

**ALASKA LEGISLATURE COMMITTEE FILES 1991-1992 8672**  
**7293 HOUSE STATE AFFAIRS**

### 3. Overall Model

#### 3.1 Measurement of Living Cost Differences - Basic Concept

The most common and most widely accepted method of measuring the living cost differences between locations is to select representative items that people purchase in these locations and calculate their cost differences, combining them according to their importance to one another (as measured by percentage of expense). We use this basic concept to compare the living costs in each of the allowance areas to living costs in the Washington, D.C. area.

To move from this basic concept to computing comparative living costs between each allowance area and the Washington, D.C. area, we identify the five main processes or steps that we take:

Step 1 Identify the segment of the population for which this analysis is being targeted (i.e., the target population).

Step 2 Determine how these people spend their money.

Step 3 Select items to represent the expense categories for which these people spend their money.

Step 4 Conduct pricing surveys of the selected items in each area.

Step 5 Analyze cost ratios for the selected items and aggregate them according to each item's relative importance.

We address Steps 1 and 2 in Sections 3.1.1 and 3.1.2 respectively. The methods we use to complete Steps 3, 4 and 5 vary depending on the nature of the expenditures. Therefore, we address these steps in Sections 4, 5, 6 and 7, for the expense groupings of goods and services, housing, transportation and miscellaneous items respectively.

##### 3.1.1 Target Population: Federal Employees

Our living cost model measured living cost differences for non-military federal employees with annual base salaries between \$10,000 and \$80,000, the appropriate salary range of the 1990 General Schedule of the Federal Government. Since living cost differences may vary depending on the income level of the employee, our model measured living costs at three income levels.

To select the income levels that most accurately represent the population of federal employees, we used the salary distribution of all General Schedule employees as of March 31, 1990 which was supplied by OPM officials. We then selected the midpoints of the lower, middle and upper thirds of this distribution as our three income levels (\$18,000, \$28,400 and \$45,200 respectively).

Although a federal employee's salary may represent only a portion of a family's total income, Runzheimer and OPM officials believed that any recognition of outside income sources may unfairly bias the results. Therefore, whenever specific income levels were required, the model used the three income levels stated above.

### 3.1.2 Determination of Expenditure Patterns

#### 3.1.2.1 Source of Expenditure Data

To determine how families with incomes of \$18,000, \$28,400 and \$45,200 typically spend their monies, we used the most recent Consumer Expenditure Surveys (CES) produced by the U.S. Department of Labor, Bureau of Labor Statistics. Specifically, we used the "prepub" statistical reports from the 1988 CES dated February 13, 1990 (see Appendix 1) to form the basis for the expenditure pattern weightings throughout the study.

#### 3.1.2.2 Income Level Adjustments

Because the most recent CES was based on 1988 expenditure levels, we adjusted our three 1990 incomes to 1988 levels before beginning our expenditure analysis. To calculate estimated 1988 income levels, we used the average percentage salary increases of federal employees for the two-year period in question as supplied by OPM officials (4.1% increase 1988-89 and 3.6% increase 1989-90, which result in a 7.85% two-year increase). This adjustment reduced the 1990 income levels to estimated 1988 levels of \$16,700, \$26,300, and \$41,900.

#### 3.1.2.3 Family Size Considerations

We did not assign a specific family size to each of our three income profiles. Instead, the number of members in each family (or "consumer unit" as the CES referred to them) was implicit in our expenditure weighting scheme (the average family size of the entire CES was 2.6).

We have addressed family size in this manner to enable the model to be easily and accurately updated whenever new expenditure survey data might be incorporated into it.

#### 3.1.2.4 Analysis of 1988 Consumer Expenditure Survey

From the 1988 CES we used the statistical report entitled, "Table 2. INCOME BEFORE TAXES," which listed expenses for families earning similar incomes into one of eight income ranges. As shown below, we analyzed these data to develop typical patterns of expenditure for our three income profiles.

For our purposes, we selected seven income ranges that most closely matched our three income profiles:

- \$10,000 to \$14,999
- \$15,000 to \$19,999
- \$20,000 to \$29,999
- \$30,000 to \$39,999
- \$40,000 to \$49,999
- \$50,000 and over
- All respondents combined

The 1988 CES grouped expenses into small logical clusters of items. For example, money spent by families on beef was divided into four groups: ground beef, roast, steak and other beef. The roast and steak groupings were further separated into smaller groups of items (e.g., sirloin and round steak, chuck and round roast).

Using this survey of expenditure data, we separated these item groupings into the four main cost components as specified in the original RFP: goods and services, transportation, housing and miscellaneous expenses. We observed that families in the lower income ranges spent more of their money as a percentage of total expenses on goods and services and housing than families in higher income ranges. Also, families spent approximately the same percentage of their total expenses on transportation, regardless of income. Consequently, the miscellaneous component, which included such things as legal and accounting fees (Part 1 only), medical care expenses (Part 2 only), contributions, gifts to non-family members, pension funds, long-term savings and investments, and life insurance premiums increased as a percentage of total expenses as income increased.

To develop accurate and defensible weighting patterns for our three income levels, we used linear regression analysis on the selected 1988 CES data. Listed below are the results of our analysis:

**PART 1 METHODOLOGY**  
**COMPONENT EXPENSES EXPRESSED AS A**  
**PERCENTAGE OF TOTAL EXPENSES**

Income Level		Goods &	Housing	Trans-	Misc.	Total
1990	Est 1988	Services		portation		
\$18,000	\$16,700	43.94%	24.35%	20.76%	10.95%	100.00%
\$28,400	\$26,300	42.24%	23.48%	20.33%	13.95%	100.00%
\$45,200	\$41,900	40.63%	22.66%	19.94%	16.77%	100.00%

**PART 2 METHODOLOGY**  
**COMPONENT EXPENSES EXPRESSED AS A**  
**PERCENTAGE OF TOTAL EXPENSES**

Income Level		Goods &	Housing	Trans-	Misc.	Total
1990	Est 1988	Services		portation		
\$18,000	\$16,700	39.59%	24.35%	20.76%	15.30%	100.00%
\$28,400	\$26,300	39.15%	23.48%	20.33%	17.04%	100.00%
\$45,200	\$41,900	38.74%	22.66%	19.94%	18.66%	100.00%

We used the same linear regression technique to further separate transportation into public and private expense categories, goods and services into ten categories, and to provide accurate ratios of renters to homeowners at each income level.

Statistics on these component groupings are found in later sections of this report.

### 3.2 General Formulae

Throughout our economic model, we use the Laspeyres indexing methodology (a fixed set of marketbasket items and base location weights) to develop indexes. We deviate slightly from the strict interpretation of the Laspeyres index formula in several instances to provide more appropriate comparative cost indexes for each allowance area. For example, as discussed in Section 3.1.2.4, we used nationwide consumer expenditure data to determine survey items and their weights. Also, as required by OPM regulations, we used General Schedule employment and salary distributions in each allowance area to combine price data for each income group. We made other minor deviations as well. We highlight these methodology nuances wherever they occur.

Sections 4 through 7 explain the processes by which we develop the four main components: goods and services, housing, transportation and miscellaneous expense. The aggregation of these four components is explained below.

The goods and services, housing and transportation components are income-sensitive for both Part 1 and Part 2 methodologies (i.e., we generate a separate computation for each income

level). The miscellaneous expenses component is income-sensitive for the Part 2 methodology only.

At each income level, these component indexes (Part 1) or total-cost amounts (Part 2) are aggregated, based on the weighting patterns listed in Section 3.1.2.4. These aggregations are combined into one comparative cost index for each allowance area in the same proportion as the distribution of General Schedule employee salaries in each area. Using area-specific weighting patterns is inconsistent with a strict interpretation of a Laspeyres index methodology (which calls for the base location weighting pattern to be used for all areas). However, we feel that region-specific index weightings result in comparative cost indexes that more closely represent the living cost differences for the distribution of federal employees in each allowance location.

To account for commissary and exchange purchases in selected allowance areas (identified in Section 2.1), we created a second set of three goods and services indexes and calculated separate comparative cost indexes. These indexes reflected prices surveyed in military facilities and private sector outlets in the allowance areas. (See Section 4.2.4 for further discussion.)

A discussion of the Laspeyres indexing formula and the specific formulas used in this model are found in Appendix 2.

### 3.3 Data collection process

We used many different information-gathering approaches to accomplish the activities in Tasks 1 and 2 in the most efficient and effective manner possible. In this section, we describe the various approaches.

#### 3.3.1 In-house Research Staff

Runzheimer research personnel at our corporate headquarters in Rochester, Wisconsin, played a major role in all data collection activities. These professionals:

- \* Contacted manufacturers, trade associations, governmental agencies, retail establishments, etc. to identify suitable items to price
- \* Contacted professionals in the real estate business in each of the costed locations to obtain general information as well as specific rental rates and home market values
- \* Conducted pricing surveys on many items
- \* Served as a vital liaison for field researchers

- \* Performed hundreds of quality control checks once the data had been collected; these checks often involved verification of the survey data through telephone calls.
- \* Analyzed and computed the category, component and total comparative cost indexes

### 3.3.2 Field Researchers - "Research Associates"

Collection of most price data was best accomplished through personal visits to retail outlets (e.g., grocery, clothing, furniture). For these activities, Runzheimer hired residents of each allowance area as independent contractors (our "research associates"). For years, Runzheimer has used this approach to data collection in over 80 countries worldwide in the measurement of living costs for its clients.

For this project, we supplemented our existing research associate network to cover each of the allowance areas and the Washington, D.C. area adequately. To avoid any perceived conflicts of interest, we did not hire persons as research associates who were either employees of the federal government, or who had immediate family who were employees of the federal government.

### 3.3.3 On-site Visits By Runzheimer Research Personnel

Full-time Runzheimer professionals travelled to each allowance area and the Washington, D.C. area to supervise the data collection activities and perform various quality control checks on the data. These visits took place during the two month pricing period.

These researchers travelled to living communities to observe housing accommodations personally and to talk to real estate professionals in each area. They also visited numerous retail outlets (including commissaries and exchanges) to verify item quality, selection and price levels in general.

In addition, these researchers met with the Runzheimer research associate(s) in each location to answer any data collection questions and to provide any additional training and instruction as necessary.

## 3.4 Editing and Quality Control Procedures

Runzheimer's extensive experience in measuring living cost differences enabled us to set up editing and quality control procedures at all stages of data collection and the analysis process.

The federal regulations stated in Section 591.205(b)(1)(i) that, "Whenever possible, exact brands and models are priced in each location." Every effort was made to satisfy this objective. (See Section 4.2 for a discussion of brand and model selection.) Nevertheless, in a number of the allowance areas the exact brands and models were either not readily

available or not available at all. In these instances, experienced editing decisions were needed.

We defined "editing" as the removal and/or replacement of a surveyed price quote based on consistent and logical criteria. In all areas, we were very concerned that items of lesser (or greater) quality than the specified item may inadvertently be included in our analysis and bias the results. Therefore, any price quote that appeared significantly higher or lower than the price levels of other price quotes for the item was flagged, checked, and if necessary, eliminated from the analysis.

It was undesirable to remove a missing item from a location analysis. Removing an item caused its item weighting to be distributed to the other items in the item's subcategory (or category when no subcategory exists). If the other items in the subcategory or category did not adequately represent the missing item, our research analysts assigned a price to the item based on all other available information. This type of editing was used on rare occasions. Generally, when an item price was missing, we resurveyed the item.

### 3.5 Pricing Surveys in Puerto Rico

Through salary distribution data provided by the OPM, we determined that 70% of the non-military federal personnel employed in Puerto Rico work at facilities within 10 miles of the city of San Juan. The remaining 30% was distributed throughout Puerto Rico without a particular concentration. It appeared, however, that most of these remaining employees were generally closer to Mayaguez, than any other larger Puerto Rican city. Therefore, we surveyed Mayaguez in addition to San Juan. To combine the prices from both cities, we used a 70% San Juan, 30% Mayaguez weighting.

### 3.6 Surveying The Washington, D.C. Area

OPM defined the Washington, D.C. area in the federal regulations as the Washington DC-MD-VA Metropolitan Statistical Area. Since federal employees who work in this area reside in Virginia, in Maryland, and in the District of Columbia, we selected retail outlets and living communities from all three areas. Our model gave equal weight to the average prices in each geographic area.

Because the Washington, D.C. area formed the basis of comparison for all allowance areas, we conducted substantially more pricing surveys in this area than in others. For the goods and services component, we surveyed approximately six times as many price quotes in the Washington, D.C. area as in the typical allowance area. For the housing, transportation and miscellaneous expense components, data collection was approximately triple that of the typical allowance area.

## 4. Consumption Goods and Services

### 4.1 Component Overview

The goods and services component consisted of family expenses related to the following ten categories of expense:

Food At Home	Clothing
Food Away From Home	Domestic Service
Tobacco	Medical Care (Part 1 only)
Alcohol	Professional Services (Part 2 only)
Furnishings & Household Operations	Personal Care
Recreation	

To aid in quality control and in analyzing future pricings, we further subdivided four of the largest categories into subcategories. The four subdivided categories were food at home, furnishings and household operations, clothing, and recreation. The specific subcategories were noted in Appendix 3.

From these ten categories of expense, we selected a marketbasket of items (products and services) to form the basis of our goods and services analysis. Each marketbasket item represented a specific group of related expense items. The relative importance (or weighting) of each item was determined from CES data. The average price of each marketbasket item in each allowance area was compared with the average price in the Washington, D.C. area. The price differences (expressed as percentages) were aggregated based on the item, subcategory and category weightings, resulting in a total goods and services component index at each income level.

Section 3.2 describes how these three component indexes are combined with the housing, transportation and miscellaneous expense indexes first (by income level) to arrive at the comparative cost index for each allowance area.

In each allowance area (except Puerto Rico), we gathered three price quotes for each item (and sometimes more than three) from the local economy, one from each of three different outlets. In Puerto Rico, we doubled the sample size by obtaining three price quotes for each item in both the San Juan and Mayaguez areas.

### 4.2 Marketbasket Research

#### 4.2.1 Expenditure Research - Category Weightings

We tabulated the expense data from the 1988 Consumer Expenditure Survey according to the ten categories of goods and services. As in the component analysis (described in Section 3.1.2.4), we used the expense data from the seven most appropriate income ranges as input into a linear regression analysis. From that analysis, we calculated the category weightings for each income level as listed below:

**PART 1 METHODOLOGY  
CATEGORY WEIGHTINGS**

Income Levels:	<u>Lower</u>	<u>Middle</u>	<u>Upper</u>
Food At Home	22.99%	20.73%	18.45%
Food Away From Home	14.37	14.92	15.47
Tobacco	2.82	2.35	1.87
Alcohol	2.63	2.59	2.54
Furnishings & Hsld Op	12.93	14.78	16.68
Clothing	12.83	13.84	14.87
Domestic Service	1.60	1.66	1.73
Medical Care	15.11	12.73	10.29
Personal Care	3.21	3.22	3.22
Recreation	11.51	13.18	14.88
<b>Totals:</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**PART 2 METHODOLOGY  
CATEGORY WEIGHTINGS**

Income Levels:	<u>Lower</u>	<u>Middle</u>	<u>Upper</u>
Food At Home	25.52%	22.38%	19.35%
Food Away From Home	15.95	16.09	16.23
Tobacco	3.13	2.54	1.96
Alcohol	2.92	2.79	2.67
Furnishings & Hsld Op	14.35	15.95	17.49
Clothing	14.24	14.93	15.59
Domestic Service	1.78	1.79	1.81
Professional Services	5.77	5.84	5.91
Personal Care	3.57	3.47	3.38
Recreation	12.77	14.22	15.61
<b>Totals:</b>	<b>100.00%</b>	<b>100.00%</b>	<b>100.00%</b>

**4.2.2 Expenditure Research - Subcategory and Item Weightings**

The expense data from the 1988 CES was also used to determine proper subcategory and item weightings and to identify marketbasket items. These subcategory and item weightings were derived from logical groupings of family expenditures. Unlike category weightings which vary by income level, subcategory and item weightings were computed from national aggregate expenditures only (i.e., all three income levels used the same set of subcategory and item weightings) as this approach is the most common in other similar public and private sector cost-of-living analyses.

Our expenditure research process included procedures to ensure that no marketbasket item had an overwhelmingly large or insignificantly small item weighting.

**4.2.3 Marketbasket Item Specifications**

From each logical expense grouping, we selected one or more marketbasket items to represent all items in the grouping. When selecting specific items for the marketbasket, we worked to satisfy these three criteria:

- Items should be readily available in all locations if at all possible.
- Item price levels should logically represent the price levels of unselected items in the "logical grouping."
- Items should have the same or nearly the same application in all locations.

Appendix 3 is a list of our marketbasket items. Once an item was selected, our research analysts identified the specific brand and/or model/size of each item that was available in most (if not all) locations. This research involved contacting manufacturers, trade associations, retail establishments, etc. For some items, creating item specifications was quite straightforward because of the nature of the item (e.g., bread, sirloin steak, aspirin).

Section 4.4.2 contains pricing forms that list item specifications.

#### 4.2.4 Exchange and Commissary Expenditure Research

We used the same marketbasket items for our pricing of commissaries and exchanges that we used for the local pricings. We obtained one price quote for marketbasket items found in these facilities. We did not however, gather data from other military facilities (e.g., barber shop, movie theater, golf course, doctor, dentist).

We did not assume that people with access to military facilities made all purchases in these facilities. Instead, we used OPM's 1980 Living Pattern Surveys of federal employees to determine the percentage of purchases that families typically spent in military facilities versus local outlets. These percentages were used to appropriately aggregate the local and commissary/exchange prices into one set of composite prices. (The composite prices were compared to the local prices in the Washington, D.C. area just as each allowance area's local prices were.)

See Appendix 4 for the local economy versus military facility spending patterns.

#### 4.3 Outlet Selection

Proper outlet selection was crucial to measuring living cost differences accurately because misjudgments can seriously affect survey results. We focused on three key guidelines to ensure proper outlet selection. First, for areas that had an abundance of outlets from which to choose, we identified outlets from several different geographic areas. In the Washington, D.C. area, for example, we selected outlets in and around six different geographic areas: that is, two areas in Virginia, two in Maryland and two in the District of Columbia.

Our second guideline was that for any one marketbasket item, all outlets were similar in type. For example, we surveyed food items in large grocery stores in all locations. It would have been inappropriate to gather prices from convenience stores in one location and from large grocery stores in another because this approach would have distorted price comparisons.

The last guideline involved the diversity of outlets in our sample. Although we did not wish to use dissimilar outlets in pricing any one item, we believed that pricing in different types of outlets more accurately portrayed living cost differences. For example, for efficiency we could have priced all clothing items in department stores in each location. However, to incorporate price levels at other types of outlets that sell clothing items, we surveyed some items in men's and women's clothing stores, department stores, shoe stores and discount department stores.

Our research analysts selected outlets by combining their own expertise with these resources:

- \* Personal experience of Runzheimer research associates and on-site travelling researchers
- \* Informal telephone interviews with knowledgeable residents in each area
- \* Yellow pages sections of area telephone books
- \* Area chambers of commerce and information bureaus

With new businesses constantly appearing (and old ones disappearing), outlet selection will be a never-ending process. Updating our outlet sample is a necessary and important part of each subsequent pricing.

#### 4.4 Goods and Services Data Collection Procedures

##### 4.4.1 Data Collection Materials

Our years of experience in designing effective data collection instruments enabled us to develop high quality instructional materials and data collection forms. Our instruction packet included topics such as:

- \* How to obtain permission to gather price data
- \* How to maintain survey confidentiality while pricing
- \* How to select suitable substitute items when necessary
- \* How to select suitable substitute outlets when necessary
- \* Retail industry terminology and nomenclature (e.g., store brand)
- \* Sketches of clothing items (e.g., infant sleeper, clutch purse, pumps)

All data collection forms included places for researchers to comment on each price quote and to "check" if the item was a substitute. This qualitative information was invaluable during the editing phase of the project. It enabled our research analysts to make informed decisions as to whether the substitute item should be included in the analysis or whether more research was needed. Appendix 5 contains all of our goods and services data collection worksheets.

#### 4.4.2 Inclusion of Sales Taxes

For all items subject to sales tax, the appropriate amount of tax was added prior to analysis. We also included all applicable sales taxes to items that were part of the other living cost components.

#### 4.5 Goods and Services Survey Results

In Section 3 of this report, we presented a detailed explanation of the economic model that we used to analyze the goods and services price data. To summarize this model, average prices of marketbasket items in each allowance area were compared to average prices in the Washington, D.C. area. The resulting price ratios were aggregated into subcategory and then category indexes using the expenditure weightings as derived from the 1988 CES.

For each allowance area, Appendix 6 contains tables showing the ten category indexes, the three weighting patterns, and the three total goods and services indexes. No table is needed for the Washington, D.C. area since it is by definition "the base location" where all category and component indexes are equal to an index of 100.

## 5. Housing

### 5.1 Component Overview

The housing component consisted of expenses related to owning or renting an accommodation. These expenses included mortgage or rent payments, utilities, real estate taxes, homeowners or renters insurance, home maintenance and telephone. At each of the three income levels, we measured annual housing costs under the two main housing conditions: home ownership and rental.

For the Part 1 methodology, we compared the annual costs of these six housing profiles (three incomes times two housing conditions) in each allowance area with costs in the Washington, D.C. area. We then combined the homeowner and renter cost ratios at each income level based on national expenditure weightings, resulting in three housing component indexes.

For the Part 2 methodology, the six annual housing costs are combined with annual costs of the other three components in each allowance area prior to making the comparison with cost levels in the Washington, D.C. area.

Section 3.2 describes how these housing results are combined with the goods and services, transportation and miscellaneous expense results to arrive at the comparative cost index for each allowance area.

### 5.2 Housing Model

#### 5.2.1 Expenditure Research

In Section 3.1.2.4, we explained how the 1988 CES was used to identify the portion of expenses attributable to each of the four components. We also used this survey to determine the national average ratio of families who own as opposed to rent their residence. Using the expense data from the seven most appropriate income ranges as input into a linear regression analysis, we calculated own/rent weightings as listed below:

#### OWN/RENT WEIGHTINGS

	Income Levels:	<u>Lower</u>	<u>Middle</u>	<u>Upper</u>
Homeowner with mortgage		37.10%	46.91%	62.86%
Renter		62.90	53.09	37.14
Totals:		100.00%	100.00%	100.00%

We excluded expenditure data for those families who were homeowners without a mortgage because these families were not typical of homeowners in the base area or in the allowance areas with the largest concentrations of federal employees.

The 1988 CES was also used to identify home maintenance items to price and the relative importance of each item.

### 5.2.2 Development of Housing Profiles

To accurately compare housing costs in all locations, we constructed a model that measured housing costs under six different circumstances. We identified six typical housing profiles. We matched these profiles to our three income levels in a reasonable and logical manner as listed below:

	<u>Renter Profile</u>	<u>Owner Profile</u>
Lower income level	3-1-1* 600 sq ft Apartment	4-2-1 900 sq ft Condo or detached house
Middle income level	4-2-1 900 sq ft Apartment	5-3-1.5 1300 sq ft Detached house
Upper income level	4-2-2 or 5-3-2 1100 sq ft, townhouse or detached house	7-3-2 1700 sq ft Detached house

\* - Defined as "Total rooms - Bedrooms - Baths." Total rooms excludes bathrooms, hallways, entrance areas and closets, but includes bedrooms, living room, family room, kitchen, formal dining room and den/study.

We used these standard profiles to measure equal housing units in all areas, thereby striving for apples-to-apples comparisons. Then, when we analyzed the housing data, we measured living cost comparisons as objectively as possible.

### 5.2.3 Living community selection

We contacted real estate brokers, residential appraisers and other knowledgeable real estate professionals in each area to provide us with information regarding the predominant age(s), size(s) and type(s) of housing in various communities/housing subdivisions. When available and "appropriate" (as discussed below), we identified at least six communities (two at each income level) in each allowance area. For the Washington, D.C. area, we selected at least nine communities (three at each income level) from which to gather renter and homeowner data.

We used the information we received from our real estate sources to designate communities as being "appropriate" for our lower, middle and/or upper income profiles, or not appropriate at all. Typical reasons why a community might be deemed "inappropriate" were if the typical housing accommodations were either too poor in quality or too luxurious, or if there were not enough homes being bought and sold, or rented to establish accurate average price levels. Although our real estate contacts generally did not know average salary levels of typical residents, they quite often were able to compare communities, and judge whether one community was more "upscale".

than another based on the residents' various occupations and other more qualitative factors.

Appendix 7 shows our list of selected communities.

#### 5.2.4 Identification and Quantification of Housing-Related Expenses

From the 1988 CES, we identified and categorized housing-related expense items into one of five groups: utilities, real estate taxes, owners/renters insurance, maintenance and telephone.

##### 5.2.4.1 Utilities

For this study, we classified electric, heat (oil or gas), water and sewer as utilities. Although most utility companies had ready access to current charges per unit of consumption and average consumption patterns for all households, very few (if any) separated consumption patterns by number of family members in a household or by size/type of accommodation.

We focused on average consumption patterns per household. We gathered this information from utility companies serving each allowance area and the Washington, D.C. area. Combining this consumption data with current utility rates, we computed average annual utility costs for each of electric, gas or oil (whichever we found to be more widely used, if used at all), water and sewer. We then subjectively assigned this average consumption pattern to the homeowner profile at the middle income level.

Because some utility costs vary by size of the house and yard (e.g., heating, cooling, watering, possibly electricity), we calculated a multiplier consistent with the standard house sizes to arrive at the utility rates for the other five profiles. This methodology was a logical and plausible approach to a complex entity. The formula to calculate each multiplier was:

$$\text{Multiplier} = 1 + (.5 * (\text{Standard square feet} - 1300) / 1300)$$

The resulting utility multipliers are listed below:

	RENTER PROFILE		OWNER PROFILE	
	<u>SQ FT</u>	<u>Multiplier</u>	<u>SQ FT</u>	<u>Multiplier</u>
Lower income level	600	.73	900	.85
Middle income level	900	.85	1300	1.00
Upper income level	1100	.92	1700	1.15

##### 5.2.4.2 Real estate taxes

Real estate tax formulas do not always translate directly into actual taxes paid by typical property owners. And in some cases, the formulas are applied in

such a way as to make it nearly impossible to recreate accurate tax rates.

For this study, we contacted the city assessor in each area to obtain the real estate tax information for the homeowner living communities. We encountered some very confusing real estate tax information. For example, taxes in San Juan were assessed based on the value of the home as of 1957. Homes built after 1957 were either "adjusted" back to the 1957 timeframe, or assessed in some other fashion.

In any event, we attempted to verify the calculated real estate tax amounts by checking actual taxes paid by property owners. Whenever we were not able to reconcile the formulas with actual taxes paid, we gathered sufficient data on actual taxes paid to develop an average ratio of taxes paid to current home values. This ratio was then applied to the average home value in that community to obtain an average real estate tax amount for the desired homeowner profile.

