

114TH CONGRESS  
1ST SESSION

# S. 2002

To strengthen our mental health system and improve public safety.

---

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2015

Mr. CORNYN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

## A BILL

To strengthen our mental health system and improve public safety.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Mental Health and Safe Communities Act of 2015”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MENTAL HEALTH AND SAFE COMMUNITIES

Sec. 101. Law enforcement grants for crisis intervention teams, mental health purposes, and fixing the background check system.

Sec. 102. Assisted outpatient treatment programs.

Sec. 103. Federal drug and mental health courts.

Sec. 104. Mental health in the judicial system.

- Sec. 105. Forensic assertive community treatment initiatives.
- Sec. 106. Assistance for individuals transitioning out of systems.
- Sec. 107. Co-occurring substance abuse and mental health challenges in drug courts.
- Sec. 108. Mental health training for Federal uniformed services.
- Sec. 109. Advancing mental health as part of offender reentry.
- Sec. 110. School mental health crisis intervention teams.
- Sec. 111. Active-shooter training for law enforcement.
- Sec. 112. Co-occurring substance abuse and mental health challenges in residential substance abuse treatment programs.
- Sec. 113. Mental health and drug treatment alternatives to incarceration programs.
- Sec. 114. National criminal justice and mental health training and technical assistance.
- Sec. 115. Improving Department of Justice data collection on mental illness involved in crime.
- Sec. 116. Reports on the number of mentally ill offenders in prison.

#### TITLE II—COMPREHENSIVE JUSTICE AND MENTAL HEALTH ACT

- Sec. 201. Short title.
- Sec. 202. Findings.
- Sec. 203. Sequential intercept model.
- Sec. 204. Veterans treatment courts.
- Sec. 205. Prison and jails.
- Sec. 206. Allowable uses.
- Sec. 207. Law enforcement training.
- Sec. 208. Federal law enforcement training.
- Sec. 209. GAO report.
- Sec. 210. Evidence-based practices.
- Sec. 211. Transparency, program accountability, and enhancement of local authority.
- Sec. 212. Grant accountability.

#### TITLE III—NICS REAUTHORIZATION AND NICS IMPROVEMENT

- Sec. 301. Reauthorization of NICS.
- Sec. 302. Definitions relating to mental health.
- Sec. 303. Incentives for State compliance with NICS mental health record requirements.
- Sec. 304. Protecting the second amendment rights of veterans.
- Sec. 305. Applicability of amendments.
- Sec. 306. Clarification that Federal court information is to be made available to the national instant criminal background check system.

#### TITLE IV—REAUTHORIZATIONS AND OFFSET

- Sec. 401. Reauthorization of appropriations.
- Sec. 402. Offset.

1 **TITLE I—MENTAL HEALTH AND**  
2 **SAFE COMMUNITIES**

3 **SEC. 101. LAW ENFORCEMENT GRANTS FOR CRISIS INTER-**  
4 **VENTION TEAMS, MENTAL HEALTH PUR-**  
5 **POSES, AND FIXING THE BACKGROUND**  
6 **CHECK SYSTEM.**

7 (a) EDWARD BYRNE MEMORIAL JUSTICE ASSIST-  
8 ANCE GRANT PROGRAM.—Section 501(a)(1) of title I of  
9 the Omnibus Crime Control and Safe Streets Act of 1968  
10 (42 U.S.C. 3751(a)(1)) is amended by adding at the end  
11 the following:

12 “(H) Mental health programs and related  
13 law enforcement and corrections programs, in-  
14 cluding behavioral programs and crisis interven-  
15 tion teams.

16 “(I) Achieving compliance with the mental  
17 health records requirements of the NICS Im-  
18 provement Amendments Act of 2007 (Public  
19 Law 110–180; 121 Stat. 2259).”.

20 (b) COMMUNITY ORIENTED POLICING SERVICES  
21 PROGRAM.—Section 1701(b) of title I of the Omnibus  
22 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
23 3796dd(b)) is amended—

24 (1) in paragraph (16), by striking “and” at the  
25 end;

1           (2) by redesignating paragraph (17) as para-  
2 graph (21);

3           (3) by inserting after paragraph (16) the fol-  
4 lowing:

5           “(17) to provide specialized training to law en-  
6 forcement officers to—

7                 “(A) recognize individuals who have a  
8 mental illness; and

9                 “(B) properly interact with individuals who  
10 have a mental illness, including strategies for  
11 verbal de-escalation of crises;

12           “(18) to establish collaborative programs that  
13 enhance the ability of law enforcement agencies to  
14 address the mental health, behavioral, and substance  
15 abuse problems of individuals encountered by law  
16 enforcement officers in the line of duty;

17           “(19) to provide specialized training to correc-  
18 tions officers to recognize individuals who have a  
19 mental illness;

20           “(20) to enhance the ability of corrections offi-  
21 cers to address the mental health of individuals  
22 under the care and custody of jails and prisons, in-  
23 cluding specialized training and strategies for verbal  
24 de-escalation of crises; and”); and

1           (4) in paragraph (21), as redesignated, by  
2           striking “through (16)” and inserting “through  
3           (20)”.

4           (c) MODIFICATIONS TO THE STAFFING FOR ADE-  
5           QUATE FIRE AND EMERGENCY RESPONSE GRANTS.—Sec-  
6           tion 34(a)(1)(B) of the Federal Fire Prevention and Con-  
7           trol Act of 1974 (15 U.S.C. 2229a(a)(1)(B)) is amended  
8           by inserting before the period at the end the following:  
9           “and to provide specialized training to paramedics, emer-  
10          gency medical services workers, and other first responders  
11          to recognize individuals who have mental illness and how  
12          to properly intervene with individuals with mental illness,  
13          including strategies for verbal de-escalation of crises”.

14       **SEC. 102. ASSISTED OUTPATIENT TREATMENT PROGRAMS.**

15          Section 2201 of title I of the Omnibus Crime Control  
16          and Safe Streets Act of 1968 (42 U.S.C. 3796ii) is amend-  
17          ed—

18               (1) by inserting “(a) IN GENERAL.—” before  
19               “‘The Attorney General’”;

20               (2) in paragraph (2)(B), by inserting before the  
21               semicolon the following: “, or court-ordered assisted  
22               outpatient treatment when the court has determined  
23               such treatment to be necessary”; and

24               (3) by adding at the end the following:

25               “(b) DEFINITIONS.—In this section:

1           “(1) COURT-ORDERED ASSISTED OUTPATIENT  
2 TREATMENT.—The term ‘court-ordered assisted out-  
3 patient treatment’ means a program through which  
4 a court may order a treatment plan for an eligible  
5 patient that—

6           “(A) requires such patient to obtain out-  
7 patient mental health treatment while the pa-  
8 tient is living in a community; and

9           “(B) is designed to improve access and ad-  
10 herence by such patient to intensive behavioral  
11 health services in order to—

12           “(i) avert relapse, repeated hos-  
13 pitalizations, arrest, incarceration, suicide,  
14 property destruction, and violent behavior;  
15 and

16           “(ii) provide such patient with the op-  
17 portunity to live in a less restrictive alter-  
18 native to incarceration or involuntary hos-  
19 pitalization.

20           “(2) ELIGIBLE PATIENT.—The term ‘eligible  
21 patient’ means an adult, mentally ill person who, as  
22 determined by a court—

23           “(A) has a history of violence, incarcer-  
24 ation, or medically unnecessary hospitalizations;

1           “(B) without supervision and treatment,  
2           may be a danger to self or others in the com-  
3           munity;

4           “(C) is substantially unlikely to voluntarily  
5           participate in treatment;

6           “(D) may be unable, for reasons other  
7           than indigence, to provide for any of his or her  
8           basic needs, such as food, clothing, shelter,  
9           health, or safety;

10           “(E) has a history of mental illness or con-  
11           dition that is likely to substantially deteriorate  
12           if the patient is not provided with timely treat-  
13           ment; or

14           “(F) due to mental illness, lacks capacity  
15           to fully understand or lacks judgment to make  
16           informed decisions regarding his or her need for  
17           treatment, care, or supervision.”.

18 **SEC. 103. FEDERAL DRUG AND MENTAL HEALTH COURTS.**

19           (a) DEFINITIONS.—In this section—

20           (1) the term “eligible offender” means a person  
21           who—

22           (A)(i) previously or currently has been di-  
23           agnosed by a qualified mental health profes-  
24           sional as having a mental illness, mental retar-

1           dation, or co-occurring mental illness and sub-  
2           stance abuse disorders; or

3           (ii) manifests obvious signs of mental ill-  
4           ness, mental retardation, or co-occurring mental  
5           illness and substance abuse disorders during ar-  
6           rest or confinement or before any court; and

7           (B) is determined by a judge to be eligible;  
8           and

9           (2) the term “mental illness” means a  
10          diagnosable mental, behavioral, or emotional dis-  
11          order—

12           (A) of sufficient duration to meet diag-  
13           nostic criteria within the most recent edition of  
14           the Diagnostic and Statistical Manual of Men-  
15           tal Disorders published by the American Psy-  
16           chiatric Association; and

17           (B) that has resulted in functional impair-  
18           ment that substantially interferes with or limits  
19           1 or more major life activities.

20          (b) ESTABLISHMENT OF PROGRAM.—Not later than  
21          1 year after the date of enactment of this Act, the Attor-  
22          ney General shall establish a pilot program to determine  
23          the effectiveness of diverting eligible offenders from Fed-  
24          eral prosecution, Federal probation, or a Bureau of Pris-



1 ons facility, and placing such eligible offenders in drug or  
2 mental health courts.

3 (c) PROGRAM SPECIFICATIONS.—The pilot program  
4 established under subsection (b) shall involve—

5 (1) continuing judicial supervision, including  
6 periodic review, of program participants who have a  
7 substance abuse problem or mental illness; and

8 (2) the integrated administration of services  
9 and sanctions, which shall include—

10 (A) mandatory periodic testing, as appro-  
11 priate, for the use of controlled substances or  
12 other addictive substances during any period of  
13 supervised release or probation for each pro-  
14 gram participant;

15 (B) substance abuse treatment for each  
16 program participant who requires such services;

17 (C) diversion, probation, or other super-  
18 vised release with the possibility of prosecution,  
19 confinement, or incarceration based on non-  
20 compliance with program requirements or fail-  
21 ure to show satisfactory progress;

22 (D) programmatic offender management,  
23 including case management, and aftercare serv-  
24 ices, such as relapse prevention, health care,  
25 education, vocational training, job placement,

1 housing placement, and child care or other fam-  
2 ily support services for each program partici-  
3 pant who requires such services;

4 (E) outpatient or inpatient mental health  
5 treatment, as ordered by the court, that carries  
6 with it the possibility of dismissal of charges or  
7 reduced sentencing upon successful completion  
8 of such treatment;

9 (F) centralized case management, includ-  
10 ing—

11 (i) the consolidation of all cases, in-  
12 cluding violations of probations, of the pro-  
13 gram participant; and

14 (ii) coordination of all mental health  
15 treatment plans and social services, includ-  
16 ing life skills and vocational training, hous-  
17 ing and job placement, education, health  
18 care, and relapse prevention for each pro-  
19 gram participant who requires such serv-  
20 ices; and

21 (G) continuing supervision of treatment  
22 plan compliance by the program participant for  
23 a term not to exceed the maximum allowable  
24 sentence or probation period for the charged or  
25 relevant offense and, to the extent practicable,

1 continuity of psychiatric care at the end of the  
2 supervised period.

3 (d) IMPLEMENTATION; DURATION.—The pilot pro-  
4 gram established under subsection (b) shall be con-  
5 ducted—

6 (1) in not less than 1 United States judicial  
7 district, designated by the Attorney General in con-  
8 sultation with the Director of the Administrative Of-  
9 fice of the United States Courts, as appropriate for  
10 the pilot program; and

11 (2) during fiscal year 2017 through fiscal year  
12 2020.

13 (e) CRITERIA FOR DESIGNATION.—Before making a  
14 designation under subsection (d)(1), the Attorney General  
15 shall—

16 (1) obtain the approval, in writing, of the  
17 United States Attorney for the United States judi-  
18 cial district being designated;

19 (2) obtain the approval, in writing, of the chief  
20 judge for the United States judicial district being  
21 designated; and

22 (3) determine that the United States judicial  
23 district being designated has adequate behavioral  
24 health systems for treatment, including substance  
25 abuse and mental health treatment.

1 (f) ASSISTANCE FROM OTHER FEDERAL ENTI-  
 2 TIES.—The Administrative Office of the United States  
 3 Courts and the United States Probation Offices shall pro-  
 4 vide such assistance and carry out such functions as the  
 5 Attorney General may request in monitoring, supervising,  
 6 providing services to, and evaluating eligible offenders  
 7 placed in a drug or mental health court under this section.

