOPHOLE	HOW THE HYDE PROPOSAL REOPENS THE GUN SHOW LOOPHOLE	WHY IT MAKES A DIFFERENCE.
Allows States with instant check system to continue to operate under their existing framework.	The Hyde proposal forbids anyone doing background checks as points of contact for the instant check system – even states with their own instant check systems – from retaining records or charging a fee.	Keeping States in the Brady check system assures the most thorough background checks, because States often have access to records that the federal government cannot access. The Hyde proposal will drive States away from doing background checks.
Does not create any new immunities.	The Hyde proposal gives gun sellers and "registrants" at gun shows potentially sweeping immunity.	<u>The purpose of gun show legislation is to increase the personal responsibility of those who engage in gun transactions.</u> The Hyde proposal works to minimize this needed accountability.

HOW S. 254 CLOSES THE AMMUNITION CLIP LOOPHOLE	THE HYDE PROPOSAL REOPENS THE AMMUNITION CLIP LOOPHOLE	WHY IT MAKES A DIFFERENCE
When Congress banned the importation of high capacity ammunition clips in 1994, a loophole was created that allowed the importation of high capacity ammunition clips manufactured before 1994. S. 254, and the amendment Chairman Hyde offered on the floor in June, both contained essential language amending the definition of high capacity ammunition clip to include clips manufactured before 1994.	The Hyde proposal fails to amend the definition of high capacity ammunition clip to include those manufactured before 1994 and, consequently, is a meaningless restatement of current law.	The Hyde proposal does NOTHING to close the loophole. A strong bipartisan majority of both Houses of Congress voted to close the loophole that allows the importation of clips that fire ten or more rounds and serve no function other than to kill quickly. The language amending the definition of clips is the essence of this loophole. Without it, this proposal is a meaningless restatement of current law that merely rennumbers and reletters sections of the United States Code. Chairman Hyde stated it himself on the floor on June 17, 1999: "Current law prohibits the transfer or possession of large capacity ammunition feeding devices, such as clips and other types of magazines. <u>But current law also provides a major exception. It permits the possession and transfer of any such device lawfully possessed on or before the date of enactment of the Violent Crime Control and Law Enforcement Act of 1994.</u> That is September 13, 1994. The world is awash in high-capacity ammo clips manufactured before the effective date of the 1994 Act, and such devices have been approved for importation into the United States if importers submit evidence establishing that the devices were manufactured on or before September 13, 1994. <u>Our proposal would amend the definition of a 'large capacity ammunition feeding device' to delete the language limiting the definition to devices manufactured after September 13, 1994."</u>

THE CLINTON-GORE ADMINISTRATION: NEW PARTNERSHIPS TO DEVELOP & DELIVER VACCINE TO DEVELOPING COUNTRIES

March 2, 2000

Today, President Clinton Will Meet With Leaders of Industry, Foundations, and International Organizations to Announce New Partnerships to Develop and Deliver Vaccines For Diseases -- Including HIV/AIDS, Malaria, and Tuberculosis -- For Developing Countries. In his State of the Union Address, the President said, *"I ask the private sector and our partners around the world to join us in embracing this cause. We can save millions of lives together, and we ought to do it."* At this meeting, key leaders of pharmaceutical and biotechnology companies, international organizations, foundations, and the public health community will endorse the President's Millennium Vaccine Initiative, released last month, and announce new commitments to develop and deliver vaccines to developing countries. The President will also call upon Secretary Shalala to convene a meeting of experts from industry, government, and academia to address impediments to vaccine development in the private sector and to strengthen public-private partnerships.

The President And The CEOs Of The Four Largest Vaccine Manufacturers Will Announce Unprecedented Levels Of Corporate Support To Vaccinate The World's Children. Today, industry will respond to the President's call with important new steps as CEOs of the four largest vaccines manufacturers -- Merck and Co., Inc., American Home Products Corporation, Glaxo SmithKline Beecham, and Aventis Pharma AG -- will announce that they will donate millions of doses of state-of-the-art vaccines -- worth more than \$150 million -- to those in the developing world and make a renewed commitment to step up research and development on vaccines for HIV/AIDS and malaria.

- Merck and Co. will donate one million doses, worth \$100 million, of RECOMBIVAX - HB - a vaccine to prevent Hepatitis B;
- American Home Products Corp. will announce a donation of 10 million doses of Haemophilus influenza type-B (Hib) conjugate vaccine to GAVI to protect more than 3 million children in developing nations;
- SmithKline Beecham will announce expansion of its malaria vaccine program and also renewed its pledge to donate \$1 billion to eliminate lymphatic filariasis (elephantiasis);
- Aventis Pharma announced a donation of 50 million doses of polio vaccine to Africa.

These Private Sector Commitments Build On The Administration's Millennium Vaccine Initiative, Announced by the President In His State of the Union Address. The major components of the Millennium Vaccine Initiative include:

- \$50 million in the President's FY2001 budget as a contribution to the vaccine purchase fund of the Global Alliance for Vaccines and Immunization (GAVI);
- Presidential leadership to ensure that the World Bank and other multilateral development banks dedicate an additional \$400 million to \$900 million annually of their low-interest rate loans to health care services;
- Significant increases in federally funded basic research on diseases that affect developing nations;
- A new tax credit for sales of vaccines for infectious diseases to accelerate their invention and production;
- A call to our G-7 partners to join our efforts to ensure a future market for these vaccines.

The President Will Also Recognize the Unprecedented Contributions From The Philanthropic Community. This includes a \$750 million contribution from The Bill and Melinda Gates Foundation to the vaccine purchase fund of the Global Alliance for Vaccines and Immunization. The President also praised new models for public-private partnerships, including the International AIDS Vaccine Initiative, which announced that it will invest more than \$10 million this year to triple the number of AIDS vaccine candidates moving toward trials.

The Scope Of The Problem of Infectious Disease In Developing Countries:

- While sub-Saharan Africa accounts for only 1/10 of the global population, over 70% of individuals infected with AIDS globally live there. There is a 60% chance that a 15-year old in Zambia will die of AIDS today. Thirteen million sub-Saharan African children have now lost one or both of their parents to AIDS.
- One-fourth of all deaths each year worldwide -- 13 million people -- are the result of infectious diseases.
- Over 8 million children die each year of centuries-old diseases -- and more than 3 million of these deaths could be prevented by existing vaccines.

- Immunization is one of the most cost effective health interventions. It costs only \$15 to immunize a child, yet in developing countries, children remain 10 times more likely to die of a vaccine-preventable disease than those in the industrialized world. Twenty percent of children worldwide lack access to basic immunization services.
- Only 2% of all global biomedical research is devoted to the major killers in the developing world.

Details of the Corporate Commitments Include:

- Merck will donate one million doses, worth \$100 million, of RECOMBIVAX – HB – a vaccine to prevent Hepatitis B – over five years. Merck will collaborate with the GAVI to identify countries that will most benefit from this vaccine. Merck also reaffirmed its commitment to the discovery of new vaccines for diseases of global significance, including HIV/AIDS. Merck committed to developing AIDS vaccines for strains of the virus found not only in the industrialized world, but in the poorest countries as well.
- American Home Products Corp. announced a donation of 10 million doses of Haemophilus influenza type-B (Hib) conjugate vaccine to GAVI. As a result, more than 3 million children in developing nations will be protected from one of the leading causes of deadly pneumonia and meningitis.
- SmithKline Beecham announced a commitment to expand its malaria vaccine program and will begin malaria vaccine trials in Africa for the most critical population – children. The trial would begin in the Gambia as early as this autumn. SB also renewed its pledge to donate \$1 billion to eliminate lymphatic filariasis (elephantiasis), which destroys lives in 80 countries.
- Aventis Pharma announced a donation of 50 million doses of polio vaccine to Africa. This donation will support the WHO and UNICEF-led drive to end polio in five war-torn African nations. Aventis also reaffirmed its commitment to maintain the largest private AIDS vaccine research program and is moving forward with clinical trials in Africa, Asia, the United States, Europe, and soon, the Caribbean.

The President's Millennium Vaccine Initiative:

In his State of the Union address, President Clinton called for concerted international action to combat infectious diseases, which kill more than eight million children worldwide and orphan millions more. Recognizing that vaccines are a critical, cost-effective weapon in the fight against these diseases, the President announced a multi-part Millennium Vaccine Initiative:

- A new financial commitment to purchase and deliver existing vaccines in poor countries. As Vice President Gore told the U. N. Security Council earlier this month, the Administration's FY 2001 budget includes a proposed \$50 million contribution to the vaccine purchase fund of the GAVI.
- Increased investments in health in developing countries. The President is calling on the World Bank and other multilateral development banks to dedicate an additional \$400 million to \$900 million annually of their low-interest-rate loans to expand immunization, prevent and treat infectious diseases, and build effective delivery systems for other basic health services. These investments are as central to economic progress as investments in education and physical infrastructure, and they would build on the new focus on basic health services that we have supported as part of the Highly Indebted Poor Countries (HIPC) debt initiative. This proposed shift in existing resources does not require additional U.S. budget expenditures.
- A significant increase in basic research on diseases that affect developing nations. The Administration's FY 2001 budget for the National Institutes of Health includes a sharp step-up in research critical to the development of vaccines for malaria, tuberculosis, and HIV/AIDS.
- A new tax credit for sales of vaccines for malaria, tuberculosis, and HIV/AIDS to accelerate the invention and production of these vaccines. Because developing countries often cannot afford to buy vaccines, the market provides little incentive for pharmaceutical companies to develop vaccines for diseases that disproportionately affect those countries. This tax credit would provide such an incentive, because every dollar paid by a qualifying organization to buy a qualifying vaccine would be matched by a dollar of tax credits – representing up to \$1 billion of additional funding for future vaccine purchases.
- A call to the G-7. This summer in Okinawa, the President will work with our G-7 partners to ensure a future market for critically needed vaccines.

President Clinton Unveils Millennium Initiative to Promote Delivery of Existing Vaccines in Developing Countries and Accelerate Development of New Vaccines

February 10, 2000

In his State of the Union address, President Clinton called for concerted international action to combat infectious diseases in developing countries. These diseases cause almost half of all deaths worldwide of people under age 45, killing over eight million children each year and orphaning millions more.

The President committed the United States to addressing this terrible problem in his September speech to the United Nations General Assembly. Now the President is asking for foundations, pharmaceutical companies, international agencies, and other governments to join us in this task, and he is announcing these specific elements of his Millennium Initiative:

- **A new financial commitment to purchase and deliver existing vaccines in poor countries.** As Vice President Gore told the U. N. Security Council, the Administration's FY 2001 budget will include a **proposed \$50 million contribution to the vaccine purchase fund of the Global Alliance for Vaccines and Immunization (GAVI).**
- **Increased investments in health in developing countries.** The President is calling on the World Bank and other multilateral development banks to dedicate an additional \$400 million to \$900 million annually of their low-interest-rate loans to **expand immunization, prevent and treat infectious diseases, and build effective delivery systems for other basic health services.** These investments are as central to economic progress as investments in education and physical infrastructure, and they would build on the new focus on basic health services that we have supported as part of the Highly Indebted Poor Countries (HIPC) debt initiative. This proposed shift in existing resources does not require additional U.S. budget expenditures.
- **A significant increase in basic research on diseases that affect developing nations.** The Administration's FY 2001 budget for the National Institutes of Health includes a **sharp step-up in research critical to the development of vaccines for malaria, tuberculosis, and HIV/AIDS.**
- **A new tax credit for sales of vaccines for malaria, tuberculosis, HIV/AIDS, and any infectious disease that causes over 1 million deaths annually worldwide, in order to accelerate the development of these vaccines.** Because developing countries often cannot afford to buy vaccines, the market provides little incentive for pharmaceutical companies to develop vaccines for diseases that disproportionately affect those countries. This tax credit would provide such an incentive, because **every dollar paid by a qualifying organization to buy a qualifying vaccine would be matched by a dollar of tax credits – representing up to \$1 billion of additional funding for future vaccine purchases.** The President is calling on other governments to make similar purchase commitments, so that we can ensure a future market for these critically needed vaccines.

ADDITIONAL EXPLANATION

Infectious Diseases Pose a Mounting Social and Economic Burden on Developing Countries – And a Threat to Our Health As Well.

- More than eight million children die each year of centuries-old diseases like malaria, tuberculosis, and respiratory and diarrheal diseases. Deaths from the modern scourge of AIDS are climbing rapidly. Altogether, as many children die of infectious diseases each year as the total number of combatants who perished in World War I.
- In an interconnected and highly mobile world, health crises in other countries are a threat to everyone. We have seen this with HIV/AIDS, with the resurfacing of tuberculosis, and with the outbreak last year of West Nile encephalitis in New York. According to the Global Health Council, during the past 50 years, at least five times as many Americans have died from communicable diseases that have come from the developing world than have died in military conflicts.

Vaccines Are One of the Most Cost-Effective Ways to Improve the Well-Being and Productivity of the Poorest Countries – And Medicines and Other Basic Health Services Are a Necessary Complement.

- It costs about \$17 to immunize a child, but millions of children die each year of diseases that could be prevented by existing vaccines. Indeed, children in developing nations are 10 times more likely to die of a vaccine-preventable disease than children in developed nations. And these tragedies occur in spite of the enormous efforts of UNICEF and others to vaccinate children, which save 3 million lives each year.
- Highly effective vaccines do not yet exist for malaria, TB and AIDS, which take over 5 million lives each year. But developed nations have the scientific and technological capacity to make new vaccines possible. For example, recent work on genetic sequencing, including the human genome, will open vast possibilities.
- Another health investment with very high returns is simple preventive and curative services. Providing this basic health care together with vaccines would save millions of lives each year.

A \$50 Million Contribution to GAVI to Buy Vaccines For Children – Which Will Save Lives Now and Create Confidence that a Market for New Vaccines Will Exist in the Future.

- GAVI, the Global Alliance for Vaccines and Immunization, was formed as a collaborative effort of UNICEF, the World Health Organization (WHO), the World Bank, private foundations, bilateral aid agencies (including the U.S. Agency for International Development), industry representatives, and developing countries. GAVI established the

"Global Fund for Children's Vaccines" with an initial grant of \$750 million over 5 years from the Bill and Melinda Gates Foundation.

- A U.S. contribution will help to purchase vaccines for Hepatitis B, Haemophilus Influenzae B (Hib), and Yellow Fever, along with related safe delivery equipment such as auto-destruct syringes. To ensure that GAVI's vaccine purchases complement, rather than replace, existing vaccination efforts, they will be conditional on a country achieving 50 percent coverage of the DTP (diphtheria-tetanus-pertussis) vaccine, which is included along with measles and polio in the existing EPI (Expanded Program for Immunization).
- A U.S. contribution will hopefully catalyze significant contributions from other countries and foundations. It will also add crucial credibility to the international community's commitment to provide a market for new vaccines when they are developed.

We Must Shift Existing International Resources Toward Building Health Infrastructure in Poor Countries That Can Deliver Vaccines and Medicines and Provide Essential Basic Health Services.

- The World Bank and other multilateral development banks (MDBs, such as the African Development Fund) lend money on highly favorable terms to the world's poorest countries. Today, roughly \$1 billion to \$1-1/2 billion of this so-called "concessional funding" is devoted to health care each year. The Administration proposes to increase that amount by \$400 million to \$900 million per year, with a focus on:
 - immunization;
 - prevention of diseases using basic measures such as information and condoms for AIDS, treated bed nets for malaria, and stronger systems for containing TB;
 - treatment of diseases, including common respiratory and diarrheal infections; and
 - more effective provision of basic health care.
- The Administration is exploring ways to use the HIPC debt reform to support this part of the Millennium Initiative. One possibility is to make an increase in vaccination rates one of the performance targets monitored in the HIPC progress reports. This could be accompanied by debtor countries' agreements to include specific improvements in vaccine delivery systems as priority uses of debt relief proceeds. We also expect that all Poverty Reduction Strategy Papers that are prepared for HIPC candidates will discuss the adequacy of budget resources and suggested policy reforms devoted to basic health care.
- This re-direction of resources supports the Administration's overall strategy for global development, which emphasizes poverty reduction and gives a central role to "global public goods" – like health or the environment – in which positive actions taken in one country benefit other countries as well. To meet this objective, these funds should not come from spending on other basic social programs, such as education and health care.

- This aspect of the Millennium Initiative does not require a new budgetary commitment by the United States (or other donor countries). However, the U.S. ability to influence the direction of MDB lending and the use of HIPC proceeds depends crucially on meeting our existing commitments to these aid programs. We will work with other G-8 finance and development ministries to refine this proposal.
- A conservative estimate suggests that if basic health care including immunization were made broadly available, up to 2 million children's lives could be saved each year.

Higher Funding for Basic Scientific Research Through the National Institutes of Health (NIH) and Elsewhere Will Hasten the Development of Vaccines for Malaria, TB, and AIDS.

- The Administration's FY 2001 budget for NIH includes a significant increase in research critical to creating vaccines for these diseases. For malaria and TB, this increase will build on recent advances in the genetic sequencing of these diseases, which have set the stage for major breakthroughs in vaccine development.
- Funding for NIH malaria vaccine research will increase more than 10 percent over the FY 2000 level. Future research will range from pre-clinical studies aimed at improving our understanding of the malaria parasite, through the development of vaccine candidates, to clinical trials judging vaccine efficacy and safety. NIH will also expand its collaboration with scientists in malaria-endemic regions, especially in Africa, to strengthen those regions' capacity for conducting clinical trials of malaria vaccines in the future.
- NIH research on a tuberculosis vaccine will receive over 40 percent more funding than in FY 2000 and more than double the FY 1999 level. NIH will focus on studying the body's defense mechanisms against TB, and developing and studying vaccine candidates. Through its Tuberculosis Research Unit, NIH supports an international multi-disciplinary team to translate advances in basic research into new tools for fighting TB.
- NIH funding for AIDS vaccine research will increase substantially in FY 2001 and will have more than doubled since FY 1997. These additional resources will allow NIH to accelerate basic research on developing vaccine candidates and to significantly expand testing of potential vaccine candidates in both developing and developed countries. The new Vaccine Research Center on the NIH campus, which will be occupied this summer, will receive a sizeable increase in funding for the development and pre-clinical testing of HIV vaccine candidates.
- The Administration is providing strong support for the path-breaking research on infectious diseases being conducted by U.S. military scientists, including the opening (in October 1999) of the Walter Reed Army Institute of Research/Naval Medical Research Center. Working in close collaboration with scientists worldwide, military scientists have developed and tested successful vaccines against Japanese encephalitis and hepatitis A – and they are working to create vaccines and medicines to protect service people, travelers, and millions of others from malaria, HIV/AIDS, and other infectious diseases.

A New Tax Credit Would Effectively Provide Up to \$1 Billion for Future Vaccine Purchases, Speeding the Invention and Production of New Vaccines.

- Current tax law provides substantial incentives for pharmaceutical research and development, including the research and experimentation (R&E) tax credit, the orphan drug tax credit, and an enhanced deduction for charitable contributions of certain products. Nonetheless, pharmaceutical companies may be reluctant to invest in developing vaccines for diseases that primarily afflict people in poor countries, because little or no paying market exists in those countries.
- Under the proposal, the seller of a qualified vaccine could claim a tax credit equal to 100 percent of the amount paid by a qualifying organization that received a "credit allocation" by the U.S. Agency for International Development (AID). The tax credit would match the qualified organizations' expenditures dollar-for-dollar, thereby doubling their purchasing power. A qualifying vaccine would be a new vaccine that received FDA approval for use against malaria, tuberculosis, HIV/AIDS, or any infectious disease that causes over 1 million deaths annually worldwide.
- For 2002 through 2010, AID could designate up to \$1 billion of vaccine sales as eligible for the credit. This tax credit would be limited to new vaccines developed to fight these terrible diseases. The credit would provide a specific and credible commitment to purchase future vaccines at reasonable prices. Together with similar commitments from foundations and other governments, it would provide a critical and powerful incentive to accelerate vaccine research and development.

FAA Deal Casts A Long Shadow

TRANSPORTATION

THE LONG-AWAITED deal struck on the FAA reauthorization bill last week not only will reroute the operation of airports and the entire U.S. aviation industry, but could force a rough landing for the federal budget and appropriations process.

Both House and Senate negotiators hoped to take the conference report up on the floor early this week, ending months of struggle over how best to fund aviation to keep up with projected increases in air travel and demands for more modern facilities, new technology and increased safety.

While last-minute details and a possible parliamentary glitch were still being worked out Friday, the conference agreement would essentially guarantee that the aviation trust fund, funded by airline ticket taxes, would be used primarily for airport construction. It is similar in structure to how **House Transportation and Infrastructure Chairman Shuster** negotiated the highway trust fund deal two years ago.

In the next decade, air travel is ex-

pected to approach 1 billion passengers, up from about 600 million today. Shuster repeatedly stressed throughout the debate that these needs must be met, or "We are hurtling toward gridlock and potential tragedy in the skies."

However, Shuster had wanted a guarantee on a contribution from the general fund for aviation, which **Senate Budget Chairman Domenici** adamantly opposed.

Domenici offered a compromise last fall that would guarantee the trust fund and the interest would go toward aviation, but Shuster and Domenici could not agree on the language. Last week, **Senate Majority Leader Lott** stepped in and a compromise was reached.

The dealmakers seem to be fairly pleased with the compromise.

One aviation lobbyist said it was split. "Shuster won on money, and Domenici won on process," he said. While Shuster technically did not get the firewall for aviation and the general fund guarantees he wanted, he did get guaranteed money for airport improvement.

continued on page 6

FAA

Continued from page 1

He was seeking to achieve the right to raise budget points of order, which would essentially allow Congress to send an FAA appropriations bill back if it did not reach the levels suggested by the conferees.

While Domenici may have won the war on spin, "Shuster's laughing all the way to the bank," the lobbyist said.

Airport Funding Takes Off

■ CLEARLY, the biggest winners are the airports. Aside from the budget increases, the conference report is expected to contain language allowing a \$1.50 increase on passenger facility charges — the tax that airports collect when passengers pass through their hubs. Combined with an agreement on the trust fund that includes a 64 percent increase in airport improvement grants and a 37 percent increase for facilities and equipment going into next year, airports are expected to build new runways and gates to attract more airline competition.

Todd Hauptli, senior vice president for policy and government affairs at the American Association of Airport Executives, said the increase will give airports \$1.2 billion or \$1.3 billion more a year.

Plus, with the PFC increase, it could increase another \$700 million, bringing the total to about \$9 billion from the current level of about \$7 billion for airports. "That gets us \$2 billion more a year. ... We need money for all the construction projects out there," Hauptli said.

David Plavin, North America president of the Airports Council International, said the increases would address the funding deficiencies airports have experienced for some time.

"These funding improvements will narrow the enormous funding gap that has existed for years," he said.

But David A. Fuscus, spokesman for the Air Transport Association, an industry trade group representing the major airlines, said: "We are unhappy with the increase in the passenger facility charge. That is an additional \$2 billion tax increase on the traveling public."

Senate Commerce Chairman McCain had opposed the PFC increase. Originally a major force in the aviation negotiations, he has taken a back seat since running for the Republican presidential nomination.

House and Senate Democrats are generally supportive of the PFC increase.

More Slots May Mean More Competition

■ EVEN MORE SIGNIFICANT IN CONGRESS' efforts to increase competition may be the agreement the negotiators reached on slots. "It was unthinkable that we'd reach a deal on this 18 months ago," said Kevin Mitchell of the Business Travel Coalition, a business travel advocate who sees increased airline competition as the key to lowering fares.

Slots, or times airlines are allotted to fly in and out of major airports, were implemented decades ago as a way to control air traffic, but with modern technology, they are increasingly seen as a way for one or two major airlines to control flights going in and out of certain airports. This has resulted in the current system of near monopolies in some regions.

The conference agreement is expected to allow 12 more slots to be added at Reagan National Airport — a major issue of contention for communities surrounding the area, but pushed by some senators such as McCain, who see it as necessary to increase competition.

The agreement is expected to phase out restrictions at Chicago's O'Hare to allow seven more slots to be added by 2002. It also will loosen restrictions at John F. Kennedy and LaGuardia Airports, but allow some exceptions for regional carriers that face extreme competition already from national airlines, congressional sources said.

Rep. Louise Slaughter, D-N.Y., who represents Rochester, has been a key behind-the-scenes negotiator on increasing the slots and getting more competition for her district, which she said is plagued by high airfares.

While generally pleased with the deal, she said she in a phone interview that she would love to get the slot con-

trols lifted at Reagan National, rather than just a 12 slot increase.

"Frankly, I still think airports lost some construction money and planning time," Slaughter said, due to the fact that it took so long to cut a deal.

Small airlines are pleased, saying that the new slots are a starting point.

Ed Faberman, executive director at the Air Carrier Association of America, a group representing the small airline carriers, said 12 slots are better than none. "Twelve is certainly an opportunity. I think it's now up to the Department of Transportation to look at other options to accommodate new entry," Faberman said.

Large airlines have fought slot changes, and many sources characterized the deal as a major defeat for the airlines. But Fuscus said the airlines are generally happy with the funding levels in the bill.

FAA Operations Could Take the Fall

■ THE AUTHORIZATION PROVIDES THE FAA \$40 billion over three years. Of that amount, \$33 billion would be guaranteed from the trust fund and \$6.7 billion would be "available to be appropriated" from the general fund.

"The final agreement also permits the use of general funds for aviation programs subject to the normal appropriation process," Domenici said last week.

But the way the trust fund agreement is structured, appropriators may have a tough time going against the negotiators' recommendation for the general fund.

Because the agreement includes specific percentage increases for airport facilities and equipment, airport operations could come up short because operations alone would have to rely on a contribution from the general fund.

This could force the operations budget to actually go down, said one Senate staffer, who expressed surprise that airlines were not more concerned about this.

Appropriators are already grumbling because it will be difficult to cut operations funding that includes air traffic controller and safety officer salaries, but the op-

continued on page 8

FAA

Continued from page 6

erations will be the only part of the aviation budget that is negotiable, congressional sources said.

But opponents are not likely to generate enough support to derail the deal.

Likewise, the administration does not appear to be overjoyed with the deal, but the president is not likely to veto it because it does not take the trust fund off budget. The president had requested a 12 percent increase

in the FAA operations budget for next year.

Transportation Secretary Slater issued a statement last week, saying he was pleased the conferees are making progress. "However, it is most important that any final legislation fully fund Federal Aviation Administration operations at the level requested in the president's budget for FY2001," Slater said.

At least one congressional staffer said the FAA deal's impact on the budget was less than expected. "I expected it to be an awful lot worse. This is man-

ageable. This is something that [Senate Appropriations Chairman] Stevens and [Senate Appropriations Transportation Subcommittee Chairman Richard] Shelby [R-Ala.] said they could work with. They believe this is manageable."

While the staffer acknowledged the challenge facing the administration to get more funds into FAA's operations budget, the staffer noted Shuster could have pushed much further and disrupted Amtrak or Coast Guard funding.

— BY APRIL FULTON, WITH MARK MURRAY
CONTRIBUTING

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THE WHITE HOUSE
WASHINGTON

March 7, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

70 → FROM: ANN O'LEARY
RUBY SHAMIR

CC: MELANNE VERVEER
SHIRLEY SAGAWA
LISSA MUSCATINE
PATTI SOLIS DOYLE

See notes + ?s —

SUBJECT: ISSUES UPDATE

LEGISLATIVE AND ISSUES UPDATE

EDUCATION

Education Savings Accounts. Last Thursday, the Senate passed (61-39) S. 1134, the bill containing Education Savings Accounts. The President has vetoed this bill twice and Secretaries Summers and Riley have recommended that he veto S. 1134. The bill was made more objectionable after the adoption of a Roth (R-DE) amendment making the increase from \$500 to \$2000 in the annual contribution limit to the educational savings account permanent. It also eliminated \$5.5 billion in budgetary offsets provided in the underlying bill. The House has not yet considered this legislation and has no plans to do so in the immediate future.

The Senate Democrats offered a number of their education message amendments, including class size, teacher quality, and accountability, which were all defeated, largely along party lines. Senator Boxer's (D-CA) amendment expressing the Sense of the Senate that Congress implement policies to reduce the threat of gun violence in schools before April 20th, 2000 failed (49-49) in a tie vote. There was no advance notice that the vote would be a tie. The Senate then considered an amendment by Senator Durbin (D-IL) providing \$7 million in grants for violence reduction programs and funding for public notices and school programs on the dangers associated with guns. Vice President Gore came to the Senate to break a tie on this vote had it been necessary. In order to prevent this from happening, Republicans supported the amendment, which passed easily (91-7).

Elementary and Secondary Education Mark-up: The Senate Health, Education, Labor, and Pensions (HELP) Committee began marking up Senator Jeffords' (R-VT) Elementary and Secondary Education Act reauthorization bill on Wednesday, March 1st. Committee Democrats oppose the Jeffords bill because it does not incorporate any new Democratic initiatives, including those put forward by the Administration, and it contains a version of "Straight As" legislation

passed by the House which would allow States to block grant most of their Federal education dollars with no accountability. Committee Republicans dislike the bill because it does not sufficiently block grant programs. The markup reconvened today and the Committee considered a number of amendments, including:

- pls give me details*
- **Senator Kennedy** offered an amendment to **improve teacher quality** that was voted down along party lines. The amendment included a major **teacher recruitment** component that would have authorized \$270 million for a national teacher corps, supported a \$75 million initiative to recruit and retain "hometown" teachers in high-need areas, and supported alternative routes to certification through the expansion of Troops to Teachers. This amendment also included a strong accountability component based on the Administration's proposals to ensure that the public has good information on teacher quality and it would have demanded progress in improving teacher quality by reducing the number of unlicensed and out-of-field teachers.
 - **Senator Gregg** offered an amendment to include a slightly revised version of the "Straight As" block grant in ESEA. This amendment passed along party lines. The block grant would allow local school districts to use funds under 14 separate authorities for general education reform rather than for the purposes outlined in statute. The Democrats and the Administration have argued that the role of the Federal government in education is to set national priorities to help local communities focus on strategies that work for our neediest children, including reducing class-sizes, providing afterschool opportunities, and providing educational technology to prepare students for the 21st Century. This block grant obliterates this role and has very weak accountability measures to ensure that local school districts help children meet high academic standards.

