COMMERCE-JUSTICE-STATE/Juvenile Crime Enforcement, Prevention Offset

SUBJECT: **Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1999 . . . S. 2260. Gregg motion to table the Sessions/Hatch amendment No. 3245.**

ACTION: MOTION TO TABLE AGREED TO, 64-36

SYNOPSIS: As reported, S. 2260, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill for fiscal year 1999, will provide a total of $33.239 billion in new budget authority, which is $1.115 billion more than appropriated for fiscal year (FY) 1998 and is $3.647 billion less than requested. The bill contains large spending increases for various law enforcement activities.

The Sessions/Hatch amendment would increase the appropriation for the Juvenile Accountability Incentive Block Grants by $50 million, for a total of $150 million (last year $250 million was appropriated for those grants), and would reduce the appropriation for title V of the Juvenile Justice and Delinquency Prevention Act (JJDPA) by the same amount, leaving $45 million (last year, the appropriation for that title was $20 million; instead of spending nearly five times as much on that title, the Sessions/Hatch amendment would spend two and one-fourth times as much). Juvenile Accountability Incentive Block Grants are given to States for the construction of permanent juvenile corrections facilities, for the integration of serious juvenile criminal records into the national criminal history database, and for drug testing for appropriate categories of juvenile offenders. The purpose of the grants is to encourage strong early intervention efforts to stop juvenile offenders from committing ever more serious crimes. The primary purpose of title V is to provide recreational services; it also provides tutoring assistance, assistance in the development of "work awareness skills," child and adolescent health and mental health services, anti-alcohol abuse services, "leadership and development activities," and aid to teach youth that they should be held accountable for their actions.

Senator Gregg moved to table the amendment. A motion to table is not debatable; however, some debate preceded the motion. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

Those favoring the motion to table contended:

An effective approach to reducing juvenile crime requires a balanced effort. Money must be spent on policing activities; money

(See other side)

YEAS (64)			NAYS (36)		NOT VOTING (0)	
Republicans (19 or 35%)	**Democrats (45 or 100%)**		**Republicans (36 or 65%)**	**Democrats (0 or 0%)**	**Republicans (0)**	**Democrats (0)**
Bennett	Akaka	Johnson	Abraham	Inhofe		
Campbell	Baucus	Kennedy	Allard	Kempthorne		
Chafee	Biden	Kerrey	Ashcroft	Kyl		
Coats	Bingaman	Kerry	Bond	Lott		
Cochran	Boxer	Kohl	Brownback	Lugar		
Collins	Breaux	Landrieu	Burns	Mack		
D'Amato	Bryan	Lautenberg	Coverdell	McConnell		
Gorton	Bumpers	Leahy	Craig	Murkowski		
Grassley	Byrd	Levin	DeWine	Nickles		
Gregg	Cleland	Lieberman	Domenici	Roberts		
Hagel	Conrad	Mikulski	Enzi	Santorum		
Hutchison	Daschle	Moseley-Braun	Faircloth	Sessions		
Jeffords	Dodd	Moynihan	Frist	Shelby		
McCain	Dorgan	Murray	Gramm	Smith, Bob		
Roth	Durbin	Reed	Grams	Smith, Gordon		
Snowe	Feingold	Reid	Hatch	Thomas		
Specter	Feinstein	Robb	Helms	Thompson		
Stevens	Ford	Rockefeller	Hutchinson	Thurmond		
Warner	Glenn	Sarbanes				
	Graham	Torricelli				
	Harkin	Wellstone				
	Hollings	Wyden				
	Inouye					

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

must be spent on prevention activities; money must be spent on prisons. The most effective and most efficient use of resources is to spend a sufficient amount of funds on all three efforts. Right now, we believe that far too little is being spend on prevention. A large percentage of juvenile crime that is committed happens between the hours of 3:00 p.m. and 6:00 p.m., because those are the hours that kids are out of school, and in many cases those kids are unsupervised because their parents are not yet home from work. In a lot of places, kids do not have anything constructive to do--they do not have community centers. In places that have after-school activities crime rates drop. We need to keep children busy, because the old saying, "an idle mind is the devil's workshop" is true.

