



Department of Justice

Responsible for enforcing and upholding the law of the land and ensuring public safety, the Department of Justice (DOJ) has been an integral part of the federal government's role in keeping Americans safe.¹

However, Congress has expanded the Department's focus beyond its critical mission, and in many areas DOJ has failed to fulfill its pledge to the American people. With an annual budget of nearly \$27 billion,² DOJ continues to be plagued with challenges of mission creep and waste and mismanagement. Congress is largely to blame for creating new duplicative programs and failing to conduct oversight. Congress rarely demands that the Department be accountable for every dollar spent and demonstrate taxpayer dollars are invested in priority programs with measurable results.

By eliminating duplication, rooting out waste and fraud, and reforming critical DOJ programs, the reforms outlined in this proposal will save taxpayers more than \$34 billion over the next ten years, and allow the Department to more effectively carry out its mission of defending justice and protecting citizens.

Cancel Drug Enforcement Administration's Mobile Enforcement Team Program

Created in 1995, the Drug Enforcement Administration's (DEA) Mobile Enforcement Team (MET) program is tasked with targeting drug trafficking organizations (DTO). The program was designed to be temporary, deploying teams as needed to work with federal, state, and local law enforcement to counteract violent DTOs and gangs.³

DEA's policy specifically states the program is not only to "reduce drug related violence, [but also] disrupt or dismantle the rapidly increasing number of methamphetamine drug traffickers and laboratories."⁴ However, citing duplication and immeasurable results, the president's 2012 budget proposes elimination of the program, stating, "MET teams have a narrow focus, are duplicative of other Federal, State, and local law enforcement efforts and their effectiveness in reducing crime has not been demonstrated."

As noted in the president's budget, the Mobile Enforcement Teams were intended to provide a significant presence in rural areas, but that has not been the case. According to a 2010 Audit by the DOJ Office of the Inspector General (OIG), "despite its name, the Mobile Enforcement Teams were not mobile. Rather, the teams were operating primarily in metropolitan areas near DEA offices. Consequently, rural law enforcement agencies did not have the benefit of using

¹ Website of the Department of Justice, "About DOJ," accessed July 16, 2011, <http://www.justice.gov/02organizations/about.html>.

² Congressional Budget Office, funding figures provided to the Office of Senator Coburn.

³ Terminations, Reductions, and Savings, Office of Management and Budget, Budget of the U.S. Government, Fiscal Year 2012, at 45.

⁴ Department of Justice, Office of the Inspector General, *Audit of the Drug Enforcement Administration's Mobile Enforcement Team Program*, Audit Report 11-08, December 2010, at 1, available at <http://www.justice.gov/oig/reports/DEA/a1108.pdf>.

MET resources to address either methamphetamine or other violent gang problems within their jurisdictions.”⁵ In fact, the OIG determined that the “DEA did not have a standardized process to identify local law enforcement agencies most in need of MET program assistance.”⁶ In addition, the administration explains how this absence from rural areas has meant the program has not focused on carrying out activities related to methamphetamine enforcement or eradicating gangs as intended.

The most recent budget of the MET program was \$39.1 million.⁷ Adopting the president’s proposal of eliminating this poorly targeted and duplicative program will **save \$434 million over ten years.**

End Funding for the National Drug Intelligence Center

For years, millions of dollars intended for our national defense were siphoned from the military’s budget to pay for a single congressional earmark administered not by the Pentagon, but by the Department of Justice. The National Drug Intelligence Center (NDIC) was established in 1992 via an earmark in the Department of Defense appropriations bill, and received more than \$44 million in 2010.

According to its own website, the NDIC exists to “coordinate and consolidate drug intelligence from all national security and law enforcement agencies, and produce information regarding the structure, membership, finances, communications, and activities of drug trafficking organizations.” Yet, the Center has long been considered duplicative of other federal efforts, as outlined by President Obama FY 2012 budget, which proposes a 45 percent (\$19 billion) reduction in the program, citing this extensive overlap with other federal efforts “including the Department of Defense, the Defense Intelligence Agency, DOJ, the Department of Homeland Security, the Department of the Treasury, and the Central Intelligence Agency.” The president’s budget goes on to explain the NDIC “remains largely duplicative of other Federal and State and local drug intelligence centers and produces documents, research and reports which are available from other sources.”⁸ In addition, the FY 2012 budget notes several constraints to NDIC’s effectiveness, including “its inability to access certain ‘proprietary’ law enforcement information and data; its remote location in Johnstown, Pennsylvania; and the duplication of computer forensics software produced by NDIC and that of a subsidiary of the National Institute of Science and Technology.”⁹

NDIC was previously targeted for elimination by the Bush administration, which in its FY 2008 budget proposed only enough funding in order to wind down the Center, stating, “The NDIC is

⁵ Department of Justice, Office of the Inspector General, *Audit of the Drug Enforcement Administration’s Mobile Enforcement Team Program*, Audit Report 11-08, December 2010, at iii, available at <http://www.justice.gov/oig/reports/DEA/a1108.pdf>.

⁶ Department of Justice, Office of the Inspector General, *Audit of the Drug Enforcement Administration’s Mobile Enforcement Team Program*, Audit Report 11-08, December 2010, at viii, available at <http://www.justice.gov/oig/reports/DEA/a1108.pdf>.

⁷ Department of Justice, 2012 budget request, <http://www.justice.gov/02organizations/budget-rollout-presentation.pdf>.

⁸ Terminations, Reductions, and Savings, Budget of the U.S. Government, Fiscal Year 2012, at p. 132, available at <http://www.whitehouse.gov/sites/default/files/omb/budget/fy2012/assets/trs.pdf>.

⁹ Terminations, Reductions, and Savings, Budget of the U.S. Government, Fiscal Year 2012, at p. 132, available at <http://www.whitehouse.gov/sites/default/files/omb/budget/fy2012/assets/trs.pdf>.

one of several Federal drug intelligence centers, and it has been slow to delineate a unique and useful role within the larger drug intelligence community.”¹⁰

When the NDIC opened, the Government Accountability Office (GAO) issued a report noting that NDIC duplicates the activities of 19 drug intelligence centers that already existed.¹¹ Fifteen primarily existed to “gather and analyze time-sensitive information such as current location and movement of specific drug smuggling activities” and the other four “generally produce information on long-term trends and patterns.”¹²

In 2005, the center was labeled a “boondoggle” by *U.S. News & World Report*, which noted “the facility has run through six directors, been rocked by scandal, and been subjected to persistent criticisms that it should have never been created at all. ... But as any veteran of Washington’s budget wars will tell you, closing even a single federal program can be a herculean task. Perhaps no example is more illuminating than the NDIC.”¹³

A Pennsylvania newspaper, *The Centre Daily News*, noted in 2007 that “the NDIC has persisted, despite lingering questions about its effectiveness in coordinating the efforts of federal authorities to collect and analyze intelligence on the domestic trafficking of cocaine, heroin, methamphetamine and other drugs.”¹⁴

With an average annual budget of \$30 to \$44 million, NDIC has cost more than half a billion dollars since its inception.

Eliminating the NDIC would save \$488 million over the next ten years.

Transfer Responsibilities of the U.S. Parole Commission to the U.S. Probation Office

Parole became possible for federal prisoners on June 25, 1910,¹⁵ but federal parole, along with the U.S. Parole Commission (USPC), was eliminated by Congress in 1984.¹⁶ Despite this decisive action, as well as the authorized elimination of the Parole Commission effective November 1, 1992, taxpayers still pay for the U.S. Parole Commission every year.

Since the abolition of the USPC, the commission has been reauthorized on more than one occasion, and it has taken on new responsibilities seemingly intended to justify its existence, contrary to original congressional intent. In fact, Congress enacted the Parole Commission Phase-out Act of 1996, which again extended the life of the Parole Commission until November 1, 2002.¹⁷ However, it reduced the number of Parole Commissioners, and also required the

¹⁰ Office of Management and Budget, “Major Savings and Reforms in the President’s FY 2008 Budget,” February 2007, <http://www.gpoaccess.gov/usbudget/fy08/pdf/savings.pdf>.

¹¹ “Drug Control; Coordination of Intelligence Agencies,” U.S. General Accounting Office, April 1993, <http://archive.gao.gov/t2pbat6/149104.pdf>.

¹² “Drug Control; Coordination of Intelligence Agencies,” U.S. General Accounting Office, April 1993, <http://archive.gao.gov/t2pbat6/149104.pdf>.

¹³ Bret Schulte. “A Drug War Boondoggle: The White House wants to kill it, but a little government agency may manage to live on,” *U.S. News World & Report*, May 1, 2005, available at <http://www.usnews.com/usnews/news/articles/050509/9ndic.htm>.

¹⁴ Daniel Lovering. “Official: disputed Pa. facility plays vital part in drug war,” *Centre Daily News*, June, 30, 2007.

¹⁵ The Parole Act of 1910; 36 Stat. 819, Comprehensive Crime Control Act of 1984.

¹⁶ P.L. 98-473

¹⁷ P.L. 104-232

Attorney General to provide Congress an annual report from FY 1988 through FY 2002 to justify the continuation of the USPC. If such justification did not exist, it provided for transfer of USPC functions to another entity within DOJ.

Elimination of the USPC never actually occurred, and the passage of the National Capital Revitalization and Self-Government Improvement Act of 1997 effectively revitalized the USPC by giving it additional responsibilities.¹⁸ As a result of continued reauthorizations, USPC not only monitors federal prisoners sentenced prior to November 1, 1987 (when parole existed), it also manages the following:

- Federal Offenders (offenses committed before November 1, 1987)
- D.C. Parolees (offenses committed before August 5, 2000)
- D.C. Code Offenders (offenses committed after August 4, 2000)
- Uniform Code of Military Justice Offenders (offenses committed after August 15, 2001)¹⁹
- Transfer-Treaty Cases (offenses committed after October 31, 1987)
- State Probationers and Parolees in Federal Witness Protection Program

The additional duties imposed upon the USPC appear to be an effort by Congress to ensure the USPC will never be abolished. However, even the USPC actually acknowledged the intent for its elimination:

In the Parole Commission Phaseout Act of 1996, Congress recognized that some form of parole function would have to remain beyond 2002, but this Act did not envision the substantial, ongoing responsibilities for D.C. Code felony offenders given the Parole Commission by the National Capital Revitalization and Self-Government Improvement Act of 1997.²⁰

Recently, however, the U.S. Parole Commission unexpectedly found itself in the middle of an ethical and political firestorm. Veronza Bowers, after spending a 31-year sentence in federal prison in Florida on a murder conviction was scheduled for parole in 2004. But before he was released, one of the commissioners, Deborah Spagnoli, improperly intervened to block him from going free, creating a secret backchannel all the way to the Attorney General.²¹ Commissioners are supposed to remain independent in such circumstances, but in this circumstance used political connections to overturn a prior decision.²² The episode raised troubling questions about the commission independence.

The USPC has received between \$10 million to \$13 million annually since 2006.²³

¹⁸ P.L. 105-33

¹⁹ 28 CFR 2.35 (d)

²⁰ Department of Justice, History of United States Parole Commission, available at <http://www.justice.gov/uspc/history.htm>.

²¹ Stephens, Joe, "Allegations of Impropriety Surround the Little-Known U.S. Parole Commission," *Washington Post*, May 26, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/25/AR2009052502357.html>.

²² Stephens, Joe, "Allegations of Impropriety Surround the Little-Known U.S. Parole Commission," *Washington Post*, May 26, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/25/AR2009052502357.html?sid=ST2009052600940>.