#### 5.2.4.3 Owners/Renters Insurance

For the homeowner profiles, we gathered insurance rates covering structure and contents. For the renter profiles, we gathered rates covering contents only. Because land values and the extent of the coverage varied dramatically from location to location, in each area we worked with local insurance agents to identify and cost the most typical and appropriate coverage for each housing type.

#### 5.2.4.4 Maintenance

Many factors were involved in measuring the cost of maintaining a home. Some of these factors are climate conditions, architecture and building materials, and the cost of maintenance materials and labor.

To find detailed maintenance "consumption patterns" (i.e., how much maintenance expense a home in various locations experienced), we contacted numerous federal and state agencies as well as universities, research institutes and other quasi-governmental groups. No reliable data source was found. Further, we found no indication that the maintenance requirements in one location was significantly higher due to climate or architectural characteristics alone.

Therefore, we developed maintenance costs based on the cost of maintenance materials and labor rates in each area. Our approach to maintenance was the same as our approach to goods and services, as explained below.

We used expenditure data from the 1988 CES to identify the national average maintenance expense, the maintenance items to survey, and the appropriate

item weighting. For renters (since most if not all maintenance items were handled by the landlord and therefore included in the rent), we did not include any maintenance costs for the three renter profiles.

To compute cost differences between each allowance area and the Washington, D.C. area for the homeowner profiles, we surveyed several building materials and maintenance labor rates to measure this small but noteworthy element of home ownership. Next, to establish our base location maintenance expense, we assigned the national average expense per household to the middle income homeowner profile.

Logically, maintenance costs for larger homes would be greater than costs for middle-size homes, while costs for smaller homes would be less. Therefore, in this study, we used the same homeowner multipliers as used in the utilities model (Section 5.2.4.1) for the lower and upper income profiles (.85 and 1.15 respectively) to recognize differences in maintenance costs due to house size.

#### 5.2.4.5 Telephone

Telephone expenses consisted of local service charges, possible additional charges for local calls, and charges for any long distance calls. To measure estimated expenses for local service and local calls, where available, we surveyed the cost of touch-tone service with unlimited calling. (In Mayaguez, we used 120 local calls per month because unlimited calling was not available.)

To estimate long distance charges in all areas, we surveyed the cost of three ten-minute direct dial calls per month to large U.S. mainland cities (Los Angeles, Chicago and New York City) at the "evening" rate.

### 5.3 Housing Data Collection Procedures

#### 5.3.1 Homeowner Data Collection

In the homeowner data gathering phase, we obtained sale prices of homes (called "comparable sales") that sold in 1990 in each area that matched our housing profiles. For every community and income level combination, we tried to obtain 10-15 recent comparable sales.

Appendix 8 is a copy of the data collection form.

To get this housing information, we recontacted the most knowledgeable and helpful real estate professionals in each location. In some cases, we obtained listings of all recent comparable sales in the area. In other cases, we obtained data over the telephone from one or more realtors and/or appraisers.

As mentioned in Section 3.3.3, Runzheimer research personnel conducted on-site visits to view housing units in the profiled communities. This firsthand input was very beneficial in determining whether the communities and the individual housing units were appropriate for inclusion in this study, and whether communities in one location were comparable to communities in other locations.

We had some concerns about the adequacy of housing data from the Virgin Islands of St. Thomas and St. Croix. A number of factors were present in these areas that made it difficult to precisely measure current home prices. Below are four factors that we encountered during the pricing:

1. Two housing markets. The large number of affluent retirees coming to the Virgin Islands coupled with a large tourism industry created the appearance that two housing markets existed: one for retirees and tourist rentals, another for working class residents. Most realtors did not monitor the small, less profitable local real estate market. The few home sales attributed to the local market were usually sold by word of mouth or through newspaper advertisements. (We gathered data from both "housing markets" to get a true picture of housing costs in the Virgin Islands.)

2. Basement apartments. Many of the homes in St. Thomas and St. Croix had basement apartments in them. Even the more luxurious homes were built with this arrangement. Although the rental unit (when it existed) would generate rental income to offset relatively-high mortgage payments, we did not attempt to impute an income stream from it.

3. Hurricane Hugo. Hugo's destruction on these islands was still evident. Through our on-site visit and our housing sources, we found a portion of the housing stock damaged or destroyed by the hurricane had yet to be rebuilt. It was the opinion of local realtors and appraisers that the shortage of adequate housing on the Virgin Islands would continue to be a factor in determining appropriate housing types and prices for several years to come.

4. Lack of housing data. Especially on St. Thomas, our attempts to obtain recent home sales were largely unsuccessful. We had little or no success in our data collection efforts through realtors and appraisers. Our next best source of data on recent home sales was the assessor's office. Through this channel, we received a small amount of data, as assessors in the Virgin Islands were at that time very busy with a reassessment.

As a result of these circumstances in St. Croix, and especially St. Thomas, we obtained less housing data than we considered to be definitive. Additional data gathered in future pricings will increase our confidence in the final results.

### 5.3.2 Previously-Purchased Homeowner Data Collection

Although the study's results were based only on recent comparable sales, OPM also requested that we obtain information on the appreciation/depreciation of homes in each

area since 1984. This information was often based on appraisers' opinions/historical reflections. We occasionally acquired comparable sales data from previous years.

Appendix 9 is a copy of the form for gathering historical data.

### 5.3.3 Renter Data Collection

In some areas, the same realtors and brokers who assisted us in our profiling phase were very active in the rental markets as well. When this occurred, we obtained current rental rates and fees for our profiled apartments, townhouses and houses from these sources.

We also contacted rental management firms that operated apartment complexes matching our profiling specifications. In large metropolitan areas such as the Washington, D.C. area where rental complexes abound, our housing analysts conducted telephone surveys to obtain current rental information.

In Puerto Rico, a considerable number of rental developments were accessible to residents who qualified for rental subsidies. Because not all residents of Puerto Rico qualified for these subsidies, we excluded subsidized developments from our housing database. However, the large presence of subsidized rentals — and the ability of many residents to rent these units — added a level of complexity to the true cost of housing in Puerto Rico.

Appendix 10 is a copy of the form for gathering rental data.

### 5.3.4 Housing-Related Data Collection

The housing-related expense categories were identified and quantified in Section 5.2.4.

Appendix 11 contains the various housing-related data collection forms.

## 5.4 Housing Analysis

### 5.4.1 Homeowner Data Analysis

We used two techniques to analyze homeowner data. Linear regression analysis was used when the data on each comparable sale lists its interior living space in square footage (in addition to listing its number of total rooms, bedrooms and baths).

In communities where square footage information was not available from our data sources, we relied on our expertise to select groups of comparable sales that best matched the three housing profiles. We then computed the average (arithmetic mean) of each grouping as our average current home sale price in each community.

We computed annual mortgage costs (principle and interest payments) using typical

financing terms: 30 year mortgage, 80% financed, and current mortgage interest rates.

For St. Thomas, to develop home sale prices, we relied upon a small amount of housing data, opinions from realtors and appraisers, and our expertise in measuring housing markets. See Section 5.3.1 for detailed data collection information.

#### 5.4.2 Rental Data Analysis

In almost all cases, we used the arithmetic average of rental units that matched our rental housing profiles to determine average rates. In rare instances when actual rental data were scarce, we also incorporated opinions from local real estate professionals regarding typical rental rates.

#### 5.4.3 Analysis of Housing-Related Expenses

Because Section 5.2.4 covers the identification and quantification of housing-related expenses, these topics are not duplicated here.

However, it should be noted that we incorporated the home sale prices from this study into the calculations of real estate taxes and homeowners insurance.

### 5.5 Housing Survey Results

In Section 3, we presented a detailed explanation of the economic model that we used to analyze the housing and housing-related price data.

Appendix 12 contains tables showing the results. Appendix 13 shows the detailed calculations of housing cost elements in each area. Note that for Puerto Ric., San Juan and Mayaguez data are combined using a 70%/30% ratio, as explained in Section 3.5.

## 6. Transportation

### 6.1 Component Overview

The transportation component consisted of expenses related to public and private transportation. The public transportation category focused on the use of vans, buses or trains by the local population. The private transportation category contained expenses related to owning and operating a vehicle in each area.

Using national average expenditure weightings, we combined the public and private transportation relative cost differences between each allowance area and the Washington, D.C. area to arrive at a total transportation component index.

Section 3.2 describes how the transportation component index for each location is combined with the goods and services, housing and miscellaneous expense indexes to arrive at the comparative cost index for each allowance area.

### 6.2 Transportation Model

#### 6.2.1 Expenditure Research

We used the 1988 CES to establish the relative importance of public versus private transportation expenses. National average expense data from the seven most appropriate income ranges were input into the linear regression analysis. The regression results for the three income levels of this study are listed below:

#### PUBLIC/PRIVATE TRANSPORTATION

	Income Levels:	Lower	Middle	Upper
Public Transportation		5.20%	5.68%	6.45%
Private Transportation		94.80	94.32	93.55
Totals:		100.00%	100.00%	100.00%

#### 6.2.2 Public Transportation Methodology

Our purpose for measuring public transportation costs was to identify and recognize any relatively low cost mass transportation alternative to private transportation in each area.

We conducted research into the availability of public transportation in each location. We found no viable public transportation in two locations: Guam and Maui County, Hawaii. In all other locations, we identified the most common type of public transportation (if more than one type was available) and calculated the cost for one typical one-way trip. The following is a listing of the type of public transportation that we costed:

## Public Transportation

Anchorage, AK	Bus
Fairbanks, AK	Bus
Juneau, AK	Bus
Guam	None available
City and County of Honolulu, HI	Bus
Hawaii County, HI	Bus
Kauai County, HI	Bus
Maui County, HI	None available
San Juan, Puerto Rico	Bus
Mayaguez, Puerto Rico	None Available
St. Croix, VI	Van
St. Thomas, VI	Bus
Washington, D.C. (Maryland area)	Subway
Washington, D.C. (Virginia area)	Subway
Washington, D.C. (D.C. proper)	Subway

For all allowance areas except Guam and Maui, the cost of public transportation was compared with the average cost of a comparable one-way trip in the Washington, D.C. area. The result of this calculation became the public transportation category index. For Guam and Maui, the public transportation category index was assigned the same index as the private transportation index.

### 6.2.3 Private Transportation Methodology

Although the total transportation component is income sensitive, the private transportation category within this component was not designed to be income sensitive. We determined that an accurate and reasonable approach to measure private transportation costs was to select and analyze three commonly-driven vehicles (a domestic auto, an import auto and a truck) in all areas. Then, the cost ratios between each allowance area and the Washington, D.C. area were averaged to become the private transportation component index.

Private transportation cost calculations were developed using new vehicles as a basis. Although we could have developed costs from the premise that "identical" used vehicles would be purchased from auto dealers in each location, we believed that costing new vehicles reduced the potential for inconsistencies due to value judgements concerning used vehicles.

#### 6.2.3.1 Vehicle Selections

As mentioned above, we selected a domestic auto, an import auto and a truck as the three basic vehicle types to be costed in all locations. Our selection of these vehicle types was made based on the popularity of these types of vehicles in the United States as reflected in owner registration data.

To identify a specific make and model within each vehicle type, we researched the top selling models in each car class. From the top selling models, we

selected the three vehicles below:

Domestic Vehicle - 1990 Ford Taurus L 4 door sedan 2.5L 4 cyl  
Truck - 1990 Chevrolet S10 Blazer 4X4 2 door 4.3L 6 cyl  
Import Vehicle - 1990 Honda Civic DX 4 door sedan 1.5L 4 cyl

- The 1990 Honda Civic was not available in Guam (because Honda's in Guam were shipped from Japan, and the Civic was not manufactured in Japan in 1990). However, we estimated annual costs for the Civic in Guam based on prices of other Honda models that were available.

All vehicles were equipped with standard options such as automatic transmission, AM/FM stereo radio and air conditioning. In addition, based on our research findings, we included engine block heaters and heavy duty batteries in Fairbanks.

Vehicle rustproofing was not recommended by car dealers in the Washington, D.C. area. However, it was suggested or recommended in allowance areas. Therefore, rustproofing was included as an add-on "option" in allowance areas, but not in the Washington, D.C. area.

#### 6.2.3.2 Vehicle Trade Cycle

When calculating the cost to own and operate a vehicle, two important factors must be determined: miles driven and time period of ownership. In the automobile industry, these two factors are known collectively as a vehicle's "trade cycle." The trade cycle is stated as a length of time either in months or years, and the total number of miles driven in that time period (e.g., four-year 60,000 mile trade cycle). This information is required to compute annual costs related to fuel, oil, tires, maintenance and depreciation.

In our study, we used a four-year 60,000 mile trade cycle in all areas after our research uncovered the following information:

- \* The Internal Revenue Service has for many years used this trade cycle to compute the allowable cents per mile reimbursement rate for persons who use their personal vehicle for business use.
- \* The four-year time period coincides with the typical length of a vehicle loan.
- \* From 1988 U.S. Department of Energy statistics, the U.S. average number of vehicle miles driven was: 18,595 miles per household, and 10,246 miles per vehicle.

Our biggest concern as we researched trade cycles was the possibility that one or more allowance areas averaged more miles driven per year than other locations (which would incrementally increase their cost of private transportation over other locations).

We found no conclusive statistics regarding average annual miles driven per vehicle in any allowance area. To obtain some type of information, we contacted car dealers to get their opinions regarding average odometer mileage on trade-in vehicles. We also informally asked other residents of each area for their opinions.

From the opinions we gathered, in most cases the average miles driven in allowance locations appeared to be less than or equal to 15,000 miles per year. In the Washington, D.C. area, opinions were generally at or above the 15,000 miles per year figure. Therefore, without definitive statistics to prove otherwise, we selected an annual miles driven of 15,000 miles in all locations, a four-year 60,000 mile trade cycle).

#### 6.2.3.3 Fuel Performance and Type

To establish average fuel performance ratings, we used the "city driving" figures as published by the Environmental Protection Agency (EPA). We used the "city" instead of "highway" figures because all locations contained considerable stop-and-go driving patterns.

With regard to variations in fuel performance due to climate, terrain or other factors, we found no current and applicable studies or other published documents. Therefore, we used the same fuel performance rating in all areas except Fairbanks. There, the opinions (although generally very qualitative) consistently pointed to reduced fuel performance due to extremely cold and long winters. To recognize Fairbanks' rather unique circumstances, we subjectively decreased the "city driving" EPA miles per gallon ratings for each vehicle by 10%.

All vehicles included in this study used regular unleaded fuel. We obtained self service cash prices, and substituted full service when self service was not available.

#### 6.2.3.4 Vehicle Maintenance

We selected the five most common maintenance service/repair jobs performed on vehicles as the basis for our vehicle maintenance analysis. The five maintenance jobs were: tune-up, oil change, automatic transmission fluid change, flush/fill coolant, and muffler installation. The recommended frequency of performing each of these jobs was combined with the prices charged by local dealers and service stations to compute an estimated annual

maintenance expense.

Based on manufacturers' recommendations, opinions by service managers and mechanics at car dealers and service stations, and our own expertise in this area, only Fairbanks qualified as a location that required significantly more frequent servicing than the other locations. Our analysis recognized - Fairbanks' additional maintenance requirements through more frequent servicing of certain maintenance jobs.

#### 6.2.3.5 Tires

We researched the possible reasons why tires might wear out sooner in one area over another. We contacted tire manufacturers, transportation agencies (road conditions and composition varied in different areas), and retail tire dealers. Our research showed that treadlife - the average number of miles that a tire is expected to last - was generally less in allowance areas than in the Washington, D.C. area due to a number of different reasons (e.g., road quality/state of repair, road composition). Based on these findings (some of which were quantitative), tire expenses were based on a 40,000 mile treadlife in allowance areas, and a 55,000 mile treadlife in the Washington, D.C. area.

#### 6.2.3.6 License and Registration Fees, and Miscellaneous Tax

We obtained information regarding appropriate license and registration fees, and miscellaneous taxes (e.g., personal property tax, excise tax) from each area. One-time fees and miscellaneous taxes (not including sales tax) were divided equally over the vehicle's four year trade cycle. Ongoing fees and taxes were included as part of the annual costs.

#### 6.2.3.7 Depreciation

From our experience, the single largest annual expense related to owning and operating newer vehicles is vehicle depreciation, the lost value of the vehicle as it ages and is driven. To calculate a vehicle's annual depreciation, we determine the price of the vehicle, the vehicle's trade cycle, and the residual value of the used vehicle when it is traded or sold. Then, we divide the difference between the purchase price and the residual value by the number of years the vehicle is owned to compute the average annual depreciation.

In the depreciation equation for this study, we first determined that suggested retail prices, plus any additional charges such as shipping, excise tax, dealer prep, and additional dealer markup would be used for the purchase prices. We did not feel that negotiated prices could have been collected on an equitable basis. Next, from Section 6.2.3.2, the trade cycle was determined to be four years, 60,000 miles. And finally, our research indicated that residual values were the same in all areas except Fairbanks. This research effort is explained

below.

We were aware that several firms and associations tracked and published used car and truck wholesale auction prices on a weekly or monthly basis. Some firms even published projections as to the future value of today's new vehicles. Most publications provided several residual values for each vehicle depending on its condition at the time of trade-in (e.g., clean, average, rough). Several common publications of this type were Black Book, Kelley Blue Book, Automotive Market Report, and NADA (National Automobile Dealers Association). Unfortunately, these sources only tracked auction prices for vehicles sold in the contiguous 48 states, and then published broad-based average residual values for each vehicle.

To get specific information from sources knowledgeable about the used vehicle markets in allowance areas, we contacted auto dealers and financial institutions in these areas. Most of the people we spoke with said that they used the above-mentioned publications as guides, just as dealers and financial institutions across the United States used them.

The only location in which we found evidence of lower used car and truck residual values was in Fairbanks. There, we were told, the severe climate and rough road conditions depreciated vehicles faster than in other areas. We agreed.

Except for Fairbanks, we found no conclusive evidence that used vehicles in allowance areas were (on average) worth more or less than used vehicles in the Washington, D.C. area. Therefore, we reported the same used vehicle prices in all areas (except Fairbanks). An appropriate and logical source for these values was the Black Book Official Finance/Lease Guide for 1990 vehicles. For Fairbanks, we used 90% of the Black Book projected residual values to reflect its rougher conditions.

It should be noted for clarification and information that identical residual values did not translate into identical depreciation amounts in all locations. Depreciation amounts were higher in allowance areas than in the Washington, D.C. area because new vehicle prices in all allowance areas were higher. For example, Anchorage new vehicle prices were the closest to Washington, D.C. prices, averaging 6% more, while Puerto Rico prices were the highest, averaging 39% more than Washington, D.C. prices.

#### 6.2.3.8 Finance Expense

We included the average annual cost of financing a vehicle in the total cost of private transportation. We surveyed financial institutions in each area for their auto loan interest rates. We used a 48 month loan length with 80% financing in all locations.

### 6.2.3.9 Vehicle Insurance

We measured the cost of auto insurance in each location. For compatibility, we selected a typical set of insurance coverage limits to be used in all locations. The limits obtained for Hawaii, Alaska and the Washington, D.C. area are listed below:

Bodily Injury	\$50,000/\$100,000
Property Damage	\$25,000
Medical	\$5,000
Uninsured Motorist	\$50,000/\$100,000
Comprehensive	\$100 Deductible
Collision	\$250 Deductible

In all other locations, actual coverage limits varied slightly from the ones listed above.

Through insurance industry statistics, we identified the most popular insurance companies in each area from which we obtained insurance premium rates.

## 6.3 Transportation Data Collection Procedures

### 6.3.1 Public Transportation Data

We obtained prices for the public transportation services identified in Section 6.2.2 by calling each company or agency that provided the service.

Appendix 14 is a copy of the public transportation data collection form.

### 6.3.2 Private Transportation Data

Most data for private transportation elements were collected by in-house researchers.

Our research associates in the field collected new vehicle prices. At each auto dealership in our sample, we recorded the suggested retail prices of our three vehicles plus any additional charges such as shipping, excise tax, dealer prep, and additional dealer markup. We used these suggested retail prices (and not negotiated prices) in our analysis.

Appendix 15 contains all of our private transportation data collection forms.

## 6.4 Transportation Survey Results

In Section 3 of this report, we presented a detailed explanation of the economic model that we used to analyze the public and private transportation price data.

Appendix 16 contains tables that show: 1) the correlation of the private transportation index

(based on the average of the cost ratios of the three annual vehicles), and 2) the three total transportation indexes which are a combination of the one public and three private transportation category indexes.

Appendix 17 shows the annual cost amounts for the elements that make up the private transportation category. Note that for Puerto Rico, San Juan and Mayaguez data are combined using a 70%/30% ratio, as explained in Section 3.5.

## 7. Miscellaneous Expenses

### 7.1 Component Overview

The miscellaneous expense component was made up primarily of four unrelated groups of expenses: professional services (e.g., legal, accounting, financial, funeral)- Part 1 methodology only, or medical care - Part 2 methodology only, contributions (including gifts to non-family members), personal insurance, savings and investments, and pensions (including social security).

We believed that certain expense items in this component should not be measured in such a way as to cause living cost differences between locations. For example, we considered contributions to be personal choice, and should be included in all locations as a constant amount. Through research into all of the expenses of this component, we learned that expenses related to personal insurance, savings and investments, and pensions should be held constant as well, as explained in greater detail in Section 7.2.2.

To measure the miscellaneous component expenses, we constructed a pricing methodology similar to the one used in the goods and services component. We selected representative items for professional services (Part 1) or medical care (Part 2), priced them in all areas, and then computed a miscellaneous component index based on the relative importance of costed items and items/categories held constant.

### 7.2 Miscellaneous Expense Model

#### 7.2.1 Expenditure Research

From the 1988 CES, we tabulated the miscellaneous expense data into logical expense groupings and then determined appropriate item weighting. The following is a list of the professional services that we selected to price and the weightings of all items:

#### PART 1 METHODOLOGY

<u>Miscellaneous expense items</u>	<u>Weighting</u>	
Legal Fees	11.2%	
Accounting Fees	4.3	
Contributions (including gifts)	18.9	(Held constant)
Personal insurance & Pensions	65.6	(Held constant)
Total:	100.0%	

#### PART 2 METHODOLOGY

<u>Miscellaneous expense categories</u>	<u>Lower</u>	<u>Middle</u>	<u>Upper</u>	
Medical Care	43.41%	31.56%	22.40%	
Contributions (including gifts)	12.38%	14.90%	16.85%	(Held constant)
Personal Insurance & Pensions	44.21%	53.54%	60.75%	(Held constant)
Totals:	100.0%	100.0%	100.0%	

## 7.2.2 Miscellaneous Expense Methodology

As we stated above, we used the Laspeyres indexing methodology to compute the miscellaneous expense component index. For groups of items held constant, the model assumed a price ratio between the allowance area and the Washington, D.C. area equal to 100.00%.

We defined "savings and investments" as the portion of a family's budget that was targeted for long-term financial security. Money stored in a savings or investment vehicle for future expenditures (of goods and services, housing, or transportation) was accounted for in the other component weightings. Based on this reasoning, within the miscellaneous expense component, we equated long-term savings and investments with money spent on pensions and other retirement vehicles.

In Section 7.1, we noted that expenses related to personal insurance were held constant for all locations. We came to this conclusion after contacting life insurance companies and OPM officials. The life insurance companies that we contacted, indicated that policies written (and premiums charged) to persons within the United States and its territories did not vary due to location. Our research and discussions with OPM officials also indicated that in general, federal employees in all areas received similar or identical benefits packages—any variations were due mainly to personal preference. Therefore, we believed that it was most appropriate to hold these types of expenses constant.

## 7.3 Miscellaneous Expense Data Collection Procedures

For legal and accounting fees (Part 1), we selected eight or more outlets to price (if available) to ensure that consistent price levels were established. Health care items (part 2), were surveyed consistent with the approach used in the goods & services component. For quality control purposes, we used our in-house research staff to conduct this survey.

Appendix 18 is a copy of our pricing form for legal and accounting fees. Health care item prices were gathered as part of goods & services (see Appendix 5 for pricing forms).

## 7.4 Miscellaneous Expense Survey Results

Appendix 19 contains the results of our data collection and index calculations. You will note that under both Part 1 and Part 2 methodologies, the large weighting for expense items held constant significantly dampens the effect of the cost differences in the costed items.

## 8. Final Results

### 8.1 Component and Total Comparative Cost Indexes and Amounts

The component weightings and indexes, and the total comparative cost indexes are shown on the next six pages. The first two (2) pages present the Part 1 aggregations based on local pricing only (the first of these pages), and then the adjusted calculations to include military exchanges and commissary prices. The next two pages show similar aggregations using the Part 2 methodology. The last two of these six pages present intermediate computations of the Part 2 component expenditure amounts. (The Part 1 methodology includes all intermediate computations on the two aforementioned pages.)

