

114TH CONGRESS
2D SESSION

S. 3515

To authorize previously appropriated resources for communities to address persistent or historical crime through collaborative cross-sector partnerships.

IN THE SENATE OF THE UNITED STATES

DECEMBER 7, 2016

Mr. DONNELLY (for himself and Mr. GRAHAM) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To authorize previously appropriated resources for communities to address persistent or historical crime through collaborative cross-sector partnerships.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Investing in Neighbor-
5 hood-focused, Vital, Evidence-based Strategies and Trust
6 to Prevent Crime Act of 2016” or the “INVEST to Pre-
7 vent Crime Act”.

1 **SEC. 2. DEMONSTRATION GRANT PROGRAM.**

2 (a) IN GENERAL.—Title I of the Omnibus Crime
3 Control and Safe Streets Act of 1968 (42 U.S.C. 3711
4 et seq.) is amended by adding at the end the following:

5 **“PART MM—DEMONSTRATION GRANT PROGRAM**

6 **“SEC. 3031. DEFINITIONS.**

7 “In this part—

8 “(1) the term ‘crime hot spot’ means a defined
9 geographic area within a target neighborhood where,
10 for not less than 1 year, the occurrence of crime is
11 so frequent that it is highly predictable;

12 “(2) the term ‘eligible entity’ means a State,
13 unit of local government, Indian tribe, tribal organi-
14 zation, non-profit organization, or institution of
15 higher education that is a member of a community
16 consortium, which includes not less than 1 partner
17 law enforcement agency, that is committed to work-
18 ing with law enforcement agencies, community lead-
19 ers, and research partners to develop an evidence-
20 based or research-based, cross-sector strategy to re-
21 vitalize a target neighborhood facing significant
22 crime challenges;

23 “(3) the term ‘evidence-based practice’ means a
24 program, strategy, or procedure that has been dem-
25 onstrated as effective by causal evidence, obtained
26 through one or more outcome evaluations;

1 “(4) the terms ‘Indian tribe’ and ‘tribal organi-
2 zation’ have the meanings given those terms in sec-
3 tion 4 of the Indian Self-Determination and Edu-
4 cation Assistance Act (25 U.S.C. 5304);

5 “(5) the term ‘institution of higher education’
6 has the meaning given the term in section 102 of the
7 Higher Education Act of 1965 (20 U.S.C. 1002);

8 “(6) the term ‘State’ means each of the 50
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, the United States Virgin Islands,
11 American Samoa, Guam, and the Northern Mariana
12 Islands;

13 “(7) the term ‘target neighborhood’ means a
14 defined geographic area that is the focus of a project
15 funded by a grant awarded under this part; and

16 “(8) the term ‘unit of local government’ means
17 a county, municipality, city, town, township, village,
18 parish, borough, or other unit of general government
19 below the State level.

20 **“SEC. 3032. PROGRAM AUTHORIZED.**

21 “(a) IN GENERAL.—The Attorney General may—

22 “(1) make grants to eligible entities to prepare
23 a comprehensive plan for and implement enhance-
24 ment of the capacity of local and tribal communities
25 to effectively target and address significant crime

1 issues through collaborative cross-sector approaches;
2 and

3 “(2) provide training and technical assistance
4 to eligible entities that receive grants under this
5 part.

6 “(b) PROJECT GOALS.—Projects funded under this
7 section shall—

8 “(1) identify a target neighborhood facing sig-
9 nificant crime challenges;

10 “(2) use evidence-based practices or research-
11 based practices;

12 “(3) encourage active involvement and leader-
13 ship from neighborhood residents, business owners,
14 organizations, and others who live, work, or conduct
15 business in the target neighborhood; and

16 “(4) build cross-sector partnerships to address
17 crime problems from multiple perspectives.

18 “(c) APPLICATIONS.—

19 “(1) IN GENERAL.—To receive a planning grant
20 or an implementation grant under this section, an
21 eligible entity shall submit an application to the At-
22 torney General in such form and containing such in-
23 formation as the Attorney General may reasonably
24 require.

1 “(2) COMBINED APPLICATION.—The Attorney
2 General may develop a procedure under which an eli-
3 gible entity may apply at the same time and in a
4 single application for a planning grant and an imple-
5 mentation grant under this section, with receipt of
6 the implementation grant conditioned on the suc-
7 cessful completion of the activities funded by the
8 planning grant.

9 “(3) RESEARCH PARTNER.—

10 “(A) IN GENERAL.—An applicant for a
11 grant under this section shall identify a re-
12 search partner, such as an institution of higher
13 education, research center, or State or local
14 agency, to—

15 “(i) conduct a detailed crime analysis
16 during the planning period described in
17 subsection (d)(1)(A); and

18 “(ii) assist the grant recipient to se-
19 lect the most appropriate evidence-based
20 practices or research-based practices to
21 apply based on the research findings.