Tomorrow the Senate HELP committee will continue marking up ESEA and is expected to consider several more amendments, including:

- details*
- **Senator Mikulski** will offer an amendment aimed at **closing the digital divide**. The amendment will create a "one-stop shop" for technology education that would include a clearinghouse for best practices, including public/private partnerships; double funding for teacher training in using technology in the classroom; expand the e-rate; create an E.Corp within AmeriCorps to support community service efforts to close the digital divide; put E.villages in public housing; and create tax incentives to encourage donations of equipment, training, and technology maintenance.

Single Sex Education. Due to the increase in public single sex schools and classrooms and a desire by the Administration to support educational reforms that offer schools and school districts more flexibility to address the diverse education needs of their students, the U.S. Department of Education has been drafting a new Title IX regulation on single sex education. The impetus for this new regulation stemmed from a case filed in Harlem. In August of 1996, the New York chapters of the National Organization for Women and the American Civil Liberties Union filed a complaint with U.S. Department of Education's Office of Civil Rights. The complaint asserted that the Young Women's Leadership Academy, a public single-sex school for girls located in Harlem, violates Title IX. This complaint along with several others forced the Department to re-evaluate its Title IX regulation regarding single sex education. The

major changes in the regulation include: (1) allowing school districts to provide single sex classes, programs, or activities in coeducational schools (2) clarifying that when school districts operate single-sex schools (as currently permitted), they must provide equal educational opportunity to both sexes and (3) further defining equality by explaining that equality does not mean that the programs need to be identical, but they do need to be equal in all fundamental respects.

pls keep me informed
The U.S. Department of Justice has raised Constitutional concerns about the proposed regulation arguing that it may not comport with the Equal Protection clause. Currently, the Domestic Policy Council is working with the White House Counsel, the U.S. Department of Justice, and the U.S. Department of Education to work towards agreement on a regulation that would be Constitutional and would give school districts greater flexibility to operate single-sex classrooms, programs, and schools.

In addition, this issue will come up in the context of ESEA reauthorization. Jeffords' mark includes a proposal to allow for Title VI (block grants to states for general education reform) to be used for single sex schools and classes, provided that equitable educational opportunities are provided for the excluded sex and that the proposal is Constitutionally sound. In addition, Senator Kay Bailey Hutchison is expected to offer a similar amendment on the floor allowing for the use of Title VI funds for single sex schools, classes, and programs provided that "comparable" educational opportunities are provided for the excluded sex.

In the past, women's groups have opposed Senator Hutchison's amendment on two grounds: (1) concern that we do not have the research to support single-sex education in elementary and secondary education; (2) concern that "comparability" will not be monitored or implemented effectively. Historically, the groups have also been concerned that schools would promote sex-based policies, programs, and classes based on out-dated and stereotyped notions of the differences between the sexes and of the limited abilities of girls and women.

PREVENTION OF YOUTH VIOLENCE AND CRIME

Gun Safety. As you recall, last session the Senate passed four major provisions of the Administration's gun control measures including (1) closing the gun show loophole; (2) mandating child safety locks for handguns; (3) banning the importation of large capacity ammunition clips; and (4) banning violent juveniles from owning guns for life. As you know, the House did not pass similar gun control measures as part of its companion bill. Republican Leadership teamed up with Rep. John Dingell (D-MI) and forty-nine other pro-NRA Democrats to defeat the McCarthy (D-NY) amendment. Although it is quite likely that the Conference Committee on this bill could resolve most of the discrepancies on the substantive juvenile justice measures, the committee has made no progress on the gun control provisions. Our objective has been to ensure that these four provisions, most importantly closing the gun show loophole, are included in the Juvenile Justice bill.

Today, the President met with Senators Leahy and Hatch and Representatives Conyers and Hyde to discuss the impasse over gun control. At this meeting, Chairmen Hyde (R-IL) stated that he is willing to reach a compromise on gun shows, child safety locks and other issues. While Hyde

indicated a willingness to compromise, the reality is that Chairman Hyde and Senator Hatch have done very little to advance the conference, and, in fact, are trying to lay the blame for the impasse on Democrats. They claim – particularly on trigger locks – that the Republicans are willing and able to reach an agreement, but that the advocates, Democrats and the President want all or nothing. It is important to note, however, that the Hyde gun show compromise is a watered down version of a proposal Chairman Hyde (R-IL) has tried unsuccessfully to get Rep. Conyers (D-MI) to accept. The Hyde compromise is particularly ineffective in closing the gun show loophole because, among other things, it:

- Excludes events where items other than guns are sold, e.g. flea markets.
- Includes a “let’s step outside” loophole that allows an individual to advertise a gun at a gun show, but offer to sell that gun to a prohibited purchaser that same day at another location.
- Prohibits the tracing of all crime guns sold through “instant check registrants,” making gun shows a safe harbor for criminals to buy guns.
- Creates a loophole that weakens existing law by limiting the time law enforcement has under current law (from 3 business days to 24 hours) to complete background checks at gun shows when there are questions about certain “non-official” records relating to domestic violence restraining orders and mental health histories.

It is not clear whether Hyde could successfully sell his compromise to his own leadership. A full analysis of the Hyde proposal is attached.

For this meeting, the President also released *Kids and Guns*, a bulletin derived from *Juvenile Offenders and Victims: 1999 National Report*, which provides an overview of national data that show the impact the availability of guns has had on the lives and well-being of American youth. While other types of homicide remained constant between 1987 and 1993, the number of juveniles killed with a firearm increased greatly. Analysis of the data show that the rise in murders of juveniles from the mid-1980's through the 1993 peak year was all firearm related, as was the subsequent decline in juvenile murders that occurred between 1993 and 1997. The bulletin also reports on the large role guns have in juvenile suicides.

Public Trust and Integrity in Law Enforcement. This week, Representative John Conyers plans to introduce the “Law Enforcement Trust and Integrity Act” to help force a partnership between police and community groups. In his “Dear Colleague” letter, he conjures up the images of Diallo, LA’s Rampart division, and the Abner Louima case to argue for a comprehensive approach to address the issues of police accountability and trust between police and communities. This bill includes provisions to improve law enforcement management and to improve misconduct prosecution tools including: developing and refining accreditation standards for local law enforcement agencies, supporting the development of pilot programs such as civilian review boards, requiring the AG to establish a National Task Force on Law Enforcement oversight to coordinate investigations related to law enforcement misconduct, requiring Federal data collection on racial profiling, and including a whistleblower protection to protect law enforcement officers who expose police misconduct.

ECONOMIC ISSUES

Minimum Wage/Tax Cuts. On Wednesday, the President will hold a rally on Capitol Hill to boost support for the Administration's minimum wage proposal. On Thursday, the House will consider another round of tax cuts and the minimum wage. The Republican Leadership has decided to take up two bills (1) a \$110 billion, ten year unfinanced tax cut, \$80 billion of which is in high income, estate tax relief; and (2) a \$1.00, three year minimum wage measure. The Democrats will try to propose the Administration's \$1.00, two year minimum wage increase, and Representative Charlie Rangel (D-NY) will seek to offer a Democratic alternative tax proposal, which is fully paid for, is targeted at small businesses and includes school construction bonds (it also contains a number of other provisions that the Administration does not support).

Social Security Earnings Limit. This week, the Senate may consider H.R. 5, the Social Security Earnings Test Elimination bill. The bill would amend Title II of the Social Security Act to eliminate the earnings test for individuals who have reached retirement age. Last week the House voted unanimously to repeal the Social Security earnings limit. Senator Daschle (D-SD) stated that he would allow the measure to move through the Senate as a clean bill.

HEALTH CARE ISSUES

Vaccines. Last week, the President held a meeting with representatives of key pharmaceutical and biotechnology companies, foundations, and the public health community to follow up on his State of the Union challenge to develop and deliver vaccines for diseases world-wide. For the meeting, the Administration garnered significant commitments from these sectors that will boost the impact of the Administration's Millennium Vaccine Initiative. Please see attached paper from the meeting, as well as paper on the Millennium Vaccine Initiative.

Abortion: Gag Rule. As you know, one of the first Executive Orders the President signed when he took office was the revocation of the Federal gag rule which prevented medical practitioners in Title X funded facilities to offer women a full set of family planning options, including abortion. Now, Title X projects are required to provide non-directive counseling to the patient on all of her options, including abortion, but may not specifically promote or perform abortions. This rule permits clinics to provide referrals for abortion services, but prohibits additional action to secure abortion services for a patient. Although the lift of the gag rule became effective when the President signed the executive order, the final rule for its revocation has only now been submitted for final review by the OMB. Last week, we attended a meeting led by OMB to hear from pro-choice advocates who strongly recommended that we release the final rule as quickly as possible, and that we stick fairly closely to pre-gag rule (1988) language, so as not to engender a Congressional backlash, open it up to a legal challenge, and ensure that it remains strong after this Administration.

Abortion: So-called "Partial-Birth" Abortion. Tomorrow, the House Judiciary Committee will begin marking up HR 3660, the so-called "Partial-Birth" Abortion Ban. This bill is being marked-up even though the Supreme Court is set to hear arguments on April 25th regarding Nebraska's so-called "partial-birth" ban. The Supreme Court agreed to take this case after the federal court of appeals failed to agree on whether such laws are constitutional. Currently, the

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p.s. Rush

Administration is determining whether we should file an *amicus* brief in the case. The women's groups have weighed-in strongly arguing that this Administration should not remain silent in the Court's first opportunity to undermine *Roe*. The question being considered by the White House Counsel is whether we could put forth a brief that is broad enough to support the argument against Nebraska's ban. Currently, the Counsel's office plans to propose to the President that we should submit a brief and that we should consider doing so on three grounds: (1) that this ban is unconstitutional in that it constitutes an "undue burden" on a woman's right to choose; (2) that it is overly vague because it is unclear to what procedures the ban applies; and (3) that the law lacks an exception to protect women's health.

MISCELLANEOUS

FAA Authorization Conference Report. Last Wednesday, Senators Lott and Domenici and Congressman Shuster (R-PA) reached an agreement on the FAA reauthorization bill's budget provisions. The Senate and House are planning to take up and pass the conference report this week. The bill provides funding increases for the FAA and the nation's airports for fiscal years 2001-2003, including a \$2.6 billion increase in FY 2001. Both the Airport Grants and Facilities (AIP) and Equipment (F&E) programs receive significant increases in funding and the President's Operations request for FY2001 is fully funded. Although all aviation funds remain on budget, the bill creates a de facto firewall around aviation taxes and interest in the Airport and Airways Trust Fund. The Department of Transportation supports the general agreement; and the Administration, while concerned about the de facto firewalls, expects to support the agreement because it contains sufficient funding levels for FAA and aviation programs. Please see attached article on FAA Reauthorization.

CABINET REPORT

Below are selected Cabinet reports:

Department of Justice

Internet Child Pornography Conference: From March 14-16, DOJ will co-sponsor an Internet Child Pornography and Child Support Investigations and Prosecutions conference in Savannah, GA. Attendees will include federal, state, and local prosecutors, investigators, and service providers. The training will focus on computer search and seizure, child sexual exploitation, international parental kidnapping, and trial presentations in Internet and child support cases.

Firearm Background Check Report: This week, DOJ's Bureau of Justice Statistics is expected to release *Survey of States Related to Firearm Sales, Midyear 1999*. The report provides an overview of the firearm check procedures in each state and interaction with the National Instant Criminal Background Check System operated by the FBI. This report continues ongoing data collection on the number of applications received the number of rejections, the reason for the rejection, and other processing information associated with each application to purchase a firearm.

Department of Agriculture

Organic Foods: On March 8, Secretary Glickman will unveil USDA's new proposal to establish a national organic foods standard. When first announced two years ago, the proposal attracted

Jim Winkler
- child abuse
- 1/28/01

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more public comments than any other USDA proposal, over 250,000, and has since been rewritten to address concerns about the use of genetically-modified organisms, irradiation, and biosludge.

Department of Commerce

Child Online Protection Act (COPA): The COPA Commission held its first meeting today at DOC in Washington. As part of COPA, Congress established a Commission to study methods of reducing access to material that is harmful to minors on the Internet and to report its findings to Congress. DOC is working with the other ex-officio members of the Commission from DOJ and the FTC to organize this effort.

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Recommendation?

Wireless Innovations Initiative: On February 29, DOC announced the Wireless Innovations in Communications Initiative (WICI) to enable Federal agencies to promote more actively innovation in communications technologies. WICI will be led by a committee of federal experts within the Interdepartment Radio Advisory Committee, which is chaired by NTIA.

Department of Housing and Urban Development

Selling Homes to Local Governments: HUD has launched a new initiative to sell local governments thousands of HUD-owned homes for \$1 each to create housing for families in need. On February 28, Secretary Cuomo and Congressman Kasich announced the new HUD Good Neighbor Policy. Under the policy, single-family homes that are acquired in foreclosure actions by the Federal Housing Administration will be eligible for sale to local governments around the nation for \$1 each whenever FHA is unable to sell the homes for six months. About 3,000 homes will initially be eligible for sale to local governments under the initiative, with additional homes available for sale each month.

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Record Home Sales: New and existing home sales reached their highest level in American history in 1999, according to a report released on March 2 by Secretary Cuomo. The report shows that in all of 1999: New home sales totaled 904,000, up 2 percent from 1998; Existing home sales totaled 5,197,000, up 5 per cent from 1998; Housing permits totaled 1,638,000, the highest since 1986; Housing starts were also at their highest level since 1986, with 1,663,000 homes started in 1999.

Housing Assistance: Secretary Cuomo and Congressman Crowley announced \$75,000 in HUD assistance to benefit residents of the Queensbridge public housing development in Queens, NY. Over 3,000 families currently live in Queensbridge, making it the largest public housing development in the nation. HUD awarded a \$50,000 Community Development Technical Assistance Grant to the development's Jacob Riis Community Center. The center will run a program with LaGuardia Community College to provide job training for young people in telecommunications and information technology. HUD also awarded a \$25,000 Drug Elimination Grant to Queensbridge.

Housing Fraud Initiative: Working with local housing and law enforcement officials, HUD's Fraud Initiative has produced theft and false claims convictions in Los Angeles, CA and Brooklyn, NY. The Initiative has also prompted arrests in Staten Island and Long Island, NY. HUD losses range from as low as \$24,000 to as much as \$6 million.

Department of Education

Annual School Safety Report: In March, the 1999 Annual Report on School Safety, produced by ED's Office of Safe and Drug-Free Schools, will be sent to every school and superintendent in the U.S. The report's findings, based on data from 1997, present an updated description of the nature and extent of crime and violence on school property. The report also describes the steps that schools have taken to prevent school violence, including 54 Safe Schools/Healthy Students sites.

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Small Business Administration

Oil Price Relief: At the President's request, SBA will make government-backed loans available to small businesses struggling under the financial burden of rapidly rising oil prices. The 7(a) program loans would be available to qualified businesses that need funds to weather current problems caused by high oil prices. SBA will be able to meet the expected demand for funds using existing loan products under the business loan guaranty program. SBA has several short-term revolving loan programs which are especially suitable for helping small businesses get through this temporary crisis. On February 8, Administrator Alvarez directed SBA field offices to alert affected companies in the fuel oil business of SBA loan programs available to help them.

General Services Administration

African Burial Ground: On February 29, GSA awarded the African Burial Ground Interpretive Center Design and Fabrication contract to IDI Construction Company, Inc. of New York. The firm will have approximately four months to design the center and present the product to GSA.

Success of Afterschool Website: Since the launch of www.afterschool.gov by Vice President Gore a few months ago, the website's popularity has soared. More than 5,000 pages on the site are viewed each week. The website is the product of an interagency partnership initiative among GSA, NPR, and 15 other agencies, and is housed on the GSA server. It is a "one-stop" location to learn about Federal resources, programs and best practices to support out-of-school time programs and is the top-rated afterschool website on AOL.

Good Neighbor Efforts: Recently, GSA met with Utica city officials and congressional staff to discuss a new partnership to revitalize the downtown federal courthouse plaza and city park in Utica, NY. Currently the historically significant courthouse and federal building are adjacent to a city-owned park and parking lot. GSA is reaching out to the community to link its improvements to the federal plaza to these two properties in an effort to draw federal employees and building users out into the community and attract new local development.

Bill Bearden

more info

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LEGISLATIVE CALENDAR

Senate

Senate is in town this week, with no recorded votes until Tuesday evening because of Super Tuesday. Next week, the Senate is expected to take a recess.

Senate Committee Hearings

In addition to FY 2001 Appropriations Hearings, some other Senate hearings include:

- Senate Energy and Natural Resources Committee (Chairman Murkowski, R-Alaska) will hold a hearing on Wednesday to examine energy supply and demand issues relating to crude oil, heating oil and transportation fuels.
- Senate Small Business (Chairman Bond, R-Mo.) will hold a hearing on the ability of small businesses to protect themselves from cybercrime.

House of Representatives

Following "Super Tuesday," the House reconvenes on Wednesday, March 8th for legislative business. Recorded votes are expected in the afternoon. In addition to considering several measures under suspension of the rules, the House will consider four measures subject to a rule. The last vote of the week is expected by 2:00 PM on Friday.

House of Representatives: Committee Hearings

Some House Committee Hearings include:

- The Full Judiciary Committee has placed HR 3660, the so-called "partial-birth" abortion ban, on the Committee calendar for March 8 at 2pm.
- The House Commerce Subcommittee on Health and the Environment will hold a hearing on the alleged illegal sale of fetal tissue for research on March 9 at 2pm.

UPCOMING POTUS SCHEDULE

Wednesday, Mar. 8

China "Framing" Speech

Location: Johns Hopkins University, Washington, DC site

Minimum Wage Event

Location: White House

Thursday, Mar. 9

Congressional/Prescription Drug Departure Statement

Location: White House

One America Religious Leaders Event

Location: White House

Child Abuse Prevention Act Signing Ceremony

(small signing ceremony in Oval with Members-- not message event)

Friday, Mar. 10

Possible FAA/Summer Delay Event
Location: TBD

Saturday, Mar. 11

Live Radio Address
Topic: TBD (possibly education)

Monday, Mar. 13

Prescription Drug Pricing Report Event
Location: TBD, Cleveland, OH

Travel to Chicago, IL

Tuesday, Mar. 14

Medals of Science and Technology Ceremony
Location: White House

Wednesday, Mar. 15

Possible Press Conference
Location: White House

Thursday, Mar. 16

Possible Digital Divide Event
Location: TBD

Speaker's St. Patrick's Day Luncheon
Location: Capitol Hill

Friday, Mar. 17

Message Event TBD

Saturday, Mar. 18

Radio Address (taped Fri. 3/17)
Topic: TBD

Depart for Foreign Travel

Saturday, Mar. 18 -
Sunday, Mar. 26

Travel to India and Bangladesh

THE WHITE HOUSE
WASHINGTON

March 15, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: ANN O'LEARY
HEATHER HOWARD
RUBY SHAMIR

CC: MELANNE VERVEER
SHIRLEY SAGAWA
LISSA MUSCATINE
PATTI SOLIS DOYLE

SUBJECT: ISSUES UPDATE

The purpose of this memo is to provide you with brief updates on a number of national issues in which you have been involved or expressed interest.

LEGISLATIVE AND ISSUES UPDATE

EDUCATION

Elementary and Secondary Education Mark-up: The Senate Health, Education, Labor, and Pensions (HELP) Committee passed Senator Jeffords' (R-VT) Elementary and Secondary Education Act (ESEA) reauthorization bill on Thursday, March 9th by a party line vote of 10-8. None of the President's key initiatives were included. Democratic amendments on class size, public school choice, 21st Century Schools, accountability, and teacher quality all failed on party line votes. The Secretary is recommending a veto of the bill, and the Administration previously issued a veto threat on the "Straight As" provision when it passed the House.

While Senator Lott continues to reiterate his commitment to bring ESEA to the Floor, there is great skepticism that ESEA will pass the Senate with members of both parties internally divided.

PREVENTION OF YOUTH VIOLENCE AND CRIME

Juvenile Justice/Gun Safety. Today, Rep. Lofgren's (D-CA) motion to instruct conferees on H.R. 1501, Juvenile Justice Reform Act passed 218-205. The motion directs the managers on the part of the House to insist that the committee of conference should have its first substantive meeting to offer amendments and motions within the next two weeks. The President held an event to coincide with and support the Lofgren motion, and to release the first annual report by the National Instant Criminal Background Check System (NICS). Press paper attached.

ECONOMIC ISSUES

Bankruptcy. Within the next few weeks, Congress is expected to begin the legislative conference on the Bankruptcy bill. Next week, when they return from recess, Senators will first take up the issue of appointing conferees, a contentious issue in itself. The next battle will be over whether the Senate will strip the minimum wage and tax-cut provisions from the bill. With the House approval of the Republican's minimum wage bill and related tax-cut legislation, the hope is that the Senate will strip these unacceptable and non-relevant amendments for its bill.

Shortly, the Administration will send a letter to the Senate and House Judiciary leadership outlining the President's recommendations to the Conferees. The letter includes a veto threat if the minimum wage and tax provisions are included. On the base bill, the letter sends a strong message that the final bill should reduce abuses of the bankruptcy system and require debtors and creditors alike to act responsibly. In the letter, the Administration outlines the main recommendations for the final bill including: include a fair means test to identify those debtors who genuinely have the capacity to repay a portion of their debts under Chapter 13 and include reasonable guidelines that take into account individual circumstances; do not include the homestead exemption and other loopholes for the wealthy; ensure that there are appropriate safeguards against coercive creditor practices, including reaffirmations; include a requirement for creditors to give consumers good information to manage their debts; include provisions to protect social priorities in making more credit card debt nondischargable, such as child support and alimony; include the Schumer amendment to prevent abuse of bankruptcy to facilitate clinic violence; include protections for privacy of personal financial records in bankruptcy.

HEALTH CARE ISSUES

Health Care: Response to New York Times Article on Prescription Drugs. Last week, the New York Times inaccurately suggested that a series of studies published in Health Affairs revealed the shortcomings of the Administration's prescription drug proposal. The findings include: that low-income beneficiaries would be helped disproportionately by a drug benefit; that some seniors experience catastrophic drug expenses and need extra protections; and that some private health plans provide coverage to Medicare beneficiaries that meets or exceeds benefits provided by our plan. We have responded simply by pointing out that the President's plan provides additional protections to low-income beneficiaries; includes \$35 billion to add coverage for Medicare beneficiaries with catastrophic drug costs; and makes the new benefit optional so that those with more generous plans can stay in them.

HOUSING

Teacher Next Door. On Monday, HUD announced the Teacher Next Door initiative which will offer an estimated 8,000 to 10,000 single-family houses, townhouses and condominiums for sale to teachers at 50 percent discounts every year in HUD-designated revitalization areas. These areas are low- and moderate-income neighborhoods that often have many vacant properties, but are considered good candidates for economic development and improvement. The same group of homes are available for sale to police officers at half-price under HUD's companion Officer Next

Door initiative (police officers have bought more than 3,300 homes under the Officer Next Door initiative, which was announced in 1997). In addition to the 50 percent discount on the price of a home, teachers buying homes with mortgages insured by the Federal Housing Administration, which is part of HUD, can make the purchases with downpayments as low as \$100 under the Teacher Next Door initiative. FHA can also insure mortgages that cover costs of rehabilitating homes in need of repair. The 50 percent Teacher Next Door discount is available to state-certified teachers, grades kindergarten through 12, who are employed full-time by a school or educational agency. Each teacher must live in the home he or she buys for at least three years as his or her sole residence, and the home must be in a HUD-designated revitalization area served by the school district that employs the teacher. The Teacher Next Door initiative does not cost taxpayers any money, because FHA is funded by mortgage insurance premiums rather than tax revenue.

MISCELLANEOUS

FAA Authorization Conference Report. Last Wednesday, the Senate passed 82-17, the Conference Report to accompany H.R.1000, the Aviation Investment and Reform Act, the FAA Re-authorization bill. The bill provides funding increases for the FAA and the nation's airports for fiscal years 2001-2003, including a \$2.6 billion increase in FY 2001. This week the House will consider the bill.

FOLLOW UP

You sent last weeks' issues update back to us and asked for follow up on a number of issues. Attached please find the following information:

- *Kids and Guns*, a bulletin derived from *Juvenile Offenders and Victims: 1999 National Report*
- Rep. Conyers' "Law Enforcement Trust and Integrity Act" and draft "Dear Colleague" letter
- HUD Good Neighbor Policy Press Release
- Examples of After School Website

CABINET REPORT

Below are selected Cabinet reports:

DEPARTMENT OF TREASURY

Money Laundering Legislation: On March 9, Deputy Secretary Eizenstat appeared before the House Committee on Banking and Financial Services to present proposed legislation for combating international money laundering. The legislation would give the Treasury Secretary a range of discretionary authorities to require U.S. financial institutions to keep records and file reports on international financial transactions, and even to condition or prohibit certain types of banking relationships, with respect to jurisdictions, institutions, or types of transactions deemed to be of "primary concern." The Administration's proposal has been embraced by the Banking community, and will be introduced on a bipartisan basis by Chairman Leach and Ranking Member LaFalce.

DEPARTMENT OF JUSTICE

Computer Hacking: On March 1, a WI computer hacker was sentenced in a federal court to six months in prison, three years of supervised release, and \$8,054 in restitution for intentionally hacking into the United States Army's web page in June 1999 and causing damage. Two months earlier, the defendant's apartment was subject to a court-authorized search by federal agents investigating Global Hell, a hacker group. After the search, the defendant admitted being a member of Global Hell and hacking into a number of other web sites. National policy on computer hacking is somewhat stalled. For the most part, law enforcement would like wider latitude to track down and prosecute computer hackers, however, privacy groups (the White House has been aligned with many of them) have serious reservations about proposals that could infringe on the privacy of computer users.

DEPARTMENT OF INTERIOR

Underground Railroad: The National Parks Service is developing a Cooperative Agreement to commemorate, honor, and interpret the history of the Underground Railroad. Activities discussed include a tour of the designated sites, using Government and non-Government facilities and programs of an educational, research, or interpretive nature. The tour would be filmed for use in schools, libraries, colleges and universities.

DEPARTMENT OF COMMERCE

Wireless Innovation in Communications: On February 29, the National Telecommunications and Information Administration (NTIA) announced a new initiative on wireless communications that will enable Federal agencies more actively to promote innovation in the development and use of new communication technologies. The Wireless Innovations in Communications Initiative will be composed of senior federal experts, and will be a committee within the Interdepartment Radio Advisory Committee, which is chaired by NTIA. NTIA manages those uses of the radio frequency needed by the Federal Government to satisfy radio communication needs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Measles Elimination: On March 16-17, the Centers for Disease Control and Prevention's National Immunization Program will host a "Measles Elimination" scientific review meeting in Atlanta, GA, to discuss whether to declare measles eliminated in the U.S. Current data suggest that the only cases of measles in the U.S. are imported from other countries and that the U.S. has not had a case of indigenous measles for years.

LIHEAP FY2001 Median Income Estimates: On March 9, a *Federal Register* Notice was published, announcing the State median income estimates for four-person families for use under LIHEAP. LIHEAP grantees may adopt these estimates beginning with the date of this notice and October 1 or by the beginning of a LIHEAP grantee's fiscal year, whichever is later. The listing

of estimated State median incomes concerns maximum income levels for households to which grantees may make payments under LIHEAP.

Devices to Prevent Sudden Infant Death Syndrome: This week the FDA expects to issue an industry-wide letter stating that products claiming prevention of SIDS may be subject to FDA pre-market review. *The Washington Post* has been researching a story on devices that are marketed to prevent SIDS and has asked FDA about baby propping devices intended to prevent SIDS. In addition, the Consumer Product Safety Commission plans to issue a press release warning about such products, noting the recommendation of the American Academy of Pediatrics that babies be placed on their backs to sleep to reduce the risk of SIDS.

Gene Therapy Trials: On March 7, as part of ongoing efforts to ensure patient protection in gene therapy trials, FDA and NIH announced two new initiatives to further strengthen the safeguards for individuals enrolled in clinical studies for gene therapy. These two new initiatives--the Gene Therapy Clinical Trial Monitoring Plan and the Gene Transfer Safety Symposia--complement current patient protections. FDA's clinical trials monitoring plan addresses emerging evidence that the monitoring by study sponsors of several recent gene therapy trials has been less than adequate. To buttress the rigor of the oversight, FDA will require that sponsors of gene therapy trials routinely submit their monitoring plans to the FDA. In a second new initiative, a series of Gene Transfer Safety Symposia, NIH and FDA will enhance patient safety by providing critical forums for the sharing and analysis of medical and scientific data from gene transfer research.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mortgages for Affordable Housing: HUD has issued a proposed rule that would require the nation's two largest housing finance companies to buy \$2.4 trillion in mortgages over the next ten years to provide affordable housing for about 28.1 million low- and moderate-income families. The historic action by HUD raises the required percentage of mortgage loans for low- and moderate-income families that Fannie Mae and Freddie Mac must buy from the current 42 percent of their total purchases to a new high of 50 percent -- a 19 percent increase -- in 2001. The percentage will first increase to 48 percent in 2000.