## TOTAL COMPARATIVE COST INDEXES (Part 1)

	INCOMES	INCOME WGHTS	CG&S	HSG	TRN	MISC	TOTAL
<i>Component Weights....</i>	LOWER		43.94	24.35	20.76	10.95	100.00
	MIDDLE		42.24	23.48	20.33	13.95	100.00
<b>LOCATION</b>	UPPER		40.63	22.66	19.94	16.77	100.00
<b>ANCHORAGE, AK</b>	LOWER	29.0	111.82	72.26	103.77	99.48	99.16
	MIDDLE	35.2	111.16	73.38	103.50	99.48	99.10
	UPPER	35.8	110.52	74.68	103.05	99.48	99.06
		100.0				<i>Composite....</i>	99.10
<b>FAIRBANKS, AK</b>	LOWER	35.1	113.13	82.16	114.29	97.21	104.09
	MIDDLE	39.8	112.62	80.51	114.12	97.21	103.24
	UPPER	25.1	112.08	77.83	113.87	97.21	102.18
		100.0				<i>Composite....</i>	103.27
<b>JUNEAU, AK</b>	LOWER	22.3	117.01	106.96	108.15	97.16	110.15
	MIDDLE	32.2	116.61	104.04	107.88	97.16	109.17
	UPPER	45.5	116.21	83.80	107.45	97.16	103.92
		100.0				<i>Composite....</i>	107.09
<b>GUAM</b>	LOWER	50.6	109.92	93.24	111.53	99.28	105.03
	MIDDLE	31.6	109.95	106.67	111.53	99.28	108.01
	UPPER	17.8	110.01	116.32	111.53	99.28	109.94
		100.0				<i>Composite....</i>	106.15
<b>HONOLULU, HI (CITY AND COUNTY)</b>	LOWER	38.6	112.25	138.20	121.77	99.08	119.10
	MIDDLE	32.7	111.32	158.30	121.33	99.08	122.68
	UPPER	28.7	110.38	140.42	120.61	99.08	117.33
		100.0				<i>Composite....</i>	119.76
<b>HAWAII COUNTY, HI</b>	LOWER	35.3	110.66	85.00	121.42	98.18	105.28
	MIDDLE	39.4	109.60	88.77	121.12	98.18	105.46
	UPPER	25.3	108.52	80.19	120.63	98.18	102.78
		100.0				<i>Composite....</i>	104.72
<b>KAUAI COUNTY, HI</b>	LOWER	23.4	113.85	130.41	117.34	99.13	117.00
	MIDDLE	44.5	112.75	134.23	117.02	99.13	116.76
	UPPER	32.1	111.62	121.28	116.51	99.13	112.69
		100.0				<i>Composite....</i>	115.51
<b>MAUI COUNTY, HI</b>	LOWER	21.0	117.80	128.33	127.32	100.48	120.44
	MIDDLE	41.9	116.84	132.41	127.32	100.48	120.34
	UPPER	37.1	115.84	119.62	127.32	100.48	116.41
		100.0				<i>Composite....</i>	118.90
<b>PUERTO RICO</b>	LOWER	42.1	95.98	100.90	129.47	94.15	103.93
	MIDDLE	38.0	95.68	91.14	128.89	94.15	101.15
	UPPER	19.9	95.38	84.55	127.95	94.15	99.21
		100.0				<i>Composite....</i>	101.93
<b>ST CROIX, VI</b>	LOWER	55.0	106.74	97.39	120.10	99.63	106.46
	MIDDLE	35.9	106.28	108.53	119.96	99.63	108.66
	UPPER	9.1	105.81	98.39	119.73	99.63	105.87
		100.0				<i>Composite....</i>	107.20
<b>ST THOMAS, VI</b>	LOWER	44.8	113.03	126.87	119.62	99.46	116.28
	MIDDLE	35.3	112.31	129.08	119.15	99.46	115.85
	UPPER	19.9	111.53	99.26	118.40	99.46	108.12
		100.0				<i>Composite....</i>	114.50

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## TOTAL COMPARATIVE COST INDEXES (Part 1 - Incorporating Military Prices)

	INCOMES	INCOME WGHTS	CG&S	HSG	TRN	MISC	TOTAL
<i>Component Weights...</i>	LOWER		43.94	24.35	20.76	10.95	100.00
	MIDDLE		42.24	23.48	20.33	13.95	100.00
<b>LOCATION</b>	UPPER		40.63	22.66	19.94	16.77	100.00
<b>ANCHORAGE, AK (MIL)</b>	LOWER	29.0	105.32	72.26	103.77	99.48	96.31
	MIDDLE	35.2	105.22	73.38	103.50	99.48	96.59
	UPPER	35.8	105.10	74.68	103.05	99.48	96.86
		100.0				<i>Composite...</i>	96.61
<b>FAIRBANKS, AK (MIL)</b>	LOWER	35.1	105.19	82.16	114.29	97.21	100.60
	MIDDLE	39.8	104.95	80.51	114.12	97.21	100.00
	UPPER	25.1	104.70	77.83	113.87	97.21	99.18
		100.0				<i>Composite...</i>	100.00
<b>GUAM (MIL)</b>	LOWER	50.6	96.15	93.24	111.53	99.28	98.98
	MIDDLE	31.6	96.33	106.67	111.53	99.28	102.26
	UPPER	17.8	96.53	116.32	111.53	99.28	104.47
		100.0				<i>Composite...</i>	100.99
<b>HONOLULU, HI (CITY AND COUNTY) (MIL)</b>	LOWER	38.6	99.72	138.20	121.77	99.08	113.60
	MIDDLE	32.7	99.07	158.30	121.33	99.08	117.50
	UPPER	28.7	98.42	140.42	120.61	99.08	112.47
		100.0				<i>Composite...</i>	114.55
<b>PUERTO RICO (MIL)</b>	LOWER	42.1	93.01	100.90	129.47	94.15	102.63
	MIDDLE	38.0	93.00	91.14	128.89	94.15	100.02
	UPPER	19.9	92.99	84.55	127.95	94.15	98.24
		100.0				<i>Composite...</i>	100.76

## TOTAL COMPARATIVE COST INDEXES (Part 2)

	INC	INCOME WGHTS	OWN	RENT	TOTAL	WDC	INDEX
LOCATION	LOWER	18000	37.10	62.90			
	MIDDLE	28400	46.91	53.09			
	UPPER	45200	62.86	37.14			
ANCHORAGE, AK	LOWER	29.0	17701	17930	17845	18000	
	MIDDLE	35.2	28133	28153	28144	28400	
	UPPER	35.8	44314	45552	44774	45200	
		100.0			31111	31398	99.09
FAIRBANKS, AK	LOWER	35.1	18635	18767	18718	18000	
	MIDDLE	39.8	29212	29402	29313	28400	
	UPPER	25.1	45330	47700	46210	45200	
		100.0			29835	28966	103.00
JUNEAU, AK	LOWER	22.3	19447	20135	19880	18000	
	MIDDLE	32.2	30024	31862	31000	28400	
	UPPER	45.5	46365	48058	46994	45200	
		100.0			35798	33725	106.15
GUAM	LOWER	50.6	19587	18498	18902	18000	
	MIDDLE	31.6	30153	31139	30676	28400	
	UPPER	17.8	50322	48642	49698	45200	
		100.0			28104	26128	107.56
HONOLULU, HI (CITY AND COUNTY)	LOWER	38.6	23490	20220	21433	18000	
	MIDDLE	32.7	38086	31973	34841	28400	
	UPPER	28.7	55456	48958	53043	45200	
		100.0			34889	29207	119.45
HAWAII COUNTY, HI	LOWER	35.3	18236	19351	18937	18000	
	MIDDLE	39.4	29142	30658	29947	28400	
	UPPER	25.3	46205	46933	46475	45200	
		100.0			30242	28979	104.36
KAUAI COUNTY, HI	LOWER	23.4	22063	20456	21052	18000	
	MIDDLE	44.5	34062	32359	33158	28400	
	UPPER	32.1	51757	49558	50940	45200	
		100.0			36033	31359	114.90
MAUI COUNTY, HI	LOWER	21.0	22731	21065	21683	18000	
	MIDDLE	41.9	35198	33274	34177	28400	
	UPPER	37.1	53651	50846	52609	45200	
		100.0			38392	32449	118.31
PUERTO RICO	LOWER	42.1	17768	19198	18667	18000	
	MIDDLE	38.0	27455	29825	28713	28400	
	UPPER	19.9	43777	46793	44897	45200	
		100.0			27704	27365	101.24
ST CROIX, VI	LOWER	55.0	19925	19295	19159	18000	
	MIDDLE	35.9	29328	32162	30861	28400	
	UPPER	9.1	47651	48211	47859	45200	
		100.0			25972	24209	107.28
ST THOMAS, VI	LOWER	44.8	20854	20968	20926	18000	
	MIDDLE	35.3	32016	33679	32899	28400	
	UPPER	19.9	48519	19460	48868	45200	
		100.0			30713	27084	113.40

## TOTAL COMPARATIVE COST INDEXES (Part 2 - Incorporating Military Prices)

	INC	INCOME WGHTS	OWN	RENT	TOTAL	WDC	INDEX
<b>LOCATION</b>	LOWER	18000	37.10	62.90			
	MIDDLE	28400	45.91	53.09			
	UPPER	45200	62.86	37.14			
<b>ANCHORAGE, AK (MIL)</b>	LOWER	29.0	17188	17417	17332	18000	
	MIDDLE	35.2	27419	27439	27430	28400	
	UPPER	35.8	43322	44560	43782	45200	
		100.0			30356	31398	96.68
<b>FAIRBANKS, AK (MIL)</b>	LOWER	35.1	18005	18137	18088	18000	
	MIDDLE	39.8	28291	28481	28392	28400	
	UPPER	25.1	43978	46346	44858	45200	
		100.0			28908	28966	99.80
<b>GUAM (MIL)</b>	LOWER	50.6	18496	17407	17811	18000	
	MIDDLE	31.6	28517	29503	29040	28400	
	UPPER	17.8	47846	46166	47222	45200	
		100.0			26595	26128	101.79
<b>HONOLULU, HI (CITY AND COUNTY) (MIL)</b>	LOWER	38.6	22499	19229	20442	18000	
	MIDDLE	32.7	36616	30503	33371	28400	
	UPPER	28.7	53258	46760	50845	45200	
		100.0			33395	29207	114.34
<b>PUERTO RICO (MIL)</b>	LOWER	42.1	17557	18987	18456	18000	
	MIDDLE	38.0	27169	29539	28427	28400	
	UPPER	19.9	43395	46411	44515	45200	
		100.0			27431	27365	100.24

# COMPONENT EXPENDITURE AMOUNTS

(Part 2)

		INDEXES					AMOUNTS				
	INCOMES	CG&S	OWN	RENT	TRN	MISC	CG&S	OWN	RENT	TRN	MISC
<i>Reference Wts/Amts.</i>	18000	39.59	24.35	24.35	20.76	15.30	7126	4383	4383	3737	2754
	28400	39.15	23.48	23.48	20.33	17.04	11119	6668	6668	5774	4839
<b>LOCATION</b>	45200	38.74	22.66	22.66	19.94	18.66	17510	10242	10242	9013	8434
<b>ANCHORAGE, AK</b>	LOWER	108.86	68.97	74.20	103.77	110.48	7757	3023	3252	3878	3043
	MIDDLE	108.53	73.22	73.51	103.50	107.62	12067	4882	4902	5976	5208
	UPPER	108.21	70.18	82.27	103.05	105.41	18948	7188	8426	9288	8890
<b>FAIRBANKS, AK</b>	LOWER	109.64	80.26	83.28	114.29	110.14	7813	3518	3650	4271	3033
	MIDDLE	109.35	79.01	81.85	114.12	107.37	12159	5268	5458	6589	5196
	UPPER	109.08	69.24	92.38	113.87	105.23	19100	7092	9462	10263	8875
<b>JUNEAU, AK</b>	LOWER	112.85	97.10	112.79	108.15	112.82	8042	4256	4944	4042	3107
	MIDDLE	112.81	89.41	116.97	107.88	109.32	12543	5962	7800	6229	5290
	UPPER	112.71	77.66	94.19	107.45	106.61	19736	7954	9647	9684	8991
<b>GUAM</b>	LOWER	110.15	108.87	84.02	111.53	101.59	7849	4772	3683	4168	2798
	MIDDLE	109.98	98.82	113.60	111.53	101.16	12229	6589	7575	6440	4895
	UPPER	109.82	122.42	106.01	111.53	100.82	19229	12538	10858	10052	8503
<b>HONOLULU, HI (CITY AND COUNTY)</b>	LOWER	112.46	185.12	110.52	121.77	102.07	8014	8114	4844	4551	2811
	MIDDLE	111.22	206.98	115.29	121.33	101.50	12367	13801	7688	7006	4912
	UPPER	110.02	163.99	100.55	120.61	101.07	19265	16796	10298	10871	8524
<b>HAWAII COUNTY, HI</b>	LOWER	109.73	69.00	94.44	121.42	103.70	7819	3024	4139	4537	2856
	MIDDLE	108.51	76.71	99.44	121.12	102.69	12065	5115	6631	6993	4969
	UPPER	107.34	77.55	84.66	120.63	101.91	18795	7943	8671	10872	8595
<b>KAUAI COUNTY, HI</b>	LOWER	113.92	153.47	116.81	117.34	102.86	8118	6727	5120	4385	2833
	MIDDLE	112.51	147.79	122.25	117.02	102.08	12510	9855	8152	6757	4940
	UPPER	111.13	129.25	107.78	116.51	101.48	19459	13238	11039	10501	8559
<b>MAUI COUNTY, HI</b>	LOWER	117.99	152.25	117.32	127.32	105.01	8408	6673	5007	4758	2892
	MIDDLE	116.75	147.72	117.32	127.32	103.65	12981	9850	7926	7351	5016
	UPPER	115.54	129.79	117.32	127.32	102.59	20231	13293	10488	11475	8652
<b>PUERTO RICO</b>	LOWER	96.82	80.37	113.00	129.77	91.06	6899	3523	4953	4838	2508
	MIDDLE	95.96	72.27	107.81	128.89	93.50	10670	4819	7189	7442	4524
	UPPER	95.15	73.61	103.06	127.95	95.39	16661	7539	10555	11532	8045
<b>ST CROIX, VI</b>	LOWER	108.68	92.13	100.49	120.10	96.53	7745	4038	4404	4488	2658
	MIDDLE	107.75	86.44	128.05	119.96	97.48	11981	5764	8538	6926	4717
	UPPER	106.84	96.36	101.83	119.73	98.21	18708	9869	10429	10791	8283
<b>ST THOMAS, VI</b>	LOWER	113.17	125.23	127.84	119.62	102.80	8064	5489	5603	4470	2831
	MIDDLE	112.19	115.84	140.78	119.15	102.04	12474	7724	9387	6880	4938
	UPPER	111.23	95.85	105.04	118.40	101.44	19476	9817	10758	10671	8555

## COMPONENT EXPENDITURE AMOUNTS (Part 2 - Incorporating Military Prices)

		INDEXES					AMOUNTS				
	INCOMES	CG&S	OWN	RENT	TRN	MISC	CG&S	OWN	RENT	TRN	MISC
<i>Reference Wts/Amts..</i>	18000	39.59	24.35	24.35	20.78	15.30	7126	4383	4383	3737	2754
	28400	39.15	23.48	23.48	20.31	17.04	11119	6668	6668	5774	4839
<b>LOCATION</b>	45200	38.74	22.66	22.66	19.94	18.66	17510	10242	10242	9013	8434
ANCHORAGE, AK (MIL)	LOWER	101.94	68.97	74.20	103.77	109.75	7264	3023	3252	3878	3023
	MIDDLE	102.34	73.22	73.51	103.50	107.09	11379	4882	4902	5976	5182
	UPPER	102.73	70.18	82.27	103.05	105.03	17988	7188	8426	9288	8858
FAIRBANKS, AK (MIL)	LOWER	100.90	80.26	83.28	114.29	109.88	7190	3518	3650	4271	3026
	MIDDLE	101.16	79.01	81.85	114.12	107.18	11248	5268	5458	6589	5186
	UPPER	101.42	69.24	92.38	113.87	105.10	17759	7092	9462	10263	8864
GUAM (MIL)	LOWER	94.82	108.87	84.02	111.53	101.65	6757	4772	3683	4168	2799
	MIDDLE	95.25	98.82	113.60	111.53	101.20	10591	6589	7575	6440	4897
	UPPER	95.66	122.42	106.01	111.53	100.85	16750	12538	10858	10052	8506
HONOLULU, HI (CITY AND COUNTY) (MIL)	LOWER	98.81	185.12	110.52	121.77	101.41	7041	8114	4844	4551	2793
	MIDDLE	98.21	206.98	115.29	121.33	101.03	10920	13801	7688	7006	4889
	UPPER	97.63	163.99	100.55	120.61	100.73	17095	16796	10298	10871	8496
PUERTO RICO (MIL)	LOWER	94.23	80.37	113.00	129.47	90.09	6715	3523	4953	4838	2481
	MIDDLE	93.69	72.27	107.81	128.89	92.80	10417	4819	7189	7442	4491
	UPPER	93.21	73.61	103.06	127.95	94.89	16321	7539	10555	11532	8003

## 8.2 Runzheimer Observations

The results of this study are not as surprising to us as they might be to parties not involved in the measurement of living costs on a day-to-day basis. Many of the allowance areas are very expensive as compared to "middle America." However, from our private sector studies we know that the Washington, D.C. area is also very expensive as compared to "middle America."

We have attempted to be as accurate and equitable as possible throughout this study. This penchant for accuracy and equitability can be seen in the editing procedures that are described in Section 3.4.

The knowledge that we have gained through this first pricing can only improve the quality and accuracy of future pricing updates. However, we do not believe that item or outlet improvements, or minor modifications to the basic methodology and data collection procedures will alone significantly alter the final comparative cost indexes.

## 8.3 General Comments

### 8.3.1 Goods and Services Improvements

We have observed that in three expense groups within goods and services, an expanded research effort could increase the precision of these subtotals. These groups are: 1) furniture and appliances (as part of the furnishings and household operations category), 2) the clothing category in general, and 3) several groups within the recreation category. Although expanding research in these areas would create the appearance of more accurate results, the improvements are not likely to measurably change the final results.

### 8.3.2 Housing - A Comment

- The single most important component within this study appears to be housing. In accordance with the federal regulations, we have incorporated costs based on both rental and homeowner profiles. Although there are problems inherent with developing costs based on homeownership in areas as dissimilar in housing construction as the allowance areas and the Washington, D.C. area, we believe that the current approach presents a reasonable comparison of living costs in each area.

### 8.3.3 Seasonality

We have also considered the impact of seasonal prices. In remote areas such as Fairbanks, for example, it is logical that price levels during winter months are higher than at other times of the year. We have not measured the effect of seasonality during this first study (nor did our contract include a specific study of seasonality).

#### 8.3.4 Part 1 and Part 2 Methodologies

As stated earlier in Section 2.1, the Part 1 methodology conforms in principle to the final rules published by OPM on January 16, 1990 in the Federal Register (55 FR 1370). However, it contains technical refinements and improvements not found in these regulations. Runzheimer recommends that the Part 1 methodology be incorporated into future analyses.

Queen Empire 21

study.  
Unfortunately, the study is wrong, and we have the bills to prove it. Living in Alaska is a lot of things, but it isn't cheap.

The study, by Runzheimer International, was commissioned by the federal Office of Personnel Management and found that Alaska's cost of living is now equal to that of Washington, D.C. Washington is the base for deciding COLAs, or cost-of-living adjustments, according to the Associated Press.

The study found that costs in Anchorage were lower than Washington for housing and some other major expenses. It found Fairbanks to be about 3 percent higher than Washington and Juneau about 7 percent more expensive on average.

An estimated 13,000 employees of the federal government work in Alaska, and some 9,000 receive the 25 percent COLAs.

Of course Washington is a spendy town. With all of the yuppies and bigwigs who populate it during the day, it could be expected that they'd drive up the price of BMWs and brie.

But it must be remembered that many Washingtonians cut their cost of living by living in Virginia and Maryland. Even with the cost of commuting, they can save a lot of money.

That can't be done in Alaska. It costs no less to live in Eagle River than in Anchorage, or in North Pole instead of Fairbanks or in Douglas instead of Juneau.

It is true the cost of living in many parts of Alaska has gone down markedly. Most food costs seem to be either equal to or only slightly higher than prices in many parts of the Lower 48.

But there are other areas that more than make up for those prices. Having just filled the tank of the car with \$1.78-a-gallon gas, it is difficult to imagine Washingtonians paying anywhere near that. In addition, when a Washingtonian goes on vacation, he or she can pile the family into the car and hit the road. Instead of piling into the family car, Alaskans in many parts of the state have to reach into their pockets to pay for ferry or airline tickets.

It is true that some federal workers get a return trip to their "homes" every three years, but the rest are faced with a choice of either never leaving Alaska to visit friends or family outside or paying dearly for it.

Then there are heating costs. Whether a person has oil, electric or another kind of heat, the bills are plenty high — higher, it might be assumed, than in Washington, where the high temperature was 70 on Tuesday. In Anchorage, the high was 11; in Fairbanks, the high was minus 14; and in Juneau the high was a balmy 39. If someone is trying to argue that heating a home when it's 70 out costs the same as heating it when it's zero, then they had better keep talking.

Alaska's congressional delegation is questioning the results of the survey, too. They say that if the COLA is dropped or substantially cut, they will try to boost the base pay for federal employees. Either way, the federal government has got to recognize that there is still a marked difference in the costs of living in Alaska and the Lower 48, even Washington, D.C.

It may no longer be 25 percent, but it's still plenty.

## ISSUE: COLA for federal workers in Alaska may be cut

cial change. The well-heralded  
flict between work and family.

How does a parent balance the demands of the workplace and the needs of children? How can an employer treat people as individuals — judge them, protect them on their own — and account for family needs?

This time, however, the "wor

## MY TURN

By KATIE HENDRICKSON

Since the moment on Jan. 16th when I heard the radio announcement — that an air attack commenced over the city of Baghdad — a growing feeling of "dis-ease" has seeped into my life. The discomfort I feel is not because I know as one personally involved in the Civil War. The safety of my family is yet at stake. The outward structure of my life has not changed. I work, I prepare meals for my family, I help my daughter with her homework, I visit friends, I enjoy quiet walks in the snow. Nothing has changed, and yet everything has changed.

As I go about the normal routine of my own life, I cannot help but think about the women and children of Iraq. On the news I hear that there is no electricity in Baghdad, no running water, no medicines, no gas for cooking, very little food. As the bombing continues, the suffering escalates. I can only imagine how fearful life must be for so many innocent children. Many are dying as a result of disease and malnutrition and injury. As a parent, I feel a oneness with all children, whether they be Iraqi, American or any other nation.

## LETTERS

### Legislator responds to 'My Turn'

Dear Editor:

I see you have given Donn Liston the opportunity to take his turn at bashing Governor Hickel on education (January 31 My Turn column).

You note that Mr. Liston is a former legislative aide who holds a master's degree in "Education Technology" (whatever that is). But you should also tell your readers that Mr. Liston is a minion of the NEA — he has been a hired gun of the teacher's union for years.

Mr. Liston's letter seems familiar to me. As I recall, he spewed the same sort of rhetoric against Governor Cowper, on a perennial basis. This is understandable, because as a corporate "spokesperson" for NEA, Mr. Liston is paid to push their agenda.

Let's put Donn Liston's ranting in its proper perspective, especially

## DOONESBURY

BY GARRY TRUDEAU



## Cuts...

Continued from Page 1

up their homes and would cause a "mass exodus" of federal workers from Alaska.

"These people still have to live," said Ray Schaerer, president of Local 1712 of the American Federation of Government Employees at Fort Richardson.

Janice LeChance, a spokesperson for the federation, said the union will fight any proposed cutbacks in federal pay.

Changes probably won't take place for at least a year

while officials review the study, according to a spokesman with the Office of Personnel Management.

Judy Hallanger, a labor economist with the state Department of Labor, said the loss of the COLA payments would have a significant impact on the state's economy.

Another survey is scheduled for February or March, and the January study may not have taken fuel costs into account during winter months, said an aide for Murkowski. Aides to Murkowski, Stevens and Young all said they were working to forestall such a cut.

# Will federal workers face COLA cuts?

## Study: Alaska cost of living equal to D.C.

### THE ASSOCIATED PRESS

**ANCHORAGE** - Many federal workers in Alaska could lose a 25 percent cost-of-living differential if cuts under consideration in Washington, D.C., are implemented.

A study commissioned by the federal Office of Personnel Management and completed last month says Alaska's cost of living is now equal to that of Washington, D.C. Washington is the base for deciding COLA's, or cost of living adjustments.

An estimated 13,000 employees of the federal government work in Alaska, and some 9,000 receive the COLAs, said Frances Smith, Anchorage area manager for the Office of Personnel Management.

Federal officials said they aren't planning to make any cuts immediately and the issue remains under study. Congressman Don Young, R-Alaska, said cuts in the COLAs would be "devastating" to federal workers in the state, and said he has asked the federal agency to retain the 25 percent COLA until the matter receives further study.

If the allowances are cut, Young said he and Alaska Sens. Ted Stevens and Frank Murkowski would push for increases in base pay for affected workers.

The COLA program has been challenged in court cases for years over low COLAs are calculated and at what rate. As a result of one lawsuit, the personnel office contracted with a Wisconsin-based firm to conduct an independent survey.

The study by Runzheimer International was completed in early January. It compared Alaska prices to Washington, D.C., prices for everything from food and utilities to babysitting and bowling.

The study found that costs in Anchorage were lower - in some cases substantially lower - than Washington for housing and some other major expenses. It found Fairbanks to be about 3 percent higher than Washington and Juneau about 7 percent more expensive on average.

As a result of those comparisons, the agency is considering drastic changes in the COLA system in Alaska - including eliminating COLA for federal workers in both Fairbanks and Anchorage, and dropping the COLA to 5 percent for workers in Juneau.

"D.C. is an expensive place to live," said Mark Phelps, a Runzheimer vice president and director of the COLA study. "If you go back in time, you'll find the allowances that are there now were set years and years ago."

Federal union leaders said that eliminating or sharply reducing the allowance would force some people to give

two men whose names over the years were synonymous with the sled dog races. Doc Lombard, the mushing Massachusetts veterinarian who seemed so at home in our winter wonderland, died four months ago. And Al Bramstedt, for many years the television voice and face of the Rondy races, died this week in Anchorage.

Rondy held a special place in their hearts, just as it does in all our hearts. In fact, it would be a good idea to dedicate this year's Rondy fun to their memory.

Let the Rendezvous begin.

## COLA CHALLENGE

### Federal pay equity

**U**NDERSTANDABLY, federal employees facing the prospect of a significant reduction in their pay are very worried. Family budgets that include everything from mortgage payments to college tuition are based on the expected take-home salary of a federal employee.

For almost half a century, the federal government has followed a policy of encouraging federal employment in Alaska by offering a cost of living allowance, similar to one for federal workers based in remote U.S. territories. The allowance for Alaska currently amounts to an additional 25 percent of base salary.

But now, according to an independent survey conducted for the Office of Personnel Management, there's no longer a difference in the cost of living between Alaska's major communities and Washington, D.C. — the base community upon which salary differentials are determined.

Under existing OPM regulations, the Alaska COLA may no longer be justified.

This is not the first time the system has faced challenge by the budget trimmers in Washington, D.C. In past years, proposed regulations or surveys aimed at reducing COLA were successfully challenged by federal employees, and COLA was continued.

**THIS TIME**, however, Alaska's inclusion in the COLA program may be in serious jeopardy. A hard review will be made of the comparisons used to determine that Alaska's costs are indeed lower or similar to Washington, D.C.

Barring a successful challenge to the survey, a delay will be sought. OPM has some leeway and the Alaska congressional delegation is working with the agency to encourage a delay for implementing COLA reductions or elimination.

Employee representatives and the congressional delegation are also exploring alternative options for boosting federal base salaries, if in fact COLA is eliminated.

We support these initiatives to minimize the impact on federal employees in the state.

people who created almost 2 million new jobs of the 1980s.

Here's my problem. I don't want to believe Wanniski's premise that my fellow Americans should be willing to sacrifice those 20 million jobs to keep the Michael Milkens of the world in line.

There is virtually no argument that a cut in the capital gains tax would stimulate economic activity and raise capital values. Whatever you own, whether it's a house, pension plan, bonds, or stock certificates, a capital gains tax cut will raise their value. You

to liberal gains tax is benefit excess. What's at which black nesses, for a risky underting custome you be more taking if the tax on it? V place risky bond" intere

## War on tobacco gains

**WASHINGTON** — Death was much on American minds when the Gulf War produced the first 11 deaths from ground combat. How many Americans noticed the reports from the federal Centers for Disease Control that 434,000 deaths in 1988 were the result of tobacco?

Most of these deaths — up 11 percent over 1985 — were from self-inflicted wounds, inflicted over 10, 20 or more years, the time it usually takes for smoking to result in cancer. But for some thousands of adults and children death came from the secondhand smoke of others, and because women smoked during pregnancy, and parents smoked around their infants. (Secondhand smoke increases the risk of sudden infant death syndrome.)

Fathers who smoke increase the risk that their children will have brain cancer or leukemia, which suggests that smoking can damage sperm. Recent research also suggests that smoking accelerates development of AIDS in infected people, and that there is a dangerous synergism between depression and nicotine addiction.

