S. 146

To enhance the safety of America’s schools.

IN THE SENATE OF THE UNITED STATES

JANUARY 24 (legislative day, JANUARY 3), 2013
Mrs. Boxer (for herself, Ms. Collins, Mr. Blumenthal, and Mr. Rockefeller) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MARCH 12, 2013
Reported by Mr. Leahy, with an amendment
[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To enhance the safety of America’s schools.

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 “School Safety En-
5 hancements Act of 2013”.
SEC. 2. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "Placement" and inserting "Installation"; and

(ii) by inserting "surveillance equipment," after "detectors,";

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

"(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations."

(2) in subsection (d), by striking paragraph (1) and inserting the following:

"(1) The Federal share of the costs of a program provided by a grant under subsection (a) shall be not more than 80 percent of the total of such costs."; and

(3) by adding at the end the following:

"(g) INTERAGENCY TASK FORCE—
(1) Establishment.—Not later than 60 days after the date of enactment of the School Safety Enhancements Act of 2013, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines.

(2) Publication of guidelines.—Not later than 1 year after the date of enactment of the School Safety Enhancements Act of 2013, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

(3) Required consultation.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.

SEC. 3. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

(2) be accompanied by a report—

(A) signed by the heads of each law enforcement agency and school district with juris-
ection over the schools where the safety im-
provements will be implemented; and

"(B) demonstrating that each proposed use
of the grant funds will be—

"(i) an effective means for improving
the safety of 1 or more schools;

"(ii) consistent with a comprehensive
approach to preventing school violence; and

"(iii) individualized to the needs of
each school at which those improvements
are to be made."

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control
and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amend-
ed—

(1) by striking ""$30,000,000"" and inserting
""$100,000,000""; and

(2) by striking ""2001 through 2009"" and in-
serting ""2014 through 2023"".

SECTION 1. SHORT TITLE.

This Act may be cited as the ""School and Campus
Safety Enhancements Act of 2013"".
SEC. 2. GRANT PROGRAM FOR SCHOOL SECURITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking “Placement” and inserting “Installation”; and

(ii) by inserting “surveillance equipment,” after “detectors,”;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following:

“(5) Establishment of hotlines or tiplines for the reporting of potentially dangerous students and situations.”; and

(2) by adding at the end the following:

“(g) INTERAGENCY TASK FORCE.—

“(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of the School and Campus Safety Enhancements Act of 2013, the Director and the Secretary of Education, or the designee of the Secretary, shall establish an interagency task force to develop and promulgate a set of advisory school safety guidelines.
“(2) Publication of guidelines.—Not later than 1 year after the date of enactment of the School and Campus Safety Enhancements Act of 2013, the advisory school safety guidelines promulgated by the interagency task force shall be published in the Federal Register.

“(3) Required consultation.—In developing the final advisory school safety guidelines under this subsection, the interagency task force shall consult with stakeholders and interested parties, including parents, teachers, and agencies.”.

SEC. 3. APPLICATIONS.

Section 2702(a)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797b(a)(2)) is amended to read as follows:

“(2) be accompanied by a report—

“(A) signed by the heads of each law enforcement agency and school district with jurisdiction over the schools where the safety improvements will be implemented; and

“(B) demonstrating that each proposed use of the grant funds will be—

“(i) an effective means for improving the safety of 1 or more schools;
“(ii) consistent with a comprehensive approach to preventing school violence; and
“(iii) individualized to the needs of each school at which those improvements are to be made.”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 2705 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797e) is amend-
ed—

(1) by striking “$30,000,000” and inserting “$40,000,000”; and

(2) by striking “2001 through 2009” and insert-
ing “2014 through 2023”.

SEC. 5. ACCOUNTABILITY.

Section 2701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797a), as amended by section 2 of this Act, is amended by adding at the end the following:

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

“(1) AUDIT REQUIREMENT.—

“(A) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General
of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

“(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

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

“(E) REMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs under this part, the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.
“(B) PROHIBITION.—The Attorney General may not award a grant under this part to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this part and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

“(3) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this part may be used by the Attorney
General, or by any individual or entity awarded discretionary funds through a cooperative agreement under this part, to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host the conference.

“(B) Written Approval.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

“(C) Report.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved under this paragraph.