January 2000 New Home Sales: New home sales in January were 882,000 units on a seasonally-adjusted annual basis. Sales were down 4.2 percent from December, and down 3.9 percent from January 1999 when 918,000 homes were sold on a seasonally adjusted annual basis. While there has been a decrease, this is still one of the top twenty monthly rates ever reported.

Gun Buyback Initiative: The Flint, MI Housing Commission will reprogram \$70,000 of its FY1999 Public and Indian Housing Drug Elimination Program grant funding (\$274,486) and will receive \$30,100 in matching funds from HUD for a total of \$100,100 for its Gun BuyBack Initiative. The Commission's goal is to take approximately 2,000 guns off the street. For every gun that is brought back the person will receive \$50 gift certificate. The Housing Commission will work in cooperation with the Flint Police Department in disposing the guns.

DEPARTMENT OF ENERGY

Oil Heat Flyer: In response to escalating heating oil prices in the Northeast, DOE has joined with the Petroleum Marketers Association of America (PMAA) to help homeowners reduce heating oil use and save money. DOE and the PMAA are distributing a flyer to local oil heat dealers for distribution to their customers.

DEPARTMENT OF EDUCATION

Kansas City, MO Desegregation Case: On February 29, the Eighth Circuit reversed a district court's November 17 dismissal of desegregation litigation involving Kansas City schools. The Eighth Circuit held the district court erred in declaring the school district unitary without giving notice either to the district or the plaintiffs or permitting the parties to present evidence and argue the case. Although the Eighth Circuit did not address the merits of the unitary status issue, it did recognize that the school district has the burden of proving it is unitary in the subsequent unitary status hearing. That finding means the school district will have to address the achievement gap between African American and white students.

NY School Statistics: On March 7, the New York City board of education reported that, after years of decline, the city's high school dropout rate increased in 1998, rising from 15.6 percent to 17.5 percent. The state education department also released figures that show city students lagging behind their peers across the state on statewide tests. The scores suggest that city students may face difficulties as minimum scores are phased in as graduation requirements.

KY Higher Education Agreement: DOEd expects to enter a partnership agreement with the State of KY to eliminate vestiges of desegregation in the state's higher education system. The proposed agreement would address enhancement of Kentucky State University, the state's only historically black university; initiatives to improve the climate on other campuses, including employment of more African Americans at historically white institutions; and recruitment and retention of African American students.

SMALL BUSINESS ADMINISTRATION

Small Business Tax Assistance: Through a cosponsorship with the Service Corps of Retired Executives, the IRS has developed a new CD-ROM that will assist small businesses with tax preparation. The CD-ROM is offered free of charge and IRS has offered to distribute 100 copies of the software to each SCORE chapter nationwide.

Credit Repair Seminar: SBA's Office of Veterans Affairs is working closely with the National Institute for Consumer Education at Eastern Michigan University in Ypsilanti, MI, the Congressional Black Caucus Foundation, Hispanic Chambers of Commerce and the Black Chambers of Commerce to determine the possibility of a partnership to provide credit repair seminars to veterans. This potential national effort will help corporations, like General Motors, partner with foundations to reach out to the disabled veterans community to establish credit worthiness and provide technical assistance and other resources to veteran entrepreneurs. Pilot

projects are being planned in 18 states with high concentrations of veterans, including VA, CA, WI, TX, and MO.

GENERAL SERVICES ADMINISTRATION

Buffalo, NY Security Information Radio Network: The GSA Field Office in Buffalo is involved with a cooperative security information group in downtown Buffalo. The group consists of representatives from public and private law enforcement and security organizations. Recently it instituted a shared radio network called "Secure-Net." The purpose of this network is to share information related to security and crime prevention among the various partners in downtown Buffalo. The GSA Federal Protective Service has begun monitoring this frequency. In an emergency, Federal Protective Service can also communicate with the various commercial security offices where GSA has leases and with other law enforcement agencies in the area. The network has already been beneficial in detecting crimes in progress that may have an impact on one or more federal facilities.

LEGISLATIVE CALENDAR

Senate

The Senate will stand in recess for the week of March 13th. They will return on Monday, March 20th. On Tuesday, March 21st the Senate will begin consideration of H.R.5, the Social Security Earnings Legislation. Under previous agreement, there will be three amendments in order to the bill: a technical corrections amendment to the House bill, a Kerrey (D-NE) amendment regarding social security reform, and a Gregg (R-NH) amendment also regarding social security reform. Votes on the amendments, as well as final passage, could occur during Tuesday's session.

House of Representatives

This week the House is carrying a relatively light legislative load, convening on Tuesday, March 14th after 6 pm, and adjourning on Thursday evening.

UPCOMING POTUS SCHEDULE

Thursday, Mar. 16	Departure Statement on Guns and the Budget St. Patrick's Day Luncheon Location: Capitol Hill
Friday, Mar. 17	No Message Event
Saturday, Mar. 18	Radio Address (taped Fri. 3/17); Topic: TBD Depart for Foreign Travel
Saturday, Mar. 18 - Sunday, Mar. 26	Travel to India, Bangladesh, and Pakistan

Saturday, Mar. 25	Radio Address (taped on Fri. 3/24) Topic: TBD
Monday, Mar. 27	No Message Event
Tuesday, Mar. 28	Press Conference with President Mubarak
Wednesday, Mar. 29	Possible Digital Divide Event Location: TBD
Thursday, Mar. 30	Message Opportunity, Possible Topic: Hate Crimes Location: TBD, New York
Friday, Mar. 31	No Message Event
Saturday, Apr. 1	Radio Address (taped Fri. 3/31)

**PRESIDENT CLINTON ANNOUNCES NEW REPORT ON EFFECTIVENESS OF
NATIONAL INSTANT CHECK SYSTEM AND URGES PASSAGE OF
COMMON SENSE GUN LAWS**

March 15, 2000

Joined by members of Congress, President Clinton today will unveil the FBI's first annual report on the National Instant Criminal Background Check System (NICS) created under the Brady Law. The new report shows that in its first year of operation, the NICS stopped 179,000 felons, fugitives, domestic abusers, and other prohibited persons from buying guns. The President today also will highlight his budget proposal to make Brady checks even faster and more effective. Finally, he will urge Congress to resist the gun lobby by passing the motion Representative Lofgren will offer today calling on juvenile justice conferees to meet in the next two weeks, and by moving on gun safety legislation that has been stalled for over eight months.

RELEASING FIRST ANNUAL REPORT ON NATIONAL INSTANT CHECK SYSTEM.

Today's report confirms that the NICS is a powerful tool to help law enforcement and federally-licensed gun dealers keep guns out of the wrong hands. In its first 13 months of operation (November 30, 1998-December 31, 1999), the NICS conducted over 10 million background checks and blocked an estimated 179,000 prohibited gun sales. Through NICS, the FBI and its state and local law enforcement partners perform instant searches of over 35 million records to help prevent the sale of guns to prohibited buyers. To date, the Brady Law has stopped more than 500,000 felons, fugitives, and other prohibited persons from purchasing firearms. Among the key findings of today's report:

Most checks completed within seconds. During the first year of NICS, 72 percent of checks were completed within 30 seconds, and 95 percent were completed within two hours. In the remaining cases where completing a check takes longer, there is a strong law enforcement rationale for additional time: an individual whose check takes more than 24 hours to complete is almost 20 times more likely than the average gun buyer to be a felon or other prohibited purchaser.

Vast majority of sales blocked to felons and other criminals. Of sales denied by the FBI, 71 percent were to felons, 15 percent to individuals with domestic violence misdemeanors or under restraining orders, and 4 percent to persons with histories of drug abuse.

NICS checks help law enforcement apprehend fugitives. The report shows that NICS prevented more than 2,400 wanted persons from buying guns, and that FBI employees identified those persons to federal, state and local law enforcement agencies -- leading to the apprehension of dangerous fugitives from justice.

Cutting time for law enforcement checks means more criminals get guns. The report shows that if the FBI were given only 24 hours to complete all background checks, instead of up to three business days as under current law, nearly 34,000 prohibited purchasers -- over 38 percent of FBI denials -- would have received guns since the NICS first took effect.

DOUBLING FUNDS TO MAKE BRADY CHECKS FASTER AND MORE EFFECTIVE.

The President today will also announce that his FY 2001 budget provides \$70 million to give law enforcement more tools to increase the speed and accuracy of Brady Background checks, and keep guns out of the hands of even more prohibited persons. The President's initiative doubles funding for the National Criminal History Records Improvement Program (NCHIP), created under the Brady Law to improve the accessibility of records used for Brady background checks. NCHIP helps states to update, computerize and complete their records on felons, fugitives, domestic abusers, mentally ill prohibited persons and others restricted from purchasing firearms. To date, over \$200 million has been provided to states through NCHIP.

PUSHING FOR BIPARTISAN CONGRESSIONAL ACTION ON COMMON SENSE GUN LEGISLATION.

For over eight months, the Republican leadership has refused to allow the House and Senate conferees to meet and have a substantive debate on the common sense gun measures in the pending juvenile crime bill. Joined by a bipartisan group of House members, the President will urge Congress to pass Representative Lofgren's motion today calling on conferees to meet in the next two weeks. The President also will call again on Congress to send him strong gun safety legislation that would: require background checks at gun shows; mandate the sale of child safety locks with handguns; bar the importation of high capacity ammunition clips; and hold adults accountable if they allow children easy access to loaded guns that are later used to kill or maim. As part of his comprehensive strategy to reduce gun violence, the President also will urge support for his \$280 million National Gun Enforcement Initiative to hire 500 new Bureau of Alcohol, Tobacco & Firearms (ATF) agents and inspectors; fund over 1,000 new federal, state and local gun prosecutors; expand ATF's crime gun tracing and ballistics testing program; and help communities replicate successful gun violence reduction programs like Richmond's Project Exile and Boston's Operation Ceasefire.

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MARCH 2000

1999 NATIONAL REPORT SERIES

Juvenile Justice Bulletin

Shay Bilchik, Administrator



As the Nation moves into the 21st century, the reduction of juvenile crime, violence, and victimization constitutes one of the most crucial challenges of the new millennium. To meet that challenge, reliable information is essential. Juvenile Offenders and Victims: 1999 National Report offers a comprehensive overview of these pervasive problems and the response of the juvenile justice system. The National Report brings together statistics from a variety of sources on a wide array of topics, presenting the information in clear, nontechnical text enhanced by more than 350 easy-to-read tables, graphs, and maps.

This Bulletin series is designed to give readers quick, focused access to some of the most critical findings from the wealth of data in the National Report. Each Bulletin in the series highlights selected themes at the forefront of juvenile justice policymaking and extracts relevant National Report sections (including selected graphs and tables).

Administrator's Message

Guns kill. In many cases, guns kill our children. Sometimes the guns are fired by other juveniles, often by acquaintances or family members. This Bulletin, drawn from *Juvenile Offenders and Victims: 1999 National Report*, provides an overview of the national statistics that show the devastating impact that the availability of guns has had on the lives and well-being of American youth.

While other types of homicide remained constant, the number of juveniles killed with a firearm increased

greatly between 1987 and 1993. A close look at the numbers shows that the rise in murders of juveniles from the mid-1980's through the 1993 peak year was all firearm related, as was the subsequent decline in juvenile murders that occurred between 1993 and 1997.

Guns play a large role in suicides as well. Families, teachers, and friends have virtually no chance to reach out to youth in desperate need of help when that desperation is signaled by the immediate and often fatal impact of a gunshot wound. Statistics show that for every two youth age 19 or younger murdered in 1996, one youth committed suicide. The rate of youth suicides involving a firearm increased 39% between 1980 and 1994, and although firearm-involved suicides declined 19% from 1994 to 1996, these numbers are still much too high.

Despite these sobering statistics, it is important to remember that there are steps we can take to make our children and our communities safer. In fact, a number of communities have made progress in countering the threat of gun-related violence by bringing together law enforcement, elected officials, prosecutors, judges, schools, community organizations, and citizens to develop their own comprehensive, strategic violence prevention plan. The experiences of these communities are described in the OJJDP publication *Promising Strategies To Reduce Gun Violence*. This OJJDP Report provides a wealth of practical information and tools that communities can use to develop their own firearm violence reduction programs.

The recent decline in firearm-related juvenile homicides and suicides is encouraging and reinforces the need to remain vigilant in keeping handguns and other weapons out of the hands of children. Rational gun control policies, community involvement in schools, better relationships between law enforcement agencies and communities, support for parents in supervising and disciplining their children, and help for teens in despair are all approaches that we can use in our efforts to reduce the illegal use of firearms by juveniles.

Shay Bilchik
Administrator



The rise in murders of juveniles between 1984 and 1993 was all firearm related, as was the subsequent decline

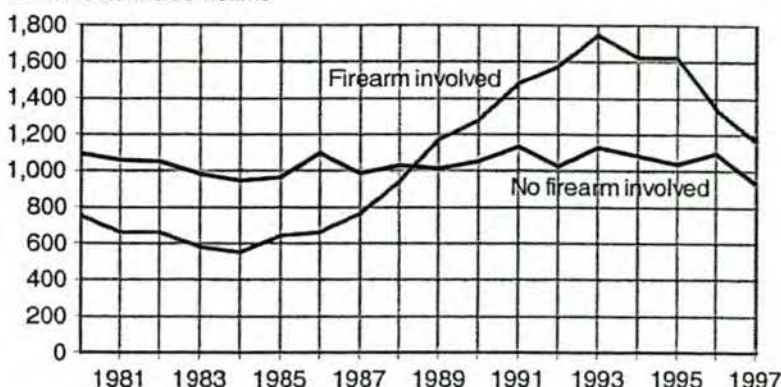
The increase in juvenile homicides is tied to firearm use by nonfamily offenders

A study of the 65% increase in juvenile homicides in the 7-year period from 1987 to 1993 shows that increases did not occur proportionately in all types of homicides. Over this period, homicides by family members held constant, while homicides by acquaintances increased substantially. The increase was disproportionate for black victims, with the growth in the number of black victims twice that of white victims. Most significantly, nearly all of the growth in juvenile homicides was in the number of older juveniles killed with firearms.

The decline in juvenile homicides between 1993 and 1997 brought the number to a level just 20% above that of 1987 (the last year in which juvenile homicides were within their historic range). Both the decline from 1993 to 1997 and the growth from 1987 to 1993 involved substantial changes in the number of murders by acquaintances and in the number of murders of older youth and black youth. The proportion of homicides committed with a firearm, which had increased dramatically between 1987 and 1993, however, did not decline between 1993 and 1997. Therefore, the major legacy of the growth in juvenile homicides from 1987 through 1993 is that it increased the proportion of juveniles killed by firearms.

The annual number of juveniles killed with a firearm increased substantially between 1987 and 1993, while other types of homicide remained constant

Juvenile homicide victims

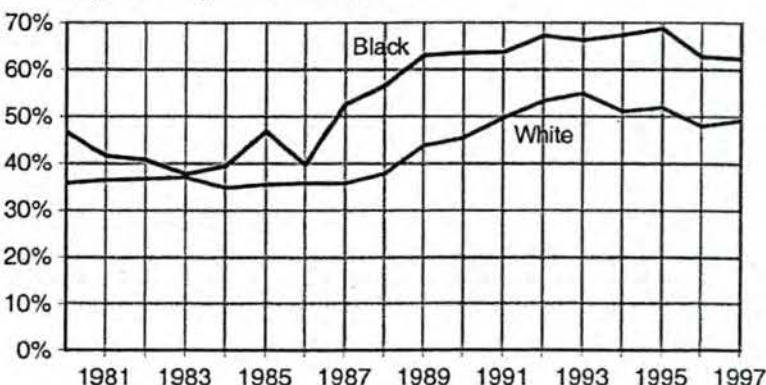


- In 1980, fewer than half (41%) of the juveniles murdered were killed with a firearm. The proportion of juvenile firearm homicides began to increase in 1987 and peaked (at 61%) in 1993. Since then, the proportion has declined somewhat, with 56% of juvenile homicides involving a firearm in 1997.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980-1997 [machine-readable data files].

The use of firearms in juvenile homicides was common in the 1990's for both black victims and white victims

Firearm percent of juvenile homicide victims

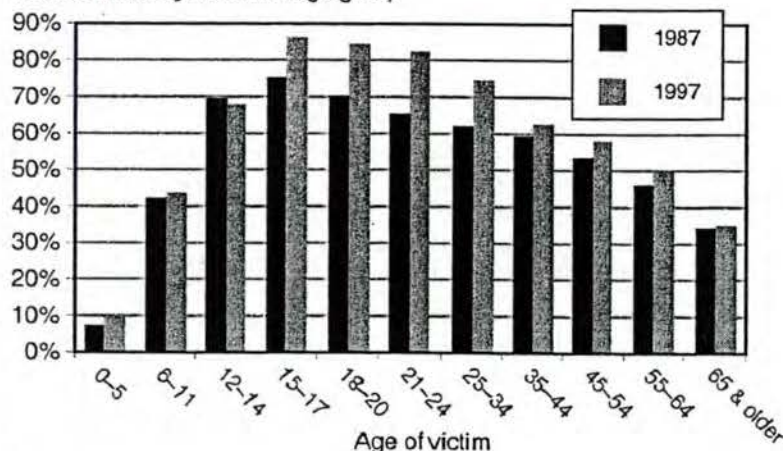


- In the early 1980's, proportions of juvenile homicides involving a firearm were roughly equal for white victims and black victims.
- The proportion of black juvenile homicides involving a firearm increased substantially during a 3-year period in the late 1980's.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980-1997 [machine-readable data files].

Homicides of juveniles ages 15 to 17 were more likely to involve a firearm than were homicides of adults

Percent killed by firearm in age group



- Over the 10-year period from 1987 to 1997, the proportion of homicides committed with a firearm increased in most victim age groups.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980-1997 [machine-readable data files].

Between 1980 and 1997, 3 out of 4 murdered juveniles age 12 or older were killed with a firearm

Weapon	Age of victim				Victim ages 0-17	
	0-17	0-5	6-11	12-17	Males	Females
Total	100%	100%	100%	100%	100%	100%
Firearm	51	10	42	75	60	31
Knife/blunt object	14	11	19	15	13	17
Personal*	19	48	11	3	15	27
Other	16	30	28	7	12	25

- Nearly half (48%) of all murdered children below age 6 were killed by offenders using only their hands, fists, or feet.
- Male murder victims were nearly twice as likely as female victims to be killed with a firearm.

* Personal includes hands, fists, or feet.

Note: Detail may not total 100% because of rounding.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980-1997 [machine-readable data files].

Since 1980, 1 in 4 murders of juveniles involved a juvenile offender

Nearly 38,000 juveniles were murdered between 1980 and 1997. A juvenile offender was involved in 26% of these crimes when an offender was identified. In murders of juveniles by juveniles, about 1 of every 6 also involved an adult offender. Between 1980 and 1997, the victim and the offender were the same race in 91% of murders of juveniles by juveniles.

The proportion of juvenile murders that involved a juvenile offender increased from 21% in 1980 to 33% in 1994—the peak year for all murders by juveniles. In 1980, an estimated 400 juveniles were killed by other juveniles, growing to nearly 900 in 1994; by 1997, this figure had fallen to about 500, or about 1 of every 4 juveniles murdered that year.

When juveniles kill juveniles, the victims are generally acquaintances killed with a firearm

Of juveniles killed by other juveniles between 1980 and 1997, 13% were under age 6. In nearly half of these murders (47%), the juvenile offender was the parent of the victim. In another 18%, the juvenile offender was another family member. Firearms were rarely used when the victim was under age 6 (10%).

Of juveniles killed by other juveniles, 63% were age 15 or older. Fewer than 5% of these older juvenile victims were killed by family members; 76% were killed by acquaintances and 19% were killed by strangers. Between 1980 and 1997, 77% of these older juveniles were killed with a firearm.

All of the increase in homicides by juveniles between the mid-1980's and mid-1990's was firearm related

It is difficult to assess the exact number of murders committed by juveniles

Based on the Federal Bureau of Investigation's (FBI's) Supplemental Homicide Report (SHR) data, 18,200 persons were murdered in the U.S. in 1997—the lowest number in more than a generation. Of these murders, about 1,400 were determined by law enforcement to involve a juvenile offender; however, the actual number is greater than this. In 1997, the FBI had no information on the offender(s) for about 6,900 reported murders (38% of the total). These may have been homicides for which no one was arrested or the offender was otherwise not identified, or these may have been cases for which the local agency did not report complete information to the FBI. Regardless, the number of murders committed by juveniles in 1997 was undoubtedly greater than 1,400, but just how much greater is difficult to determine. If it were assumed that the murders without offender information were similar to those with offender information, then about 2,300 murders (or 12% of all murders) in 1997 had at least one offender who was under the age of 18 at the time of the crime.

The 1,400 murders known to involve a juvenile offender in 1997 involved about 1,700 juveniles and 900 adults. Of all murders involving a juvenile, 31% also involved an adult, and 13% involved another juvenile. In all, 44% of all murders involving a juvenile involved more than one person.

Whom do juveniles kill?

Between 1980 and 1997, most victims in homicides involving juveniles were male (83%). Slightly more victims were white (50%) than black (47%). In 27% of homicides by juveniles, the victim was also a juvenile. Victims in 70% of homicides by juveniles were killed with a firearm. Of all victims killed by juveniles, 14% were family members, 55% were acquaintances, and 31% were strangers.

Who are the juvenile murderers?

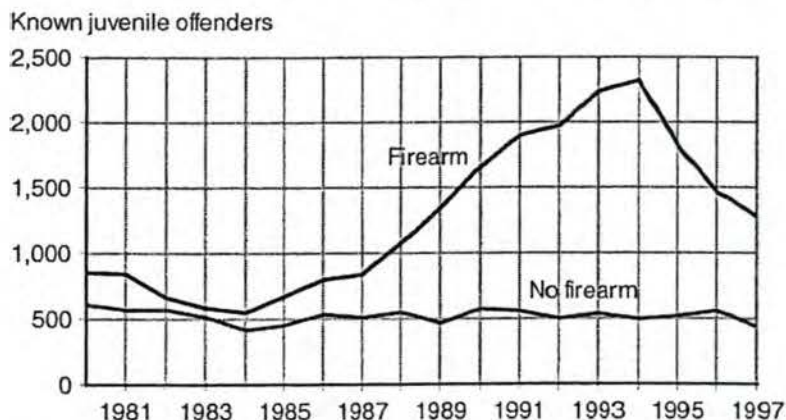
Between 1980 and 1997, the large majority (93%) of known juvenile homicide offenders were male. More than half (56%) were black. Of known juvenile homicide offenders, 42% were

age 17, 29% were age 16, and 17% were age 15; 88% of juvenile homicide offenders were age 15 or older.

Murders by the very young are rare

Annually between 1980 and 1997, fewer than 10 juveniles age 10 or younger were identified as participants in murders—a figure that has remained essentially constant over the time period. The majority of these young homicide offenders were male (88%), and more than half (54%) were black. In these cases, the victim was equally likely to be either a family member or an acquaintance (43%). A firearm was involved in 50% of the murders committed by these young offenders.

The sharp decline in homicides by juveniles between 1994 and 1997 was attributable entirely to a decline in homicides by firearm



- Between 1980 and 1987, firearms were used in just over half (54%) of all homicides involving a juvenile offender. Then firearm-related homicides began to increase, so that, by 1994, most homicides by juvenile offenders (82%) involved the use of a firearm.

Source: Authors' analyses of the FBI's *Supplementary Homicide Reports* for the years 1980–1997 [machine-readable data files].

Boys and girls tend to kill different types of victims

Between 1980 and 1997, 54% of male juvenile homicide offenders killed an acquaintance, 37% killed a stranger, and 9% killed a family member. In comparison, the victims of females were more likely to be family members (39%) and far less likely to be strangers (15%).

Between 1980 and 1997, about 1% of male offenders killed persons under age 6, while 18% of the female offenders killed young children. Because there were so many more male offenders than female offenders, however, roughly equal numbers of male and female juvenile offenders were involved in the murder of young children. Annually between 1980 and 1997, about 25 male and 25 female juvenile offenders were tied to the death of a child under age 6.

Males were far more likely than females to kill with a firearm. Between 1980 and 1997, 73% of male juvenile homicide offenders used a firearm, while 14% used a knife. In contrast, 41% of female juvenile homicide offenders used a firearm and 32% used a knife. While

27% of females used other means to kill (e.g., hands or feet, strangulation, drowning, or fire), only 13% of males killed by these means.

Black juveniles were more likely to commit murders with firearms than were youth of other races

In the U.S. in 1997, about 1 of every 16,000 youth between the ages of 10 and 17 was identified as participating in a homicide. This is a rate of 56 known offenders for every 1 million youth in the U.S. population ages 10–17. This rate was greater for black youth than youth of other races: black (194), Asian/Pacific Islanders (44), American Indians (34), and whites (30).

Between 1980 and 1997, 72% of black juvenile homicide offenders used a firearm in their crimes. This proportion was higher than that for Asian/Pacific Islander (67%), white (59%), or American Indian (48%) youth.

Youth were most likely to kill persons of their own race. Between 1980 and 1997, 81% of juvenile offenders were involved in murders of persons of

their own race. Same-race killing was most common for white youth (90%) and less common for blacks (76%), Asian/Pacific Islanders (58%), and American Indians (48%).

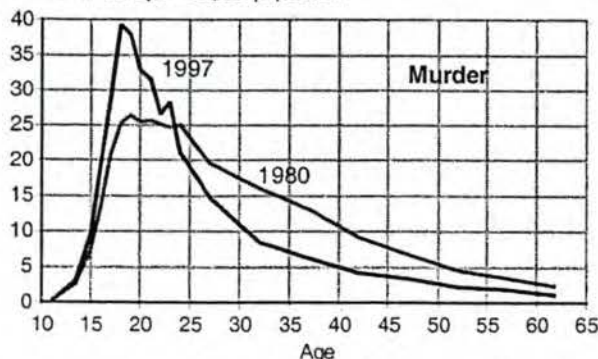
A greater proportion of white youth and American Indian youth killed family members than did youth of other races: American Indian (17%), white (16%), black (7%), and Asian/Pacific Islander (7%).

Growth in murders by juveniles is linked to weapon use

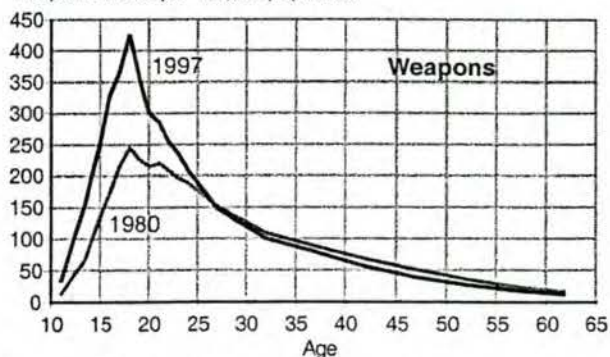
Relevant to an understanding of juvenile murder arrest trends is the link between murder rates and weapon use. The relationship of the murder age-arrest curves for 1980 and 1997 is similar to that for weapons law violations. (See murder graph and weapons graph.) For murders, the rates were lower in 1997 than in 1980 for all persons above age 25, but there were substantial increases in murder rates among juveniles and young adults. The age-specific arrest rate trend profile for weapons violations is comparable to that for murder, showing large increases for juveniles and young adults.

Age-specific arrest rate trends for murder are similar to those for weapons violations

Murder arrests per 100,000 population



Weapons arrests per 100,000 population

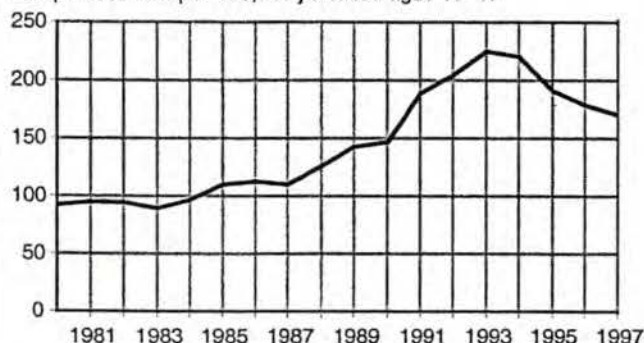


Source: Authors' analysis of arrest data from an unpublished FBI report for 1980 and from *Crime in the United States 1997* and population data from the Bureau of the Census for 1980 from *Current Population Reports*, P25-1095 and for 1997 from *Estimates of the population of States by age, sex, race, and Hispanic origin: 1997* [machine-readable data file].

Juvenile arrest rates for weapons, which increased sharply during the late 1980's and early 1990's, began declining in the mid-1990's

The juvenile arrest rate for weapons law violations doubled in the 6-year period between 1987 and 1993

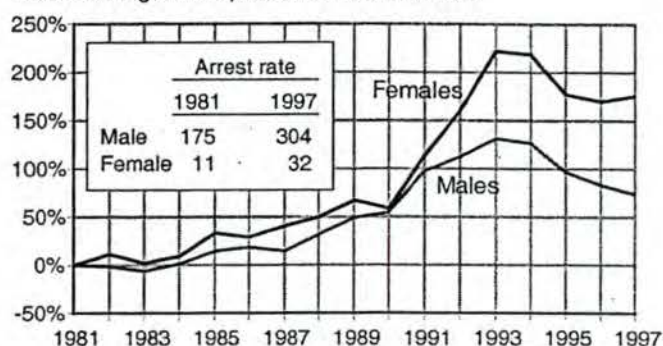
Weapons arrests per 100,000 juveniles ages 10-17



■ The decline between 1993 and 1997 brought the juvenile arrest rate for weapons law violations to its lowest level since 1990, but the rate was still 55% above the 1987 level.

Female arrest rates for weapons law violations nearly tripled between 1981 and 1997, while the male rate nearly doubled

Percent change in weapons arrest rate from 1981



■ Even with its greater increase, the female rate in 1997 was only 10% of the male rate.

