

113TH CONGRESS
1ST SESSION

S. 1799

To reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2013

Mr. COONS (for himself, Mr. BLUNT, Mr. SESSIONS, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize subtitle A of the Victims of Child Abuse
Act of 1990.

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 “Victims of Child Abuse
5 Act Reauthorization Act of 2013”.

6 **SEC. 2. IMPROVING INVESTIGATION AND PROSECUTION OF**
7 **CHILD ABUSE CASES.**

8 (a) REAUTHORIZATION.—Section 214B of the Vic-
9 tims of Child Abuse Act of 1990 (42 U.S.C. 13004) is
10 amended—

1 (1) in subsection (a), by striking “\$15,000,000
2 for each of fiscal years 2004 and 2005” and insert-
3 ing “\$17,500,000 for each of fiscal years 2014,
4 2015, 2016, 2017, and 2018”; and

5 (2) in subsection (b), by striking “fiscal years
6 2004 and 2005” and inserting “fiscal years 2014,
7 2015, 2016, 2017, and 2018”.

8 (b) ACCOUNTABILITY.—Subtitle A of the Victims of
9 Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is
10 amended by adding at the end the following:

11 **“SEC. 214C. ACCOUNTABILITY.**

12 “All grants awarded by the Administrator under this
13 subtitle shall be subject to the following accountability
14 provisions:

15 “(1) AUDIT REQUIREMENT.—

16 “(A) DEFINITION.—In this paragraph, the
17 term ‘unresolved audit finding’ means a finding
18 in the final audit report of the Inspector Gen-
19 eral of the Department of Justice that the au-
20 dited grantee has utilized grant funds for an
21 unauthorized expenditure or otherwise unallow-
22 able cost that is not closed or resolved within
23 12 months from the date when the final audit
24 report is issued and any appeal has been com-
25 pleted.

1 “(B) AUDIT.—The Inspector General of
2 the Department of Justice shall conduct audits
3 of recipients of grants under this subtitle to
4 prevent waste, fraud, and abuse of funds by
5 grantees. The Inspector General shall determine
6 the appropriate number of grantees to be au-
7 dited each year.

8 “(C) MANDATORY EXCLUSION.—A recipi-
9 ent of grant funds under this subtitle that is
10 found to have an unresolved audit finding shall
11 not be eligible to receive grant funds under this
12 subtitle during the following 2 fiscal years.

13 “(D) PRIORITY.—In awarding grants
14 under this subtitle, the Administrator shall give
15 priority to eligible entities that did not have an
16 unresolved audit finding during the 3 fiscal
17 years prior to submitting an application for a
18 grant under this subtitle.

19 “(E) REIMBURSEMENT.—If an entity is
20 awarded grant funds under this subtitle during
21 the 2-fiscal-year period in which the entity is
22 barred from receiving grants under paragraph
23 (2), the Administrator shall—

24 “(i) deposit an amount equal to the
25 grant funds that were improperly awarded

1 to the grantee into the General Fund of
 2 the Treasury; and

3 “(ii) seek to recoup the costs of the
 4 repayment to the fund from the grant re-
 5 cipient that was erroneously awarded grant
 6 funds.

7 “(2) NONPROFIT ORGANIZATION REQUIRE-
 8 MENTS.—

9 “(A) DEFINITION.—For purposes of this
 10 paragraph, the term ‘nonprofit organization’
 11 means an organization that is described in sec-
 12 tion 501(c)(3) of the Internal Revenue Code of
 13 1986 and is exempt from taxation under section
 14 501(a) of such Code.

15 “(B) PROHIBITION.—The Administrator
 16 may not award a grant under any grant pro-
 17 gram described in this subtitle to a nonprofit
 18 organization that holds money in offshore ac-
 19 counts for the purpose of avoiding paying the
 20 tax described in section 511(a) of the Internal
 21 Revenue Code of 1986.

22 “(C) DISCLOSURE.—Each nonprofit orga-
 23 nization that is awarded a grant under this sub-
 24 title and uses the procedures prescribed in reg-
 25 ulations to create a rebuttable presumption of

1 reasonableness for the compensation of its offi-
2 cers, directors, trustees and key employees,
3 shall disclose to the Administrator, in the appli-
4 cation for the grant, the process for deter-
5 mining such compensation, including the inde-
6 pendent persons involved in reviewing and ap-
7 proving such compensation, the comparability
8 data used, and contemporaneous substantiation
9 of the deliberation and decision. Upon request,
10 the Administrator shall make the information
11 disclosed under this subparagraph available for
12 public inspection.

13 “(3) CONFERENCE EXPENDITURES.—

14 “(A) LIMITATION.—No amounts author-
15 ized to be appropriated to the Department of
16 Justice under this subtitle may be used by the
17 Administrator, or by any individual or organiza-
18 tion awarded discretionary funds through a co-
19 operative agreement under this Act, to host or
20 support any expenditure for conferences that
21 uses more than \$20,000 in Department funds,
22 unless the Deputy Attorney General or such As-
23 sistant Attorney Generals, Directors, or prin-
24 cipal deputies as the Deputy Attorney General
25 may designate, including the Administrator,

1 provides prior written authorization through an
2 award process or subsequent application that
3 the funds may be expended to host a con-
4 ference.

5 “(B) WRITTEN APPROVAL.—Written ap-
6 proval under subparagraph (A) shall include a
7 written estimate of all costs associated with the
8 conference, including the cost of all food and
9 beverages, audiovisual equipment, honoraria for
10 speakers, and any entertainment.

11 “(C) REPORT.—The Deputy Attorney Gen-
12 eral shall submit an annual report to the Com-
13 mittee on the Judiciary of the Senate and the
14 Committee on the Judiciary of the House of
15 Representatives on all approved conference ex-
16 penditures referenced in this paragraph.”.

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