

AMENDMENT NO. _____ Calendar No. _____

Purpose: To more quickly resolve rape cases and reduce the deficit by consolidating unnecessary duplication within the Department of Justice.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 47

To reauthorize the Violence Against Women Act of 1994.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . IDENTIFYING UNNECESSARY DUPLICATION**

3 **WITHIN THE DEPARTMENT OF JUSTICE..**

4 (a) **REQUIREMENT TO IDENTIFY AND DESCRIBE**

5 **PROGRAMS.**—Each fiscal year, for purposes of the report

6 required by subsection (c), the Attorney General shall—

7 (1) identify and describe every program admin-

8 istered by the Department of Justice;

9 (2) for each such program—

10 (A) determine the total administrative ex-

11 penses of the program;

1 (B) determine the expenditures for services
2 for the program;

3 (C) estimate the number of clients served
4 by the program and beneficiaries who received
5 assistance under the program (if applicable);
6 and

7 (D) estimate—

8 (i) the number of full-time employees
9 who administer the program; and

10 (ii) the number of full-time equiva-
11 lents (whose salary is paid in part or full
12 by the Federal Government through a
13 grant or contract, a subaward of a grant
14 or contract, a cooperative agreement, or
15 another form of financial award or assist-
16 ance) who assist in administering the pro-
17 gram; and

18 (3) identify programs within the Federal Gov-
19 ernment (whether inside or outside the agency) with
20 duplicative or overlapping missions, services, and al-
21 lowable uses of funds.

22 (b) RELATIONSHIP TO CATALOG OF DOMESTIC AS-
23 SISTANCE.—With respect to the requirements of para-
24 graphs (1) and (2)(B) of subsection (a), the Attorney Gen-
25 eral may use the same information provided in the catalog

1 of domestic and international assistance programs in the
2 case of any program that is a domestic or international
3 assistance program.

4 (c) REPORT.—Not later than February 1 of each fis-
5 cal year, the Attorney General shall publish on the official
6 public Internet website of the agency a report containing
7 the following:

8 (1) The information required under subsection
9 (a) with respect to the preceding fiscal year.

10 (2) The latest performance reviews (including
11 the program performance reports required under
12 section 1116 of title 31, United States Code) of each
13 program of the agency identified under subsection
14 (a)(1), including performance indicators, perform-
15 ance goals, output measures, and other specific
16 metrics used to review the program and how the
17 program performed on each.

18 (3) For each program that makes payments,
19 the latest improper payment rate of the program
20 and the total estimated amount of improper pay-
21 ments, including fraudulent payments and overpay-
22 ments.

23 (4) The total amount of unspent and unobli-
24 gated program funds held by the Department and

1 grant recipients (not including individuals) stated as
2 an amount—

3 (A) held as of the beginning of the fiscal
4 year in which the report is submitted; and

5 (B) held for 5 fiscal years or more.

6 (5) Such recommendations as the Attorney
7 General considers appropriate—

8 (A) to consolidate programs that are dupli-
9 cative or overlapping;

10 (B) to eliminate waste and inefficiency;
11 and

12 (C) to terminate lower priority, outdated,
13 and unnecessary programs and initiatives.

14 (d) CONSOLIDATING UNNECESSARY DUPLICATION
15 WITHIN THE DEPARTMENT OF JUSTICE.—Notwith-
16 standing any other provision of law and not later than 150
17 days after the date of enactment of this section, the Attor-
18 ney General shall—

19 (1) use available administrative authority to
20 eliminate, consolidate, or streamline Government
21 programs and agencies with duplicative and overlap-
22 ping missions identified in—

23 (A) the March 2011 Government Account-
24 ability Office report to Congress entitled “Op-
25 portunities to Reduce Government Duplication

1 in Government Programs, Save Tax Dollars,
2 and Enhance Revenue” (GAO 11 318SP);

3 (B) the February 2012 Government Ac-
4 countability Office report to Congress entitled
5 “2012 Annual Report: Opportunities to Reduce
6 Potential Duplication in Government Programs,
7 Save Tax Dollars, and Enhance Revenue”
8 (GAO 12 342SP);

9 (C) the July 2012 Government Account-
10 ability Office report to Congress entitled “Jus-
11 tice Grant Programs” (GAO 12 517); and

12 (D) subsection (a);

13 (2) identify and report to Congress any legisla-
14 tive changes required to further eliminate, consoli-
15 date, or streamline Government programs and agen-
16 cies with duplicative and overlapping missions identi-
17 fied in—