Most of those 1988 tobacco fatalities resulted from addictions acquired before or not long after the 1964 Surgeon General's report insisting on the connection between smoking and cancer. Today, grimly realistic social



George F. V

policy counts on the predictable casualties behavior: The Social system counts on m smokers dying before many, if any, benefits.

Today's tobacco-related rates reflect a la a generation in changior. Today's many changing policies consionable attempts to deconundrum of a legally dised product that is harmful. Consider the-

Eight California ch and some tobacco mers have paid a \$750,0 not warning customer: nia law requires "cleasonable warning") t and pipe tobacco cancer and birth defects.



Jason Malchie of Milwaukee puts finishing touches on a snow sculpture of a hawk and an eagle fighting Wednesday at the GCI "Frozen Illusions" Snow Sculpture Competition at Benson Boulevard and Denali Street. Jason and his father, Don Malchie, won the national snow sculpture competition in Wisconsin last year. They were invited

to Anchorage to build an exhibition sculpture for the 1991 Anchorage Fur Rendezvous. The two-week festival, featuring more than 140 competitions, performances, exhibits and sporting events, begins Friday and runs through Feb. 17. To find out what's happening at Rony, see The Times' guide, Section C.

Times photo by AL GRILLO

Hickel, director of the state Division of Wildlife Conservation.

Hickel rejected the boards' picks. He instead appointed Ron Somerville as deputy commissioner and asked the boards to endorse him for the depart-

# Governor says whirlwind capital trip 'we

By JAY CROFT  
and DAVID FUTCH

TIMES WRITERS

Gov. Walter J. Hickel made it home the long way Wednesday evening, more than 24 hours after he left Washington, D.C.,

thanks to a Juneau-area snowstorm.

Hickel had little to say after returning from the five-day trip to the nation's capital, which included attending a governors' conference and speaking to the National Press Club.

"It went well," Hickel said, hurrying through Anchorage International Airport from Concourse B to a limousine waiting outside after he arrived about 5 p.m. He was joined by his wife, Ermalee, a couple of staff members and security guards.

Hickel from the Interior Environ cuss la

GOOD MORNING



Daylight — 8 hrs. 19 min.  
Sunrise — 9:05 a.m.  
Sunset — 5:24 p.m.  
Light gain — 5 min. 28 sec.

## BUSINESS

Wall Street creates its own momentum, jumping more than 40 points Wednesday for the highest close in months. Analysts are baffled, as bad news pours out of the nation's boardrooms and unemployment offices. **F1**

## SPORTS

New England Patriots' Victor Kiam takes it back again, this time for a lewd joke about reporter Lisa Olson. **E1**

## INDEX

Business	F1	Movies	G3
Classified	D1	Obituaries	B2
Comics	G6	Outdoors	E6
Crossword	G6	Scorecard	E4
Dear Abby	G2	Sports	E1
Editorials	B4	Stocks	F2
Metrol	B1	TV	O5

# Federal workers' pay study challenged

By DANIEL R. SADDLER

TIMES WRITER

Questions concerning the validity of a study comparing living expenses in Anchorage with those in Washington, D.C., may delay cuts in the cost-of-living pay bonus for federal employees here until a new study is done, congressional sources said Wednesday.

Federal workers in Alaska receive an extra 25 percent in cost-of-living adjustment, or COLA, pay to cover the difference in living expenses between the state and Washington, D.C.

Federal workers in Hawaii, Guam, Puerto Rico, and the Virgin Islands also enjoy the benefit, which started in the late 1940s to attract and keep workers in far-flung places.

About 9,000 of Alaska's 13,000 federal workers receive the COLA benefit. But it was unclear whether the COLA benefits received by uniformed military personnel would be affected by such cuts. Blue collar workers do not receive the benefit.

COLA levels have been frozen since 1984 by lawsuits, and the latest study was the first since 1980, said Frances Smith, area manager of the Office of Personnel Management in Anchorage.

But a study by a national economic survey group released in January showed living costs in Anchorage, up to 25 percent higher than in Washington D.C., in the last decade, are now 1 percent less.

The study, performed in August and September of 1990, showed expenses in Juneau were

about 7 percent higher, and about 3 percent higher in Fairbanks. Sources in Alaska's congressional delegation said Constance Newman, director of the Office of Personnel Management, has been working with the federal Office of Management and Budget to win a year's extension and a new survey to reflect more accurately the cost of winter living in Alaska. The new survey may be conducted in March, the congressional delegation said.

"(The existing study) may not have shown an accurate reading as to how much people actually pay for fuel and food and other necessities of life," said Jess Smith, a staffer for Rep. Don Young, R-Alaska. Young is on the House committee dealing with civil service pay.

See COLA, back page



## Economic con

The nation's recession will be "said in a speech to the Economic Commission, Richard Voell, right, chairman of as he arrives at the dinner before t

...TIVELY BY HUNDREDS OF  
ids also played a part.  
ews Network beamed  
ideas and values as well  
ews into homes in the re-

watch that stuff and  
while you can't help  
like an American," one  
ent official said. "It's  
is in this society."

November, 50 women  
cars around the Saudi

FROM KUWAIT AND THE U.S. MILITARY  
with sparking their protest.

In the following days, Saudi  
Arabia and Oman announced  
their governments would form  
consultative councils, or shuras  
— a small step, perhaps, away  
from absolute monarchy.

Western diplomats say the  
United States had a hand in the  
Saudi move.

"If we don't push for change,  
people at home will ask: 'Why  
are we sending our boys to these

support a return to the country's  
parliament, dissolved in 1975.

Even tiny Qatar, with a popu-  
lation of 370,000, overhauled its  
advisory council on Dec. 4.

Most recently, a shaky cease-  
fire between Kuwait's ruling  
family and pro-democracy activ-  
ists appeared to be near collapse.

After Iraq's Aug. 2 invasion,  
the two sides agreed to shelve  
their disagreements to free Ku-  
wait. Opposition members now

allege the ruling family has re-

Alimed al-Radi, an opposition  
leader and former member of  
parliament. "They don't realize  
our people have changed. This  
war is changing everything."

The decision by Kuwaiti lead-  
ers to cast their lot with the West  
following Iraq's invasion put con-  
servative Islamic traditions on a  
collision course with Western  
democratic beliefs.

Oil is another important cata-  
lyst.

Prices rose during the allied

men budgets this year because  
of economic worries.

Diplomats and economists  
predict that for the first time  
since the 1950s Saudi Arabia will  
have to borrow money on the in-  
ternational market.

When asked whether he  
feared the specter of unem-  
ployed, educated youth hanging  
out on street corners, Bahrain's  
minister of industry, Yusuf  
Shirawi said: "Absolutely."

or speech. Was it re-  
here...?"

Jim Roberts, Hickel's  
chief of staff who trav-  
eled with him to Washington, ar-  
rived in Anchorage earlier Wed-  
nesday. He said Hickel's speech  
was similar to one Hickel gave in  
Washington to the National Press  
Club in Anchorage, when he pre-

Commonwealth North  
Alaska had as  
coverable oil as Saudi

didn't pay attention to  
reports said about the first  
"These issues had been  
any years ago."

He didn't remember that,"  
said. "I think there's a  
tendency of wanting to coop-  
erate with there."

He would not discuss a  
legislator's bill that would  
change the condition that  
federal governments  
split oil development  
with Alaska. Hickel favors a royalty  
of 90 percent for Alaska.

He got some other thoughts  
and I've talked about  
Hickel said, settling into  
seat of his limousine as  
entered on the other

The Hickels' long trip home  
began Tuesday around 4 p.m.  
AST when they left the nation's  
capital. They spent Tuesday  
night at a Seattle hotel near the  
airport, then tried to catch the  
first Wednesday morning flight  
to Juneau, where they were  
scheduled to land about 9:35 a.m.  
Wednesday.

But it was not that easy.

Juneau was under siege of a  
snowstorm that kept most planes  
away, including the governor's.  
The Hickels finally made it to  
Anchorage at the end of the day.

Hickel's secretary in Anchorage  
said the governor would be in  
the office this morning and possi-  
bly try to get to Juneau again  
today.

"We're just waiting till tomor-  
row morning to meet with him,"  
Yvonne Lindblom said. "We're  
expecting him in the office first  
thing. Everything is just pend-  
ing."

Hickel said Wednesday night  
he plans to attend a funeral ser-  
vice at 2 p.m. today for Alaska  
broadcasting pioneer Al Bram-  
stedt and then return Friday to  
Juneau.

## Rosier

Continued from page A1

Boards director. Gamble said  
Hickel wanted to appoint a com-  
missioner before that time.

"He wanted the appointment  
from the fish and game board  
when he met with them a couple  
weeks ago," Gamble said. "He  
wants a commissioner to get on  
with the business of fish and  
game."

Anchorage Superior Court  
Judge Karl Johnstone also is

back in the running for the com-  
missioner's seat. Johnstone was  
one of three names submitted by  
Hickel to the board for consider-  
ation, but the judge withdrew his  
name before being interviewed.  
He since has changed his mind.

Jones said all candidates who  
originally applied for the post are  
being reconsidered. That in-  
cludes another Hickel recom-  
mendation, Nikiski attorney and  
commercial fisherman Tucker S.  
Thompson, and joint boards'  
nominee Pamplin.

Jones said three new candi-  
dates have applied for the job.  
They are:

• Francis Williamson of Fair-

banks, the director of the Insti-  
tute of Arctic Biology at the Uni-  
versity of Alaska-Fairbanks, a  
chief scientist for polar pro-  
grams in the National Science  
Foundation in Washington, D.C.,  
and a former commissioner of  
Health and Social Services in  
1978.

• Allan Adasiak of Anchorage,  
former state Commercial Fish-  
eries Entry Commission chair-  
man and an investigator for the  
Alaska Oil Spill Commission.

• Gary Gibson of Fairbanks, a  
carpenter and former state em-  
ployee.

Jones said the application  
deadline ends Feb. 15.

## COLA

Continued from page A1

"We are encouraging OPM to  
go back in because there's some  
question if the original survey  
fully recorded the costs-of-living  
in Alaska in the wintertime,"  
said Bill Woolf, communications  
director for Sen. Frank Murkow-

ski, R-Alaska.

"Before they get too far down  
the road making decisions based  
on inaccurate information, the  
first thing to do is to get them the  
right information," Woolf said.

OPM is still reviewing its  
study, and is not sure if or when  
the cuts will be implemented,  
said Mike Ornstein, an agency  
spokesman in Washington, D.C.  
But other sources said the office  
doubted the accuracy of the

study's results.

"I just don't think OPM is  
going to impose such a study that  
would hurt federal employees,"  
Smith said. "They know better  
than anyone else how important  
this COLA is"

There are several options  
under consideration, such as in-  
cluding Alaska in a new federal  
program to pay its workers ac-  
cording to local prevailing  
wages.

of lifting other arbitrary federal policies that hurt Alaska financially. Examples include the ban on exporting North Slope oil, or the Jones Act, which drives up the cost of Alaska trade with the Lower 48.

Most Alaskans are understandably eager to find out whether another oil bonanza lies beneath ANWR. But let's not be so eager that we sign away Alaska's rightful share of whatever's there.

## COLA shock

### *Any pay cuts should be phased in*

The federal government is making noises about cutting the 25 percent cost-of-living allowance it pays civilian workers in Alaska's three largest cities. Based strictly on cost-of-living numbers, the cut has a cold logic that would appeal to accountants. But the case built by cost statistics doesn't account for the financial suffering the change would inflict.

On the number side, it's clear the rationale for Anchorage's federal cost-of-living differential, or COLA, is evaporating. Compared to past decades, Anchorage's costs are now more in line with the Lower 48. A new federal pay study has found Anchorage is no longer any more expensive than Washington, D.C. The nation's capital isn't exactly cheap, but it's the benchmark used for setting federal pay rates. The study may not be perfect, but it's not likely to be far off the mark.

On the people side are all the federal employees, some 10,000 statewide, who count on paychecks with the COLA included. They took out mortgages and built family budgets on the expectation the allowance would continue. The COLA got its start more than 40 years ago; federal workers have little reason to view the added pay as something that might be yanked away.

The COLA is tax-free, so ending the 25 percent allowance produces about a 35 percent cut, after taxes. Inflicting such huge losses on so many people would likely set off a wave of personal bankruptcies and foreclosures.

The federal government has a legitimate interest in cutting cost-of-living allowances that aren't justified by cost-of-living differences. Alaska's federal workers have a legitimate worry about falling into economic havoc.

But when the federal government looks at the COLA, it's only looking at one part of the pay picture. Its pay rates need to be competitive enough within Alaska to recruit and retain a high-quality work force.

If the COLA comes down, base pay may have to go up to keep federal salaries competitive with other jobs in the local economy. If overall reductions are indicated, they should be phased in slowly to minimize the economic disruption.

Two years ago the world seemed balanced on the

## Sacrifices r

WASHINGTON — David Sewell of Cleveland, Tenn., was interviewed the other night on National Public Radio about his hobby — passing on computer messages to the troops in Saudi Arabia. But nothing about that really caught my interest. Instead, it was something he said about his son, a soldier in the gulf. His boy was fulfilling a moral obligation.

"Moral" is my word. Sewell never mentioned it. He was asked, though, what he thought of the war now that his son was in it. This is what he said: "I know that my son is in harm's way, but I feel that we have an obligation to other countries."

Now you may think the United States is not doing the right thing in the gulf and that Sewell and countless others have bought a load of hokey from President Bush. I disagree — but no matter. What's striking about Sewell's statement is that he not once mentioned oil nor anything else suggesting self-interest — not even an echo of the hawk's argument during Vietnam that if America did not make a stand in Southeast Asia, it would have to do so in San Francisco. Instead, his remarks suggested altruism.

I suppose an argument could be made that such altruism can be dangerous — that it is akin to a moral arrogance which, occasionally, creeps into President Bush's statements ("... the U.S. has a new credibility and that what we say goes," he said Feb. 1). But when Sewell, or the millions of other Americans who the polls tell us feel the same way, speaks, "arrogance" is not the word that comes to mind. Instead, I contrasted both his words and his tone with the evident apathy or, if you will, amorality, of some foreign voices.

Japan, for instance, seems genuinely befuddled by the

Anchorage Times  
April 11



# House State Affairs Committee

## Representative Gene Kubina, Chair

**DATE:** Mar. 11, 1991

**PLACE:** Capitol, Room 10

**SUBJECT OF MEETING:**  
 \*HB 47 - Relating to PERS Benefits for Youth Center Employees  
 \*HJR 22 - Relating to Opposing Reduction of Federal COLA  
 SB 32 - Relating to PERS Benefits for Youth Center Employees  
 SJR 15 - Relating to Opposing Fed. COLA

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?	WHAT SUBJECT/ WHICH BILL?
GREG ROTH	AK JUN. CORR. OFFICERS ASSN	3252 HOSPITAL DR JUNO	99801		586-9433	(Y) N	HB 47 - SB 32
GARY BADER	Dept of ADMIRAL	RETIREMENT & BENEFITS POUCH C JUNEAU, 99911	99811	<del>XXXX</del>	X4460	(Y) N	11
TOM BERGSTRAM	DHSS	Box H, JUNEAU, 99811	99811	<del>32</del>	3030	(Y) N	HB 47 - SB 32
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	
						Y N	



# House State Affairs Committee

## Representative Gene Kubina, Chair

**DATE:** Mar. 11, 1991

**PLACE:** Capitol, Room 102

**SUBJECT OF MEETING:**  
 SB 24 - Relating to Approp: Longevity Bonus Program  
 HB 67 - Relating to the Impoundment of Mistreated Animals

NAME	REPRESENTING	BUSINESS/PERSONAL MAILING ADDRESS	ZIP	(H) PHONE	(W) PHONE	DO YOU WANT TO TESTIFY?		WHAT SUBJECT/ WHICH BILL?
Kathy Hathaway	Sen. Yettula					<input checked="" type="radio"/>	<input type="radio"/>	SB 24
Ronald G. Clarke	Rep Koponen				499Z	<input checked="" type="radio"/>	<input type="radio"/>	HB 67
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	
						<input type="radio"/>	<input type="radio"/>	

HJR

23

# Alaska State Legislature

REPRESENTATIVE  
**RICHARD FOSTER**  
BOX 102B  
NOME, ALASKA 99782

PO BOX V  
JUNEAU, AK 99811

(907) 465-3789



## House of Representatives

26 February 1991

Representative Gene Kubina  
Chair, House Committee on State Affairs  
Room 102  
Juneau, AK. 99811


RE: Request for Calendar HJR 23.

Greetings Rep. Kubina:

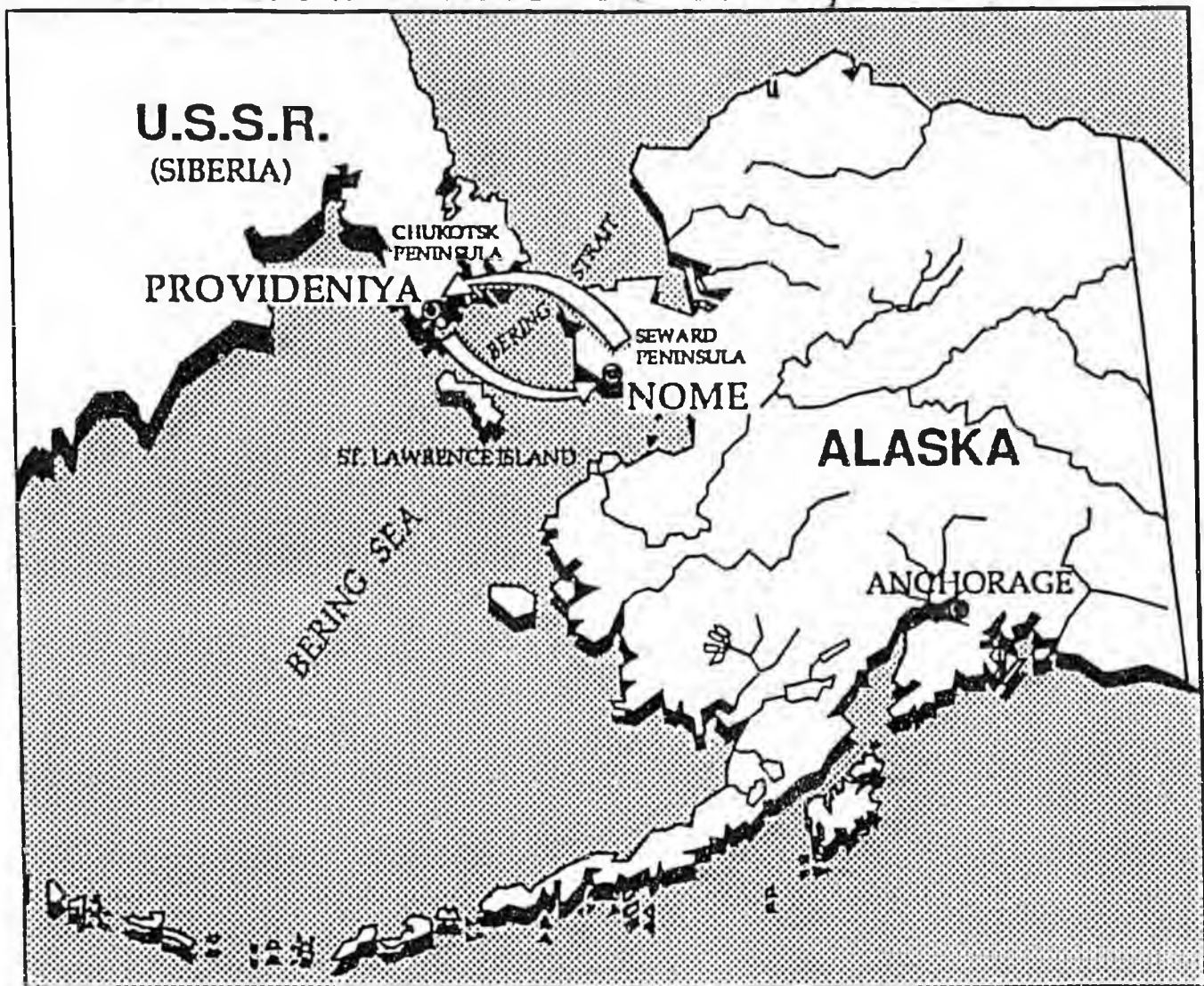
Please accept this request for scheduling HJR 23 before your committee as soon as possible. Your consideration is appreciated.

Also, upon scheduling, please consider adding Gambell on teleconference as the Mayor and two of the City Council members wish to testify and were unable due to poor reception when the Resolution was before the Committee on International Trade & Tourism.

If you have questions, please contact John Walsh on my staff at 465-3789.

  
Rep. Richard Foster

# NOME AND PROVIDENIYA, SIBERIA



## REFERENCE :

AREA INFORMATION  
AND MAP

### NOME:

Population: 3700  
To Provideniya: 220mi  
To St. Lawrence: 200mi  
To Anchorage: 550mi

### PROVIDENIYA

Population: 4500  
To Nome: 220mi  
To St. Lawrence: 40mi

### ST. LAWRENCE ISLAND:

Population: 1000  
To Nome: 200mi  
To Provideniya: 40mi

FIGURE II-1: THE SOVIET FAR EAST



Russian terms for administrative divisions have been translated as follows:

- Territory
- Province
- District

**THE SOVIET FAR EAST AND ALASKA**



**THE SOVIET UNION**



# HOUSE COMMITTEE REPORT

(7)

Date Referred: February 27, 1991

FURTHER REFERRALS:

Date of Committee Action: 3-6-91

The STATE AFFAIRS Committee considered:

HJR 23

HOUSE JOINT RESOLUTION NO. 23

GAMBELL/SISTER CITY NUVOYE CHAPLINO USSR

Encouraging Gambell, Alaska, and Nuvoye Chaplino, U.S.S.R., to be sister cities.

**RECOMMENDATIONS:**

be replaced with \_\_\_\_\_  the same title

have attached amendments(s)  a new title

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) \_\_\_\_\_

APPROVES PREVIOUS: (Dept/Date) \_\_\_\_\_

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note \_\_\_\_\_

zero fiscal note(s) Int'l Trade 2-25-91

SIGNING <u>DO</u> PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Gene Kubina</i>					
<i>Tombauer</i>	✓				
<i>E. Bruce Leonard</i>	✓				
<i>Jim Walker</i>	✓				
<i>Mike Miller</i>	✓				
<i>David ...</i>					
<i>J. ...</i>	✓				

*Gene Kubina*  
CHAIRMAN'S SIGNATURE

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HJR 23

Revision Date: \_\_\_\_\_ Department Affected: Commerce & Economic Dev.  
Title: Encouraging Gambell, AK and BRU: International Trade  
Novoye Chaplino, USSR to be sister cities Component: \_\_\_\_\_

Sponsor: Foster

Requestor: House Special Committee on COMPONENT SERIAL NO. 

--	--	--	--

International Trade & Tourism

Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
---------	---	---	---	---	---	---

REVENUE	0	0	0	0	0	0
---------	---	---	---	---	---	---

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: GINNA BRELSFORD, Trade Specialist Phone: 561-2060

Division: International Trade Date: 2/25/91

Approved by Commissioner: Glenn A. Olds *[Signature]* Spec. Asst. TT

Agency: Department of Commerce & Economic Development Date: 2/25/91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

GAMBELL COMMON COUNCIL

RESOLUTION 90- 1

A RESOLUTION REQUESTING THE STATE OF ALASKA TO ACCEPT OUR FOLLOWING REQUEST TO BECOME SISTER-CITIES WITH NUVOYE CHAPLINO U.S.S.R.

WHEREAS: the people of Nuvoye Chaplino, from Chukotsky Autonomous District U.S.S.R., has requested that the cities of Gambell, Alaska U.S.A. and Nuvoye Chaplino, U.S.S.R. become officially Sister-Cities, and


WHEREAS: the residence of both cities speak the same language, which is Siberian Yupik and live a subsistence way of life; and

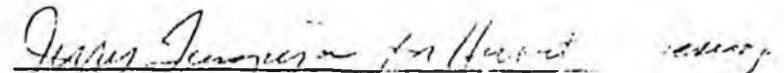
WHEREAS: both cities place great emphasis on traditional Native Values, including honoring and learning from their elders; and

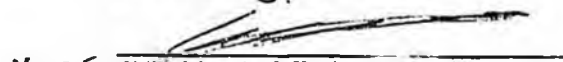
WHEREAS: becoming sister-cities would help re-establish our communication and trades; and

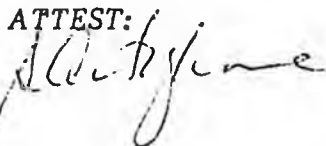
NOW, THEREFORE BE IT RESOLVED THAT, the State of Alaska support and encourage the requests made by the Cities of Gambell, Alaska U.S.A. and Nuvoye U.S.S.R. to become Sister-Cities.

in witness thereto:

  
\_\_\_\_\_  
Mayor, City of Gambell

  
\_\_\_\_\_  
President; Siyuqat, Inc. Corporation  
Secretary/Treasurer

  
\_\_\_\_\_  
VICE President; I.R.A. Council  
WADE OKHTOKIYUK

ATTEST:  


## Novoye Chaplino Village Council of People's Deputies

### EXECUTIVE COMMITTEE

August 8th, 1990

We, the people of Novoye Chaplino, from the Chukotsky Autonomous District, address ourselves to our relatives - the inhabitants of Gambell, Alaska, USA, with a proposal to declare our villages sister-cities.

For 40 years, we have had no possibility to have relations, the family links were broken.

For two years now, the family and cultural bonds have been renewed and we hope that they will get stronger and in the future develop into reciprocal beneficial economical contacts.

We believe that citizen's diplomacy is the best means of keeping and reinforcing peace between our countries, and that it will build a bridge of hope over the Bering Strait.

By appointment of the inhabitants of Novoye Chaplino  
The President of the Elders' Council

Signed : V.I. Nanok



Новочаплинский сельский Совет народных депутатов  
ИСПОЛНИТЕЛЬНЫЙ КОМИТЕТ

686912, Магаданская область, Провиденский район, с. Н. Чаплино телеграф Новое Чаплино Магаданской области  
Провиденского сельсовета Тел. 2-72-73 и 2-72-30 Счет № 1113017 в Провиденском отделении

От 08.08.1990 № \_\_\_\_\_

На № \_\_\_\_\_ от \_\_\_\_\_

Мы, жители с. Новое Чаплино Чукотского автономного округа СССР, обращаемся к нашим сородичам - жителям с. Болл, штат США с предложением объявить наши села братскими.

40 лет мы не имели возможности общаться между собой, родственные отношения были прерваны.

Уже два года как возобновились родственные и дружеские связи и мы надеемся, что они укрепятся и в дальнейшем перерастут во взаимовыгодные экономические контакты.

Мы считаем, что народная дипломатия является наилучшим средством для сохранения и укрепления мира между народами, поскольку она является надежным мостом через Берлингов пролив.