22 “(B) CONTINUED ASSISTANCE.—A re-
23 search partner described in subparagraph (A)
24 shall remain engaged throughout the duration

1 of the grant by continuing to provide and ana-
2 lyze data to help inform project implementation.

3 “(d) DURATION OF GRANTS.—

4 “(1) IN GENERAL.—Except as provided in para-
5 graph (2)—

6 “(A) a planning grant awarded under this
7 section shall be used by the recipient for a pe-
8 riod not to exceed 12 months; and

9 “(B) an implementation grant awarded
10 under this section shall be used by the recipient
11 for a period not to exceed 36 months.

12 “(2) EXTENSION OF PLANNING OR IMPLEMEN-
13 TATION.—Upon request of a grant recipient, the At-
14 torney General may allow the grant recipient to ex-
15 tend the planning period described in paragraph
16 (1)(A) or the implementation period described in
17 paragraph (1)(B) for a reasonable length of time, as
18 determined by the Attorney General.

19 “(3) LIMITATION ON ADDITIONAL FUNDS.—If
20 the Attorney General allows an extension under
21 paragraph (2), the Attorney General may not award
22 additional grant funds.

23 “(e) PLANNING GRANTS.—A grant awarded for the
24 planning phase of a project may be used to—

1 “(1) identify, verify, and prioritize crime hot
2 spots within the target neighborhood;

3 “(2) build community partnerships and facili-
4 tate leadership to ensure residents are active partici-
5 pants in the strategy to address crime in the com-
6 munity;

7 “(3) collaborate with local law enforcement
8 agencies, research partners, and the community to
9 analyze the drivers of crime and assess the needs of
10 the community and the available resources to meet
11 those needs; and

12 “(4) work with community consortium partners
13 to develop a comprehensive cross-sector strategic
14 plan to reduce crime in the target neighborhood that
15 is based on the findings made under paragraph (3).

16 “(f) IMPLEMENTATION GRANTS.—Funds awarded
17 for the implementation phase of a project may be used
18 to—

19 “(1) convene regular meetings of cross-sector
20 partners and the project management team;

21 “(2) continue work with research partners to
22 assess project implementation;

23 “(3) modify strategies developed during project
24 planning as appropriate;

1 “(4) support personnel and program costs to
2 implement strategies developed during project plan-
3 ning;

4 “(5) pursue community engagement and leader-
5 ship development; and

6 “(6) identify and develop a long-term sustain-
7 able strategy to continue to achieve the project’s
8 goals after the conclusion of the implementation pe-
9 riod.

10 **“SEC. 3033. REPORT TO CONGRESS.**

11 “‘At the end of the first grant year, and each year
12 thereafter, the Attorney General shall submit a report to
13 the Committee on the Judiciary of the Senate and the
14 Committee on the Judiciary of the House of Representa-
15 tives that provides an overall assessment of the out-
16 comes—

17 “(1) achieved by the demonstration projects
18 funded under this part; and

19 “(2) achieved by any demonstration projects
20 that—

21 “(A) received funding under the Byrne
22 Criminal Justice Innovation program of the De-
23 partment of Justice during fiscal years 2013
24 through 2016; and

1 “(B) were carried out during the grant
2 year to which the report pertains.

3 **“SEC. 3034. GRANT ACCOUNTABILITY.**

4 “(a) ACCOUNTABILITY.—All grants awarded by the
5 Attorney General under this part shall be subject to the
6 following accountability provisions:

7 “(1) AUDIT REQUIREMENT.—

8 “(A) DEFINITION.—In this paragraph, the
9 term ‘unresolved audit finding’ means a finding
10 in the final audit report of the Inspector Gen-
11 eral of the Department of Justice that the au-
12 dited grantee has utilized grant funds for an
13 unauthorized expenditure or otherwise unallow-
14 able cost that is not closed or resolved within
15 12 months from the date when the final audit
16 report is issued.

17 “(B) AUDITS.—Beginning in the first fis-
18 cal year beginning after the date of enactment
19 of this subsection, and in each fiscal year there-
20 after, the Inspector General of the Department
21 of Justice shall conduct audits of recipients of
22 grants under this part to prevent waste, fraud,
23 and abuse of funds by grantees. The Inspector
24 General shall determine the appropriate number
25 of grantees to be audited each year.

1 “(C) MANDATORY EXCLUSION.—A recipi-
2 ent of grant funds under this part that is found
3 to have an unresolved audit finding shall not be
4 eligible to receive grant funds under this part
5 during the first 2 fiscal years beginning after
6 the end of the 12-month period described in
7 subparagraph (A).

8 “(D) PRIORITY.—In awarding grants
9 under this part, the Attorney General shall give
10 priority to eligible applicants that did not have
11 an unresolved audit finding during the 3 fiscal
12 years before submitting an application for a
13 grant under this part.