18 (A) the March 2011 Government Account-
19 ability Office report to Congress entitled “Op-
20 portunities to Reduce Government Duplication
21 in Government Programs, Save Tax Dollars,
22 and Enhance Revenue” (GAO 11 318SP);

23 (B) the February 2012 Government Ac-
24 countability Office report to Congress entitled
25 “2012 Annual Report: Opportunities to Reduce

1 Potential Duplication in Government Programs,
2 Save Tax Dollars, and Enhance Revenue”
3 (GAO 12 342SP);

4 (C) the July 2012 Government Account-
5 ability Office report to Congress entitled “Jus-
6 tice Grant Programs” (GAO 12 517); and

7 (D) subsection (c); and

8 (3) develop a plan that would result in financial
9 cost savings of no less than 20 percent of the nearly
10 \$3,900,000,000 in duplicative grant programs iden-
11 tified by the Government Accountability Office as a
12 result of the actions required by paragraph (1).

13 (e) ELIMINATING THE BACKLOG OF UNANALYZED
14 DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND
15 OTHER CRIMINAL CASES.—Notwithstanding any other
16 provision of law and not later than 1 year after the enact-
17 ment of this section, the Director of the Office of Manage-
18 ment and Budget in consultation with Attorney General
19 shall—

20 (1) rescind from the appropriate accounts the
21 total amount of cost savings from the plan required
22 in subsection (d)(3);

23 (2) apply as much as 75 percent of the savings
24 towards alleviating any backlogs of analysis and
25 placement of DNA samples from rape, sexual as-

1 sault, homicide, kidnapping and other criminal
2 cases, including casework sample and convicted of-
3 fender backlogs, into the Combined DNA Index Sys-
4 tem; and

5 (3) return the remainder of the savings to the
6 Treasury for the purpose of deficit reduction.

7 (f) REPORTING THE SAVINGS RESULTING FROM
8 CONSOLIDATING UNNECESSARY DUPLICATION.—Not-
9 withstanding any other provision of law, the Attorney Gen-
10 eral shall post a report on the public Internet website of
11 the Department of Justice detailing—

12 (1) the programs consolidated as a result of
13 this section, including any programs eliminated;

14 (2) the total amount saved from reducing such
15 duplication;

16 (3) the total amount of such savings directed
17 towards the analysis and placement of DNA samples
18 into the Combined DNA Index System;

19 (4) the total amount of such savings returned
20 to the Treasury for the purpose of deficit reduction;
21 and

22 (5) additional recommendations for consoli-
23 dating duplicative programs, offices, and initiatives
24 within the Department of Justice.

25 (g) DEFINITIONS.—In this section:

1 (1) ADMINISTRATIVE EXPENSES.—The term
2 “administrative expenses” has the meaning as deter-
3 mined by the Director of the Office of Management
4 and Budget under section 504(b)(2) of Public Law
5 111–85 (31 U.S.C. 1105 note), except the term shall
6 also include, for purposes of that section and this
7 section—

8 (A) costs incurred by the Department as
9 well as costs incurred by grantees, subgrantees,
10 and other recipients of funds from a grant pro-
11 gram or other program administered by the De-
12 partment; and

13 (B) expenses related to personnel salaries
14 and benefits, property management, travel, pro-
15 gram management, promotion, reviews and au-
16 dits, case management, and communication
17 about, promotion of, and outreach for programs
18 and program activities administered by the De-
19 partment.

20 (2) PERFORMANCE INDICATOR; PERFORMANCE
21 GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.—The
22 terms “performance indicator”, “performance goal”,
23 “output measure”, and “program activity” have the
24 meanings provided by section 1115 of title 31,
25 United States Code.

1 (3) PROGRAM.—The term “program” has the
2 meaning provided by the Director of the Office of
3 Management and Budget in consultation with the
4 Attorney General and shall include any organized set
5 of activities directed toward a common purpose or
6 goal undertaken by the Department that includes
7 services, projects, processes, or financial or other
8 forms of assistance, including grants, contracts, co-
9 operative agreements, compacts, loans, leases, tech-
10 nical support, consultation, or other guidance.

11 (4) SERVICES.—The term “services” has the
12 meaning provided by the Attorney General and shall
13 be limited to only activities, assistance, and aid that
14 provide a direct benefit to a recipient, such as the
15 provision of medical care, assistance for housing or
16 tuition, or financial support (including grants and
17 loans).