8 (g) REPORTS.—The Attorney General, in consulta-  
 9 tion with the Director of the Administrative Office of the  
 10 United States Courts, shall monitor the drug and mental  
 11 health courts under this section, and shall submit a report  
 12 to Congress on the outcomes of the program at the end  
 13 of the period described in subsection (d)(2).

14 **SEC. 104. MENTAL HEALTH IN THE JUDICIAL SYSTEM.**

15 Part V of title I of the Omnibus Crime Control and  
 16 Safe Streets Act of 1986 (42 U.S.C. 3796ii et seq.) is  
 17 amended by inserting at the end the following:

18 **“SEC. 2209. MENTAL HEALTH RESPONSES IN THE JUDICIAL**  
 19 **SYSTEM.**

20 “(a) PRETRIAL SCREENING AND SUPERVISION.—

21 “(1) IN GENERAL.—The Attorney General may  
 22 award grants to States, units of local government,  
 23 territories, Indian Tribes, nonprofit agencies, or any  
 24 combination thereof, to develop, implement, or ex-  
 25 pand pretrial services programs to improve the iden-

1 tification and outcomes of individuals with mental  
2 illness.

3 “(2) ALLOWABLE USES.—Grants awarded  
4 under this subsection may be may be used for—

5 “(A) universal behavioral health needs and  
6 risk screening of defendants, including  
7 verification of interview information, mental  
8 health evaluation, and criminal history screen-  
9 ing;

10 “(B) assessment of risk of pretrial mis-  
11 conduct through objective, statistically validated  
12 means, and presentation to the court of rec-  
13 ommendations based on such assessment, in-  
14 cluding services that will reduce the risk of pre-  
15 trial misconduct;

16 “(C) follow-up review of defendants unable  
17 to meet the conditions of release;

18 “(D) evaluation of process and results of  
19 pretrial service programs;

20 “(E) supervision of defendants who are on  
21 pretrial release, including reminders to defend-  
22 ants of scheduled court dates;

23 “(F) reporting on process and results of  
24 pretrial services programs to relevant public  
25 and private mental health stakeholders; and

1           “(G) data collection and analysis necessary  
2           to make available information required for as-  
3           sessment of risk.

4           “(b) BEHAVIORAL HEALTH ASSESSMENTS AND  
5 INTERVENTION.—

6           “(1) IN GENERAL.—The Attorney General may  
7           award grants to States, units of local government,  
8           territories, Indian Tribes, nonprofit agencies, or any  
9           combination thereof, to develop, implement, or ex-  
10          pand a behavioral health screening and assessment  
11          program framework for State or local criminal jus-  
12          tice systems.

13          “(2) ALLOWABLE USES.—Grants awarded  
14          under this subsection may be used for—

15                 “(A) promotion of the use of validated as-  
16                 sessment tools to gauge the criminogenic risk,  
17                 substance abuse needs, and mental health needs  
18                 of individuals;

19                 “(B) initiatives to match the risk factors  
20                 and needs of individuals to programs and prac-  
21                 tices associated with research-based, positive  
22                 outcomes;

23                 “(C) implementing methods for identifying  
24                 and treating individuals who are most likely to  
25                 benefit from coordinated supervision and treat-

1           ment strategies, and identifying individuals who  
2           can do well with fewer interventions; and

3           “(D) collaborative decisionmaking among  
4           system leaders, including the relevant criminal  
5           justice agencies, mental health systems, judicial  
6           systems, and substance abuse systems, for de-  
7           termining how treatment and intensive super-  
8           vision services should be allocated in order to  
9           maximize benefits, and developing and utilizing  
10          capacity accordingly.

11       “(c) RESTRICTIONS ON USE OF GRANT FUNDS.—

12           “(1) IN GENERAL.—A State, unit of local gov-  
13          ernment, territory, Indian Tribe, or nonprofit agency  
14          that receives a grant under this section shall, in ac-  
15          cordance with subsection (b)(2), use grant funds for  
16          the expenses of a treatment program, including—

17           “(A) salaries, personnel costs, equipment  
18          costs, and other costs directly related to the op-  
19          eration of the program, including costs relating  
20          to enforcement;

21           “(B) payments for treatment providers  
22          that are approved by the State or Indian Tribe  
23          and licensed, if necessary, to provide needed  
24          treatment to program participants, including

1           aftercare supervision, vocational training, edu-  
2           cation, and job placement; and

3           “(C) payments to public and nonprofit pri-  
4           vate entities that are approved by the State or  
5           Indian Tribe and licensed, if necessary, to pro-  
6           vide alcohol and drug addiction treatment to of-  
7           fenders participating in the program.

8           “(d) SUPPLEMENT OF NON-FEDERAL FUNDS.—

9           “(1) IN GENERAL.—Grants awarded under this  
10          section shall be used to supplement, and not sup-  
11          plant, non-Federal funds that would otherwise be  
12          available for programs described in this section.

13          “(2) FEDERAL SHARE.—The Federal share of a  
14          grant made under this section may not exceed 50  
15          percent of the total costs of the program described  
16          in an application under subsection (e).

17          “(e) APPLICATIONS.—To request a grant under this  
18          section, a State, unit of local government, territory, Indian  
19          Tribe, or nonprofit agency shall submit an application to  
20          the Attorney General in such form and containing such  
21          information as the Attorney General may reasonably re-  
22          quire.

23          “(f) GEOGRAPHIC DISTRIBUTION.—The Attorney  
24          General shall ensure that, to the extent practicable, the



1 distribution of grants under this section is equitable and  
2 includes—

3 “(1) each State; and

4 “(2) a unit of local government, territory, In-  
5 dian Tribe, or nonprofit agency—

6 “(A) in each State; and

7 “(B) in rural, suburban, Tribal, and urban  
8 jurisdictions.

9 “(g) REPORTS AND EVALUATIONS.—For each fiscal  
10 year, each grantee under this section during that fiscal  
11 year shall submit to the Attorney General a report on the  
12 effectiveness of activities carried out using such grant.  
13 Each report shall include an evaluation in such form and  
14 containing such information as the Attorney General may  
15 reasonably require. The Attorney General shall specify the  
16 dates on which such reports shall be submitted.

17 “(h) ACCOUNTABILITY.—Grants awarded under this  
18 section shall be subject to the following accountability pro-  
19 visions:

20 “(1) AUDIT REQUIREMENT.—

21 “(A) DEFINITION.—In this paragraph, the  
22 term ‘unresolved audit finding’ means a finding  
23 in the final audit report of the Inspector Gen-  
24 eral of the Department of Justice under sub-  
25 paragraph (C) that the audited grantee has

1 used grant funds for an unauthorized expendi-  
2 ture or otherwise unallowable cost that is not  
3 closed or resolved within 1 year after the date  
4 on which final audit report is issued.

5 “(B) AUDITS.—Beginning in the first fis-  
6 cal year beginning after the date of enactment  
7 of this section, and in each fiscal year there-  
8 after, the Inspector General of the Department  
9 of Justice shall conduct audits of grantees  
10 under this section to prevent waste, fraud, and  
11 abuse of funds by grantees. The Inspector Gen-  
12 eral shall determine the appropriate number of  
13 grantees to be audited each year.

14 “(C) FINAL AUDIT REPORT.—The Inspec-  
15 tor General of the Department of Justice shall  
16 submit a final report on each audit conducted  
17 under subparagraph (B).

18 “(D) MANDATORY EXCLUSION.—Grantees  
19 under this section about which there is an unre-  
20 solved audit finding shall not be eligible to re-  
21 ceive a grant under this section during the 2  
22 fiscal years beginning after the end of the 1-  
23 year period described in subparagraph (A).

24 “(E) PRIORITY.—In making grants under  
25 this section, the Attorney General shall give pri-

1 ority to applicants that did not have an unre-  
2 solved audit finding during the 3 fiscal years  
3 before submitting an application for a grant  
4 under this section.

5 “(F) REIMBURSEMENT.—If an entity re-  
6 ceives a grant under this section during the 2-  
7 fiscal-year period during which the entity is  
8 prohibited from receiving grants under subpara-  
9 graph (D), the Attorney General shall—

10 “(i) deposit an amount equal to the  
11 amount of the grant that was improperly  
12 awarded to the grantee into the General  
13 Fund of the Treasury; and

14 “(ii) seek to recoup the costs of the  
15 repayment under clause (i) from the grant-  
16 ee that was erroneously awarded grant  
17 funds.

18 “(2) NONPROFIT AGENCY REQUIREMENTS.—

19 “(A) DEFINITION.—For purposes of this  
20 paragraph and the grant program under this  
21 section, the term ‘nonprofit agency’ means an  
22 organization that is described in section  
23 501(c)(3) of the Internal Revenue Code of 1986  
24 (26 U.S.C. 501(c)(3)) and is exempt from tax-

1           ation under section 501(a) of the Internal Rev-  
2           enue Code of 1986 (26 U.S.C. 501(a)).

3           “(B) PROHIBITION.—The Attorney Gen-  
4           eral may not award a grant under this section  
5           to a nonprofit agency that holds money in an  
6           offshore account for the purpose of avoiding  
7           paying the tax described in section 511(a) of  
8           the Internal Revenue Code of 1986 (26 U.S.C.  
9           511(a)).

10          “(C) DISCLOSURE.—Each nonprofit agen-  
11          cy that is awarded a grant under this section  
12          and uses the procedures prescribed in regula-  
13          tions to create a rebuttable presumption of rea-  
14          sonableness for the compensation of its officers,  
15          directors, trustees, and key employees, shall dis-  
16          close to the Attorney General, in the application  
17          for the grant, the process for determining such  
18          compensation, including the independent per-  
19          sons involved in reviewing and approving such  
20          compensation, the comparability data used, and  
21          contemporaneous substantiation of the delibera-  
22          tion and decision. Upon request, the Attorney  
23          General shall make the information disclosed  
24          under this subparagraph available for public in-  
25          spection.

1           “(3) CONFERENCE EXPENDITURES.—

2                   “(A) LIMITATION.—Not more than  
3           \$20,000 of the amounts made available to the  
4           Department of Justice to carry out this section  
5           may be used by the Attorney General, or by any  
6           individual or entity awarded a grant under this  
7           section to host, or make any expenditures relat-  
8           ing to, a conference unless the Deputy Attorney  
9           General provides prior written authorization  
10          that the funds may be expended to host the  
11          conference or make such expenditure.

12                   “(B) WRITTEN APPROVAL.—Written ap-  
13          proval under subparagraph (A) shall include a  
14          written estimate of all costs associated with the  
15          conference, including the cost of all food, bev-  
16          erages, audio-visual equipment, honoraria for  
17          speakers, and entertainment.

18                   “(C) REPORT.—The Deputy Attorney Gen-  
19          eral shall submit an annual report to the Com-  
20          mittee on the Judiciary of the Senate and the  
21          Committee on the Judiciary of the House of  
22          Representatives on all conference expenditures  
23          approved under this paragraph.

24                   “(4) ANNUAL CERTIFICATION.—Beginning in  
25          the first fiscal year beginning after the date of en-

1 actment of this subsection, the Attorney General  
2 shall submit to the Committee on the Judiciary and  
3 the Committee on Appropriations of the Senate and  
4 the Committee on the Judiciary and the Committee  
5 on Appropriations of the House of Representatives  
6 an annual certification—

7 “(A) indicating whether—

8 “(i) all final audit reports issued by  
9 the Office of the Inspector General under  
10 paragraph (1) have been completed and re-  
11 viewed by the appropriate Assistant Attor-  
12 ney General or Director;

13 “(ii) all mandatory exclusions required  
14 under paragraph (1)(D) have been issued;  
15 and

16 “(iii) any reimbursements required  
17 under paragraph (1)(F) have been made;  
18 and

19 “(B) that includes a list of any grantees  
20 excluded under paragraph (1)(D) from the pre-  
21 vious year.

22 “(i) PREVENTING DUPLICATIVE GRANTS.—

23 “(1) IN GENERAL.—Before the Attorney Gen-  
24 eral awards a grant to an applicant under this sec-  
25 tion, the Attorney General shall compare the pos-

1       sible grant with any other grants awarded to the ap-  
 2       plicant under this Act to determine whether the  
 3       grants are for the same purpose.

4               “(2) REPORT.—If the Attorney General awards  
 5       multiple grants to the same applicant for the same  
 6       purpose, the Attorney General shall submit to the  
 7       Committee on the Judiciary of the Senate and the  
 8       Committee on the Judiciary of the House of Rep-  
 9       resentatives a report that includes—

10               “(A) a list of all duplicate grants awarded,  
 11       including the total dollar amount of any such  
 12       grants awarded; and

13               “(B) the reason the Attorney General  
 14       awarded the duplicate grants.”.

