

S 2577

Justice for All Reauthorization Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Feb 24, 2016

Current Status: Became Public Law No: 114-324.

Latest Action: Became Public Law No: 114-324. (Dec 16, 2016)

Law: 114-324 (Enacted Dec 16, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/2577>

Sponsor

Name: Sen. Cornyn, John [R-TX]

Party: Republican • **State:** TX • **Chamber:** Senate

Cosponsors (17 total)

| Cosponsor | Party / State | Role | Date Joined |
|------------------------------------|---------------|------|--------------|
| Sen. Ayotte, Kelly [R-NH] | R · NH | | Feb 24, 2016 |
| Sen. Durbin, Richard J. [D-IL] | D · IL | | Feb 24, 2016 |
| Sen. Leahy, Patrick J. [D-VT] | D · VT | | Feb 24, 2016 |
| Sen. Heller, Dean [R-NV] | R · NV | | Mar 15, 2016 |
| Sen. Klobuchar, Amy [D-MN] | D · MN | | Mar 15, 2016 |
| Sen. Portman, Rob [R-OH] | R · OH | | Mar 15, 2016 |
| Sen. Udall, Tom [D-NM] | D · NM | | Mar 15, 2016 |
| Sen. Collins, Susan M. [R-ME] | R · ME | | Apr 13, 2016 |
| Sen. Warner, Mark R. [D-VA] | D · VA | | Apr 13, 2016 |
| Sen. Hatch, Orrin G. [R-UT] | R · UT | | Apr 18, 2016 |
| Sen. Shaheen, Jeanne [D-NH] | D · NH | | Apr 18, 2016 |
| Sen. Feinstein, Dianne [D-CA] | D · CA | | May 11, 2016 |
| Sen. Burr, Richard [R-NC] | R · NC | | May 16, 2016 |
| Sen. Coons, Christopher A. [D-DE] | D · DE | | May 16, 2016 |
| Sen. Blunt, Roy [R-MO] | R · MO | | May 18, 2016 |
| Sen. Gillibrand, Kirsten E. [D-NY] | D · NY | | May 18, 2016 |
| Sen. Murray, Patty [D-WA] | D · WA | | Dec 1, 2016 |

Committee Activity

| Committee | Chamber | Activity | Date |
|------------------------------|---------|-------------|--------------|
| Financial Services Committee | House | Referred To | Jun 20, 2016 |
| Judiciary Committee | Senate | Reported By | May 12, 2016 |
| Judiciary Committee | House | Referred to | Jun 21, 2016 |

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|---|
| 114 HR 4602 | Identical bill | Feb 29, 2016: Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations. |

(This measure has not been amended since it was passed by the House on November 29, 2016. The summary of that version is repeated here.)

Justice for All Reauthorization Act of 2016

(Sec. 2) This bill amends the federal criminal code to require a court to order, as an explicit condition of supervised release, that a defendant makes restitution to the victim of a federal offense for which restitution is authorized.

A defendant's liability to pay restitution terminates 20 years from the filing date of the judgment or the defendant's release from prison. In the event of the death of the person ordered to pay restitution, the individual's estate will be held responsible.

The bill amends Rule 28 of the Federal Rules of Criminal Procedure to authorize a court to appoint and compensate an interpreter for a crime victim.

The Government Accountability Office (GAO) must study and report to Congress on whether providing broader authority for courts to award restitution would benefit crime victims.

(Sec. 3) Of amounts made available over FY2018-FY2021 for a DNA analysis and capacity enhancement program and for other forensic activities, the Department of Justice (DOJ) must allocate at least 75% to test rape kits and at least 5% to audit backlogged rape kits.

The bill establishes reporting requirements for DOJ and grant recipients.

(Sec. 4) It amends the DNA Sexual Assault Justice Act of 2004 to give preference to Sexual Assault Forensic Exam Program grant applicants that use the funds to: (1) improve forensic nurse examiner programs in a rural or underserved area, (2) employ full-time forensic nurse examiners in a rural or underserved program, or (3) sustain or establish a forensic nurse examiner training program.

DOJ must coordinate with the Department of Health and Human Services to inform federally qualified health centers, hospitals, colleges and universities, and other health-related entities about the role of forensic nurses and the resources available to train or employ them.

(Sec. 5) This section amends the Prison Rape Elimination Act of 2003 to specify that funds under the STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grant Program are not subject to a 5% reduction for a state that fails to comply with the national prison rape standards.

(Sec. 6) The bill amends the Violence Against Women Act of 1994 to specify that accommodations applicable to a remaining tenant, after the eviction of the sole tenant eligible to receive assistance under a covered housing program, also apply to a resident.

(Sec. 7) The bill revises and expands requirements with respect to adopting national prison rape standards. Specifically, it requires states to also provide certain additional information.

Additionally, it requires compliance auditors to submit to criminal history background checks.

(Sec. 8) It reauthorizes through FY2021 appropriations for: (1) demonstration grants for DNA research and development,

(2) DNA programs and activities at the FBI, and (3) grants to promote DNA technology to identify missing persons.

(Sec. 9) This section revises and reauthorizes through FY2021 the Paul Coverdell Forensic Science Improvement Grants Program.

A grant applicant must certify that a forensic laboratory system, medical examiner's office, or coroner's office that receives grant funds is accredited.

It revises the allocation of Coverdell funds to: (1) increase from 75% to 85% the funds allocated for formula grants to eligible states based on population, (2) increase the minimum formula grant award for an eligible state from 0.6% to 1% of the funds allocated for formula grants, and (3) decrease from 25% to 15% the funds allocated for competitive grants.