По поручению жителей села Новое Чаплино  
председатель Совета старейшин \_\_\_\_\_



HJR

27

# HOUSE COMMITTEE REPORT

(7)

Date Referred: February 27, 1991

FURTHER REFERRALS:

HES

Date of Committee Action: 3-20-91

The STATE AFFAIRS Committee considered:

HJR 27

HOUSE JOINT RESOLUTION NO. 27

SUPPORT FED ACT ON VIOLENCE AGAINST WOMEN

Relating to S.15, a federal bill against violence to women.

**RECOMMENDATIONS:**

the same title

be replaced with \_\_\_\_\_  a new title

have attached amendments(s)

do pass

do not pass

no recommendations

individual recommendations

additional referral to the \_\_\_\_\_ Committee

ADOPTS: \_\_\_\_\_ letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Date)

fiscal impact \_\_\_\_\_

fiscal note(s) \_\_\_\_\_

zero fiscal note H. State Affairs

zero fiscal note(s) \_\_\_\_\_

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	DNP	NR	AM
<i>Gene Kubera</i>					
<i>AT on Meyer</i>	<input checked="" type="checkbox"/>				
<i>David (Ackley)</i>					
<i>E. Buchanan</i>	<input checked="" type="checkbox"/>				
<i>John W. Baker</i>	<input checked="" type="checkbox"/>				

*Gene Kubera*  
CHAIRMAN'S SIGNATURE

TEN FACTS ABOUT  
VIOLENCE AGAINST WOMEN

- o The most serious crimes against women are rising at a significantly faster rate than total crime: during the past 10 years, rape rates have risen nearly 4 times as fast as the total crime rate.
- o Every hour, 16 women confront rapists; a woman is raped every 6 minutes.
- o Every 18 seconds, a woman is beaten; 3-4 million women are battered each year.
- o Since 1974, the rate of assaults against young women (20-24) has jumped almost 50 percent. For young men, it has decreased.
- o Three out of four women will be victims of at least one violent crime during their lifetimes.
- o A woman is 10 times more likely to be raped than to die in a car crash.
- o Only 50 percent of rapes are ever reported; of those reported, less than 40 percent result in arrests.
- o One third of all domestic violence cases, if reported, would be charged as felony rape or felonious assault.
- o Each year, more than one million women seek medical assistance for injuries caused by battering.
- o The crime rate against women in the United States is significantly higher than in other countries — the United States has a rape rate which is 13 times higher than England's, nearly 4 times higher than Germany's, and more than 20 times higher than Japan's.

6/18/90

## TEN FACTS ABOUT VIOLENCE AGAINST WOMEN

- Of the American women alive today, 25 million either have been, or will be, raped at least once during their lives.
- Last year, the number of women abused by their husbands was greater than the number of women who got married.
- In 1950, police caught 83% of all rapists; in 1988, police caught only 53% of them.
- Nearly 50% of abusive husbands batter their wives when they are pregnant, making them 4 times more likely to bear infants of low birth weight.
- Of all those arrested for major crimes -- murder, rape, robbery, assault, burglary, larceny theft, motor vehicle theft, and arson -- rapists are the most likely to escape conviction.
- If every woman victimized by domestic violence last year were to join hands in a line, the string of people would span from New York to Los Angeles and back again.
- More than half of all homeless women are on the street because they are fleeing domestic violence.
- More than 40% of college women who have been raped say that they expect to be raped again.
- There were more women "wounded" by rapists last year than marines wounded by the enemy in all of World War II.
- There are nearly three times as many animal shelters in the United States as there are battered women's shelters.

Compiled by the majority staff of the Senate Judiciary Committee (August 29, 1990)

## TEN FACTS ABOUT VIOLENCE AGAINST YOUNG WOMEN

- Although campus studies suggest that 1,275 women were raped at America's 3 largest universities in 1989, only 3 of those rapes were reported to police.
- 1 out of every 7 women currently attending college has been raped.
- 486,000 of the girls now attending high school will have been raped before they graduate.
- The average age of a rape victim is 18 1/2 years old.
- Young women aged 16 to 19 are the most likely to be raped.
- 57% of college rape victims are attacked by dates.
- Girls raped before age 18 are least likely to report to police about their victimization.
- Girls aged 12 to 15 are the most likely to be raped by strangers.
- Rape victims aged 12 to 19 are the least likely to receive hospital care.
- Since 1974, the rate of assaults against young women (20 to 24) has jumped 48%. For men of the same age group, it has decreased 12%.

Compiled by the majority staff of the Senate Judiciary Committee (August 29, 1990)

## STATISTICS ON SEXUAL VIOLENCE AGAINST WOMEN

(Source: Koss, Woodruff, & Koss -- A Criminological Study)  
(Released August 29, 1990)

### Prevalence of Rape

1 in 5 adult women will be raped at some point in their lives.

1 in 3.5 adult women will be attacked by a rapist.

1 in 7 of the women now in college have been raped.

1 in 4 of the women now in college have been attacked by a rapist.

### Prevalence of Acquaintance Rape

More than half of college rape victims are attacked by dates.

More than 4 out of 5 rape victims know their attackers.

### Immediate Physical Consequences of Rape

1 in 15 rape victims contracts a sexually transmitted disease as a result of being raped.

1 in 15 rape victims becomes pregnant as a result of being raped.

### Reporting of Rape

Rape remains the most under-reported of all major crimes: only 7% of all rapes are reported to police. (By comparison, the reporting rate for robbery is 53%; assault, 46%; and burglary, 52%.)

Less than 5% of college women report incidences of rape to the police.

More than half of raped college women tell no one of their victimization.

### Incidence of Rape

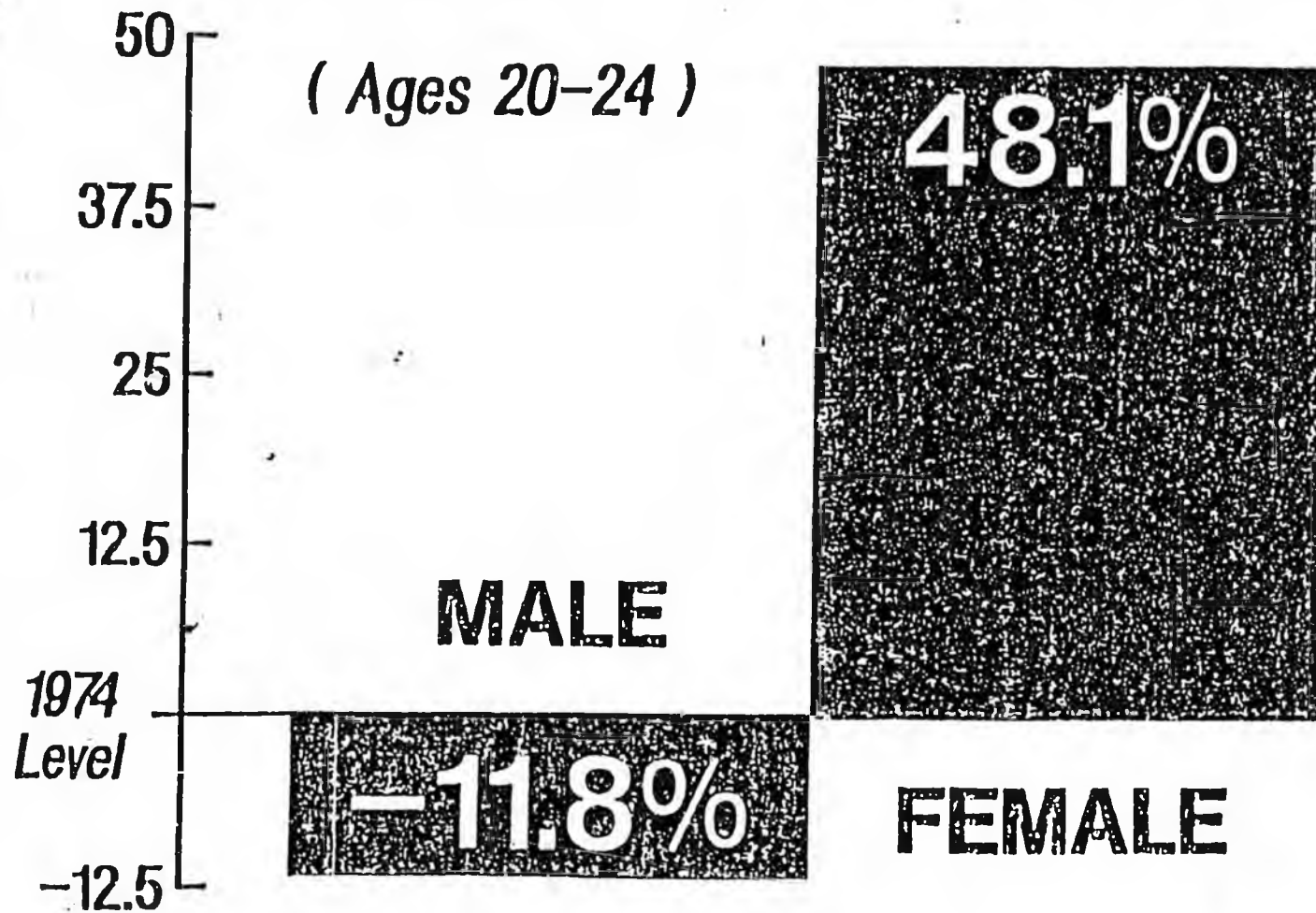
The number of women raped in 1986 is 15 times higher than officially reported in the National Crime Survey.

The number of college women raped in 1986 is 14 times higher than officially reported in the National Crime Survey.

The definition of "rape" employed in these statistics is the one formulated by the FBI for its Uniform Crime Report; which is the narrowest, official definition.

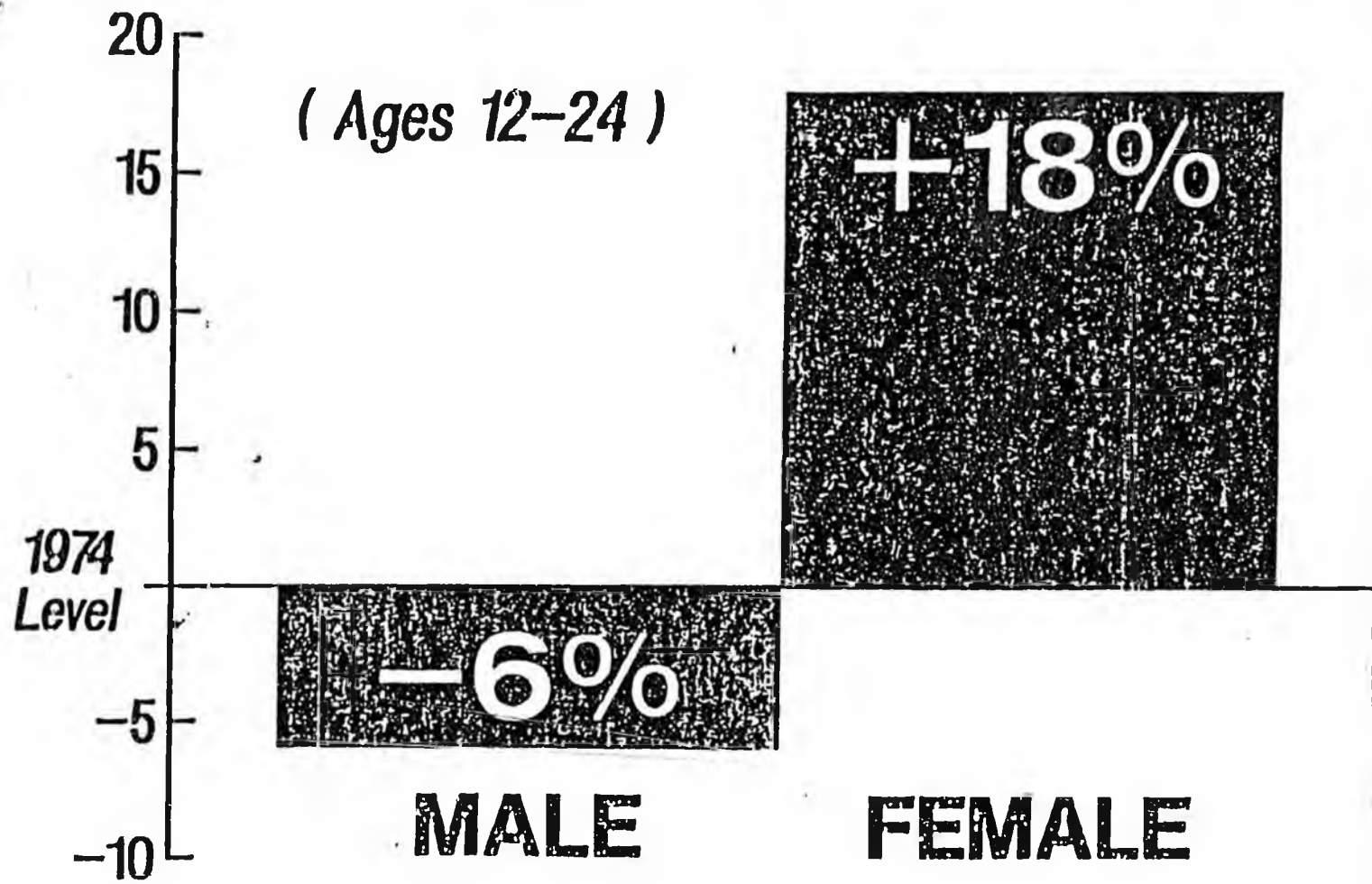
# % Change in Number of Assaults Since 1974

( Ages 20-24 )

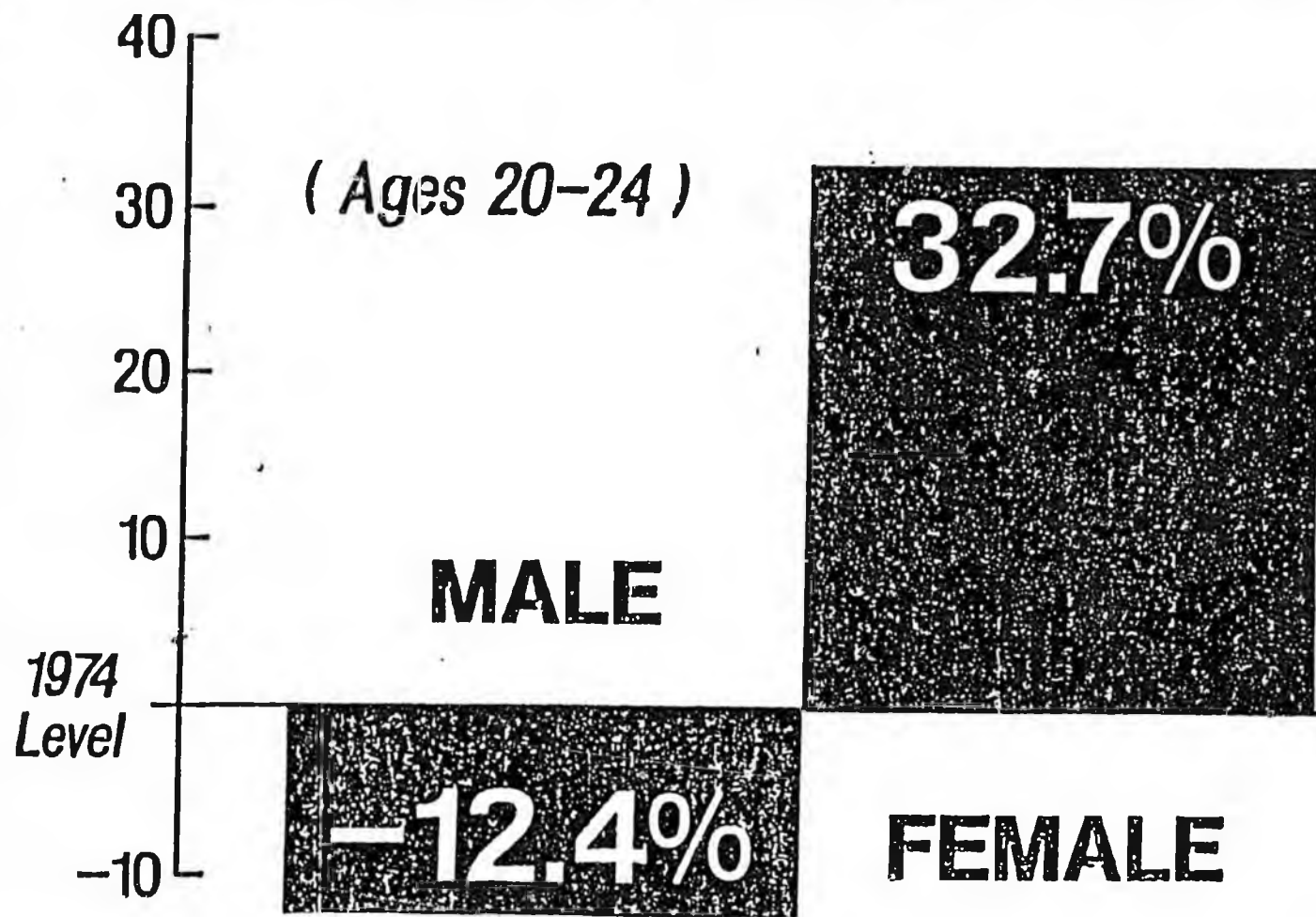


# Change in Rate of Violent Crime Since 1974

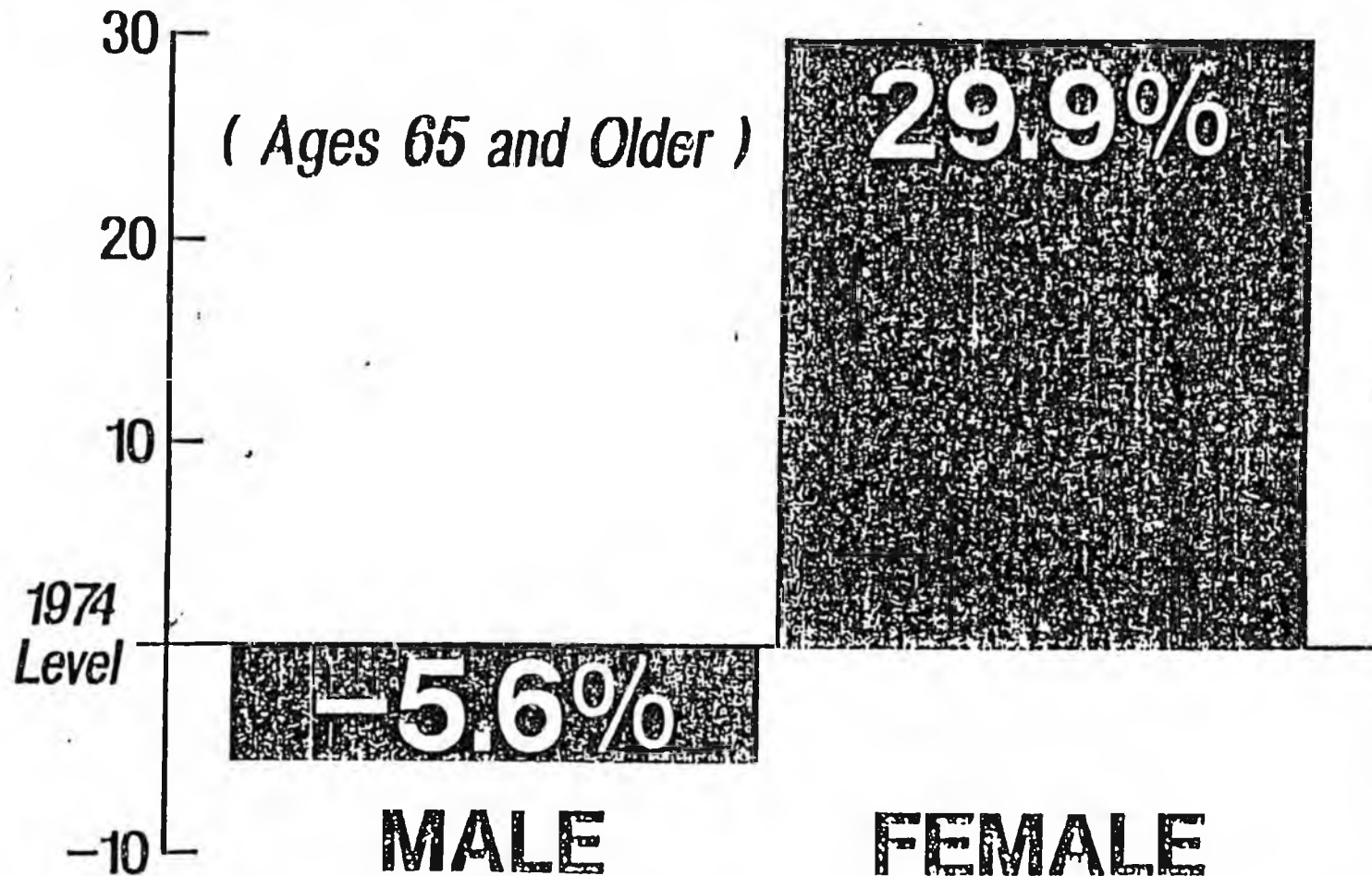
(Ages 12-24)



# Change in Rate of Violent Crime Since 1974



# % Change in Number of Murders Since 1974



**What is a woman's chance of  
being raped in her lifetime?**

***Over All: 1 in 5***

***By an Acquaintance: 1 in 6***

SOURCE: Koss, Woodruff, and Koss, 1990

**What is a woman's chance  
of being raped in a year?**

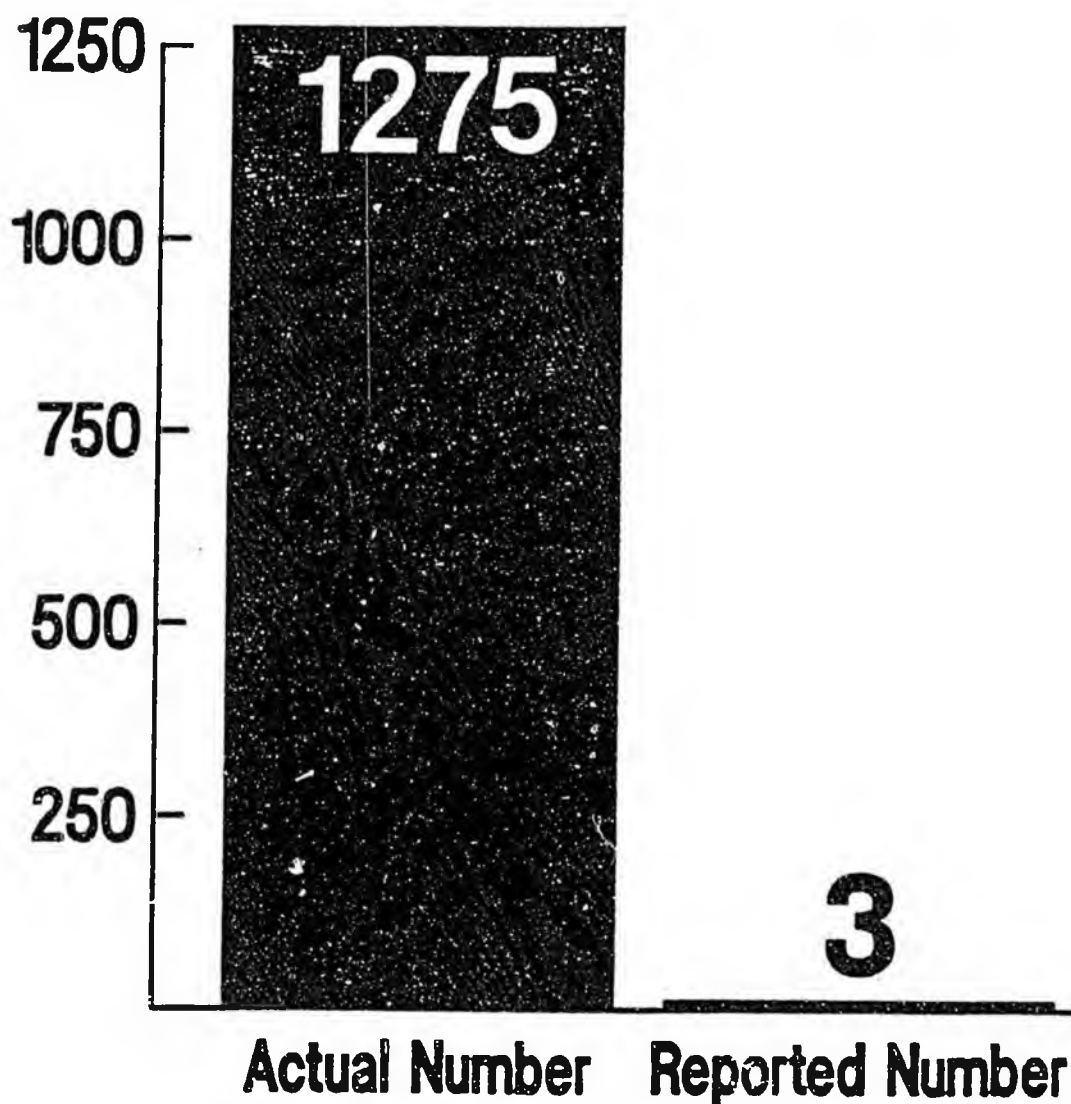
***Uniform Crime Reports: 1 in 1100 \****

***National Crime Survey: 1 in 833 \*\****

***Koss, Woodruff, and Koss: 1 in 55***

SOURCES: \* Federal Bureau of Investigation. \*\* Bureau of Justice Statistics

## Number of Rapes on America's Three Largest College Campuses in 1989\*



*\*1 in 7 of the women now  
in college have been raped*

Source: 1989 Uniform Crime Reports; Koss, Woodruff, and Koss, 1990

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. HJR 27

Revision Date: \_\_\_\_\_ Department Affected: Legislative Affairs Agency  
 Title: Relating to S.15, a federal BRU: \_\_\_\_\_  
bill against violence to women Component: \_\_\_\_\_  
 Sponsor: Rep. B. Davis  
 Requestor: House State Affairs Committee COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS: N/A

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: \_\_\_\_\_

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: House State Affairs Committee Phone: 465-4859  
 Division: \_\_\_\_\_ Date: 3-19-91  
 Approved by Commissioner: Representative Gene Kubina, Chair  
 Agency: House State Affairs Committee Date: 3-19-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

# ALASKA STATE LEGISLATURE

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INTERNATIONAL TRADE  
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CHAIR  
CHILDREN'S CAUCUS

## REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

### M E M R A N D U M

TO: REPRESENTATIVE GENE KUBINA, CHAIR  
FROM: BETTYE DAVIS *Bgd*  
DATE: MARCH 8, 1991  
RE: HJR 27 - SUPPORT FEDERAL ACT AGAINST VIOLENCE TO WOMEN

\*\*\*\*\*-

I appreciate your scheduling HJR 27 for a hearing before your committee. This resolution is to express support on the part of the State of Alaska S. 15 federal legislation to provide national leadership and funding for programs to end violence against women. S.15 is expected to increase funds for prosecutors, police, public safety departments, shelters, and rape crisis centers to increase prevention, intervention, and response to this growing national problem.

I ask the committee's support for this legislation.

States that the purpose of the Act is to expand and strengthen the cooperative efforts to restore and protect the Chesapeake Bay and to achieve the goals embodied in the Chesapeake Bay Agreement.

