

TIFFANY JOSLYN JUVENILE ACCOUNTABILITY BLOCK
GRANT PROGRAM REAUTHORIZATION ACT OF 2016

DECEMBER 23, 2016.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. GOODLATTE, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 68]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 68) 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, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

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The Amendments

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.

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

(1) in section 1801(b)—

(A) in paragraph (1), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”; and

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

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

(D) in paragraph (11), as so redesignated, by striking “research-based bullying, cyberbullying, and gang prevention programs” and inserting “interventions such as researched-based anti-bullying, anti-cyberbullying, and gang prevention programs, as well as mental health services and trauma-informed practices”;

(2) in section 1802—

(A) in subsection (d)(3), by inserting after “individualized sanctions” the following: “; incentives.”;

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

(C) in subsection (f)—

(i) in paragraph (2)—

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

(II) by inserting after “a fine,” the following: “a restorative justice program.”; and

(ii) by inserting after paragraph (2) the following:

“(3) INCENTIVES.—The term ‘incentives’ means individualized, goal-oriented, and graduated responses to a juvenile offender’s compliance with court orders and case disposition terms designed to reinforce or modify the skills and behaviors of the juvenile offender. An incentive may include a certificate of achievement, a letter of recommendation, a family or program activity, a meeting or special outing with a community leader, a reduction in community service hours, a reduced curfew or home-restriction, a decrease in required court appearances, or a decrease in the term of court-ordered supervision.”;

(3) in section 1810(a), by striking “\$350,000,000 for each of fiscal years 2006 through 2009” and inserting “\$25,000,000 for each of fiscal years 2018 through 2022”; and

(4) by adding at the end the following:

“SEC. 1811. GRANT ACCOUNTABILITY.

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

“(1) the Committee on the Judiciary of the Senate; and

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

“(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following 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 after the date on which the final audit report is issued.

“(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General 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) REIMBURSEMENT.—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) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, the Attorney General shall submit to the applicable committees an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Inspector General of the Department of Justice 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.

“(c) PREVENTING DUPLICATIVE GRANTS.—

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

“(2) REPORT.—If the Attorney General awards duplicate grants under this part to the same applicant for the same purpose, the Attorney General shall submit to the applicable committees a report that includes—

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

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

SEC. 3. SENSE OF CONGRESS.

It is the sense of the Congress that the use of best practices is encouraged for all activities for which grants under part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 may be used.

SEC. 4. USE OF AMOUNTS MADE AVAILABLE FOR DEPARTMENT OF JUSTICE, GENERAL ADMINISTRATION TO CARRY OUT JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.

In each of fiscal years 2018 through 2022, the Attorney General shall use up to \$25,000,000 of the amounts made available for Department of Justice, General Administration, to carry out part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ee et 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.

Purpose and Summary

The Justice Department’s Juvenile Accountability Block Grant (JABG) program authorizes the Attorney General to provide competitive grants to states, tribes, and units of local government to strengthen their juvenile justice systems and foster accountability within their juvenile populations by holding juveniles responsible for their actions and reducing recidivist behavior.

Background and Need for the Legislation

This bill reauthorizes the Justice Department's Juvenile Accountability Block Grant (JABG) program, strengthens the JABG program to reduce youth crime and contains a robust accountability and oversight mechanism to ensure taxpayer dollars are used efficiently and appropriately. The JABG program provides grants to states, tribes and localities to strengthen their juvenile justice systems and reduce recidivist behavior.

Hearings

The Committee on the Judiciary held no hearings on H.R. 68.

Committee Consideration

On July 13, 2016, the Committee on the Judiciary met in open session and ordered the bill H.R. 68 favorably reported, with amendments, by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 68.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

Congressional Budget Office Cost Estimate

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 68, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 19, 2016.

Hon. BOB GOODLATTE, CHAIRMAN,
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 68, the "Juvenile Accountability Block Grant Program Reauthorization Act of 2016."

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226–2860.

Sincerely,

KEITH HALL,
DIRECTOR.

Enclosure

cc: Honorable John Conyers, Jr.
Ranking Member

**H.R. 68—Juvenile Accountability Block Grant Program
Reauthorization Act of 2016.**

As ordered reported by the House Committee on the Judiciary
on July 13, 2016.

SUMMARY

H.R. 68 would authorize the appropriation of \$25 million annually over the 2018–2022 period for the Department of Justice (DOJ) to make grants to State and local governments for programs to strengthen the juvenile justice system, including programs to combat bullying in schools.

