

TO REVISE AND EXTEND THE BOYS AND GIRLS CLUBS
OF AMERICA

JULY 13, 2004.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. SENSENBRENNER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany S. 2363]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill
(S. 2363) to revise and extend the Boys and Girls Clubs of America,
having considered the same, reports favorably thereon without
amendment and recommends that the bill do pass.

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PURPOSE AND SUMMARY

The Economic Espionage Act of 1996 (42 U.S.C. § 13751 note) es-
tablished a program to provide Department of Justice grant sup-
port for starting new Boys and Girls Clubs in distressed areas. The
current version of the law calls for the establishment of 1,200 new
clubs by the end of 2005. S. 2363 will increase this number by 300

for a total of 1,500. Current law also calls for a goal of 4,000 total clubs by January 1, 2007. S. 2363 increases that goal to at least 5,000 such facilities in operation by January 1, 2010. Additionally, the bill extends through FY 2010 the authority of the Director of the Bureau of Justice Assistance of the Department of Justice to make grants to the organization to establish such facilities. It authorizes appropriations for FY 2006 through FY 2010, beginning with \$80 million in FY 2006 and increasing each year by increments of \$5 million reaching \$100 million in FY 2010.

BACKGROUND AND NEED FOR THE LEGISLATION

The Boys and Girls Clubs of America had its first beginnings almost 150 years ago. The first club was organized in 1860 by a group of women who believed disadvantaged boys should have access to a positive structured environment outside of school. By 1906, several Boys Clubs joined together and formed the Federated Boys Club in Boston. In 1956, the Boys Clubs of America received a congressional charter and celebrated its 50th anniversary. Recognizing that girls are also a vital part of the Clubs' membership, the name was changed to the Boys and Girls Clubs of America in 1990.

The Boys and Girls Clubs of America continue to provide a positive learning environment for children throughout this country. The Clubs have numerous nationally recognized programs that address issues pertinent to today's youth. More than 25 programs are available to youngsters seeking knowledge on topics including education, leadership development, the arts, and alcohol and drug prevention. Of the several million children that benefit from the Boys and Girls Clubs of America, a large majority of these kids live in our inner cities and urban areas. These programs are essential to providing resources and nourishing skills necessary for young people to become successful, productive adults.

S. 2363 was introduced by Senator Hatch and Senator Leahy on April 29, 2004. On June 3, 2004, the Senate Committee on the Judiciary reported S. 2363 favorably, and the same day, the Senate passed the bill without amendment by unanimous consent. The bill was referred to the House Committee on the Judiciary on June 4, 2004.

HEARINGS

No hearings were held in the Committee on the Judiciary on S. 2363.

COMMITTEE CONSIDERATION

On July 7, 2004, the Committee met in open session and ordered favorably reported the bill S. 2363 without an amendment, a quorum being present.

VOTE OF THE COMMITTEE

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee notes that there were no recorded votes during the Committee consideration of S. 2363.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, S. 2363, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 13, 2004.

Hon. F. JAMES SENSENBRENNER, Jr., *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2363, an act to revise and extend the Boys and Girls Clubs of America.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

DOUGLAS HOLTZ-EAKIN.

Enclosure

cc: Honorable John Conyers, Jr.
Ranking Member

S. 2363—An act to revise and extend the Boys and Girls Clubs of America.

SUMMARY

S. 2363 would authorize the appropriation of a total of \$350 million for fiscal years 2006 through 2009 for the Attorney General to make grants to the Boys and Girls Clubs of America. CBO estimates that implementing the act would cost \$199 million over the 2006-2009 period, subject to appropriation of the authorized amounts. Enacting S. 2363 would not affect direct spending or revenues.

S. 2363 contains no intergovernmental or private-sector mandates as defined by the Unfunded Mandates Reform Act (UMRA) and would impose no costs on State, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 2363 is shown in the following table. For this estimate, CBO assumes that the amounts authorized by the act will be appropriated by the start of each fiscal year and that outlays will follow the historical rate of spending for this program. The costs of this legislation fall within budget function 750 (administration of justice).

