



AMERICAN CORRECTIONAL ASSOCIATION
4380 Forbes Boulevard
Lanham, MD 20706

Tel: 301/918-1885
Fax: 301/918-1933

GOVERNMENT AFFAIRS MEMORANDUM

TO: ACA Leadership
ACA Legislative Committee
State DOC Contacts
Parties Interested in Criminal Justice

FROM: Joe Weedon, ACA Director of Government Affairs

SUBJECT: ACA Federal Update – Omnibus Appropriations Act

DATE: November 24, 2004

Summary of items in the issue:

- 1) Appropriations Recap
 - a. Commerce, Justice, State Highlights
 - b. Labour Department (Offender Reentry) Highlights
 - c. Funding Charts

This past weekend, Congress adopted the Consolidated Appropriations Act of 2004 ([HR4818](#); [H.Rept. 108-792](#)). Full details on the bill which includes funding for Agriculture, Commerce/Justice/State, Energy & Water, Foreign Operations, Interior, Labor/HHS/Education, Legislative Branch, Transportation/Treasury, & VA/HUD can be found at <http://thomas.loc.gov/home/approp/app05.html>.

This report includes highlights of the programmatic funding for major state and local law enforcement programs within the Justice Department. Also included are some highlights of programmatic funding in other areas of the omnibus bill from which corrections may be eligible. As further details become available, they will be shared.

FY05 COMMERCE JUSTICE STATE

Funding Levels:

- FY05 Funding: \$40.0 billion
- FY05 President's Request: \$39.6 billion
- FY04 Funding: \$37.6 billion

Provides a total of \$20.6 billion for the **Department of Justice**, \$975 million above FY04 and \$804 million above the President's request, including the following:

- \$5.22 billion for the **Federal Bureau of Investigation**, an increase of \$625 million above FY04 and \$100 million above the President's request. This funding provides enhanced training, information technology, and staff (1,194 new positions) to improve intelligence and counterterrorism capabilities, while continuing to fight white-collar and violent crime.
- \$1.65 billion for the **Drug Enforcement Administration**, an increase of \$69 million above FY04 and \$8 million below the President's request.

- \$758 million for the **United States Marshals Service**, an increase of \$32 million above FY04 and \$14 million above the request, to meet protection requirements of the Federal judiciary and to enhance fugitive apprehension activities.
- \$890 million for the **Bureau of Alcohol, Tobacco, Firearms and Explosives**, an increase of \$63 million above FY04 and \$21 million above the President's request.
- Provides \$3 billion for assistance to **State and local law enforcement** for crime fighting initiatives, \$906 million above the President's request and \$132 million below FY04 including:
 - \$634 million for the Edward Byrne Justice Assistance Grants program (as authorized by H.R. 3036); \$384 million for juvenile delinquency prevention and accountability programs, \$387 million for violence against women prevention and prosecution programs, \$110 million to eliminate DNA analysis backlogs, \$139 million for law enforcement technologies, and \$305 million to reimburse States for criminal alien detention costs.

FY05 LABOR, HHS, EDUCATION

Bill Funding:

FY04 Comparable: \$139.424 billion

FY05 Budget Request: \$142.324 billion

FY05 Conference Report: \$143.309 billion

(\$493.3 billion including mandatory spending)

The bill's funding level represents a 2.79% growth from fiscal year 2004.

- **Prisoner Re-Entry Initiative** - provides \$20 million in support and job training for ex-offenders.