Assuming appropriation of the authorized amounts, CBO estimates that implementing H.R. 68 would cost \$50 million over the 2017–2021 period. Pay-as-you-go procedures do not apply to this legislation because enacting it would not affect direct spending or revenues.

CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 68 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA); any costs to State, local, or tribal governments would result from complying with conditions of Federal assistance.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 68 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

BASIS OF ESTIMATE

CBO assumes that the authorized amounts will be appropriated near the start of each fiscal year and that outlays will follow the historical rate of spending for similar activities. The Congress did not provide any funds for this program in 2016.

	By Fiscal Year, in Millions of Dollars					2017- 2021
	2017	2018	2019	2020	2021	
INCREASES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	0	25	25	25	25	100
Estimated Outlays	0	3	10	16	21	50

PAY-AS-YOU-GO CONSIDERATIONS

None.

INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS

CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 68 contains no intergovernmental or private-sector mandates as defined in UMRA; any costs to State, local, or tribal governments would result from complying with conditions of Federal assistance.

ESTIMATE PREPARED BY:

Federal Costs: Mark Grabowicz
Impact on State, Local, and Tribal Governments: Rachel Austin
Impact on the Private Sector: Paige Piper/Bach

ESTIMATE APPROVED BY:

Theresa Gullo
Assistant Director for Budget Analysis

Duplication of Federal Programs

No provision of H.R. 68 establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Disclosure of Directed Rule Makings

The Committee estimates that H.R. 68 specifically directs to be completed no specific rule makings within the meaning of 5 U.S.C. § 551.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 68 reauthorizes the Juvenile Accountability Block Grant program to provide grants

to states for programs to address and strengthen juvenile justice initiatives.

Advisory on Earmarks

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 68 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

Section-by-Section Analysis

The following discussion describes the bill as reported by the Committee.

Sec. 1: Short Title.

Section 1 provides that the short title of the bill is the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2016.” The title honors Tiffany Joslyn, a counsel for the Committee who died tragically in March of this year. Ms. Joslyn worked tirelessly to reform our criminal justice system, including work on this bill and other efforts to improve the system’s treatment of young offenders.

Sec. 2: Reauthorization of Juvenile Accountability Block Grant Programs.

This section amends various purpose areas for which Juvenile Accountability Block Grant (JABG) funds may be used. Historically, to strengthen the juvenile justice system, states have been authorized to use JABG grant funds for various purposes. Included among these purpose areas are the development, implementation, and administration of a state system of graduated sanctions for juvenile offenders. In addition to graduated “sanctions,” the substitute amendment will add graduated “incentives” to the relevant purpose area. The reason for this addition is to ensure that the states are using incentives, in addition to sanctions, to respond to a juvenile’s ability to meet short and long term goals in compliance with court orders and terms of case disposition.

This section strikes as a purpose area the hiring of juvenile court judges, probation officers, court appointed defenders and special advocates, and prosecutors. It also strikes the establishment of “gun courts” as an available purpose area.

“Mental health services and trauma-informed practices,” are added at the end of the purpose area pertaining to bullying. The prefix “anti” is added to bullying and cyberbullying for clarification.

Under JABG’s prior authorization, any state system of “graduated sanctions” must ensure sufficient flexibility to allow for individualized sanctions. This section adds “incentives,” as an additional component.

This section recognizes a “restorative justice program” is an available sanction.

This section defines “incentives.”

This section authorizes the grant program at \$25 million for each of fiscal years 2018 through 2022.

This section adds grant accountability measures, including an audit requirement by the Inspector General of the Department of

Justice, for the expenditure of grants funds, an annual certification to the House and Senate Judiciary Committees, and an oversight mechanism to prevent duplicative grants from being awarded.

Sec. 3. Sense of Congress.

This section adds a sense of the Congress that the use of best practices is encouraged for all activities for which grants are allocated.

Sec. 4. Use of Amounts Made Available for Department of Justice, General Administration to Carry out Juvenile Accountability Block Grant Program.

Finally, this section provides an offset, in accordance with House spending rules, in the amount of \$25 million per year from 2018 through 2022 from the Department of Justice's General Administration budget.

Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**OMNIBUS CRIME CONTROL AND SAFE STREETS ACT
OF 1968**

* * * * *

TITLE I—JUSTICE SYSTEM IMPROVEMENT

* * * * *

**PART R—JUVENILE ACCOUNTABILITY BLOCK
GRANTS**

SEC. 1801. PROGRAM AUTHORIZED.

(a) **IN GENERAL.**—The Attorney General is authorized to provide grants to States, for use by States and units of local government, and in certain cases directly to specially qualified units.