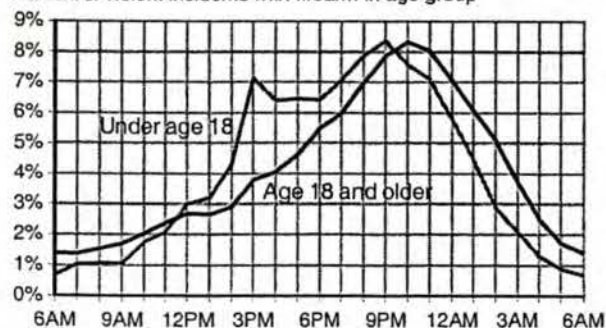
Note: Arrest rates are arrests per 100,000 males or females ages 10-17.

Source: Authors' analysis of arrest data from unpublished FBI reports for 1980 through 1994 and the FBI's *Crime in the United States* reports for 1995, 1996, and 1997 and population data from the Bureau of the Census for 1980 through 1989 from *Current Population Reports*, P25-1095 and for 1990 through 1997 from *Estimates of the population of States by age, sex, race, and Hispanic origin: 1990-1997* [machine-readable data files].

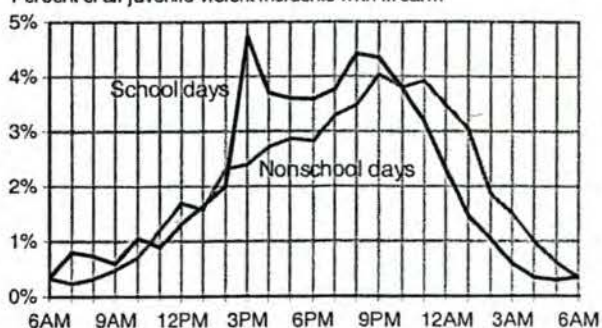
In general, the temporal pattern of violent crimes committed by juveniles with firearms is similar to the adult pattern, except for the high proportion of juvenile firearm-involved crimes that occur immediately after school on school days

Violent crime committed with a firearm

Percent of violent incidents with firearm in age group



Percent of all juvenile violent incidents with firearm



Note: Violent crime includes murder, violent sexual assault, robbery, aggravated assault, and simple assault. Data are from 12 States (Alabama, Colorado, Idaho, Illinois, Iowa, Massachusetts, Michigan, North Dakota, South Carolina, Utah, Vermont, and Virginia).

Source: Authors' analyses of the FBI's *National Incident-Based Reporting System* master files for the years 1991-1996 [machine-readable data files].

1 in 5 juvenile arrestees carried a gun all or most of the time

Gun use and crime among male arrestees/detainees is studied

The National Institute of Justice interviewed a sample of arrested and/or detained individuals during the first 6 months of 1995 to learn about gun acquisition and use. Seven of eleven study sites provided data on juvenile males: Denver, District of Columbia, Indianapolis, Los Angeles, Phoenix, St. Louis, and San Diego.

Although sites varied, the juvenile males studied were disproportionately black or Hispanic, and most were age 15 or older. Because 5 of the 7 sites limited the study to juveniles in detention rather than all juveniles arrested, the offense profile for juveniles studied was skewed to more serious offenses (crimes against persons ranged from 15% to 29%). Also, the proportion of juveniles who admitted to current membership in a gang ranged from 2% to 41%.

Juveniles are more likely than arrestees overall to commit a crime with a gun

The proportion of respondents who were charged with a weapons offense ranged from 1% to 12%. Among the juvenile males interviewed, however, 20% said they carried a gun all or most of the time, compared with 14% of arrestees overall.

Juvenile arrestees were nearly twice as likely as arrestees overall to say they had stolen a gun (25% vs. 13%). Gang members and drug sellers were also more likely than other arrestees to have stolen a gun (each about 30%).

Overall, 23% of arrestees who owned a gun had used one in a crime. The proportion was higher for juveniles (33%) and higher still for drug sellers (42%) and gang members (50%).

Arrestees were often the victims of gun violence

Juvenile males and gang members were more likely than arrestees overall to have been shot at. The proportion who said they had been shot at was about 4 in 10 overall, compared with about 5 in 10 for juvenile males and about 8 in 10 for gang members.

Although juveniles were more likely than adults to be shot at, they were not more likely to suffer gunshot injury. Overall, 16% of arrestees reported gunshot injuries.

Arrestees say they carry guns for protection and respect

Two-thirds of respondents said they had a gun for protection/self-defense. Almost one-third of arrestees agreed that, "Your crowd respects you if you have a gun." Among drug sellers and gang members, the proportion agreeing was higher (4 in 10). When asked when using a gun was appropriate, 9% of arrestees agreed that, "It is okay to shoot someone who disrespected you." Among juveniles, the proportion agreeing was double (18%). Among drug sellers, 21% agreed; among gang members, 34% agreed.

More than half of crime guns were recovered from adults ages 25 years or older

In 1996, the Bureau of Alcohol, Tobacco and Firearms established the Youth Crime Gun Interdiction Initiative to trace crime guns (i.e., any firearm illegally possessed, used in a crime, or suspected to have been used in a crime) recovered by law enforcement. More than 76,000 crime guns were traced from 27 cities during a 1-year period between 1997 and 1998. Almost one-half (44%) of crime guns were recovered from persons under the age of 25; 11% were recovered from youth age 17 or younger.

Age	Percent of crime guns
All	100%
17 or younger	11
18-24	32
25 or older	56

Note: Detail may not total 100% because of rounding.

4 in 5 recovered firearms were handguns

A handgun was the most common type of recovered firearm traced by law enforcement. Of these, a semiautomatic pistol was the most frequently possessed handgun among all age groups (52%). Semiautomatic pistols were more common among youth under age 18 (58%) and those ages 18-24 (60%) than among persons age 25 or older (47%).

Type of gun	Age		
	17 or younger	18-24	25 or older
Total	100%	100%	100%
Semiautomatic pistol	58	60	47
Revolver	29	24	27
Long gun	12	15	25

Note: Detail may not total 100% because of rounding.

A new survey of youth shows that handgun carrying is linked to other problem behavior

A new survey will follow a cohort of youth as they make the transition from school to work

The first wave of the 1997 National Longitudinal Survey of Youth (NLSY97) interviewed a nationally representative sample of 9,000 youth who were between the ages of 12 and 16 at year-end 1996. The survey asked youth to report whether they had engaged in a variety of deviant and delinquent behaviors, including carrying a handgun. Plans are to interview members of this cohort every 2 years to track changes in delinquent and criminal activity over the life course.

- Youth who had ever used marijuana were more likely to have sold marijuana (24% vs. <1%), carried a handgun (21% vs. 7%), or been in a gang (14% vs. 2%) at some point than youth who never used marijuana.
- Youth who had ever sold marijuana were more likely to have sold hard drugs (i.e., cocaine, LSD, or heroin) (40% vs. 1%), carried a handgun (35% vs. 8%), or been in a gang (24% vs. 4%) than youth who never sold marijuana.
- Active marijuana users (i.e., youth who used marijuana during the month prior to the survey) were more likely to have consumed alcohol (78% vs. 14%) or carried a handgun (12% vs. 2%) during that period than youth who did not use marijuana.
- Youth who had carried a handgun in the last 12 months were also more likely to have been in a gang than youth who did not carry a handgun during this period (15% vs. 1%).

The survey also found that more than half of all 16-year-olds who had ever committed assault, carried a handgun, or belonged to a gang had done so for the first time by age 12. In contrast,

less than one-fifth of all 16-year-olds who had ever used marijuana, sold any drugs, or sold hard drugs (i.e., cocaine, LSD, or heroin) had done so for the first time by age 12.

Recent participation (i.e., within the last 12 months or 30 days prior to the interview) in delinquent acts such as carrying a handgun varied by race and ethnicity for males and females

Behavior	Males ages 12-16			Females ages 12-16		
	White	Black	Hispanic	White	Black	Hispanic
Carried a handgun						
Last 12 months	10%	8%	8%	2%	2%	2%
Last 30 days	5	5	4	1	1	1
To school in last 30 days	< 1	1	1	0	0	< 1

- In the year preceding the interview, white males were less likely to have been in a gang than black and Hispanic males but more likely to have carried a gun.

Note: The white and black racial categories do not include youth of Hispanic ethnicity. Hispanic youth can be of any race.

Source: Authors' analysis of the Bureau of Labor Statistics' *The National Longitudinal Survey of Youth 1997* [machine-readable data file].

Among 15-year-olds, employed youth were significantly more likely to have carried a gun in the last 12 months than unemployed youth

Behavior	15-year-olds		16-year-olds	
	Unemployed	Employed	Unemployed	Employed
Carried a handgun				
Last 12 months	5%	8%	7%	6%
Last 30 days	3	4	4	3

Source: Authors' analysis of the Bureau of Labor Statistics' *The National Longitudinal Survey of Youth 1997* [machine-readable data file].

For every two youth (ages 0–19) murdered in 1996, one youth committed suicide

7% of all suicides in 1996 involved youth age 19 or younger

FBI data indicate that about 3,900 youth age 19 or younger were murdered in the U.S. in 1996. The magnitude of this problem has captured the public's attention, but much less attention has been given to the fact that for every two youth murdered, one youth commits suicide.

The National Center for Health Statistics reported that 30,903 persons committed suicide in the U.S. in 1996. Of these, 7% (2,119) were youth age 19 or younger. Overall, suicides increased 9% between 1980 and 1996. For youth younger than age 15, the increase was 113%. Despite this large increase, these youngest suicide victims accounted for just 1% of all suicides in 1996.

Young suicide victims are disproportionately male and white

Males accounted for 8 in 10 youth suicides; white youth also accounted for 8 in 10 suicides.

	Number of suicides		Suicides per 100,000 youth	
	Ages 10–14	Ages 15–19	Ages 10–14	Ages 15–19
Total	298	1,817	1.6	9.7
Male	222	1,496	2.3	15.6
Female	76	321	0.8	3.5
White	244	1,522	1.6	10.3
Male	179	1,249	2.3	16.3
Female	65	273	0.9	3.8
Nonwhite	54	295	1.4	7.7
Male	43	247	2.2	12.7
Female	11	48	*	2.6

* Too few cases to obtain a reliable rate.

The rate of youth suicides involving a firearm increased 39% between 1980 and 1994, before declining 19% to the 1996 level

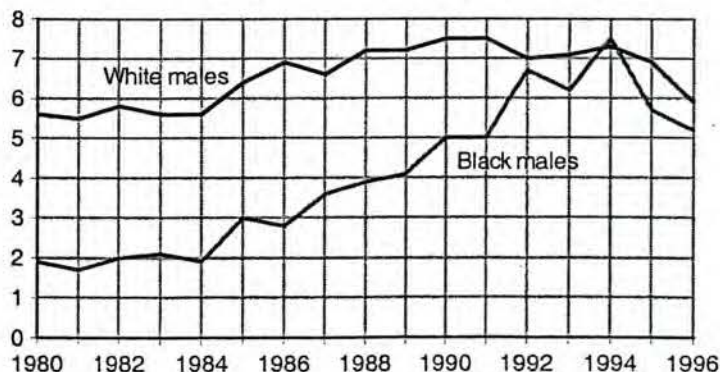
Suicides per 100,000 youth ages 10–19



Source: Authors' analysis of the National Center for Health Statistics' 1979–1996 data from the compressed mortality file [unpublished data].

The firearm-related suicide rate for young black males peaked in 1994 at a level higher than the rate for young white males, before declining to the 1996 level

Firearm-related suicides per 100,000 youth ages 10–19



- Between 1994 and 1996, firearm-related suicide rates decreased 19% for young white males and 31% for young black males.
- In 1996, firearm-related suicide rates for young white males declined to mid-1980's levels, while the rate for young black males was more than twice the 1980 rate.
- Changes in firearm-related suicide rates for young black males were similar to homicide patterns for young black males between 1980 and 1996.

Source: Authors' analysis of the National Center for Health Statistics' 1979–1996 data from the compressed mortality file [unpublished data].

U.S. child homicide and suicide rates exceed rates for other industrialized countries

Rates of firearm-related homicides and suicides are high in the U.S.

A study conducted by the Centers for Disease Control and Prevention compared the homicide and suicide rates for children under age 15 in the U.S. with the rates for several other industrialized countries. Each country reported data for 1 year between 1990 and 1995; U.S. data were reported for 1993. The number of homicides per 100,000 children under age 15 in the U.S. was five times the number in the other countries combined (2.57 vs. 0.51). The rate of child homicides involving a firearm, however, was 16 times greater in the U.S. than in the other countries combined (0.94 vs. 0.06).

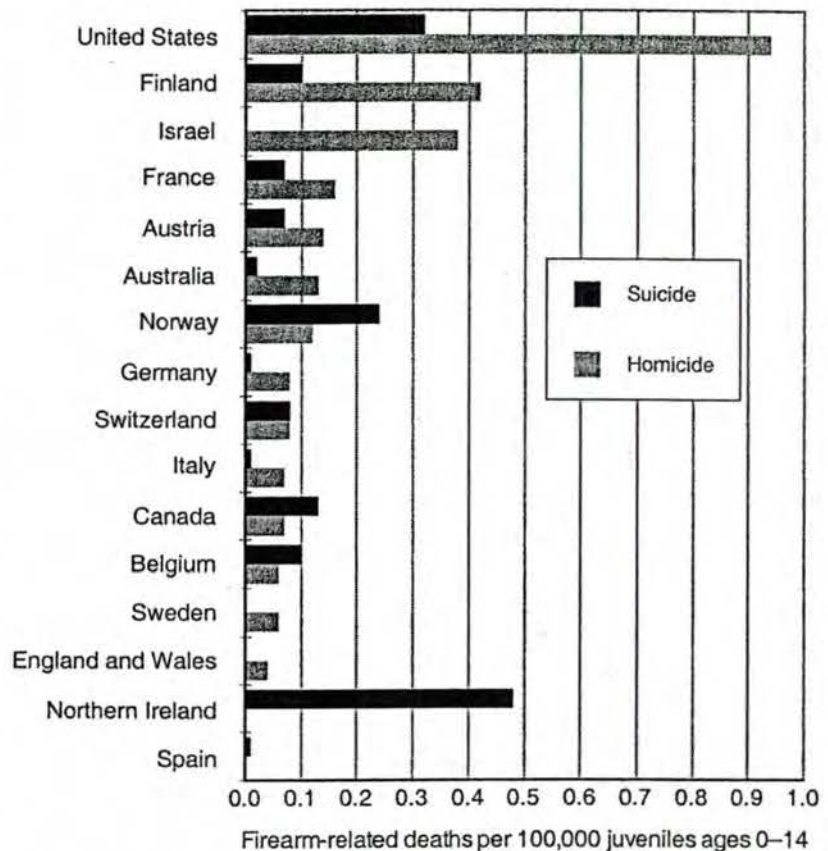
A similar pattern was seen in the suicide rates of children under age 15. Overall, the U.S. suicide rate was twice the rate for the other countries combined (0.55 vs. 0.27). For suicides involving firearms, however, the suicide rate in the U.S. was almost 11 times the rate for the other countries combined (0.32 vs. 0.03).

	Homicide rates*		Suicide rates*	
	U.S.	Foreign	U.S.	Foreign
Ages 0-4	4.10	0.95	0.00	0.00
Firearm	0.43	0.05	0.00	0.00
No firearm	3.67	0.05	0.00	0.00
Ages 5-14	1.75	0.30	0.84	0.40
Firearm	1.22	0.07	0.49	0.05
No firearm	0.53	0.24	0.35	0.35
Ages 0-14	2.57	0.51	0.55	0.27
Firearm	0.94	0.06	0.32	0.03
No firearm	1.63	0.45	0.23	0.24

* Rates are the number of homicides or suicides per 100,000 children in the age group.

Note: Data were provided by Australia, Austria, Belgium, Canada, Denmark, England and Wales, Finland, France, Germany, Hong Kong, Ireland, Israel, Italy, Japan, Kuwait, Netherlands, New Zealand, Northern Ireland, Norway, Scotland, Singapore, Sweden, Spain, Switzerland, and Taiwan.

The U.S. firearm-related homicide rate for children is more than twice that of Finland, the country with the next highest rate



Note: If both suicide and homicide rates for a country were 0, that country is not displayed on the graph. Data were provided by Australia, Austria, Belgium, Canada, Denmark, England and Wales, Finland, France, Germany, Hong Kong, Ireland, Israel, Italy, Japan, Kuwait, Netherlands, New Zealand, Northern Ireland, Norway, Scotland, Singapore, Sweden, Spain, Switzerland, and Taiwan.

Source: Authors' adaptation of Centers for Disease Control and Prevention's Rates of homicide, suicide, and firearm-related death among children—26 industrialized countries.

Homicides involving a firearm were about 10% of all homicides among younger children (ages 0-4) in the U.S. in 1993. In contrast, about two-thirds of U.S. homicides among older children (5-14) involved a firearm. In other countries, firearm-related homicides were less than one-quarter of all homicides in either age group.

While nonfirearm-related suicide rates were the same among older children in the U.S. and other countries (0.35), firearm-related suicide rates in the U.S. were 10 times greater than those in other countries (0.49 vs. 0.05).

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[Prev Hit](#)
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THIS DOCUMENT

[Forward](#)
[Back](#)
[Best Sections](#)
[Doc Contents](#)

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Bill 1 of 50

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Law Enforcement Trust and Integrity Act of 1999 (Introduced in the House)

HR 2656 IH

106th CONGRESS

1st Session

H. R. 2656

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to withhold funds in certain cases, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

July 30, 1999

Mr. CONYERS (for himself, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. SCOTT, and Ms. WATERS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to withhold funds in certain cases, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Law Enforcement Trust and Integrity Act of 1999'.

TITLE I--LAW ENFORCEMENT ACCREDITATION

SEC. 101. ACCREDITATION OF LAW ENFORCEMENT AGENCIES.

(a) STANDARDS-

(1) IN GENERAL- The Attorney General shall recommend additional areas for the

development of national standards for the accreditation of law enforcement agencies in conjunction with professional law enforcement organizations, principally the Commission on Accreditation of Law Enforcement Agencies (referred to in this title as 'CALEA').

(2) INITIAL ANALYSIS- The Attorney General shall perform an initial analysis of the existing standards and accreditation methodology developed by the CALEA.

(3) PROMULGATION OF STANDARDS- After completion of the initial review and analysis under paragraph (2), the Attorney General shall recommend that CALEA, in consultation with labor and community-based organizations, adopt additional standards, including early warning programs, civil review procedures, traffic stop documentation and procedures, and administrative due process requirements.

(4) ACCREDITATION- The Attorney General shall adopt policies and procedures to partner with CALEA, other professional law enforcement organizations, and community-based organizations to continue the development of further accreditation standards and to encourage the pursuit of accreditation by Federal, State, and local law enforcement agencies.

(b) ACCREDITATION GRANTS- The Attorney General may make funds available to Federal, State, and local law enforcement agencies under this paragraph to assist in gaining or maintaining accreditation from the Commission on Accreditation for Law Enforcement Agencies.

TITLE II--LAW ENFORCEMENT DEVELOPMENT PROGRAMS

SEC. 201. LAW ENFORCEMENT GRANTS.

(a) GRANT AUTHORIZATION- The Attorney General may make grants to States, units of local government, Indian tribal governments, or other public and private entities, and multijurisdictional or regional consortia thereof to study and implement effective management, training, recruiting, hiring, and oversight policies and programs for law enforcement agencies.

(b) PROJECT GRANTS TO STUDY LAW ENFORCEMENT AGENCY MANAGEMENT- Grants made under subsection (a) of this section may be used for the study of law enforcement agency management and operations standards, including administrative due process, residency requirements, compensation and benefits, use of force, racial profiling, early warning programs, and civilian review procedures, and for research into the effectiveness of existing programs, projects, or other activities designed to address misconduct by law enforcement officers.

(c) PROJECT GRANTS TO DEVELOP PILOT PROGRAMS- Grants made under subsection (a) may also be used to develop pilot programs and implement effective programs in the areas of training, hiring, and recruitment, and oversight that are designed to improve management and address misconduct by law enforcement officers. These programs may include the following:

(1) TRAINING- Law enforcement policies, practices, and procedures addressing, training and instruction in the use of lethal and nonlethal force; tactical and defensive strategy; arrests searches and handcuffing; verbal communications; and community relations.

(2) RECRUITMENT AND HIRING- Policies and practices for the hiring and recruitment of law enforcement officers; development of educational and

psychological standards; initiatives to encourage residency and continuing education.

(3) OVERSIGHT- Complaint procedures, including civilian review procedures for jurisdictions across a range of sizes and agency configurations; early warning programs; and administrative due process requirements inherent to complaint procedures for members of the public and law enforcement .

(d) AMOUNTS- Of the amounts appropriated for the purposes of this title--

- (1) 4 percent shall be available for grants to Indian tribal governments; and
- (2) the remaining funds shall be available for grants to applicants in each State in an amount that bears the same ratio to the amount of remaining funds as the population of the State bears to the population of all of the States.

(e) TECHNICAL ASSISTANCE-

- (1) IN GENERAL- The Attorney General may provide technical assistance to States, units of local government, Indian tribal governments, and to other public and private entities, in furtherance of the purposes of this section.
- (2) MODEL- The technical assistance provided by the Attorney General may include the development of a flexible model that will define for State and local governments, and other public and private entities, definitions and strategies associated the reduction of law enforcement misconduct.

(f) USE OF COMPONENTS- The Attorney General may use any component or components of the Department of Justice in carrying out this title.

(g) MATCHING FUNDS-

- (1) IN GENERAL- Except in the case of an Indian tribe, the portion of the costs of a program, project, or activity provided by a grant under subsection (a) may not exceed 75 percent.
- (2) WAIVERS- The Attorney General may waive, wholly or in part, the requirement under paragraph (1) of a non-Federal contribution to the costs of a program, project, or activity.

(h) APPLICATIONS-

- (1) APPLICATION- An application for a grant under this title shall be submitted in such form, and contain such information, as the Attorney General may prescribe by guidelines.
- (2) APPROVAL- A grant may not be made under this title unless an application has been submitted to, and approved by, the Attorney General.

(i) PERFORMANCE EVALUATION-

- (1) MONITORING COMPONENTS- Each program, project, or activity funded under this title shall contain a monitoring component, developed pursuant to guidelines established by the Attorney General. The monitoring required by this subsection shall include systematic identification and collection of data about activities, accomplishments, and programs throughout the life of the program, project, or activity and presentation of such data in a usable form.
- (2) EVALUATION COMPONENTS- Selected grant recipients shall be evaluated on the local level or as part of a national evaluation, pursuant to guidelines established by the Attorney General. Such evaluations may include assessments of individual program implementations. In selected jurisdictions that are able to support outcome evaluations, the effectiveness of funded programs, projects, and activities may be required.
- (3) PERIODIC REVIEW AND REPORTS- The Attorney General may require a grant recipient to submit to the Attorney General the results of the monitoring and evaluations

required under paragraphs (1) and (2) and such other data and information as the Attorney General deems reasonably necessary.

(j) **REVOCATION OR SUSPENSION OF FUNDING-** If the Attorney General determines, as a result of the reviews required by subsection (i), or otherwise, that a grant recipient under this title is not in substantial compliance with the terms and requirements of an approved grant application submitted under subsection (h), the Attorney General may revoke or suspend funding of that grant, in whole or in part.

(k) **DEFINITIONS-** In this title:

(1) The term 'career law enforcement officer' means a person who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws; and

(2) The term 'Indian tribe' means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(3) The term 'community-based organization' means a grassroots organization that monitors the issue of police misconduct and that has a national presence and membership (such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), NAACP Legal Defense and Education Fund, National Council of la Raza, and Urban League).

(4) The term 'civilian review procedures' means administrative entities that exhibit such characteristics as independence, investigatory authority, subpoena power, adequate funding, representative diversity, and policy making authority.

TITLE III--ADMINISTRATIVE DUE PROCESS PROCEDURES

SEC. 301. ATTORNEY GENERAL TO CONDUCT STUDY.

(a) **STUDY-**

(1) **IN GENERAL-** The Attorney General shall conduct a nationwide study of the prevalence and impact of any law, rule, or procedure that allows a law enforcement officer to delay for an unreasonable or arbitrary period of time the answer to questions posed by a local internal affairs officer, prosecutor,

or review board on the investigative integrity and prosecution of law enforcement misconduct.

(2) **INITIAL ANALYSIS-** The Attorney General shall perform an initial analysis of New York City's 48-Hour Rule to determine whether, at a threshold level, the impact of this type of rule or procedure raises material investigatory issues that could impair or hinder a prompt and thorough investigation of possible misconduct, including criminal conduct, that would justify a wider inquiry.

(3) **DATA COLLECTION-** After completion of the initial analysis under paragraph (2), and considering material investigatory issues, the Attorney General shall then gather additional data nationwide on rules similar to the 48-hour rule, from a representative and statistically significant sample of jurisdictions, to determine whether such rules and procedures raise such material investigatory issues.

(b) **REPORTING-** Not later than 120 days after the date of the enactment of this Act, the

Attorney General shall report the results of its initial analysis to Congress, and make such report available to the public, and identify the jurisdictions for which the study is to be conducted. Not later than 2 years after the date of the enactment of this Act, the Attorney General shall report the results of the data collected under this Act to Congress, a copy of which shall also be published in the Federal Register.

TITLE IV--ENHANCED FUNDING TO COMBAT POLICE MISCONDUCT

SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2000, in addition to any other sums authorized to be appropriated for this purpose, \$1,600,000 for additional expenses related to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14141), criminal enforcement, and administrative enforcement by the Department of Justice and such sums as necessary to fully fund programs managed by the Community Relations Service.

TITLE V--ENHANCED AUTHORITY IN PATTERN AND PRACTICE INVESTIGATIONS

SEC. 501. PRIVATE CAUSE OF ACTION RELATING TO POLICE PATTERN OR PRACTICE.

Section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14141) is amended by adding at the end the following:

“(c) CIVIL ACTION BY AGGRIEVED PERSON- A person who is aggrieved by a violation of this section may, in a civil action, obtain declaratory and injunctive relief with respect to the violation. The court in an action under this subsection may award the prevailing party (other than the United States) a reasonable attorney's fee, including litigation expenses, as part of the costs; fees may be awarded to a prevailing defendant only when a plaintiff's civil action is shown to be frivolous, unreasonable, or without foundation. The Attorney may intervene as a party in a civil action brought under this subsection.”

SEC. 502. UNLAWFUL CONDUCT.

Section 210401(a) of the Violent Crime and Law Enforcement Act of 1994 (42 U.S.C. 14141(a)) is amended--

- (1) by inserting “criminal or” before “, juvenile justice”; and
- (2) by inserting “adults or” before “juveniles”.

TITLE VI--DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

SEC. 601. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW .

Section 242 of title 18, United States Code, is amended--

- (1) by inserting “(a)” before “Whoever”;
- (2) by adding at the end the following:

“(b)(1) It is a deprivation of a right, privilege, or immunity secured or protected by the Constitution or laws of the United States--

“(A) to subject, or attempt to subject, any person to force exceeding that which is reasonably

necessary to carry out a legitimate law enforcement duty; or

`(B) to engage in or cause any unwanted sexual act , or unwanted sexual contact, with or by any other person, or to attempt to do so.

`(2) As used in this subsection--

`(A) the term `sexual act' has the meaning given that term in section 2246(2)(A)-(C);

`(B) the term `sexual contact' has the meaning given that term in section 2246(3); and

`(C) the term `bodily injury' has the meaning given that term in section 1515(a)(5).

`(3) No prosecution of a case described in this subsection shall be undertaken, except upon notification in writing by the Assistant Attorney General for Civil Rights that, in that official's judgment, a prosecution by the United States is in the public interest and necessary to secure substantial justice.'.

TITLE VII--STUDY OF DEATHS IN CUSTODY

SEC. 701. STUDY.

Section 210410(a) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13704(a)) is amended--

(1) in paragraph (2), by striking `or' after the semicolon;

(2) in paragraph (3), by striking the period and inserting `; or'; and

(3) by adding at the end the following new paragraph:

`(4) the State has provided an assurance that it shall follow guidelines that may be established by the Attorney General in reporting, on a quarterly basis, information regarding the death of any person who is in the process of arrest, has been arrested, has been incarcerated or is en route to be incarcerated at any municipal or county jail, State prison, or other State or local correctional facility (including any juvenile facility) that, at a minimum, includes--

`(A) the name, gender, ethnicity, and age of the deceased;

`(B) the date, time, and location of death; and

`(C) a brief description of the circumstances surrounding the death.'.

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[Next Hit](#)

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THIS DOCUMENT

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[Back](#)

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March [XX], 2000

**Cosponsor the Law Enforcement Trust and Integrity Act
Help Forge a Partnership Between Police and Community Groups**

Deadline: March [XX] at X:00 P.M.

Dear Colleague:

We are writing to invite you to cosponsor legislation supported by both police and civil rights organizations aimed at curbing outrages like the Los Angeles Rampart Division perjury scandal and tragedies such as the Amadou Diallo shooting. The Law Enforcement Trust and Integrity Act of 2000 takes a comprehensive approach at addressing the issue of police accountability and building trust between police departments and their communities.

The purpose of the legislation is to build a better relationship between law enforcement entities, officials and the people they serve by providing communities with the tools to deal with misconduct. The legislation provides incentives for local police organizations to voluntarily adopt performance-based standards to ensure that incidents of misconduct will be minimized through appropriate management, training and oversight protocols and properly investigated, should they occur. The bill also provides police officers -- the vast majority of whom are decent people, concerned about their communities -- with the tools necessary to work with their communities and to enhance their professional growth and education.