Our colleagues have cited a General Accounting Office (GAO) study to show that the Federal Government is already spending a lot of money on programs that serve at-risk youth, and thereby reduce youth crime. However, we dispute the validity of that study, which claims $4 billion is spent each year on 131 programs. First, about 30 of those programs are not funded. Second, one of those programs, the Job Training Partnership Act, is counted by the GAO as spending $1.2 billion on at-risk youth. We think job training is important, but we never really thought of it as a crime-prevention tool. Looking at the rest of the spending, we find $245 million for 4 vocational education programs and $292 million for foster care services for abused and neglected children. Going right down the list, we find that only $1.1 billion of that $4 billion is for programs that are specifically targeted at juvenile crime and drug prevention. In contrast, this bill will put $3.5 billion into enforcement.

Even though enforcement already has the lion's share of the funding in this bill, our colleagues are not satisfied. They have proposed the Sessions/Hatch amendment, which would take $50 million from a juvenile crime prevention program and would spend it on juvenile block grants. The main purpose of the first program is to build recreation centers to keep kids busy so they do not commit crimes; the main purpose of the second program is to build prisons to lock up kids after they commit crimes. We do not agree with that transfer of funds. We thus urge the rejection of this amendment.

Those opposing the motion to table contended:

The Federal Government spends virtually nothing on juvenile law enforcement and detention. About the only major effort that it makes in the area is to provide funding for Juvenile Accountability Incentive Block Grants. Those grants have three main purposes. First, they are used to fund the construction of permanent juvenile corrections facilities. Such facilities are needed to protect law-abiding citizens from violent and repeat offenders. Space in secure detention facilities for serious and violent juvenile offenders is in critically short supply in many States. Second, they are used to help State and local governments to integrate their juvenile criminal history records with the national criminal history database. Such efforts can help greatly in solving crimes. For instance, prints of juveniles make up only 1 percent of Virginia's automated fingerprint identification system, but they account for 18 percent of all latent crime scene fingerprint identifications. Third, States use the money for drug testing for appropriate categories of juvenile offenders. Last year, the grant level was set at $250 million. This bill will slash that amount to $100 million. The Sessions/Hatch amendment would restore $50 million of that cut.

To pay for that restoration, the amendment would cut funding for a juvenile crime prevention program, the primary purpose of which is to build recreation centers, but which also provides tutoring assistance, job skills training, child and adolescent health and mental health services, anti-alcohol abuse services, "leadership and development activities," and aid to teach youth that they should be held accountable for their actions. That cut, though, would not be a cut from last year's spending level--it would be a cut in the proposed huge spending increase. In fact, after the cut, funding for this prevention program will still be more than double its level from last year. Our colleagues tell us that it is very important to keep kids busy, and to teach them such principles as they should be responsible for their actions, and we agree. However, we point out that if young teens can commit violent crimes and be released instantly because there are no juvenile detention facilities, it is not very easy to teach them to be responsible.

The current balance is radically skewed in favor of prevention spending. According to a November 1997 GAO report, the Federal Government currently spends over $4 billion annually on programs that are targeted at youth who are at risk of falling into a life of crime. Our colleagues have made a bizarre attack on that report. They have said that the GAO was wrong to list programs that help with job training, or education, or mental health, or that make similar efforts, because such programs do not address juvenile crime. Interestingly, the very program they are defending addresses work skills, tutoring, and mental health. Our colleagues then go on to list the general spending in this bill to help law enforcement, and claim that we should count that money as being assistance for juvenile enforcement. They know, though, that the money is not used for the purposes served by the Juvenile Block Grants.

When we talk to local law enforcement officers and judges, they tell us that the best way to stop juvenile crime is to make sure that there is strong, early intervention. A child who commits a crime should not be just sent home. We have $4 billion in prevention programs and the crime rate for juveniles is still climbing. The need is clearly for more intervention. We therefore urge our colleagues to support this amendment.