(b) **AUTHORIZED ACTIVITIES.**—Amounts paid to a State or a unit of local government under this part shall be used by the State or unit of local government for the purpose of strengthening the juvenile justice system, which includes—

(1) developing, implementing, and administering [graduated sanctions] *graduated sanctions and incentives* for juvenile offenders;

(2) building, expanding, renovating, or operating temporary or permanent juvenile correction, detention, or community corrections facilities;

(3) [hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and] funding pretrial services (including mental health screening and as-

assessment) for juvenile offenders, to promote the effective and expeditious administration of the juvenile justice system;

[(4)] (4) hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and case backlogs reduced;]

[(5)] (4) providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively and for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

[(6)] (5) establishing and maintaining training programs for law enforcement and other court personnel with respect to preventing and controlling juvenile crime;

[(7)] establishing juvenile gun courts for the prosecution and adjudication of juvenile firearms offenders;]

[(8)] (6) establishing drug court programs for juvenile offenders that provide continuing judicial supervision over juvenile offenders with substance abuse problems and the integrated administration of other sanctions and services for such offenders;

[(9)] (7) establishing and maintaining a system of juvenile records designed to promote public safety;

[(10)] (8) establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice systems, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;

[(11)] (9) establishing and maintaining accountability-based programs designed to reduce recidivism among juveniles who are referred by law enforcement personnel or agencies;

[(12)] (10) establishing and maintaining programs to conduct risk and need assessments of juvenile offenders that facilitate the effective early intervention and the provision of comprehensive services, including mental health screening and treatment and substance abuse testing and treatment to such offenders;

[(13)] (11) establishing and maintaining accountability-based programs that are designed to enhance school safety, which programs may include [research-based bullying, cyberbullying, and gang prevention programs] *interventions such as researched-based anti-bullying, anti-cyberbullying, and gang prevention programs, as well as mental health services and trauma-informed practices;*

[(14)] (12) establishing and maintaining restorative justice programs;

[(15)] (13) establishing and maintaining programs to enable juvenile courts and juvenile probation officers to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism;

[(16)] (14) hiring detention and corrections personnel, and establishing and maintaining training programs for such personnel to improve facility practices and programming; or

[(17)] (15) establishing, improving, and coordinating pre-release and post-release systems and programs to facilitate the

successful reentry of juvenile offenders from State or local custody in the community.

(c) DEFINITION.—In this section the term “restorative justice program” means a program that emphasizes the moral accountability of an offender toward the victim and the affected community and may include community reparations boards, restitution (in the form of monetary payment or service to the victim or, where no victim can be identified, service to the affected community), and mediation between victim and offender.

* * * * *

SEC. 1802. GRANT ELIGIBILITY.

(a) STATE ELIGIBILITY.—To be eligible to receive a grant under this part, a State shall submit to the Attorney General an application at such time, in such form, and containing such assurances and information as the Attorney General may require by guidelines, including—

(1) information about—

(A) the activities proposed to be carried out with such grant; and

(B) the criteria by which the State proposes to assess the effectiveness of such activities on achieving the purposes of this part, including the extent to which evidence-based approaches are utilized; and

(2) assurances that the State and any unit of local government to which the State provides funding under section 1803(b), has in effect (or shall have in effect, not later than 1 year after the date that the State submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the State submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (d).

(b) LOCAL ELIGIBILITY.—

(1) SUBGRANT ELIGIBILITY.—To be eligible to receive a subgrant, a unit of local government, other than a specially qualified unit, shall provide to the State—

(A) information about—

(i) the activities proposed to be carried out with such subgrant; and

(ii) the criteria by which the unit proposes to assess the effectiveness of such activities on achieving the purposes of this part, including the extent to which evidence-based approaches are utilized; and

(B) such assurances as the State shall require, that, to the maximum extent applicable, the unit of local government has in effect (or shall have in effect, not later than 1 year after the date that the unit submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the unit submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (d).

(2) SPECIAL RULE.—The requirements of paragraph (1) shall apply to a specially qualified unit that receives funds from the Attorney General under section 1803(e), except that informa-

tion that is otherwise required to be submitted to the State shall be submitted to the Attorney General.

(c) **ROLE OF COURTS.**—In the development of the grant application, the States and units of local governments shall take into consideration the needs of the judicial branch in strengthening the juvenile justice system and specifically seek the advice of the chief of the highest court of the State and where appropriate, the chief judge of the local court, with respect to the application.