²³ Nathan James, Oscar R. Gonzales, and Jennifer D. Williams, *Commerce, Justice, Science, and Related Agencies: FY2011 Appropriations*, Congressional Research Service, R41161, May 17, 2011, at 19, 22; Nathan James, Oscar R. Gonzales, and Jennifer D. Williams, *Commerce, Justice, Science, and Related Agencies: FY2010 Appropriations*, Congressional Research

The duties of the USPC before they were expanded are minimal due to the dwindling number of pre-1987 prisoners that were both eligible for parole and actually received it. This responsibility could be consolidated with the U.S. Probation Office (USPO), which falls under the budget of the U.S. Courts. District of Columbia offenders and those in the Witness Protection Program could also be included with the USPO, and the military offenders transferred to the Department of Defense. Finally, state probationers should be supervised by the state in which the offender was sentenced. Ending this outdated and unnecessary program would **save taxpayers at least \$146 million over the next 10 years.**

End the National Institute of Justice

The Department of Justice's National Institute of Justice (NIJ), within the Office of Justice Programs, is home to two offices: the Office of Research and Evaluation (ORE) and the Office of Science and Technology (OST).²⁴ NIJ is touted as the "research, evaluation, and development agency for the DOJ," but it primarily carries out this activity by awarding grants to others for these activities.²⁵ While it conducts "internal evaluations" for the DOJ, it has consistently failed to fairly award both competitive and non-competitive grants and contracts, raising questions about its effectiveness. The amount of funding at stake is significant. In 2008 and 2009, for DNA and other forensic technology grants alone, NIJ awarded approximately \$302 million for over 700 grants.²⁶

In a 2009 audit, the DOJ Office of the Inspector General (OIG) found "OJP and NIJ could not document that grant awards during fiscal years 2005 through 2007 were made based on fair and open competition because it did not maintain adequate pre-award records. In addition, NIJ managers did not properly address potential conflicts of interest among its staff involved in making award decisions."²⁷ The OIG concluded it could not verify the awards it analyzed "were based on fair and open competition" because the NIJ does not comply with document requirements established by the Office of Justice Programs (OJP).²⁸

Furthermore, while federal agencies must systematically review internal conflicts of interest,²⁹ and eliminate them, NIJ has failed to do so. Rather, NIJ employees with financial and other conflicts of interest consistently reviewed grant applications inappropriately, even when

Service, R40644, January 19, 2010, at 19, 23; William J. Krouse, Oscar R. Gonzales, and Jennifer D. Williams, *Commerce, Justice, Science and Related Agencies: FY2009 Appropriations*, Congressional Research Service, RL34540, May 11, 2009, at 30, 37; William J. Krouse, Edward V. Murphy, and M. Angeles Villarreal, *Commerce, Justice, Science, and Related Agencies: FY2008 Appropriations*, Congressional Research Service, RL34092, March 17, 2008, at 32, 35; and Susan B. Epstein, M. Angeles Villarreal, *Science, State, Justice, Commerce and Related Agencies (House)/Commerce, Justice, Science and Related Agencies (Senate): FY2007 Appropriations*, Congressional Research Service, RL33470, May 9, 2007, at 8, 15.

²⁴ U.S. Department of Justice, Office of Justice Programs, <http://www.ojp.usdoj.gov/about/offices/nij.htm>.

²⁵ *Id.*; See also James, Nathan, *An Overview & Funding History of Select Department of Justice (DOJ) Grant Programs*, Congressional Research Service, RL33489, January 16, 2008, at 2.

²⁶ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at p. 1.

²⁷ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at p. 8.

²⁸ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at p. 11.

²⁹ 5 C.F.R. §§ 2634 – 2635.

monitored by a supervisor.³⁰ The OIG even found NIJ grantees involved in lobbying related to their NIJ grants did not disclose such activity on their grant applications as they are required to do.³¹

NIJ's non-competitive award process is also problematic. According to the OIG, even an NIJ official attests "the NIJ has not developed procedures or guidance on what constitutes a reasonable basis for awarding a grant non-competitively."³² Such procedures combined with NIJ's questionable lobbying activities have yielded troubling results.

In 2002, NIJ awarded a non-competitive cooperative agreement of \$153,914 to Smith Alling Lane in Tacoma, Washington "to conduct a comprehensive survey to develop data for analyzing the effective of expanding DNA legislation on solving and preventing crimes."³³ While asserting Smith Alling Lane was the only organization that had the experience to conduct the survey, the OIG "found no documentation that supported how the NIJ reached its decision."³⁴ Smith Alling Lane continued to receive more awards, despite questions surrounding its independence.³⁵

Furthermore, Smith Alling Lane's lobbying activities related to DNA policies likely benefited some of its clients as legislation in 2000, and 2002-2006 provided "more funding for DNA-related analysis and research, and the Department of Justice's NIJ awarded grants and contracts to Smith Alling Lane's clients to perform DNA-related work."³⁶

Similarly, NIJ provided non-competitive awards to the National Forensic Science Technology Center (NFSTC) in Largo, Florida from 2000-2006.³⁷ The awards amounted to \$34,202,675 for NFSTC, of which \$20,914,071 were congressional earmarks—all without written justifications.³⁸ Two of these awards "improperly directed the NFSTC to use Smith Alling Lane to perform work under the agreements without preparing a justification for such a non-competitive selection."³⁹ In fact, an NIJ program manager states a "former NIJ Division Chief directed him to require the NFSTC to use Smith Alling Lane as a condition of the two agreements."⁴⁰

³⁰ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at 14.

³¹ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xiii.

³² U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvi.

³³ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvi.

³⁴ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvii.

³⁵ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvii.

³⁶ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvii.

³⁷ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvii.

³⁸ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xviii.

³⁹ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xvii.

⁴⁰ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xix.

Overall, relationships between NIJ and NFSTC officials created significant conflicts of interest issues. NIJ would hire certain officials from NFSTC for “temporary” assignments where they would be involved in overseeing NIJ grant programs.⁴¹ For example, over \$45 million was awarded to NFSTC while its deputy executive director was on detail to NIJ.⁴² *Politico* reported in May 2009 that six of NFSTC’s “current and former employees and board members have worked for the agency.”⁴³

NIJ is unnecessary and lacks internal control policies, consistently fails to award grants in a fair and open manner, and has a troubling record of misusing taxpayer funds. In 2010, NIJ received \$48 million in funding.⁴⁴

Estimated ten-year savings for elimination of this program would be \$533 million.

Eliminate the Community Oriented Policing Services Program

Started in 1994, the Community Oriented Policing Services (COPS) program was created to “advance community policing in all jurisdictions across the United States.”⁴⁵ This grant program allows law enforcement agencies to hire and train police officers, purchase crime-fighting technologies, and develop and test innovative policing strategies.⁴⁶

One of the program’s first goals was to put 100,000 state and local police officers on the street by the year 2000.⁴⁷ However, it is doubtful that the COPS program ever met this goal. While the COPS Office claims to have hired 117,000 officers to date, several sources, including the Government Accountability Office and the National Institute of Justice question this figure, indicating significantly fewer officers were actually hired.⁴⁸ According to the Congressional Research Service: “The GAO found that COPS funding paid for a total of about 88,000 additional *officer-years* from 1994 to 2001. An evaluation of the COPS program sponsored by the National Institute of Justice (NIJ) found that under the best-case scenario, of the 105,000 officer and officer equivalents funded by the COPS program by May 1999, an estimated 84,600 officers would have been hired by 2001 before declining to 83,900 officers by 2003. Under the worst-case scenario, an estimated 69,000 officers would have been hired by 2001 before declining to 62,700 officers by 2003.”⁴⁹

⁴¹ U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xix.

⁴² U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, *Titles II and III: Justice for All Act of 2004; DNA Analysis Backlog Elimination Act of 2000*, Report to Congress, October 2010, at xx.

⁴³ Ben Protess, *Complex Strands of DNA Backlog*, POLITICO, May 5,

2009, <http://www.politico.com/news/stories/0509/22070.html>.

⁴⁴ <http://www.crs.gov/pages/Reports.aspx?PRODCODE=R41161&Source=search>

⁴⁵ Nathan James, *Community Oriented Policing Services (COPS): Background and Funding*, Congressional Research Service, RL33308, June 2, 2011, at 1.

⁴⁶ Nathan James, *Community Oriented Policing Services (COPS): Background and Funding*, Congressional Research Service, RL33308, June 2, 2011, at 1.

⁴⁷ Nathan James, *Community Oriented Policing Services (COPS): Background and Funding*, Congressional Research Service, RL33308, June 2, 2011, at 1.

⁴⁸ Nathan James, *Community Oriented Policing Services (COPS): Current Legislative Issues*, Congressional Research Service, R40709, June 1, 2011, at 11.

⁴⁹ <http://www.fas.org/sgp/crs/misc/R40709.pdf>

COPS has also proven when state and local responsibilities are subsidized by the federal government, state and local governments will quit paying for these responsibilities, leading to an increased burden on federal taxpayers for an inherently local responsibility. A 1999 report of the DOJ inspector general revealed that in the early years of the program, federal funds were frequently being used to *supplant* state and local efforts, rather than *supplement* it.⁵⁰

As a result of continued and increased federal funding under COPS and other law enforcement assistance grants, state and local governments also shift accountability for local crime to the federal government when ordinary street crime is the primary responsibility of state and local government.⁵¹ By providing COPS funding, the federal government has overstepped its constitutional boundaries. As a Heritage Foundation analysis of the program explains, “If Congress wants to aid in the fight against crime, it should limit itself to vindicating uniquely federal interests, starting with those that the Constitution clearly assigns to the national government, and to performing roles that only the federal government alone can fulfill. The federal government should not become a crutch on which local law enforcement becomes dependent.”⁵²

As detailed in testimony before the Senate Judiciary Committee, for example, in 2005, Boston Mayor Thomas Menino blamed his inability to properly staff the Boston Police Department on a lack of COPS funding. After receiving millions of dollars in the 1990s for additional police officers, “Boston promised to retain these officers and maintain the same staffing levels after the federal contributions expired. Instead of developing a plan to retain the officers, Mayor Menino decided to downsize officer staffing after the grants expired, in violation of the federal grant rules.”⁵³ Even though COPS grants requires grantees to specify how it plans to obtain funding for continuing the program after federal funding expires, many state and local governments, like Boston, view COPS grants as an entitlement, and the federal government is blamed for inadequately staffed police departments.

Despite claims to the contrary, there is little evidence showing that COPS funding has directly impacted violent crime rates. The Congressional Research Service notes COPS “has awarded more than \$11.4 billion to over 13,000 law enforcement agencies...since it started awarding grants in 1994.”⁵⁴ *USA Today* uncovered that in 2005 that, of three major studies on the issue, only one that was funded by the DOJ, found that COPS had any effect on crime rates.⁵⁵

⁵⁰ Department of Justice, Office of Inspector General, “Police Hiring and Redeployment Grants: Summary of Audit Findings and Recommendations, October 1996 – September 1998,” <http://www.justice.gov/oig/reports/COPS/a9914/9914pt1.htm>.

⁵¹ David Muhlhausen, Ph.D., *Adding COPS Funding to the Economic Stimulus Package Will Not Stimulate the Economy, Nor Will It Effectively Combat Crime*, Congressional Testimony before the Senate Committee on the Judiciary, January 8, 2009, available at <http://www.heritage.org/Research/Testimony/Adding-COPS-Funding-to-the-Economic-Stimulus-Package-Will-Not-Stimulate-the-Economy-Nor-Will-It-Effectively-Combat-Crime>.

