

113TH CONGRESS
1ST SESSION

H. R. 3706

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2013

Mr. POE of Texas (for himself, Mr. COSTA, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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”.

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

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

6 (1) in subsection (a), by striking “\$15,000,000
7 for each of fiscal years 2004 and 2005” and insert-
8 ing “\$17,500,000 for each of fiscal years 2014,
9 2015, 2016, 2017, and 2018”; and

10 (2) in subsection (b), by striking “fiscal years
11 2004 and 2005” and inserting “fiscal years 2014,
12 2015, 2016, 2017, and 2018”.

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

16 **“SEC. 214C. ACCOUNTABILITY.**

17 “All grants awarded by the Administrator under this
18 subtitle shall be subject to the following accountability
19 provisions:

20 “(1) AUDIT REQUIREMENT.—

21 “(A) DEFINITION.—In this paragraph, the
22 term ‘unresolved audit finding’ means a finding
23 in the final audit report of the Inspector Gen-
24 eral of the Department of Justice that the au-
25 dited grantee has utilized grant funds for an
26 unauthorized expenditure or otherwise unallow-

1 able cost that is not closed or resolved within
2 12 months from the date when the final audit
3 report is issued and any appeal has been com-
4 pleted.

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

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

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

23 “(E) REIMBURSEMENT.—If an entity is
24 awarded grant funds under this subtitle during
25 the 2-fiscal-year period in which the entity is

1 barred from receiving grants under paragraph
2 (2), the Administrator shall—

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

7 “(ii) seek to recoup the costs of the
8 repayment to the fund from the grant re-
9 cipient that was erroneously awarded grant
10 funds.

11 “(2) NONPROFIT ORGANIZATION REQUIRE-
12 MENTS.—

13 “(A) DEFINITION.—For purposes of this
14 paragraph, the term ‘nonprofit organization’
15 means an organization that is described in sec-
16 tion 501(c)(3) of the Internal Revenue Code of
17 1986 and is exempt from taxation under section
18 501(a) of such Code.

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

1 “(C) DISCLOSURE.—Each nonprofit orga-
2 nization that is awarded a grant under this sub-
3 title and uses the procedures prescribed in reg-
4 ulations to create a rebuttable presumption of
5 reasonableness for the compensation of its offi-
6 cers, directors, trustees and key employees,
7 shall disclose to the Administrator, in the appli-
8 cation for the grant, the process for deter-
9 mining such compensation, including the inde-
10 pendent persons involved in reviewing and ap-
11 proving such compensation, the comparability
12 data used, and contemporaneous substantiation
13 of the deliberation and decision. Upon request,
14 the Administrator shall make the information
15 disclosed under this subparagraph available for
16 public inspection.

17 “(3) CONFERENCE EXPENDITURES.—

18 “(A) LIMITATION.—No amounts author-
19 ized to be appropriated to the Department of
20 Justice under this subtitle may be used by the
21 Administrator, or by any individual or organiza-
22 tion awarded discretionary funds through a co-
23 operative agreement under this Act, to host or
24 support any expenditure for conferences that
25 uses more than \$20,000 in Department funds,

1 unless the Deputy Attorney General or such As-
2 sistant Attorney Generals, Directors, or prin-
3 cipal deputies as the Deputy Attorney General
4 may designate, including the Administrator,
5 provides prior written authorization through an
6 award process or subsequent application that
7 the funds may be expended to host a con-
8 ference.

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

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

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