

Union Calendar No. 700

114TH CONGRESS
2^D SESSION

H. R. 68

[Report No. 114–890]

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Ms. JACKSON LEE introduced the following bill; which was referred to the Committee on the Judiciary

DECEMBER 23, 2016

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on January 6, 2015]

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the use of Juvenile Accountability Block Grants for programs to prevent and address occurrences of bullying and to reauthorize the Juvenile Accountability Block Grants program.

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

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Tiffany Joslyn Juvenile*
5 *Accountability Block Grant Program Reauthorization Act*
6 *of 2016”.*

7 **SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY**

8 **BLOCK GRANT PROGRAM.**

9 *Part R of title I of the Omnibus Crime Control and*
10 *Safe Streets Act of 1968 (42 U.S.C. 3796ee et seq.) is*
11 *amended—*

12 *(1) in section 1801(b)—*

13 *(A) in paragraph (1), by striking “grad-*
14 *uated sanctions” and inserting “graduated sanc-*
15 *tions and incentives”; and*

16 *(B) in paragraph (3), by striking “hiring*
17 *juvenile court judges, probation officers, and*
18 *court-appointed defenders and special advocates,*
19 *and”;*

20 *(C) by striking paragraphs (4) and (7), and*
21 *redesignating paragraphs (5) through (17) as*
22 *paragraphs (4) through (15), respectively; and*

23 *(D) in paragraph (11), as so redesignated,*
24 *by striking “research-based bullying,*
25 *cyberbullying, and gang prevention programs”*

1 *and inserting “interventions such as researched-*
2 *based anti-bullying, anti-cyberbullying, and*
3 *gang prevention programs, as well as mental*
4 *health services and trauma-informed practices”;*
5 *(2) in section 1802—*

6 *(A) in subsection (d)(3), by inserting after*
7 *“individualized sanctions” the following: “, in-*
8 *centives,”;*

9 *(B) in subsection (e)(1)(B), by striking*
10 *“graduated sanctions” and inserting “graduated*
11 *sanctions and incentives”;* and

12 *(C) in subsection (f)—*

13 *(i) in paragraph (2)—*

14 *(I) by inserting after “A sanction*
15 *may include” the following: “a range*
16 *of court-approved interventions, such*
17 *as”;* and

18 *(II) by inserting after “a fine,”*
19 *the following: “a restorative justice*
20 *program,”;* and

21 *(ii) by inserting after paragraph (2)*
22 *the following:*

23 *“(3) INCENTIVES.—The term ‘incentives’ means*
24 *individualized, goal-oriented, and graduated responses*
25 *to a juvenile offender’s compliance with court orders*

1 *and case disposition terms designed to reinforce or*
2 *modify the skills and behaviors of the juvenile of-*
3 *fender. An incentive may include a certificate of*
4 *achievement, a letter of recommendation, a family or*
5 *program activity, a meeting or special outing with a*
6 *community leader, a reduction in community service*
7 *hours, a reduced curfew or home-restriction, a de-*
8 *crease in required court appearances, or a decrease in*
9 *the term of court-ordered supervision.”;*

10 *(3) in section 1810(a), by striking “\$350,000,000*
11 *for each of fiscal years 2006 through 2009” and in-*
12 *serting “\$25,000,000 for each of fiscal years 2018*
13 *through 2022”;* and

14 *(4) by adding at the end the following:*

15 **“SEC. 1811. GRANT ACCOUNTABILITY.**

16 *“(a) DEFINITION OF APPLICABLE COMMITTEES.—In*
17 *this section, the term ‘applicable committees’ means—*

18 *“(1) the Committee on the Judiciary of the Sen-*
19 *ate; and*

20 *“(2) the Committee on the Judiciary of the*
21 *House of Representatives.*

22 *“(b) ACCOUNTABILITY.—All grants awarded by the At-*
23 *torney General under this part shall be subject to the fol-*
24 *lowing accountability provisions:*

25 *“(1) AUDIT REQUIREMENT.—*

1 “(A) *DEFINITION.*—*In this paragraph, the*
2 *term ‘unresolved audit finding’ means a finding*
3 *in the final audit report of the Inspector General*
4 *of the Department of Justice that the audited*
5 *grantee has utilized grant funds for an unau-*
6 *thorized expenditure or otherwise unallowable*
7 *cost that is not closed or resolved within 12*
8 *months after the date on which the final audit*
9 *report is issued.*