**Section 4. Management of Chesapeake Bay Program:**

Provides authority for EPA to continue to lead and coordinate Federal agency participation in the Chesapeake Bay Program, in cooperation with the Chesapeake Executive Council, and to maintain a Chesapeake Bay Liaison Office.

Directs the Chesapeake Bay Liaison Office to provide support and coordinate Federal, state and local efforts in developing strategies and action plans and conducting system-wide monitoring and assessment to improve the water quality and living resources of the Bay.

**Section 5. Chesapeake Bay Program Science, Research, Monitoring, and Data Collection:**

Directs the Administrators of EPA and NOAA to jointly implement a comprehensive, coordinated program for science, research, monitoring and data collection of the Bay and its watershed. Establishes a local office for coordinating NOAA activities in the Bay. Directs that appropriate peer review be undertaken to ensure scientific and technical merit of projects funded by this section. Authorizes \$3 million annually for the activities in this section.

**Section 6. Basinwide Toxics Reduction:**

Authorizes \$2 million annually for EPA to implement the Comprehensive Basinwide Toxics Reduction Strategy called for under the Bay Agreement, in cooperation with the Executive Council.

**Section 7. Population Growth and Development:**

Provides for development of a coordinated Chesapeake Bay watershed land use database, incorporating resource inventories and analyses in a digital format, to provide information necessary to plan for and manage growth and development and associated impacts on the Bay system. Authorizes \$250,000 in fiscal 1991 and \$500,000 annually in fiscal years 1992-4.

**Section 8. Developed Lands Initiative:**

Establishes a demonstration program to address problems associated with urban and suburban runoff. Directs EPA to identify areas within subwatersheds for water quality monitoring, establish a monitoring network, identify all major sources of pollution, and develop management strategies to address the identified stormwater impacts. Authorizes \$500,000 for this section.

**Section 9. Comprehensive Living Resources Program:**

Authorizes \$1 million annually to implement the comprehensive, coordinated living resources plan called for under the Bay Agreement.

**Section 10. Study of Chesapeake Bay Protection Program:**

Directs EPA to undertake an assessment of the Chesapeake Bay Program and evaluate implementation of the Bay Agreement. Also directs EPA to assess priority needs for the Bay and make recommendations for improved management of the program. Authorizes \$250,000 for this study.

**Section 11. Authorizations:**

Continues the \$13 million annual authorization under Section 117 of the Federal Water Pollution Control Act.

**Section 12. Definitions:**

Mr. WARNER. Mr. President, I am pleased to join as an original cosponsor of the Chesapeake Bay Restoration Act of 1991. This important legislation, which, among other things, would reauthorize the Chesapeake

Bay Program, is supported by a broad range of groups from States bordering the Chesapeake Bay.

Mr. President, as we introduce this legislation, my colleagues will recall the history of our efforts to save the bay. It is worth reviewing that history at this time. Early in the eighties, research revealed that an increasing oxygen shortage had caused a decline in bay resources, including oysters, clams, and submerged aquatic vegetation. This discovery led to the signing of the first Chesapeake Bay Agreement in 1983, which was designed to meet this threat to the environment.

In subsequent years Virginia, Maryland, Pennsylvania, the District of Columbia, and the Environmental Protection Agency (EPA) have forged an enviable partnership to restore and protect the Chesapeake Bay. The commitment exhibited by officials from these entities has helped to establish a firm foundation for achieving the goal of significantly improving the management of the bay's resources.

On December 15, 1987, the Chesapeake Bay Executive Council, comprised of representatives from Virginia, Maryland, Pennsylvania, the District of Columbia, and EPA, signed the 1987 Chesapeake Bay Agreement. This agreement, which set specific goals and timetables for the bay's restoration, was designed to reverse the decline that has imperiled the Chesapeake Bay's status as a major source of jobs, seafood, recreation, and regional culture.

The agreement set an important goal requiring a 40-percent reduction in nitrogen and phosphorous by the year 2000. According to reports, the nutrient reduction plan is being implemented and progress is being made in improving the bay's management.

Despite all of the progress that has been made to date, it is clear that more action is required. The Chesapeake Bay Restoration Act of 1991 represents a crucial step in that process.

In particular, the bill would provide much-needed authority for EPA to continue to lead and coordinate Federal agency participation in the Chesapeake Bay Program, in cooperation with the Chesapeake Executive Council. The bill also directs the Administrators of EPA and the National Oceanic and Atmospheric Administration (NOAA) together to implement a comprehensive, coordinated program for science research, monitoring and data collection of the bay and its watershed. In addition, the bill would authorize funds to implement the comprehensive basinwide toxics reduction strategy called for under the bay agreement, provide for development of a coordinated Chesapeake Bay watershed land use data base, and establish a demonstration program to address problems associated with urban and suburban runoff. Finally, EPA is directed to undertake an assessment of the Chesapeake Bay Program and evaluate

late implementation of the bay agreement.

Mr. President, the legislation introduced today represents the consensus of many individuals who are knowledgeable about the methods of preserving the bay as a precious national resource: those in the bay community, Federal, State and local governments, and many others, including nongovernment organizations. As is the case with any consensus agreement, this bill serves to reflect the best judgment of all participants.

The Governor of the Commonwealth of Virginia has strongly endorsed the Chesapeake Bay Restoration Act. Virginia State officials were active participants in developing this proposal, and they tell me that they are pleased with the result.

Mr. President, I commend my Senate colleagues from Virginia, Maryland, and Pennsylvania for their work on this bill. In particular, I applaud the work of my colleague from Maryland, Senator SARBANES, for his leadership in working with officials from all of the bay States to bring this legislation to this point. I look forward to working with the members of these delegations to enact this legislation.

Thank you, Mr. President.

By Mr. BIDEN (for himself, Mr. COHEN, Mr. DECONCINI, Mr. DODD, Mr. INOUE, Mr. COATS, Mr. SIMON, Mr. LIEBERMAN, Mr. EXON, Mr. SARBANES, Mr. REID, Mr. HARKIN, Mr. BRYAN, Mr. AKAKA, Mr. RIEGLE, Mr. PELL, Mr. ADAMS, Mr. PACKWOOD, Mr. SHELBY, Mr. KERRY, Ms. MIKULSKI, Mr. LEVIN, Mr. CRANSTON, Mr. MCCONNELL, Mr. BOREN, and Mr. ROCKEFELLER):

S. 15. A bill to combat violence and crimes against women on the streets and in homes; to the Committee on the Judiciary.

**VIOLENCE AGAINST WOMEN ACT OF 1991**

Mr. BIDEN. Mr. President, I rise today to introduce Senate bill No. 15, the Violence Against Women Act of 1991, the first comprehensive legislation to address the growing problem of violent crime confronting American women. This bill was first introduced during the 101st Congress and was unanimously approved by the Senate Judiciary Committee. Today, 25 of my colleagues join me as original cosponsors of this important legislation.

Women are the victims of a growing crime epidemic in this country. The enormity of the problem is clear. During her lifetime, one in five women will be raped, and three out of four women will be the victim of some other violent crime. Last year, more women were battered by their spouses than were married.

The need for action is urgent:

From 1974 until 1987, the rate of assaults against young women skyrocketed by close to 50 percent.

In the first 6 months of 1990 alone, the rate of rapes reported to the FBI rose 10 percent—faster than any other increase in the decade.

That makes rape one of the fastest growing crimes in the country.

This is a national outrage. The Nation's criminal justice system is not only unwilling, but also unprepared, to deal with this spiraling gender gap in crime. If increasing violence against women amounts to a national outrage, then our efforts to date to solve that growing problem should count as a national shame.

Today, it is easier to convict a car thief than a rapist; authorities are more likely to arrest a man for parking tickets than for beating his wife; and lawyers still put victims of vicious assaults on the stand to ask what clothes they were wearing at the time of the attack.

There are still counties in this country where 200 rape complaints are ignored by prosecutors; courts where victims are blamed for their own attacks; and cities where authorities refuse to arrest attackers because the bleeding victim was beaten by her spouse.

The Violence Against Women Act is the first attempt by the Congress to address both the outrage and the shame—to make violence against women one of our top law enforcement priorities.

I first introduced this legislation shortly before the end of the last Congress. Frankly, I never anticipated, nor could I have imagined, the kind of overwhelming support and interest that it generated in the short 6 months since its original introduction in the 101st Congress.

Governors, attorneys general, mayors, and police chiefs have all offered their support;

A task force of over 150 groups has come together to offer suggestions and to focus attention on the issues;

People from every State across the country have called and written; letters of support have come from organizations, large and small, liberal and conservative; from women's groups and men's groups; from victims' advocates and professional associations; from battered women's shelters and rape crisis centers; and from far, far, too many survivors of crime.

Recently, one such survivor, who is now a prosecutor, told the Judiciary Committee that this legislation is a tremendous gift for the women of America. My response to her is this: It is not a gift—it is a necessity. And it is a necessity not only for the women of this country, but for our entire society.

Violence against women breeds violence and tragedy throughout this country:

A child is 1,500 times more likely to be abused if his mother is being abused;

Close to two-thirds of all juvenile boys who murder, murder their mother's attackers;

One out of every five rape victims attempts suicide;

And over half of all homeless women and children are on the street because they are fleeing violence in the home.

No American—male or female—can continue to tolerate the level of violence directed against the women of this country. Violence against women must be one of our Nation's highest priorities and it must be one of the Senate's highest priorities during the 102d Congress.

I have reason to hope that this will be one of the Senate's highest priorities. Indeed, I am pleased to note that today, the distinguished Republican leader, Senator DOLE, is also introducing new legislation that targets violence against women. While I may disagree with some of his proposed solutions—and believe that his proposal is lacking some important elements—I know that we share the same overall goal. Together, I know we can secure swift passage of a bill that will benefit the women of this country.

The bill I introduce today, with the support of 25 of my colleagues, attacks violence against women in all its forms.

It addresses all violent crime against women, not just rape and domestic violence. It attacks the problems at all levels—from our streets to our homes, from squad cars to courtrooms, from schoolrooms to hospitals.

And it attacks the problem by offering a comprehensive solution: It makes violent crime against women a major law enforcement priority and, at the same time, it takes aim at the kind of attitudes that nurture violence; it creates new offenses and raises penalties and, at the same time, it provides new legal protections and desperately needed help to crime survivors.

Let me explain a few of the bill's key provisions in detail. The bill is divided into four main parts, best summarized by their titles: Safe Streets for Women; Safe Homes for Women; Civil Rights for Women; and Safe Campuses for Women.

#### TITLE I: SAFE STREETS FOR WOMEN

First, title I of the bill doubles penalties for Federal cases of rape and aggravated rape; creates new penalties for repeat sex offenders; and mandates restitution for victims of sex crimes.

Second, title I would significantly boost the number of police officers on the streets and prosecutors in courts—police and prosecutors targeting violent crimes against women. Of the \$300 million authorized, \$100 million will go to the hardest hit areas—areas of high intensity violence against women.

In addition to these grants, title I provides funds for more lights in parks and subway stations, authorizes new protections and services for rape victims, and makes significant changes in

how Federal courts consider evidence—so that irrelevant inquiries about clothing and past sexual history will be excluded.

#### TITLE II: SAFE HOMES FOR WOMEN

The second title of the bill addresses the crisis confronting the millions of women who are the victims of domestic violence.

Title II recognizes that we need national leadership on an issue that is indisputably of national proportion and seriousness: More than 1 million women a year need medical help because of injuries from battering.

Title II proposes that the Federal Government, for the first time, acknowledge its role in fighting crimes in the home. It creates the first Federal laws barring spouse abuse: For example, the bill declares that it is a Federal crime if an abuser follows his spouse across State lines and continues abuse or violates a stay-away order. And the bill protects women who flee their abusers by making protective court orders issued by one State valid in the 49 others. That way women won't lose protection if they happen to cross a State line.

Title II contains other provisions as well: It tripl's funding to shelter the abused; requires States to look at new legal protections; encourages States to increase arrest and prosecution rates; and, finally, incorporating provisions drafted by Senator COATS, it revamps existing laws and authorizes a national media campaign against spouse abuse.

#### TITLE III: CIVIL RIGHTS FOR WOMEN

The third title of the bill recognizes that violence against women is not only a question of criminal justice, but also of equal justice. It takes a dramatic step forward by defining gender-motivated crimes as bias or hate crimes and declaring, for the first time, that such crimes violate citizens' civil rights.

This society has long condemned, in the harshest of terms, hate beatings of blacks, Asians, or Hispanics. When the victim has been singled out because of his race or religion or the color of his skin, society condemns not only the crime but also the intentional deprivation of the survivor's civil rights.

This bill extends the same protection to the women of America. Crimes committed because of gender are not simply random acts of violence. Ninety-seven percent of all sex assaults in this country are committed against women. We all know this; indeed, we assume it; but we ignore the implications. Crimes committed because of gender should be condemned in the same terms as crimes committed because of race or religion—in terms as strong as this society can possibly muster—as violent deprivations of civil rights.

#### TITLE IV: SAFE CAMPUSES FOR WOMEN

The fourth title of this bill recognizes that young women are peculiarly at risk. Violence on our college cam-

poses poses a special and growing problem: More college-age women will be raped this school year than will be struck by any other major crime.

This title addresses that problem by creating the first Federal program for college rape education and prevention, encouraging campuses across the Nation to inform their students of their rights, provide peer-to-peer counseling, and generally increase campus awareness of the dangers of rape and, in particular, acquaintance rape.

Finally, a fifth title, authored by Senator SIMON, creates a new program for educating judges about domestic violence and sexual assault.

Last year, the Judiciary Committee unanimously approved all of the provisions I have just explained. However, because of the pressures of other legislation, the bill was not brought to the floor for a vote.

Since the end of last Congress, I have continued to work to improve the legislation and, in response to comments from other Senators and interested groups, I have added three new provisions:

A new program calling for the education of young persons about domestic violence;

New protections for victims fleeing from abuse that insure the confidentiality of their whereabouts; and

An expanded campus rape program that requires colleges to prohibit and report all forms of sexual assault on-campus.

I will not take any further time to describe the contents of the bill. I ask unanimous consent that a summary and the complete text of the legislation appear in the RECORD following my remarks.

Let me close by urging my colleagues to join me in supporting this desperately needed legislation. Already, 25 Senators have indicated their support as original cosponsors. I hope that a significant number of others will be added so that we can ensure swift consideration of this legislation by the full Senate.

Let us not wait another year in silence, while rape rates skyrocket, while assault rates climb steadily for women but drop for men, and while more women are out on the streets because their only other choice is to suffer violence in their own homes.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 15

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Violence Against Women Act of 1991".

SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—SAFE STREETS FOR WOMEN

Sec. 101. Short title

Subtitle A—Federal Penalties for Sex Crimes

- Sec. 111. Repeat offenders..
- Sec. 112. Federal penalties.
- Sec. 113. Mandatory restitution for sex crimes.

Subtitle B—Law Enforcement and Prosecution Grants to Reduce Violent Crimes Against Women

- Sec. 121. Grants to combat violent crimes against women.

Subtitle C—Safety for Women in Public Transit and Public Parks

- Sec. 131. Grants for capital improvements to prevent crime in public transportation.
- Sec. 132. Grants for capital improvements to prevent crime in national parks.
- Sec. 133. Grants for capital improvements to prevent crime in public parks.

Subtitle D—National Commission on Violent Crime Against Women

- Sec. 141. Establishment.
- Sec. 142. Duties of commission.
- Sec. 143. Memberships.
- Sec. 144. Reports.
- Sec. 145. Executive Director and staff.
- Sec. 146. Powers of commission.
- Sec. 147. Authorization of appropriations.
- Sec. 148. Termination.

Subtitle E—New Evidentiary Rules

- Sec. 151. Sexual history in all criminal cases.
- Sec. 152. Sexual history in civil cases.
- Sec. 153. Amendments to rape shield law.
- Sec. 154. Evidence of clothing.

Subtitle F—Assistance to Victims of Sexual Assault

- Sec. 161. Education and prevention grants to reduce sexual assaults against women..
- Sec. 162. Rape exam payments.

TITLE II—SAFE HOMES FOR WOMEN

Sec. 201. Short title.

Subtitle A—Interstate Enforcement

- Sec. 211. Interstate enforcement.

Subtitle B—Arrest in Spousal Abuse Cases

- Sec. 221. Encouraging arrest policies.

Subtitle C—Funding for Shelters

- Sec. 231. Authorization.

Subtitle D—Family Violence Prevention and Services Act Amendments

- Sec. 241. Expansion of purpose.
- Sec. 242. Expansion of State demonstration grant program.
- Sec. 243. Grant for public information campaigns.
- Sec. 244. State commission on domestic violence.

- Sec. 245. Indian tribes.
- Sec. 246. Funding limitations.

- Sec. 247. Grants to entities other than States; local share.
- Sec. 248. Shelter and related assistance.

- Sec. 249. Law enforcement training and technical assistance grants.
- Sec. 250. Report on recordkeeping.

- Sec. 251. Model State leadership incentive grants for domestic violence intervention.
- Sec. 252. Funding for technical assistance centers.

Subtitle E—Youth Education and Domestic Violence

- Sec. 261. Educating youth about domestic violence.

Subtitle F—Confidentiality for Abused Persons

- Sec. 271. Confidentiality for abused persons.

TITLE III—CIVIL RIGHTS

- Sec. 301. Civil rights.

TITLE IV—SAFE CAMPUSES FOR WOMEN

- Sec. 401. Short title.
- Sec. 402. Findings.
- Sec. 403. Grants for campus rape education.
- Sec. 404. Disclosure of disciplinary proceedings in sex assault cases on campus.

TITLE V—EQUAL JUSTICE FOR WOMEN IN THE COURTS ACT OF 1990

Sec. 501. Short title.

Subtitle A—Education and Training for Judges and Court Personnel in State Courts

- Sec. 511. Grants authorized.
- Sec. 512. Training provided by grants.
- Sec. 513. Cooperation in developing programs in making grants under this title.
- Sec. 514. Authorization of appropriations.

Subtitle B—Education and Training for Judges and Court Personnel in Federal Courts

- Sec. 521. Education and training grants.
- Sec. 522. Cooperation in developing programs.
- Sec. 523. Authorization of appropriations.

TITLE I—SAFE STREETS FOR WOMEN

SEC. 101. SHORT TITLE.

This title may be cited as the "Safe Streets for Women Act of 1991".

Subtitle A—Federal Penalties for Sex Crimes

SEC. 111. REPEAT OFFENDERS.

(a) IN GENERAL.—Chapter 100A of title 18, United States Code, is amended by adding at the end thereof the following new section:

"§ 2247. Repeat offenders

"Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall promulgate guidelines or amend existing guidelines to provide that any person who commits a violation of this chapter, after one or more prior convictions for an offense punishable under this chapter, or after one or more prior convictions under the laws of any State or foreign country relating to aggravated sexual abuse, sexual abuse, or abusive sexual contact, is punishable by a term of imprisonment up to twice that otherwise provided in the guidelines, or up to twice the fine authorized in the guidelines, or both."

(b) TABLE OF SECTIONS.—The table of sections for chapter 100A of title 18, United States Code, is amended by adding at the end thereof the following:

"2247. Repeat offenders."

SEC. 112. FEDERAL PENALTIES.

(a) RAPE AND AGGRAVATED RAPE.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend its sentencing guidelines to provide that a defendant convicted of aggravated rape under section 2241 of title 18, United States Code, or rape under section 2242 of title 18, United States Code, shall be assigned a base offense level under chapter 2 of the sentencing guidelines that is at least 4 levels greater than the base offense level applicable to such offenses under the guidelines in effect on November 1, 1990, or otherwise shall amend the guidelines applicable to such offenses so as to achieve a comparable minimum guideline sentence. In amending such guidelines, the Sentencing Commission shall review the appropriateness of existing specific offense characteristics or other adjustments applicable to such offenses, and make such changes as it deems appropriate, taking into account the severity of rape of

fenses, with or without aggravating factors; the unique nature and duration of the mental injuries inflicted on the victims of such offenses; and any other relevant factors.

(b) **EFFECT OF AMENDMENT.**—If the sentencing guidelines are amended after the effective date of this section, the Sentencing Commission shall implement the instructions set forth in subsection (a) so as to achieve a comparable result.

(b) **STATUTORY RAPE.**—

(1) Section 2243(a) of title 18, United States Code, is amended by striking "5 years" and inserting "10 years".

(2) Section 2243(b) of title 18, United States Code, is amended by striking "one year," and inserting "two years."

(3) Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall promulgate guidelines or amend existing guidelines to incorporate the increase in maximum penalties provided by this section for sections 2243(a) and 2243(b) of title 18, United States Code.

**SEC. 111. MANDATORY RESTITUTION FOR SEX CRIMES.**

(a) **IN GENERAL.**—Chapter 109A of title 18, United States Code, is amended by adding at the end thereof the following:

"§ 2248. Mandatory restitution

"(a) **IN GENERAL.**—Notwithstanding the terms of section 3603 of this title, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

"(b) **SCOPE AND NATURE OF ORDER.**—(1) The order of restitution under this section shall direct that—

"(A) the defendant pay to the victim the full amount of the victim's losses as determined by the court, pursuant to paragraph (3); and

"(B) the United States Attorney enforces the restitution order by all available and reasonable means.

"(2) For purposes of this subsection, the term 'full amount of the victim's losses' includes any costs incurred by the victim for—

"(A) medical services relating to physical, psychiatric, or psychological care;

"(B) physical and occupational therapy or rehabilitation;

"(C) lost income;

"(D) attorneys' fees; and

"(E) any other losses suffered by the victim as a proximate result of the offense.

"(3) Restitution orders under this section are mandatory. A court may not decline to issue an order under this section because of—

"(A) the economic circumstances of the defendant; or

"(B) the fact that a victim has, or is entitled to, receive compensation for his or her injuries from the proceeds of insurance or any other source.

"(4)(A) Notwithstanding the terms of paragraph (3), the court may take into account the economic circumstances of the defendant in determining the manner in which and the schedule according to which the restitution is to be paid.

"(B) For purposes of this paragraph, the term 'economic circumstances' includes—

"(i) the financial resources and other assets of the defendant;

"(ii) projected earnings, earning capacity, and other income of the defendant; and

"(iii) any financial obligations of the defendant, including obligations to dependents.

"(C) An order under this section may direct the defendant to make a single lump-sum payment or partial payments at specified intervals. The order shall also provide

that the defendant's restitutionary obligation takes priority over any criminal fine ordered.

"(D) In the event that the victim has recovered for any amount of loss through the proceeds of insurance or any other source, the order of restitution shall provide that restitution be paid to the person who provided the compensation, but that restitution shall be paid to the victim before any restitution is paid to any other provider of compensation.

"(5) Any amount paid to a victim under this section shall be set off against any amount later recovered as compensatory damages by the victim from the defendant in—

"(A) any Federal civil proceeding; and

"(B) any State civil proceeding, to the extent provided by the law of the State.

"(c) **PROOF OF CLAIM.**—(1) Within 60 days after conviction and, in any event, no later than 10 days prior to sentencing, the United States Attorney (or his delegate), after consulting with the victim, shall prepare and file an affidavit with the court listing the amounts subject to restitution under this section. The affidavit shall be signed by the United States Attorney (or his delegate) and the victim. Should the victim object to any of the information included in the affidavit, the United States Attorney (or his delegate) shall advise the victim that the victim may file a separate affidavit.

"(2) If no objection is raised by the defendant, the amounts attested to in the affidavit filed pursuant to subsection (1) shall be entered in the court's restitution order. If objection is raised, the court may require the victim or the United States Attorney (or his delegate) to submit further affidavits or other supporting documents, demonstrating the victim's losses.

"(3) If the court concludes, after reviewing the supporting documentation and considering the defendant's objections, that there is a substantial reason for doubting the authenticity or veracity of the records submitted, the court may require additional documentation or hear testimony on those questions. Any records filed, or testimony heard, pursuant to this section, shall be in camera in the judge's chambers. Notwithstanding any other provision of law, this section does not entitle the defendant to discovery of the contents of, or matters related to, any supporting documentation, including medical, psychological, or psychiatric records.

"(4) In the event that the victim's losses are not ascertainable 10 days prior to sentencing as provided in subsection (c)(1), the United States Attorney (or his delegate) shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing. If the victim subsequently discovers further losses, the victim shall have 60 days after discovery of those losses in which to petition the court for an amended restitution order. Such order may be granted only upon a showing of good cause for the failure to include such losses in the initial claim for restitutionary relief.

"(d) **DEFINITIONS.**—For purposes of this section, the term 'victim' includes any person who has suffered direct physical, emotional, or pecuniary harm as a result of a commission of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by the court: Provided, That in no event shall the defendant be named as such representative or guardian."

(b) **TABLE OF SECTIONS.**—The table of sections for chapter 109A of title 18, United States Code, is amended by adding at the end thereof the following:

"2248. Mandatory restitution."

Subtitle B—Law Enforcement and Prosecution Grants To Reduce Violent Crimes Against Women

SEC. 121. GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN.

(a) **IN GENERAL.**—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by—

(1) redesignating part N as part O;

(2) redesignating section 1401 as section 1501; and

(3) adding after part M the following:

"PART N—GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN

"SEC. 1401. PURPOSE OF THE PROGRAM AND GRANTS.

"(a) **GENERAL PROGRAM PURPOSES.**—The purpose of this part is to assist States, Indian tribes, cities, and other localities to develop effective law enforcement and prosecution strategies to combat violent crimes against women and, in particular, to focus efforts on those areas with the highest rates of violent crime against women.

"(b) **PURPOSES FOR WHICH GRANTS MAY BE USED.**—Grants under this part shall provide additional personnel, training, technical assistance, data collection and other equipment for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women and specifically, for the purposes of—

"(1) training law enforcement officers and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of sexual assault and domestic violence;

"(2) developing, training, or expanding units of law enforcement officers and prosecutors specifically targeting violent crimes against women, including the crimes of sexual assault and domestic violence;

"(3) developing and implementing police and prosecution policies, protocols, or orders specifically devoted to identifying and responding to violent crimes against women, including the crimes of sexual assault and domestic violence;

"(4) developing, installing, or expanding data collection systems, including computerized systems, linking police, prosecutors, and courts or for the purpose of identifying and tracking arrests, prosecutions, and convictions for the crimes of sexual assault and domestic violence; and

"(5) developing, enlarging, or strengthening victim services programs, including sexual assault and domestic violence programs, to increase reporting and reduce attrition rates for cases involving violent crimes against women, including the crimes of sexual assault and domestic violence.

"(c) **GRANTS FOR MULTIPLE USES.**—Grants under this part must be used for at least 3 of the 5 purposes listed in subsection (b).

"Subpart I—High Intensity Crime Area Grants

"SEC. 1411. HIGH INTENSITY GRANTS.

"(a) **IN GENERAL.**—The Director of the Bureau of Justice Assistance (hereafter in this part referred to as the 'Director') shall make grants to areas of 'high intensity crime' against women.

"(b) **DEFINITIONS.**—For purposes of this part, a 'high intensity crime area' means an area with one of the 40 highest rates of violent crime against women, as determined by the Bureau of Justice Statistics pursuant to section 1412.