Specifically, this bill makes 11 concrete steps toward improving law enforcement management and misconduct prosecution tools and has the support of a broad range of groups, from the [community-based] to the [list the police groups]:

1. Accreditation of Local Law Enforcement Agencies – Authorizes the Department of Justice to work cooperatively with independent accreditation, law enforcement and community-based organizations to further develop and refine the accreditation standards, and authorizes the Attorney General to make grants to law enforcement agencies for the purpose of obtaining accreditation from certified law enforcement accreditation organizations.
2. Law Enforcement Agency Development Programs – Authorizes the Attorney General to make grants to States and local governments to develop pilot programs such as civilian review boards, early warning and detection programs which have been proven effective in many jurisdictions
3. Administrative Due Process Procedures – Requires the Attorney General to study the prevalence and impact of any law, rule or procedure which interferes with prompt and thorough investigations of abuse.
4. Enhanced Funding of Civil Rights Division – Authorizes appropriations for expenses for ongoing investigations of pattern-and-practice-of-abuse investigations pursuant to 42 U.S.C. 14141) and authorizes appropriations for expenses related to programs managed by the Community Relations Service.

5. Enhanced Authority in Pattern and Practice Investigations – Amends 42 U.S.C. 14141 to provide private cause of actions limited only to declaratory and injunctive relief when there is a pattern and practice of discrimination.
6. Deprivation of Rights Under Color of Law – Amends section 242 of Title 18 of the United States Code to expressly define excessive use of force and non-consensual sexual conduct as deprivations of rights under color of law.
7. Study of Deaths in Custody – Amends section 20101(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C.A. 13701) to require assurances that States will follow guidelines established by the Attorney General for reporting deaths in custody.
8. National Task Force on Law Enforcement Oversight – Requires the Department of Justice to establish a task force to coordinate the investigation, prosecution and enforcement efforts of federal, state and local governments in cases related to law enforcement misconduct.
9. Immigration Enforcement Review Commission – Creates a commission to investigate civil rights complaints against the INS and Customs Services, with authority to make policy and disciplinary recommendations.
10. Federal Data Collection on Racial Profiling – Requires the Justice, Treasury and Interior Departments to collect data concerning the personal characteristics (race, ethnicity and gender) of individuals targeted for investigation (e.g., detention, traffic stop or warrantless search) by federal law enforcement agencies and requires the Justice Department to prepare a “master report” analyzing the findings and recommending improved policies and procedures.
11. Whistleblower Protection – The bill establishes civil and criminal penalties for retaliation against law enforcement officers who in good faith disclose, initiate or advocate on behalf of a civilian complainant in actions alleging police misconduct and creates private cause of action for retaliation.

The catalogue of high-profile incidents of police misconduct grows with each passing day. With the Rampart perjury scandal, Amadou Diallo shooting and Abner Louima assault, it should now be clear to all members, and the nation at-large, that police misconduct is an issue that we must address in a bipartisan manner. That’s why we have been working with both civil rights and police organizations to develop a proposal that we can all support.

To be an original cosponsor of our legislation, or if you would like additional information, please contact Keenan Keller at the Judiciary Committee (x56906).

Very truly yours,

John Conyers, Jr.

[HOME](#)[FAQ](#)[SITE TOUR](#)[SEARCH / INDEX](#)[E-MAIL](#)

press release

HUD News

HUD No.

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For Release

10:00 a.m. Wednesday

March 1, 2000

CUOMO AND KASICH ANNOUNCE HUD POLICY TO SELL HOMES TO LOCAL GOVERNMENTS FOR \$1 EACH

View a List of All Eligible Homes by State and City

WASHINGTON - The Department of Housing and Urban Development today launched a new initiative to sell local governments thousands of HUD-owned homes for \$1 each to create housing for families in need and to benefit neighborhoods.

HUD Secretary Andrew Cuomo and Congressman John Kasich of Ohio announced the new HUD Good Neighbor Policy today and said it is good for neighborhoods, communities and families.

Under the policy, single-family homes that are acquired in foreclosure actions by the Federal Housing Administration (which is part of HUD) will be eligible for sale to local governments around the nation for \$1 each whenever FHA is unable to sell the homes for six months. About 3,000 homes will initially be eligible for sale to local governments under the initiative, with additional homes available for sale each month.

"The Good Neighbor Policy will build better futures for hundreds of communities and thousands of families across our nation," Cuomo said. "It will help reverse decades of decline in our cities by revitalizing neighborhoods, attracting new residents, and promoting homeownership."

"I think this policy is going to provide huge benefits for America and America's families," said Kasich, who is Chairman of the House Budget Committee. "I hope there can be more instances when Members of Congress and officials from the Executive Branch can work together to develop and implement ideas like this one that achieve the common good."

By selling vacant homes for \$1 after six months on the market, HUD will make it possible for communities to fix up the homes and put them to good use at a considerable savings. The newly occupied homes can then act as catalysts for neighborhood revitalization, attracting new residents and businesses to an area.

Local governments buying HUD homes for \$1 can sell or rent them to low- and moderate-income families, to first-time homebuyers, or to groups that will use the homes to provide services such as child care centers or job training centers.

Homes in extremely deteriorated condition, where rehabilitation is not feasible, will be demolished by HUD and the vacant lots will be offered for sale to the local government for \$1.

The initiative won't cost taxpayers a penny. Because of improvements in FHA management and because few FHA-insured home loans default, FHA's revenues exceeded expenses and the agency returned about \$1.5 billion to the U.S. Treasury in 1999.

The Good Neighbor Policy complements a system HUD instituted 10 months ago under which contractors rather than HUD employees sell FHA-owned homes. Under this system, the average time it takes to sell a home has dropped by 38 days and the amount of money HUD recovers from each sale has increased by an average of \$4,500 per home. With more than 50,000 sales to date, the new system has saved HUD more than \$225 million.

Cuomo credited Kasich with coming up with the idea for the Good Neighbor Policy, which HUD then developed into the plan announced today.

To launch the new initiative, Cuomo announced that the first house sold under the Good Neighbor

Policy will go to Columbus, Ohio, which is represented by Kasich in Congress. Columbus will buy a three-bedroom house at 344 Midland Avenue for \$1.

Thomas Cochran, Executive Director of the U.S. Conference of Mayors, said: "This flexible use of HUD homes at virtually no cost is a great opportunity for cities and counties. We applaud Secretary Cuomo for developing this initiative. This is another great tool that will make a difference."

FHA currently insures about 6.7 million mortgages. When homeowners fail to make their mortgage payments, FHA first tries to help them stay in their homes through foreclosure avoidance. If this is not successful, the lender forecloses on a home and conveys it to FHA in exchange for FHA payment of the outstanding mortgage balance. FHA then puts the home up for sale.

The vast majority of FHA-owned homes sell within six months. For example, in the past six months FHA has sold about 39,000 homes, while only about 3,000 homes have been on the market for six months or more.

Last year FHA sold about 6,500 homes to local governments and community-based nonprofit organizations through the Direct Sales Program. This program offers homes located within a revitalization area that are in need of repair for sale at 30 percent discounts off the appraised value. The program, which sells homes as soon as they become available to FHA, will continue.

HUD has implemented many reforms at FHA since Cuomo became Secretary. HUD has reorganized and consolidated 81 field offices into four state-of-the-art home ownership centers, approved and adopted Freddie Mac's and Fannie Mae's automated underwriting systems, and developed an FHA scorecard, which will be available to the marketplace later this year.

Eighty percent of FHA loans go to first-time homebuyers. In addition, FHA insures about 40 percent of all home mortgages to African American and Hispanic homebuyers.

FHA does not make mortgage loans directly, but rather insures loans made by private lenders to homebuyers. Because FHA mortgage insurance protects lenders from losses, it has enabled 30 million American families who would otherwise be locked out of the mortgage market and homeownership to qualify for mortgages.

FHA-insured loans also benefit homebuyers in these ways:

- FHA downpayments of 3 percent are lower than the minimum that many lenders require for non-FHA mortgages. Higher downpayments are a major roadblock to homeownership.
- FHA's requirement for homebuyer credit ratings are more flexible than those set by many lenders for non-FHA borrowers.
- FHA permits homebuyers to use gifts from family members and non-profit groups to make their entire downpayment, while conventional loans generally require homebuyers to come up with a portion of the downpayment from their own funds.
- FHA permits a borrower to carry more debt than a private mortgage insurer typically allows.

##

HUD-Owned Homes Available For \$1 Purchase

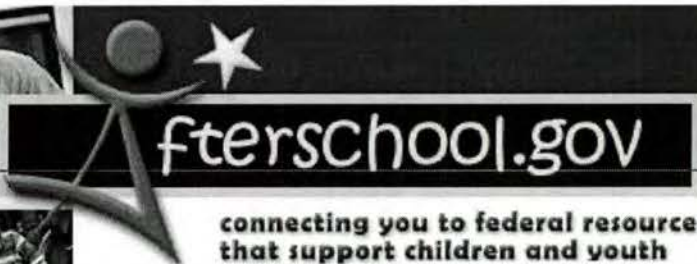
<i>State</i>	<i>City</i>	<i>Grand Total</i>
New York	ADAMS CENTER	1
	ALBANY	2
	ALBION	1
	AMSTERDAM	10
	AUBURN	7
	BALDWIN	1
	BALLSTON SPA	1
	BATAVIA	1
	BERGEN	1
	BINGHAMTON	6
	BLACK RIVER	1
	BRANT	1
	BRENTWOOD	1
	BRIDGEPORT	1
	BROOKFIELD	1
	BROOKLYN	1
	BUFFALO	50
	CAIRO	1
	CENTRAL ISLIP	1
	CHEEKTOWAGA	7
	CITY OF DUNKIRK	1
	CLIFTON	1
	CLINTON	1
	COHOES	2
	COLTON	1
	CORAM	1
	CORNING	2
	DEANSBORO	1
	DOLGEVILLE	1
	DUNKIRK	1
	EAST CHATHAM	1
	ELLENVILLE	1
	ELMIRA	3
	ENDICOTT	1
	ESPERANCE	1
	EVANS MILLS	1
	FREDONIA	2
	FREEPORT	1
	FULTON	4
	GENEVA	1
	GLENDALE	1
	GLENS FALLS	1
	GLOVERSVILLE	9
	GODEFFROY	1
	GRANBY	1
	HAMBURG	1
	HARPURSVILLE	1
	HOCTON	1
	HOLLIS	1
	HOOSICK FALLS	1

HUD-Owned Homes Available For \$1 Purchase

<i>State</i>	<i>City</i>	<i>Grand Total</i>
	HOPEWELL JUNCTION	1
	HORNELL	1
	ISLAND PARK	1
	ISLIP	1
	JAMAICA	1
	JAMESTOWN	1
	JERUSALEM	1
	JOHNSTOWN	4
	LACKAWANNA	5
	LAKE HUNTINGTON	1
	LAURELTON	1
	LITTLE FALLS	1
	LIVERPOOL	3
	LOCKPORT	4
	MASSENA	2
	MASTIC BEACH	1
	MATTYDALE	1
	MAYFIELD	1
	MEMPHIS	1
	MONTICELLO	1
	MORRISONVILLE	1
	MOUNT UPTON	1
	NEW BERLIN	2
	NEWBURGH	2
	NIAGARA FALLS	8
	NIVERVILLE	1
	NORTH COLLINS	1
	OAKFIELD	1
	OGDENSBURG	2
	ORISKANY	1
	OSWEGO	2
	OVID	1
	OXFORD	1
	OZONE PARK	1
	PALATINE BRIDGE	1
	PARISHVILLE	1
	PATCHOGUE	1
	PIERCEFIELD	1
	PORT BYRON	2
	RAVENA	1
	ROCH THURSTON RD	1
	ROCHESTER	60
	ROCHESTER DEWEY	2
	ROME	5
	ROSEDALE	1
	SCHENECTADY	17
	SCHUYLER FALLS	1
	SMYRNA	1
	SODUS	2
	ST ALBANS	1

HUD-Owned Homes Available For \$1 Purchase

<i>State</i>	<i>City</i>	<i>Grand Total</i>
	STATEN ISLAND	1
	SYRACUSE	49
	TICONDEROGA	2
	TONAWANDA	1
	TOWN OF FALLSBURG	1
	TROY	7
	TUPPER LAKE	1
	UNADILLA	1
	UTICA	4
	WALLKILL	1
	WAPPINGERS FALLS	1
	WATERFORD	1
	WATERTOWN	3
	WATERVILLE	1
	WHITESBORO	1
	WILLIAMSTOWN	1
	WINGDALE	1
	WOODHAVEN	1
New York Total		376



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that support children and youth
during out-of-school hours



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Finding Federal Dollars

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You can search this database for information about over 100 sources of funding from many different government agencies. Searching the database provides a summary of each program and a link to details about each funding source.

How to search:

You may choose to search by using a combination of the options below. For example, you may type a Keyword (e.g., "food" or "child care") and further specify by choosing a Subject area. This database was made in partnership with the Finance Project.

Please enter searchable keywords in the following:

Search by Keyword(s):

Search by a Subject:

Search by an Eligible Recipient:

If you have any problems with the search function, or if you have any suggestions about how to make this easier for you, please click "Contact Us" at the bottom of this page.

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Federal Funding Basics

We know that federal grant and loan programs can be complicated. Money can flow to local after-school and youth development programs, or to children and youth in those programs, in a number of different ways. Below, we list just a few types of funding. Keep watching this site for a more comprehensive explanation of federal funding basics.

Discretionary Grants

Sometimes referred to as "project grants," discretionary grants support research, evaluation, and demonstration projects or service projects. Discretionary funds are awarded for specific periods of time, usually one to five years.

Earmarked Funds

Legislative directives in the appropriations laws (as distinct from authorization acts) are "earmarked funds" that dictate how to spend certain portions of funds appropriated within larger funding programs. Earmarks are both "hard" and "soft." Hard earmarks are written into legislation, usually with specific amounts to be spent and the specific recipient of the funding identified. Soft earmarks are based upon conference reports. Earmarks occur in a specific fiscal year and may not be continued to the next fiscal year.

Formula Grants

Formula grants are usually based on population, unemployment levels, census data or other demographic indicators. Most formula grants go directly to state agencies for on-going services through block grants or categorical programs.

Initiative

Initiatives are special efforts by federal departments and tend to focus on specific issues.

 [Back to Top](#)

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March 30, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: ANN O'LEARY
HEATHER HOWARD
RUBY SHAMIR

CC: MELANNE VERVEER
SHIRLEY SAGAWA
LISSA MUSCATINE
PATTI SOLIS DOYLE

SUBJECT: ISSUES UPDATE

The purpose of this memo is to provide you with brief updates on a number of national issues in which you have been involved or expressed interest.

LEGISLATIVE AND ISSUES UPDATE

EDUCATION

Education Tax Bill. Yesterday, the House Rules Committee began consideration of H.R. 7, the Education Savings Account, but postponed further consideration when Republican moderates protested the Leadership's unwillingness to consider the Johnson-Rangel school modernization amendment. The Education Savings Account, passed in the Senate with a veto threat by the President earlier this month, would increase the savings limit in ESAs from \$500 to \$2000 and would allow the savings to be spent on K-12 education. In pushing for the Johnson-Rangel amendment, the NEA released new State-by-State numbers showing the \$254 billion need nationwide for school modernization (see attached breakdown).

Lieberman's Public Education Reinvestment, Reinvention and Responsibility Act. On March 9th, Senator Lieberman introduced his ESEA reauthorization proposal on the floor of the Senate. ESEA is not expected to be brought up for consideration in the Senate until after the Easter recess.

Lieberman's bill would trim ESEA from fourteen titles to seven and would focus on the following proposals:

1. *Strengthening standards implementation and accountability in Title I and boosting funding for Title I by 50 percent.* The Lieberman proposal is stronger than the Administration's bill in its requirement for States to evaluate and publicly report their progress on turning around low-performing schools and improving teacher quality. It also requires that school districts be held accountable for disaggregating achievement data and improving achievement along

lines of poverty, race/ethnicity, and limited English proficiency (LEP), thus sending a strong message on "closing the opportunity gap."

2. *Improving teacher quality.* This proposal is similar to the Administration's teacher quality proposal in that it folds together Goals 2000 and the Eisenhower professional development program into a single teacher quality fund and calls for strong teacher quality accountability by ending the practice of out-of-field and emergency certified teachers by 2005. This fund would be used for systemic long-term comprehensive professional development and for class-size reduction. Unlike the Administration's proposal, Lieberman's proposal does not include a separate funding stream for class-size reduction, but instead allows for local flexibility on spending the teacher quality funds on class-size reduction or professional development.
3. *Strong focus on English acquisition.* The Lieberman bill would replace the discretionary grant programs for bilingual education under current law with a formula grant program that would provide funds to states based on the percentage of LEP students in the state's student population. This program would require states to develop standards for development of English and would hold States accountable for meeting performance goals.
4. *Promoting public school choice.* Like the Administration's ESEA proposal, Lieberman's proposal would increase funding for charter schools and would develop a new competitive grant program for local school districts to implement innovative public school choice programs.
5. *Continuing commitment to Impact Aid with no changes to current law.*
6. *Stimulating innovative strategies for performance.* The Lieberman proposal would stimulate innovative strategies for performance by including a \$2.7 billion block grant to support four broad types of activities: innovative school improvement strategies to improve academic achievement, summer school or after-school programs, school safety and discipline measures, and technology literacy initiatives. This new fund would require a performance agreement from the state that would outline the state's performance objectives, how the state plans to meet objectives, and how the state will hold school districts accountable for meeting objectives. It would eliminate the 21st Century Community Learning Centers, the Reading Excellence programs, Safe and Drug Free Schools, and various technology initiatives.
7. *Strengthening accountability.* This bill, like the Administration's bill, would include strong measures to hold States accountable for meeting state standards and would reward States that exceed their performance goals and that successfully close the achievement gap.

Attached please find a detailed summary of Lieberman's bill (produced by his office) and a press release upon introduction of the bill.

HEALTH CARE ISSUES

Follow-up to 'Ritalin Event.' We have received considerable positive response to your 'Ritalin Event' and the Surgeon General's office has begun planning for the fall Conference on the Diagnosis and Treatment of Children with Behavioral and Mental Disorders. Later this spring, Dr. Satcher will convene a "Surgeon General's Workshop," a large meeting of all the groups that want to be involved in planning the conference. Both you and Mrs. Gore will be invited to the conference and staff will be involved in planning.

Medicare. The Medicare trustees projected that the life of the Medicare Trust Fund has been extended until 2023 – 8 years longer than have been projected last year. Please see attached fact sheet.

Births Report. This week, the CDC released 1998 U.S. births data. Highlights include:

- There was a 2 percent increase in the number of births from 1997, the first increase since 1990, fueled by increases in birth rates for women in their twenties and their thirties.
- The birth rate for teens declined again, down 2 percent in 1998. The rate for 15-17 year-olds fell 5 percent, while the rate for 18-19 year-olds fell 2 percent. Overall, the teen birth rate declined by 18 percent from 1991 to 1998, with all states recording a decline in the birth rate of 15-19 year-olds between 1991 and 1998.
- The birth rate for unmarried women increased 1 percent. The percent of all births that were to unmarried women increased from 32.4 percent in 1997 to 32.8 percent in 1998. However, the teen out-of-wedlock birth rate dropped again in 1998, down 11 percent from its high in 1994.
- The rate of preterm births (less than 37 completed weeks of gestation) rose to 11.6 percent in 1998, and has risen 9 percent since 1990 and 23 percent since 1981. The low birthweight rate (less than 5.5 pounds) also continued to rise, increasing to 7.6 percent for 1998; it has risen quite steadily since the mid-1980s. The upswing in overall levels of preterm and low birthweight births is influenced in part by the increase in multiple births.
- The proportion of women beginning prenatal care in the first trimester rose again for the 9th consecutive year, to 82.8 percent. After showing little change in the 1980's, the percent of women with timely care has risen 10 percent during the 1990's.
- Cigarette smoking during pregnancy declined again in 1998, to 12.9 percent, continuing a trend observed since 1989. However, tobacco use by pregnant teenagers continued to increase in 1998, particularly for non-Hispanic black teens.

Abortion: So-called "Partial Birth" Abortion. The Solicitor General filed an amicus brief in Carhart v. Stenberg, the partial birth case being heard by the Supreme Court on April 25th. The brief focuses on all the opportunities this case provides the Court to undermine Roe. It argues that the Nebraska statute is unconstitutional because it is vague, overbroad (it bans the most commonly used 2nd trimester procedure and therefore imposes an undue burden), and lacks a health exception. DOJ and Counsel's office determined that this was consistent with the President's past veto messages on the partial birth bills. (The veto messages focused on the legislation's lack of a health exception; the 8th Circuit, in finding the Nebraska law unconstitutional, focused on the 2nd trimester issue. Other circuits have agreed with that reasoning.)

The House is scheduled to vote on partial birth legislation on April 5. Representatives Hoyer and Greenwood may offer, as the motion to recommit, a substitute that is not procedure-specific,

but rather bans all third trimester abortions and has an exception for "serious adverse health consequences." The last time the House considered partial birth legislation, in 1997, the President sent a letter to Hoyer supporting his bill, and may do so again.

Abortion: Alleged Sale of Fetal Tissue. The news program "20/20" recently ran a story purporting to expose a widespread black market in fetal tissue. If true, the allegations on "20/20" are clearly illegal. On March 9, the House Commerce Committee held a hearing on the alleged for-profit sale of fetal tissue, but the witnesses cited by "20/20" proved unreliable. The first refused to testify altogether, and the second recanted many of his initial charges. Nonetheless, NIH contacted all the 150 institutions currently receiving federal funds for fetal tissue research to reiterate their legal obligations regarding the use and acquisition of fetal tissue. NIH has also begun a series of random record audits.

Antitrust Health Care Legislation. Today, the House Judiciary Committee approved H.R. 1304, the Quality Health Care Coalition Act of 1999. The legislation, introduced by Representative Tom Campbell, has over 200 House cosponsors and is strongly supported by the AMA. It would exempt physicians from antitrust laws that bar collective bargaining by independent contractors. Proponents claim that consolidation by health plans has given insurers unfair leverage in the marketplace, threatening access and quality of care. They argue that H.R. 1304 levels the playing field. Opponents, including the Consumer Federation of America, headed by former Senator Metzenbaum, the Justice Department and the FTC, argue this legislation would simply allow physicians to fix prices, which would raise health care costs without guaranteeing any consumer benefit. DOJ points out that under current law, providers can already enhance their bargaining power by increasing the size of their group practices and forming provider-hospital organizations, provider-service organizations, and independent practice associations. The AMA, however, argues that DOJ has not been aggressive enough in enforcing antitrust laws in the face of health plan consolidation. The full House will likely pass the bill, but there appears to be little interest in the Senate (there is no Senate bill).

CHILD SUPPORT

Child Support Waivers. On Wednesday, the Vice President and Secretary Shalala announced the approval of waiver demonstrations in 10 states to improve the opportunities of young, unmarried fathers to support their children both financially and emotionally. The projects will test new ways for state-run child support enforcement programs and community-based organizations, including many faith-based organizations, to work together to help young fathers obtain employment, make child support payments and learn parenting skills. The projects will test approaches to serving young, never-married, non-custodial parents who do not have a child support court order in place and may face obstacles to employment. Some of the projects will provide direct services for custodial parents, and all will provide for referral of custodial parents to child support services and other services as needed. The demonstrations will also test a new cooperative working relationship between child support enforcement and non-governmental agencies. The demonstrations will total \$15 million in combined federal and private funding over a three-year period. This initiative will be piloted in Baltimore, MD; Boston, MA; Chester County, PA; Chicago, IL; Denver, CO; Indianapolis, IN; Los Angeles, CA; Milwaukee/Racine, WI; Minneapolis, MN; and New York City, NY.

CABINET REPORT

DEPARTMENT OF TREASURY

CRA: During the week of April 10, Treasury will release the first phase of the CRA study required by the Gramm-Leach-Bliley Act. In order to meet the requirements of the Act, Treasury staff proposed that the second phase of the CRA study include: 1) detailed case studies of up to 10 large financial institutions concerning their changes in CRA lending, service, and investment practices in low- to moderate-income areas since the Act was passed; and 2) metropolitan case studies that examine the variation in CRA lending and performance and the reasons behind this variation.

DEPARTMENT OF JUSTICE

Computer Hacker Interferes with Stock Trade: On March 15, an individual was arrested and charged with coordinating a series of "denial of service" attacks against the computer systems of Internet Trading Technologies, Inc. (ITTI), the largest provider of inter-broker dealer trade execution services for NASDAQ broker dealers. The denial of service attacks caused significant interruption of ITTI trading activities over three business days. He launched his attacks from a computer at a Manhattan Kinko's and a computer at Queens College in Flushing, NY.

Juvenile Justice Publications: This week, OJJDP is expected to release *The Community Assessment Center Concept*, which discusses a system for consolidating services for juveniles who come to the attention of juvenile justice authorities. OJJDP has also released *Violent Neighborhoods*, *Violent Kids*, which looks at the delinquent behavior of boys living in the three most violent neighborhoods in Washington, DC, and the role of basic institutions, such as families, schools, churches, and youth-serving organizations. The bulletin finds that a majority of boys in the study have basic needs that are unmet, and proposes specific steps to intervene with this at-risk population [this report is attached].

Juvenile Firearm Prosecutions: This week, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) released *Seattle's Effective Strategy for Prosecuting Juvenile Firearm Offenders*, which reports on the Seattle Youth Handgun Violence Initiative funded by the Office of Community Oriented Policing Services and OJJDP. The program devoted resources to prosecution of juvenile firearm offenders, which improved how police, the courts, and probation department handled these cases.

UNITED STATES DEPARTMENT OF AGRICULTURE

Food Assistance and Nutrition Report: On April 3, USDA's Economic Research Service will release *Food Assistance and Nutrition Research Report No. 5*, finding that participation in the WIC program has a significant positive effect on children's intakes of iron, folate, and vitamin B-6. The data set used reflects a dramatic increase in program enrollment during the 1990s.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Communities for Safer Guns Coalition: Officials from 29 cities and counties, and three state attorneys general have joined the Administration in forming the Communities for Safer Guns Coalition, which will support purchase preferences by government law enforcement agencies for guns made by companies that have adopted new gun safety and dealer responsibility standards.

Task Force to Fight Cyber-Hate and Discrimination: Secretary Cuomo announced the creation of a national task force to fight hate and discrimination on the Internet, and reopened a housing discrimination investigation of the United Klans of America.

Public Housing Survey: Secretary Cuomo announced that a new nationwide survey of public housing residents shows that 87 percent are satisfied or very satisfied with the services and overall living conditions that public housing authorities provide, up from 75 percent last year.

Health Care for Low-Income Families: Low-income adults, seniors and children at selected HUD Neighborhood Networks centers nationwide will gain access to dental care, health screenings, and other preventive health care services and education. Uninsured children also can sign-up for health insurance. These services will be provided by health care professionals and trained volunteers.

LEGISLATIVE CALENDAR

Senate

The Senate will be in session next week and is likely to take up Budget issues and possibly mark up the Supplemental package on which the House has completed work.

House of Representatives

The House will be in session next week. Bills that are likely to come up include HR 3671 - Wildlife And Sport Fish Restoration Programs Improvement Act; HR 2418 - Organ Procurement And Transplantation Network Act; HR 3660 - Late Term Abortion Ban Act; HR 1776 - American Homeownership And Economic Opportunity act

UPCOMING POTUS SCHEDULE

Friday, Mar. 31	ABC News Interview Topic: Earth Day Location: White House NOTE: This will air on Earth Day in April.
Saturday, Apr. 1	Radio Address (taped Fri. 3/31) on Census Day
Sunday, Apr. 2	Travel to Las Vegas, NV and Silicon Valley, CA
Monday, Apr. 3	DLC Speech and Roundtable on China/New Economy Location: San Jose, CA
Tuesday, Apr. 4	Digital Divide Kickoff Event Location: White House

Wednesday, Apr. 5

Economic Summit
Location: White House

Travel to NY

Thursday, Apr. 6

Possible Arrival Statement on Procurement
Location: White House

One America Corporate Event
Location: White House

Friday, Apr. 7

Women's Health Event
Location: White House

Possible Retirement Earnings Bill Signing
Location: White House

Saturday, Apr. 8

Radio Address (taped 4/7); possible topic: 3rd World Debt Relief

Travel to Louisiana

Monday, Apr. 10 -
Tuesday, Apr. 11

New Markets/Digital Divide Tour

Wednesday, Apr. 12

Possible Gun Rally
Location: Denver, CO

Possible MSNBC Gun Town Hall
Location: Denver, CO

Thursday, Apr. 13

Address American Society of Newspaper Editors
Location: Washington, DC

Friday, Apr. 14

Address Education Writers Conference
Location: Atlanta, GA

Saturday, Apr. 15

Radio Address (taped Fri. 4/14); possible topics: privacy or youth violence/guns

Earth Day Event
Location: City, State TBD

Monday, Apr. 17

Earth Day/Service Event
Location: Washington, DC

Tuesday, Apr. 18	Possible Departure Statement; Possible Topic: Prescription Drug Report Location: White House
Wednesday, Apr. 19	Possible Events: Oklahoma City Memorial Event or Youth Violence Event
Thursday, Apr. 20	Possible Interviews TBD Location: White House
Friday, Apr. 21	No Message Event
Saturday, Apr. 22	Radio Address (taped Fri. 4/21); Topic: TBD
Monday, Apr. 24	Easter Egg Roll Location: White House
Tuesday, Apr. 25	Possible Grassroots Gun Strategy Session Location: White House
Wednesday, Apr. 26	Message Event TBD
Thursday, Apr. 27	Daisy Bates Memorial Service Location: Arkansas
Friday, Apr. 28	Possible Hate Crimes Strategy Session Location: White House
Saturday, Apr. 29	Radio Address (taped Fri. 4/28); Topic: TBD

Representatives –

Your State Needs School Modernization Assistance!