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

S. 2363 contains no intergovernmental or private-sector mandates as defined by UMRA and would impose no costs on State, local, or tribal governments.

By Fiscal Year, in Millions of Dollars

	2004	2005	2006	2007	2008	2009
SPENDING SUBJECT TO APPROPRIATION						
Spending for Boys and Girls Clubs						
Grants Under Current Law						
Authorization Level ^a	80	80	0	0	0	0
Estimated Outlays	66	77	61	38	22	10
Proposed Changes						
Authorization Level	0	0	80	85	90	95
Estimated Outlays	0	0	18	43	61	77
Spending for Boys and Girls Clubs						
Authorization Level	80	80	80	85	90	95
Estimated Outlays	66	77	79	81	83	87

a. The 2004 level is the amount appropriated for that year for the grants authorized by S. 2363. The 2005 level is the amount authorized in current law for these grants.

PREVIOUS CBO ESTIMATE

On June 10, 2004, CBO transmitted a cost estimate for S. 2363, an act to revise and extend the Boys and Girls Clubs of America, as passed by the Senate on June 3, 2004. The two versions of the legislation are identical, as are the cost estimates.

ESTIMATE PREPARED BY:

Federal Costs: Mark Grabowicz (226-2860)
 Impact on State, Local, and Tribal Governments: Melissa Merrell
 (225-3220)
 Impact on the Private Sector: Paige Piper/Bach (226-2940)

ESTIMATE APPROVED BY:

Peter H. Fontaine
 Deputy Assistant Director for Budget Analysis

PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee notes that S. 2363 authorizes funding. The Committee on the Judiciary expects the Director of the Bureau of Justice Assistance of the Department of Justice to make grants to the Boys and Girls Clubs to establish the additional authorized facilities. The Committee intends that the Clubs should

establish these facilities where needed with emphasis on extending services to public housing projects and distressed areas.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Boys and Girls Clubs of America

Section 1 amends section 401 of the Economic Espionage Act of 1996 (42 U.S.C. § 13751 note) by increasing the current goal of new Boys and Girls Club facilities from 1,200 to 1,500 and calling for the total number of facilities to be increased to 5,000 by January 1, 2010.

This bill also authorizes appropriations for FY 2006–2010 as follows:

- \$80,000,000 for fiscal year 2006
- \$85,000,000 for fiscal year 2007
- \$90,000,000 for fiscal year 2008
- \$95,000,000 for fiscal year 2009
- \$100,000,000 for fiscal year 2010

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 401 OF THE ECONOMIC ESPIONAGE ACT OF 1996

SEC. 401. ESTABLISHING BOYS AND GIRLS CLUBS.

(a) FINDINGS AND PURPOSE.—

(1) * * *

(2) PURPOSE.—The purpose of this section is to provide adequate resources in the form of seed money for the Boys and Girls Clubs of America to establish **[1,200]** *1,500* additional local clubs where needed, with particular emphasis placed on establishing clubs in public housing projects and distressed areas, and to ensure that there are a total of not less than **[4,000]** *5,000* Boys and Girls Clubs of America facilities in operation not later than December 31, **[2005]** *2010*, serving not less than 5,000,000 young people.

* * * * *

(c) ESTABLISHMENT.—

(1) IN GENERAL.—For each of the fiscal years **[2002, 2003, 2004, 2005, and 2006]** *2006, 2007, 2008, 2009, and 2010*, the Director of the Bureau of Justice Assistance of the Department of Justice shall make a grant to the Boys and Girls Clubs of

America for the purpose of establishing and extending Boys and Girls Clubs facilities where needed, with particular emphasis placed on establishing clubs in and extending services to public housing projects and distressed areas.