(d) **GRADUATED SANCTIONS.**—A system of graduated sanctions, which may be discretionary as provided in subsection (e), shall ensure, at a minimum, that—

(1) sanctions are imposed on a juvenile offender for each delinquent offense;

(2) sanctions escalate in intensity with each subsequent, more serious delinquent offense;

(3) there is sufficient flexibility to allow for individualized sanctions, *incentives*, and services suited to the individual juvenile offender; and

(4) appropriate consideration is given to public safety and victims of crime.

(e) **DISCRETIONARY USE OF SANCTIONS.**—

(1) **VOLUNTARY PARTICIPATION.**—A State or unit of local government may be eligible to receive a grant under this part if—

(A) its system of graduated sanctions is discretionary; and

(B) it demonstrates that it has promoted the use of a system of **[graduated sanctions]** *graduated sanctions and incentives* by taking steps to encourage implementation of such a system by juvenile courts.

(2) **REPORTING REQUIREMENT IF GRADUATED SANCTIONS NOT USED.**—

(A) **JUVENILE COURTS.**—A State or unit of local government in which the imposition of graduated sanctions is discretionary shall require each juvenile court within its jurisdiction—

(i) which has not implemented a system of graduated sanctions, to submit an annual report that explains why such court did not implement graduated sanctions; and

(ii) which has implemented a system of graduated sanctions but has not imposed graduated sanctions in all cases, to submit an annual report that explains why such court did not impose graduated sanctions in all cases.

(B) **UNITS OF LOCAL GOVERNMENT.**—Each unit of local government, other than a specially qualified unit, that has 1 or more juvenile courts that use a discretionary system of graduated sanctions shall collect the information reported under subparagraph (A) for submission to the State each year.

(C) **STATES.**—Each State and specially qualified unit that has 1 or more juvenile courts that use a discretionary system of graduated sanctions shall collect the information reported under subparagraph (A) for submission to the Attorney General each year. A State shall also collect and

submit to the Attorney General the information collected under subparagraph (B).

(f) DEFINITIONS.—In this section:

(1) DISCRETIONARY.—The term “discretionary” means that a system of graduated sanctions is not required to be imposed by each and every juvenile court in a State or unit of local government.

(2) SANCTIONS.—The term “sanctions” means tangible, proportional consequences that hold the juvenile offender accountable for the offense committed. A sanction may include a *range of court-approved interventions, such as counseling, restitution, community service, a fine, a restorative justice program, supervised probation, or confinement.*

(3) INCENTIVES.—*The term “incentives” means individualized, goal-oriented, and graduated responses to a juvenile offender’s compliance with court orders and case disposition terms designed to reinforce or modify the skills and behaviors of the juvenile offender. An incentive may include a certificate of achievement, a letter of recommendation, a family or program activity, a meeting or special outing with a community leader, a reduction in community service hours, a reduced curfew or home-restriction, a decrease in required court appearances, or a decrease in the term of court-ordered supervision.*

* * * * *

SEC. 1810. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this part, **【\$350,000,000 for each of fiscal years 2006 through 2009】** *\$25,000,000 for each of fiscal years 2018 through 2022.*

(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRATION.—

(1) IN GENERAL.—Of the amount authorized to be appropriated under section 261 of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.), there shall be available to the Attorney General, for each of the fiscal years 2002 through 2004 (as applicable), to remain available until expended—

(A) not more than 2 percent of that amount, for research, evaluation, and demonstration consistent with this part;

(B) not more than 2 percent of that amount, for training and technical assistance; and

(C) not more than 1 percent, for administrative costs to carry out the purposes of this part.

(2) OVERSIGHT PLAN.—The Attorney General shall establish and execute an oversight plan for monitoring the activities of grant recipients.

(c) TRIBAL SET-ASIDE.—Of the amounts appropriated under subsection (a), 2 percent shall be made available for programs that receive grants under section 1801A.

SEC. 1811. GRANT ACCOUNTABILITY.

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

(1) the Committee on the Judiciary of the Senate; and

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

(b) *ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following 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 after the date on which the final audit report is issued.*

(B) *AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General 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) *REIMBURSEMENT.—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) *ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, the Attorney General shall submit to the applicable committees an annual certification—*

(A) *indicating whether—*

(i) *all audits issued by the Inspector General of the Department of Justice 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.

(c) PREVENTING DUPLICATIVE GRANTS.—

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

(2) REPORT.—If the Attorney General awards duplicate grants under this part to the same applicant for the same purpose, the Attorney General shall submit to the applicable committees a report that includes—

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

(B) the reason the Attorney General awarded the duplicate grants.

* * * * *