INFORMATION ON HOMELESS ASSISTANCE GRANTS

Source: National Alliance to End Homelessness [www.naeh.org]

Section 8 and McKinney-Vento Homeless Assistance Grants

- The administration's proposal to convert Section 8 to a block-grant was not adopted.
- The massive Section 8 cuts proposed in the President's budget in February were not adopted
- However, there was only enough funding for Section 8 to fund existing vouchers in use or about 94.6% of authorized vouchers (about \$13.36 billion).
 - Note: HUD's action last spring forced PHAs to downsize the program. Rough calculations indicate this will result in Section 8 losing approximately 60,000 vouchers. The funding level in the bill locks in that new, smaller number of families served.
 - HUD is now instructed to notify each agency of its budget within 45 days of the bill's enactment. Agency budgets will be determined by multiplying the average number of vouchers in use in May-July 2004 by the average cost of vouchers in the same period, adjusted by the regional 2005 Annual Adjustment Factor (AAF).
- McKinney-Vento Homeless Assistance Grants have taken a \$19 million cut. This is the first time a Congress has decreased funding for the program since the 1996 budget.
- Most other HUD programs including CDBG, Home, and housing for the elderly (Section 202) and people with disabilities (Section 811) did even worse.

DEPARTMENT OF JUSTICE	FY 2004	President PROPOSED FY 2005	House PROPOSED FY 2005	Senate PROPOSED FY 2005	FY2005
State & Local Law Enforcement Assistance Budget [In thousands of dollars]	Omnibus Approp. H.R. 2673	Presidential Request	H.R. 4754 H.Rept. 108-576	S.Rept. 108-344	Omnibus Approp. HR 4818
	H. Rept. 108-401				H.Rept. 108-792
Byrne Memorial Justice Assistance Grant	--	508,937	634,000	--	634,000
(Boys and Girls Club)	--	(60,000)	(80,000)	--	(85,000)
(USA Freedom Corps)	--	--	(5,000)	--	(2,500)
(National Institute of Justice)	--	(19,956)	(15,000)	--	(10,000)
(Tribal Courts)	--	(5,921)	--	--	--
Edward Byrne Memorial Grant Program (Formula)	494,739	--	--	500,000	--
Local Law Enforcement Block Grant	222,633	--	--	150,000	--
(Boys and Girls Club)	(79,158)	--	--	(85,000)	--
(USA Freedom Corps)	(2,968)	--	--	--	--
(National Institute of Justice)	(9,895)	--	--	(10,000)	--
State Criminal Alien Assistance	296,843	--	325,000	220,000	305,000
Southwest Border Prosecutor Initiative	--	--	--	30,000	30,000
Cooperative Agreement Program	1,979	--	--	--	--
Indian Assistance	14,842	4,240	15,000	18,000	18,000
(Tribal Prison Construction Program)	(1,979)	--	(2,000)	--	(5,000)
(Indian Tribal Courts Program)	(7,916)	--	(8,000)	--	(8,000)
(Alcohol and Substance Abuse)	(4,947)	(4,240)	(5,000)	--	(5,000)
Byrne Discretionary Grants	157,443	--	110,000	117,969	170,027
USA Freedom Corps	--	15,381	-0-	-0-	--
Victims of Trafficking Grants	9,894	--	10,000	-0-	10,000
State Prison Drug Treatment (RSAT)	--	74,669	35,000	25,000	25,000
Drug Courts	38,095	67,463	50,000	40,000	40,000
Prescription Drug Monitoring	6,926	--	10,000	-0-	10,000
Prison Rape Prevention and Prosecution	36,784	7,654	52,175	-0-	37,000
National Prison Rape Elimination Commission					(10,000)
Other Crime Control Programs:					
Intell. State and Local Training	--	10,654	10,000	11,000	10,500
Hate Crimes Training	989	1,000	1,000	1,000	1,000
Missing Alzheimer's Patients	883	--	883	850	883
Law Enforcement Family Support Programs	--	--	--	2,000	2,000
Motor Vehicle Theft Prevention	--	--	1,979	100	100
Senior Citizens vs. Marketing Scams	1,979	--	1,979	2,000	2,000
Total, State and Local Assistance	1,335,971	--	1,255,037	1,117,919	1,295,510
Weed & Seed Program Fund	57,926		51,169	62,000	62,000

Note that brackets (\$\$\$) indicate that the funding is an earmark under a larger program.