⁵² David B. Muhlhausen, Ph.D. and Brian W. Walsh, *COPS Reform: Why Congress Can't Make the COPS Program Work*, The Heritage Foundation, No. 2188, September 26, 2008, available at http://s3.amazonaws.com/thf_media/2008/pdf/bg2188.pdf.

⁵³ David Muhlhausen, Ph.D., *Adding COPS Funding to the Economic Stimulus Package Will Not Stimulate the Economy, Nor Will It Effectively Combat Crime*, Congressional Testimony before the Senate Committee on the Judiciary, January 8, 2009, at 2, available at <http://www.heritage.org/Research/Testimony/Adding-COPS-Funding-to-the-Economic-Stimulus-Package-Will-Not-Stimulate-the-Economy-Nor-Will-It-Effectively-Combat-Crime>.

⁵⁴ Nathan James, *Community Oriented Policing Services (COPS): Background and Funding*, Congressional Research Service, RL33308, June 2, 2011.

⁵⁵ Peter Eisler and Kevin Johnson, *10 Years and \$10B Later, COPS Drawing Scrutiny*, USA TODAY, April 11, 2005, available at http://www.usatoday.com/news/washington/2005-04-10-cops-cover_x.htm.

However, “the Government Accounting Office, Congress’ nonpartisan oversight arm, dismissed DOJ’s study as ‘inconclusive.’”⁵⁶ In fact, in 2005, *USA Today* also noted Oklahoma City is one example of a city that did not participate in COPS, but experienced a drop in crime equivalent to cities that received grants. These findings have raised questions about whether there is any correlation between COPS hiring grants and the drop of the nation’s crime rates.⁵⁷

According to the Federal Bureau of Investigation (FBI) Uniform Crime Reports (UCR), the violent crime rate has declined since the 1990s.⁵⁸ However, this downward trend has continued even when funding for COPS has decreased. In 2001, The Heritage Foundation’s Center for Data Analysis (CDA) conducted an evaluation of COPS effectiveness from 1995-1998. “It found that COPS grants for the hiring of additional police officers and for technology had no statistically significant effect on reducing the rates of violent crime.”⁵⁹ CDA conducted a second analysis in 2006 for a more extended period of time, 1990-1999, and confirmed the earlier conclusions, which “found the ineffectiveness of COPS grants awarded to large cities may be due to their misuse, with grants awarded to large cities used to supplant local police expenditures.”⁶⁰ Significantly, from 2002-2004, both the violent crime rate and COPS funding significantly declined, indicating again that there was little correlation.⁶¹

In a 2005 study, GAO found crime in the early 1990s had already begun to decline before COPS was even created in 1994.⁶² “Hence the factors other than COPS grants that were responsible for precipitating the decline in crime could have continued to influence its decline throughout the 1990s... To the extent that any of these factors are correlated with the distribution of COPS grants, they could be responsible for impacts that have been attributed to COPS grants.”⁶³ GAO concluded “COPS grants were not the major cause of the decline in crime from 1994 through 2001.”⁶⁴

⁵⁶ Peter Eisler and Kevin Johnson, *10 Years and \$10B Later, COPS Drawing Scrutiny*, USA TODAY, April 11, 2005, available at http://www.usatoday.com/news/washington/2005-04-10-cops-cover_x.htm; see also *Technical Assessment of Zhao and Thruman’s 2001 Evaluation of the Effects of COPS Grants on Crime*, Government Accountability Office, GAO-03-867R, June 12, 2003, at 3.

⁵⁷ Peter Eisler and Kevin Johnson, *10 Years and \$10B Later, COPS Drawing Scrutiny*, USA TODAY, April 11, 2005, available at http://www.usatoday.com/news/washington/2005-04-10-cops-cover_x.htm.

⁵⁸ Federal Bureau of Investigation, Uniform Crime Report, 2009, Table 1, available at http://www2.fbi.gov/ucr/cius2009/data/table_01.html (accessed June 26, 2011).

⁵⁹ David Muhlhausen, Ph.D., *Adding COPS Funding to the Economic Stimulus Package Will Not Stimulate the Economy, Nor Will It Effectively Combat Crime*, Congressional Testimony before the Senate Committee on the Judiciary, January 8, 2009, at 7, available at <http://www.heritage.org/Research/Testimony/Adding-COPS-Funding-to-the-Economic-Stimulus-Package-Will-Not-Stimulate-the-Economy-Nor-Will-It-Effectively-Combat-Crime>.

⁶⁰ *Id.*; see also David B. Muhlhausen, Ph.D. and Brian W. Walsh, *COPS Reform: Why Congress Can’t Make the COPS Program Work*, The Heritage Foundation, No. 2188, September 26, 2008, at 10, available at http://s3.amazonaws.com/thf_media/2008/pdf/bg2188.pdf.

⁶¹ Federal Bureau of Investigation, Uniform Crime Report, 2009, Table 1, available at http://www2.fbi.gov/ucr/cius2009/data/table_01.html (accessed July 16, 2011); see also Nathan James, *Community Oriented Policing Services (COPS): Background and Funding*, Congressional Research Service, RL33308, June 2, 2011, at 7.

⁶² *Community Policing Grants: COPS Grants Were a Modest Contributor to Declines in Crime in the 1990s*, Report to the Chairman, Committee on the Judiciary, House of Representatives, GAO-06-104, October 2005, at 9.

⁶³ *Community Policing Grants: COPS Grants Were a Modest Contributor to Declines in Crime in the 1990s*, Report to the Chairman, Committee on the Judiciary, House of Representatives, GAO-06-104, October 2005, at 9.

⁶⁴ *Community Policing Grants: COPS Grants Were a Modest Contributor to Declines in Crime in the 1990s*, Report to the Chairman, Committee on the Judiciary, House of Representatives, GAO-06-104, October 2005, at 16.

Furthermore, COPS grants are too often hampered by waste, fraud, abuse, and duplication. In the president's budget requests for FY 2004 through FY 2006, the Program Assessment Rating Tool (PART) indicated COPS results were "not demonstrated." In 2004, the PART analysis noted "COPS program's long-term goals have no timelines or specific targets," and new objectives have replaced the original goals of hiring more police officers.⁶⁵ In 2005, PART also questioned to what extent law enforcement agencies desired funding for expanding community policing versus sustaining their normal hiring efforts. Agencies are not allowed to use COPS grants to supplant their budgets, but rather as a supplement. However, the PART evaluation notes that "COPS has not been able to define or quantify the remaining unmet 'need' for community policing beyond the number of grant applications it receives."⁶⁶

The 2005 *USA Today* report also found "a less than flattering view of the COPS program is emerging: Federal audits of just 3% of all COPS grants have alleged \$277 million was misspent. Tens of thousands of jobs funded by the grants were never filled, or weren't filled for long."⁶⁷ For example, the very small city of Picuris Pueblo, New Mexico, which is on an Indian reservation, has a two-person police department. Yet, it "was awarded \$728,125 from 1995 to 2000 to hire eight additional officers."⁶⁸ The town was unable prove whether the officers were hired, and the police department was actually closed in 2002, without evidence of what happened to the grant money.

The 2009 American Recovery and Reinvestment Act (ARRA) provided the COPS program with an additional \$1 billion in funding.⁶⁹ However, many police departments were ineligible for grants due to past misuse of COPS funding. *USA Today* reported twenty-six police agencies in 16 states were barred from COPS stimulus funds "after misusing millions of dollars in prior aid."⁷⁰

In addition, the DOJ OIG noted in a May 2010 audit that there is potential overlap between COPS and other programs.⁷¹ The DOJ OIG found the COPS hiring program overlapped with OJP's Edward Byrne Memorial Justice Assistance Grant (JAG) program and the Edward Byrne Competitive Grant Program.⁷²

Finally, given the lack of measurable data on the impact of this program to reducing crime, COPS grants are simply not producing the results needed to justify their more than \$494 million

⁶⁵ Budget of the United States Government, Performance and Management Assessments, FY 2004, at p. 178, available at <http://www.gpoaccess.gov/usbudget/fy04/pdf/pma.pdf>.

⁶⁶ Budget of the United States Government, PART Assessments, FY 2005, at p. 20, available at <http://www.gpoaccess.gov/usbudget/fy05/pdf/part/justice.pdf>.

⁶⁷ Peter Eisler and Kevin Johnson, *10 Years and \$10B Later, COPS Drawing Scrutiny*, USA TODAY, April 11, 2005, available at http://www.usatoday.com/news/washington/2005-04-10-cops-cover_x.htm.

⁶⁸ Peter Eisler and Kevin Johnson, *10 Years and \$10B Later, COPS Drawing Scrutiny*, USA TODAY, April 11, 2005, available at http://www.usatoday.com/news/washington/2005-04-10-cops-cover_x.htm.

⁶⁹ U.S. Department of Justice, Office of the Inspector General, Audit Division, *A Review of the Selection Process for the COPS Hiring Recovery Program*, No. 10-25, May 2010, at p. i, available at <http://www.justice.gov/oig/reports/COPS/a1025.pdf>.

⁷⁰ Kevin Johnson, *No Stimulus for Police After Past Violations*, USA TODAY, May 6, 2009, available at http://www.usatoday.com/news/nation/2009-05-06-blacklist_N.htm.

⁷¹ U.S. Department of Justice, Office of the Inspector General, Audit Division, *A Review of the Selection Process for the COPS Hiring Recovery Program*, No. 10-25, May 2010, at p. 32, available at <http://www.justice.gov/oig/reports/COPS/a1025.pdf>.

⁷² U.S. Department of Justice, Office of the Inspector General, Audit Division, *A Review of the Selection Process for the COPS Hiring Recovery Program*, No. 10-25, May 2010, at p. 32, available at <http://www.justice.gov/oig/reports/COPS/a1025.pdf>.

annual price tag. In a discussion of issues facing Congress regarding the program's reauthorization, CRS highlights this concern:

“After years of decreasing appropriations for COPS hiring grants, Congress included \$1 billion for hiring grants in the American Recovery and Reinvestment Act of 2009 (P.L. 111-8), the highest level of funding for COPS hiring grants since FY1999. In addition, Congress provided funding for hiring programs as a part of the annual appropriation for COPS in both FY2010 and FY2011. Given the interest in COPS hiring programs, Congress might want to consider the issue of whether the COPS program was effective at meeting its goal of increasing the number of police officers.”⁷³

Ending the COPS program will save taxpayers more than \$5.5 billion over the next ten years.

Reduce Funding for the Edward Byrne Memorial Grant Program by 50 Percent

The Edward Byrne Memorial Grant Program consists of two programs, the Justice Assistance Grant (Byrne JAG) and the Byrne Competitive Grant (Byrne Competitive). Byrne JAG funds are awarded non-competitively on a formula basis, while Byrne Competitive funds are awarded through a merit-based application process.⁷⁴ In the past, there has also been a Byrne Discretionary Grant (Byrne Discretionary), which consisted of approximately \$180 million annually in congressionally earmarked funds for local Byrne programs. Federal funding provided through each of the Byrne programs can be used for the same purposes, which broadly include “state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, information systems, and national initiatives.”⁷⁵

Byrne JAG is a formula grant program that directs federal funding to state and local law enforcement to be used for equipment, training, technical assistance, and information systems to assist with the apprehension, prosecution, adjudication, detention and rehabilitation of offenders. Funds are awarded to localities based on a *formula* accounting for state population and violent crime rates. Since 2005, the program has been funded on average at \$460 million annually, with an additional \$2 billion provided by the 2009 Recovery Act.⁷⁶ Byrne JAG's predecessor programs received even more between FY 1998 and FY 2004, averaging \$944 million.⁷⁷ President Bush's 2008 budget effectively eliminated this program by proposing to consolidate it with dozens of anti-crime programs.