15 **SEC. 105. FORENSIC ASSERTIVE COMMUNITY TREATMENT**  
 16 **INITIATIVES.**

17       Section 2991 of the Omnibus Crime Control and Safe  
 18       Streets Act of 1968 (42 U.S.C. 3797aa) is amended by  
 19       inserting after subsection (k), as added by section 205,  
 20       the following:

21               “(1) FORENSIC ASSERTIVE COMMUNITY TREATMENT  
 22       (FACT) INITIATIVE PROGRAM.—

23               “(1) IN GENERAL.—The Attorney General may  
 24       make grants to States, units of local government,  
 25       territories, Indian Tribes, nonprofit agencies, or any

1 combination thereof, to develop, implement, or ex-  
2 pand Assertive Community Treatment initiatives to  
3 develop forensic assertive community treatment (re-  
4 ferred to in this subsection as ‘FACT’) programs  
5 that provide high intensity services in the commu-  
6 nity for individuals with mental illness with involve-  
7 ment in the criminal justice system to prevent future  
8 incarcerations.

9 “(2) ALLOWABLE USES.—Grant funds awarded  
10 under this subsection may be used for—

11 “(A) multidisciplinary team initiatives for  
12 individuals with mental illnesses with criminal  
13 justice involvement that addresses criminal jus-  
14 tice involvement as part of treatment protocols;

15 “(B) FACT initiatives that involve mental  
16 health professionals, criminal justice agencies,  
17 chemical dependency specialists, nurses, psychi-  
18 atrists, vocational specialists, forensic peer spe-  
19 cialists, forensic specialists, and dedicated ad-  
20 ministrative support staff who work together to  
21 provide recovery-oriented, 24/7 wraparound  
22 services;

23 “(C) services such as integrated evidence-  
24 based practices for the treatment of co-occur-  
25 ring mental health and substance-related dis-



1 orders, assertive outreach and engagement,  
2 community-based service provision at partici-  
3 pants' residence or in the community, psy-  
4 chiatric rehabilitation, recovery-oriented serv-  
5 ices, services to address criminogenic risk fac-  
6 tors, and community tenure;

7 “(D) payments for treatment providers  
8 that are approved by the State or Indian Tribe  
9 and licensed, if necessary, to provide needed  
10 treatment to eligible offenders participating in  
11 the program, including behavioral health serv-  
12 ices and aftercare supervision; and

13 “(E) training for all FACT teams to pro-  
14 mote high-fidelity practice principles and tech-  
15 nical assistance to support effective and con-  
16 tinuing integration with criminal justice agency  
17 partners.

18 “(3) SUPPLEMENT AND NOT SUPPLANT.—  
19 Grants made under this subsection shall be used to  
20 supplement, and not supplant, non-Federal funds  
21 that would otherwise be available for programs de-  
22 scribed in this subsection.

23 “(4) APPLICATIONS.—To request a grant under  
24 this subsection, a State, unit of local government,  
25 territory, Indian Tribe, or nonprofit agency shall

1 submit an application to the Attorney General in  
2 such form and containing such information as the  
3 Attorney General may reasonably require.”.

4 **SEC. 106. ASSISTANCE FOR INDIVIDUALS TRANSITIONING**  
5 **OUT OF SYSTEMS.**

6 Section 2976(f) of title I of the Omnibus Crime Con-  
7 trol and Safe Streets Act of 1968 (42 U.S.C. 3797w(f))  
8 is amended—

9 (1) in paragraph (5), by striking “and” at the  
10 end; and

11 (2) by adding at the end the following:

12 “(7) provide mental health treatment and tran-  
13 sitional services for those with mental illnesses or  
14 with co-occurring disorders, including housing place-  
15 ment or assistance; and”.

16 **SEC. 107. CO-OCCURRING SUBSTANCE ABUSE AND MENTAL**  
17 **HEALTH CHALLENGES IN DRUG COURTS.**

18 Part EE of title I of Omnibus Crime Control and  
19 Safe Streets Act of 1968 (42 U.S.C. 3797u et seq.) is  
20 amended—

21 (1) in section 2951(a)(1) (42 U.S.C.  
22 3797u(a)(1)), by inserting “, including co-occurring  
23 substance abuse and mental health problems,” after  
24 “problems”; and

1           (2) in section 2959(a) (42 U.S.C. 3797u–8(a)),  
2           by inserting “, including training for drug court per-  
3           sonnel and officials on identifying and addressing co-  
4           occurring substance abuse and mental health prob-  
5           lems” after “part”.

6 **SEC. 108. MENTAL HEALTH TRAINING FOR FEDERAL UNI-**  
7 **FORMED SERVICES.**

8           (a) IN GENERAL.—Not later than 180 days after the  
9           date of enactment of this Act, the Secretary of Defense,  
10          the Secretary of Homeland Security, the Secretary of  
11          Health and Human Services, and the Secretary of Com-  
12          merce shall provide the following to each of the uniformed  
13          services (as that term is defined in section 101 of title  
14          10, United States Code) under their direction:

15               (1) TRAINING PROGRAMS.—Programs that offer  
16               specialized and comprehensive training in procedures  
17               to identify and respond appropriately to incidents in  
18               which the unique needs of individuals with mental  
19               illnesses are involved.

20               (2) IMPROVED TECHNOLOGY.—Computerized  
21               information systems or technological improvements  
22               to provide timely information to Federal law enforce-  
23               ment personnel, other branches of the uniformed  
24               services, and criminal justice system personnel to

1 improve the Federal response to mentally ill individ-  
2 uals.

3 (3) COOPERATIVE PROGRAMS.—The establish-  
4 ment and expansion of cooperative efforts to pro-  
5 mote public safety through the use of effective inter-  
6 vention with respect to mentally ill individuals en-  
7 countered by members of the uniformed services.

8 **SEC. 109. ADVANCING MENTAL HEALTH AS PART OF OF-**  
9 **FENDER REENTRY.**

10 (a) REENTRY DEMONSTRATION PROJECTS.—Section  
11 2976(f) of title I of the Omnibus Crime Control and Safe  
12 Streets Act of 1968 (42 U.S.C. 3797w(f)), as amended  
13 by section 106, is amended—

14 (1) in paragraph (3)(C), by inserting “mental  
15 health services,” before “drug treatment”; and

16 (2) by adding at the end the following:

17 “(8) target offenders with histories of homeless-  
18 ness, substance abuse, or mental illness, including a  
19 prerelease assessment of the housing status of the  
20 offender and behavioral health needs of the offender  
21 with clear coordination with mental health, sub-  
22 stance abuse, and homelessness services systems to  
23 achieve stable and permanent housing outcomes with  
24 appropriate support service.”.

1 (b) MENTORING GRANTS.—Section 211(b)(2) of the  
2 Second Chance Act of 2007 (42 U.S.C. 17531(b)(2)) is  
3 amended by inserting “, including mental health care”  
4 after “community”.

5 **SEC. 110. SCHOOL MENTAL HEALTH CRISIS INTERVENTION**  
6 **TEAMS.**

7 Section 2701 of title I of Omnibus Crime Control and  
8 Safe Streets Act of 1968 (42 U.S.C. 3797a(b)) is amended  
9 by—

10 (1) redesignating paragraphs (4) and (5) as  
11 paragraphs (5) and (6), respectively; and

12 (2) inserting after paragraph (3) the following:

13 “(4) the development and operation of crisis  
14 intervention teams that may include coordination  
15 with law enforcement agencies and specialized train-  
16 ing for school officials in responding to mental  
17 health crises.”.

18 **SEC. 111. ACTIVE-SHOOTER TRAINING FOR LAW ENFORCE-**  
19 **MENT.**

20 The Attorney General, as part of the Preventing Vio-  
21 lence Against Law Enforcement and Ensuring Officer Re-  
22 silience and Survivability Initiative (VALOR) of the De-  
23 partment of Justice, may provide safety training and tech-  
24 nical assistance to local law enforcement agencies, includ-  
25 ing active-shooter response training.

1 **SEC. 112. CO-OCCURRING SUBSTANCE ABUSE AND MENTAL**  
2 **HEALTH CHALLENGES IN RESIDENTIAL SUB-**  
3 **STANCE ABUSE TREATMENT PROGRAMS.**

4 Section 1901(a) of title I of Omnibus Crime Control  
5 and Safe Streets Act of 1968 (42 U.S.C. 3796ff(a)) is  
6 amended—

7 (1) in paragraph (1), by striking “and” at the  
8 end;

9 (2) in paragraph (2), by striking the period at  
10 the end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(3) developing and implementing specialized  
13 residential substance abuse treatment programs that  
14 identify and provide appropriate treatment to in-  
15 mates with co-occurring mental health and sub-  
16 stance abuse disorders or challenges.”.

17 **SEC. 113. MENTAL HEALTH AND DRUG TREATMENT ALTER-**  
18 **NATIVES TO INCARCERATION PROGRAMS.**

19 Title I of the Omnibus Crime Control and Safe  
20 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended  
21 by striking part CC and inserting the following:

1 **“PART CC—MENTAL HEALTH AND DRUG TREAT-**  
2 **MENT ALTERNATIVES TO INCARCERATION**  
3 **PROGRAMS**

4 **“SEC. 2901. MENTAL HEALTH AND DRUG TREATMENT AL-**  
5 **TERNATIVES TO INCARCERATION PRO-**  
6 **GRAMS.**

7 “(a) DEFINITIONS.—In this section—

8 “(1) the term ‘eligible entity’ means a State,  
9 unit of local government, Indian Tribe, or nonprofit  
10 organization; and

11 “(2) the term ‘eligible participant’ means an in-  
12 dividual who—

13 “(A) comes into contact with the criminal  
14 justice system or is charged with an offense;

15 “(B) has a history of or a current—

16 “(i) substance use disorder;

17 “(ii) mental illness; or

18 “(iii) co-occurring mental illness and  
19 substance use disorders; and

20 “(C) has been approved for participation in  
21 a program funded under this section by, the rel-  
22 evant law enforcement agency, prosecuting at-  
23 torney, defense attorney, probation official, cor-  
24 rections official, judge, representative of a men-  
25 tal health agency, or representative of a sub-  
26 stance abuse agency.

1       “(b) PROGRAM AUTHORIZED.—The Attorney General  
2 may make grants to eligible entities to develop, implement,  
3 or expand a treatment alternative to incarceration pro-  
4 gram for eligible participants, including—

5               “(1) pre-booking treatment alternative to incar-  
6 ceration programs, including—

7                       “(A) law enforcement training on sub-  
8 stance use disorders, mental illness, and co-oc-  
9 ccurring mental illness and substance use dis-  
10 orders;

11                      “(B) receiving centers as alternatives to in-  
12 carceration of eligible participants;

13                      “(C) specialized response units for calls re-  
14 lated to substance use disorders, mental illness,  
15 or co-occurring mental illness and substance  
16 use disorders; and

17                      “(D) other arrest and pre-booking treat-  
18 ment alternatives to incarceration models; or

19               “(2) post-booking treatment alternative to in-  
20 carceration programs, including—

21                      “(A) specialized clinical case management;

22                      “(B) pretrial services related to substances  
23 use disorders, mental illness, and co-occurring  
24 mental illness and substance use disorders;



1           “(C) prosecutor and defender based pro-  
2 grams;

3           “(D) specialized probation;

4           “(E) treatment and rehabilitation pro-  
5 grams; and

6           “(F) problem-solving courts, including  
7 mental health courts, drug courts, co-occurring  
8 mental health and substance abuse courts, DWI  
9 courts, and veterans treatment courts.

10       “(c) APPLICATION.—

11           “(1) IN GENERAL.—An eligible entity desiring a  
12 grant under this section shall submit an application  
13 to the Attorney General—

14           “(A) that meets the criteria under para-  
15 graph (2); and

16           “(B) at such time, in such manner, and  
17 accompanied by such information as the Attor-  
18 ney General may require.

19           “(2) CRITERIA.—An eligible entity, in submit-  
20 ting an application under paragraph (1), shall—

21           “(A) provide extensive evidence of collabo-  
22 ration with State and local government agencies  
23 overseeing health, community corrections,  
24 courts, prosecution, substance abuse, mental  
25 health, victims services, and employment serv-

1           ices, and with local law enforcement agencies;  
2           and

3           “(B) demonstrate consultation with the  
4           Single State Authority for Substance Abuse;

5           “(C) demonstrate that evidence-based  
6           treatment practices will be utilized; and

7           “(D) demonstrate that evidenced-based  
8           screening and assessment tools will be used to  
9           place participants in the treatment alternative  
10          to incarceration program.