(2) APPLICATIONS.—The Attorney General shall accept an application for a grant under this subsection if submitted by the Boys and Girls Clubs of America, and approve or deny the grant not later than 90 days after the date on which the application is submitted, if the application—

(A) includes a long-term strategy to establish **[1,200]** 1,500 additional Boys and Girls Clubs and detailed summary of those areas in which new facilities will be established, or in which existing facilities will be expanded to serve additional youths, during the next fiscal year;

(B) includes a plan to ensure that there are a total of not less than **[4,000]** 5,000 Boys and Girls Clubs of America facilities in operation before January 1, **[2007]** 2010;

* * * * *

(e) AUTHORIZATION OF APPROPRIATIONS.—

[(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

[(A) \$70,000,000 for fiscal year 2002;

[(B) \$80,000,000 for fiscal year 2003;

[(C) \$80,000,000 for fiscal year 2004; and

[(D) \$80,000,000 for fiscal year 2005.]

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

(A) \$80,000,000 for fiscal year 2006;

(B) \$85,000,000 for fiscal year 2007;

(C) \$90,000,000 for fiscal year 2008;

(D) \$95,000,000 for fiscal year 2009; and

(E) \$100,000,000 for fiscal year 2010.

* * * * *

MARKUP TRANSCRIPT

BUSINESS MEETING

WEDNESDAY, JULY 7, 2004

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Committee met, pursuant to notice, at 10:03 a.m., in Room 2141, Rayburn House Office Building, Hon. F. James Sensenbrenner, Jr. [Chairman of the committee] presiding.

Chairman SENSENBRENNER. The committee will be in order.

A working quorum is present and, pursuant to notice, I now call up the bill S. 2363, a bill to revise and extend the Boys and Girls Clubs of America, for purposes of markup and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any point, and the chair recognizes himself for 5 minutes to explain the bill.

[The bill, S. 2363, follows:]

1A

108TH CONGRESS
2^D SESSION

S. 2363

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2003

Referred to the Committee on the Judiciary

AN ACT

To revise and extend the Boys and Girls Clubs of America.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. BOYS AND GIRLS CLUBS OF AMERICA.**

2 Section 401 of the Economic Espionage Act of 1996
3 (42 U.S.C. 13751 note) is amended—

4 (1) in subsection (a)(2)—

5 (A) by striking “1,200” and inserting
6 “1,500”;

7 (B) by striking “4,000” and inserting
8 “5,000”; and

9 (C) by striking “December 31, 2005” and
10 inserting “December 31, 2010”;

11 (2) in subsection (c)—

12 (A) in paragraph (1), by striking “2002,
13 2003, 2004, 2005, and 2006” and inserting
14 “2006, 2007, 2008, 2009, and 2010”; and

15 (B) in paragraph (2)—

16 (i) in subparagraph (A), by striking
17 “1,200” and inserting “1,500”; and

18 (ii) in subparagraph (B)—

19 (I) by striking “4,000” and in-
20 serting “5,000”; and

21 (II) by striking “2007” and in-
22 serting “2010”; and

23 (3) in subsection (e), by striking paragraph (1)
24 and inserting the following:

25 “(1) IN GENERAL.—There are authorized to be
26 appropriated to carry out this section—

Chairman SENSENBRENNER. Today, we markup S. 2363 to revise and extend the Boys and Girls Clubs of America. The Senate Judiciary Committee reported and passed the bill on June 3rd, 2004, without amendment, by unanimous consent. They did something. [Laughter.]

Boys and Girls Clubs of America had its beginning almost 150 years ago. The first club was organized in 1860 by a group of women who believed that the disadvantaged boys should have access to a positive-structured environment outside of school. In 1956, the Boys Clubs of America received a congressional charter and celebrated the clubs' 50th anniversary. Recognizing that girls are also a vital part of the clubs' membership, the name was changed to Boys and Girls Clubs of America in 1990.

Over the years, many of America's disadvantaged youth have benefitted from the clubs' nationally recognized programs. They include a wide range of issues from health and education to alcohol and drug education programs and pregnancy prevention. The safe learning environments that the clubs provide have helped our youth have a positive impact on society.

