AMENDMENT NO. ________ Calendar No. ________

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


S. 1935


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

6 required by subsection (c), the Attorney General shall—

7 (1) identify and describe every program admin-

8 istered by the Department of Justice;

9 (2) for each such program—

10 (A) determine the total administrative ex-

11 penses 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 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 five fiscal years or more.

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

(A) to consolidate programs that are duplicative 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.—Notwithstanding any other provision of law and not later than 150 days after the date of enactment of this section, the Attorney General shall—

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

(A) the February 2012 Government Accountability Office report to Congress entitled “2012 Annual Report: Opportunities to Reduce
(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 enact-
ment of this section, the Director of the Office of Manage-
ment 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 assa-
tsault, homicide, kidnapping and other criminal
cases, including casework sample and convicted of-
fender backlogs, into the Combined DNA Index Sys-
tem; 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.—Not-
withstanding any other provision of law, the Attorney Gen-
eral 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 consoli-
dating 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 deter-

mined 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 pro-

gram or other program administered by the De-

partment; and

(B) expenses related to personnel salaries

and benefits, property management, travel, pro-

gram management, promotion, reviews and au-
dits, case management, and communication
about, promotion of, and outreach for programs
and program activities administered by the De-
partment.

(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 of an agency
that includes services, projects, processes, or finan-
cial or other forms of assistance, including grants,
contracts, cooperative agreements, compacts, loans,
leases, technical support, consultation, or other guid-
ance.

(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).