⁷³ CRS R40709, “Community Oriented Policing Services (COPS): Current Legislative Issues” Congressional Research Service, June 1, 2011, <http://www.crs.gov/pages/Reports.aspx?PRODCODE=R40709&Source=search>.

⁷⁴ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs' Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, at p. i, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁷⁵ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs' Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, at p. ii, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁷⁶ Nathan James, “Edward Byrne Memorial Justice Assistance Grant (JAG) Program,” Congressional Research Service, RS22416, June 2, 2011, p. 5.

⁷⁷ Nathan James, “Edward Byrne Memorial Justice Assistance Grant (JAG) Program,” Congressional Research Service, RS22416, June 2, 2011, p. 5.

Grant management has appeared on the DOJ OIG's list of Top 10 Management Challenges since 2000, and Byrne programs are no exception.⁷⁸ In June 2011 testimony before the House Committee on Oversight and Government Reform, the acting inspector general concluded, "further improvements are needed, and considerable work remains before managing the billions of dollars the Department awards annually in grants is no longer a top challenge for the Department."⁷⁹

Critics on the right and left have recently agreed the Byrne program should be phased out. Groups like the National Taxpayers Union, Drug Policy Alliance, and American Civil Liberties Union (ACLU) have all opposed the Byrne programs for a variety of reasons, yet the program lives on as Congress continues to provide funding for these grants.⁸⁰ The Drug Policy Alliance (DPA) notes Byrne JAG is one of several "failed drug war programs that are ineffective at best, and often actively harmful...[DPA is] working to dismantle wasteful drug law enforcement programs like the Byrne Justice Assistance Grant program, which funds hundreds of regional drug taskforces that are notorious for wasting taxpayer dollars and fostering corruption."⁸¹

Furthermore, in a June 2008 letter to Representatives John Conyers and Lamar Smith of the House Judiciary Committee, the ACLU asked the committee not to reauthorize the Byrne JAG program unless it was reformed.⁸² The letter noted concern with the program's funding of regional anti-drug task forces, which the ACLU alleges "have very little state or federal oversight and are prone to corruption...."⁸³

In a 2010 Audit Report, the DOJ OIG examined 12 state and local recipients of Byrne JAG funding. Nine of the 12 audits showed significant weaknesses, resulting in the DOJ OIG questioning \$618,915 in grant expenditures, and identifying \$3.5 million in enhanced revenues.⁸⁴ For example, the Washington, D.C. Justice Grants Administration could not provide documentation for \$324,011 in grant expenditures, and the Indiana Criminal Justice Institute "did not identify and report \$3,482,466 in program income related to the grant."⁸⁵

⁷⁸ U.S. Department of Justice, Office of the Inspector General, *Top Management Challenges in the Department of Justice*, available at <http://www.justice.gov/oig/challenges/index.htm>.

⁷⁹ Statement of Cynthia A Schnedar, Acting Inspector General, U.S. Department of Justice, House Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, June 23, 2011, p. 7, available at http://oversight.house.gov/images/stories/Testimony/6-23-11_Schnedar_Tech_Fed_Grants_Testimony.pdf.

⁸⁰ Radley Balko, *Bad Cop: Why Obama is Getting Criminal Justice Policy Wrong*, SLATE, October 6, 2008, available at <http://www.slate.com/id/2201632/>.

⁸¹ Drug Policy Alliance, "Wasted Tax Dollars," available at <http://www.drugpolicy.org/issue/wasted-tax-dollars/our-priorities>.

⁸² ACLU Coalition Letter to House Judiciary Leadership Urging Them Not to Reauthorize the Byrne Justice Assistance Grant, June 17, 2008, available at <http://www.aclu.org/drug-law-reform/aclu-coalition-letter-house-judiciary-leadership-urging-them-not-reauthorize-byrne-j>.

⁸³ ACLU Coalition Letter to House Judiciary Leadership Urging Them Not to Reauthorize the Byrne Justice Assistance Grant, June 17, 2008, available at <http://www.aclu.org/drug-law-reform/aclu-coalition-letter-house-judiciary-leadership-urging-them-not-reauthorize-byrne-j>.

⁸⁴ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs' Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 15, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁸⁵ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs' Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 17, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

In the same audit, the DOJ OIG noted five of the 12 grant recipients could not account for any of the property they purchased with Byrne JAG funds. In December 2008, the City of Jackson, Mississippi spent over \$79,000 for a “line of fire” targeting package for a police department firing range. Yet, in January 2010, the package had not been installed because the site preparation was incomplete.⁸⁶ The city also purchased 262 GPS units for police officers at a cost of over \$49,000, but over 2 years later, 151 units (a \$31,418 value) “were still in the Police Department’s warehouse because the units provide only geographic coordinates. The GPS units are now obsolete because the Police Department is now installing laptop computers with GPS software.”⁸⁷ The city also treated its purchase of laptop computers similarly. In 2007, the city spent \$204,600 in grant funds for 50 laptop computers for patrol cars. However, two years later, 47 of those laptops (a \$192,324 value) were still sitting in the Police Department’s warehouse. “By January 2010, only 19 of the laptops had been installed in patrol cars.”⁸⁸

Half of the 12 Byrne JAG audits conducted by the DOJ OIG found recipients did not submit accurate annual progress reports. In one example, a Marion County, South Carolina, grantee did not submit any annual progress reports for its 2005 Byrne JAG grant (from October 1, 2004 through September 30, 2008), except for a final progress report, because “officials said they had not had a grants manager and were not aware of the requirements for submitting progress reports.”⁸⁹

Overall, the DOJ OIG report concludes that just this small sample of audits indicates the “grant recipients lack appropriate procedures and practices in implementing important grant requirements... The failure to implement the grant requirements can lead to mismanagement or improper use of grant funds.”⁹⁰

The Byrne Competitive program is a recent creation of Washington lawmakers. While it is the only truly competitive Byrne program, it is not actually authorized by Congress, but instead was created through the appropriations process. It receives the least amount of funding of all Byrne programs, approximately \$30 million - \$40 million per year.

Even the competitive application process for selecting grantees under the Byrne Competitive program, which has only existed for 3 years, fails to function properly. The DOJ OIG notes 40% of the 2009 applications failed to meet solicitation requirements; however, the Bureau of Justice Assistance (BJA), OJP’s grant administering component, chose 649 of these applications to

⁸⁶ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 19, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁸⁷ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 15, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁸⁸ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 15, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁸⁹ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 24, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁹⁰ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 29, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

continue into the peer review process.⁹¹ DOJ OIG reviewed a sample of 95 rejected applications and found BJA failed to record the reason for each denial. This prevents the Grants Management System (GMS) from accurately reflecting “reasons applications were denied.”⁹² As a result, the system cannot be used to identify data that could help find weaknesses in the application process.⁹³

While the Byrne Competitive program has only existed for a short period of time, it is already showing signs of poor grant management, despite its attempt to actually competitively award grant funds.

In 2010, the Byrne JAG program received \$519 million in funding and reducing its budget by half would save \$259.5 million in the first year and \$2.88 billion over ten years.⁹⁴

Reduce Juvenile Justice Grants Within the Office of Juvenile Justice and Delinquency Prevention by 50 Percent

The mission of the Office of Juvenile Justice and Delinquency Prevention (OJJDP) is to provide “national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization.”⁹⁵ It assists states and communities to implement programs to improve state juvenile justice systems by providing funding via multiple juvenile justice grant programs. Beginning in the 1960s, the federal government began establishing programs to influence state juvenile justice systems.⁹⁶

There are major concerns with OJJDP and the grants it awards: (1) juvenile justice is a matter best handled at the local, rather than the federal, level; (2) grant programs within Juvenile Justice and Delinquency Prevention Act (JJDNA) overlap one another and other DOJ programs; and (3) OJJDP has faced significant management challenges with its grant awarding process.

As outlined by the Congressional Research Service, “Administering justice to juvenile offenders has largely been the domain of the states....there is no federal juvenile justice system.”⁹⁷ However, since the 1960s, the federal government has played an important role in juvenile justice by establishing agencies and grant programs directed at state juvenile justice systems.

⁹¹ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. 39, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁹² U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. xvi, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁹³ U.S. Department of Justice, Office of the Inspector General, Audit Division, *Office of Justice Programs’ Recovery Act and Non-Recovery Act Programs for Edward Byrne Memorial Justice Assistance Grants and Byrne Competitive Grants*, Audit Report 10-43, August 2010, p. xvi, available at <http://www.justice.gov/oig/reports/OJP/a1043.pdf>.

⁹⁴ <http://www.crs.gov/pages/Reports.aspx?PRODCODE=R41161&Source=search>

⁹⁵ Office of Juvenile Justice and Delinquency Prevention website, available at <http://www.ojjdp.gov/about/missionstatement.html>.

⁹⁶ Kristin M. Finklea, *Juvenile Justice Funding Trends*, Congressional Research Service, June 14, 2011, at 1.

⁹⁷ CRS RL33947, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, <http://www.crs.gov/pages/Reports.aspx?PRODCODE=RL33947&Source=search>.

⁹⁸ CRS RL33947, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, at p. 4, available at <http://www.crs.gov/pages/Reports.aspx?PRODCODE=RL33947&Source=search>.

Over the years, JJDPa has been modified several times, broadening its mandates and adding grant programs.⁹⁹ Even in the initial years when Congress made efforts to provide assistance to states, juvenile arrests for violent crimes increased by 216%.¹⁰⁰ This failure to reduce juvenile crime rates, combined with a consensus “that the federal government’s efforts to address juvenile justice were unfocused and underfunded,”¹⁰¹ led to Congress passing the JJDPa in 1974 to coordinate the federal government’s response to juvenile delinquency.

However, even early legislation in the 1970s was plagued with problems of delay and inefficiency. The House Committee on Education and Labor stated that, “less than a third of the \$150 million authorized for FY1968-1971 was appropriated. Furthermore, only half of the funds that were appropriated were actually expended. The funds were generally spent on underfunded, unrelated and scattered projects.”¹⁰²

The juvenile justice grant programs now provide funding for a wide array of purposes, many of which overlap. For example, at least nine areas of specific overlap exist between just two of the grant programs. Moreover, three of the programs allow funding for additional programs not included in the specific purpose areas identified by the Act.¹⁰³ Even in an effort to repeal and consolidate smaller grant programs into the Juvenile Delinquency Prevention Block Grant, appropriators have continued to fund the repealed programs rather than the streamlined one contained in the JJDPa.¹⁰⁴

The Juvenile Justice Delinquency and Prevention Act (JJDPa) includes four major grant programs, funded at \$423.5 million in FY 2010:

- State Formula Grant program;
- Juvenile Delinquency Prevention Block Grant program;
- Challenge/ Demonstration Grant; and
- Title V Grant programs.

Another DOJ program, the Juvenile Accountability Block Grant, also provides funding for juvenile justice efforts.