11          “(d) REQUIREMENTS.—Each eligible entity awarded  
12 a grant for a treatment alternative to incarceration pro-  
13 gram under this section shall—

14           “(1) determine the terms and conditions of par-  
15           ticipation in the program by eligible participants,  
16           taking into consideration the collateral consequences  
17           of an arrest, prosecution or criminal conviction;

18           “(2) ensure that each substance abuse and  
19           mental health treatment component is licensed and  
20           qualified by the relevant jurisdiction;

21           “(3) for programs described in subsection  
22           (b)(2), organize an enforcement unit comprised of  
23           appropriately trained law enforcement professionals  
24           under the supervision of the State, Tribal, or local

1 criminal justice agency involved, the duties of which  
2 shall include—

3 “(A) the verification of addresses and  
4 other contacts of each eligible participant who  
5 participates or desires to participate in the pro-  
6 gram; and

7 “(B) if necessary, the location, apprehen-  
8 sion, arrest, and return to court of an eligible  
9 participant in the program who has absconded  
10 from the facility of a treatment provider or has  
11 otherwise significantly violated the terms and  
12 conditions of the program, consistent with Fed-  
13 eral and State confidentiality requirements;

14 “(4) notify the relevant criminal justice entity if  
15 any eligible participant in the program absconds  
16 from the facility of the treatment provider or other-  
17 wise violates the terms and conditions of the pro-  
18 gram, consistent with Federal and State confiden-  
19 tiality requirements;

20 “(5) submit periodic reports on the progress of  
21 treatment or other measured outcomes from partici-  
22 pation in the program of each eligible offender par-  
23 ticipating in the program to the relevant State, Trib-  
24 al, or local criminal justice agency, including mental  
25 health courts, drug courts, co-occurring mental

1 health and substance abuse courts, DWI courts, and  
2 veterans treatment courts;

3 “(6) describe the evidence-based methodology  
4 and outcome measurements that will be used to  
5 evaluate the program, and specifically explain how  
6 such measurements will provide valid measures of  
7 the impact of the program; and

8 “(7) describe how the program could be broadly  
9 replicated if demonstrated to be effective.

10 “(e) USE OF FUNDS.—An eligible entity shall use a  
11 grant received under this section for expenses of a treat-  
12 ment alternative to incarceration program, including—

13 “(1) salaries, personnel costs, equipment costs,  
14 and other costs directly related to the operation of  
15 the program, including the enforcement unit;

16 “(2) payments for treatment providers that are  
17 approved by the relevant State or Tribal jurisdiction  
18 and licensed, if necessary, to provide needed treat-  
19 ment to eligible offenders participating in the pro-  
20 gram, including aftercare supervision, vocational  
21 training, education, and job placement; and

22 “(3) payments to public and nonprofit private  
23 entities that are approved by the State or Tribal ju-  
24 risdiction and licensed, if necessary, to provide alco-

1       hol and drug addiction treatment to eligible offend-  
2       ers participating in the program.

3       “(f) SUPPLEMENT NOT SUPPLANT.—An eligible enti-  
4       ty shall use Federal funds received under this section only  
5       to supplement the funds that would, in the absence of  
6       those Federal funds, be made available from other Federal  
7       and non-Federal sources for the activities described in this  
8       section, and not to supplant those funds. The Federal  
9       share of a grant made under this section may not exceed  
10      50 percent of the total costs of the program described in  
11      an application under subsection (d).

12      “(g) GEOGRAPHIC DISTRIBUTION.—The Attorney  
13      General shall ensure that, to the extent practicable, the  
14      geographical distribution of grants under this section is  
15      equitable and includes a grant to an eligible entity in—

16              “(1) each State;

17              “(2) rural, suburban, and urban areas; and

18              “(3) Tribal jurisdictions.

19      “(h) REPORTS AND EVALUATIONS.—Each fiscal  
20      year, each recipient of a grant under this section during  
21      that fiscal year shall submit to the Attorney General a  
22      report on the outcomes of activities carried out using that  
23      grant in such form, containing such information, and on  
24      such dates as the Attorney General shall specify.

1       “(i) ACCOUNTABILITY.—All grants awarded by the  
2 Attorney General under this section shall be subject to the  
3 following accountability provisions:

4           “(1) AUDIT REQUIREMENT.—

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

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

23                   “(C) MANDATORY EXCLUSION.—A recipi-  
24 ent of grant funds under this section that is  
25 found to have an unresolved audit finding shall

1 not be eligible to receive grant funds under this  
2 section during the first 2 fiscal years beginning  
3 after the end of the 12-month period described  
4 in subparagraph (A).

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

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

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

20 “(ii) seek to recoup the costs of the  
21 repayment to the fund from the grant re-  
22 cipient that was erroneously awarded grant  
23 funds.

24 “(2) NONPROFIT ORGANIZATION REQUIRE-  
25 MENTS.—

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

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

14           “(C) DISCLOSURE.—Each nonprofit orga-  
15 nization that is awarded a grant under this sec-  
16 tion and uses the procedures prescribed in regu-  
17 lations to create a rebuttable presumption of  
18 reasonableness for the compensation of its offi-  
19 cers, directors, trustees, and key employees,  
20 shall disclose to the Attorney General, in the  
21 application for the grant, the process for deter-  
22 mining such compensation, including the inde-  
23 pendent persons involved in reviewing and ap-  
24 proving such compensation, the comparability  
25 data used, and contemporaneous substantiation



1 of the deliberation and decision. Upon request,  
2 the Attorney General shall make the informa-  
3 tion disclosed under this subparagraph available  
4 for public inspection.

5 “(3) CONFERENCE EXPENDITURES.—

6 “(A) LIMITATION.—No amounts made  
7 available to the Department of Justice under  
8 this section may be used by the Attorney Gen-  
9 eral, or by any individual or entity awarded dis-  
10 cretionary funds through a cooperative agree-  
11 ment under this section, to host or support any  
12 expenditure for conferences that uses more than  
13 \$20,000 in funds made available by the Depart-  
14 ment of Justice, unless the head of the relevant  
15 agency or department, provides prior written  
16 authorization that the funds may be expended  
17 to host the conference.

18 “(B) WRITTEN APPROVAL.—Written ap-  
19 proval under subparagraph (A) shall include a  
20 written estimate of all costs associated with the  
21 conference, including the cost of all food, bev-  
22 erages, audio-visual equipment, honoraria for  
23 speakers, and entertainment.

24 “(C) REPORT.—The Deputy Attorney Gen-  
25 eral shall submit an annual report to the Com-

1           mittee on the Judiciary of the Senate and the  
2           Committee on the Judiciary of the House of  
3           Representatives on all conference expenditures  
4           approved under this paragraph.

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

13                   “(A) indicating whether—

14                           “(i) all audits issued by the Office of  
15                           the Inspector General under paragraph (1)  
16                           have been completed and reviewed by the  
17                           appropriate Assistant Attorney General or  
18                           Director;

19                           “(ii) all mandatory exclusions required  
20                           under paragraph (1)(C) have been issued;  
21                           and

22                           “(iii) all reimbursements required  
23                           under paragraph (1)(E) have been made;  
24                           and

1           “(B) that includes a list of any grant re-  
2 recipients excluded under paragraph (1) from the  
3 previous year.

4           “(5) PREVENTING DUPLICATIVE GRANTS.—

5           “(A) IN GENERAL.—Before the Attorney  
6 General awards a grant to an applicant under  
7 this section, the Attorney General shall compare  
8 potential grant awards with other grants  
9 awarded under this Act to determine if dupli-  
10 cate grant awards are awarded for the same  
11 purpose.

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

19                   “(i) a list of all duplicate grants  
20 awarded, including the total dollar amount  
21 of any duplicate grants awarded; and

22                   “(ii) the reason the Attorney General  
23 awarded the duplicate grants.”.

1 **SEC. 114. NATIONAL CRIMINAL JUSTICE AND MENTAL**  
2 **HEALTH TRAINING AND TECHNICAL ASSIST-**  
3 **ANCE.**

4 Part HH of title I of the Omnibus Crime Control and  
5 Safe Streets Act of 1968 (42 U.S.C. 3797aa et seq.) is  
6 amended by adding at the end the following:

7 **“SEC. 2992. NATIONAL CRIMINAL JUSTICE AND MENTAL**  
8 **HEALTH TRAINING AND TECHNICAL ASSIST-**  
9 **ANCE.**

10 “(a) **AUTHORITY.**—The Attorney General may make  
11 grants to eligible organizations to provide for the estab-  
12 lishment of a National Criminal Justice and Mental  
13 Health Training and Technical Assistance Center.

14 “(b) **ELIGIBLE ORGANIZATION.**—For purposes of  
15 subsection (a), the term ‘eligible organization’ means a na-  
16 tional nonprofit organization that provides technical as-  
17 sistance and training to, and has special expertise and  
18 broad, national-level experience in, mental health, crisis  
19 intervention, criminal justice systems, law enforcement,  
20 translating evidence into practice, training, and research,  
21 and education and support of people with mental illness  
22 and the families of such individuals.

23 “(c) **USE OF FUNDS.**—Any organization that receives  
24 a grant under subsection (a) shall establish and operate  
25 a National Criminal Justice and Mental Health Training  
26 and Technical Assistance Center to—

1           “(1) provide law enforcement officer training  
2           regarding mental health and working with individ-  
3           uals with mental illnesses, with an emphasis on de-  
4           escalation of encounters between law enforcement of-  
5           ficers and those with mental disorders or in crisis,  
6           which shall include support of the development of in-  
7           person and technical information exchanges between  
8           systems and the individuals working in those sys-  
9           tems in support of the concepts identified in the  
10          training;

11          “(2) provide education, training, and technical  
12          assistance for States, Indian Tribes, territories,  
13          units of local government, service providers, non-  
14          profit organizations, probation or parole officers,  
15          prosecutors, defense attorneys, emergency response  
16          providers, and corrections institutions to advance  
17          practice and knowledge relating to mental health cri-  
18          sis and approaches to mental health and criminal  
19          justice across systems;

20          “(3) provide training and best practices around  
21          relating to diversion initiatives, jail and prison strat-  
22          egies, reentry of individuals with mental illnesses in  
23          into the community, and dispatch protocols and  
24          triage capabilities, including the establishment of  
25          learning sites;

1           “(4) develop suicide prevention and crisis inter-  
2           vention training and technical assistance for criminal  
3           justice agencies;

4           “(5) develop a receiving center system and pilot  
5           strategy that provides a single point of entry into  
6           the mental health and substance abuse system for  
7           assessments and appropriate placement of individ-  
8           uals experiencing a crisis;

9           “(6) collect data and best practices in mental  
10          health and criminal health and criminal justice ini-  
11          tiatives and policies from grantees under this part,  
12          other recipients of grants under this section, Fed-  
13          eral, State, and local agencies involved in the provi-  
14          sion of mental health services, and non-governmental  
15          organizations involved in the provision of mental  
16          health services;

17          “(7) develop and disseminate evaluation tools,  
18          mechanisms, and measures to better assess and doc-  
19          ument performance measures and outcomes;

20          “(8) disseminate information to States, units of  
21          local government, criminal justice agencies, law en-  
22          forcement agencies, and other relevant entities about  
23          best practices, policy standards, and research find-  
24          ings; and

1           “(9) provide education and support to individ-  
2           uals with mental illness involved with, or at risk of  
3           involvement with, the criminal justice system, includ-  
4           ing the families of such individuals.

5           “(d) ACCOUNTABILITY.—Grants awarded under this  
6           section shall be subject to the following accountability pro-  
7           visions:

8           “(1) AUDIT REQUIREMENT.—

9           “(A) DEFINITION.—In this paragraph, the  
10           term ‘unresolved audit finding’ means a finding  
11           in the final audit report of the Inspector Gen-  
12           eral of the Department of Justice under sub-  
13           paragraph (C) that the audited grantee has  
14           used grant funds for an unauthorized expendi-  
15           ture or otherwise unallowable cost that is not  
16           closed or resolved within 1 year after the date  
17           on which the final audit report is issued.

18           “(B) AUDITS.—Beginning in the first fis-  
19           cal year beginning after the date of enactment  
20           of this section, and in each fiscal year there-  
21           after, the Inspector General of the Department  
22           of Justice shall conduct audits of grantees  
23           under this section to prevent waste, fraud, and  
24           abuse of funds by grantees. The Inspector Gen-

1           eral shall determine the appropriate number of  
2           grantees to be audited each year.

3           “(C) FINAL AUDIT REPORT.—The Inspec-  
4           tor General of the Department of Justice shall  
5           submit a final report on each audit conducted  
6           under subparagraph (B).

