

115TH CONGRESS  
2D SESSION

# H. R. 68

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IN THE SENATE OF THE UNITED STATES

OCTOBER 1 (legislative day, SEPTEMBER 28), 2018

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Tiffany Joslyn Juve-  
3 nile Accountability Block Grant Program Reauthorization  
4 Act of 2017”.

5 **SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY**  
6 **BLOCK GRANT PROGRAM.**

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

10           (1) in section 1801(b)—

11                   (A) in paragraph (1), by striking “grad-  
12 uated sanctions” and inserting “graduated  
13 sanctions and incentives”;

14                   (B) in paragraph (3), by striking “hiring  
15 juvenile court judges, probation officers, and  
16 court-appointed defenders and special advo-  
17 cates, and”;

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

22                   (D) in paragraph (11), as so redesignated,  
23 by striking “research-based bullying,  
24 cyberbullying, and gang prevention programs”  
25 and inserting “interventions such as researched-  
26 based anti-bullying, anti-cyberbullying, and

1 gang prevention programs, as well as mental  
2 health services and trauma-informed practices”;  
3 (2) in section 1802—

4 (A) in subsection (d)(3), by inserting after  
5 “individualized sanctions” the following: “, in-  
6 centives,”;

7 (B) in subsection (e)(1)(B), by striking  
8 “graduated sanctions” and inserting “grad-  
9 uated sanctions and incentives”; and

10 (C) in subsection (f)—

11 (i) in paragraph (2)—

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

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

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

21 “(3) INCENTIVES.—The term ‘incentives’  
22 means individualized, goal-oriented, and graduated  
23 responses to a juvenile offender’s compliance with  
24 court orders and case disposition terms designed to  
25 reinforce or modify the skills and behaviors of the

1 juvenile offender. An incentive may include a certifi-  
 2 cate of achievement, a letter of recommendation, a  
 3 family or program activity, a meeting or special out-  
 4 ing with a community leader, a reduction in commu-  
 5 nity service hours, a reduced curfew or home restric-  
 6 tion, a decrease in required court appearances, or a  
 7 decrease in the term of court-ordered supervision.”;

8 (3) in section 1810(a), by striking  
 9 “\$350,000,000 for each of fiscal years 2006 through  
 10 2009” and inserting “\$30,000,000 for fiscal year  
 11 2020”; and

12 (4) by adding at the end the following:

13 **“SEC. 1811. GRANT ACCOUNTABILITY.**

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

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

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

20 “(b) ACCOUNTABILITY.—All grants awarded by the  
 21 Attorney General under this part shall be subject to the  
 22 following accountability provisions:

23 “(1) AUDIT REQUIREMENT.—

24 “(A) DEFINITION.—In this paragraph, the  
 25 term ‘unresolved audit finding’ means a finding

1 in the final audit report of the Inspector Gen-  
2 eral of the Department of Justice that the au-  
3 dited grantee has utilized grant funds for an  
4 unauthorized expenditure or otherwise unallow-  
5 able cost that is not closed or resolved within  
6 12 months after the date on which the final  
7 audit report is issued.

8 “(B) AUDIT.—Beginning in the first fiscal  
9 year beginning after the date of enactment of  
10 this section, and in each fiscal year thereafter,  
11 the Inspector General of the Department of  
12 Justice shall conduct audits of recipients of  
13 grants awarded by the Attorney General under  
14 this part to prevent waste, fraud, and abuse of  
15 funds by grantees. The Inspector General shall  
16 determine the appropriate number of grantees  
17 to be audited each year.

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

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

7           “(E) REIMBURSEMENT.—If an entity is  
8           awarded grant funds under this part during the  
9           2-fiscal-year period during which the entity is  
10          barred from receiving grants under subpara-  
11          graph (C), the Attorney General shall—

12               “(i) deposit an amount equal to the  
13               amount of the grant funds that were im-  
14               properly awarded to the grantee into the  
15               General Fund of the Treasury; and

16               “(ii) seek to recoup the costs of the  
17               repayment to the fund from the grant re-  
18               cipient that was erroneously awarded grant  
19               funds.

20          “(2) ANNUAL CERTIFICATION.—Beginning in  
21          the first fiscal year beginning after the date of en-  
22          actment of this section, the Attorney General shall  
23          submit to the applicable committees an annual cer-  
24          tification—

25               “(A) indicating whether—

1 “(i) all audits issued by the Inspector  
2 General of the Department of Justice  
3 under paragraph (1) have been completed  
4 and reviewed by the appropriate Assistant  
5 Attorney General or Director;

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

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

12 “(B) that includes a list of any grant re-  
13 cipients excluded under paragraph (1) from the  
14 previous year.

15 “(c) PREVENTING DUPLICATIVE GRANTS.—

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

22 “(2) REPORT.—If the Attorney General awards  
23 duplicate grants under this part to the same appli-  
24 cant for the same purpose, the Attorney General

1       shall submit to the applicable committees a report  
2       that includes—

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

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

8   **SEC. 3. SENSE OF CONGRESS.**

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

13   **SEC. 4. EMERGENCY FEDERAL LAW ENFORCEMENT ASSIST-**  
14               **ANCE.**

15      Section 609Y(a) of the Justice Assistance Act of  
16      1984 (34 U.S.C. 50112(a)) is amended by striking “Sep-  
17      tember 30, 2021” and inserting “September 30, 2023”.

        Passed the House of Representatives September 28,  
2018.

Attest:

KAREN L. HAAS,  
*Clerk.*