⁹⁹ CRS RL33947, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, at p. 4, *available at* <http://www.crs.gov/pages/Reports.aspx?PRODCODE=RL33947&Source=search>

¹⁰⁰ CRS RL33947, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, at p. 2, *available at* <http://www.crs.gov/pages/Reports.aspx?PRODCODE=RL33947&Source=search>

¹⁰¹ CRS RL33947, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, at p. 6, *available at* <http://www.crs.gov/pages/Reports.aspx?PRODCODE=RL33947&Source=search>

¹⁰² CRS RL33947, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, at p. 4, *available at* <http://www.crs.gov/pages/Reports.aspx?PRODCODE=RL33947&Source=search> (quoting U.S. Congress, House Committee on Education and Labor, *Juvenile Justice and Delinquency Prevention Amendments of 1977*, H.Rept. 95-313, pp. 35-36.)

¹⁰³ See generally, Finklea, Kristin, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, p. 9-18.

¹⁰⁴ Finklea, Kristin, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, p. 20.

These juvenile justice programs not only duplicate each other, but also other Department of Justice programs, including the following list, all of which allow funding to be used for juvenile justice programs and efforts:

- Byrne JAG, which will receive \$260 million annually under this plan can be used for such broad areas as “state and local initiatives, technical assistance, training, personnel,...and criminal justice information systems to improve or enhance such areas as law enforcement programs; prosecution and court programs; and prevention and education programs...[among others].”¹⁰⁵
- Byrne Competitive Grant Program, which was funded at \$40 million in FY 2010, and funds broad categories of activity such as preventing crime and drug abuse, enhancing local law enforcement, enhancing local courts, enhancing local corrections and offender reentry;
- Part B State Formula Grants (\$75 million in FY 2010) and Part C Delinquency Prevention Block Grants (not funded in FY 2010) “both feature a wide array of purpose areas...that are largely similar. For example, both grant programs include purpose areas for: counseling, mentoring, and training programs; community based programs and services; and after school programs, [among others].”¹⁰⁶
- Part C Delinquency Prevention Block Grants (not funded in FY 2010), Part E Challenge Grants (\$91.1 million-earmarked), and Title V Incentive Grants (\$65 million in FY 2010) “all include language allowing OJJDP to provide funding for additional programs not included in the specific purposes areas identified.”¹⁰⁷
- The JABG (\$55 million in FY 2010), Part C Delinquency Prevention Block Grants, and Part B State Formula Grants all allow grant awards to address substance abuse, gang prevention and mental health.¹⁰⁸

The juvenile justice programs also have a track record of misuse. In 2006, the DOJ OIG issued an audit report on the JABG awards to the Oklahoma Office of Juvenile Affairs (OJA) in Oklahoma City, Oklahoma.¹⁰⁹ OJJDP awarded approximately \$11.75 million to OJA, and the IG questioned “100 percent of the net amount of federal funds drawn down for the four on-going grants.”¹¹⁰

¹⁰⁵ Nathan James, *Edward Byrne Memorial Justice Assistance Grant (JAG) Program*, Congressional Research Service, RS22416, June 2, 2011, at 4.

¹⁰⁶ Kristin Finklea, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, p. 20.

¹⁰⁷ Kristin Finklea, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, January 6, 2011, p. 20.

¹⁰⁸ Kristin Finklea, “Juvenile Justice: Legislative History and Current Legislative Issues,” Congressional Research Service, April 14, 2009, p. 21.

¹⁰⁹ U.S. Department of Justice, Office of the Inspector General, *Juvenile Accountability Incentive Block Grants Awarded to the Oklahoma Office of Juvenile Affairs*, Audit Report GR-80-06-002, February 2006, available at <http://www.justice.gov/oig/grants/g8006002.htm#1>.

¹¹⁰ U.S. Department of Justice, Office of the Inspector General, *Juvenile Accountability Incentive Block Grants Awarded to the Oklahoma Office of Juvenile Affairs*, Audit Report GR-80-06-002, February 2006, available at <http://www.justice.gov/oig/grants/g8006002.htm#1>.

In a recent audit of an OJJDP grant to the Education Development Center, Inc. (EDC) in Newton, Massachusetts, the IG found abuse in a variety of areas. OJJDP awarded two grants totaling approximately \$3.1 million to EDC, all of which was for training and technical assistance to support juvenile justice programs for involved youth and Indian Tribes.¹¹¹ “For both awards, EDC expended \$2,237,658 on award-related projects related to indirect administrative costs, conferences, personnel, travel, and outside consultants.”¹¹² The IG questioned \$161,727 of those costs.¹¹³

For a three-day conference hosted by EDC in New Orleans, Louisiana in September 2008, which 24 people attended, the IG found food and beverage costs “exceeded allowable expenditures by \$9,620.”¹¹⁴ EDC spent over \$14,000 in grant funds on food and beverage, exceeding the allowable cost of \$4,609.¹¹⁵ When asked about these excessive costs, EDC told the IG that OJP’s program manager had approved the conference. But, when questioned further, EDC could not provide “any documentation supporting their position that OJP gave specific approval for this conference.”¹¹⁶

Investigation into Former OJJDP Director

In 2008, doubts were expressed about the neutrality of the grant awarding process by J. Robert Flores, the former Director of OJJDP. Press reports state federal prosecutors opened a criminal investigation of Mr. Flores concerning questions about his hiring practices, travel expenses and personal ties to groups to which he gave millions of federal grant dollars. ABC News noted “current and former Justice Department employees allege that Flores ignored the staff rankings in favor of programs that had political, social or religious connections to the Bush White House.”¹¹⁷ Flores “gave the money to the World Golf Foundation’s First Tee program, even though Justice Department staffers had rated the program 47th on a list of 104 applicants.”¹¹⁸ The alleged reason: the organization paid for him to join them in a round of golf. The article

¹¹¹ U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Awards to the Education Development Center, Inc., Newton Massachusetts*, Audit Report GR-70-11-002, January 2011, at p. 1, available at <http://www.justice.gov/oig/grants/2011/g7011002r.pdf>.

¹¹² U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Awards to the Education Development Center, Inc., Newton Massachusetts*, Audit Report GR-70-11-002, January 2011, at p. 7, available at <http://www.justice.gov/oig/grants/2011/g7011002r.pdf>.

¹¹³ U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Awards to the Education Development Center, Inc., Newton Massachusetts*, Audit Report GR-70-11-002, January 2011, at p. 8, available at <http://www.justice.gov/oig/grants/2011/g7011002r.pdf>.

¹¹⁴ U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Awards to the Education Development Center, Inc., Newton Massachusetts*, Audit Report GR-70-11-002, January 2011, at p. 9, available at <http://www.justice.gov/oig/grants/2011/g7011002r.pdf>.

¹¹⁵ U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Awards to the Education Development Center, Inc., Newton Massachusetts*, Audit Report GR-70-11-002, January 2011, at p. 9, available at <http://www.justice.gov/oig/grants/2011/g7011002r.pdf>.

¹¹⁶ U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention Awards to the Education Development Center, Inc., Newton Massachusetts*, Audit Report GR-70-11-002, January 2011, at p. 10, available at <http://www.justice.gov/oig/grants/2011/g7011002r.pdf>.

¹¹⁷ Brian Ross, et al. “Justice Department Official Awards \$500,000 Grant to Golf Group,” ABC NEWS, June 9, 2008, available at <http://abcnews.go.com/Blotter/story?id=5033256&page=1>.

¹¹⁸ Brian Ross, et al. “Justice Department Official Awards \$500,000 Grant to Golf Group,” ABC NEWS, June 9, 2008, available at <http://abcnews.go.com/Blotter/story?id=5033256&page=1>.

went on to quote a former employee of Flores' office, Scott Peterson, who states "this is cronyism, this is waste, fraud and abuse."¹¹⁹

Since beginning his term, Flores oversaw the distribution of roughly \$1.5 billion in federal grants.¹²⁰ The House Oversight & Government Reform Committee held a hearing in June 2008 on grant-making practices at the DOJ,¹²¹ at which Mr. Flores was the sole witness.

The hearing specifically focused on the juvenile crime prevention grants awarded by OJJDP in FY 2007. The career DOJ official who supervised the peer review process, Jeff Slowikowski, told the Committee that summaries of 18 specific high scoring applications were forwarded to Mr. Flores, which Flores understood to be a "recommended pool to choose from."¹²² Slowikowski said in his interview that the "18 summarized applications represented probably \$40 million in requested funding...[W]hy keep going down the list when you can't...award these. You know, if you wanted to award all 18, you couldn't do it because we're nowhere near that type of funding."¹²³ Ultimately, Mr. Flores funded five of the 18 recommended programs with a total of \$3.88 million. He chose five programs that were not recommended to award \$4.32 million.¹²⁴

In June 2008, several U.S. Senators authored a letter to Attorney General Mukasey noting the allegations against OJJDP and Mr. Flores.¹²⁵ The Senators requested detailed information on all OJJDP policies governing evaluation of grants, lists of applicants for discretionary grants awarded in FY07, documents relating to the technical review of applications, communications between Flores and others relating to any grant proposals and a summary of all investigations or audits concerning Flores and any OJJDP officials who participated in the grant evaluation process.¹²⁶

Juvenile Justice Grant Programs Consistently Draw Ineffective Ratings

¹¹⁹ Brian Ross, et al. "Justice Department Official Awards \$500,000 Grant to Golf Group," ABC NEWS, June 9, 2008, available at <http://abcnews.go.com/Blotter/story?id=5033256&page=1>.

¹²⁰ Brian Ross, et al. "Justice Department Official Awards \$500,000 Grant to Golf Group," ABC NEWS, June 9, 2008, available at <http://abcnews.go.com/Blotter/story?id=5033256&page=1>.

¹²¹ H. Rept. 110-123 (June 19, 2008).

¹²² Memorandum from House Committee on Oversight and Government Reform Majority Staff to Members of the Committee, *Supplemental Information for Full Committee Hearing on Department of Justice Grantmaking*, June 19, 2008, at p. 4, citing Interview of Jeffrey Slowikowski on June 6, 2008.

¹²³ Memorandum from House Committee on Oversight and Government Reform Majority Staff to Members of the Committee, *Supplemental Information for Full Committee Hearing on Department of Justice Grantmaking*, June 19, 2008, at p. 4, citing Interview of Jeffrey Slowikowski on June 6, 2008.

¹²⁴ Memorandum from House Committee on Oversight and Government Reform Majority Staff to Members of the Committee, *Supplemental Information for Full Committee Hearing on Department of Justice Grantmaking*, June 19, 2008, at p. 5, citing Interview of Jeffrey Slowikowski on June 6, 2008.

¹²⁵ Letter to Attorney General Mukasey from Senators Leahy, Specter, Mikulski, Kohl and Feinstein on the reauthorization of JJDP, June 27, 2008, available at http://leahy.senate.gov/press/press_releases/release/?id=e0bd3a20-816f-46c2-88e8-85d56a012f9b and <http://leahy.senate.gov/imo/media/doc/General%20Mukasey%20.pdf>.

¹²⁶ Letter to Attorney General Mukasey from Senators Leahy, Specter, Mikulski, Kohl and Feinstein on the reauthorization of JJDP, June 27, 2008, available at http://leahy.senate.gov/press/press_releases/release/?id=e0bd3a20-816f-46c2-88e8-85d56a012f9b and <http://leahy.senate.gov/imo/media/doc/General%20Mukasey%20.pdf>.