In an effort to further the positive mission of the clubs, the bill will establish 1,500 additional local clubs and will ensure that there are at least 5,000 such facilities in operation by January 1st, 2010. This bill authorizes appropriations for fiscal years 2006 through 2010, beginning with \$80 million in fiscal year 2006 and increasing each year by increments of \$5 million and then reaching \$100 million in fiscal year 2010.

The bill received overwhelming bipartisan support in the Senate, and I hope my colleagues can support this important bill.

And I now recognize the gentleman from Michigan for whatever comments he wishes to make.

Mr. CONYERS. Thank you, Chairman Sensenbrenner. I am pleased to join with you in this bill, as our counterparts, the Senator and the Chairman of the Judiciary Committee and Ranking Member of the Judiciary has in legislation that was passed on June 3rd in the other body.

We have got three of these clubs in metropolitan Detroit. We are checking now on the number in the State of Michigan. The value of these clubs I think go without too much detail being required. I can attest to the success, the training, the motivation that young people receive from these clubs. Sometimes they are children at risk that are lifted up and whose lives are very deeply affected. Some of the programming naturally focuses on character building, and leadership and help in life skills.

So the Boys and Girls Clubs of America has taken on and plays a crucial role in preparing our young people and our Nation for a positive future, and so I join with you in what I hope will be a unanimous round of support for this measure.

Chairman SENSENBRENNER. I thank the gentleman from Michigan.

Without objection, all Members may include opening statements in the record at this point, and I would also ask unanimous consent that a letter to me, dated June 28th, from Robbie Calloway, senior vice president of the Boys and Girls Clubs of America be placed in the record.

[The prepared statement of Mr. Conyers follows:]

PREPARED STATEMENT OF THE HONORABLE JOHN CONYERS, JR., A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MICHIGAN, AND RANKING MEMBER, COMMITTEE
ON THE JUDICIARY

I am pleased that the Committee is taking up S. 2363, "A bill to revise and extend the Boys and Girls Clubs of America," at today's markup. Senator Hatch and Senator Leahy introduced this legislation on April 29, 2004 and it passed unanimously with bipartisan support on June 3, 2004. I am confident that our Committee, as well as the House, will take up this legislation in the same spirit.

S. 2363 extends the authorization for annual grants from the Department of Justice to the Boys and Girls Club of America. This legislation authorizes the Boys and Girls Club of America to receive funds through 2010 at \$80 million for FY 2006, \$85 million for FY 2007, \$90 million for FY 2008, \$95 million for FY 2009, and \$100 million for FY 2010. It also authorizes an increase in the number of clubs in existence to 5,000 by 2010 which will increase the number of children served to over 5 million.

Founded in 1860, the Boys and Girls Club of America has been in existence for over one hundred years and provides young people with a positive alternative to drugs, gangs, and crime. At such clubs across America and throughout the world at our military bases, youth, ages 6–18, find a positive adult influence and a safe environment in which to learn and grow. There are currently 3,500 clubs that serve 3.6 million children.

It is with firsthand knowledge that I can attest to the success and opportunity provided the youth in my District that attend the Boys and Girls Clubs. There are 3 Boys and Girls Clubs in Detroit, as well as one each in Dearborn and Highland Park. There are a total of 52 clubs in Michigan serving approximately 52,000 kids. In my District I observe some of the nation's most at risk children develop, learn, and change their lives and surroundings as a result of their participation in club activity. Such club programming focuses on character and leadership, education and career, health and life skills, and sports, fitness, and recreation. The Boys and Girls Club of America has taken on the crucial role of preparing our young people and our nation for a positive future.

I am confident that other Members of this Committee, regardless of party affiliation, can speak to similar successes as a result of a Boys and Girls Club in their District. We all realize that this legislation is necessary to continue the much needed mission of the Club and we all know too well the consequences of not providing such preparation. While it costs taxpayers \$25,000 to \$75,000 per year to keep one young person in jail, it costs just \$200 per year to provide Boys and Girls Club programming for one youth.