**SEC. 1412 HIGH INTENSITY GRANT APPLICATION.**

"(a) **COMPUTATION.**—Within 45 days after the date of enactment of this part, the Bureau of Justice Statistics shall compile a list of the 40 areas with the highest rates of violent crime against women based on the combined female victimization rate per population for assault, sexual assault (including, but not limited to, rape), murder, robbery, and kidnapping.

"(b) **USE OF DATA.**—In calculating the combined female victimization rate required by subsection (a), the Bureau of Justice Statistics may rely on—

"(1) existing data collected by States, municipalities, Indian reservations or statistical metropolitan areas showing the number of police reports of the crimes listed in subsection (a); and

"(2) existing data collected by the Federal Bureau of Investigation, including data from those governmental entities already complying with the National Incident Based Reporting System, showing the number of police reports of crimes listed in subsection (a).

"(c) **PUBLICATION.**—After compiling the list set forth in subsection (a), the Bureau of Justice Statistics shall convey it to the Director who shall publish it in the Federal Register.

"(d) **QUALIFICATION.**—Upon satisfying the terms of subsection (e), any high intensity crime area shall be qualified for a grant under this subpart upon application by the chief executive officer of the governmental entities responsible for law enforcement and prosecution of criminal offenses within the area and certification that—

"(1) the funds shall be used to reduce the rate of violent crimes against women and for at least 3 of the purposes outlined in section 1401(b);

"(2) grantees and subgrantees shall develop a plan for implementation, and otherwise consult and coordinate program grants, with nongovernmental nonprofit victim services programs, and

"(3) at least 25 percent of the amount granted shall be allocated to each of the following three areas: prosecution, law enforcement, and victim services.

"(e) **APPLICATION REQUIREMENTS.**—The application requirements provided in section 513 of this title shall apply to grants made under this subpart. In addition, each application must provide the certifications required by subsection (d) including documentation from nonprofit non-governmental victim services programs showing their participation in developing the plan required by subsection (d)(2). Applications shall—

"(1) include documentation from the prosecution, law enforcement, and victim services programs to be assisted showing—

"(A) need for the grant funds;

"(B) intended use of the grant funds; and

"(C) expected results from the use of grant funds; and

"(2) proof of compliance with the requirements for the payment of forensic medical exams provided in section 162 of this title.

"(f) **DISBURSEMENT.**—

"(1) No later than 60 days after the receipt of an application under this subpart, the Director shall either disburse the appropriate sums provided for under this subpart or shall inform the applicant why the application does not conform to the terms of section 513 of this title or to the requirements of this section.

"(2) In disbursing monies under this subpart, the Director shall ensure, to the extent practicable, that grantees—

"(A) equitably distribute funds on a geographic basis;

"(B) determine the amount of subgrants based on the population to be served; and

"(C) give priority to areas with the greatest showing of need.

"(g) **GRANTEE REPORTING.**—Upon completion of the grant period under this subpart, the grantee shall file a performance report with the Director explaining the activities carried out together with an assessment of the effectiveness of those activities in achieving the purposes of this part. The Director shall suspend funding for an approved application if an applicant fails to submit an annual performance report.

"Subpart 2—Other Grants to States to Combat Violent Crimes Against Women

**SEC. 1421. GENERAL GRANTS TO STATES.**

"(a) **GENERAL GRANTS.**—The Director is authorized to make grants to States, for use by States, units of local government in the States, and nonprofit nongovernmental victim services programs in the States, for the purposes outlined in section 1401(b), and to reduce the rate of violent crimes against women.

"(b) **AMOUNTS.**—From amounts appropriated, the amount of grants under subsection (a) shall be—

"(1) \$500,000 to each State; and

"(2) that portion of the then remaining available money to each State that results from a distribution among the States on the basis of each State's population in relation to the population of all States.

"(c) **QUALIFICATION.**—Upon satisfying the terms of subsection (d), any State shall be qualified for funds provided under this part upon certification that—

"(1) the funds shall be used to reduce the rate of violent crimes against women and for at least 3 of the purpose outlined in section 1401(b);

"(2) grantees and subgrantees shall develop a plan for implementation, and otherwise consult and coordinate, with nonprofit nongovernmental victim services programs, including sexual assault and domestic violence victim services programs;

"(3) at least 25 percent of the amount granted shall be allocated to each of the following three areas: prosecution, law enforcement, and victim services.

"(d) **APPLICATION REQUIREMENTS.**—The application requirements provided in section 513 of this title shall apply to grants made under this subpart. In addition, each application shall include the certifications of qualification required by subsection (c) including documentation from nonprofit nongovernmental victim services programs showing their participation in developing the plan required by subsection (c)(2). Applications shall—

"(1) include documentation from the prosecution, law enforcement, and victim services programs to be assisted showing—

"(A) need for the grant funds;

"(B) intended use of the grant funds; and

"(C) expected results from the use of grant funds; and

"(2) proof of compliance with the requirements for the payment of forensic medical exams provided in section 162 of this title.

"(e) **DISBURSEMENT.**—(1) No later than 60 days after the receipt of an application under this subpart, the Director shall either disburse the appropriate sums provided for under this subpart or shall inform the applicant why the application does not conform to the terms of section 513 of this title or to the requirements of this section.

"(2) In disbursing monies under this subpart, the Director shall issue regulations to ensure that States will—

"(A) equitably distribute monies on a geographic basis including nonurban and rural areas, and giving priority to localities with populations under 200,000;

"(B) determine the amount of subgrants based on the population to be served; and

"(C) give priority to areas with the greatest showing of need.

"(f) **GRANTEE REPORTING.**—Upon completion of the grant period under this subpart, the State grantee shall file a performance report with the Director explaining the activities carried out together with an assessment of the effectiveness of those activities in achieving the purposes of this subpart. The Director shall suspend funding for an approved application if an applicant fails to submit an annual performance report.

**SEC. 1422. GENERAL GRANTS TO TRIBES.**

"(a) **GENERAL GRANTS.**—The Director is authorized to make grants to Indian tribes, for use by tribes, tribal organizations or nonprofit nongovernmental victim services programs on Indian reservations, for the purposes outlined in section 1401(b), and to reduce the rate of violent crimes against women in Indian country.

"(b) **AMOUNTS.**—From amounts appropriated, the amount of grants under subsection (a) shall be awarded on a competitive basis to tribes, with minimum grants of \$35,000 and maximum grants of \$300,000.

"(c) **QUALIFICATION.**—Upon satisfying the terms of subsection (d), any tribe shall be qualified for funds provided under this part upon certification that—

"(1) the funds shall be used to reduce the rate of violent crimes against women and for at least 3 of the purposes outlined in section 1401(b); and

"(2) at least 25 percent of the grant funds shall be allocated to each of the following three areas: prosecution, law enforcement, and victim services.

"(d) **APPLICATION REQUIREMENTS.**—(1) Applications shall be made directly to the Director and shall contain a description of the tribes' law enforcement responsibilities for the Indian country described in the application and a description of the tribes' system of courts, including whether the tribal government operates courts of Indian offenses as defined in 25 U.S.C. 1301 or CFR courts under 25 CFR 11 et seq.

"(2) Applications shall be in such form as the Director may prescribe and shall specify the nature of the program proposed by the applicant tribe, the data and information on which the program is based, and the extent to which the program plans to use or incorporate existing services available in the Indian country where the grant will be used.

"(3) The term of any grant shall be for a minimum of 3 years.

"(e) **GRANTEE REPORTING.**—At the end of the first 12 months of the grant period and at the end of each year thereafter, the Indian tribal granted shall file a performance report with the Director explaining the activities carried out together with an assessment of the effectiveness of those activities in achieving the purposes of this subpart. The Director shall suspend funding for an approved application if an applicant fails to submit an annual performance report.

"(f) **DEFINITIONS.**—(1) The term 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601, et seq.)), which is recognized as eligible for the special services provided by the United States to Indians because of their status as Indians.

"(2) The term 'Indian country' has the meaning given to such term by section 1151 of title 18, United States Code.

**"Subpart 3—General Terms and Conditions.****"SEC. 1431. GENERAL DEFINITIONS.**

"As used in this part—

"(1) the term 'victim services program' means any public or private nonprofit program that assists victims, including (A) nongovernmental nonprofit organizations such as rape crisis centers or battered women's shelters, including nonprofit nongovernmental organizations assisting victims through the legal process and (B) victim/witness programs within governmental entities;

"(2) the term 'sexual assault' includes not only assaults committed by offenders who are strangers to the victim but also assaults committed by offenders who are known or related by blood or marriage to the victim; and

"(3) the term 'domestic violence' includes felony and misdemeanor offenses committed by a current or former spouse of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse, or any other person similarly situated to a spouse who is protected under the domestic or family violence laws of the jurisdiction receiving grant monies.

**"SEC. 1432. GENERAL TERMS AND CONDITIONS.**

"(a) **NONMONETARY ASSISTANCE.**—In addition to the assistance provided under subparts 1 or 2, the Director may direct any Federal agency, with or without reimbursement, to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State and local assistance efforts.

"(b) **BUREAU REPORTING.**—No later than 180 days after the end of each fiscal year for which grants are made under this part, the Director shall submit to the Judiciary Committees of the House and the Senate a report that includes, for each high intensity crime area (as provided in subpart 1) and for each State and for each grantee Indian tribe (as provided in subpart 2)—

"(1) the amount of grants made under this part;

"(2) a summary of the purposes for which those grants were provided and an evaluation of their progress; and

"(3) a copy of each grantee report filed pursuant to sections 1412(g) and 1421(f).

"(c) **REGULATIONS.**—No later than 45 days after the date of enactment of this part, the Director shall publish proposed regulations implementing this part. No later than 120 days after such date, the Director shall publish final regulations implementing this part.

"(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for each fiscal year 1992, 1993, and 1994, \$100,000,000 to carry out the purposes of subpart 1, and \$100,000,000 to carry out the purposes of subpart 2, and \$10,000,000 to carry out the purposes of section 1422 subpart 2."

**Subtitle C—Safety for Women in Public Transit and Public Parks****SEC. 131. GRANTS FOR CAPITAL IMPROVEMENTS TO PREVENT CRIME IN PUBLIC TRANSPORTATION.**

Section 24 of the Urban Mass Transportation Act of 1984 is amended to read as follows:

**"GRANTS TO PREVENT CRIME IN PUBLIC TRANSPORTATION**

"Sec. 24. (a) **GENERAL PURPOSE.**—From funds authorized under section 21, and not to exceed \$10,000,000, the Secretary shall make capital grants for the prevention of

crime and to increase security in existing and future public transportation systems. None of the provisions of this Act may be construed to prohibit the financing of projects under this section where law enforcement responsibilities are vested in a local public body other than the grant applicant.

**"(b) GRANTS FOR LIGHTING, CAMERA SURVEILLANCE, AND SECURITY PHONES.—**

"(1) From the sums authorized for expenditure under this section for crime prevention, the Secretary is authorized to make grants and loans to States and local public bodies or agencies for the purpose of increasing the safety of public transportation by—

"(A) increasing lighting within or adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages;

"(B) increasing camera surveillance of areas within and adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages;

"(C) providing emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages; or

"(D) any other project intended to increase the security and safety of existing or planned public transportation systems.

"(2) From the sums authorized under this section, at least 75 percent shall be expended on projects of the type described in subsection (b)(1) (A) and (B).

"(c) **REPORTING.**—All grants under this section are contingent upon the filing of a report with the Secretary and the Department of Justice, Office of Victims of Crime, showing crime rates in or adjacent to public transportation before, and for a 1-year period after, the capital improvement. Statistics shall be broken down by type of crime, sex, race, and relationship of victim to the offender.

"(d) **INCREASED FEDERAL SHARE.**—Notwithstanding any other provision of this Act, the Federal share under this section for each capital improvement project which enhances the safety and security of public transportation systems and which is not required by law (including any other provision of this chapter) shall be 90 percent of the net project cost of such project.

"(e) **SPECIAL GRANTS FOR PROJECTS TO STUDY INCREASING SECURITY FOR WOMEN.**—From the sums authorized under this section, the Secretary shall provide grants and loans for the purpose of studying ways to reduce violent crimes against women in public transit through better design or operation of public transit systems.

"(f) **GENERAL REQUIREMENTS.**—All grants or loans provided under this section shall be subject to all the terms, conditions, requirements, and provisions applicable to grants and loans made under section 2(a)."

**SEC. 132. GRANTS FOR CAPITAL IMPROVEMENTS TO PREVENT CRIME IN NATIONAL PARKS.**

The Act of August 18, 1970, the National Park System Improvements in Administration Act (90 Stat. 1931; 16 U.S.C. 1a-1 et seq.) is amended by adding at the end thereof the following:

**"SEC. 13. NATIONAL PARK SYSTEM CRIME PREVENTION ASSISTANCE.**

"(a) From the sums authorized pursuant to section 7 of the Land and Water Conservation Act of 1965, and not to exceed \$10,000,000, the Secretary of the Interior is authorized to provide Federal assistance to reduce the incidence of violent crime in the National Park System.

"(b) The Secretary shall direct the chief official responsible for law enforcement within the National Park Services to—

"(1) compile a list of areas within the National Park System with the highest rates of violent crime;

"(2) make recommendations concerning capital improvements, and other measures, needed within the National Park System to reduce the rates of violent crime, including the rate of sexual assault; and

"(3) publish the information required by paragraphs (1) and (2) in the Federal Register.

"(c) No later than 120 days after the date of enactment of this section, and based on the recommendations and list issued pursuant to subsection (b), the Secretary shall distribute funds throughout the National Park Service. Priority shall be given to those areas with the highest rates of sexual assault.

"(d) Funds provided under this section may be used for the following purposes—

"(1) to increase lighting within or adjacent to public parks and recreation areas;

"(2) to provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to public parks and recreation areas;

"(3) to increase security or law enforcement personnel within or adjacent to public parks and recreation areas; and

"(4) any other project intended to increase the security and safety of public parks and recreation areas."

**SEC. 133. GRANTS FOR CAPITAL IMPROVEMENTS TO PREVENT CRIME IN PUBLIC PARKS.**

Section 8 of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601-8) is amended by adding at the end thereof the following new subsection:

"(h) **CAPITAL IMPROVEMENT AND OTHER PROJECTS TO REDUCE CRIME.**—In addition to assistance for planning projects, and in addition to the projects identified in subsection (e), and from amounts appropriated, the Secretary shall provide financial assistance to the States, not to exceed \$15,000,000 in total, for the following types of projects or combinations thereof:

"(1) For the purpose of making capital improvements and other measures to increase safety in urban parks and recreation areas, including funds to—

"(A) increase lighting within or adjacent to public parks and recreation areas;

"(B) provide emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to public parks and recreation areas;

"(C) increase security personnel within or adjacent to public parks and recreation areas; and

"(D) any other project intended to increase the security and safety of public parks and recreation areas.

"(2) In addition to the requirements for project approval imposed by this section, eligibility for assistance under this subsection is dependent upon a showing of need. In providing funds under this subsection, the Secretary shall give priority to those projects proposed for urban parks and recreation areas with the highest rates of crime and, in particular, to urban parks and recreation areas with the highest rates of sexual assault.

"(3) Notwithstanding the terms of subsection (c), the Secretary is authorized to provide 70 percent improvement grants for projects undertaken by any State for the purposes outlined in this subsection. The remaining share of the cost shall be borne by the State."

Subtitle D—National Commission on  
Violent Crime Against Women

SEC. 111. ESTABLISHMENT.

There is established a commission to be known as the National Commission on Violent Crime Against Women (hereinafter referred to as "the Commission").

SEC. 112. DUTIES OF COMMISSION.

(a) **GENERAL PURPOSE OF THE COMMISSION.**—The Commission shall carry out activities for the purposes of promoting a national policy on violent crime against women, and for making recommendations for how to reduce violent crime against women.

(b) **FUNCTIONS.**—The Commission shall perform the following functions—

(1) evaluate the adequacy of, and make recommendations regarding, current law enforcement efforts at the Federal and State levels to reduce the rate of violent crimes against women;

(2) evaluate the adequacy of, and make recommendations regarding, the responsiveness of State prosecutors and State courts to violent crimes against women;

(3) evaluate the adequacy of, and make recommendations regarding, the adequacy of current education, prevention, and protection services for women victims of violent crime;

(4) evaluate the adequacy of, and make recommendations regarding, the role of the Federal Government in reducing violent crimes against women;

(5) evaluate the adequacy of, and make recommendations regarding, national public awareness and the public dissemination of information essential to the prevention of violent crimes against women;

(6) evaluate the adequacy of, and make recommendations regarding, data collection and government statistics on the incidence and prevalence of violent crimes against women;

(7) evaluate the adequacy of, and make recommendations regarding, the adequacy of State and Federal laws on sexual assault and the need for a more uniform statutory response to sex offenses; and

(8) evaluate the adequacy of, and make recommendations regarding, the adequacy of State and Federal laws on domestic violence and the need for a more uniform statutory response to domestic violence.

SEC. 113. MEMBERSHIP.

(a) **NUMBER AND APPOINTMENT.**—

(1) **APPOINTMENT.**—The Commission shall be composed of 15 members as follows:

(A) Five members shall be appointed by the President—

(i) three of whom shall be—

(I) the Attorney General;

(II) the Secretary of Health and Human Services; and

(III) the Director of the Federal Bureau of Investigation,

who shall be nonvoting members, except that in the case of a tie vote by the Commission, the Attorney General shall be a voting member;

(ii) two of whom shall be selected from the general public on the basis of such individuals being specially qualified to serve on the Commission by reason of their education, training, or experience; and

(iii) at least one of whom shall be selected for their experience in providing services to women victims of violent crime.

(B) Five members shall be appointed by the Speaker of the House of Representatives on the joint recommendation of the Majority and Minority Leaders of the House of Representatives.

(C) Five members shall be appointed by the President pro tempore of the Senate on

the joint recommendation of the Majority and Minority Leaders of the Senate.

(2) **CONGRESSIONAL COMMITTEE RECOMMENDATIONS.**—In making appointments under subparagraphs (B) and (C) of paragraph (1), the Majority and Minority Leaders of the House of Representatives and the Senate shall duly consider the recommendations of the Chairmen and Ranking Minority Members of committees with jurisdiction over laws contained in title 18 of the United States Code.

(3) **REQUIREMENTS OF APPOINTMENTS.**—The Majority and Minority Leaders of the Senate and the House of Representatives shall—

(A) select individuals who are specially qualified to serve on the Commission by reason of their education, training, and experience, including experience in advocacy or service organizations specializing in sexual assault and domestic violence; and

(B) engage in consultations for the purpose of ensuring that the expertise of the ten members appointed by the Speaker of the House of Representatives and the President pro tempore of the Senate shall provide as much of a balance as possible and, to the greatest extent possible, cover the fields of law enforcement, prosecution, judicial administration, legal expertise, victim compensation boards, and victim advocacy.

(4) **TERM OF MEMBERS.**—Members of the Commission (other than members appointed under paragraph (1)(A)(i)) shall serve for the life of the Commission.

(5) **VACANCY.**—A vacancy on the Commission shall be filled in the manner in which the original appointment was made.

(b) **CHAIRMAN.**—Not later than 15 days after the members of the Commission are appointed, such members shall select a Chairman from among the members of the Commission.

(c) **QUORUM.**—Seven members of the Commission shall constitute a quorum, but a lesser number may be authorized by the Commission to conduct hearings.

(d) **MEETINGS.**—The Commission shall hold its first meeting on a date specified by the Chairman, but such date shall not be later than 60 days after the date of the enactment of this Act. After the initial meeting, the Commission shall meet at the call of the Chairman or a majority of its members, but shall meet at least six times.

(e) **PAY.**—Members of the Commission who are officers or employees or elected officials of a government entity shall receive no additional compensation by reason of their service on the Commission.

(f) **PER DIEM.**—While away from their homes or regular places of business in the performance of duties for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under sections 5702 and 5703 of title 5, United States Code.

(g) **DEADLINE FOR APPOINTMENT.**—Not later than 45 days after the date of the enactment of this Act, the members of the Commission shall be appointed.

SEC. 114. REPORTS.

(a) **IN GENERAL.**—Not later than 1 year after the date on which the Commission is fully constituted under section 143, the Commission shall prepare and submit a final report to the President and to congressional committees that have jurisdiction over legislation addressing violent crimes against women, including the crimes of domestic and sexual assault.

(b) **CONTENTS.**—The final report submitted under paragraph (1) shall contain a detailed statement of the activities of the Commission and of the findings and conclusions of

the Commission, including such recommendations for legislation and administrative action as the Commission considers appropriate.

SEC. 115. EXECUTIVE DIRECTOR AND STAFF.

(a) **EXECUTIVE DIRECTOR.**—

(1) **APPOINTMENT.**—The Commission shall have an Executive Director who shall be appointed by the Chairman, with the approval of the Commission, not later than 30 days after the Chairman is selected.

(2) **COMPENSATION.**—The Executive Director shall be compensated at a rate not to exceed the maximum rate of the basic pay payable under GS-18 of the General Schedule as contained in title 5, United States Code.

(b) **STAFF.**—With the approval of the Commission, the Executive Director may appoint and fix the compensation of such additional personnel as the Executive Director considers necessary to carry out the duties of the Commission.

(c) **APPLICABILITY OF CIVIL SERVICE LAWS.**—The Executive Director and the additional personnel of the Commission appointed under subsection (b) may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

(d) **CONSULTANTS.**—Subject to such rules as may be prescribed by the Commission, the Executive Director may procure temporary or intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals not to exceed \$200 per day.

SEC. 116. POWERS OF COMMISSION.

(a) **HEARINGS.**—For the purpose of carrying out this subtitle, the Commission may conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate. The Commission may administer oaths before the Commission.

(b) **DELEGATION.**—Any member or employee of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this subtitle.

(c) **ACCESS TO INFORMATION.**—The Commission may secure directly from any executive department or agency such information as may be necessary to enable the Commission to carry out his subtitle, except to the extent that the department or agency is expressly prohibited by law from furnishing such information. On the request of the Chairman of the Commission, the head of such a department or agency shall furnish nonprohibited information to the Commission.

(d) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 117. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for fiscal year 1992, \$500,000 to carry out the purposes of this subtitle.

SEC. 118. TERMINATION.

The Commission shall cease to exist 30 days after the date on which its final report is submitted under section 144. The President may extend the life of the Commission for a period of not to exceed one year.

Subtitle E—New Evidentiary Rules

SEC. 151. SEXUAL HISTORY IN ALL CRIMINAL CASES.

The Federal Rules of Evidence are amended by inserting after rule 412 the following:

"Rule 412A. Evidence of victim's past behavior in other criminal cases"

"(A) REPUTATION AND OPINION EVIDENCE EXCLUDED.—Notwithstanding any other provision of law, in a criminal case, other than a sex offense case governed by rule 412, reputation or opinion evidence of the past sexual behavior of an alleged victim is not admissible.

"(B) ADMISSIBILITY.—Notwithstanding any other provision of law, in a criminal case, other than a sex offense case governed by rule 412, evidence of a alleged victim's past sexual behavior (other than reputation and opinion evidence) may be admissible if—

"(1) the evidence is admitted in accordance with the procedures specified in subdivision (c); and

"(2) the probative value of the evidence outweighs the danger of unfair prejudice.

"(c) PROCEDURES.—(1) If the defendant intends to offer evidence of specific instances of the alleged victim's past sexual behavior, the defendant shall make a written motion to offer such evidence not later than 15 days before the date on which the trial in which such evidence is to be offered is scheduled to begin, except that the court may allow the motion to be made at a later date, including during trial, if the court determines either that the evidence is newly discovered and could not have been obtained earlier through the exercise of due diligence or that the issue to which such evidence relates has newly arisen in the case. Any motion made under this paragraph shall be served on all other parties and on the alleged victim.

"(2) The motion described in paragraph (1) shall be accompanied by a written offer of proof. If necessary, the court shall order a hearing in chambers to determine if such evidence is admissible. At such hearing, the parties may call witnesses, including the alleged victim and offer relevant evidence. Notwithstanding subdivision (b) of rule 104, if the relevancy of the evidence which the defendant seeks to offer in the trial depends upon the fulfillment of a condition of fact, the court, at the hearing in chambers or at a subsequent hearing in chambers scheduled for such purpose, shall accept evidence on the issue of whether such condition of fact is fulfilled and shall determine such issue.

"(3) If the court determines on the basis of the hearing described in paragraph (2) that the evidence that the defendant seeks to offer is relevant and that the probative value of such evidence outweighs the danger of unfair prejudice such evidence shall be admissible in the trial to the extent an order made by the court specifies the evidence which may be offered and areas with respect to which the alleged victim may be examined or cross-examined. In its order, the court should consider (A) the chain of reasoning leading to its finding of relevance, and (B) why the probative value of the evidence outweighs the danger of unfair prejudice given the potential of the evidence to humiliate and embarrass the alleged victim and to result in unfair or biased jury inferences."

#### SEC. 152. SEXUAL HISTORY IN CIVIL CASES.

The Federal Rules of Evidence, as amended by section 151 of this Act, are amended by adding after rule 412A the following:

"Rule 412B. Evidence of past sexual behavior in civil cases"

"(A) REPUTATION AND OPINION EVIDENCE EXCLUDED.—Notwithstanding any other provision of law, in a civil case in which a defendant is accused of actionable sexual misconduct, as defined in subdivision (d), reputation or opinion evidence of the plaintiff's past sexual behavior is not admissible.

"(b) ADMISSIBLE EVIDENCE.—Notwithstanding any other provision of law, in a civil case in which a defendant is accused of actionable sexual misconduct, as defined in subdivision (d), evidence of a plaintiff's past sexual behavior other than reputation or opinion evidence may be admissible if—

"(1) admitted in accordance with the procedures specified in subdivision (c); and

"(2) the probative value of such evidence outweighs the danger of unfair prejudice.

"(c) PROCEDURES.—(1) If the defendant intends to offer evidence of specific instances of the plaintiff's past sexual behavior, the defendant shall make a written motion to offer such evidence not later than 15 days before the date on which the trial in which such evidence is to be offered is scheduled to begin, except that the court may allow the motion to be made at a later date, including during trial, if the court determines either that the evidence is newly discovered and could not have been obtained earlier through the exercise of due diligence or that the issue to which such evidence relates has newly arisen in the case. Any motion made under this paragraph shall be served on all other parties and on the plaintiff.

"(2) The motion described in paragraph (1) shall be accompanied by a written offer of proof. If necessary, the court shall order a hearing in chambers to determine if such evidence is admissible. At such hearing, the parties may call witnesses, including the plaintiff and offer relevant evidence. Notwithstanding subdivision (b) of rule 104, if the relevancy of the evidence with the defendant seeks to offer in the trial depends upon the fulfillment of a condition of fact, the court, at the hearing in chambers or at a subsequent hearing in chambers scheduled for such purpose, shall accept evidence on the issue of whether such condition of fact is fulfilled and shall determine such issue.