7           “(D) MANDATORY EXCLUSION.—Grantees  
8           under this section about which there is an unre-  
9           solved audit finding shall not be eligible to re-  
10          ceive a grant under this section during the 2  
11          fiscal years beginning after the end of the 1-  
12          year period described in subparagraph (A).

13          “(E) PRIORITY.—In making grants under  
14          this section, the Attorney General shall give pri-  
15          ority to applicants that did not have an unre-  
16          solved audit finding during the 3 fiscal years  
17          before submitting an application for a grant  
18          under this section.

19          “(F) REIMBURSEMENT.—If an entity re-  
20          ceives a grant under this section during the 2-  
21          fiscal-year period during which the entity is  
22          prohibited from receiving grants under subpara-  
23          graph (D), the Attorney General shall—

24                  “(i) deposit an amount equal to the  
25                  amount of the grant that was improperly



1           awarded to the grantee into the General  
2           Fund of the Treasury; and

3           “(ii) seek to recoup the costs of the  
4           repayment under clause (i) from the grant-  
5           ee that was erroneously awarded grant  
6           funds.

7           “(2) NONPROFIT AGENCY REQUIREMENTS.—

8           “(A) DEFINITION.—For purposes of this  
9           paragraph and the grant program under this  
10          section, the term ‘nonprofit agency’ means an  
11          organization that is described in section  
12          501(c)(3) of the Internal Revenue Code of 1986  
13          (26 U.S.C. 501(c)(3)) and is exempt from tax-  
14          ation under section 501(a) of the Internal Rev-  
15          enue Code of 1986 (26 U.S.C. 501(a)).

16          “(B) PROHIBITION.—The Attorney Gen-  
17          eral may not award a grant under this section  
18          to a nonprofit agency that holds money in an  
19          offshore account for the purpose of avoiding  
20          paying the tax described in section 511(a) of  
21          the Internal Revenue Code of 1986 (26 U.S.C.  
22          511(a)).

23          “(C) DISCLOSURE.—Each nonprofit agen-  
24          cy that is awarded a grant under this section  
25          and uses the procedures prescribed in regula-

1           tions to create a rebuttable presumption of rea-  
2           sonableness for the compensation of its officers,  
3           directors, trustees, and key employees, shall dis-  
4           close to the Attorney General, in the application  
5           for the grant, the process for determining such  
6           compensation, including the independent per-  
7           sons involved in reviewing and approving such  
8           compensation, the comparability data used, and  
9           contemporaneous substantiation of the delibera-  
10          tion and decision. Upon request, the Attorney  
11          General shall make the information disclosed  
12          under this subparagraph available for public in-  
13          spection.

14          “(3) CONFERENCE EXPENDITURES.—

15                 “(A) LIMITATION.—No amounts made  
16                 available to the Department of Justice under  
17                 this section may be used by the Attorney Gen-  
18                 eral, or by any individual or entity awarded dis-  
19                 cretionary funds through a cooperative agree-  
20                 ment under this section, to host or support any  
21                 expenditure for conferences that use more than  
22                 \$20,000 in funds made available by the Depart-  
23                 ment of Justice, unless the head of the relevant  
24                 agency or department, provides prior written

1 authorization that the funds may be expended  
2 to host the conference.

3 “(B) WRITTEN APPROVAL.—Written ap-  
4 proval under subparagraph (A) shall include a  
5 written estimate of all costs associated with the  
6 conference, including the cost of all food, bev-  
7 erages, audio-visual equipment, honoraria for  
8 speakers, and entertainment.

9 “(C) REPORT.—The Deputy Attorney Gen-  
10 eral shall submit an annual report to the Com-  
11 mittee on the Judiciary of the Senate and the  
12 Committee on the Judiciary of the House of  
13 Representatives on all conference expenditures  
14 approved under this paragraph.

15 “(4) ANNUAL CERTIFICATION.—Beginning in  
16 the first fiscal year beginning after the date of en-  
17 actment of this subsection, the Attorney General  
18 shall submit to the Committee on the Judiciary and  
19 the Committee on Appropriations of the Senate and  
20 the Committee on the Judiciary and the Committee  
21 on Appropriations of the House of Representatives  
22 an annual certification—

23 “(A) indicating whether—

24 “(i) all final audit reports issued by  
25 the Office of the Inspector General under

1 paragraph (1) have been completed and re-  
2 viewed by the appropriate Assistant Attor-  
3 ney General or Director;

4 “(ii) all mandatory exclusions required  
5 under paragraph (1)(D) have been issued;  
6 and

7 “(iii) any reimbursements required  
8 under paragraph (1)(F) have been made;  
9 and

10 “(B) that includes a list of any grantees  
11 excluded under paragraph (1)(D) from the pre-  
12 vious year.

13 “(5) PREVENTING DUPLICATIVE GRANTS.—

14 “(A) IN GENERAL.—Before the Attorney  
15 General awards a grant to an applicant under  
16 this section, the Attorney General shall compare  
17 potential grant awards with other grants  
18 awarded under this Act to determine if dupli-  
19 cate grant awards are awarded for the same  
20 purpose.

21 “(B) REPORT.—If the Attorney General  
22 awards duplicate grants to the same applicant  
23 for the same purpose the Attorney General shall  
24 submit to the Committee on the Judiciary of  
25 the Senate and the Committee on the Judiciary

1 of the House of Representatives a report that  
2 includes—

3 “(i) a list of all duplicate grants  
4 awarded, including the total dollar amount  
5 of any duplicate grants awarded; and

6 “(ii) the reason the Attorney General  
7 awarded the duplicate grants.”.

8 **SEC. 115. IMPROVING DEPARTMENT OF JUSTICE DATA COL-**  
9 **LECTION ON MENTAL ILLNESS INVOLVED IN**  
10 **CRIME.**

11 (a) IN GENERAL.—Notwithstanding any other provi-  
12 sion of law, on or after the date that is 90 days after the  
13 date on which the Attorney General promulgates regula-  
14 tions under subsection (b), any data prepared by, or sub-  
15 mitted to, the Attorney General or the Director of the  
16 Federal Bureau of Investigation with respect to the  
17 incidences of homicides, law enforcement officers killed,  
18 seriously injured, and assaulted, or individuals killed or  
19 seriously injured by law enforcement officers shall include  
20 data with respect to the involvement of mental illness in  
21 such incidences, if any.

22 (b) REGULATIONS.—Not later than 90 days after the  
23 date of the enactment of this Act, the Attorney General  
24 shall promulgate or revise regulations as necessary to  
25 carry out subsection (a).

1 **SEC. 116. REPORTS ON THE NUMBER OF MENTALLY ILL OF-**  
2 **FENDERS IN PRISON.**

3 (a) REPORT ON THE COST OF TREATING THE MEN-  
4 TALLY ILL IN THE CRIMINAL JUSTICE SYSTEM.—Not  
5 later than 12 months after the date of enactment of this  
6 Act, the Comptroller General of the United States shall  
7 submit to Congress a report detailing the cost of imprison-  
8 ment for individuals who have serious mental illness by  
9 the Federal Government or a State or unit of local govern-  
10 ment, which shall include—

11 (1) the number and type of crimes committed  
12 by individuals with serious mental illness each year;  
13 and

14 (2) detailed strategies or ideas for preventing  
15 crimes by those individuals with serious mental ill-  
16 ness from occurring.

17 (b) DEFINITION.—For purposes of this section, the  
18 Attorney General, in consultation with the Assistant Sec-  
19 retary of Mental Health and Substance Use Disorders  
20 shall defined “serious mental illness” based on the  
21 “Health Care Reform for Americans with Severe Mental  
22 Illnesses: Report” of the National Advisory Mental Health  
23 Council, American Journal of Psychiatry 1993; 150:1447–  
24 1465.

1 **TITLE II—COMPREHENSIVE JUS-**  
2 **TICE AND MENTAL HEALTH**  
3 **ACT**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “Comprehensive Justice  
6 and Mental Health Act of 2015”.

7 **SEC. 202. FINDINGS.**

8 Congress finds the following:

9 (1) An estimated 2,000,000 individuals with se-  
10 rious mental illnesses are booked into jails each  
11 year, resulting in prevalence rates of serious mental  
12 illness in jails that are 3 to 6 times higher than in  
13 the general population. An even greater number of  
14 individuals who are detained in jails each year have  
15 mental health problems that do not rise to the level  
16 of a serious mental illness but may still require a re-  
17 source-intensive response.

18 (2) Adults with mental illnesses cycle through  
19 jails more often than individuals without mental ill-  
20 nesses, and tend to stay longer (including before  
21 trial, during trial, and after sentencing).

22 (3) According to estimates, almost  $\frac{3}{4}$  of jail de-  
23 tainees with serious mental illnesses have co-occur-  
24 ring substance use disorders, and individuals with

1        mental illnesses are also much more likely to have  
2        serious physical health needs.

3            (4) Among individuals under probation super-  
4        vision, individuals with mental disorders are nearly  
5        twice as likely as other individuals to have their  
6        community sentence revoked, furthering their in-  
7        volvement in the criminal justice system. Reasons  
8        for revocation may be directly or indirectly related to  
9        an individual’s mental disorder.

10 **SEC. 203. SEQUENTIAL INTERCEPT MODEL.**

11        (a) REDESIGNATION.—Section 2991 of the Omnibus  
12        Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
13        3797aa) is amended by redesignating subsection (i) as  
14        subsection (o).

15        (b) SEQUENTIAL INTERCEPT MODEL.—Section 2991  
16        of the Omnibus Crime Control and Safe Streets Act of  
17        1968 (42 U.S.C. 3797aa) is amended by inserting after  
18        subsection (h) the following:

19            “(i) SEQUENTIAL INTERCEPT GRANTS.—

20            “(1) DEFINITION.—In this subsection, the term  
21        ‘eligible entity’ means a State, unit of local govern-  
22        ment, Indian Tribe, or Tribal organization.

23            “(2) AUTHORIZATION.—The Attorney General  
24        may make grants under this subsection to an eligible



1 entity for sequential intercept mapping and imple-  
2 mentation in accordance with paragraph (3).

3 “(3) SEQUENTIAL INTERCEPT MAPPING; IMPLE-  
4 MENTATION.—An eligible entity that receives a  
5 grant under this subsection may use funds for—

6 “(A) sequential intercept mapping,  
7 which—

8 “(i) shall consist of—

9 “(I) convening mental health and  
10 criminal justice stakeholders to—

11 “(aa) develop a shared un-  
12 derstanding of the flow of justice-  
13 involved individuals with mental  
14 illnesses through the criminal  
15 justice system; and

16 “(bb) identify opportunities  
17 for improved collaborative re-  
18 sponses to the risks and needs of  
19 individuals described in item  
20 (aa); and

21 “(II) developing strategies to ad-  
22 dress gaps in services and bring inno-  
23 vative and effective programs to scale  
24 along multiple intercepts, including—

1                   “(aa) emergency and crisis  
2 services;

3                   “(bb) specialized police-  
4 based responses;

5                   “(cc) court hearings and dis-  
6 position alternatives;

7                   “(dd) reentry from jails and  
8 prisons; and

9                   “(ee) community super-  
10 vision, treatment and support  
11 services; and

12                   “(ii) may serve as a starting point for  
13 the development of strategic plans to  
14 achieve positive public health and safety  
15 outcomes; and

16                   “(B) implementation, which shall—

17                   “(i) be derived from the strategic  
18 plans described in subparagraph (A)(ii);  
19 and

20                   “(ii) consist of—

21                   “(I) hiring and training per-  
22 sonnel;

23                   “(II) identifying the eligible enti-  
24 ty’s target population;

1                   “(III) providing services and sup-  
2                   ports to reduce unnecessary penetra-  
3                   tion into the criminal justice system;

4                   “(IV) reducing recidivism;

5                   “(V) evaluating the impact of the  
6                   eligible entity’s approach; and

7                   “(VI) planning for the sustain-  
8                   ability of effective interventions.”.

9 **SEC. 204. VETERANS TREATMENT COURTS.**

10           Section 2991 of the Omnibus Crime Control and Safe  
11 Streets Act of 1968 (42 U.S.C. 3797aa) is amended by  
12 inserting after subsection (i), as added by section 203, the  
13 following:

14           “(j) ASSISTING VETERANS.—

15                   “(1) DEFINITIONS.—In this subsection:

16                           “(A) PEER TO PEER SERVICES OR PRO-  
17                           GRAMS.—The term ‘peer to peer services or  
18                           programs’ means services or programs that con-  
19                           nect qualified veterans with other veterans for  
20                           the purpose of providing support and  
21                           mentorship to assist qualified veterans in ob-  
22                           taining treatment, recovery, stabilization, or re-  
23                           habilitation.