“(4) Annual Certification.—Beginning in the first fiscal year beginning after the date of enactment
of this subsection, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

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

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

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.”.


(a) SHORT TITLE.—This section may be cited as the “Center to Advance, Monitor, and Preserve University Se-
curity Safety Act of 2013’’ or the ‘‘CAMPUS Safety Act of 2013’’.

(b) NATIONAL CENTER FOR CAMPUS PUBLIC SAFE-
yty.—Subpart 1 of part E of title I of the Omnibus Crime
Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et
seq.) is amended—

(1) in section 501 (42 U.S.C. 3751)—

(A) in subsection (a)(1)—

(i) in the matter preceding subpara-
graph (A), by inserting ‘‘or purposes’’ after
‘‘one or more of the following programs’’;
and

(ii) by adding at the end the following:

‘‘(H) Making subawards to institutions of
higher education and other nonprofit organiza-
tions to assist the National Center for Campus
Public Safety in carrying out the functions of
the Center required under section 509(c).’’; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ‘‘or’’
at the end;

(ii) in paragraph (2), by striking the
period and inserting ‘‘; or’’; and

(iii) by adding at the end the fol-
lowing:
“(3) institutions of higher education and other nonprofit organizations, for purposes of carrying out section 509.”; and

(2) by adding at the end the following:

“SEC. 509. NATIONAL CENTER FOR CAMPUS PUBLIC SAFETY.

“(a) Definition of Institution of Higher Education.—In this section, the term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(b) Authority to Establish and Operate Center.—The Attorney General may establish and operate a National Center for Campus Public Safety (referred to in this section as the ‘Center’).

“(c) Functions of the Center.—The Center shall—

“(1) provide quality education and training for public safety personnel of institutions of higher education and their collaborative partners, including campus mental health agencies;

“(2) foster quality research to strengthen the safety and security of institutions of higher education;

“(3) serve as a clearinghouse for the identification and dissemination of information, policies, protocols, procedures, and best practices relevant to campus public safety, including off-campus housing safe-
ty, the prevention of violence against persons and property, and emergency response and evacuation procedures;

“(4) coordinate with the Secretary of Homeland Security, the Secretary of Education, State, local and tribal governments and law enforcement agencies, private and nonprofit organizations and associations, and other stakeholders, to develop protocols and best practices to prevent, protect against and respond to dangerous and violent situations involving an immediate threat to the safety of the campus community;

“(5) promote the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence;

“(6) identify campus safety information (including ways to increase off-campus housing safety) and identify resources available from the Department of Justice, the Department of Homeland Security, the Department of Education, State, local, and tribal governments and law enforcement agencies, and private and nonprofit organizations and associations;

“(7) promote cooperation, collaboration, and consistency in prevention, response, and problem-solving methods among public safety and emergency management personnel of institutions of higher edu-
cation and their campus- and non-campus-based collaborative partners, including law enforcement, emergency management, mental health services, and other relevant agencies;

“(8) disseminate standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and

“(9) report annually to Congress on activities performed by the Center during the previous 12 months.

“(d) COORDINATION WITH AVAILABLE RESOURCES.—In establishing the Center, the Attorney General shall—

“(1) coordinate with the Secretary of Homeland Security, the Secretary of Education, and appropriate State or territory officials;

“(2) ensure coordination with campus public safety resources within the Department of Homeland Security, including within the Federal Emergency Management Agency, and the Department of Education; and

“(3) coordinate within the Department of Justice and existing grant programs to ensure against duplication with the program authorized by this section.
“(e) REPORTING AND ACCOUNTABILITY.—At the end of each fiscal year, the Attorney General shall—

“(1) issue a report that assesses the impacts, outcomes and effectiveness of the grants distributed to carry out this section;

“(2) in compiling such report, assess instances of duplicative activity, if any, performed through grants distributed to carry out this section and other grant programs maintained by the Department of Justice, the Department of Education, and the Department of Homeland Security; and

“(3) make such report available on the Department of Justice website and submit such report to the Senate and House Judiciary Committees and the Senate and House Appropriations Committees.”.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall preclude public elementary and secondary schools or their larger governing agencies from receiving the informational and training benefits of the National Center for Campus Public Safety authorized under section 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as added by this Act.
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