ExpectMore.gov has previously noted that the program was not “effectively targeted so that resources will address the program’s purpose directly and will reach intended beneficiaries.”¹²⁷ In addition, the program does not “use strong financial management practices.... [There is a] need for significant improvements to the de-obligation/closeout process for grant and non-grant undelivered orders.”¹²⁸ In addition, “the vast majority of appropriated funds are designated as formula grants, block grants, or noncompetitive programs earmarked for award to specific organizations. In FY2006, 2005 and 2004, the proportion of appropriated funds available for competitive award was only 14%, 13% and 14%, respectively.”¹²⁹

Until the Department of Justice and Congress can assure taxpayers scarce federal resources are not begin lost to waste and mismanagement through OJP programs, Congress should reduce funding for these efforts. Reducing funding for these accounts by 50 percent will **save \$3.1 billion over ten years** and serve to better target and focus DOJ funding to efforts with measureable outcomes.

Reduce Funding for the Office of Violence Against Women by 20 Percent

The Office of Violence Against Women (OVW) was established in 1994 as part of the Violent Crime Control and Law Enforcement Act of 1994.¹³⁰ The funding is supposed to help local governments fund law enforcement, education and social programs to prevent crimes against women.¹³¹

The largest VAWA program, the Services-Training-Officers-Prosecutors (STOP) formula grants, focuses on helping state, local, and tribal governments “strengthen law enforcement, prosecution, and victims’ services in cases involving violent crimes against women.”¹³² However, subsequent legislation in both 2000 and 2005 has greatly expanded the services available under this and other VAWA grant programs to beyond the original program intent.¹³³

While important, the VAWA programs are in many ways duplicative of the Family Violence Prevention and Services Act (FVPSA), which funds grant programs run by the Department of Health and Human Services (HHS). It was enacted in 1984 and “assists states in preventing incidents of family violence and provides shelter and related assistance to victims of family violence and their dependents.”¹³⁴

¹²⁷ Juvenile Justice Programs Assessment, ExpectMore.gov, <http://georgewbush-whitehouse.archives.gov/omb/expectmore/detail/10003813.2006.html> (accessed July 16, 2011).

¹²⁸ Juvenile Justice Programs Assessment, ExpectMore.gov, <http://georgewbush-whitehouse.archives.gov/omb/expectmore/detail/10003813.2006.html> (accessed July 16, 2011).

¹²⁹ Juvenile Justice Programs Assessment, ExpectMore.gov, <http://georgewbush-whitehouse.archives.gov/omb/expectmore/detail/10003813.2006.html> (accessed July 16, 2011).

¹³⁰ P.L. 103-322, Title IV.

¹³¹ Laney, Garrine P., “Violence Against Women Act: History and Federal Funding,” Congressional Research Service, February 26, 2010, p. 1-2.

¹³² Laney, Garrine P., “Violence Against Women Act: History and Federal Funding,” Congressional Research Service, February 26, 2010, p. 1-2.

¹³³ Laney, Garrine P., “Violence Against Women Act: History and Federal Funding,” Congressional Research Service, February 26, 2010, p. 2-3.

¹³⁴ Laney, Garrine P., “Violence Against Women Act: History and Federal Funding,” Congressional Research Service, February 26, 2010, p. 1.

The VAWA grant program has at times seen its funds wasted by fraud and abuse. In June 2011, DOJ's acting inspector general testified before the House Committee on Oversight and Government Reform regarding improving oversight and accountability in the federal grant process. She testified that even oversight functions were duplicative at DOJ. "We found that the OVW and COPS perform certain monitoring and oversight services that are duplicative of the services available through OJP."¹³⁵ She went on to note calculation errors in OVW's administration of \$225 million in Recovery Act funding "where OVW internal peer reviewers incorrectly tabulated individual application scores and thus incorrectly ranked some applications higher than others."¹³⁶

OVW has also processed applications, even when the peer reviewers had conflicts of interest. In a July 2010 audit of OVW's Recovery Act funding, the DOJ OIG found at least 23 grants where "peer reviewers signed and dated conflict of interest forms before the date they were assigned specific applications to review."¹³⁷

Peer reviewers also incorrectly tabulated application scores for at least 39 out of 76 applications. Those miscalculations directly resulted in some applications being ranked above than others that should have had higher scores.¹³⁸ The IG has noted that "even slight miscalculations of an application's final score may enhance or impair the chance an applicant has to receive a recommendation for an OVW award."¹³⁹

OVW used four percent (\$8.6 million) of the total Recovery Act funds (\$225 million) for technical assistance and training. In reviewing grants for its Transitional Housing Program grant, which provide funding for organizations to provide short-term housing or related support services, the IG found OVW "contracted with Lockheed Martin Aspen Systems (Lockheed Martin) to coordinate the peer review of its... applications with external subject matter experts."¹⁴⁰ OVW spent over \$630,000 of funds it set aside for technical assistance and training to pay for lodging, travel, and meeting rental space for its peer reviewers. The latter went on to receive "an honorarium of \$100 for each application they evaluated and scored."¹⁴¹

Even when the IG issues recommendations in its audit reports, OVW failed to follow through. For example, in a 2006 audit report on the DOJ's grant closeout process, the DOJ OIG

¹³⁵ Statement of Cynthia A Schnedar, Acting Inspector General, U.S. Department of Justice, House Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, June 23, 2011, p. 3, available at http://oversight.house.gov/images/stories/Testimony/6-23-11_Schnedar_Tech_Fed_Grants_Testimony.pdf.

¹³⁶ Statement of Cynthia A Schnedar, Acting Inspector General, U.S. Department of Justice, House Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, June 23, 2011, p. 4, available at http://oversight.house.gov/images/stories/Testimony/6-23-11_Schnedar_Tech_Fed_Grants_Testimony.pdf.

¹³⁷ U.S. Department of Justice, Office of the Inspector General, "The Office on Violence Against Women's Recovery Act Grant Selection Process," Audit Report 10-31, July 2010, p. iv, available at <http://www.justice.gov/oig/reports/OBD/a1031.pdf>.

¹³⁸ U.S. Department of Justice, Office of the Inspector General, "The Office on Violence Against Women's Recovery Act Grant Selection Process," Audit Report 10-31, July 2010, p. iv, available at <http://www.justice.gov/oig/reports/OBD/a1031.pdf>.

¹³⁹ U.S. Department of Justice, Office of the Inspector General, "The Office on Violence Against Women's Recovery Act Grant Selection Process," Audit Report 10-31, July 2010, p. ix, available at <http://www.justice.gov/oig/reports/OBD/a1031.pdf>.

¹⁴⁰ U.S. Department of Justice, Office of the Inspector General, "The Office on Violence Against Women's Recovery Act Grant Selection Process," Audit Report 10-31, July 2010, p. 15, available at <http://www.justice.gov/oig/reports/OBD/a1031.pdf>.

¹⁴¹ U.S. Department of Justice, Office of the Inspector General, "The Office on Violence Against Women's Recovery Act Grant Selection Process," Audit Report 10-31, July 2010, p. 15, available at <http://www.justice.gov/oig/reports/OBD/a1031.pdf>.

recommended “OVW resolve \$37 million in questioned costs related to grant drawdowns occurring more than 90 days past the grant end date and de-obligate and put to better use over \$14 million obligated to expired grants.”¹⁴² Yet, OVW was unable to comply with even these recommendations despite multiple communications from DOJ OIG.

Further, grants under the Violence Against Women Act have gone to questionable organizations. At a recent oversight hearing before the Senate Committee on the Judiciary, Auburn L. Watersong, an Economic Justice Specialist at the Vermont Network Against Domestic and Sexual Violence in Montpelier, Vermont testified about her organization’s work to “provide lifesaving services to victims and their families.”¹⁴³ According to their annual report, the Vermont Network Against Domestic and Sexual Violence received \$1.9 million in federal funding in 2010.¹⁴⁴ However, the organization only serves to further funnel money to other similar organizations, keeping a portion for itself. The “network” organization’s staff “provide technical assistance and training to member programs and statewide partners, inform public policy, and coordinate statewide projects and conferences.”¹⁴⁵

VAWA programs are mismanaged, use federal dollars to fund state responsibilities, and provide funds to some organizations that may have little impact on reducing violence against women or directly protecting female victims.

In 2010, OVW received \$418.5 million in funding.¹⁴⁶ The government should reduce this amount by 20 percent, which would achieve a savings of \$83.7 million in the first year and **\$929 million over ten years.**

Eliminate the OVW Green Working Group

In 2010, OVW created a “green” working group to “study and employ different strategies to reduce energy consumption. The working group was charged with organizing mandatory all-staff training on environmental impact and accountability.”¹⁴⁷ Energy and environmental programs are more appropriately housed at one of the governments several agencies dedicated to these matters, such as the Environmental Protection Agency or the Department of Energy, both of which already operate many federal efforts aimed at reducing energy consumption. This program should be eliminated.

¹⁴² Statement of Cynthia A Schnedar, Acting Inspector General, U.S. Department of Justice, House Committee on Oversight and Government Reform, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, June 23, 2011, p. 5-6, available at http://oversight.house.gov/images/stories/Testimony/6-23-11_Schnedar_Tech_Fed_Grants_Testimony.pdf.

¹⁴³ Testimony of Auburn L. Watersong, Economic Justice Specialist, Vermont Network Against Domestic and Sexual Violence, Senate Committee on the Judiciary, May 5, 2010, available at http://www.judiciary.senate.gov/hearings/testimony.cfm?id=e655f9e2809e5476862f735da15ccca0&wit_id=e655f9e2809e5476862f735da15ccca0-2-0.

¹⁴⁴ Vermont Network Against Domestic and Sexual Violence, Annual Reports, <http://www.vtnetwork.org/wp-content/uploads/2010-VT-Network-ann-report-draft3.pdf>

¹⁴⁵ Vermont Network Against Domestic and Sexual Violence Website at <http://www.vtnetwork.org/about/>.

¹⁴⁶ <http://www.crs.gov/pages/Reports.aspx?PRODCODE=R41161&Source=search>

¹⁴⁷ U.S. Department of Justice, FY 2012 Performance Budget, Office on Violence Against Women, Congressional Submission, Feb. 2011, at 4.

Reduce staffing levels in law enforcement areas where investigations have decreased

Proper staffing of law enforcement agencies is essential. However, in certain situations when there is a steady decrease in caseloads, the government should consider corresponding staffing level reductions.

Reduce INTERPOL's budget by 10%. INTERPOL is an organization composed of 188 member countries that facilitates cross-border police cooperation and apprehends criminals who flee internationally.¹⁴⁸ INTERPOL's United States operation has seen a decreased caseload from 2010, yet the President's 2012 budget request increases INTERPOL's budget by 10%. From 2010 to 2012, INTERPOL has seen a 12.3% decrease in the number of domestic requests for assistance and a 13.4% decrease in international requests for assistance. They have opened 13% fewer cases and closed 12.6% fewer cases.¹⁴⁹

Currently, the United States does not fully utilize INTERPOL. While they take requests from other countries to find fugitives or missing persons, U.S. law enforcement routinely does not send requests to other countries, even for international fugitives. In 2009, INTERPOL notices were only issued 14 of 32 international fugitives listed on the websites of the DEA, FBI, and ICE.¹⁵⁰

By decreasing INTERPOL's budget by 10% from 2010 levels, there will still be an increase in dollars spent *per case*. This 10% decrease will result in a savings of **\$33.3 million over ten years**, while still providing more money per case than was allocated in 2010.

Transfer the Office of Dispute Resolution to the Office of Legal Policy

The president's 2012 budget suggests transferring DOJ's Office of Dispute Resolution to the Office of Legal Policy (OLP) and including it in OLP's general administration appropriation. This will result in a **savings of \$11.10 million over ten years**, while continuing to promote the effective use of alternative dispute resolution processes.

