

--H.R.3402--

H.R.3402

**One Hundred Ninth Congress
of the
United States of America
AT THE FIRST SESSION**

Begun and held at the City of Washington on Tuesday,
the fourth day of January, two thousand and five

An Act

To authorize appropriations for the Department of Justice for fiscal
years 2006 through 2009, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Violence Against Women and
Department of Justice Reauthorization Act of 2005'.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Universal definitions and grant provisions.

**TITLE I--ENHANCING JUDICIAL AND LAW
ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST
WOMEN**

Sec. 101. Stop grants improvements.

Sec. 102. Grants to encourage arrest and enforce
protection orders improvements.

Sec. 1158. Office of Audit, Assessment, and Management.
Sec. 1159. Community Capacity Development Office.
Sec. 1160. Office of Applied Law Enforcement Technology.
Sec. 1161. Availability of funds for grants.
Sec. 1162. Consolidation of financial management systems of Office of Justice Programs.
Sec. 1163. Authorization and change of COPS program to single grant program.
Sec. 1164. Clarification of persons eligible for benefits under public safety officers' death benefits programs.
Sec. 1165. Pre-release and post-release programs for juvenile offenders.
Sec. 1166. Reauthorization of juvenile accountability block grants.
Sec. 1167. Sex offender management.
Sec. 1168. Evidence-based approaches.
Sec. 1169. Reauthorization of matching grant program for school security.
Sec. 1170. Technical amendments to Aimee's Law.

Subtitle C--Miscellaneous Provisions

Sec. 1171. Technical amendments relating to Public Law 107-56.
Sec. 1172. Miscellaneous technical amendments.
Sec. 1173. Use of Federal training facilities.
Sec. 1174. Privacy officer.
Sec. 1175. Bankruptcy crimes.
Sec. 1176. Report to Congress on status of United States persons or residents detained on suspicion of terrorism.
Sec. 1177. Increased penalties and expanded jurisdiction for sexual abuse offenses in correctional facilities.
Sec. 1178. Expanded jurisdiction for contraband offenses in correctional facilities.
Sec. 1179. Magistrate judge's authority to continue preliminary hearing.
Sec. 1180. Technical corrections relating to steroids.
Sec. 1181. Prison Rape Commission extension.
Sec. 1182. Longer statute of limitation for human trafficking-related offenses.
Sec. 1183. Use of Center for Criminal Justice Technology.
Sec. 1184. SEARCH Grants.
Sec. 1185. Reauthorization of Law Enforcement Tribute Act.

(D) by striking ` ; or' and all that follows through the period at the end and inserting a period.

SEC. 1158. OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.

(a) In General- Part A of title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding after section 104, as added by section 211 of this Act, the following new section:

` SEC. 105. OFFICE OF AUDIT, ASSESSMENT, AND MANAGEMENT.

` (a) Establishment-

` (1) IN GENERAL- There is established within the Office an Office of Audit, Assessment, and Management, headed by a Director appointed by the Attorney General. In carrying out the functions of the Office, the Director shall be subject to the authority, direction, and control of the Attorney General. Such authority, direction, and control may be delegated only to the Assistant Attorney General, without redelegation.

` (2) PURPOSE- The purpose of the Office shall be to carry out and coordinate program assessments of, take actions to ensure compliance with the terms of, and manage information with respect to, grants under programs covered by subsection (b). The Director shall take special conditions of the grant into account and consult with the office that issued those conditions to ensure appropriate compliance.

` (3) EXCLUSIVITY- The Office shall be the exclusive element of the Department of Justice, other than the Inspector General, performing functions and activities for the purpose specified in paragraph (2). There are hereby transferred to the Office all functions and activities, other than functions and activities of the Inspector General, for such purpose performed immediately before the date of the enactment of this Act by any other element of the Department.

` (b) Covered Programs- The programs referred to in subsection (a) are the following:

` (1) The program under part Q of this title.

` (2) Any grant program carried out by the Office of Justice Programs.

` (3) Any other grant program carried out by the Department of Justice that the Attorney General considers appropriate.

` (c) Program Assessments Required-

` (1) IN GENERAL- The Director shall select grants awarded under the programs covered by subsection (b) and carry out program assessments on such grants. In selecting such grants, the Director shall ensure that the aggregate amount awarded under the grants so

selected represent not less than 10 percent of the aggregate amount of money awarded under all such grant programs.

` (2) RELATIONSHIP TO NIJ EVALUATIONS- This subsection does not affect the authority or duty of the Director of the National Institute of Justice to carry out overall evaluations of programs covered by subsection (b), except that such Director shall consult with the Director of the Office in carrying out such evaluations.

` (3) TIMING OF PROGRAM ASSESSMENTS- The program assessment required by paragraph (1) of a grant selected under paragraph (1) shall be carried out--

` (A) not later than the end of the grant period, if the grant period is not more than 1 year; and

` (B) at the end of each year of the grant period, if the grant period is more than 1 year.

` (d) Compliance Actions Required- The Director shall take such actions to ensure compliance with the terms of a grant as the Director considers appropriate with respect to each grant that the Director determines (in consultation with the head of the element of the Department of Justice concerned), through a program assessment under subsection (a) or other means, is not in compliance with such terms. In the case of a misuse of more than 1 percent of the grant amount concerned, the Director shall, in addition to any other action to ensure compliance that the Director considers appropriate, ensure that the entity responsible for such misuse ceases to receive any funds under any program covered by subsection (b) until such entity repays to the Attorney General an amount equal to the amounts misused. The Director may, in unusual circumstances, grant relief from this requirement to ensure that an innocent party is not punished.

` (e) Grant Management System- The Director shall establish and maintain, in consultation with the chief information officer of the Office, a modern, automated system for managing all information relating to the grants made under the programs covered by subsection (b).

` (f) Availability of Funds- Not to exceed 3 percent of all funding made available for a fiscal year for the programs covered by subsection (b) shall be reserved for the Office of Audit, Assessment and Management for the activities authorized by this section.'.

(b) Effective Date- This section and the amendment made by this section take effect 90 days after the date of the enactment of this Act.

SEC. 1159. COMMUNITY CAPACITY DEVELOPMENT OFFICE.