AMENDMENT NO._________ Calendar No._______

Purpose: To more quickly resolve rape cases and reduce the deficit by consolidating unnecessary duplication within the Department of Justice.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 47


Referred to the Committee on ________________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ____________

Viz:

1 At the appropriate place, insert the following:

2 SEC. ___. IDENTIFYING UNNECESSARY DUPLICATION

3 WITHIN THE DEPARTMENT OF JUSTICE.

4 (a) REQUIREMENT TO IDENTIFY AND DESCRIBE

5 PROGRAMS.—Each fiscal year, for purposes of the report required by subsection (c), the Attorney General shall—

6 (1) identify and describe every program administered by the Department of Justice;

7 (2) for each such program—

8 (A) determine the total administrative expenses of the program;
(B) determine the expenditures for services for the program;

(C) estimate the number of clients served by the program and beneficiaries who received assistance under the program (if applicable); and

(D) estimate—

(i) the number of full-time employees who administer the program; and

(ii) the number of full-time equivalents (whose salary is paid in part or full by the Federal Government through a grant or contract, a subaward of a grant or contract, a cooperative agreement, or another form of financial award or assistance) who assist in administering the program; and

(3) identify programs within the Federal Government (whether inside or outside the agency) with duplicative or overlapping missions, services, and allowable uses of funds.

(b) RELATIONSHIP TO CATALOG OF DOMESTIC ASSISTANCE.—With respect to the requirements of paragraphs (1) and (2)(B) of subsection (a), the Attorney General may use the same information provided in the catalog
of domestic and international assistance programs in the case of any program that is a domestic or international assistance program.

(c) REPORT.—Not later than February 1 of each fiscal year, the Attorney General shall publish on the official public Internet website of the agency a report containing the following:

(1) The information required under subsection (a) with respect to the preceding fiscal year.

(2) The latest performance reviews (including the program performance reports required under section 1116 of title 31, United States Code) of each program of the agency identified under subsection (a)(1), including performance indicators, performance goals, output measures, and other specific metrics used to review the program and how the program performed on each.

(3) For each program that makes payments, the latest improper payment rate of the program and the total estimated amount of improper payments, including fraudulent payments and overpayments.

(4) The total amount of unspent and unobligated program funds held by the Department and
grant recipients (not including individuals) stated as
an amount—

(A) held as of the beginning of the fiscal
year in which the report is submitted; and

(B) held for 5 fiscal years or more.

(5) Such recommendations as the Attorney
General considers appropriate—

(A) to consolidate programs that are dupli-
cative or overlapping;

(B) to eliminate waste and inefficiency;

and

(C) to terminate lower priority, outdated,
and unnecessary programs and initiatives.

(d) CONSOLIDATING UNNECESSARY DUPLICATION
WITHIN THE DEPARTMENT OF JUSTICE.—Notwith-
standing any other provision of law and not later than 150
days after the date of enactment of this section, the Attor-
ney General shall—

(1) use available administrative authority to
eliminate, consolidate, or streamline Government
programs and agencies with duplicative and overal-
lapping missions identified in—

(A) the March 2011 Government Account-
ability Office report to Congress entitled “Op-
portunities to Reduce Government Duplication
in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP);

(B) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 12 342SP);

(C) the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs” (GAO 12 517); and

(D) subsection (a);

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in—

(A) the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Government Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO 11 318SP);

(B) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce
Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue’’ (GAO 12-342SP); (C) the July 2012 Government Accountability Office report to Congress entitled “Justice Grant Programs” (GAO 12-517); and (D) subsection (e); and (3) develop a plan that would result in financial cost savings of no less than 20 percent of the nearly $3,900,000,000 in duplicative grant programs identified by the Government Accountability Office as a result of the actions required by paragraph (1). (e) ELIMINATING THE BACKLOG OF UNANALYZED DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND OTHER CRIMINAL CASES.—Notwithstanding any other provision of law and not later than 1 year after the enactment of this section, the Director of the Office of Management and Budget in consultation with Attorney General shall— (1) rescind from the appropriate accounts the total amount of cost savings from the plan required in subsection (d)(3); (2) apply as much as 75 percent of the savings towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual as-
sault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System; and

(3) return the remainder of the savings to the Treasury for the purpose of deficit reduction.

(f) REPORTING THE SAVINGS RESULTING FROM CONSOLIDATING UNNECESSARY DUPLICATION.—Notwithstanding any other provision of law, the Attorney General shall post a report on the public Internet website of the Department of Justice detailing—

(1) the programs consolidated as a result of this section, including any programs eliminated;

(2) the total amount saved from reducing such duplication;

(3) the total amount of such savings directed towards the analysis and placement of DNA samples into the Combined DNA Index System;

(4) the total amount of such savings returned to the Treasury for the purpose of deficit reduction;

and

(5) additional recommendations for consolidating duplicative programs, offices, and initiatives within the Department of Justice.

(g) DEFINITIONS.—In this section:
(1) Administrative expenses.—The term “administrative expenses” has the meaning as determined by the Director of the Office of Management and Budget under section 504(b)(2) of Public Law 111–85 (31 U.S.C. 1105 note), except the term shall also include, for purposes of that section and this section—

(A) costs incurred by the Department as well as costs incurred by grantees, subgrantees, and other recipients of funds from a grant program or other program administered by the Department; and

(B) expenses related to personnel salaries and benefits, property management, travel, program management, promotion, reviews and audits, case management, and communication about, promotion of, and outreach for programs and program activities administered by the Department.

(2) Performance indicator; performance goal; output measure; program activity.—The terms “performance indicator”, “performance goal”, “output measure”, and “program activity” have the meanings provided by section 1115 of title 31, United States Code.
(3) **Program.**—The term “program” has the meaning provided by the Director of the Office of Management and Budget in consultation with the Attorney General and shall include any organized set of activities directed toward a common purpose or goal undertaken by the Department that includes services, projects, processes, or financial or other forms of assistance, including grants, contracts, cooperative agreements, compacts, loans, leases, technical support, consultation, or other guidance.

(4) **Services.**—The term “services” has the meaning provided by the Attorney General and shall be limited to only activities, assistance, and aid that provide a direct benefit to a recipient, such as the provision of medical care, assistance for housing or tuition, or financial support (including grants and loans).