1           “(B) QUALIFIED VETERAN.—The term  
2 ‘qualified veteran’ means a preliminarily quali-  
3 fied offender who—

4           “(i) served on active duty in any  
5 branch of the Armed Forces, including the  
6 National Guard or Reserves; and

7           “(ii) was discharged or released from  
8 such service under conditions other than  
9 dishonorable.

10          “(C) VETERANS TREATMENT COURT PRO-  
11 GRAM.—The term ‘veterans treatment court  
12 program’ means a court program involving col-  
13 laboration among criminal justice, veterans, and  
14 mental health and substance abuse agencies  
15 that provides qualified veterans with—

16          “(i) intensive judicial supervision and  
17 case management, which may include ran-  
18 dom and frequent drug testing where ap-  
19 propriate;

20          “(ii) a full continuum of treatment  
21 services, including mental health services,  
22 substance abuse services, medical services,  
23 and services to address trauma;

24          “(iii) alternatives to incarceration;  
25 and

1           “(iv) other appropriate services, in-  
2           cluding housing, transportation, mentoring,  
3           employment, job training, education, and  
4           assistance in applying for and obtaining  
5           available benefits.

6           “(2) VETERANS ASSISTANCE PROGRAM.—

7           “(A) IN GENERAL.—The Attorney General,  
8           in consultation with the Secretary of Veterans  
9           Affairs, may award grants under this sub-  
10          section to applicants to establish or expand—

11           “(i) veterans treatment court pro-  
12          grams;

13           “(ii) peer to peer services or programs  
14          for qualified veterans;

15           “(iii) practices that identify and pro-  
16          vide treatment, rehabilitation, legal, transi-  
17          tional, and other appropriate services to  
18          qualified veterans who have been incarcerated;  
19          and

20           “(iv) training programs to teach  
21          criminal justice, law enforcement, correc-  
22          tions, mental health, and substance abuse  
23          personnel how to identify and appro-  
24          priately respond to incidents involving  
25          qualified veterans.

1           “(B) PRIORITY.—In awarding grants  
2           under this subsection, the Attorney General  
3           shall give priority to applications that—

4                   “(i) demonstrate collaboration be-  
5                   tween and joint investments by criminal  
6                   justice, mental health, substance abuse,  
7                   and veterans service agencies;

8                   “(ii) promote effective strategies to  
9                   identify and reduce the risk of harm to  
10                  qualified veterans and public safety; and

11                  “(iii) propose interventions with em-  
12                  pirical support to improve outcomes for  
13                  qualified veterans.”.

14 **SEC. 205. PRISON AND JAILS.**

15           Section 2991 of the Omnibus Crime Control and Safe  
16           Streets Act of 1968 (42 U.S.C. 3797aa) is amended by  
17           inserting after subsection (j), as added by section 204, the  
18           following:

19           “(k) CORRECTIONAL FACILITIES.—

20                   “(1) DEFINITIONS.—

21                           “(A) CORRECTIONAL FACILITY.—The term  
22                           ‘correctional facility’ means a jail, prison, or  
23                           other detention facility used to house people  
24                           who have been arrested, detained, held, or con-  
25                           victed by a criminal justice agency or a court.

1           “(B) ELIGIBLE INMATE.—The term ‘eligi-  
2           ble inmate’ means an individual who—

3                   “(i) is being held, detained, or incar-  
4                   cerated in a correctional facility; and

5                   “(ii) manifests obvious signs of a  
6                   mental illness or has been diagnosed by a  
7                   qualified mental health professional as hav-  
8                   ing a mental illness.

9           “(2) CORRECTIONAL FACILITY GRANTS.—The  
10          Attorney General may award grants to applicants to  
11          enhance the capabilities of a correctional facility—

12                   “(A) to identify and screen for eligible in-  
13          mates;

14                   “(B) to plan and provide—

15                   “(i) initial and periodic assessments of  
16                   the clinical, medical, and social needs of in-  
17                   mates; and

18                   “(ii) appropriate treatment and serv-  
19                   ices that address the mental health and  
20                   substance abuse needs of inmates;

21                   “(C) to develop, implement, and enhance—

22                   “(i) post-release transition plans for  
23                   eligible inmates that, in a comprehensive  
24                   manner, coordinate health, housing, med-

1 ical, employment, and other appropriate  
2 services and public benefits;

3 “(ii) the availability of mental health  
4 care services and substance abuse treat-  
5 ment services; and

6 “(iii) alternatives to solitary confine-  
7 ment and segregated housing and mental  
8 health screening and treatment for inmates  
9 placed in solitary confinement or seg-  
10 regated housing; and

11 “(D) to train each employee of the correc-  
12 tional facility to identify and appropriately re-  
13 spond to incidents involving inmates with men-  
14 tal health or co-occurring mental health and  
15 substance abuse disorders.”.

16 **SEC. 206. ALLOWABLE USES.**

17 Section 2991(b)(5)(I) of the Omnibus Crime Control  
18 and Safe Streets Act of 1968 (42 U.S.C. 3797aa(b)(5)(I))  
19 is amended by adding at the end the following:

20 “(v) TEAMS ADDRESSING FREQUENT  
21 USERS OF CRISIS SERVICES.—Multidisci-  
22 plinary teams that—

23 “(I) coordinate, implement, and  
24 administer community-based crisis re-



1 sponses and long-term plans for fre-  
2 quent users of crisis services;

3 “(II) provide training on how to  
4 respond appropriately to the unique  
5 issues involving frequent users of cri-  
6 sis services for public service per-  
7 sonnel, including criminal justice,  
8 mental health, substance abuse, emer-  
9 gency room, healthcare, law enforce-  
10 ment, corrections, and housing per-  
11 sonnel;

12 “(III) develop or support alter-  
13 natives to hospital and jail admissions  
14 for frequent users of crisis services  
15 that provide treatment, stabilization,  
16 and other appropriate supports in the  
17 least restrictive, yet appropriate, envi-  
18 ronment; and

19 “(IV) develop protocols and sys-  
20 tems among law enforcement, mental  
21 health, substance abuse, housing, cor-  
22 rections, and emergency medical serv-  
23 ice operations to provide coordinated  
24 assistance to frequent users of crisis  
25 services.”.

1 **SEC. 207. LAW ENFORCEMENT TRAINING.**

2 Section 2991(h) of the Omnibus Crime Control and  
3 Safe Streets Act of 1968 (42 U.S.C. 3797aa(h)) is amend-  
4 ed—

5 (1) in paragraph (1), by adding at the end the  
6 following:

7 “(F) ACADEMY TRAINING.—To provide  
8 support for academy curricula, law enforcement  
9 officer orientation programs, continuing edu-  
10 cation training, and other programs that teach  
11 law enforcement personnel how to identify and  
12 respond to incidents involving persons with  
13 mental health disorders or co-occurring mental  
14 health and substance abuse disorders.”; and

15 (2) by adding at the end the following:

16 “(4) PRIORITY CONSIDERATION.—The Attorney  
17 General, in awarding grants under this subsection,  
18 shall give priority to programs that law enforcement  
19 personnel and members of the mental health and  
20 substance abuse professions develop and administer  
21 cooperatively.”.

22 **SEC. 208. FEDERAL LAW ENFORCEMENT TRAINING.**

23 Not later than 1 year after the date of enactment  
24 of this Act, the Attorney General shall provide direction  
25 and guidance for the following:

1           (1) TRAINING PROGRAMS.—Programs that offer  
2           specialized and comprehensive training, in proce-  
3           dures to identify and appropriately respond to inci-  
4           dents in which the unique needs of individuals who  
5           have a mental illness are involved, to first respond-  
6           ers and tactical units of—

7                   (A) Federal law enforcement agencies; and

8                   (B) other Federal criminal justice agencies  
9                   such as the Bureau of Prisons, the Administra-  
10                  tive Office of the United States Courts, and  
11                  other agencies that the Attorney General deter-  
12                  mines appropriate.

13           (2) IMPROVED TECHNOLOGY.—The establish-  
14           ment of, or improvement of existing, computerized  
15           information systems to provide timely information to  
16           employees of Federal law enforcement agencies, and  
17           Federal criminal justice agencies to improve the re-  
18           sponse of such employees to situations involving in-  
19           dividuals who have a mental illness.

20 **SEC. 209. GAO REPORT.**

21           Not later than 1 year after the date of enactment  
22           of this Act, the Comptroller General of the United States,  
23           in coordination with the Attorney General, shall submit  
24           to Congress a report on—

1           (1) the practices that Federal first responders,  
2 tactical units, and corrections officers are trained to  
3 use in responding to individuals with mental illness;

4           (2) procedures to identify and appropriately re-  
5 spond to incidents in which the unique needs of indi-  
6 viduals who have a mental illness are involved, to  
7 Federal first responders and tactical units;

8           (3) the application of evidence-based practices  
9 in criminal justice settings to better address individ-  
10 uals with mental illnesses; and

11           (4) recommendations on how the Department of  
12 Justice can expand and improve information sharing  
13 and dissemination of best practices.

14 **SEC. 210. EVIDENCE-BASED PRACTICES.**

15       Section 2991(c) of the Omnibus Crime Control and  
16 Safe Streets Act of 1968 (42 U.S.C. 3797aa(c)) is amend-  
17 ed—

18           (1) in paragraph (3), by striking “or” at the  
19 end;

20           (2) by redesignating paragraph (4) as para-  
21 graph (6); and

22           (3) by inserting after paragraph (3), the fol-  
23 lowing:

24           “(4) propose interventions that have been  
25 shown by empirical evidence to reduce recidivism;

1           “(5) when appropriate, use validated assess-  
 2           ment tools to target preliminarily qualified offenders  
 3           with a moderate or high risk of recidivism and a  
 4           need for treatment and services; or”.

5 **SEC. 211. TRANSPARENCY, PROGRAM ACCOUNTABILITY,**  
 6           **AND ENHANCEMENT OF LOCAL AUTHORITY.**

7           (a) IN GENERAL.—Section 2991(a) of the Omnibus  
 8 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
 9 3797aa(a)) is amended—

10           (1) in paragraph (7)—

11                   (A) in the heading, by striking “MENTAL  
 12           ILLNESS” and inserting “MENTAL ILLNESS;  
 13           MENTAL HEALTH DISORDER”; and

14                   (B) by striking “term ‘mental illness’  
 15           means” and inserting “terms ‘mental illness’  
 16           and ‘mental health disorder’ mean”; and

17           (2) by striking paragraph (9) and inserting the  
 18 following:

19           “(9) PRELIMINARILY QUALIFIED OFFENDER.—

20                   “(A) IN GENERAL.—The term ‘prelimi-  
 21           narily qualified offender’ means an adult or ju-  
 22           venile accused of an offense who—

23                           “(i)(I) previously or currently has  
 24                           been diagnosed by a qualified mental  
 25                           health professional as having a mental ill-

1           ness or co-occurring mental illness and  
2           substance abuse disorders;

3           “(II) manifests obvious signs of men-  
4           tal illness or co-occurring mental illness  
5           and substance abuse disorders during ar-  
6           rest or confinement or before any court; or

7           “(III) in the case of a veterans treat-  
8           ment court provided under subsection (i),  
9           has been diagnosed with, or manifests ob-  
10          vious signs of, mental illness or a sub-  
11          stance abuse disorder or co-occurring men-  
12          tal illness and substance abuse disorder;

13          “(ii) has been unanimously approved  
14          for participation in a program funded  
15          under this section by, when appropriate—

16               “(I) the relevant—

17                   “(aa) prosecuting attorney;

18                   “(bb) defense attorney;

19                   “(cc) probation or correc-  
20                   tions official; and

21                   “(dd) judge; and

22               “(II) a representative from the  
23               relevant mental health agency de-  
24               scribed in subsection (b)(5)(B)(i);

1           “(iii) has been determined, by each  
2           person described in clause (ii) who is in-  
3           volved in approving the adult or juvenile  
4           for participation in a program funded  
5           under this section, to not pose a risk of vi-  
6           olence to any person in the program, or  
7           the public, if selected to participate in the  
8           program; and

9           “(iv) has not been charged with or  
10          convicted of—

11                 “(I) any sex offense (as defined  
12                 in section 111 of the Sex Offender  
13                 Registration and Notification Act (42  
14                 U.S.C. 16911)) or any offense relat-  
15                 ing to the sexual exploitation of chil-  
16                 dren; or

17                 “(II) murder or assault with in-  
18                 tent to commit murder.