	FY 2004	President PROPOSED FY 2005	House PROPOSED FY 2005	Senate PROPOSED FY 2005	FY2005
Community Oriented Policing Services					
COPS Enhancement Grants	--	--	113,000	--	--
Hiring/School Resource Officers	118,737	-0-	--	180,000	10,000
Training & Technical Assistance	[5,000]	17,600	--	20,000	15,000
Tribal Law Enforcement	24,737	20,000	--	20,000	20,000
Meth Hot Spots	53,482	20,000	60,000	55,000	52,556
COPS Technology	156,740	--	130,000	110,969	138,615
Interoperable Communications	84,106	1,550	--	100,000	100,000
Safe Schools Initiative	4,552	--	--	5,000	4,325
Police Integrity Grants	9,894	10,000	--	15,000	7,500
Bullet Proof Vests	24,737	24,950	25,000	25,000	25,000
Police Corps	14,842	27,579	20,000	15,000	15,000
Criminal Records Upgrade	29,684	56,186	50,000	--	25,000
DNA Initiative	98,948	175,788	175,788	100,000	110,000
Paul Coverdell Forensics Science	9,894	--	--	20,000	15,000
Crime Identification Technology	23,971	--	--	35,000	28,450
(Safe Schools Technologies)	[4,948]	--	--	[5,000]	--
Southwest Border Prosecutors	29,684	47,431	40,000	--	--
Project Safe Neighborhoods	29,684	45,080	30,000	15,000	--
Offender Reentry	4,948	15,000	15,000	5,000	10,000

Note that brackets (\$\$\$) indicate that the funding is an earmark under a larger program.

FY 2005 Juvenile Justice Budget

DEPARTMENT OF JUSTICE	FY 2004	PROPOSED FY 2005	PROPOSED FY 2005	PROPOSED FY 2005	FY2005
Juvenile Justice Budget [In thousands of dollars]	Omnibus Approp. H.R. 2673 H. Rept. 108-401	Presidential Request	H.R. 4754 H.Rept. 108-576	S.Rept. 108-344	Omnibus Approp. HR 4818 H.Rept. 108-792
Total Juvenile Justice Funding			349,000	360,000	384,177
Consolidation of Federal Efforts (Part A)					3,000
Formula Grants (Part B)	84,000	90,000	84,000	85,000	84,000
Demonstration Projects (Part C)	-0-	39,000	-0-	5,000	--
Research, Evaluation, TA & Training (Part D)	2,500	7,000	-0-	10,000	10,000
Developing New Initiatives (Part E)	79,000	6,600	70,000	80,000	102,177
Juvenile Mentoring Program (JUMP) (Part G)	-0-	-0-	-0-	15,000	15,000
<i>Big Brother/Big Sister</i>					(7,000)
At Risk Children Program (Title V)	80,000	37,335	80,000	87,000	80,000
<i>Tribal Youth</i>	(9,895)	(12,500)	(10,000)	(10,000)	(10,000)
<i>Big Brother/Big Sister</i>	--	--	--	(7,000)	--
<i>Enforcing Underage Drinking Laws</i>	(24,737)	-0-	(25,000)	(25,000)	(25,000)
<i>Gang Prevention</i>	(19,800)	-0-	(20,000)	(25,000)	(25,000)
Project Sentry	14,842	19,131	10,650	15,000	--
Secure Our Schools Act	9,895	-0-	20,000	10,000	15,000
Project Childsafe	5,000	33,750	10,000	5,000	5,000
Victims of Child Abuse Act	12,865	11,231	14,000	15,000	15,000
Juvenile Accountability Block Grant Program	60,000	-0-	60,000	30,000	55,000
<i>Note that brackets (\$\$\$) indicate that the funding is an earmark under a larger program</i>					

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The text of any legislation referenced above can be found at: <http://thomas.loc.gov>. For questions or to request more information, please contact Joe Weedon, ACA Director of Government Affairs at joew@aca.org or 301/918-1885.