\$254 Billion of Need Nationwide:

State	School Infrastructure Needs	State	School Infrastructure Needs
Alabama	1,519,210,061	Nebraska	1,608,849,896
Alaska	727,014,291	Nevada	5,256,000,000
Arizona	4,748,568,494	New Hampshire	409,511,478
Arkansas	1,761,701,495	New Jersey	20,709,650,065
California	22,000,000,000	New Mexico	1,410,624,747
Colorado	3,805,239,627	New York	47,640,000,000
Connecticut	5,000,000,000	North Carolina	6,210,938,727
Delaware	1,046,354,648	North Dakota	420,000,000
Florida	3,300,000,000	Ohio	8,615,116,800
Georgia	7,061,967,931	Oklahoma	2,204,070,041
Hawaii	752,533,936	Oregon	2,407,425,974
Idaho	699,469,537	Pennsylvania	8,465,134,387
Illinois	9,213,000,000	Rhode Island	1,420,952,603
Indiana	2,477,797,613	South Carolina	2,574,018,400
Iowa	3,359,129,953	South Dakota	498,604,766
Kansas	1,793,250,000	Tennessee	2,273,702,904
Kentucky	2,441,607,196	Texas	9,467,620,774
Louisiana	3,104,098,619	Utah	8,490,336,757
Maine	452,064,540	Vermont	220,090,007
Maryland	3,891,926,876	Virginia	5,701,313,528
Massachusetts	8,919,014,500	Washington	5,478,902,777
Michigan	8,071,127,040	West Virginia	1,000,000,000
Minnesota	4,517,232,516	Wisconsin	4,762,337,059
Mississippi	1,038,890,864	Wyoming	530,888,665
Missouri	3,475,160,989		
Montana	901,492,663		
Total			\$253,853,943,744

March 9, 2000

The Three R's Bill: A Detailed Summary

OVERVIEW

This plan aims to refocus our national education policy on helping states and local school districts raise academic achievement for all children, putting the priority for federal programs on performance instead of process, on delivering results instead of developing rules, and on actively encouraging bold reforms instead of passively tolerating failure.

In broad terms, it calls on states and local districts to enter into a new compact with the federal government to work together to strengthen standards and improve educational opportunities, particularly for America's poorest children. It would provide states and local educators with significantly more federal funding and significantly more flexibility in targeting that aid to meet their specific needs. In exchange, it would demand real accountability, and for the first time impose consequences on schools that continually fail to show progress.

In doing so, it would:

- REINVEST in our public education system, by increasing federal funding by \$35 billion over the next five years, and by driving most of those additional dollars to the most disadvantaged communities;
- REINVENT our federal education system, by consolidating the many different programs and funding streams into five goal-oriented titles, and by pegging these largely string-free grants to specific performance standards;
- Reconnect our public schools to the common core values that have long sustained them, by making clear our first RESPONSIBILITY is to educating children, not perpetuating a system.

Each title would call on states to set their own goals and demonstrate annual progress toward meeting them -- for raising academic achievement, for closing the gap between poor minority students and their better-off peers, for helping immigrant children to master English and achieve at a high level in all subjects, and for improving the quality of their teachers. These new performance-oriented programs would be tied to a new "accountability" title, which would reward states that exceed their standards and penalize those that continually fail to show improvement.

What follows is a summary of how each of these titles would work.

CLOSING THE ACHIEVEMENT GAP

This title would reform and strengthen the existing Title I program for disadvantaged students, by providing the biggest one-time funding increase in the program's history and by better targeting that aid to the schools with the highest concentrations of poor children.

Specifically, it would:

- Increase overall annual funding by more than 50 percent, from \$7.9 billion to \$12 billion, to help states meet their new performance goals;

- Drive most of this additional aid down to the poorest schools, by requiring 75 percent of the new funding be sent to the states through a more targeted formula, and requiring 75 percent of all state grants to be sent to local districts through the same targeted formula;
- Call on each state to develop and implement plans to ensure all children reach proficiency in math and reading within 10 years, and hold local districts accountable for showing annual progress toward meeting those goals;
- Require states to set aside 2.5 percent of their grant for helping local districts turn around underachieving schools and, if necessary, taking corrective actions, such as replacing curriculums, redesigning or reconstituting schools, or in extreme cases closing schools down and allowing their students to transfer to a higher-performing public school;
- Require states to set performance goals for increasing overall academic achievement at least in math and reading, as well as for closing the gap between high- and low-income students, minority and non-minority students, and LEP and non-LEP students.

RAISING TEACHER QUALITY

This title would consolidate several professional development and teacher training initiatives into a single formula grant for improving the quality of public school teachers, principals and administrators.

Specifically, it would:

- Increase overall annual professional development funding by more than 100 percent, from \$620 million to \$1.6 billion, to help states meet their new performance goals;
- Distribute funding to states through a formula based 50 percent on poverty and 50 percent on student population;
- Requires states to distribute 60 percent of the funding to local districts based on the number of children in poverty and 40 percent based on school-aged population;
- Require states to have all teachers “fully-qualified” by the year 2005, with fully-qualified defined as being state certified, and either having a bachelor’s degree in the area they teach or demonstrating a high level of competency;
- Require local educational agencies to provide high-quality professional development for teachers, principals and administrators so that they are better prepared to raise student academic achievement and meet state performance standards;
- Require states to set annual performance objectives aimed at reducing the percentage of out-of-field teachers and increasing the percentage of core classes taught by teachers qualified in that subject area;
- Encourage innovative training and mentoring partnerships between local school districts and universities, non-profit groups, corporations and business organizations, by setting aside 10 percent of each state’s funding to underwrite these cooperative initiatives;
- Preserve the President’s program to reduce class size in the early grades and continue funding at \$1.4 billion annually;

- Hold states accountable for increasing the percentage of fully-qualified teachers and the number of teachers and principals receiving high-quality professional development.

FOSTERING ENGLISH PROFICIENCY

This title would streamline the existing bilingual education programs and clarify their purpose. It would create a single performance-based grant, provide the biggest one-time funding increase for English acquisition, and require those dollars to be used explicitly for helping immigrant children to become proficient in English and achieve high levels of learning in all subjects.

Specifically, it would:

- Increase overall annual aid for English acquisition by more than 250 percent, from \$380 million to \$1 billion;
- Create a new funding formula to target aid to the states with the highest concentrations of limited English proficiency (LEP) students;
- Require states to A) develop standards for English language development and implement assessments for measuring English proficiency in speaking, listening, writing and reading; B) set specific annual performance goals for increasing the proficiency of each student from the previous year; C) develop a system for holding local school districts accountable for meeting those goals; and D) hold districts and schools accountable for meeting adequate yearly progress for LEP student performance in core academic subjects as established in Title I;
- Provide states and local school districts with broad flexibility in choosing methods of instruction, provided that they are grounded in strong scientific research, in return for a commitment to improving individual student proficiency in reading, writing and speaking English.

PROMOTING PUBLIC SCHOOL CHOICE

This title would strengthen the Federal commitment to expanding the range of educational opportunities and options available to all students within the public school framework. It would provide additional dollars to the existing charter school and magnet programs, and pair them with a new initiative to encourage broader choice programs at the local level.

Specifically, it would:

- Provide \$100 million in funding for a new competitive grant program to help local school districts develop public school choice initiatives;
- Call on states to publish and widely disseminate annual school report cards, providing parents with information about school districts and individual schools in the areas of student achievement and teacher qualifications;
- Increase funding for the charter school program, which helps defray the cost of starting new schools from scratch, from \$145 million to \$200 million;
- Require states to hold accountable any charter or non-traditional school receiving funds under this title to the same content and student performance standards as any other public school.

STIMULATING HIGH PERFORMANCE INITIATIVES

This title consolidates the remainder of all other existing programs into a new funding stream that will enable states and local school districts to target additional resources to locally-identified needs, and also will encourage them to test bold new ideas and approaches to raising student achievement.

Specifically, it would:

- Provide \$2.7 billion in funding, which first would be distributed to states through a formula based 50 percent on poverty and 50 percent on student enrollment, and then be passed on to local districts through a more targeted formula based 60 percent on poverty and 40 percent on student enrollment;
- Give local districts broad flexibility in determining local objectives, but require them to devote a share of their grants to pursuing each of the following four priorities: 1) developing innovative school improvement strategies; 2) expanding access to summer school, after-school programs and other academic enrichment opportunities; 3) improving school safety and discipline; and 4) developing technological literacy;
- Require states to develop a plan with annual performance goals, describing A) how the state and its local districts plan to use the funding; B) what the performance objectives are for the state and the local districts; C) how the state will measure those objectives; D) the extent to which these programs will help raise student achievement; and E) how the state will hold the local districts accountable for meeting performance objectives;
- Reward local districts that meet or exceed their performance goals with even greater flexibility in commingling their funding under this Title to meet their specific priorities.

DEMANDING ACCOUNTABILITY

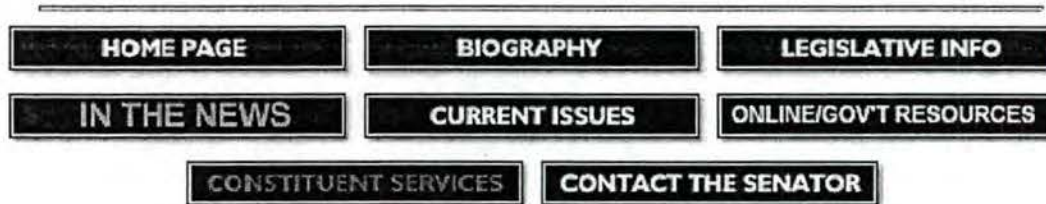
This title is the linchpin of the Three R's plan. It creates a new comprehensive accountability system that for the first time would directly link federal funding to the performance of schools in meeting specific goals -- raising overall academic achievement, closing the gap between high- and low- performing groups, helping LEP students achieve proficiency in English, and expanding the supply of fully qualified teachers.

Specifically, it would:

- Establish a transition period of three years to allow states to implement their own accountability systems, provide technical assistance to local districts and take necessary corrective actions to ensure that performance objectives in each title are being met;
- Require states to impose sanctions on local school districts that fail to meet their annual performance targets;
- Penalize states that fail to meet its performance objectives in any title after three years by cutting its administrative funding by 50 percent, and after four years by also cutting its High Performance and Quality Education Initiatives (Title VI) funding by 30 percent;
- Establish a new fund to reward high-performing states for A) exceeding their overall performance goals for at least three consecutive years; B) exceeding their goals for closing the gap between poor and better-off students; and C) meeting the standard of having all teachers fully-qualified within four years;

- Require states to pass along 75 percent of their bonus funding to high-performing districts that meet the same criteria;
- Call on states and local districts to develop a system for recognizing and rewarding high-performing schools that are successful in raising overall student achievement, closing the gap between groups, improving teacher quality, and fostering English proficiency;
- Supplement the reward funding pool by distributing funds that are withheld from low-performing states to high-achieving states;
- Authorize \$150 million for the Secretary of Education to help states and localities turn around low-performing schools, disseminate information on model programs, provide technical assistance for carrying out new requirements of this act, highlight exemplary instructional materials, and develop model native language tests for limited English proficient students.

– 30 –



March 9, 2000

Senate New Democrat Coalition Introduces Legislation to Reinvent Federal Education Policy

"Three R's" plan would consolidate bureaucracy and concentrate on producing results

WASHINGTON -- Seven members of the newly-formed Senate New Democrat Coalition (SNDC) today introduced groundbreaking legislation that would radically revamp federal education policy and refocus it on raising academic achievement for all students.

The Public Education Reinvestment, Reinvention, and Responsibility Act -- Three R's for short -- would significantly streamline the mass of federal education programs, provide public schools with much more funding and flexibility, and ultimately hold states and school districts accountable for producing results.

Overall it would increase federal investment in public education by \$35 billion over the next five years, the single largest increase in the 35-year history of the Elementary and Secondary Education Act. And it would target most of those new dollars to the nation's most disadvantaged school districts and toward the critical goal of closing the persistent achievement gap between poor minority students and their suburban white peers.

To help all kids succeed, the bill would engage the states in a new, performance-based partnership. State and local leaders would be given broad latitude in deciding how to allocate their federal aid to meet their specific needs. In return, they would be expected to show annual progress toward tangible performance goals, and suffer real consequences for failing to do so.

The lead sponsors of the Three R's bill are Senators Joe Lieberman (D-CT), chairman of the Democratic Leadership Council, and Evan Bayh (D-IN). Joining them as original cosponsors are SNDC members Mary Landrieu (D-LA), Blanche Lincoln (D-AR), John Breaux (D-LA), Bob Graham (D-FL), and Chuck Robb (D-VA), as well as Senator Herb Kohl (D-WI).

A companion bill was introduced in the House today by Rep. Joe Hoeffel (D-PA) and House New Democrat Coalition Co-Chair Cal Dooley (D-CA). In touting this bold new blueprint today, Lieberman said it represented a "third way" approach to education reform, offering a middle ground between the Democratic agenda of more spending and programs and the Republican agenda of more block grants and vouchers.

"We as New Democrats believe there is a better way, a third way, that synthesizes the best ideas of both sides into a progressive, practical blueprint for real change," Lieberman said. "A way to reinvent our public education system without retreating from our common commitment to the common school. A way to refocus our priorities to help every child in every state learn at a high level. And ultimately a way to restore public faith and a sense of public responsibility in our public schools."

"The consequences of any of our children not receiving a quality education are far greater than ever before," Bayh said. "For the first time in our nation's history, the growing gap between the 'haves' and 'have nots' threatens to create a permanent underclass. If we do not address these shortcomings, the knowledge and information gap will lock many of our

citizens out of the marketplace and prevent them from accessing opportunity in the New Economy.”

The Three R’s bill is based on the policy recommendations outlined in a paper by the Progressive Policy Institute, the DLC’s in-house think tank. That paper called for replacing the Elementary and Secondary Education Act (ESEA) with a streamlined, performance-based alternative that would shift the role of Washington from “a passive enabler of failure to a catalyst for success” and help local schools meet the new challenges of the new century.

To bring about this shift, the Three R’s bill would:

- Consolidate the mass of federal education programs into five goal-oriented titles, focusing on 1) closing the achievement gap between minority and white children; 2) helping immigrant students master English and meet high standards in all subjects, 3) improving teacher quality, 4) promoting public school choice, and 5) stimulating high performance education initiatives;
- Create a tough new accountability system that pegs program funding to academic performance standards set by the states, and demands demonstrable progress each year in meeting those goals;
- Reward states that exceed their standards, and for the first time ever penalize those states that chronically fail to show improvements by cutting 50 percent of their administrative funds after three years and 30 percent of their program funds under the bill’s new “high performance” title;
- Increase funding for the Title I program for disadvantaged students by 50 percent, to \$12 billion annually, and drive most of those dollars down to the nation’s poorest schools through a more targeted formula;
- Increase funding for English acquisition by 250 percent, to \$1 billion annually, and create a new formula to concentrate aid in the states with the highest population of immigrant children;
- Increase funding for teacher quality by more than 100 percent, up to \$1.6 billion annually, and call on states to meet the goal of having all teachers “fully qualified” by the year 2005;
- Continue the President’s program to reduce class sizes in the early grades;
- Authorize \$100 million for a new public school choice program to expand competition and opportunities for children within the public framework;
- Blend funding from the remaining programs into a single “high performance” title, which would provide \$2.7 billion to states and local districts to meet their particular needs and encourage them to pursue bold reforms.

The Senate New Democrats said they plan to offer the Three R’s plan as an amendment to the ESEA reauthorization bill that is expected to reach the Senate floor in the coming weeks. In the meantime, they pledged to work actively to build bipartisan support for the bill.

“Making this a viable successor to the existing ESEA won’t be easy -- we are proposing some dramatic changes that will shake up the status quo and its defenders,” Lieberman said.

“But we believe in this approach are the seeds of a common-ground solution.”

- [Lieberman's Statement On the New Democrats' Education Reform Plan - 3.9.00](#)
- [Detailed Summary of Public Education Reinvestment, Reinvention, and Responsibility Act - 3.9.00](#)
- [Explaining How Three Rs Bill Targets Funding To Help Children Most In Need - 3.9.00](#)

– 30 –

HOME PAGE

BIOGRAPHY

LEGISLATIVE INFO

IN THE NEWS

CURRENT ISSUES

ONLINE/GOV'T RESOURCES

CONSTITUENT SERVICES

CONTACT THE SENATOR

MEDICARE TRUSTEES' REPORT SHOWS UNPRECEDENTED PROGRESS UNDER THE CLINTON-GORE ADMINISTRATION BUT MAJOR CHALLENGES REMAIN

March 30, 2000

Today, the Medicare Trustees projected that the life of the Medicare Trust Fund has been extended until 2023 -- 8 years longer than had been projected last year. This is a historic change from 1993 when the President came into office and received the Trustees report projecting that Medicare would become insolvent in 1999. In welcoming this news, the President highlighted the Administration's stewardship of Medicare which has resulted in the longest Medicare Trust Fund solvency in a quarter century and premiums that are nearly 20 percent lower today than projected in 1993. He pointed out, however, that Medicare still faces daunting demographic and health challenges. It is projected to become insolvent in the middle of the retirement of the baby boom generation. And, unlike virtually every private health plan, Medicare still does not cover outpatient prescription drugs. The President also emphasized his comprehensive plan to make Medicare more competitive and efficient; modernize its benefits including adding a voluntary prescription drug benefit; and dedicating part of the on-budget surplus to meeting the future financial shortfall. Based on preliminary analysis, these policies are projected to extend the life of Medicare beyond 2030. The President's Medicare plan is part of his fiscally disciplined framework to strengthen Social Security, invest in key priorities, and pay off the debt held by the public by 2013.

MEDICARE IS MUCH STRONGER BUT FACES UNPRECEDENTED DEMOGRAPHIC CHALLENGES

- **Best Solvency Status in a Quarter Century.** When the President came into office, the Medicare program was projected by the Trustees to go bankrupt by 1999. The Medicare Trustees project that the life of the Medicare Trust Fund has been extended by 8 years, to 2023, and that its actuarial deficit -- a measure of long-run solvency -- has been reduced to 1.21 percent of taxable payroll, an 76 percent decline from 1993. Today's announcement means Medicare is now in the soundest shape it has been since 1975.
- **Medicare Premiums for a Couple Are \$200 Lower This Year Than They Were Estimated to Be in the 1993 Trustees' Projections.** The President's leadership has not only resulted in an improved Trust Fund, but lower monthly premiums for seniors. In 1993, the projected Part B premium for 2000 was \$54.50. Today, it is actually \$45.50 per month. This is \$9 less per month -- a 17 percent decrease from the Trustees' 1993 projections. For an elderly couple, this is an annual savings of over \$200.
- **Improved Financial Status of Medicare Reflects the President's Economic and Medicare Program Management Policies.** The President's leadership in strengthening the economy and constraining inflation, as well as Medicare's success in modernizing payments and combating fraud and waste, has resulted in a strong and fiscally stable program. The improvements in the Trustees' Report confirm the soundness of the Administration's economic and management policies.

- **Major Health and Demographic Challenges Remain.** While significant, the Administration's recent success in extending the life of the Medicare Trust Fund does not meet the full challenges facing Medicare. The Trustees' Report projects that enrollment in Medicare will double from 39 million in 1999 to 81 million by 2035. Equally important, Medicare's benefits have not kept pace with modern medicine. Medicare does not cover prescription drugs and, as a result, 3 in 5 Medicare beneficiaries lack dependable prescription drug coverage. Most of these beneficiaries who need prescription drug coverage are in the middle class, with income between 150 and 400 percent of poverty (\$12,525 to \$33,400 for a single elderly person).

PRESIDENT'S PLAN TO STRENGTHEN AND MODERNIZE MEDICARE. The President's FY2001 budget dedicates \$432 billion over 10 years -- over half of the on-budget surplus -- to strengthen and modernize Medicare to prepare it for the health, demographic, and financing challenges of the 21st Century, extending its solvency to at least 2030. This plan would:

- **Make Medicare more efficient and competitive.** The President's plan adds price competition and successful private-sector management tools to Medicare. These policies manage cost growth and allow flexibility to adopt innovative private practices to improve quality and efficiency.
- **Modernize benefits, including adding a prescription drug benefit.** The President's plan creates a voluntary prescription drug benefit that is accessible and affordable for *all* beneficiaries, and is managed competitively and efficiently. It provides high-quality, needed medications. It also creates a reserve fund that permits the Administration to work with Congress to design protections for catastrophic drug costs. If no consensus emerges, the reserve would be used for debt reduction.
- **Dedicate non-Social Security surplus to Medicare.** Without new financing, excessive and unsupportable provider payment cuts or beneficiary cost sharing increases would be needed. The President proposes to dedicate \$299 billion over 10 years from the non-Social Security surplus to the Medicare Trust Fund, improving its financing and reducing debt.



John J. Wilson, Acting Administrator

March 2000

Violent Neighborhoods, Violent Kids

Marcia R. Chaiken

Faced with precipitously rising rates of youth violence in the Nation's Capital, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in 1995 funded congressionally mandated research on juvenile violence in the District of Columbia. The research was intended to examine this trend and recommend potential means for reducing violence among youth in DC. One part of the research, carried out by The Urban Institute, focused on identifying where and when violence involving children was taking place in the District. Other studies, completed by the Institute of Law and Justice (ILJ), sought to describe DC's juvenile justice system and to examine the characteristics of children in three areas in the city identified by The Urban Institute as having the highest rates of juvenile homicide and violence.

This Bulletin presents the findings of research conducted by LINC¹ which examined the types of delinquent behavior found among boys living in the three most violent neighborhoods in DC and the

role of basic institutions such as families, schools, churches, and youth-serving organizations in those boys' lives. As set forth in detail below, the findings of LINC's research (referred to in this Bulletin as "the LINC Study" or "the study") are based on statistical analyses of data collected by ILJ in interviews with a random sample of boys. Findings are also based on LINC's interviews of administrators and staff members of national youth-serving organizations with regional offices in DC and local organizations that receive funds for delinquency prevention. Written materials provided by these organizations were also used as sources of information.

The LINC study was based on theory and prior research from two scientific disciplines: criminology and youth development. Criminologists recognize that although many people, including children, break laws, only a few become persistent offenders who commit numerous serious crimes. Research on youth development indicates that even under the worst conditions, many children and adolescents are resilient and, given an opportunity to learn and practice social skills, most can become productive and self-sufficient adults. The LINC research concentrated on determining the characteristics of the DC boys who were delinquent and identifying resources for social skill building available to these boys.

From the Administrator

Delinquency poses a serious challenge to virtually every major American city. This Bulletin features findings from the LINC study that describe the characteristics of delinquent males in our Nation's Capital and the resources available to them.

Finding little difference between serious, violent juvenile offenders in the District of Columbia and those in other cities, the author argues that existing national research can serve as a catalyst for new initiatives to reduce juvenile violence in the District.

Indeed, since the LINC research was completed, the District has reorganized its funding delivery system for juvenile justice and delinquency prevention efforts. As a result, enhanced Federal and local resources will be available for youth-serving agencies to develop new policies, practices, and service delivery programs. OJJDP and other Federal agencies are partnering with the District to provide technical assistance and other resources as it designs and implements an improved juvenile justice system.

Thus, while this Bulletin presents some disturbing findings about the nature and incidence of juvenile delinquency in the District of Columbia, it also offers considerable hope for the future.

John J. Wilson
Acting Administrator

¹ LINC is a small interdisciplinary research center founded in 1989 and based in Alexandria, VA. Recent and ongoing LINC projects include evaluations of health services programs for underserved children, substance abuse prevention programs, and programs for hard-to-reach populations. LINC has also completed research on law enforcement tactics and community actions for reducing crime and supporting sound child and adolescent development.

The nature of many of LINC's findings will not surprise practitioners, policy-makers, and researchers familiar with patterns of juvenile violence and the deep problems plaguing the Nation's Capital. LINC found, for instance, that the majority of adolescent boys in the study sample have basic needs that are unmet. Many are unsupervised and unsupported by families, schools, and community organizations that could teach them skills needed to lead productive lives. The most seriously delinquent boys, the study found, are alienated—even from other youth in the neighborhood—and struggling to earn money (both legally and illegally).

LINC also found several barriers to effective delivery of youth services in DC. Unlike many cities that have made progress fighting juvenile violence, DC has too few adults actively working with and guiding youth in its most dangerous neighborhoods. Given significant cuts in funding and other resources, youth-serving organizations in DC have been forced to compete for the scarce resources that remain available.

Notwithstanding such discouraging findings, LINC believes that conditions in DC—even in the worst neighborhoods—can improve. It found, for example, that a large percentage (22 percent) of adolescent boys in violent neighborhoods in DC resist committing any criminal acts. Even among boys who are delinquent, most limit themselves to relatively less serious patterns of delinquency (i.e., theft and other property crimes or occasional fights). Some of the most seriously delinquent children in DC (e.g., those who have committed a robbery)² are reaching out to adults for guidance. LINC also found that hundreds of adults living in DC are willing to be trained to meet the basic developmental needs of delinquent youth.

The findings of the LINC study and LINC's subsequent comparison of DC with other cities in the Nation raise several policy implications. To involve more adults in youth development and improve conditions for youth in DC, the District will need to devote additional resources to the development of leadership, coordination, and strategic planning for youth. Based on studies of other cities' responses to crime, violence, and juvenile delinquency, LINC suggests specific actions that need to be taken for DC to address, and eventually reduce, problems with crime, violence, and juvenile delinquency.

² Such seriously delinquent children also typically commit many burglaries, assaults, or other property crimes, or are involved in selling drugs.

Study Design and Methods

The LINC Study was accomplished through the use of two main research methods: analysis of self-reported data and analysis of data concerning youth services available in DC.

Each research method is described in detail below.

Analysis of Self-Reported Data

Research staff from Howard University and ILJ administered a lengthy questionnaire to a random sample of 213 boys who, in the summer of 1996, were living in one of the three census tracts in Washington, DC, identified as having the highest rates of juvenile violence during the previous 3 years.³ The sample, the questionnaire, and LINC's analysis of the boys' responses are described below.

The sample. The random sample included 213 boys ages 13 to 17, 98 percent of whom identified themselves as black or African American. ILJ and Howard University's process of recruiting boys for interviews and selecting the study sample involved several steps. First, a team of researchers from Howard University in mid-1996 canvassed the three census tracts and completed a form describing the physical conditions (for example, presence of graffiti or trash) of each block face.⁴ They also interviewed a member of each household to identify any boys living there between the ages of 13 and 17. Team members generally operated in pairs and discussed the project with whoever answered the door. In particular, they asked about the number and ages of boys in the household, explained the \$15 payment available to any eligible youth who successfully completed an interview (pointing out that only one boy per household could participate), and distributed a flier about the project.

This approach succeeded in letting the community know about the survey; however, information about the number of boys in each household was generally not forthcoming. Community members were suspicious of the team's inquiries and frequently informed team members that no eligible

³ A description of the methods used to identify these census tracts appears in The Urban Institute's 1997 report *Patterns of Violent Crimes Committed Against Juveniles in the District of Columbia* (Gouvis, Johnson, and Roth, 1997).

⁴ The term "block face" refers to one side of a street between two cross-streets or intersections.

boys lived in their households (even when accepting the flier and asking questions about the interview process). As a supplemental approach to the canvass, key members of the Howard University research team provided fliers to community activists, businesses, and churches in the three census tracts.

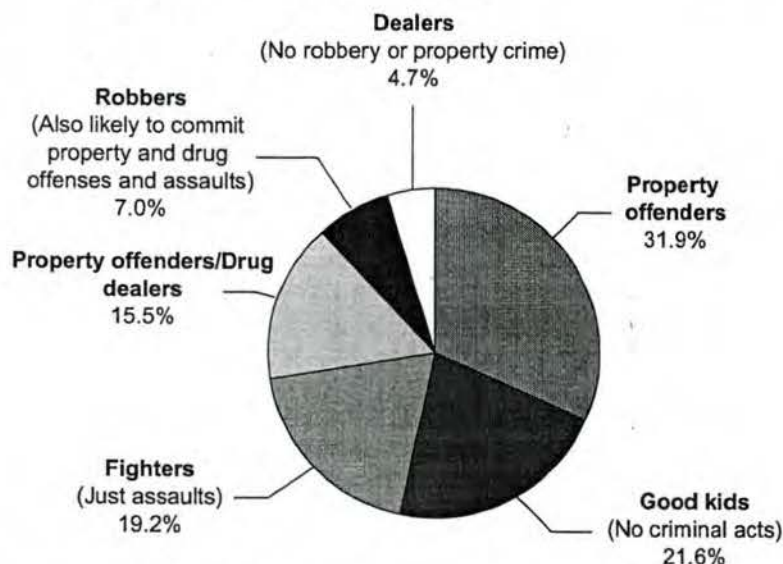
Researchers eventually interviewed 295 boys, either in their homes or at community centers. Of these, seven were unable to complete the interview process because of cognitive impairment. Interviewers used a seven-item Short Blessed Scale Exam (Katzman, Brown, and Fuld, 1983) to assess cognitive ability. Seventy-five of the remaining 288 who completed the interview had to be excluded from analysis. Primary reasons for exclusion were that a respondent was not from one of the three census tracts or that a respondent was from the same household as another respondent. Other reasons included a refusal to answer key sections of the questionnaire, an interviewer's judgment that answers were untruthful, and disruptive behavior during the interview.