19           “(B) DETERMINATION.—In determining  
20           whether to designate a defendant as a prelimi-  
21           narily qualified offender, the relevant pros-  
22           ecuting attorney, defense attorney, probation or  
23           corrections official, judge, and mental health or  
24           substance abuse agency representative shall  
25           take into account—

1           “(i) whether the participation of the  
2 defendant in the program would pose a  
3 substantial risk of violence to the commu-  
4 nity;

5           “(ii) the criminal history of the de-  
6 fendant and the nature and severity of the  
7 offense for which the defendant is charged;

8           “(iii) the views of any relevant victims  
9 to the offense;

10           “(iv) the extent to which the defend-  
11 ant would benefit from participation in the  
12 program;

13           “(v) the extent to which the commu-  
14 nity would realize cost savings because of  
15 the defendant’s participation in the pro-  
16 gram; and

17           “(vi) whether the defendant satisfies  
18 the eligibility criteria for program partici-  
19 pation unanimously established by the rel-  
20 evant prosecuting attorney, defense attor-  
21 ney, probation or corrections official, judge  
22 and mental health or substance abuse  
23 agency representative.”.

24           (b) TECHNICAL AND CONFORMING AMENDMENT.—  
25 Section 2927(2) of the Omnibus Crime Control and Safe



1 Streets Act of 1968 (42 U.S.C. 3797s–6(2)) is amended  
 2 by striking “has the meaning given that term in section  
 3 2991(a).” and inserting “means an offense that—

4           “(A) does not have as an element the use,  
 5           attempted use, or threatened use of physical  
 6           force against the person or property of another;  
 7           or

8           “(B) is not a felony that by its nature in-  
 9           volves a substantial risk that physical force  
 10          against the person or property of another may  
 11          be used in the course of committing the of-  
 12          fense.”.

13 **SEC. 212. GRANT ACCOUNTABILITY.**

14          Section 2991 of the Omnibus Crime Control and Safe  
 15 Streets Act of 1968 (42 U.S.C. 3797aa) is amended by  
 16 inserting after subsection (k), as added by section 205,  
 17 the following:

18          “(m) ACCOUNTABILITY.—All grants awarded by the  
 19 Attorney General under this section shall be subject to the  
 20 following accountability provisions:

21           “(1) AUDIT REQUIREMENT.—

22           “(A) DEFINITION.—In this paragraph, the  
 23           term ‘unresolved audit finding’ means a finding  
 24           in the final audit report of the Inspector Gen-  
 25           eral of the Department of Justice that the au-

1 dited grantee has utilized grant funds for an  
2 unauthorized expenditure or otherwise unallow-  
3 able cost that is not closed or resolved within  
4 12 months from the date when the final audit  
5 report is issued.

6 “(B) AUDITS.—Beginning in the first fis-  
7 cal year beginning after the date of enactment  
8 of this subsection, and in each fiscal year there-  
9 after, the Inspector General of the Department  
10 of Justice shall conduct audits of recipients of  
11 grants under this section to prevent waste,  
12 fraud, and abuse of funds by grantees. The In-  
13 spector General shall determine the appropriate  
14 number of grantees to be audited each year.

15 “(C) MANDATORY EXCLUSION.—A recipi-  
16 ent of grant funds under this section that is  
17 found to have an unresolved audit finding shall  
18 not be eligible to receive grant funds under this  
19 section during the first 2 fiscal years beginning  
20 after the end of the 12-month period described  
21 in subparagraph (A).

22 “(D) PRIORITY.—In awarding grants  
23 under this section, the Attorney General shall  
24 give priority to eligible applicants that did not  
25 have an unresolved audit finding during the 3

1 fiscal years before submitting an application for  
2 a grant under this section.

3 “(E) REIMBURSEMENT.—If an entity is  
4 awarded grant funds under this section during  
5 the 2-fiscal-year period during which the entity  
6 is barred from receiving grants under subpara-  
7 graph (C), the Attorney General shall—

8 “(i) deposit an amount equal to the  
9 amount of the grant funds that were im-  
10 properly awarded to the grantee into the  
11 General Fund of the Treasury; and

12 “(ii) seek to recoup the costs of the  
13 repayment to the fund from the grant re-  
14 cipient that was erroneously awarded grant  
15 funds.

16 “(2) NONPROFIT ORGANIZATION REQUIRE-  
17 MENTS.—

18 “(A) DEFINITION.—For purposes of this  
19 paragraph and the grant programs under this  
20 part, the term ‘nonprofit organization’ means  
21 an organization that is described in section  
22 501(c)(3) of the Internal Revenue Code of 1986  
23 and is exempt from taxation under section  
24 501(a) of such Code.

1           “(B) PROHIBITION.—The Attorney Gen-  
2           eral may not award a grant under this part to  
3           a nonprofit organization that holds money in  
4           offshore accounts for the purpose of avoiding  
5           paying the tax described in section 511(a) of  
6           the Internal Revenue Code of 1986.

7           “(C) DISCLOSURE.—Each nonprofit orga-  
8           nization that is awarded a grant under this sec-  
9           tion and uses the procedures prescribed in regu-  
10          lations to create a rebuttable presumption of  
11          reasonableness for the compensation of its offi-  
12          cers, directors, trustees, and key employees,  
13          shall disclose to the Attorney General, in the  
14          application for the grant, the process for deter-  
15          mining such compensation, including the inde-  
16          pendent persons involved in reviewing and ap-  
17          proving such compensation, the comparability  
18          data used, and contemporaneous substantiation  
19          of the deliberation and decision. Upon request,  
20          the Attorney General shall make the informa-  
21          tion disclosed under this subparagraph available  
22          for public inspection.

23          “(3) CONFERENCE EXPENDITURES.—

24                 “(A) LIMITATION.—No amounts made  
25                 available to the Department of Justice under

1           this section may be used by the Attorney Gen-  
2           eral, or by any individual or entity awarded dis-  
3           cretionary funds through a cooperative agree-  
4           ment under this section, to host or support any  
5           expenditure for conferences that use more than  
6           \$20,000 in funds made available by the Depart-  
7           ment of Justice, unless the head of the relevant  
8           agency or department, provides prior written  
9           authorization that the funds may be expended  
10          to host the conference.

11           “(B) WRITTEN APPROVAL.—Written ap-  
12          proval under subparagraph (A) shall include a  
13          written estimate of all costs associated with the  
14          conference, including the cost of all food, bev-  
15          erages, audio-visual equipment, honoraria for  
16          speakers, and entertainment.

17           “(C) REPORT.—The Deputy Attorney Gen-  
18          eral shall submit an annual report to the Com-  
19          mittee on the Judiciary of the Senate and the  
20          Committee on the Judiciary of the House of  
21          Representatives on all conference expenditures  
22          approved under this paragraph.

23           “(4) ANNUAL CERTIFICATION.—Beginning in  
24          the first fiscal year beginning after the date of en-  
25          actment of this subsection, the Attorney General

1 shall submit, to the Committee on the Judiciary and  
2 the Committee on Appropriations of the Senate and  
3 the Committee on the Judiciary and the Committee  
4 on Appropriations of the House of Representatives,  
5 an annual certification—

6 “(A) indicating whether—

7 “(i) all audits issued by the Office of  
8 the Inspector General under paragraph (1)  
9 have been completed and reviewed by the  
10 appropriate Assistant Attorney General or  
11 Director;

12 “(ii) all mandatory exclusions required  
13 under paragraph (1)(C) have been issued;  
14 and

15 “(iii) all reimbursements required  
16 under paragraph (1)(E) have been made;  
17 and

18 “(B) that includes a list of any grant re-  
19 cipients excluded under paragraph (1) from the  
20 previous year.

21 “(n) PREVENTING DUPLICATIVE GRANTS.—

22 “(1) IN GENERAL.—Before the Attorney Gen-  
23 eral awards a grant to an applicant under this sec-  
24 tion, the Attorney General shall compare potential  
25 grant awards with other grants awarded under this

1 Act to determine if duplicate grant awards are  
2 awarded for the same purpose.

3 “(2) REPORT.—If the Attorney General awards  
4 duplicate grants to the same applicant for the same  
5 purpose the Attorney General shall submit to the  
6 Committee on the Judiciary of the Senate and the  
7 Committee on the Judiciary of the House of Rep-  
8 resentatives a report that includes—

9 “(A) a list of all duplicate grants awarded,  
10 including the total dollar amount of any dupli-  
11 cate grants awarded; and

12 “(B) the reason the Attorney General  
13 awarded the duplicate grants.”.

14 **TITLE III—NICS REAUTHORIZA-**  
15 **TION AND NICS IMPROVE-**  
16 **MENT**

17 **SEC. 301. REAUTHORIZATION OF NICS.**

18 (a) IN GENERAL.—Section 103(e) of the NICS Im-  
19 provement Amendments Act of 2007 (18 U.S.C. 922 note)  
20 is amended by striking “fiscal year 2013” and inserting  
21 “each of fiscal years 2016 through 2020”.

22 **SEC. 302. DEFINITIONS RELATING TO MENTAL HEALTH.**

23 (a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18,  
24 United States Code, is amended—

1           (1) in section 921(a), by adding at the end the  
2 following:

3           “(36)(A) Subject to subparagraph (B), the  
4 term ‘has been adjudicated mentally incompetent or  
5 has been committed to a psychiatric hospital’, with  
6 respect to a person—

7                   “(i) means the person is the subject of  
8 an order or finding by a judicial officer,  
9 court, board, commission, or other adju-  
10 dicative body—

11                           “(I) that was issued after—

12                                   “(aa) a hearing—

13   “(AA) of which the per-  
14 son received actual notice;  
15 and

16   “(BB) at which the  
17 person had an opportunity  
18 to participate with counsel;  
19 or

20                                   “(bb) the person knowingly  
21 and intelligently waived the op-  
22 portunity for a hearing—

23   “(AA) of which the per-  
24 son received actual notice;  
25 and



1                   “(BB) at which the  
2                   person would have had an  
3                   opportunity to participate  
4                   with counsel; and

5                   “(II) that found that the person,  
6                   as a result of marked subnormal intel-  
7                   ligence, mental impairment, mental  
8                   illness, incompetency, condition, or  
9                   disease—

10                   “(aa) was a danger to him-  
11                   self or herself or to others;

12                   “(bb) was guilty but men-  
13                   tally ill in a criminal case, in a  
14                   jurisdiction that provides for  
15                   such a verdict;

16                   “(cc) was not guilty in a  
17                   criminal case by reason of insan-  
18                   ity or mental disease or defect;

19                   “(dd) was incompetent to  
20                   stand trial in a criminal case;

21                   “(ee) was not guilty by rea-  
22                   son of lack of mental responsi-  
23                   bility under section 850a of title  
24                   10 (article 50a of the Uniform  
25                   Code of Military Justice);

1                   “(ff) required involuntary  
2                   inpatient treatment by a psy-  
3                   chiatric hospital for any reason,  
4                   including substance abuse; or

5                   “(gg) required involuntary  
6                   outpatient treatment by a psy-  
7                   chiatric hospital based on a find-  
8                   ing that the person is a danger to  
9                   himself or herself or to others;  
10                  and

11                  “(ii) does not include—

12                   “(I) an admission to a psy-  
13                   chiatric hospital for observation; or

14                   “(II) a voluntary admission to a  
15                   psychiatric hospital.

16                  “(B) In this paragraph, the term ‘order or  
17                  finding’ does not include—

18                   “(i) an order or finding that has ex-  
19                   pired or has been set aside or expunged;

20                   “(ii) an order or finding that is no  
21                   longer applicable because a judicial officer,  
22                   court, board, commission, or other adju-  
23                   dicative body has found that the person  
24                   who is the subject of the order or find-  
25                   ing—

1                   “(I) does not present a danger to  
2                   himself or herself or to others;

3                   “(II) has been restored to sanity  
4                   or cured of mental disease or defect;

5                   “(III) has been restored to com-  
6                   petency; or

7                   “(IV) no longer requires involun-  
8                   tary inpatient or outpatient treatment  
9                   by a psychiatric hospital; or

10                  “(iii) an order or finding with respect  
11                  to which the person who is subject to the  
12                  order or finding has been granted relief  
13                  from disabilities under section 925(c),  
14                  under a program described in section  
15                  101(e)(2)(A) or 105 of the NICS Improve-  
16                  ment Amendments Act of 2007 (18 U.S.C.  
17                  922 note), or under any other State-au-  
18                  thorized relief from disabilities program of  
19                  the State in which the original commit-  
20                  ment or adjudication occurred.