"(3) If the court determines on the basis of the hearing described in paragraph (2) that the evidence that the defendant seeks to offer is relevant and that the probative value of such evidence outweighs the danger of unfair prejudice, such evidence shall be admissible in the trial to the extent an order made by the court specifies evidence which may be offered and areas with respect to which the plaintiff may be examined or cross-examined. In its order, the court should consider (A) the chain of reasoning leading to its finding of relevance, and (B) why the probative value of the evidence outweighs the danger of unfair prejudice given the potential of the evidence to humiliate and embarrass the alleged victim and to result in unfair or biased jury inferences.

"(d) DEFINITIONS.—For purposes of this rule, a case involving a claim of actionable sexual misconduct, includes, but is not limited to, sex harassment or discrimination claims brought pursuant to title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000(e)) and gender bias claims brought pursuant to title III of the Violence Against Women Act of 1991."

#### SEC. 153. AMENDMENTS TO RAPE SHIELD LAW.

Rule 412 of the Federal Rules of Evidence is amended—

(1) by adding at the end thereof the following:

"(e) INTERLOCUTORY APPEAL.—Notwithstanding any other provision of law, any evidentiary rulings made pursuant to this rule are subject to interlocutory appeal by the government or by the alleged victim.

"(f) RULE OF RELEVANCE AND PRIVILEGE.—If the prosecution seeks to offer evidence of prior sexual history, the provisions of this

rule may be waived by the alleged victim;" and

(2) by adding at the end of subdivision (c)(3) the following: "In its order, the court should consider (A) the chain of reasoning leading to its finding of relevance; and (B) why the probative value of the evidence outweighs the danger of unfair prejudice given the potential of the evidence to humiliate and embarrass the alleged victim and to result in unfair or biased jury inferences."

#### SEC. 154. EVIDENCE OF CLOTHING.

The Federal Rules of Evidence are amended by adding after rule 412 the following:

"Rule 413. Evidence of victim's clothing as 'meeting violence'"

"Notwithstanding any other provision of law, in a criminal case in which a person is accused of an offense under chapter 109A of title 18, United States Code, evidence of an alleged victim's clothing is not admissible to show that the alleged victim incited or invited the offense charged."

#### Subtitle F—Assistance to Victims of Sexual Assault

#### SEC. 161. EDUCATION AND PREVENTION GRANTS TO REDUCE SEXUAL ASSAULTS AGAINST WOMEN.

Part A of title XIX of the Public Health and Health Services Act (42 U.S.C. 300w et seq.) is amended as follows:

(1) by adding at the end thereof the following new section:

#### "§ 1910A. Use of allotments for rape prevention education

"(a) Notwithstanding the terms of section 1904(a)(1) of this title, amounts transferred by the State for use under this part may be used for rape prevention and education programs conducted by rape crisis centers or similar nongovernmental nonprofit entities, which programs may include—

- "(1) educational seminars;
- "(2) the operation of hotlines;
- "(3) training programs for professionals;
- "(4) the preparation of informational materials; and

"(5) other efforts to increase awareness of the facts about, or to help prevent, sexual assault.

"(b) States providing grant monies must assure that at least 15 percent of the monies are devoted to education programs targeted for junior high school and high school students.

"(c) There are authorized to be appropriated under this section for each fiscal year 1992, 1993, and 1994, \$85,000,000 to carry out the purposes of this section.

"(d) Funds authorized under this section may only be used for providing rape prevention and education programs.

"(e) For purposes of this section, the term 'rape prevention and education' includes education and prevention efforts directed at offenses committed by offenders who are not known to the victim as well as offenders who are known to the victim.

"(f) States shall be allotted funds under this section pursuant to the terms of sections 1902 and 1903, and subject to the conditions provided in this section and sections 1904 through 1909."

- (2) striking section 1901(b); and
- (3) striking section 1904(a)(1)(G).

#### SEC. 162. RAPE EXAM PAYMENTS.

No State or other grantee is entitled to funds under title I of the Violence Against Women Act of 1990 unless the State or other grantee incurs the full cost of forensic medical exams for victims of sexual assault. A State or other grantee does not incur the full medical cost of forensic medical exams if it chooses to reimburse the victim after the fact unless the reimbursement program

waives any minimum loss or deductible requirement, provides victim reimbursement within a reasonable time (90 days), permits applications for reimbursement within one year from the date of the exam, and provides information to all subjects of forensic medical exams about how to obtain reimbursement.

**TITLE II—SAFE HOMES FOR WOMEN**  
**SEC. 201. SHORT TITLE.**

This title may be cited as the "Safe Homes for Women Act of 1990".

**Subtitle A—Interstate Enforcement**  
**SEC. 202. INTERSTATE ENFORCEMENT.**

(a) **IN GENERAL.**—Part 1 of title 18, United States Code, is amended by inserting after chapter 110 the following:

- "Chapter 110A—Violence Against Spouses
- "Sec. 2261. Traveling to commit spousal abuse.
- "Sec. 2262. Interstate violation of protection orders.
- "Sec. 2263. Restitution.
- "Sec. 2264. Full faith and credit given to protection orders.
- "Sec. 2265. Definitions for chapter.
- "§ 2261. Traveling to commit spousal abuses

"(a) **IN GENERAL.**—Any person who travels or causes another (including the intended victim) to travel across State lines or in interstate commerce with the intent to injure a spouse or intimate partner, and who, during the course of any such travel or thereafter, does an act that injures his or her spouse or intimate partner in violation of a criminal law of the State where the injury occurs, shall be fined not more than \$1,000 or imprisoned for not more than 5 years but not less than 3 months, or both, in addition to any fine or term of imprisonment provided under State law.

"(b) **NO STATE LAW.**—If no fine or term of imprisonment is provided for under the law of the State where the injury occurs, a person violating this section shall be punished as follows:

"(1) If permanent disfigurement or life-threatening bodily injury results, by imprisonment for not more than 20 years; where serious bodily injury results, by fine under this title or imprisonment for not more than 10 years, or both; where bodily injury results, by fine under this title or imprisonment for not more than 5 years, or both.

"(2) If the offense is committed with intent to commit another felony, by fine under this title or imprisonment for not more than 10 years, or both.

"(3) If the offense is committed with a dangerous weapon, with intent to do bodily harm, by fine under this title or imprisonment for not more than 5 years, or both.

"(4) If the offense constitutes sexual abuse, as that conduct is described under chapter 109A of title 18, United States Code (without regard to whether the offense was committed in the maritime, territorial or prison jurisdiction of the United States) by fine or term of imprisonment as provided for the applicable conduct under chapter 109A.

"(c) **CRIMINAL INTENT.**—The criminal intent of the offender required to establish an offense under subsection (b) is the general intent to do the acts that result in injury to a spouse or intimate partner and not the specific intent to violate the law of a State.

"§ 2262. Interstate violation of protection orders

"(a) **IN GENERAL.**—Any person against whom a valid protection order has been entered or any agent of that person who travels or causes another (including the intended victim) to travel across State lines or in interstate commerce with the intent to injure a spouse or intimate partner and

who, during the course of such travel or thereafter, commits an act that injures his or her spouse or intimate partner in violation of a valid protection order issued by a State, with the intent to injure his or her spouse or intimate partner, shall be punished as follows:

"(1) If permanent disfigurement or life-threatening bodily injury results, by imprisonment for not more than 20 years; where serious bodily injury results, by fine under this title or imprisonment for not more than 10 years, or both; where bodily injury results, by fine under this title or imprisonment for not more than 5 years, or both.

"(2) If the offense is committed with intent to commit another felony, by fine under this title or imprisonment for not more than 10 years, or both.

"(3) If the offense is committed with a dangerous weapon, with intent to do bodily harm, by fine under this title or imprisonment for not more than 5 years, or both.

"(4) If the offender has previously violated any prior protection order issued against that person for the protection of the same victim, by fine under this title or imprisonment for not more than 5 years and not less than six months, or both.

"(5) If the offense constitutes sexual abuse, as that conduct is described under chapter 109A of title 18, United States Code (without regard to whether the conduct was committed in the special maritime, territorial or prison jurisdiction of the United States) by fine or term of imprisonment as provided for the applicable offense under chapter 109A.

"(b) **CRIMINAL INTENT.**—The criminal intent required to establish the offense provided in subsection (a) is the general intent to do the acts which result in injury to a spouse or intimate partner and not the specific intent to violate a protection order or State law.

"§ 2263. Interim Protections.

"In furtherance of the purposes of this chapter, and to protect against abuse of a spouse or intimate partner, any judge or magistrate before whom a criminal case under this chapter is brought, shall have the power to issue temporary order of protection for the protection of an abused spouse or intimate partner pending final adjudication of the case, upon a showing of a likelihood of danger to the abuse spouse or intimate partner.

"§ 2264. Restitution

"(a) **IN GENERAL.**—In addition to any fine or term of imprisonment provided under this chapter, and notwithstanding the terms of section 3683 of this title, the court shall order restitution to the victim of an offense under this chapter.

"(b) **SCOPE AND NATURE OF ORDER.**—(1) The order of restitution under this section shall direct that—

"(A) the defendant pay to the victim the full amount of the victim's losses as determined by the court, pursuant to subsection (3); and

"(B) the United States Attorney enforce the restitution order by all available and reasonable means.

"(2) For purposes of this subsection, the term 'full amount of the victim's losses' includes any costs incurred by the victim for—

"(A) medical services relating to physical, psychiatric, or psychological care;

"(B) physical and occupational therapy or rehabilitation; and

"(C) lost income;

"(D) attorneys' fees, plus any costs incurred in obtaining a civil protection order; and

"(E) any other losses suffered by the victim as a proximate result of the offense.

"(3) Restitution orders under this section are mandatory. A court may not decline to issue an order under this section because of—

"(A) the economic circumstances of the defendant; or

"(B) the fact that victim has, or is entitled to, receive compensation for his or her injuries from the proceeds of insurance.

"(4)(A) Notwithstanding the terms of paragraph (3),

the court may take into account the economic circumstances of the defendant in determining the manner in which and the schedule according to which the restitution is to be paid, including—

"(i) the financial resources and other assets of the defendant;

"(ii) projected earnings, earning capacity, and other income of the defendant; and

"(iii) any financial obligations of the offender, including obligations to dependents.

"(B) An order under this section may direct the defendant to make a single lump-sum payment, or partial payments at specified intervals. The order shall provide that the defendant's restitutionary obligation takes priority over any criminal fine ordered.

"(C) In the event that the victim has recovered for any amount of loss through the proceeds of insurance or any other source, the order of restitution shall provide that restitution be paid to the person who provided the compensation, but that restitution shall be paid to the victim before any restitution is paid to any other provider of compensation.

"(5) Any amount paid to a victim under this section shall be set off against any amount later recovered as compensatory damages by the victim from the defendant in—

"(A) any Federal civil proceeding; and

"(B) any State civil proceeding, to the extent provided by the law of the State.

"(c) **PROOF OF CLAIM.**—(1) Within 60 days after conviction and, in any event, no later than 10 days prior to sentencing, the United States Attorney (or his delegate), after consulting with the victim, shall prepare and file an affidavit with the court listing the amounts subject to restitution under this section. The affidavit shall be signed by the United States Attorney (or his delegate) and the victim. Should the victim object to any of the information included in the affidavit, the United States Attorney (or his delegate) shall advise the victim that the victim may file a separate affidavit.

"(2) If no objection is raised by the defendant, the amounts attested to in the affidavit filed pursuant to subsection (1) shall be entered in the court's restitution order. If objection is raised, the court may require the victim or the United States Attorney (or his delegate) to submit further affidavits or other supporting documents, demonstrating the victim's losses.

"(3) If the court concludes, after reviewing the supporting documentation and considering the defendant's objections, that there is a substantial reason for doubting the authenticity or veracity of the records submitted, the court may require additional documentation or hear testimony on those questions. Any records filed, or testimony heard, pursuant to this section, shall be in camera in the judge's chambers. Notwithstanding any other provision of law, this section does not entitle the defendant to discovery of the contents of, or related to, any supporting documentation, including medical, psychological, or psychiatric records.

"(4) In the event that the victim's losses are not ascertainable 10 days prior to sentencing as provided in subsection (c)(1), the

United States Attorney (or his delegee) shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing. If the victim subsequently discovers further losses, the victim shall have 60 days after discovery of those losses in which to petition the court for an amended restitution order. Such order may be granted only upon a showing of good cause for the failure to include such losses in the initial claim for restitution relief.

"(d) **RESTITUTION AND CRIMINAL PENALTIES.**—An award of restitution to the victim of an offense under this chapter shall not be a substitute for imposition of punishment under sections 2281 and 2262.

"(e) **DEFINITIONS.**—For purposes of this section, the terms 'victim' includes any person who has suffered direct physical, emotional, or pecuniary harm as a result of a commission of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or representative of the victim's estate, another family member, or any other person appointed as suitable by the court: *Provided*, That in no event shall the defendant be named as such representative or guardian.

"§ 2265. Full faith and credit given to protection orders

"(a) **FULL FAITH AND CREDIT.**—Any protection order issued consistent with the terms of subsection (b) by the court of one State (the issuing State) shall be accorded full faith and credit by the court of another State (the enforcing State) and enforced as if it were the order of the enforcing State.

"(b) **PROTECTION ORDER.**—A protection order issued by a State court is consistent with the provisions of this section if—

"(1) such court has jurisdiction over the parties and matter under the law of such State; and

"(2) reasonable notice and opportunity to be heard is given to the person against whom the order is sought sufficient to protect that person's right to due process. In the case of ex parte orders, notice and opportunity to be heard must be provided within the time required by State law, and in any event within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.

"(c) **CROSS OR COUNTER PETITION.**—A protection order issued by a State court against one who has petitioned, filed a complaint, or otherwise filed a written pleading for protection against abuse by a spouse or intimate partner is not entitled to full faith and credit if—

"(1) no cross or counter petition, complaint, or other written pleading was filed seeking such a protection order; or

"(2) if a cross or counter petition has been filed, if the court did not make specific findings that each party was entitled to such an order.

"§ 2266. Definition for chapter

"As used in this chapter—

"(1) the term 'spouse or intimate partner' includes—

"(A) a present or former spouse, a person who shares a child in common with the abuser, and a person who cohabits or has cohabited with the abuser as a spouse; and

"(B) any other person similarly situated to a spouse, other than a child, who is protected by the domestic or family violence laws of the State in which the injury occurred or where the victim resides;

"(2) the term 'protection order' includes any injunction or other order issued for the purpose of preventing violent or threatening acts by one spouse against his or her

spouse or intimate partner, including temporary and final orders issued by civil and criminal courts (other than support or child custody orders) whether obtained by filing an independent action or as a pendent lite order in another proceeding so long as any civil order was issued in response to a complaint, petition or motion of an abused spouse or intimate partner;

"(3) the term 'act that injures' includes any act, except those done in self-defense, that results in physical injury or sexual abuse; and

"(4) the term 'State' includes a State of the United States, the District of Columbia, and any Indian tribe, commonwealth, territory, or possession of the United States."

(b) **TABLE OF CHAPTERS.**—The table of chapters for part 1 of title 18, United States Code, is amended by inserting after the item for chapter 110 the following:

"110A. Violence against spouses ..... 2261."

Subtitle B—Arrest in Spousal Abuse Cases

SEC. 221. ENCOURAGING ARREST POLICIES.

The Family Violence Prevention and Services Act (42 U.S.C. 10400) is amended by adding after section 311 the following:

"SEC. 311. ENCOURAGING ARREST POLICIES.

"(a) **PURPOSE.**—To encourage States, Indian tribes and localities to treat spousal violence as a serious violation of criminal law, the Secretary is authorized to make grants to eligible States, Indian tribes, municipalities, or local government entities for the following purposes:

"(1) to implement pro-arrest programs and policies in police departments and to improve tracking of cases involving spousal abuse;

"(2) to centralize and coordinate police enforcement, prosecution, or judicial responsibility for, spousal abuse cases in one group or unit of police officers, prosecutors, or judges;

"(3) to educate judges in criminal and other courts about spousal abuse and to improve judicial handling of such cases.

"(b) **ELIGIBILITY.**—(1) Eligible grantees are those States, Indian tribes, municipalities or other local government entities that—

"(A) demonstrate, through arrest and conviction statistics, that their laws or policies have been effective in significantly increasing the number of arrests made of spouse abusers; and

"(B) certify that their laws or official policies—

"(i) mandate arrest of spouse abusers based on probable cause that violence has been committed or mandate arrest of spouses violating the terms of a valid and outstanding protection order; or

"(ii) permit warrantless misdemeanor arrests of spouse abusers and encourage the use of that authority; and

"(C) demonstrate that their laws and policies discourage 'dual' arrests of abused and abuser and the increase in arrest rates demonstrated pursuant to paragraph (1)(A) is not the result of increased dual arrests.

"(2) For purposes of this section, the term 'protection order' includes any injunction issued for the purpose of preventing violent or threatening acts of spouse abuse, including temporary and final orders issued by civil and criminal courts (other than support or child custody orders) whether obtained by filing an independent action or as a pendent lite order in another proceeding.

"(3) For purposes of this section, the term 'spousal or spouse abuse' includes abuse of a current or former spouse, a person who shares a child in common with the abuser, and person who cohabits with or has cohabited with the abuser as a spouse.

"(4) The eligibility requirements provided in this section shall take effect one year after the date of enactment of this section.

"(c) **DELEGATION AND AUTHORIZATION.**—The Secretary shall delegate to the Attorney General of the United States the Secretary's responsibilities for carrying out this section to the Attorney General. There are authorized to be appropriated not in excess of \$25,000,000 for each fiscal year to be used for the purpose of making grants under this section.

"(d) **APPLICATION.**—An eligible grantee shall submit an application to the Secretary. Such application shall—

"(1) contain a certification by the chief executive officer of the State, Indian tribes, municipality, or local government entity that the conditions of subsection (b) are met;

"(2) describe the entity's plans to further the purposes listed in subsection (a);

"(3) identify the agency or office or groups of agencies or offices responsible for carrying out the program; and

"(4) identify the nonprofit nongovernmental victim services programs will be consulted in developing, and implementing, the program

"(e) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to a grantee that—

"(1) does not currently provide for centralized handling of cases involving spousal or family violence in any one of the areas listed in this subsection—police, prosecutors, and courts; and

"(2) demonstrates a commitment to strong enforcement of laws, and prosecution of cases, involving spousal or family violence.

"(f) **REPORTING.**—Each grantee receiving funds under this section shall submit a report to the Secretary evaluating the effectiveness of the plan described in subsection (d)(2) and containing such additional information as the Secretary may prescribe.

"(g) **REGULATIONS.**—No later than 45 days after the date of enactment of this section, the Secretary shall publish proposed regulations implementing this section. No later than 120 days after such date, the Secretary shall publish final regulations implementing this section."

Subtitle C—Funding for Shelters

SEC. 231. AUTHORIZATION.

Section 310 of the Family Violence Prevention and Services Act (42 U.S.C. 10409) is amended to read as follows:

"SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

"(a) There are authorized to be appropriated to carry out the provisions of this title, \$85,000,000 for fiscal year 1992, \$100,000,000, for fiscal year 1993, and \$125,000,000 for fiscal year 1994.

"(b) Of the sums authorized to be appropriated under subsection (a) of this section for any fiscal year, not less than 85 percent shall be used by the Secretary for making grants under section 303.

"(c) Of the sums authorized to be appropriated under subsection (a) of this section for any fiscal year, not more than 5 percent shall be used by the Secretary for making grants under section 314."

Subtitle D—Family Violence Prevention and Services Act Amendments

SEC. 241. EXPANSION OF PURPOSE.

Section 302(1) of the Family Violence Prevention and Services Act (42 U.S.C. 10401(1)) is amended by striking "to prevent" and inserting "to increase public awareness about and prevent".

**SEC. 212. EXPANSION OF STATE DEMONSTRATION GRANT PROGRAM.**

Section 303(a)(1) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(1)) is amended by striking "to prevent" and inserting "to increase public awareness about and prevent".

**SEC. 213. GRANTS FOR PUBLIC INFORMATION CAMPAIGNS.**

The Family Violence Prevention and Services Act is amended by adding at the end thereof the following new section:

**"GRANTS FOR PUBLIC INFORMATION CAMPAIGNS**

"Sec. 314. (a) The Secretary may make grants to public or private nonprofit entities to provide public information campaigns regarding domestic violence through the use of public service announcements and informative materials that are designed for print media, billboards, public transit advertising, electronic broadcast media, and other vehicles for information that shall inform the public concerning domestic violence.

"(b) No grant, contract, or cooperative agreement shall be made or entered into under this section unless an application that meets the requirements of subsection (c) has been approved by the Secretary.

"(c) An application submitted under subsection (b) shall—

"(1) provide such agreements, assurances, and information, be in such form and be submitted in such manner as the Secretary shall prescribe through notice in the Federal Register, including a description of how the proposed public information campaign will target the population at risk, including pregnant women;

"(2) include a complete description of the plan of the application for the development of a public information campaign;

"(3) identify the specific audiences that will be educated, including communities and groups with the highest prevalence of domestic violence;

"(4) identify the media to be used in the campaign and the geographic distribution of the campaign;

"(5) describe plans to test market a development plan with a relevant population group and in a relevant geographic area and give assurance that effectiveness criteria will be implemented prior to the completion of the final plan that will include an evaluation component to measure the overall effectiveness of the campaign;

"(6) describe the kind, amount, distribution, and timing of informational messages and such other information as the Secretary may require, with assurances that media organizations and other groups with which such messages are placed will not lower the current frequency of public service announcements; and

"(7) contain such other information as the Secretary may require.

"(d) A grant, contract, or agreement made or entered into under this section shall be used for the development of a public information campaign that may include public service announcements, paid educational messages for print media, public transit advertising, electronic broadcast media, and any other mode of conveying information that the Secretary determines to be appropriate.

"(e) The criteria for awarding grants shall ensure that an applicant—

"(1) will conduct activities that educate communities and groups at greatest risk;

"(2) has a record of high quality campaigns of a comparable type; and

"(3) has a record of high quality campaigns that educate the population groups identified as most at risk."

**SEC. 214. STATE COMMISSIONS ON DOMESTIC VIOLENCE.**

Section 303(a)(2) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)) is amended—

(1) by striking "and" at the end of subparagraph (F);

(2) by redesignating subparagraph (G) as subparagraph (H); and

(3) by inserting after subparagraph (F) the following new subparagraph:

"(G) provides assurances that, not later than 1 year after receipt of funds, the State shall have established a Commission on Domestic Violence to examine issues including—

"(i) the use of mandatory arrest of accused offenders;

"(ii) the adoption of 'no-drop' or vertical prosecution policies;

"(iii) the use of mandatory requirements for presentencing investigations;

"(iv) the length of time taken to prosecute cases or reach plea agreements;

"(v) the use of plea agreements;

"(vi) the testifying by victims at post-conviction sentencing and release hearings;

"(vii) the consistency of sentencing practices;

"(viii) restitution of victims;

"(ix) the reporting practices of and significance to be accorded to prior convictions (both felonies and misdemeanors); and

"(x) such other matters as the Commission believes merit investigation.

In implementing this requirement, State grantees must certify to the Secretary that—

"(aa) no less than one-third of Commission members be victim advocates associated with non-profit shelters; and

"(bb) no more than 2 percent of the grant monies awarded shall be used to support the required Commission."

**SEC. 215. INDIAN TRIBES.**

Section 303(b)(1) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(b)(1)) is amended by striking "is authorized" and inserting "from sums appropriated shall make no less than 10 percent available for".

**SEC. 216. FUNDING LIMITATIONS.**

Section 303(c) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(c)) is amended by striking ", and" and all that follows through "fiscal years".

**SEC. 217. GRANTS TO ENTITIES OTHER THAN STATES: LOCAL SHARE.**

The first sentence of section 303(f) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(f)) is amended to read as follows: "No demonstration grant may be made under this section to an entity other than a State or Indian tribe unless the entity provides 50 percent of the funding of the program or project funded by the grant."

**SEC. 218. SHELTER AND RELATED ASSISTANCE.**

Section 303(g) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(g)) is amended by—

(1) striking "not less than 60 percent" and inserting "not less than 75 percent"; and

(2) striking "immediate shelter and related assistance to victims of family violence and their dependents" and inserting "shelter and related assistance to victims of family violence and their dependents, including any, but not requiring all of the following—

"(1) food, shelter, medical services, and counseling with respect to family violence, including counseling by peers individually or in groups;

"(2) transportation, legal assistance, referrals, and technical assistance with respect to

obtaining financial assistance under Federal and State programs;

"(3) comprehensive counseling about parenting, preventive health (including nutrition, exercise, and prevention of substance abuse), educational services employment training, social skills (including communication skills), home management assertiveness training; and

"(4) day care services for children who are victims of family violence or the dependents of such victims."

**SEC. 219. LAW ENFORCEMENT TRAINING AND TECHNICAL ASSISTANCE GRANTS.**

Section 311(b) of the Family Violence Prevention and Services Act (42 U.S.C. 10410(b)) is amended by adding at the end thereof the following new subparagraph:

"(d) Training grants may be made under this section only to private nonprofit organizations that have experience in providing training and technical assistance to law enforcement personnel on a national or regional basis."

**SEC. 220. REPORT ON RECORDKEEPING.**

Not later than 120 days after the date of enactment of this Act, the General Accounting Office shall complete a study of, and shall submit to Congress a report and recommendations on, problems of recordkeeping of criminal complaints involving domestic violence. The study and report shall examine efforts to date of the FBI and Justice Department to collect statistics on domestic violence and the feasibility of, including a suggested timetable for, requiring that the relationship between an offender and victim be reported in Federal and State records of crimes of assault, aggravated assault, rape, and other violent crimes.

**SEC. 251. MODEL STATE LEADERSHIP INCENTIVE GRANTS FOR DOMESTIC VIOLENCE INTERVENTION**

The Family Violence Prevention Services Act, as amended by section 103 of this Act, is amended by adding at the end thereof the following new section:

**"MODEL STATE LEADERSHIP GRANTS FOR DOMESTIC VIOLENCE INTERVENTION**

"Sec. 315. (a) The Secretary, in cooperation with the Attorney General, shall award grants to not less than 10 States to assist in becoming model demonstration States and in meeting the costs of improving State leadership concerning activities that will—

"(1) increase the number of prosecutions for domestic violence crimes;

"(2) encourage the reporting of incidences of domestic violence; and

"(3) facilitate 'arrests and aggressive' prosecution policies.

"(b) To be designated as a model State under subsection (a), a State shall have in effect—

"(1) a law that requires mandatory arrest of a person that police have probable cause to believe has committed an act of domestic violence or probable cause to believe has violated an outstanding civil protection order;

"(2) a law or policy that discourages 'dual' arrests;

"(3) statewide prosecution policies that—

"(A) authorize and encourage prosecutors to pursue cases where a criminal case can be proved, including proceeding without the active involvement of the victim if necessary; and

"(B) implement model projects that include either—

"(i) a 'no-drop' prosecution policy; or

"(ii) a vertical prosecution policy; and

"(C) limit diversion to extraordinary cases, and then only after an admission before a judicial officer has been entered;

"(4) statewide guidelines for judges that—