14 “(E) REIMBURSEMENT.—If an entity is
15 awarded grant funds under this part during the
16 2-fiscal-year period during which the entity is
17 barred from receiving grants under subpara-
18 graph (C), the Attorney General shall—

19 “(i) deposit an amount equal to the
20 amount of the grant funds that were im-
21 properly awarded to the grantee into the
22 General Fund of the Treasury; and

23 “(ii) seek to recoup the costs of the
24 repayment to the fund from the grant re-

1 recipient that was erroneously awarded grant
2 funds.

3 “(2) NONPROFIT ORGANIZATION REQUIRE-
4 MENTS.—

5 “(A) DEFINITION.—For purposes of this
6 paragraph and the grant programs under this
7 part, the term ‘nonprofit organization’ means
8 an organization that is described in section
9 501(c)(3) of the Internal Revenue Code of 1986
10 and is exempt from taxation under section
11 501(a) of such Code.

12 “(B) PROHIBITION.—The Attorney Gen-
13 eral may not award a grant under this part to
14 a nonprofit organization that holds money in
15 offshore accounts for the purpose of avoiding
16 paying the tax described in section 511(a) of
17 the Internal Revenue Code of 1986.

18 “(C) DISCLOSURE.—Each nonprofit orga-
19 nization that is awarded a grant under this part
20 and uses the procedures prescribed in regula-
21 tions to create a rebuttable presumption of rea-
22 sonableness for the compensation of its officers,
23 directors, trustees, and key employees, shall dis-
24 close to the Attorney General, in the application
25 for the grant, the process for determining such

1 compensation, including the independent per-
2 sons involved in reviewing and approving such
3 compensation, the comparability data used, and
4 contemporaneous substantiation of the delibera-
5 tion and decision. Upon request, the Attorney
6 General shall make the information disclosed
7 under this subparagraph available for public in-
8 spection.

9 “(3) CONFERENCE EXPENDITURES.—

10 “(A) LIMITATION.—No amounts made
11 available to the Department of Justice under
12 this part may be used by the Attorney General,
13 or by any individual or entity awarded discre-
14 tionary funds through a cooperative agreement
15 under this part, to host or support any expendi-
16 ture for conferences that uses more than
17 \$20,000 in funds made available by the Depart-
18 ment of Justice, unless the head of the relevant
19 agency or department, provides prior written
20 authorization that the funds may be expended
21 to host the conference.

22 “(B) WRITTEN APPROVAL.—Written ap-
23 proval under subparagraph (A) shall include a
24 written estimate of all costs associated with the
25 conference, including the cost of all food, bev-

1 erages, audio-visual equipment, honoraria for
2 speakers, and entertainment.

3 “(C) REPORT.—The Deputy Attorney Gen-
4 eral shall submit an annual report to the Com-
5 mittee on the Judiciary of the Senate and the
6 Committee on the Judiciary of the House of
7 Representatives on all conference expenditures
8 approved under this paragraph.

9 “(4) ANNUAL CERTIFICATION.—Beginning in
10 the first fiscal year beginning after the date of en-
11 actment of this subsection, the Attorney General
12 shall submit, to the Committee on the Judiciary and
13 the Committee on Appropriations of the Senate and
14 the Committee on the Judiciary and the Committee
15 on Appropriations of the House of Representatives,
16 an annual certification—

17 “(A) indicating whether—

18 “(i) all audits issued by the Office of
19 the Inspector General under paragraph (1)
20 have been completed and reviewed by the
21 appropriate Assistant Attorney General or
22 Director;

23 “(ii) all mandatory exclusions required
24 under paragraph (1)(C) have been issued;
25 and

1 “(iii) all reimbursements required
2 under paragraph (1)(E) have been made;
3 and

4 “(B) that includes a list of any grant re-
5 cipients excluded under paragraph (1) from the
6 previous year.

7 “(b) PREVENTING DUPLICATIVE GRANTS.—

8 “(1) IN GENERAL.—Before the Attorney Gen-
9 eral awards a grant to an applicant under this part,
10 the Attorney General shall compare potential grant
11 awards with other grants awarded under this part to
12 determine if duplicate grant awards are awarded for
13 the same purpose.

14 “(2) REPORT.—If the Attorney General awards
15 duplicate grants to the same applicant for the same
16 purpose the Attorney General shall submit to the
17 Committee on the Judiciary of the Senate and the
18 Committee on the Judiciary of the House of Rep-
19 resentatives a report that includes—

20 “(A) a list of all duplicate grants awarded,
21 including the total dollar amount of any dupli-
22 cate grants awarded; and

23 “(B) the reason the Attorney General
24 awarded the duplicate grants.”.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
2 1001(a) of title I of the Omnibus Crime Control and Safe
3 Streets Act of 1968 (42 U.S.C. 3793(a)) is amended by
4 adding at the end the following:

5 “(28) For activities under part MM, there are
6 authorized to be appropriated \$20,000,000 for each
7 of fiscal years 2017 through 2021.”.

○