21                  “(37) The term ‘psychiatric hospital’ includes a  
22                  mental health facility, a mental hospital, a sani-  
23                  tarium, a psychiatric facility, and any other facility  
24                  that provides diagnoses or treatment by licensed pro-  
25                  fessionals of mental retardation or mental illness, in-

1 including a psychiatric ward in a general hospital.”;  
2 and

3 (2) in section 922—

4 (A) in subsection (d)(4)—

5 (i) by striking “as a mental defective”  
6 and inserting “mentally incompetent”; and

7 (ii) by striking “any mental institu-  
8 tion” and inserting “a psychiatric hos-  
9 pital”; and

10 (B) in subsection (g)(4)—

11 (i) by striking “as a mental defective  
12 or who has” and inserting “mentally in-  
13 competent or has”; and

14 (ii) by striking “mental institution”  
15 and inserting “psychiatric hospital”.

16 (b) TECHNICAL AND CONFORMING AMENDMENT.—

17 The NICS Improvement Amendments Act of 2007 (18  
18 U.S.C. 922 note) is amended—

19 (1) by striking “as a mental defective” each  
20 place that term appears and inserting “mentally in-  
21 competent”;

22 (2) by striking “mental institution” each place  
23 that term appears and inserting “psychiatric hos-  
24 pital”;

25 (3) in section 101(c)—

1 (A) in paragraph (1), in the matter pre-  
 2 ceding subparagraph (A), by striking “to the  
 3 mental health of a person” and inserting “to  
 4 whether a person is mentally incompetent”; and

5 (B) in paragraph (2)—

6 (i) in subparagraph (A)(i), by striking  
 7 “to the mental health of a person” and in-  
 8 serting “to whether a person is mentally  
 9 incompetent”; and

10 (ii) in subparagraph (B), by striking  
 11 “to the mental health of a person” and in-  
 12 serting “to whether a person is mentally  
 13 incompetent”; and

14 (4) in section 102(e)(3)—

15 (A) in the paragraph heading, by striking  
 16 “AS A MENTAL DEFECTIVE OR COMMITTED TO  
 17 A MENTAL INSTITUTION” and inserting “MEN-  
 18 TALLY INCOMPETENT OR COMMITTED TO A PSY-  
 19 CHIATRIC HOSPITAL”; and

20 (B) by striking “mental institutions” and  
 21 inserting “psychiatric hospitals”.

22 **SEC. 303. INCENTIVES FOR STATE COMPLIANCE WITH NICS**  
 23 **MENTAL HEALTH RECORD REQUIREMENTS.**

24 Section 104(b) of the NICS Improvement Amend-  
 25 ments Act of 2007 (18 U.S.C. 922 note) is amended—

1 (1) by striking paragraphs (1) and (2);

2 (2) by redesignating paragraph (3) as para-  
3 graph (2);

4 (3) in paragraph (2), as redesignated, by strik-  
5 ing “of paragraph (2)” and inserting “of paragraph  
6 (1)”; and

7 (4) by inserting before paragraph (2), as redesi-  
8 gnated, the following:

9 “(1) INCENTIVES FOR PROVIDING MENTAL  
10 HEALTH RECORDS AND FIXING THE BACKGROUND  
11 CHECK SYSTEM.—

12 “(A) DEFINITION OF COMPLIANT STATE.—

13 In this paragraph, the term ‘compliant State’  
14 means a State that has—

15 “(i) provided not less than 90 percent  
16 of the records required to be provided  
17 under sections 102 and 103; or

18 “(ii) in effect a statute that—

19 “(I) requires the State to provide  
20 the records required to be provided  
21 under sections 102 and 103; and

22 “(II) implements a relief from  
23 disabilities program in accordance  
24 with section 105.

1           “(B) INCENTIVES FOR COMPLIANCE.—  
2           During the period beginning on the date that is  
3           18 months after the enactment of the Mental  
4           Health and Safe Communities Act of 2015 and  
5           ending on the date that is 5 years after the  
6           date of enactment of such Act, the Attorney  
7           General—

8                   “(i) shall use funds appropriated to  
9                   carry out section 103 of this Act, the ex-  
10                  cess unobligated balances of the Depart-  
11                  ment of Justice and funds withheld under  
12                  clause (ii), or any combination thereof, to  
13                  increase the amounts available under sec-  
14                  tion 505 of title I of the Omnibus Crime  
15                  Control and Safe Streets Act of 1968 (42  
16                  U.S.C. 3755) for each compliant State in  
17                  an amount that is not less than 2 percent  
18                  nor more than 5 percent of the amount  
19                  that was allocated to such State under  
20                  such section 505 in the previous fiscal  
21                  year; and

22                   “(ii) may withhold an amount not to  
23                  exceed the amount described in clause (i)  
24                  that would otherwise be allocated to a  
25                  State under any section of the Omnibus

1 Crime Control and Safe Streets Act of  
2 1968 (42 U.S.C. 3711 et seq.) if the  
3 State—

4 “(I) is not a compliant State;  
5 and

6 “(II) does not submit an assur-  
7 ance to the Attorney General that—

8 “(aa) an amount that is not  
9 less than the amount described in  
10 clause (i) will be used solely for  
11 the purpose of enabling the State  
12 to become a compliant State; or

13 “(bb) the State will hold in  
14 abeyance an amount that is not  
15 less than the amount described in  
16 clause (i) until such State has be-  
17 come a compliant State.

18 “(C) REGULATIONS.—Not later than 180  
19 days after the enactment of the Mental Health  
20 and Safe Communities Act of 2015, the Attor-  
21 ney General shall issue regulations imple-  
22 menting this paragraph.”.



1 **SEC. 304. PROTECTING THE SECOND AMENDMENT RIGHTS**  
 2 **OF VETERANS.**

3 (a) IN GENERAL.—Chapter 55 of title 38, United  
 4 States Code, is amended by adding at the end the fol-  
 5 lowing:

6 **“§ 5511. Conditions for treatment of certain persons**  
 7 **as adjudicated mentally incompetent for**  
 8 **certain purposes**

9 “(a) PROTECTING RIGHTS OF VETERANS WITH EX-  
 10 ISTING RECORDS.—Not later than 90 days after the date  
 11 of enactment of the Mental Health and Safe Communities  
 12 Act of 2015, the Secretary shall provide written notice in  
 13 accordance with subsection (b) of the opportunity for ad-  
 14 ministrative review under subsection (c) to all persons  
 15 who, on the date of enactment of the Mental Health and  
 16 Safe Communities Act of 2015, are considered to have  
 17 been adjudicated mentally incompetent or committed to a  
 18 psychiatric hospital under subsection (d)(4) or (g)(4) of  
 19 section 922 of title 18 as a result of having been found  
 20 by the Department to be mentally incompetent.

21 “(b) NOTICE.—The Secretary shall provide notice  
 22 under this section to a person described in subsection (a)  
 23 that notifies the person of—

24 “(1) the determination made by the Secretary;

25 “(2) a description of the implications of being  
 26 considered to have been adjudicated mentally incom-

1       petent or committed to a psychiatric hospital under  
2       subsection (d)(4) or (g)(4) of section 922 of title 18;  
3       and

4               “(3) the right of the person to request a review  
5       under subsection (c)(1).

6       “(c) ADMINISTRATIVE REVIEW.—

7               “(1) REQUEST.—Not later than 30 days after  
8       the date on which a person described in subsection  
9       (a) receives notice in accordance with subsection (b),  
10       such person may request a review by the board de-  
11       signed or established under paragraph (2) or by a  
12       court of competent jurisdiction to assess whether the  
13       person is a danger to himself or herself or to others.  
14       In such assessment, the board may consider the per-  
15       son’s honorable discharge or decorations.

16               “(2) BOARD.—Not later than 180 days after  
17       the date of enactment of the Mental Health and  
18       Safe Communities Act of 2015, the Secretary shall  
19       designate or establish a board that shall, upon re-  
20       quest of a person under paragraph (1), assess  
21       whether the person is a danger to himself or herself  
22       or to others.

23       “(d) JUDICIAL REVIEW.—A person may file a peti-  
24       tion with a Federal court of competent jurisdiction for ju-  
25       dicial review of an assessment of the person under sub-

1 section (c) by the board designated or established under  
2 subsection (c)(2).”.

3 (b) CLERICAL AMENDMENT.—The table of sections  
4 for chapter 55 of title 38, United States Code, is amended  
5 by adding at the end the following:

“5511. Conditions for treatment of certain persons as adjudicated mentally in-  
competent for certain purposes.”.

6 **SEC. 305. APPLICABILITY OF AMENDMENTS.**

7 With respect to any record of a person prohibited  
8 from possessing or receiving a firearm under subsection  
9 (d)(4) or (g)(4) of section 922 of title 18, United States  
10 Code, before the date of enactment of this Act, the Attor-  
11 ney General shall remove such a record from the National  
12 Instant Criminal Background Check System—

13 (1) upon being made aware that the person is  
14 no longer considered as adjudicated mentally incom-  
15 petent or committed to a psychiatric hospital accord-  
16 ing to the criteria under paragraph (36)(A)(i)(II) of  
17 section 921(a) of title 18, United States Code (as  
18 added by this title), and is therefore no longer pro-  
19 hibited from possessing or receiving a firearm;

20 (2) upon being made aware that any order or  
21 finding that the record is based on is an order or  
22 finding described in paragraph (36)(B) of section  
23 921(a) of title 18, United State Code (as added by  
24 this title); or

1           (3) upon being made aware that the person has  
2           been found competent to possess a firearm after an  
3           administrative or judicial review under subsection (c)  
4           or (d) of section 5511 of title 38, United States  
5           Code (as added by this title).

6 **SEC. 306. CLARIFICATION THAT FEDERAL COURT INFOR-**  
7                                   **MATION IS TO BE MADE AVAILABLE TO THE**  
8                                   **NATIONAL INSTANT CRIMINAL BACKGROUND**  
9                                   **CHECK SYSTEM.**

10          Section 103(e)(1) of the Brady Handgun Violence  
11          Prevention Act (18 U.S.C. 922 note) is amended by add-  
12          ing at the end the following:

13                               “(F)       APPLICATION       TO       FEDERAL  
14                               COURTS.—In this paragraph—

15                               “(i) the terms ‘department or agency  
16                               of the United States’ and ‘Federal depart-  
17                               ment or agency’ include a Federal court;  
18                               and

19                               “(ii) for purposes of any request, sub-  
20                               mission, or notification, the Director of the  
21                               Administrative Office of the United States  
22                               Courts shall perform the functions of the  
23                               head of the department or agency.”.

1 **TITLE IV—REAUTHORIZATIONS**  
2 **AND OFFSET**

3 **SEC. 401. REAUTHORIZATION OF APPROPRIATIONS.**

4 (a) ADULT AND JUVENILE COLLABORATION PRO-  
5 GRAMS.—Subsection (o) of section 2991 of the Omnibus  
6 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
7 3797aa), as redesignated by section 203, is amended—

8 (1) in paragraph (1)(C), by striking “2009  
9 through 2014” and inserting “2016 through 2020”;  
10 and

11 (2) by adding at the end the following:

12 “(3) LIMITATION.—Not more than 20 percent of the  
13 funds authorized to be appropriated under this section  
14 may be used for purposes described in subsection (j) (re-  
15 lating to veterans).”.

16 (b) MENTAL HEALTH COURTS AND QUALIFIED  
17 DRUG TREATMENT PROGRAMS.—Section 1001(a) of the  
18 Omnibus Crime Control and Safe Streets Act of 1968 (42  
19 U.S.C. 3793(a)) is amended—

20 (1) in paragraph (20), by striking “2001  
21 through 2004” and inserting “2016 through 2020”;  
22 and

23 (2) in paragraph (26), by striking “2009 and  
24 2010” and inserting “2016 through 2020”.

1 **SEC. 402. OFFSET.**

2 (a) DEFINITION.—In this subsection, the term “cov-  
3 ered amounts” means the unobligated balances of discre-  
4 tionary appropriations accounts, except for the discre-  
5 tionary appropriations accounts of the Department of De-  
6 fense, the Department of Veterans Affairs, and the De-  
7 partment of Homeland Security.

8 (b) RESCISSION.—

9 (1) IN GENERAL.—Effective on the first day of  
10 each of fiscal years 2016 through 2020, there are re-  
11 scinded from covered amounts, on a pro rata basis,  
12 the amount described in paragraph (2).

13 (2) AMOUNT OF RESCISSION.—The amount de-  
14 scribed in this subparagraph is the sum of the  
15 amounts authorized to be appropriated under para-  
16 graphs (20) and (26) of section 1001(a) of title I of  
17 the Omnibus Crime Control and Safe Streets Act of  
18 1968 (42 U.S.C. 3793(a)).

19 (3) REPORT.—Not later 60 days after the first  
20 day of each of fiscal years 2016 through 2020, the  
21 Director of the Office of Management and Budget  
22 shall submit to Congress and the Secretary of the  
23 Treasury a report specifying the account and  
24 amount of each rescission under this subsection.

○