As I am champion of rights and opportunity for our nation's children, it is with great pleasure that I will support this reauthorization. Please join me.

[The prepared statement of Mr. Schiff follows:]

PREPARED STATEMENT OF THE HONORABLE ADAM B. SCHIFF, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Chairman. I would like to express my strong support for S. 2363, important legislation to extend the authorization for annual grants from the Department of Justice to the Boys and Girls Club of America.

With over 3,500 Boys and Girls Clubs across America and globally on U.S. military bases, these clubs serve over 3.6 million children. As a father of two young children, I recognize the importance that recreation and companionship play in the lives of our youth. With an increasing number of children at home with no adult care or supervision, it is essential that we provide these important opportunities for interaction to children in need.

I have had the opportunity to visit with the Boys and Girls Club of Burbank in my district and witness firsthand the great work of this organization. During my visit, I was able to participate in some of their activities, such as assisting students with their homework and playing recreational games. Club programs and services are often aimed at instilling an important sense of belonging and influence in children. The clubs also provide young people with a positive outlet and an alternative to exposure to drugs, gangs, and crime that continue to plague many of our communities.

I am pleased to support the legislation before us today which will increase the number of children served by Boys and Girls Clubs of America to over 5 million.

[The letter follows:]



**BOYS & GIRLS CLUBS
OF AMERICA**

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(301) 251-6676
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Mr. Robbie Callaway
Senior Vice President

June 28, 2004

Representative James Sensenbrenner
Chairman
House Judiciary Committee
2138 Rayburn House Office Building
Washington D.C. 20515


Dear Mr. Chairman,

I am writing to you today regarding S.2363, a bill to revise and extend the Boys & Girls Clubs of America. This measure is critically important to America's children, especially those from our most distressed communities. As you know, the bill authorizes continued funding to Boys & Girls Clubs of America, and will allow us to expand our aggressive growth efforts in disadvantaged communities throughout the country.

Today, thanks in large part to Congress, Boys & Girls Clubs of America is serving more than 4,000,000 children in some 3,600 Clubs throughout the nation, and on military bases worldwide. We are located in all 50 states, with more than 450 Clubs in public housing and 172 Clubs on Native American lands. Clubs are located in inner-city and rural communities throughout America, playing a vital role in the development of our children.

During the past 5 years we have grown by more than 1,200 Clubs, equating to nearly 1 new Club opening its doors every business day. While Congressional funding represents less than 10% of the total spent on Boys & Girls Clubs each year, it has been the driving force in this dramatic growth. In fact, every Congressional dollar has been matched by private funds, often as high as 10 to 1, representing the very best in true private-public partnerships in communities throughout America.

Mr. Chairman, I thank you for your strong support of Boys & Girls Clubs of America, and ask that you move quickly and decisively in passing S. 2363. In the past you have shown your strong commitment to protecting America's children, and I have been honored to work closely with you. Please let me know if you need additional information, or if there is anything I can do to be helpful to you.

Sincerely,

Mr. Robbie Callaway

*Mr. Chairman -
Thank you for all
you have done for America's
children! R.C.*

Chairman SENSENBRENNER. Are there amendments?

[No response.]

Chairman SENSENBRENNER. If there are no amendments, a reporting quorum is not present. Without objection, the previous question is ordered on the motion to report the bill S. 2363 favorably, and that vote will take place once a reporting quorum appears.

[Intervening business.]

Chairman SENSENBRENNER. A reporting quorum is now present, and the question is on the motion to report the bill S. 2363 favorably.

All in favor, say aye.

Opposed, no.

The ayes have it. The motion to report favorably is adopted.

Without objection, the Chairman is authorized to move to go to conference pursuant to House rules. Without objection, the staff is directed to make any technical and conforming changes, and all Members will be given 2 days, as provided by the rules, in which to submit additional, dissenting, supplemental or minority views.