As reflected in figure 1, the 213 boys in the sample can be classified into five groups, based on the types of criminal behavior, if any, they reported committing. Classification of the boys according to the type of criminal behavior committed was carried out using methods developed by the author (Chaiken and Chaiken, 1984) that have been replicated by numerous researchers (Johnson et al., 1985). The classifications were as follows:⁵

- ◆ **Good kids (21.6 percent).** Close to one-quarter of boys in the study sample reported committing no delinquent acts (acts which if committed by adults would be crimes), and most (70 percent) of these "good kids" reported committing no other juvenile offenses. However, 30 percent of the good kids reported having committed one or more noncriminal status offenses (such as drinking alcohol or running away from home during the 6 months prior to their interview).
- ◆ **Fighters (19.2 percent).** This group of boys, called fighters, reported committing assaults but no other crimes. Each fighter reported committing, on average, slightly more than two assaults each year. Representing 19.2 percent of the sample, the fighters reported that they

⁵ The names used for categories of juveniles in this Bulletin were developed as part of the DC study and are based on, but not identical to, the names used for categories of adult offenders in *Varieties of Criminal Behavior* (Chaiken and Chaiken, 1982).

Figure 1: Types of Delinquent Behavior Among Adolescent Boys in Three Violent DC Neighborhoods



Note: Detail may not total 100% because of rounding error.

did not steal or use force to take other people's money or other possessions. Nor were they involved in selling drugs or significantly more likely than good kids to commit noncriminal offenses.

- ◆ **Dealers (4.7 percent).** A small percentage of the boys in the sample were considered to be dealers, meaning that they reported committing no crimes other than selling drugs and occasionally getting into fights.⁶ Dealers as a group were responsible for only a small fraction (less than 2 percent) of drug sales made by the boys in the sample. On average, each dealer reported selling drugs slightly more than once every other month.
- ◆ **Property offenders (31.9 percent).** This group reported committing property offenses such as burglary and auto theft but was not involved in drug selling.
- ◆ **Property offenders/drug dealers (15.5 percent).** This group includes those boys who reported committing property offenses and dealing drugs.
- ◆ **Robbers (7 percent).** The final group, the most criminal of those in the study sample, includes boys who reported committing a spectrum of crimes, including robbery.

⁶ Only a few (three) of the dealers reported getting into fights.

The questionnaire. In mid-1996, Howard University and ILJ research staff conducted one-on-one interviews of each boy in the study sample. During these interviews, which typically lasted 2½ hours, the researchers administered a lengthy and detailed questionnaire and recorded each boy's answers to the questions.⁷ The 70-page questionnaire, written and designed by Drs. Beverly R. Fletcher and Louis E. Wright, Jr., of Howard University, incorporated items from questionnaires previously designed and fielded as part of OJJDP-funded studies of delinquent behavior, including a parallel effort completed in Los Angeles, CA.⁸ The results of reliability analysis indicated that boys in the study sample responded in a consistent and truthful manner.⁹ In addition, the patterns of delinquency and other offenses reported by DC boys closely resembled those

⁷ For additional information on the questionnaire and the methods used to select the sample and administer the questionnaire, refer to McEwen (1998).

⁸ Two directors of past and ongoing studies, Dr. David Huizinga of the Institute for Behavior Sciences (University of Colorado) and Dr. Cheryl Maxson of the University of Southern California, served as advisers to Drs. Fletcher and Wright and reviewed drafts of the survey as it was being designed and pretested.

⁹ Most reliability scales, as reflected by Cronbach's alpha, were consistent between the two studies and were generally greater than 0.70.

reported by boys in previous studies, suggesting that the DC boys were neither more nor less truthful than other boys interviewed about delinquent acts or other juvenile offenses they might have committed.

The questionnaire sought information on the following subjects:

- ◆ **Personal matters**, including age, race, and ethnicity; whether the boys had fathered children or been responsible for any pregnancies; what schools they attended; and whether they held a job.
- ◆ **Participation in afterschool activities**, including school programs or clubs, athletics, youth organizations, religious groups, or any other community activities.
- ◆ **Adult supervision** received (especially during afterschool hours).
- ◆ **Emotions**, including any feelings of isolation.
- ◆ **Involvement in crime, delinquency, or gangs** (during lifetime and within the 6-month period prior to the interview).

Data analysis. After research staff administered and recorded answers to the questionnaires, LINC analyzed the boys' responses. The primary statistical methods used to analyze responses were descriptive techniques (such as generating measures of dispersion and central tendency) and analysis of variance. LINC used the latter method to determine whether differences between the groups of boys in the study sample were real or simply the result of chance. This Bulletin reports only those findings that are statistically significant at the 5-percent level or better (meaning that at least 95 percent of the time, differences are not due to chance).

Analysis of Youth Services Data

The second research method utilized in LINC's study was the analysis of information concerning youth services available in DC. LINC gathered this information in two ways: by interviewing administrators and staff of youth-serving organizations and by reviewing documentation provided by these organizations. The types of organizations contacted and the procedures used to secure information are described below.

Organizations contacted. When selecting organizations, LINC's primary source was the *Resource Directory of Youth Services in the District of Columbia* (prepared in July 1994 by the Mayor's Youth Initiative), which lists and describes 618 programs for DC youth. Seventy-two programs in the

directory defined their purpose as delinquency prevention. Of these, 40 programs administered or provided services only to adjudicated youth or those awaiting trial, 4 programs provided drug treatment or drug prevention services, and 8 either provided no direct services or served only children under age 13 or adults. Of the 20 remaining delinquency prevention programs, LINC selected 12 that represented 3 types of youth-serving organizations:

- ◆ **Affiliates of national organizations specifically geared to youth**, including the Camp Fire Potomac Area Council, 4-H/Youth Programs, Cooperative Extension Service for the District of Columbia, Girl Scouts of the Nation's Capital, Boys & Girls Clubs of the Chesapeake/Potomac Region, the National Capital Area Council of Boy Scouts of America, Big Sisters of the Washington Metropolitan Area, and Big Brothers of the National Capital Area.
- ◆ **Affiliates of national organizations whose broader missions include youth services**, including the YMCA of Metropolitan DC and Associated Catholic Charities' Family and Youth Services.
- ◆ **Local youth organizations**, including the Metropolitan Police Boys & Girls Clubs and the Sasha Bruce Network.

Although the number of organizations contacted was far from exhaustive, these 12 organizations were representative of the types of organizations then offering delinquency prevention programs and youth development and social skills activities to DC adolescents who had not necessarily been adjudicated. LINC's research focused on programs that DC teens could choose to participate in rather than those that youth were ordered (by a court) to participate in.

Interviewing administrators and staff. LINC collected data about youth services in DC in a series of structured telephone calls and in-person interviews with 20 administrators and staff members of the youth-serving organizations selected. When conducting these calls and interviews, the author used structured protocols, which listed questions to ask and specified a way to record responses consistently. Respondents, however, were encouraged to provide information in a conversational mode rather than a didactic format. Telephone interviews lasted on average 30 minutes, and in-person interviews lasted on average 1 hour.

In gathering information on youth-serving organizations, LINC focused on programs

and approaches available for youth at high risk of committing or becoming victims of violent acts, especially youth living in the three study areas. Researchers also sought information on coordination between the organizations and government agencies or nonprofit groups in DC. ILJ staff collected additional information about the status of youth services by conducting a telephone survey to update the *Resource Directory* discussed above.

Gathering written materials. In addition to seeking verbal responses from administrators during interviews and calls, LINC asked about the availability of written materials on such issues as geographic areas served, programmatic activities provided, participant characteristics, and coalitions with which the organizations were working. At the end of each interview, LINC reviewed with the respondent a list of written materials to be furnished. Materials were then either provided immediately or mailed to LINC.

Findings

The findings in this study fall into three broad categories: patterns of delinquency, supervision and activities of the boys during and after school, and barriers to effective delivery of youth

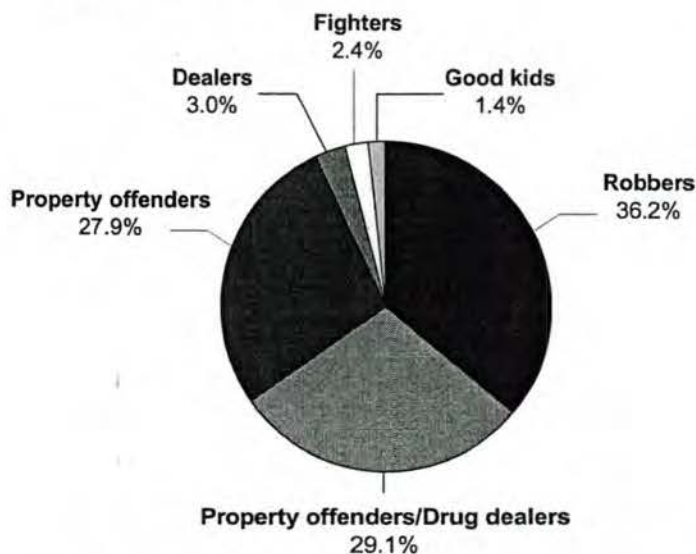
services in DC. Findings under each category are presented below.

Patterns of Delinquency

Even among the relatively homogeneous group of boys in the study sample (all adolescent boys from three predominantly poor and predominantly African American DC neighborhoods), the study found significant distinctions based on the type of delinquency, if any, the boys were involved in and additional characteristics. In examining patterns of delinquency, the LINC study considered both the level of involvement in delinquency (delinquency category) and the effect of the following factors: drug dealing, age, employment, feelings of social isolation, gang membership, and substance abuse.

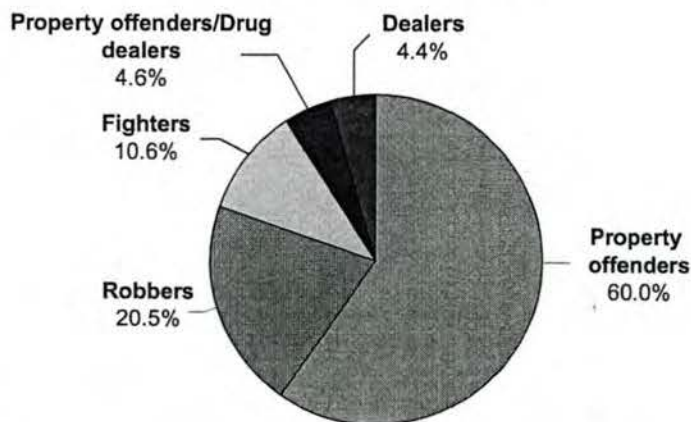
LINC's findings reveal patterns of delinquency among adolescent boys in DC that are very similar to those among youth in other cities. Consistent with the findings of previous research, for example, LINC found that a small percentage of offenders are responsible for a large proportion of the crime in DC's most violent neighborhoods (Wolfgang, Figlio, and Sellin, 1972; Chaiken and Chaiken, 1982; and Office of Juvenile Justice and Delinquency Prevention, 1998). As explained in greater detail in the "Comparative Analysis" section of

Figure 2: Percentage of All Juvenile Offenses Committed by Different Groups



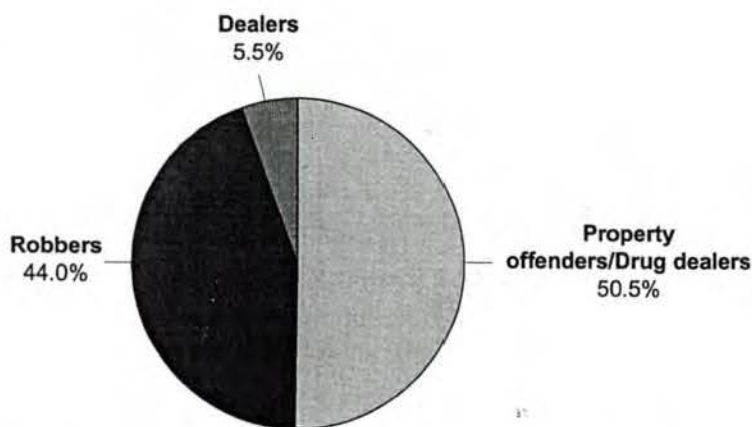
Note: Juvenile offenses include both delinquent acts (which are crimes if committed by adults) and status offenses (such as drinking and truancy).

Figure 3: Percentage of All Assaults Committed by Different Groups During the 6 Months Preceding the Study



Note: Good kids category is not included because the group (by definition) does not engage in delinquent activities, including assault. Detail may not total 100% because of rounding error.

Figure 4: Percentage of Drug Deals Committed by Different Groups During the 6 Months Preceding the Interview



Note: Good kids, fighters, and property offenders are not included because these groups (by definition) do not deal drugs.

this Bulletin, however, DC's responses to juvenile crime and violence were found to differ significantly from those implemented in other cities that have successfully reduced levels of juvenile crime and violence.

Delinquency category. LINC found that a large proportion of the crime in the three study neighborhoods was committed by a small percentage of boys in the sample. In particular, it found that the robber category

(representing only 7 percent of boys in the sample) was responsible for 36.2 percent of all reported delinquent acts in the three study neighborhoods (figure 2). This same small group committed close to one-fourth (20.5 percent) of all juvenile assaults in the three neighborhoods (figure 3). Fighters, by contrast, committed only 10.6 percent of juvenile assaults. The data also showed that robbers on

average assaulted 12 people each year (about 6 times as many as the fighters).

As shown in figure 4, boys in the robber category were responsible for close to half (44 percent) of all drug deals committed by boys in the study sample during the 6-month period preceding the study. The robbers also committed almost half (44 percent) of all property crimes completed by boys in the sample during the same time period.

Drug dealing. In examining patterns of delinquency, the LINC study found that most boys involved in selling drugs were less violent than those engaged in other criminal activities.¹⁰ Consistent with prior research, the study also found that many different types of youth (as opposed to any one stereotypical drug dealer) are involved in selling drugs (Chaiken and Johnson, 1988).

While the dealers, as noted above, reported committing assaults infrequently, property offenders/drug dealers reported being very active offenders, with each on average committing more than 55 delinquent acts during the 6-month period preceding the interview. This group, however, committed approximately 50-percent fewer assaults than the fighters and approximately 60-percent fewer assaults than the dealers.

The category responsible for the greatest number of violent crimes in the study neighborhoods was the property offenders. These boys—who do not deal drugs but are involved in theft, auto theft, vandalism, and other property crimes—represented about one-third (31.9 percent) of all boys interviewed and reported committing, on average, eight assaults or other violent crimes each year. While the property offenders committed fewer crimes on average than the robbers (most of whom commit more than 80 each year), they outnumber the robbers by about 4 to 1 and therefore, as a group, commit many more acts of violence. In addition, property offenders as a group were found to commit a total of about twice as many property offenses as the property offenders/drug dealers.

¹⁰Note that this section describes findings on all boys who reported dealing drugs (whether dealers, property offenders/drug dealers, or robbers). The "dealers" category, by contrast, includes boys in the sample whose only reported criminal activity was drug dealing. Therefore, even though most robbers reported being very active drug sellers, they are considered robbers rather than dealers, because their reported criminal activity involves a whole spectrum of crimes, including robbery.

Table 1: Percentage of Boys Who Reported Holding a Job, by Delinquency Category

Delinquency Category	Percentage With a Job
Good kids	23.9%
Dealers	20
Fighters	22
Property offenders	26.5
Property offenders/ Drug dealers	48.5
Robbers	60

Although most boys in the study who dealt drugs—whether dealers, property offenders/drug dealers, or robbers—committed significantly fewer assaults than nondealers (with the notable exception of the robbers), they carried weapons more frequently.¹¹ Because those dealing drugs were more likely to carry weapons, assaults involving these boys were more likely to have lethal outcomes than those involving boys who used only their hands, feet, or a blunt instrument (Felson and Messner, 1996). This finding supports the view of many researchers that although drug dealing may not directly cause higher overall rates of violence, it results in youth arming themselves and, as a result, causes higher homicide rates (Blumstein, 1996).

Age. Even among adolescent boys, age was found to make a difference. The study found, for example, that the least delinquent boys (the good kids) were the youngest (with a median age of 14.65) and the most delinquent (the robbers) were the oldest (with a median age of 15.83).

Employment. Overall, 30 percent of the boys interviewed for the study reported having a job during the school year.¹² As shown in table 1, the most seriously delinquent boys were the most likely to report having a job.¹³

Social isolation. Like many adolescents, boys in the study sample were likely to report feeling different from or isolated

from their peers. More than half (52.6 percent) agreed with the statement, "I usually keep to myself because I am not like other people my age." The most seriously delinquent boys were most likely to agree with this statement, with 77 percent of the robbers agreeing or strongly agreeing with it and none strongly disagreeing. By contrast, less than half (41.4 percent) of the fighters agreed with the statement, and 20 percent strongly disagreed. Although adolescents typically have concerns about fitting in, the robbers seemed to have more extreme concerns.

Gang membership. While stories about gang wars dramatically portrayed by the media may suggest that gang membership is rampant in high-crime neighborhoods in the United States,¹⁴ only 15 percent of boys in this study reported ever having joined a gang. The likelihood of joining a gang was somewhat higher for the more delinquent boys. Less than 9 percent of the good kids and the fighters had ever joined a gang, compared with one-third of the robbers. Dealers were also likely to have been gang members, with 30 percent reporting gang membership at some time.

Consistent with findings in other cities, this study showed that gang membership in the three neighborhoods examined lasted a relatively short time (between 1 and 2 years) (Loeber, Huizinga, and Thornberry, 1996). Of the boys who reported ever having joined a gang, only 4.2 percent reported still being members at the time they were interviewed.

The study also found that neither the length of time that a boy belonged to a gang nor any current gang membership was related to the seriousness of delinquency, if any, that the boy was committing. Robbers were no more likely than less delinquent boys to be current gang members.

Although studies in other cities suggest that boys commit more crimes when they belong to gangs (Thornberry and Burch, 1997), this study found that boys who were still gang members at the time of their interviews committed essentially the same number of assaults and other crimes in the weeks immediately before the interview as did nongang members.

Substance abuse. Notwithstanding a widespread belief that drug use is high among all adolescents who engage in

delinquent behavior,¹⁵ the use of illegal drugs (other than marijuana) has played little part in the pattern of delinquency among youth in the District. The use of crack or heroin was rare among boys in the study sample, as it is for youth in other cities across the Nation (Riley, 1997). None of the boys interviewed reported ever having used psychedelics or hallucinogens, crack or any other type of cocaine, or heroin. Only five boys (2.3 percent of the sample) reported having tried phencyclidine (PCP or "angel dust"), tranquilizers, or barbiturates. One boy stated that he had taken amphetamines, and one reported prior use of an inhalant (such as aerosols or glue). These findings are consistent with research findings around the country (U.S. Department of Health and Human Services, 1997).

Although LINC found that few boys in the sample used illegal drugs other than marijuana, it found that a relatively high proportion used alcohol and/or marijuana. Approximately 30 percent of the study sample reported drinking beer or wine without adult permission, 18 percent reported drinking hard liquor without adult permission, and approximately one-third reported using marijuana.

Alcohol and marijuana use was found to be much more prevalent among seriously delinquent boys (table 2). Only 7 percent of the good kids and 7 percent of the fighters reported drinking hard liquor without adult permission, compared with 12 percent of the property offenders, 30 percent of the dealers, 39 percent of the property offenders/drug dealers, and 60 percent of the robbers. Overall, a greater number of boys reported drinking wine or beer without adult permission than hard liquor, and once again, the more delinquent boys were more likely to do so. Slightly more than 10 percent of the good kids and fighters, approximately one-third of the dealers and property offenders, and more than half of the property offender/drug dealers and robbers reported drinking beer or wine without adult permission.

Similarly, marijuana use was reported by 11 percent of the good kids, 27 percent

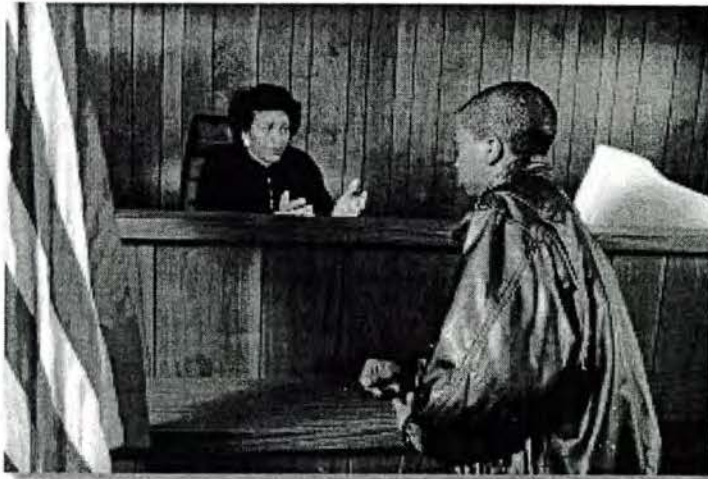
¹¹ As used in this Bulletin, the term "weapon" includes firearms (handguns, rifles, or shotguns) and knives—but not rocks, bottles, fists, or feet.

¹² Although the questionnaire did not distinguish between legal and illegal jobs, it asked about employment in the context of prosocial activities (such as participation in religious activities).

¹³ The study, however, draws no conclusion as to whether the relationship between employment and delinquent behavior is coincidental or causal.

¹⁴ For recent examples, see Mike Robinson's article, "Chicago Cop Accused of Running Guns," printed in *The Washington Post* on April 16, 1999.

¹⁵ For example, the preamble to the National Governors' Association (NGA) Policy Statement on Juvenile Crime and Delinquency Prevention Programs and Principles states, "Delinquency, particularly drug- and gun-related violence, is escalating at a disturbing rate. Young people are killing each other. Children are terrorizing their schools, parks, and neighborhoods. Young people are either the foot soldiers or ringleaders in criminal enterprises involved in drug trafficking" (National Governors' Association, 1999).



of the property offenders, 70 percent of the property offenders/drug dealers, and 80 percent of the robbers. The dealers reported the greatest use of marijuana, at 90 percent; the fighters reported the least use, at 7 percent.

Although the study generally found a strong association between using hard liquor or marijuana and committing delinquent acts generally (with boys who used hard liquor committing a significantly greater number of all types of delinquent acts, including violent crimes, and those who used marijuana committing more property crimes and drug deals), it found no such relationship between the use of marijuana and the commission of violent crimes. Marijuana users, for example, reported committing more assaults, on average, than the boys who did not use marijuana, but these differences were not statistically significant.

The LINC study also found that drinking alcohol (of any type) without adult permission or using marijuana increased a boy's likelihood of getting a girl pregnant. Slightly more than 12 percent of the boys interviewed said that they had impreg-

nated a girl. Of these, 58 percent reported having used marijuana. Marijuana users were more than twice as likely to get a girl pregnant as nonusers: by their own report, 8 percent of the nonusers and approximately 20 percent of the users had been responsible for a pregnancy. Findings for boys who reported drinking beer or wine without adult permission were almost the same as for boys who reported using marijuana. Nineteen percent of those who had used beer or wine without adult permission (and only 9 percent of those who had not) were responsible for a pregnancy.

The likelihood of getting a girl pregnant was even greater for boys who drank hard liquor. Although less than 9 percent of those who did not drink hard liquor reported getting a girl pregnant, 28 percent of the boys who drank hard liquor were responsible for a pregnancy.

Considering the different delinquency categories of boys in the study sample, dealers were the most likely to cause a pregnancy (30 percent responsible for a pregnancy), closely followed by property offenders and robbers (27 percent of boys

in these groups responsible for a pregnancy). Fighters, the least likely to drink, were also the least likely to report having gotten a girl pregnant (only 7.3 percent reported being responsible for a pregnancy).

Supervision and Activities

The Urban Institute's previous analysis of youth crime focused on when and where offenses by DC youth were taking place (Gouvis, Johnson, and Roth, 1997). LINC's analysis, by contrast, sought to understand the nature and extent of supervision received by boys in areas where youth crime was relatively rampant and determine what policy implications arose from the study's findings on supervision. In considering how boys in the study sample were occupied during and after school, LINC examined activities that the boys participated in and programs available to them through schools and youth-serving organizations in the community. LINC's findings on supervision and activities are presented in the following sections.

Adult supervision after school. Boys in the study sample reported having adults in their lives who care about them and want to be there for them. Ninety-two percent reported having an adult other than a parent who cares "a lot" about them, and more than one-quarter (28 percent) named a caring adult in their lives (other than a member of their immediate family) as the adult to whom they felt closest. For most, this adult was either a godparent or a member of the boy's extended family (e.g., a grandparent or other close relative). The next most frequently mentioned person was an adult acting as a mentor. Several boys named leaders in local youth organizations as caring adults.

Notwithstanding the presence of caring adults in their lives, boys in DC are most likely to encounter violence—as either offenders or victims—during the hours immediately before and after school (Gouvis, Johnson, and Roth, 1997). LINC's findings, based on its interviews of boys in the study sample, suggest one probable cause for violence during these hours: lack of adult supervision. In particular, LINC found that the vast majority of boys (75 percent) spend the afterschool hours unsupervised by an adult 1 or more days each week, and almost half (48 percent) never receive adult supervision during the afterschool hours.

The relatively few boys who reported being supervised by an adult every day after school (23 percent of the sample) tended to be less delinquent than those who received little or no adult supervision

Table 2: Percentage of Boys Who Reported Using Hard Liquor or Marijuana, by Delinquency Category

Delinquency Category	Percentage Who Drank Hard Liquor	Percentage Who Used Marijuana
Good kids	7%	11%
Dealers	30	90
Fighters	7	7
Property offenders	12	27
Property offenders/ Drug dealers	39	70
Robbers	60	80

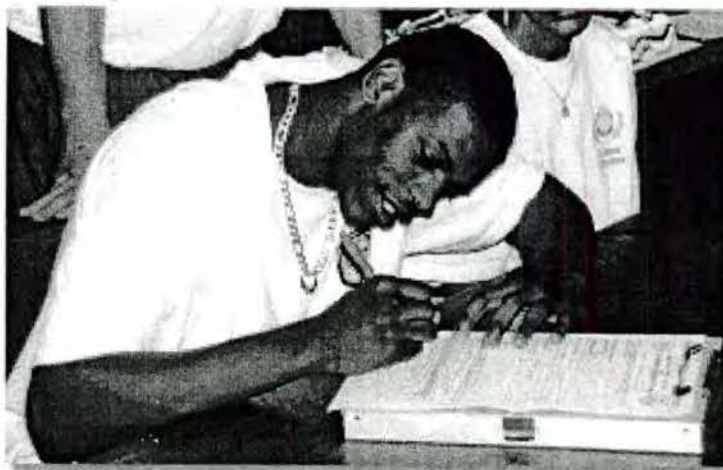
in the afterschool hours. Forty percent of the good kids—as opposed to 20 percent of the robbers—were supervised by an adult every day after school.

For boys in the study sample, spending the afterschool hours in a location known to their parents or guardians was even more important than spending that time with an adult present. Of the good kids, only 8.7 percent reported that their primary caregiver rarely or never knew where they were during the afterschool hours. By contrast, 15 percent of the fighters, 18 percent of property offender/drug dealers, 22 percent of property offenders, 30 percent of the dealers, and 33 percent of the robbers reported having primary caregivers who rarely or never knew where they were during that time period.

Afterschool activities. Boys in the study sample reported participating in different types of afterschool activities. LINC considered the relationship, if any, between participation in these activities and the likelihood that a boy would become involved in delinquency.

Athletics. Fifty-two percent of boys in the sample reported participating in sports during the afterschool hours. The sports most frequently mentioned by boys were football (35 percent participated) and basketball (17 percent participated). The study showed no relationship, however, between participation in these or any other sports and the likelihood that a boy would become involved in delinquency. In other words, good kids, fighters, dealers, property offenders, property offenders/drug dealers, and robbers were equally likely to participate in athletic activities.

Participation in school sports appeared to have one positive effect. The number of drug deals made by boys participating in sports was significantly lower than the number made by nonparticipants. Football players, in particular, were less likely to sell drugs than boys who did not play football, with 19 percent of football players and 29 percent of nonfootball players reporting that they sold drugs. On the other hand, delinquent boys who played school basketball reported committing, on average, almost four times more property crimes than those who did not play school basketball and twice as many delinquent acts overall as nonbasketball players. While less involved in drug dealing, football players reported committing, on average, approximately twice as many property crimes as boys who did not play football.¹⁶ Although football



players reported committing more assaults than boys who did not play football, the differences were not significant.

Music groups. Approximately 10 percent of boys in the sample reported participating in a school band or choir during the afterschool hours. Good kids were slightly more likely to participate in these activities than the more delinquent boys: approximately 17 percent of good kids participated, compared with 10 percent of fighters and dealers and 6 percent of property offenders. No difference in rates of assaults, drug deals, property offenses, or overall delinquent acts was found based on a boy's participation in band or choir.

Clubs that focus on building cognitive or social skills. Almost one-quarter (23.5 percent) of boys in the sample reported participating in clubs or other organizations that focus on building cognitive, social, or vocational skills. These groups included math and computer clubs, radio and television broadcast clubs, cooking and catering clubs, art and drama clubs, and groups that concentrate on promoting civic responsibility and providing community services (such as Concerned Black Men and student government organizations).

Several studies have demonstrated that afterschool activities designed to increase students' cognitive or social skills and provide opportunities for community service are effective at preventing delinquency (Lipsey, 1992; Sherman et al., 1997; Tolan and Guerra, 1994). In examining the

effect of these activities and the types of boys who participated in them, LINC found that good kids were not significantly more likely to participate in these activities than boys in the other delinquency categories. LINC also found, however, that boys involved in these clubs reported fewer delinquent acts, with participants committing, on average, approximately five times fewer property crimes and six times fewer delinquent acts. Boys involved in these activities also reported committing fewer assaults on average, but participation was not found to be a statistically significant factor in such lower rates of assault.