Reduce Construction Budgets for the FBI, ATF and U.S. Marshals

The U.S. Marshals spent \$27 million on construction in 2010. This budget should be reduced by \$11 million for 2012, which is a proposal supported by the administration. It would result in a savings of \$122.11 million over ten years.

The Bureau of Alcohol, Tobacco, Firearms, and Explosives spent \$14 million in 2010; however, the president requested only \$4 million in 2012. Reducing that budget to the level in the President's request would save \$111.01 over ten years.

¹⁴⁸ "About INTERPOL," INTERPOL, <http://www.interpol.int/public/icpo/default.asp>.

¹⁴⁹ President's 2012 Budget Request.

¹⁵⁰ DOJ's Inspector General Audit Report 09-35, "The United States Central Bureau of INTERPOL," Department of Justice Inspector General, September 2009, <http://www.justice.gov/oig/reports/plus/a0935/final.pdf>.

The FBI spends a great deal more than many other components of DOJ. The bureau spent \$361 million on construction in 2010. In his 2012 budget, the president requested reducing the construction budget to \$81 million, which would result in 10-year savings of \$3.108 billion.

In total, reducing construction budgets to these amounts would result in a **ten-year savings of \$3.341 billion.**

Require State and Locals to Contribute 25 Percent to OCDETF

Law enforcement agencies working together often yield positive results. Federal law enforcement around the country partners with state and local law enforcement to find and apprehend criminals in a variety of crimes. However, law enforcement can work together without spending any money by simply opening the lines of communication and using the resources already allocated to them. By partnering, overhead costs should naturally come down and all agencies should save money.

However, in 2010, \$528.6 million went to the Organized Crime Drug Enforcement Task Forces which operate in only nine select areas of the United States, despite being paid for by taxpayers around the entire country.¹⁵¹ Requiring the affected regions to contribute 25 percent toward this special task force, while still retaining all of the funding for individual law enforcement agencies, **would save \$1.47 billion over ten years.**

Furthermore, the task forces have never had dedicated staff before, they simply drew from the staff of the law enforcement strategies. Yet, the President's 2012 budget requests 26 full-time equivalents which results in \$4 million for personnel.¹⁵² The task forces should operate without personnel as they have done in the past.

Collect Reimbursements from State & Local Governments for Lab Work

Lab work has become an integral part of law enforcement. It is essential to analyze DNA samples as well as drug samples to ensure that the government can prove that those accused of drug crimes actually possessed the drug charged. Most crimes, however, are state and local crimes. Yet the federal government still does a large amount of the lab work for state and local governments.

Under our Constitution, state crimes should be handled by the states. Therefore, any lab work performed by the federal government on behalf of the states should be reimbursed by the state government. This reimbursement would save the federal government \$1.114 billion a year¹⁵³ and over ten years would result **in a savings of \$12.375 billion.**

¹⁵¹ President's FY2012 Budget Request.

¹⁵² President's FY2012 Budget Request.

¹⁵³ FY2010 Consolidated Appropriations Act, P.L. 111-117 (2009).

Make NICS a fee-based system

The National Instant Background Check System (NICS) provides instant, call-in background checks for retailers who sell firearms. The service is provided free of charge both to the retailer and the buyer of the firearm. The users of this service should pay a fee so that taxpayers are not subsidizing their purchase. In most states, and under a federal pilot program that has ended, non-profit organizations pay a fee to the FBI for criminal background checks of their volunteers, yet those purchasing firearms do not pay a fee to the federal government for the NICS check.¹⁵⁴

Furthermore, federal appropriations provide grants to state and local governments to add information to the database, which includes criminals and those with a history of mental illness. In 2010, the federal government granted \$20 million for these grants.¹⁵⁵ That is in addition to the actual operating cost of NICS, which is \$70 million per year including personnel and overhead,¹⁵⁶ for a total of \$90 million spent on NICS each year.

By requiring either retailers or purchasers of firearms to pay a fee for this service, the federal government **could save \$222.02 million over ten years**, while still providing these grants to state and local governments.

Reduce Certain Allocations for Official Receptions and Representations

Many government entities are allocated money for “receptions and representations;” however, the amount they are allocated varies widely. For example, the Federal Prison System received \$6,000 and the Attorney General received \$50,000, yet the FBI received \$205,000.¹⁵⁷

Agencies of the Department of Justice should not receive more than the Attorney General himself. Those agencies which receive more than \$50,000 should reduce their budgets to \$40,000 for receptions and representations.

Only two agencies get more than the Attorney General: The FBI (\$205,000) and the Drug Enforcement Administration (\$100,000). Reducing these to \$40,000 each will result in a ten year savings of \$2.94 million.

End Funding for Project Gunrunner

The 2010 budget includes \$17.99 million for Project Gunrunner, which launched the highly controversial Operation Fast and Furious.¹⁵⁸ It has been uncovered that Project Gunrunner was used to put guns into the hands of Mexican drug cartels. ATF Field Agents voiced strong opposition to the operation and have testified before Congress. While ATF could have stopped

¹⁵⁴ The FBI does not actually receive any fees from private entities, only other federal agencies. However, many of their fees are simply funneled from the public through another federal agency, such as those to do background checks for a passport or for those who work with children.

¹⁵⁵ FY2010 Consolidated Appropriations Act, P.L. 111-117 (2009).

¹⁵⁶ Meeting with FBI Staff.

¹⁵⁷ FY2010 Consolidated Appropriations Act, P.L. 111-117 (2009).

¹⁵⁸ FY2010 Appropriations Bill; CRS Report: R40644, “Commerce, Justice, Science, and Related Agencies: FY2010 Appropriations,” Congressional Research Service, January 19, 2010, <http://www.crs.gov/Products/r/pdf/R40644.pdf>.

the sale of many guns that went to Mexican cartels, they told these agents to stand down, supplying guns to the cartels in order to track them.¹⁵⁹

Those guns were later found at the murder scene *Border Patrol Agent Brian Terry*.¹⁶⁰ Since then, the ATF has refused to turn over of documents to the House Government Oversight and Reform Committee, even after a subpoena was issued.¹⁶¹ This money could be better spent. Reducing ATF's budget by the amount of the project would **save \$199.69 million over ten years.**



Border Patrol Agent
Brian Terry

Eliminate Duplication between ATF and FBI for Explosives Investigations

Currently, both the Bureau of Alcohol Tobacco Firearms and Explosives (ATF) and the Federal Bureau of Investigation (FBI) have jurisdiction over explosives investigations. There is often confusion over which agency has the lead in any certain investigation, causing potential duplication.¹⁶² They also operate separate explosives training schools and explosive laboratories.¹⁶³ Not only does this duplication waste money, the IG found that jurisdictional disputes “can delay investigations, interviews, and crime scene processing,” putting safety at risk.¹⁶⁴

Combine duplicative training programs. Both agencies operate explosives training programs, and both training facilities are located at the same place, Redstone Arsenal in Huntsville, Alabama.¹⁶⁵ The ATF spent \$11 million in 2010 on their National Center for Explosives Training and Research while the FBI spent another \$7.5 million on their Hazardous Devices School.¹⁶⁶ These training programs should be combined and the total budget reduced by 25% to account for efficiencies that will result from the merger. This will mean a ten-year savings of \$51.34 million.

The FY2010 budget also included \$5 million for construction at ATF's National Center for Explosives Training and Research. Although \$6 million was appropriated in 2011 for the same purpose, this money was not requested by the President again in 2012, and thus should not be in the future. Eliminating this \$5 million expenditure results in **a ten-year savings of \$55.50 million.**

¹⁵⁹ Sanchez, Mary. “A Gun Sting by ATF Goes Wrong,” *Philadelphia Enquirer*, June 26, 2011, http://articles.philly.com/2011-06-26/news/29705360_1_atf-drug-cartels-border-agents.

¹⁶⁰ Perez, Evan. “GOP Lawmakers Press Investigation of Gun Operation,” *The Wall Street Journal*, June 9, 2011, <http://blogs.wsj.com/washwire/2011/06/09/gop-lawmakers-press-investigation-of-gun-operation>.

¹⁶¹ Walsh, Sean Collins, “Top Agency Official Knew of Disputed Gun Program,” *The New York Times*, June 15, 2011, <http://www.nytimes.com/2011/06/16/us/16guns.html>.

¹⁶² Testimony of DOJ Inspector General Glenn A. Fine (“Federal law gives the FBI and ATF concurrent jurisdiction over most federal explosives crimes. Yet, the FBI and ATF have developed separate and often conflicting approaches to explosives investigations and related activities such as explosives training, information sharing, and forensic analysis.”) <http://www.justice.gov/oig/testimony/t1002.pdf>

¹⁶³ GAO Report: GAO-11-318SP, “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue,” Government Accountability Office, March, 2011, <http://www.gao.gov/new.items/d11318sp.pdf>.

¹⁶⁴ Testimony of DOJ Inspector General Glenn A. Fine, February 24, 2010, <http://www.justice.gov/oig/testimony/t1002.pdf>.

¹⁶⁵ GAO Report: GAO-11-318SP, “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue,” Government Accountability Office, March, 2011, <http://www.gao.gov/new.items/d11318sp.pdf>.

¹⁶⁶ Testimony of DOJ Inspector General Glenn A. Fine, February 24, 2010, <http://www.justice.gov/oig/testimony/t1002.pdf>.

Combine duplicative laboratory operations. Both agencies operate separate explosives laboratories. ATF operates three laboratories throughout the country and FBI operates one.¹⁶⁷ The total cost of ATF's laboratories is \$11.2 million and the FBI's cost is \$6.6 million. These laboratories could be combined at least to adopt a common laboratory information management system, and training of laboratory personnel could be coordinated.¹⁶⁸ Combining both laboratories and reducing their total budget by 25% to account for efficiencies will result in a **ten-year savings of \$49.40 million.**



The FBI Laboratory in rural Virginia could benefit from efficiencies if combined with ATF's three laboratories.

End the National Gang Intelligence Center and the National Gang Targeting, Enforcement, and Coordination Center

A 2009 IG Report found that after almost three years of operation, the National Gang Intelligence Center (NGIC) and GangTECC had not made any significant impact on anti-gang activities at the Department of Justice.¹⁶⁹

NGIC had not established a gang information database for collecting and disseminating gang intelligence as was directed by statute. NGIC also had not developed the capability to effectively share gang intelligence with other law enforcement organizations.¹⁷⁰

GangTECC, on the other hand, has no budget, and is composed of member agencies.¹⁷¹ The Bureau of Alcohol, Tobacco, and Firearms, for example, spent \$373,000 detailing two staff

¹⁶⁷ GAO Report: GAO-11-318SP, "Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue," Government Accountability Office, March, 2011, <http://www.gao.gov/new.items/d11318sp.pdf>.

¹⁶⁸ Testimony of DOJ Inspector General Glenn A. Fine, February 24, 2010 <http://www.justice.gov/oig/testimony/t1002.pdf>.

¹⁶⁹ DOJ Inspector General Report: I-2010-001, "A Review of the Department's Anti-Gang Intelligence and Coordination Centers," Department of Justice Inspector General, November 2009, <http://www.justice.gov/oig/reports/FBI/i2010001.pdf>.

¹⁷⁰ DOJ Inspector General Report: I-2010-001, "A Review of the Department's Anti-Gang Intelligence and Coordination Centers," Department of Justice Inspector General, November 2009, <http://www.justice.gov/oig/reports/FBI/i2010001.pdf>.