10 “(B) *AUDIT.*—*Beginning in the first fiscal*
11 *year beginning after the date of enactment of*
12 *this section, and in each fiscal year thereafter,*
13 *the Inspector General of the Department of Jus-*
14 *tice shall conduct audits of recipients of grants*
15 *awarded by the Attorney General under this part*
16 *to prevent waste, fraud, and abuse of funds by*
17 *grantees. The Inspector General shall determine*
18 *the appropriate number of grantees to be audited*
19 *each year.*

20 “(C) *MANDATORY EXCLUSION.*—*A recipient*
21 *of grant funds under this part that is found to*
22 *have an unresolved audit finding shall not be eli-*
23 *gible to receive grant funds under this part dur-*
24 *ing the first 2 fiscal years beginning after the*

1 *end of the 12-month period described in subpara-*
2 *graph (A).*

3 “(D) *PRIORITY.*—*In awarding grants under*
4 *this part, the Attorney General shall give pri-*
5 *ority to eligible applicants that did not have an*
6 *unresolved audit finding during the 3 fiscal*
7 *years before submitting an application for a*
8 *grant under this part.*

9 “(E) *REIMBURSEMENT.*—*If an entity is*
10 *awarded grant funds under this part during the*
11 *2-fiscal-year period during which the entity is*
12 *barred from receiving grants under subpara-*
13 *graph (C), the Attorney General shall—*

14 “(i) *deposit an amount equal to the*
15 *amount of the grant funds that were im-*
16 *properly awarded to the grantee into the*
17 *General Fund of the Treasury; and*

18 “(ii) *seek to recoup the costs of the re-*
19 *payment to the fund from the grant recipi-*
20 *ent that was erroneously awarded grant*
21 *funds.*

22 “(2) *ANNUAL CERTIFICATION.*—*Beginning in the*
23 *first fiscal year beginning after the date of enactment*
24 *of this section, the Attorney General shall submit to*
25 *the applicable committees an annual certification—*

1 “(A) indicating whether—

2 “*(i) all audits issued by the Inspector*
3 *General of the Department of Justice under*
4 *paragraph (1) have been completed and re-*
5 *viewed by the appropriate Assistant Attor-*
6 *ney General or Director;*

7 “*(ii) all mandatory exclusions required*
8 *under paragraph (1)(C) have been issued;*
9 *and*

10 “*(iii) all reimbursements required*
11 *under paragraph (1)(E) have been made;*
12 *and*

13 “*(B) that includes a list of any grant re-*
14 *ipients excluded under paragraph (1) from the*
15 *previous year.*

16 “(c) *PREVENTING DUPLICATIVE GRANTS.—*

17 “*(1) IN GENERAL.—Before the Attorney General*
18 *awards a grant to an applicant under this part, the*
19 *Attorney General shall compare potential grant*
20 *awards with other grants awarded under this part by*
21 *the Attorney General to determine if duplicate grant*
22 *awards are awarded for the same purpose.*

23 “*(2) REPORT.—If the Attorney General awards*
24 *duplicate grants under this part to the same appli-*
25 *cant for the same purpose, the Attorney General shall*

1 submit to the applicable committees a report that in-
2 cludes—

3 “(A) a list of all duplicate grants awarded
4 under this part, including the total dollar
5 amount of any duplicate grants awarded; and

6 “(B) the reason the Attorney General
7 awarded the duplicate grants.”.

8 **SEC. 3. SENSE OF CONGRESS.**

9 *It is the sense of the Congress that the use of best prac-*
10 *tices is encouraged for all activities for which grants under*
11 *part R of title I of the Omnibus Crime Control and Safe*
12 *Streets Act of 1968 may be used.*

13 **SEC. 4. USE OF AMOUNTS MADE AVAILABLE FOR DEPART-**
14 **MENT OF JUSTICE, GENERAL ADMINISTRA-**
15 **TION TO CARRY OUT JUVENILE ACCOUNT-**
16 **ABILITY BLOCK GRANT PROGRAM.**

17 *In each of fiscal years 2018 through 2022, the Attorney*
18 *General shall use up to \$25,000,000 of the amounts made*
19 *available for Department of Justice, General Administra-*
20 *tion, to carry out part R of title I of the Omnibus Crime*
21 *Control and Safe Streets Act of 1968 (42 U.S.C. 3796e et*
22 *seq.).*

Amend the title so as to read: “A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes.”.

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