Activities available through schools during school hours. Many cities that have experienced an increase in youth violence have implemented school-based violence prevention programs.¹⁷ According to adolescents in the study sample, however, very few or no such programs exist in their neighborhood schools. When asked if they knew of school programs or services designed to help students solve problems without violence, approximately two-thirds answered "no." Of the one-third who reported knowing of such a program, about half (16 percent of the total sample) either could not identify a specific program or named a program that no one else identified.

Approximately 6 percent of those boys who knew of a violence prevention program mentioned the Gang Resistance Education and Training (G.R.E.A.T.) program and substance abuse programs such as DARE. A

¹⁶ Like the relationship between employment and delinquent behavior (see footnote 13), the study draws no conclusion as to whether the relationship between playing football or basketball and committing property crimes is coincidental or causal.

¹⁷ For reports on different types of school-based violence intervention programs, see *Violence in American Schools* (Elliott, Hamburg, and Williams, 1998).

small number of boys mentioned programs run by particular counselors or teachers, peer programs, conflict resolution programs, and mediation. The study found no relationship between boys' identification of school-based violence prevention programs and their level of delinquency.

Suspension and expulsion. Although youth crime peaks in the afterschool hours, school hours in DC are also a prime time for violence, according to The Urban Institute. This has not been true in other cities (Snyder and Sickmund, 1995). Violence during school hours, The Urban Institute found, may not necessarily occur on school grounds, but in areas surrounding schools (Gouvis, Johnson, and Roth, 1997).

Findings in LINC's study indicate that high rates of suspension and expulsion in DC schools may be contributing to high rates of violence during school hours. The majority of boys in the sample (76 percent), for example, reported having been suspended from school at least once. Even among the good kids, more than half (57 percent) had been suspended at least once. All of the dealers and almost all (91 percent) of the property offenders/drug dealers had been suspended at least once.

Expulsion rates were also high in the three study neighborhoods: more than 20 percent of the boys interviewed reported having been expelled from school. In addition, LINC found a strong association between expulsion and delinquent behavior. Although only 8 percent of the good kids and 12 percent of the fighters had been expelled, 40 percent of the dealers and 40 percent of the robbers had been expelled.

For the 6-month period prior to the interview, the number of delinquent acts reported by boys who had been suspended was, on average, more than three times that of boys who had never been suspended. The boys who, at the time of the interview, said that they were not in school reported committing, on average, more than four times the number of delinquent acts during the preceding 6 months as did the boys who were attending school at the time of the interview.

Activities available through youth-serving organizations. According to written materials provided by youth-serving organizations, many such organizations in DC focus on delinquency prevention and skill building. An update of the 1994 *Resource Directory of Youth Services in the District of Columbia* (updated by ILJ for this study) lists more than 50 organizations in or adjacent to the three neighborhoods

Table 3: Programs in Study Neighborhoods Available for Children

Program type	Neighborhood 1	Neighborhood 2	Neighborhood 3
Academic	4	7	1
Other educational		3	
Drug abuse only	2		
Drug and alcohol abuse		1	1
Substance abuse education		1	1
General health	2		
OB/GYN		1	
Health education		1	
Mental health		1	
Life skills/Parenting skills	1	1	
Crisis intervention	1		
Basic needs			1
Childcare	4	2	3
Recreation	3	1	1
Delinquency prevention	4	3	1
Investigation services		1	
Arts		1	
Other	1	1	
Total	22	25	9

examined in this study (table 3). Almost half of these organizations described themselves as providing services for delinquency prevention or intervention, and approximately 30 percent specified approaches for supporting the development of life skills, parenting skills, and other skills found to prevent delinquency. Only 24 percent of the boys in the study sample reported participating in the activities or programs of any such community organization.

LINC also found that community centers and youth service agencies in the District are failing to engage adolescent boys in afterschool activities. Although these centers and agencies constitute approximately one-half of the youth services agencies listed for the neighborhoods in which the boys lived, less than 4 percent of the boys said that they had participated in activities provided by a DC community center or youth agency.

Eighty percent of boys in the study sample were unable to name a single neighborhood organization with programs designed to help youth solve problems without resorting to violence. Less than 4 percent named a community center or other city youth service organization. Although the resource directory lists several churches and other religious organizations in each of the three neighborhoods, only 1 percent of the boys named a church group. The organization identified by the

largest number of boys (9 percent) was the Boys & Girls Club.

According to the boys' responses, affiliates of national youth organizations (such as Boys & Girls Clubs of America, Boy Scouts of America, the National 4-H Council, and Big Brothers Big Sisters of America) reached a substantially greater proportion of boys than purely local, community-based organizations. Affiliates, the study found, provided services to youth in all six delinquency categories. Although almost one-half of the boys reported belonging to or participating in the activities of an organization that may have been a local affiliate of a national youth-serving organization at some time in the past, whether the organizations were affiliated with a national organization could not be verified. The organization named by the most boys (27 percent) was the Boys Club. However, unlike those in other cities (that are affiliated with the national organization), some Boys Clubs in DC are independent and share only the name—and not the programs, services, or staff training—of the national organization. Moreover, at the time of their interviews, only 14 percent of the boys were still Boys Club members.

In recent years, major national youth organizations, including Boys & Girls Clubs and others discussed in this section, have developed programs tailored to reaching youth in inner-city areas and providing them with the types of opportunities that



research has demonstrated help prevent delinquency and allow youth to develop skills needed for productive adult lives (Chaiken, 1998a). According to a previous LINC survey, national affiliates that provide programs in inner-city neighborhoods attract far more adolescent participants than their counterparts in locations where adolescents are at a lower risk of delinquency. Moreover, national affiliates are more likely to operate safely in these areas when police are responsive to cooperating with them (Chaiken, 1998b).

Efforts of nationally affiliated organizations launched in the DC area are described below. The information is based on written materials submitted by the organizations.

- ◆ **Boys & Girls Clubs of Greater Washington** has provided outreach programs in five DC Club locations and in housing developments located in neighborhoods with high poverty and crime rates. Programs provided by these affiliates of the national organization include Keystone Clubs (designed to present opportunities for teen boys to develop productive leadership skills) and, until DC funds were cut, Smart Moves (a delinquency prevention program for younger adolescents that is firmly grounded in research on adolescent development).
- ◆ **U.S. Department of Agriculture 4-H and Youth Development Service**, one of the first national organizations to base programming for at-risk youth on research on adolescent development,

provides skill development programs for teens in schools located in high-crime areas. While funding was available, it also sponsored project HIPS (Helping Individual Prostitutes to Survive), an outreach program for teen prostitutes that included a 24-hour hotline and a van sent out on weekend nights (from 10 p.m. to 6 a.m.) to provide vital information about available services.

- ◆ **Boy Scouts of America, National Capital Area Council**, has made an effort to recruit boys from kindergarten to grade 12 attending schools in underserved neighborhoods. Through this new outreach—and longstanding programs such as Learning for Life—the local Boy Scouts council provides important opportunities for youth to develop social skills.
- ◆ **Big Brothers of the National Capital Area** sponsors “Bigs in Blue,” a volunteer program in which DC Metropolitan Police officers serve as Big Brothers for at-risk children in the District.

Barriers to Delivery of Youth Services

In analyzing data collected from administrators and staff of youth-serving organizations, LINC found two primary barriers to the effective delivery of youth services in the District: a lack of coordination between the DC local government and youth-serving organizations/agencies in the area and an excess number of inactive coalitions intended to head efforts to improve youth services in DC.

The “Comparative Analysis” section below discusses other barriers to the effective delivery of youth services by comparing DC with other cities and evaluating how well the District is delivering services and programs to youth.

Lack of coordination. In Washington, DC, the LINC study found, local government agencies are involved in very few coordinated efforts to address the problems of juvenile crime, delinquency, and violence. LINC’s analysis showed that juvenile justice and other local government agencies in nearby Northern Virginia and suburban Maryland are working closely with local youth organizations in those areas, but that DC’s government agencies are trying to provide youth programs themselves, rather than cooperating with youth organizations experienced in programs and services to youth.

LINC found that the DC Metropolitan Police Department (MPD) staffs eight of its own Boys Clubhouses. These clubs are

maintained through grants and other non-profit funding sources, but salaries and benefits of officers working at the clubs are paid by the MPD. As DC’s budget shrinks or suffers cuts, services such as these—dependent on local funds—will shrink or disappear as well. As part of this study, ILJ conducted a survey of youth services available in DC in 1994. By 1996, ILJ found, 15 percent of the services available in 1994 (92 out of 620) had vanished.

Inactive coalitions. This is not the first study to recognize a lack of collaboration among DC agencies and organizations. Respondents in interviews carried out by LINC as part of this research, in fact, commonly mentioned that they, the Federal Government, and various other national organizations had separately sponsored coalitions or task forces to spearhead efforts to pull youth-serving organizations in DC together. Because many agencies and organizations sponsoring coalitions in DC have been unaware of one another’s efforts, DC has many coalitions, each with a relatively small number of participants and most of which have failed to produce effective action plans. In addition, LINC found, these coalitions often duplicate one another’s efforts and goals.

For example, the Office of Justice Programs (OJP) in 1993 funded a limited number of cities to form coalitions to prevent violence. Coalitions formed include the DC Pulling American Communities Together (PACT) Project, which brought a subset of DC agencies together to discuss gaps in services and design a strategic plan for addressing those gaps. A high priority of DC PACT was “to coordinate resources and share information on local and federal anti-violence efforts” (DC PACT, Undated). Join Together, a Robert Wood Johnson Foundation-funded project that was founded in 1991 and is based in the Boston University School of Public Health, was formed to help communities bring about concerted action to prevent violence and substance abuse. With additional funding from the U.S. Department of Health and Human Services, DC has been one of Join Together’s focal cities. Kids Count, funded by the Annie E. Casey Foundation, was designed to support communities around the Nation, including DC, to measure and report on the status of children (including their involvement in violence and drug use) in order to promote public action on behalf of children locally.

Although the efforts of PACT, Join Together, and Kids Count have resulted in highly visible coalitions and concerted

strategies in places other than Washington, DC, few administrators interviewed in DC knew about these three organizations' approaches, and none of the respondents were aware of more than one of the approaches. Staff involved in bringing these approaches to fruition in DC found the experience disheartening because of key agencies' unwillingness to cooperate.

Comparative Analysis

Process

After analyzing the data collected from boys in the study sample and from youth-serving organizations, LINC compared its findings with those of studies of youth crime and responses to youth violence in other cities. At the time of the DC study, the author was involved in research on youth programs and violence prevention in several cities around the Nation. Twelve of these cities (each of which had been the subject of previous research) were selected for comparison with DC. Three (Arlington, TX; Bristol, CT; and Spokane, WA) were selected by a panel of experts for their exemplary approaches to youth crime and violence prevention; four (Eureka, CA; Pocatello, ID; Rapid City, SD; and Redding, CA) had been involved in an ongoing partnership of law enforcement agencies and researchers sponsored by the National Institute of Justice (NIJ); and five (Beaufort and Summerville, SC; Philadelphia, PA; and Salinas and San Jose, CA) were cities in which a new violence intervention project (VIP) had recently been piloted by the Girl Scouts of America and evaluated by LINC.¹⁸ The approaches to preventing youth violence and furnishing safe places for youth during the after-school hours that were used in these 12 cities provided an instructive contrast to the approaches employed in DC.

The comparison was carried out with two questions in mind: (1) whether the relatively high rates of youth violence in DC were attributable to differences in patterns of delinquency among DC boys; and (2) whether the high rates of youth violence were a product of the way that DC organizations have dealt with children, especially adolescent boys.

Patterns of youth delinquency in different cities have been the subject of criminological inquiry for more than 50 years. Research in the area has included seminal

studies in Denver, CO (Huizinga, 1998), Philadelphia, PA (Wolfgang, Figlio, and Sellin, 1972), Pittsburgh, PA (Browning and Loeber, 1999), and Rochester, NY (Thornberry and Burch, 1997). As discussed above, the fundamental patterns of delinquency among DC boys are very similar to those found among boys in other cities. For example, most DC boys reported committing at least some minor acts of delinquency involving defiance of authorities (such as drinking alcohol without adult permission). As findings in other studies have also shown, some DC boys were delinquent fighters but limited their criminal offenses to occasional bouts of aggression. Like boys in other cities, a relatively small proportion of DC boys were the most delinquent in terms of the seriousness, spectrum, and number of crimes they committed.

Given the similarities between boys in DC and boys in other cities, LINC considered whether the role of DC agencies and organizations could be a factor in the higher rates of violence among DC youth.

Discussion

In completing its comparative analysis of findings in this study and findings in studies of the 12 cities listed above, LINC concluded that several obstacles stand in the way of DC's effective delivery of youth services. As a result of these obstacles, DC adolescents at the highest risk of violence and delinquency may not be receiving necessary support and services. In particular, LINC's comparative analysis revealed two barriers to the effective delivery of youth services in DC: insufficient involvement of Federal agencies and local businesses and an excess number of unaffiliated and uncoordinated organizations.

Insufficient involvement of Federal agencies and local businesses. LINC found that in other cities, major industries and high-level business executives play an important part in meeting local needs—including those of youth (Chaiken, 1998b). Responding to increases in juvenile violence and crime, for example, business leaders in other communities have taken steps to ensure that the causes of the violence are understood and that measures for preventing violence and delinquency are undertaken (Chaiken, 1998b). Many have donated their time and skills or provided incentives for staff members to work with youth-serving organizations in roles ranging from serving on local boards and commissions to volunteering at local schools to leading afterschool programs at community centers (Chaiken, 1998a, 1998b, 1998c).

The Federal Government is the District's major industry. LINC's study found, however, that although Federal employees and elected officials may live in the District and possess valuable leadership and organizational skills that would be of help to community-based organizations, many are not personally involved in any youth-serving or other civic organizations in DC.

Several rationales have been offered by elected officials and Federal employees interviewed about this lack of involvement. Congressional leaders and staff make clear that their primary responsibility is to youth in their own States, not children in DC. Federal employees suggest—correctly or incorrectly—that there is an implicit conflict of interest in providing personal attention to organizations that may receive Federal funds for youth activities. Others say their role is to serve all of the Nation's children—rather than those in a particular city. Others offer the justification that attempts by Federal employees to bring about change in DC would be resented as interfering with home rule. Yet, from a comparative perspective, the major difference between Federal agencies and private industry is that the latter realizes an economic benefit from actively promoting strong programs for youth. In cities such as Arlington, TX, chief executive officers (CEO's) in private companies point out that by solving youth problems and reducing crime, their companies have a competitive advantage in recruiting the best and brightest employees to move to and live in the local area. They also realize that local high-quality afterschool programs that attract and supervise adolescents allow employees with school-age children to work without interruptions and more productively during the hours when school is not in session. CEO's also view the good will generated by encouraging employees to play active roles in delivering services to youth as a form of capital investment.

Excess number of unaffiliated organizations. In many cities, the majority of organizations serving youth are members or affiliates of larger "umbrella" organizations (see, e.g., Chaiken, 1998b). For example, a city may have a large number of Boys & Girls Club programs, all of which operate under the aegis of a regional office of the Boys & Girls Clubs of America organization. Moreover, in cities such as Arlington, TX, and Spokane, WA, there is a high degree of coordination among the various umbrella organizations. Together, the organizations carve out niches of expertise, plan services to ensure that

¹⁸ Girl Scout VIP was piloted in other cities that did not provide a reasonable basis for comparison with Washington, DC (Chaiken, 1998a).

school-age children in all parts of the city are served, and provide a selection of interesting and educational activities for young participants to choose from. Affiliates also cooperate in citywide assessments of children's needs and support one another's fundraising activities. In cities such as Bristol, CT, these organizations work with the police department and the schools to identify youth who are getting into trouble because they are unsupervised; together, these groups have developed a plan to ensure that the identified youth are brought into at least one organization and are involved in skill-building activities.

In DC, no such cooperation is taking place. Organizations have not carved out different areas of expertise to address the multiple needs of children in the District. The ILJ update of the 1994 directory of services showed high turnover of organizations receiving funds to provide youth services. In interviews for this study, administrators in unaffiliated organizations made clear that they found it impossible to carve out a niche of expertise. To continue to exist, administrators explained, organizations needed to shift missions when funding was lost and when additional funding became available.

Program funding, LINC found, appeared to be based on hunches about the needs of children in the District rather than a common base of research. Some administrators, for example, knew about the DC Kids Count program; most did not. Some administrators described certain programs proudly as preventing delinquency by building self-esteem or through athletic activities, even though a growing body of research suggests that such programs are not effective (Tolan and Guerra, 1994). In addition, DC funding was cut for the nationally affiliated Boys & Girls Clubs' Smart Moves programs, even though these programs include components shown to reduce delinquency.

Policy Implications: What Can Be Done for Boys in DC?

Providing Early Intervention

Although the youngest boys in the sample were on average the least delinquent, some very young boys (13-year-olds) reported seriously delinquent conduct. Such conduct—together with a marked increase in the seriousness of delinquent conduct as boys get older—demonstrates a com-



elling need for early intervention. Many cities have met this need by offering proven programs such as Head Start and providing parenting classes and home visits to youth at high risk of delinquency (Chaiken and Huizinga, 1995).

Providing Structure and Supervision

Because of the high incidence of violence committed by or against youth during afterschool hours, many communities have focused on providing supervision and structured activities—especially for children at high risk for violence—during that time period (Chaiken, 1998b). The six recommendations below would address specific concerns relating to the lack of supervision for boys in DC during the afterschool hours.

Bring boys under control of responsible adults. In many cities across the Nation, juvenile violence is declining (Poe-Yamagata, 1998; Fox and Zawitz, 1998). A growing number of researchers and policy analysts agree that the decline is largely attributable to concerted community efforts to bring adolescents under the control of adults who have the authority to:

- ◆ Make and make known clear and specific rules for behavior.
- ◆ Make and make known clear and fair sanctions for breaking these rules.
- ◆ Apply these sanctions immediately to those who violate rules.
- ◆ Make other youth aware of when and why particular sanctions have been applied.

The following adults in each community should work together and support one another's efforts to bring children under their control:

- ◆ Family members and other caregivers.
- ◆ Neighbors working together in community-based organizations.
- ◆ School staff members, including administrators, teachers, and guidance counselors.
- ◆ Staff and administrators of youth-serving organizations that offer educational and recreational programs for youth during the afterschool hours.
- ◆ Police and other law enforcement officers.
- ◆ Probation officers, prosecutors, defense attorneys, and other professionals in the juvenile justice system.
- ◆ Staff of child welfare and protective services agencies.

Channel energy into productive activities. Many cities have moved beyond simply controlling delinquent behavior to channeling the energy of youth into productive activities—including crime reduction activities. Under the supervision of adults skilled in guiding them, young people are taking the lead in projects such as neighborhood cleanups, vandalism and graffiti removal projects, Neighborhood Watch programs, community pride days, and cross-age tutoring and mentoring programs for younger children (Chaiken, 1998b). Recent research shows that participation in these activities reduces teen pregnancy and substance abuse more than standard educational approaches to delinquency reduction (Allen et al., 1997). Caring adults—parents, other caregivers, and staff in local unaffiliated youth organizations—provide a tremendous potential resource for controlling and guiding youth.

A growing body of research, however, also shows that not all afterschool programs are effective at preventing violence and delinquency (Tolan and Guerra, 1994). In fact, sports, one of the most widely provided afterschool activities for adolescent boys, was shown to have little or no positive effect on violence or other forms of delinquent behavior. Rather than focusing on athletic activities, therefore, policymakers may want to provide programs shown to be effective at reducing delinquent behavior (for example, programs intended to teach cognitive skills).

In attempting to channel youth's energy in a positive direction, policymakers should also aim to convince DC boys that their earning power in the long run will be higher if they pursue legal money-earning activities in their spare time. By doing so, DC may be able to use the boys' strong economic motivations as an incentive for positive rather than antisocial behavior. In Redding, CA, for example, police officers have capitalized on boys' economic motivations by giving groups of youth "COPS dollars" when they complete projects to improve their neighborhoods. Endorsed by local merchants, COPS dollars can be redeemed at restaurants and other businesses popular with community youth. As a result of this program, boys in blighted areas who used to hang out and get into trouble are removing litter, cleaning up vacant lots, and creating play and recreation areas for themselves and younger children. Judging from their willingness to approach officers and ask what needs to be done in return for COPS dollars, boys—in addition to the police, businesses, and other residents—favor this approach.¹⁹

Adjust police patrols. Another action that DC may take to reduce violence and delinquency during afterschool hours is increasing the number of police patrols during the hours that area schools release students. Although one additional patrol car is not likely to have a major impact on levels of afterschool violence, several officers walking the streets and talking to students as they leave school have been effective in other cities. In Eureka, CA, for example, a growing number of assaults involving youth (including drive-by shootings near one school) were essentially eliminated after the police department appointed an experienced officer to serve as a school-based youth/ethnic liaison officer. During

school hours, this officer works in partnership with administrators, counselors, and teachers to reduce truancy and other harmful behavior through a combination of teaching, counseling, and coordinated case management. During school breaks and before and after school hours, the officer patrols the streets surrounding the school and stays in radio contact with school staff monitoring school property and nearby areas.²⁰

Other cities' patrol plans have involved not only the police, but neighbors, local business owners, and youth organizations, in an effort to minimize the chance that releasing large groups of students into the community at the same time each day will result in fights or violence (Chaiken, 1998b). Steps taken in other cities include having adults with police walkie-talkies patrol streets near schools each day during arrival and departure times, keeping students engaged in constructive afterschool activities, and transporting students directly home following these activities (by which time children's parents or other caregivers will have returned home from work) (Chaiken, 1998b).

Involve national organizations. A survey of seven national youth-serving organizations revealed that such organizations are reaching significantly larger numbers of children at high risk of violence and delinquency in cities other than DC (Chaiken, 1998b). According to the survey, nationally affiliated organizations in other cities are providing constructive activities at the very time children are most at risk for violence in most parts of the country—the afterschool hours. Increasing the involvement of the many local chapters and affiliates of national youth organizations in the District is essential to reducing youth violence and delinquency in DC.

Involve local organizations. As the Nation's Capital, Washington, DC, is home to numerous private foundations, firms, Federal agencies, and universities that have spent large sums of money on research, demonstration projects, and evaluations focused on determining what works and what does not work in preventing juvenile violence and delinquency and promoting the healthy and safe development of youth. In fighting violence and juvenile delinquency, the DC community needs to tap into the knowledge, experience, and resources of all of these organizations and enlist their

support and active involvement in providing structure and supervision to youth.

Address needs of expelled and suspended students. As a result of high rates of suspension and expulsion in DC, large numbers of boys are released into the community without supervision. Without supervision and structured activities, many of these boys are committing delinquent acts. Both to protect the community and to meet the needs of expelled and suspended students, parents, school administrators, government agencies, and youth-serving organizations in DC need to explore ways to deliver safe and meaningful activities to these students during school hours. In cities such as Pocatello, ID, and Eureka, CA, youth who are removed from traditional classrooms because of disruptive behavior are placed in alternative classes with fewer students and with teachers specifically trained to address behavior problems. Rather than allowing students to wander the streets unsupervised, these communities are providing increased supervision. In Pocatello, the community is also securing and seeking the enforcement of injunctions that prohibit students from gathering together outside a school setting during school hours.

Applying Swift and Sure Sanctions

As shown by LINC's study, a small number of youth in the three DC study neighborhoods are responsible for a large proportion of the crime and violence. To combat youth violence and crime, authorities need to apply swift and sure sanctions to the city's most serious juvenile offenders. These offenders need to be identified and informed of the sanctions for specific categories of delinquent behavior (both for themselves and for any "crews," gangs, groups of friends, or other individuals who act as accessories). In addition, because serious offenders should be sanctioned immediately after committing delinquent acts, the cumbersome process of handling juveniles in courts and corrections must be streamlined.

An immediate and substantial response by the criminal justice system to delinquent acts can effectively control serious offenders' worst behavior. In Boston, MA, for example, Federal, State, and local law enforcement agencies have worked together to crack down on illegal gun markets, and local agencies have made a concerted effort to identify and control the city's most violent youth (including gang members). As a result of these efforts, escalating rates of youth violence dropped precipitously. To

¹⁹ Based on observations and interviews being carried out as part of NIJ-sponsored LINC project 95-J-CX-0047.

²⁰ Based on observations and interviews being carried out as part of NIJ-sponsored LINC project 95-J-CX-0047.

carry out a Boston-type effort and get serious juvenile offenders under control, DC will need the same cooperation among community groups, law enforcement officers, and juvenile justice agencies that took place in Boston and surrounding communities (Kennedy, 1998).

This type of community action presents an opportunity for DC and its police department to reorganize immediately—and for a cause that is likely to enjoy the community's full support. It also creates an opportunity for Federal agencies, such as the U.S. Department of the Treasury's Bureau of Alcohol, Tobacco and Firearms (ATF) and the U.S. Department of Justice's Drug Enforcement Administration and Federal Bureau of Investigation, to act as partners in support of the MPD. At the same time, it allows researchers who have studied effective approaches in other cities to provide practical advice to policymakers about the resources, tactics, and personnel needed to apply swift and sure sanctions to the small number of serious and violent juvenile offenders in DC. By sending a clear message that violence and the use of weapons will not be tolerated and applying sanctions immediately for delinquent acts, DC may encourage its most serious juvenile offenders and their friends to pursue noncriminal activities.

Reducing Gun Violence

Strategies for reducing youth violence involving guns include making guns safer, making them less available, and influencing how youth use them (Mercy and Rosenberg, 1998). Although the first strategy requires technological advances, recent research has revealed a promising measure for reducing gun availability (and, in turn, reducing the number of fatalities and injuries resulting from fights or incidents involving guns) (Kennedy, 1998). Recent research has also revealed a way to affect teens' willingness to stop carrying guns. These measures are described below.

Identify and shut down suppliers. Working with local police departments in a number of areas, including DC, ATF has traced guns being used by youth and found that in most cities, guns are being supplied by a limited number of out-of-State gun dealers (Kennedy, 1998). Once identified, some gun suppliers have been closed down. Continued collaboration with ATF is well advised.

Enlist the boys' help in reducing gun use. A substantial body of research reveals that in violent neighborhoods, boys carry guns for protection primarily because other boys or men carry guns (Mercy and Rosenberg, 1998). To break this cycle of

violence, policymakers need to convince boys that if they stop carrying guns, others will do so too. In neighborhoods such as Arlington, TX, youth workers have found that teens are most likely to stop carrying guns when they are involved in the process of deciding when and where police will enjoin weapon carrying, how the prohibitions will be monitored, and what sanctions will be applied for violations (Chaiken, 1998b).

In cities such as Boston, MA (Kennedy, 1998), New York, NY (Bruce Johnson, National Development & Research Institutes, Inc., 1997, personal communication), and Redding, CA,²¹ groups of boys previously involved in violence were informed by police and other juvenile justice agencies of steps that would be taken to control the entire group if any boy in the group violated any gun laws. Such crackdowns rapidly led to self-policing on the part of formerly violent groups—and a rapid reduction in the number of gun fatalities in those cities (Kennedy, 1998).

Improving Coordination

Between government agencies and private organizations. Realizing that, under the current organizational structure in DC, no single agency can deal with the many aspects of youth development and the many causes of delinquency, government agencies in the city, including schools, the police department, and child welfare and protective services agencies, should work together and reach out to private organizations to address problems collectively (Chaiken, 1998b). Representatives from these agencies and organizations, as in other cities, could come together to propose and implement coordinated action plans to help both individual children in trouble and small groups of children who may be experiencing or causing problems in their neighborhoods or schools. The combined expertise of representatives from different organizations serves children and their communities well.

Among local affiliates of national organizations. Affiliation with national organizations sustains access to proven programs and materials designed by youth development professionals and evaluated by researchers. Executive directors of affiliates of national youth organizations typically work together on an ongoing basis to define the niche that each will fill (Chaiken, 1998b). Although they may not share specific program materials, organizations often share space, keep one another informed of emerg-

ing problems facing youth, and support one another's fundraising activities. Officers of different affiliates of national organizations may serve on local boards and commissions together, along with key members of the business community and top administrators of local government agencies. Absent coordination with one another and oversight of a national organization, organizations may duplicate efforts or fail to use funds for direct services to youth. Each unaffiliated organization, for example, needs funds to support costly administrative functions, facility maintenance, preparation of grant proposals, and other fundraising activities.

As a result of collaboration among nonprofit youth organizations in many cities, adolescents in poor neighborhoods (those most vulnerable to delinquency) have access to a variety of afterschool programs such as computer classes, drama activities, and tutoring. These programs help youth build skills that in the short term prevent delinquency and that in the long term may promote a successful transition to productive adulthood (Chaiken, 1998c). Given the lack of such coordination in DC, children from the three neighborhoods studied have had access to few such programs.

Conclusion

As reflected by this study's findings, violence by juveniles in DC is far from random. Regular patterns exist as to where and when it takes place and what types of boys are committing violent acts. These patterns are essentially the same as those found in other cities—including many that have made major strides in reducing juvenile violence in a relatively short period of time.

With resources equal to or greater than those of cities that have implemented effective juvenile crime prevention programs, Washington, DC, should look to the success of other cities and begin implementing similar programs for its own youth. Beginning in the most violent neighborhoods, DC should develop an action plan for bringing delinquent boys under control. With violence and crime in these areas controlled, the city could then work on a more comprehensive strategy for delinquency prevention and youth development. Any such strategy, however, will require the concerted efforts of a variety of community members and organizations. Only by coordinating efforts—across agencies, organizations, schools, and even neighborhood lines—will DC address and eliminate the most serious patterns of delinquency and control the most delinquent youth.

²¹ Data collected by LINC as part of NIJ grant 95-IJ-CX-0047.

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