It revises existing purpose areas to specify that, with respect to eliminating a backlog in analyzing forensic science evidence: (1) forensic science evidence includes impression evidence, digital evidence, and fire evidence; and (2) medicolegal death investigators may be trained and employed. It also adds new purpose areas to address emerging forensic science issues and technology, educate and train forensic pathologists, and fund medicolegal death investigation systems.

A Coverdell grant recipient must include, in its annual report, the progress of an unaccredited forensic science service provider in obtaining accreditation.

(Sec. 10) This section amends the Innocence Protection Act of 2004 to reauthorize through FY2021 the Capital Representation Improvement Grant Program (i.e., the grant program to improve the quality of legal representation for indigent criminal defendants in death penalty cases).

(Sec. 11) This section amends the federal criminal code to specify that if a court-ordered DNA test excludes a defendant as the DNA source and meets other requirements, then the DNA profile must be submitted to the National DNA Index System to identify matching profiles of known individuals or profiles from unsolved crimes.

Additionally, it revises the applicability of the requirement to preserve biological evidence in the federal investigation or prosecution of a defendant who was sentenced to prison.

(Sec. 12) It reauthorizes through FY2021 the Kirk Bloodsworth Post-Conviction DNA Testing Grant Program.

(Sec. 13) This section directs the National Institute of Justice (NIJ) to establish best practices for evidence retention that focus on preserving forensic evidence. The NIJ must assist state, local, and tribal governments to adopt and implement such best practices.

Effective Administration of Criminal Justice Act of 2016

(Sec. 14) The bill amends the Omnibus Crime Control and Safe Streets Act of 1968 to require an application for funds under the Edward Byrne Memorial Justice Assistance Grant Program to include a statewide strategic plan to improve the administration criminal justice. It requires DOJ to provide technical assistance and authorizes FY2017-FY2021 appropriations for such technical assistance.

(Sec. 15) The DOJ Office of Inspector General must conduct annual audits of selected grant recipients.

The bill prohibits DOJ from awarding grants to nonprofit organizations that hold money in an offshore account to avoid tax liability. It also prohibits DOJ from using more than 7.5% of the amount authorized for salaries and administrative

expenses. It limits the use of grant funds for conferences that use more than \$20,000 in DOJ funds. It prohibits a grantee from using grant funds to lobby DOJ or a state, local, or tribal government regarding the award of grant funding.

DOJ must identify and report on duplicative grant awards.

(Sec. 16) DOJ must study and report to Congress on the status and needs of the forensic science community.

(Sec. 17) It amends the Victims of Crime Act of 1984 to authorize DOJ's Office for Victims of Crimes (OVC) to use discretionary funds for victim services.

It expresses the sense of Congress that the proposed rule entitled "VOCA Victim Assistance Program" is consistent with the OVC's Victim Assistance Program.

(Sec. 18) DOJ must evaluate the performance of U.S. Attorneys offices and DOJ component offices in seeking and recovering restitution under each provision of the federal criminal code and the Controlled Substances Act that authorizes it.

The GAO must report to Congress on restitution sought by DOJ under each provision of the federal criminal code and the Controlled Substances Act.

Actions Timeline

- **Dec 16, 2016:** Signed by President.
- **Dec 16, 2016:** Became Public Law No: 114-324.
- **Dec 7, 2016:** Presented to President.
- **Dec 2, 2016:** Message on Senate action sent to the House.
- **Dec 1, 2016:** Resolving differences -- Senate actions: Senate agreed to the House amendment to the Senate bill by Unanimous Consent.(consideration: CR S6679; text as Senate agreed to the House amendment: CR S6679)
- **Dec 1, 2016:** Senate agreed to the House amendment to the Senate bill by Unanimous Consent. (consideration: CR S6679; text as Senate agreed to the House amendment: CR S6679)
- **Nov 30, 2016:** Message on House action received in Senate and at desk: House amendment to Senate bill.
- **Nov 29, 2016:** Mr. Goodlatte moved to suspend the rules and pass the bill, as amended.
- **Nov 29, 2016:** Considered under suspension of the rules. (consideration: CR H6322-6329)
- **Nov 29, 2016:** DEBATE - The House proceeded with forty minutes of debate on S. 2577.
- **Nov 29, 2016:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text of measure as passed: CR H6322-6326)
- **Nov 29, 2016:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text of measure as passed: CR H6322-6326)
- **Nov 29, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 21, 2016:** Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
- **Jun 20, 2016:** Received in the House.
- **Jun 20, 2016:** Referred to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jun 16, 2016:** Measure laid before Senate by unanimous consent. (consideration: CR S4266-4277; text of measure as reported in Senate: CR S4266-4270)
- **Jun 16, 2016:** The committee amendments agreed to by Unanimous Consent.
- **Jun 16, 2016:** Passed/agreed to in Senate: Passed Senate with amendments by Voice Vote.(text: CR S4271-4275)
- **Jun 16, 2016:** Passed Senate with amendments by Voice Vote. (text: CR S4271-4275)
- **Jun 16, 2016:** Message on Senate action sent to the House.
- **May 12, 2016:** Committee on the Judiciary. Ordered to be reported with amendments favorably.
- **May 12, 2016:** Committee on the Judiciary. Reported by Senator Grassley with amendments. Without written report.
- **May 12, 2016:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 463.
- **Feb 24, 2016:** Introduced in Senate
- **Feb 24, 2016:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S996-999)