

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—112th Cong., 2d Sess.**

**S. 1935**

To reauthorize the Violence Against Women Act of 1994.

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;

1 (B) determine the expenditures for services  
2 for the program;

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

7 (D) estimate—

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

10 (ii) the number of full-time equiva-  
11 lents (whose salary is paid in part or full  
12 by the Federal Government through a  
13 grant or contract, a subaward of a grant  
14 or contract, a cooperative agreement, or  
15 another form of financial award or assist-  
16 ance) who assist in administering the pro-  
17 gram; and

18 (3) identify programs within the Federal Gov-  
19 ernment (whether inside or outside the agency) with  
20 duplicative or overlapping missions, services, and al-  
21 lowable uses of funds.

22 (b) RELATIONSHIP TO CATALOG OF DOMESTIC AS-  
23 SISTANCE.—With respect to the requirements of para-  
24 graphs (1) and (2)(B) of subsection (a), the Attorney Gen-  
25 eral may use the same information provided in the catalog

1 of domestic and international assistance programs in the  
2 case of any program that is a domestic or international  
3 assistance program.

4 (c) REPORT.—Not later than February 1 of each fis-  
5 cal year, the Attorney General shall publish on the official  
6 public website of the agency a report containing the fol-  
7 lowing:

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

10 (2) The latest performance reviews (including  
11 the program performance reports required under  
12 section 1116 of title 31, United States Code) of each  
13 program of the agency identified under subsection  
14 (a)(1), including performance indicators, perform-  
15 ance goals, output measures, and other specific  
16 metrics used to review the program and how the  
17 program performed on each.

18 (3) For each program that makes payments,  
19 the latest improper payment rate of the program  
20 and the total estimated amount of improper pay-  
21 ments, including fraudulent payments and overpay-  
22 ments.

23 (4) The total amount of unspent and unobli-  
24 gated program funds held by the Department and

1 grant recipients (not including individuals) stated as  
2 an amount—

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

5 (B) held for five fiscal years or more.

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

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

10 (B) to eliminate waste and inefficiency;  
11 and

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

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

19 (1) use available administrative authority to  
20 eliminate, consolidate, or streamline Government  
21 programs and agencies with duplicative and overlap-  
22 ping missions identified in—

23 (A) the February 2012 Government Ac-  
24 countability Office report to Congress entitled  
25 “2012 Annual Report: Opportunities to Reduce

1 Potential Duplication in Government Programs,  
2 Save Tax Dollars, and Enhance Revenue”  
3 (GAO 12 342SP); and

4 (B) subsection (a);

5 (2) identify and report to Congress any legisla-  
6 tive changes required to further eliminate, consoli-  
7 date, or streamline Government programs and agen-  
8 cies with duplicative and overlapping missions identi-  
9 fied in—

10 (A) the February 2012 Government Ac-  
11 countability Office report to Congress entitled  
12 “2012 Annual Report: Opportunities to Reduce  
13 Potential Duplication in Government Programs,  
14 Save Tax Dollars, and Enhance Revenue”  
15 (GAO 12 342SP); and

16 (B) subsection (c); and

17 (3) develop a plan that would result in financial  
18 cost savings of no less than 20 percent of the nearly  
19 \$3,900,000,000 in duplicative grant programs iden-  
20 tified by the Government Accountability Office as a  
21 result of the actions required by paragraph (1).

22 (e) ELIMINATING THE BACKLOG OF UNANALYZED  
23 DNA FROM SEXUAL ASSAULT, RAPE, KIDNAPPING, AND  
24 OTHER CRIMINAL CASES.—Notwithstanding any other  
25 provision of law and not later than 1 year after the enact-

1 ment of this section, the Director of the Office of Manage-  
2 ment and Budget in consultation with Attorney General  
3 shall—

4 (1) rescind from the appropriate accounts the  
5 total amount of cost savings from the plan required  
6 in subsection (d)(3);

7 (2) apply as much as 75 percent of the savings  
8 towards alleviating any backlogs of analysis and  
9 placement of DNA samples from rape, sexual as-  
10 sult, homicide, kidnapping and other criminal  
11 cases, including casework sample and convicted of-  
12 fender backlogs, into the Combined DNA Index Sys-  
13 tem; and

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

16 (f) REPORTING THE SAVINGS RESULTING FROM  
17 CONSOLIDATING UNNECESSARY DUPLICATION.—Not-  
18 withstanding any other provision of law, the Attorney Gen-  
19 eral shall post a report on the public Internet website of  
20 the Department of Justice detailing—

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

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

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

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

7           (5) additional recommendations for consoli-  
8 dating duplicative programs, offices, and initiatives  
9 within the Department of Justice.

10 (g) DEFINITIONS.—In this section:

11           (1) ADMINISTRATIVE EXPENSES.—The term  
12 “administrative expenses” has the meaning as deter-  
13 mined by the Director of the Office of Management  
14 and Budget under section 504(b)(2) of Public Law  
15 111–85 (31 U.S.C. 1105 note), except the term shall  
16 also include, for purposes of that section and this  
17 section—

18           (A) costs incurred by the Department as  
19 well as costs incurred by grantees, subgrantees,  
20 and other recipients of funds from a grant pro-  
21 gram or other program administered by the De-  
22 partment; and

23           (B) expenses related to personnel salaries  
24 and benefits, property management, travel, pro-  
25 gram management, promotion, reviews and au-

1           dits, case management, and communication  
2           about, promotion of, and outreach for programs  
3           and program activities administered by the De-  
4           partment.

5           (2) PERFORMANCE INDICATOR; PERFORMANCE  
6           GOAL; OUTPUT MEASURE; PROGRAM ACTIVITY.—The  
7           terms “performance indicator”, “performance goal”,  
8           “output measure”, and “program activity” have the  
9           meanings provided by section 1115 of title 31,  
10          United States Code.

11          (3) PROGRAM.—The term “program” has the  
12          meaning provided by the Director of the Office of  
13          Management and Budget in consultation with the  
14          Attorney General and shall include any organized set  
15          of activities directed toward a common purpose or  
16          goal undertaken by the Department of an agency  
17          that includes services, projects, processes, or finan-  
18          cial or other forms of assistance, including grants,  
19          contracts, cooperative agreements, compacts, loans,  
20          leases, technical support, consultation, or other guid-  
21          ance.

22          (4) SERVICES.—The term “services” has the  
23          meaning provided by the Attorney General and shall  
24          be limited to only activities, assistance, and aid that  
25          provide a direct benefit to a recipient, such as the



1 provision of medical care, assistance for housing or  
2 tuition, or financial support (including grants and  
3 loans).