

750

Administration of Justice

Budget function 750 covers programs that provide judicial services, law enforcement, and prison operation. The Federal Bureau of Investigation, the Customs Service, the Drug Enforcement Administration, and the federal court system are all supported under this function. CBO estimates that discretionary outlays for function 750 will total \$26.8 billion in 2000. Over the past 10 years, this function has experienced steady and often significant annual increases in outlays, reflecting continued concern about drug-related and other crime.

Federal Spending, Fiscal Years 1990-2000 (In billions of dollars)

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	Estimate 2000
Budget Authority (Discretionary)	12.4	12.7	14.3	14.6	15.2	18.3	20.7	22.9	24.8	26.5	26.6
Outlays											
Discretionary	10.1	11.9	14.0	14.7	15.0	16.2	17.6	20.1	22.2	25.0	26.3
Mandatory	<u>-0.1</u>	<u>0.3</u>	<u>0.4</u>	<u>0.3</u>	<u>0.2</u>	<u>0.1</u>	<u>0</u>	<u>0.1</u>	<u>0.7</u>	<u>0.9</u>	<u>0.5</u>
Total	10.0	12.3	14.4	15.0	15.3	16.2	17.5	20.2	22.8	25.9	26.8
Memorandum:											
Annual Percentage Change in Discretionary Outlays		18.3	17.2	4.8	2.6	7.5	8.9	14.3	10.2	12.8	5.1

750-01 Reduce Funding for Law Enforcement Efforts to Control Illegal Drugs

Savings
(Millions of dollars)
Budget
Authority Outlays

Relative to WODI

2001	2,575	1,681
2002	2,575	2,260
2003	2,575	2,465
2004	2,575	2,527
2005	2,575	2,543
2001-2005	12,873	11,476
2001-2010	25,745	24,324

Relative to WIDI

2001	2,643	1,730
2002	2,703	2,363
2003	2,766	2,629
2004	2,831	2,763
2005	2,896	2,847
2001-2005	13,838	12,333
2001-2010	29,350	27,804

SPENDING CATEGORY:

Discretionary

RELATED OPTIONS:

750-02 and 800-05

The federal government currently allocates nearly \$18 billion a year for controlling illegal drugs. Of that amount, approximately \$3.2 billion is designated for efforts to prevent drugs from entering the United States. Both domestic agencies and the Department of Defense carry out law enforcement efforts to control illegal drugs. Approximately two-fifths of the funds for interdiction and international activities are allocated under the administration of justice budget function. Another one-fourth is allocated to defense-related efforts. (The remainder is split between the transportation and international affairs budget functions.) Eliminating funds for drug interdiction and international activities, which may be relatively less effective than domestic antidrug efforts, would save \$1.7 billion in the first year, \$11.5 billion over five years, and \$24.3 billion over 10 years.

Critics of the funding claim that interdiction and international activities are both more costly and less effective than other antidrug efforts; that no clear proof of their efficacy exists; and that the federal government could drastically reduce the resources devoted to such activities without affecting drug use over the long term. In fact, some sources show that illicit drugs are less expensive and more readily available now than they were before the federal government began trying to control them. Interdiction and international activities do not reduce the demand for drugs and have less impact on the price users pay than state and locally funded efforts. Interdiction and international activities affect producers' costs, which are only a small part of the users' charges. The bulk of those charges are added in the later stages of processing and delivery. (Of course, local and state efforts to control the supply of drugs also face several obstacles: competition among producers and distributors, the large markup from wholesale to retail prices, and the ability of distributors to dilute the drug to maintain an end price that customers can afford.)

Proponents argue that a variety of reasons exist to support interdiction and international activities. Notable successes, including the destruction of major drug trafficking organizations and the large quantities of illegal drugs seized or destroyed, contradict claims of ineffectiveness. In fact, supporters of interdiction and international activities argue that street prices would have been much lower, and the availability of drugs much greater, without extensive funding for criminal justice efforts. Moreover, if the goal of the federal government is to control, and not simply to reduce, the use of illegal drugs, some effort to reduce the flow of drugs into the country will be necessary. Proponents of antidrug activities argue that given the unacceptably high level of drug use, the government should reform allegedly ineffective programs rather than eliminate them. Finally, in cases in which antidrug activities are integrated with other agency functions, cutting back funding for interdiction and international efforts would also disrupt those related activities.

750-02 Reduce Funding for Justice Assistance and Certain Justice-Related Activities

Savings
(Millions of dollars)
Budget
Authority Outlays

Relative to WODI

2001	696	309
2002	758	558
2003	758	718
2004	758	758
2005	758	758
2001-2005	3,728	3,101
2001-2010	7,518	6,891

Relative to WIDI

2001	708	313
2002	783	574
2003	797	746
2004	811	799
2005	826	813
2001-2005	3,925	3,245
2001-2010	8,270	7,529

SPENDING CATEGORY:

Discretionary

RELATED OPTIONS:

750-01 and 800-05

In addition to the law enforcement activities that the Department of Justice carries out directly, it and related government entities provide various types of law enforcement or legal assistance to individuals, community organizations, and state and local law enforcement agencies. That assistance, which will amount to about \$1.5 billion in 2000, often takes the form of financial grants to support research, training, and other programs.

This option would consolidate and reform justice assistance programs and reduce the amount spent on them by 20 percent. It would also terminate the Legal Services Corporation and the State Justice Institute. Those cuts can, of course, be considered separately. Taken together, they would save \$309 million in 2001, \$3.1 billion over five years, and \$6.9 billion over 10 years.

The major criticisms of the justice assistance programs are that they do not respond to local concerns and priorities and that they often address problems that are not federal responsibilities. Consolidating grant programs would yield administrative savings, and switching from categorical to block grants would allow grant recipients to focus their efforts on areas of greatest need rather than on problems that, though significant nationally, are less important locally. Similar arguments apply to the Legal Services Corporation, which provides legal assistance to the poor in civil matters. Critics contend that responsibility for such assistance more properly lies with state and local governments. Some critics also charge that the activities of Legal Service lawyers tend to focus on advancing social causes rather than on helping poor people with routine legal problems. (The Congress modified the Legal Services Corporation in 1996, restricting the types of cases and clients it could represent by, for example, prohibiting the corporation's lawyers from representing plaintiffs in class-action suits.) The State Justice Institute, which makes grants for research on criminal justice matters, likewise faces questions of responsibility and jurisdiction. The criticisms leveled against the institute are that much of the research it sponsors is similar to that conducted elsewhere and that in neglecting to publicize the research or cooperate with the courts in instituting reforms and new ideas, it does too little to affect the states' actual administration of justice.

Supporters of funding for justice assistance argue that it is merited on practical grounds. The categorical grant system, they maintain, is working as intended: in certain cases, the problems the grants address have a national scope but might be ignored by states without the incentive of federal funds. Reduced federal spending would, moreover, disproportionately affect those state-run programs that depend heavily on federal funding, such as juvenile justice. In defending the Legal Services Corporation and the State Justice Institute, opponents of this option argue that the federal government has an obligation to provide assistance in areas with scarce support from state and private sources.