¹⁷¹ DOJ Inspector General Report: I-2010-001, "A Review of the Department's Anti-Gang Intelligence and Coordination Centers," Department of Justice Inspector General, November 2009, <http://www.justice.gov/oig/reports/FBI/i2010001.pdf>.

members to GangTECC.¹⁷² The member agencies, however, are not required to inform GangTECC of their investigations and prosecutions, which means GangTECC cannot sort out conflicts among the department's gang-related activities as directed by the Deputy Attorney General.¹⁷³

NGIC received \$7.9 million in FY2010¹⁷⁴ and ending the program would result in a ten-year savings of \$87.7 million.

End ATF's Violent Crime Reduction Program

The Bureau of Alcohol, Tobacco, Firearms, and Explosives receives \$1 million for the "Violent Crime Reduction Program." This money originally came from the Treasury Department's Asset Forfeiture Fund when ATF was part of that agency, and has been rolled over in unobligated funds year after year.

Now that ATF has been brought under DOJ, agency lawyers have determined that the Bureau does not have the authority to spend this money, and has asked Congress to rescind these funds. The fact that it has not been rescinded, despite ATF's request, and continues to appear in the President's budget request is considered a clerical error by ATF.¹⁷⁵

The money was originally intended to do a study on micro-stamping. This technology would stamp each bullet fired from a gun with a unique code. Law enforcement could then find the code on shell casings and crime sites and trace them, building a database of gun owners. However, ATF says that many outside groups are now doing studies on this technology; therefore, there is no need for ATF to duplicate their work.¹⁷⁶

This money for the Violent Crime Reduction Program should be rescinded in accordance with ATF's request. Rescinding this money would save \$1 million.

Eliminate Waste in Human Trafficking Spending

Human labor and sex trafficking are morally reprehensible, and we must endeavor to eliminate this criminal industry. We must care for the victims of this crime and vigorously prosecute the perpetrators who take advantage of others. However, we must do so in a fiscally responsible manner that avoids waste and duplication so that every dollar spent truly helps victims and is used effectively to stop this crime.

There has been a general pattern of wasteful grants in the trafficking arena. Some examples include:

¹⁷² CRS Report: R41206, "The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF): Budget and Operations for FY 2011," June 6, 2011, <http://www.crs.gov/pages/Reports.aspx?PRODCODE=R41206>.

¹⁷³ DOJ Inspector General Report: I-2010-001, "A Review of the Department's Anti-Gang Intelligence and Coordination Centers," Department of Justice Inspector General, November 2009, <http://www.justice.gov/oig/reports/FBI/i2010001.pdf>

¹⁷⁴ Meeting with FBI staff.

¹⁷⁵ Phone call with ATF Congressional Affairs.

¹⁷⁶ Phone call with ATF Congressional Affairs.

- \$50,000 from the Trafficking in Persons Office at the Department of State to produce an anti-trafficking music video.¹⁷⁷
- \$115,000 from the Bureau of East Asian and Pacific Affairs for “no specific project yet.”¹⁷⁸
- \$20,900 from the Bureau of European and Eurasian Affairs to produce a 15-minute film to be “entered into international film festivals.”¹⁷⁹
- \$100,000 from the Trafficking in Persons Office to Casa del Migrante, but no project description was given.¹⁸⁰
- \$200,000 from the Trafficking in Persons Office at the State Department to develop an online and mobile application about trafficking.¹⁸¹
- \$1,481,700 from the Bureau of Educational and Cultural Affairs at the State Department for “87 government officials, human rights activists, law enforcement officials, and NGO representatives [to] explore U.S. efforts to combat trafficking in persons at the local, state, and national levels.”¹⁸²

Other examples include the Bureau of European and Eurasian Affairs, which funded a summer camp for girls in Armenia (\$17,095)¹⁸³, a series of radio programs in Kosovo (\$21,950)¹⁸⁴, and a trafficking prevention seminar in Russia (\$12,088).¹⁸⁵ While some of these may be worthwhile causes to some, that money could be better spent caring for victims and prosecuting perpetrators.

Many trafficking funds suffer from poor accounting and most funds are granted without any method of determining if they are actually helping to solve the problem. In a report to the Senate Appropriations Committee’s Subcommittee on Foreign Operations, the State Department gathered trafficking funding information to assess how it is being spent. However, to simple questions such as “What percentage of these funds from each of these spigots are for direct services to victims?” and “What amount of funds for each of these programs is specifically used to assist local authorities in apprehension and prosecution of trafficking/slavery perpetrators?” the State Department said that “Sixty-seven (67%) of all projects reported to [the Trafficking in Persons Office] were able to include an estimated breakdown of funds to address the category of information requested.” That means that nearly one-third of funds could not be accounted for, even in general terms, to assess whether they were going to victims services, law enforcement, or something else.

¹⁷⁷ State Department spreadsheet of trafficking grants; FY2008 expenditure.

¹⁷⁸ State Department spreadsheet of trafficking grants, FY2008 expenditure.

¹⁷⁹ State Department spreadsheet of trafficking grants, FY2008 expenditure.

¹⁸⁰ State Department spreadsheet of trafficking grants, FY2009 expenditure.

¹⁸¹ State Department spreadsheet of trafficking grants, FY2010 expenditure.

¹⁸² State Department spreadsheet of trafficking grants, FY2010 expenditure.

¹⁸³ State Department spreadsheet of trafficking grants, FY2009 expenditure.

¹⁸⁴ State Department spreadsheet of trafficking grants, FY2009 expenditure.

¹⁸⁵ State Department spreadsheet of trafficking grants, FY2009 expenditure.

Funds that cannot be accounted for are not helping to solve the problem. These funds are spread among a number of different accounts. The Economic Support Fund (ESF) allocates \$25.3 million to trafficking, but only \$18.6 million could be reported, resulting in \$6.7 million that could not be accounted for and should be reduced. The International Narcotics Control and Law Enforcement (INCLE) account allocates \$14.6 million for trafficking, but only \$11.9 million could be reported, leaving \$2.7 million that could not be accounted for and should be reduced. The Assistance for Europe, Eurasia, and Central Asia (AEECA) fund allocated \$9.14 million for trafficking, but only \$6.22 could be reported, resulting in \$2.92 million that could not be accounted for. Lastly, the Development Assistance (DA) fund allocated \$18.50 million to trafficking, but could not account for \$4.44 million of those funds.¹⁸⁶

Reducing these funds by the amount that could not be accounted for results in a savings of \$26.38 million per year, and a savings of \$292.84 million over ten years.

Reduce Trafficking Funding at the Department of Justice in accordance with the President's plan. The Department of Justice also has issues with waste and mismanagement when it comes to trafficking funds. In 2010, \$12.5 million was appropriated for victims' services grants, as well as other authorized uses such as an annual trafficking conference and two studies on trafficking in the United States.¹⁸⁷ But the DOJ Inspector General has found that grantees have significantly overstated the number of victims they are helping. In addition, the amount of money spent per victim varies widely by grantee, from \$2,500 per victim to \$33,333. Between April 2007 and March 2008, the Inspector General audited seven grantees and found "significant deficiencies" with all of them.¹⁸⁸ For example, one grantee charged \$716,512 to a grant in unallowable or unsupported costs and failed to achieve four of their six grant objectives, all while turning in financial and progress reports late.¹⁸⁹ This money could be better spent and better accounted for, and the President requested only \$10 million for this purpose in 2012, a 20% reduction. This money would be better spent if this money was reduced, and the President's request seems reasonable. This will save \$14.04 million over ten years.

End the Human Smuggling and Trafficking Center. The Human Smuggling and Trafficking Center (HSTC) was created by the Intelligence Reform Act & Terrorism Prevention Act of 2004 to be a clearinghouse for information about smuggling and trafficking.¹⁹⁰ Since then, however, the HSTC has done little. It is mostly supported by Immigration and Customs Enforcement, but has detailees from four other federal agencies. Many of these agencies want to end their participation in the HSTC, which has put out only a few reports, most of which simply compile newspaper articles. The FBI, CIA, CIS, and Counselor Affairs Office at the State Department have all ended their participation with the HSTC.¹⁹¹ The HSTC has an operating budget of \$6.59 million a year from ICE appropriations, though that does not include the staff members that are

¹⁸⁶ U.S. Department of State Report to U.S. Senate Appropriations Committee, Subcommittee on Foreign Operations, 2011.

¹⁸⁷ FY2010 Appropriations Bill.

¹⁸⁸ Gleen A. Fine, "Top Management and Performance Challenges in the Department of Justice," Inspector General Memorandum, November 13, 2008, <http://www.justice.gov/oig/challenges/2008/index.htm>.

¹⁸⁹ DOJ Inspector General's Audit Report: GR-30-07-004, "Office for Victims of Crime, Victims of Exploitation, and Trafficking Assistance Grant: Boat People S.O.S., Inc., Falls Church, Virginia," Department of Justice Office of Inspector General, July 2007.

¹⁹⁰ P.L. 108-458; 22 U.S.C. § 7119a

¹⁹¹ Briefing from ICE staff.

detailed from other agencies. The detailed staff, however, are at the GS-13 or GS-14 level,¹⁹² meaning their salaries can be estimated to be more than \$650,000. Simply ending the ICE portion of the budget would save \$73.15 million over 10 years.

In total, these reforms in the trafficking area would save the United States \$403.7 million over 10 years.

Eliminate State Criminal Alien Assistance Program

The State Criminal Alien Assistance Program (SCAAP) provides federal payments to states and localities that incurred correctional costs for incarcerating illegal aliens. The Bush 2008 budget suggested eliminating the program, which would save \$330 million per year and \$3.66 billion over 10 years. In the alternative, the program could be reduced pursuant to Obama's suggestion, which would eliminate payments for "unknowns." Unknowns are those whose immigration status cannot be determined and are 58% of all claims. **Eliminating payments for those individuals would save \$194 million per year or \$2.2 billion over 10 years.**

Reduce Staff at the Office of Legal Policy

In their 2012 justification, the Office of Legal Policy requests funding to add two attorney positions at a cost of \$201,000 with no justification. They should be subject to the Department hiring freeze and should reduce their staff by 10%. This reduction would **save \$6.9 million over 10 years.** The Office also has a travel budget of \$7,000 that should be eliminated.

Office of Information Policy

The Office of Information Policy has been doing a terrible job of keeping up with Freedom of Information requests as evidenced by a recent Senate Judiciary Committee hearing. The Office should not receive an increase in funding until the Faster FOIA Commission completes its work, scheduled for one year after it is enacted. The Senate passed the bill on May 26, 2011.

Eliminate Public Safety Benefits Program

This program provides disability benefits for state and local public safety officers, including law enforcement and fire and rescue workers. It provides death and education benefits for their survivors. This is clearly not a federal responsibility and is a labor intensive endeavor for some of the beneficiaries.

Eliminate Participation in the World Anti-Doping Agency

The federal government pays \$1.9 million per year in dues to the World Anti-Doping Agency, which is an international independent agency composed and funded equally by the sport movement and governments of the world. It is a Swiss private law Foundation. Its seat is in Lausanne, Switzerland, and its headquarters are in Montreal, Canada. The Americas pay 29% of the total funds with 50% of this 29% being paid by the U.S. Canada pays 25% and the

¹⁹² Briefing from ICE staff.

remaining 25% is split between all the other countries. **Eliminating participation in this agency would save \$21 million over 10 years.**

DEPARTMENT JUSTICE TEN YEAR SAVINGS
Discretionary: \$34.54 billion
Total: \$34.54 billion