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AN ACT

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Youth Op-
5 portunity and Preventing Delinquency Act of 2016”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND
DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Purposes.
- Sec. 103. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- Sec. 201. Concentration of Federal efforts.
- Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 203. Annual report.
- Sec. 204. Allocation of funds.
- Sec. 205. State plans.
- Sec. 206. Repeal of juvenile delinquency prevention block grant program.
- Sec. 207. Research and evaluation; statistical analyses; information dissemination.
- Sec. 208. Training and technical assistance.
- Sec. 209. Authorization of appropriations.
- Sec. 210. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

- Sec. 301. Short Title.
- Sec. 302. Definitions.
- Sec. 303. Duties and functions of the administrator.
- Sec. 304. Grants for delinquency prevention programs.
- Sec. 305. Grants for tribal delinquency prevention and response programs.
- Sec. 306. Authorization of appropriations.
- Sec. 307. Technical amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Evaluation by Government Accountability Office.
- Sec. 402. Accountability and oversight.

1 **TITLE I—DECLARATION OF** 2 **FINDINGS, PURPOSE, AND** 3 **DEFINITIONS**

4 **SEC. 101. FINDINGS.**

5 Section 101(a)(9) of the Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5601(a)(9)) is
7 amended by inserting “, including offenders who enter the
8 juvenile justice system as the result of sexual abuse, ex-
9 ploitation, and trauma,” after “young juvenile offenders”.

1 **SEC. 102. PURPOSES.**

2 Section 102 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5602) is amended—

4 (1) in paragraph (1), by inserting “, tribal,”
5 after “State”;

6 (2) in paragraph (2)—

7 (A) by inserting “, tribal,” after “State”;

8 and

9 (B) by striking “and” at the end;

10 (3) by amending paragraph (3) to read as fol-
11 lows:

12 “(3) to assist State, tribal, and local govern-
13 ments in addressing juvenile crime through the pro-
14 vision of technical assistance, research, training,
15 evaluation, and the dissemination of current and rel-
16 evant information on effective and evidence-based
17 programs and practices for combating juvenile delin-
18 quency; and”;

19 (4) by adding at the end the following:

20 “(4) to support a continuum of evidence-based
21 or promising programs (including delinquency pre-
22 vention, intervention, mental health, behavioral
23 health and substance abuse treatment, family serv-
24 ices, and services for children exposed to violence)
25 that are trauma informed, reflect the science of ado-
26 lescent development, and are designed to meet the

1 needs of at-risk youth and youth who come into con-
2 tact with the justice system.”.

3 **SEC. 103. DEFINITIONS.**

4 Section 103 of the Juvenile Justice and Delinquency
5 Prevention Act of 1974 (42 U.S.C. 5603) is amended—

6 (1) in paragraph (8)—

7 (A) in subparagraph (B)(ii), by adding
8 “or” at the end;

9 (B) by striking subparagraph (C); and

10 (C) by redesignating subparagraph (D) as
11 subparagraph (C);

12 (2) in paragraph (18) by adding at the end the
13 following:

14 “that has a law enforcement function, as determined
15 by the Secretary of the Interior in consultation with
16 the Attorney General;”.

17 (3) by amending paragraph (22) to read as fol-
18 lows:

19 “(22) the term ‘jail or lockup for adults’ means
20 a secure facility that is used by a State, unit of local
21 government, or law enforcement authority to detain
22 or confine adult inmates;”;

23 (4) by amending paragraph (25) to read as fol-
24 lows:

1 “(25) the term ‘sight or sound contact’ means
2 any physical, clear visual, or verbal contact that is
3 not brief and inadvertent;”;

4 (5) by amending paragraph (26) to read as fol-
5 lows:

6 “(26) the term ‘adult inmate’—

7 “(A) means an individual who—

8 “(i) has reached the age of full crimi-
9 nal responsibility under applicable State
10 law; and

11 “(ii) has been arrested and is in cus-
12 tody for or awaiting trial on a criminal
13 charge, or is convicted of a criminal of-
14 fense; and

15 “(B) does not include an individual who—

16 “(i) at the time of the time of the of-
17 fense, was younger than the maximum age
18 at which a youth can be held in a juvenile
19 facility under applicable State law; and

20 “(ii) was committed to the care and
21 custody or supervision, including post-
22 placement or parole supervision, of a juve-
23 nile correctional agency by a court of com-
24 petent jurisdiction or by operation of appli-
25 cable State law;”;

1 (6) in paragraph (28), by striking “and” at the
2 end;

3 (7) in paragraph (29), by striking the period at
4 the end and inserting a semicolon; and

5 (8) by adding at the end the following:

6 “(30) the term ‘core requirements’—

7 “(A) means the requirements described in
8 paragraphs (11), (12), (13), and (15) of section
9 223(a); and

10 “(B) does not include the data collection
11 requirements described in subparagraphs (A)
12 through (K) of section 207(1);

13 “(31) the term ‘chemical agent’ means a spray
14 or injection used to temporarily incapacitate a per-
15 son, including oleoresin capsicum spray, tear gas,
16 and 2-chlorobenzalmalonitrile gas;

17 “(32) the term ‘isolation’—

18 “(A) means any instance in which a youth
19 is confined alone for more than 10 minutes in
20 a room or cell; and

21 “(B) does not include—

22 “(i) confinement during regularly
23 scheduled sleeping hours;

1 “(ii) separation based on a treatment
2 program approved by a licensed medical or
3 mental health professional;

4 “(iii) confinement or separation that
5 is requested by the youth; or

6 “(iv) the separation of the youth from
7 a group in a nonlocked setting for the lim-
8 ited purpose of calming;

9 “(33) the term ‘restraints’ has the meaning
10 given that term in section 591 of the Public Health
11 Service Act (42 U.S.C. 290ii);

12 “(34) the term ‘evidence-based’ means a pro-
13 gram or practice that—

14 “(A) is demonstrated to be effective when
15 implemented with fidelity;

16 “(B) is based on a clearly articulated and
17 empirically supported theory;

18 “(C) has measurable outcomes relevant to
19 juvenile justice, including a detailed description
20 of the outcomes produced in a particular popu-
21 lation, whether urban or rural; and

22 “(D) has been scientifically tested and
23 proven effective through randomized control
24 studies or comparison group studies and with
25 the ability to replicate and scale;

1 “(35) the term ‘promising’ means a program or
2 practice that—

3 “(A) is demonstrated to be effective based
4 on positive outcomes relevant to juvenile justice
5 from one or more objective, independent, and
6 scientifically valid evaluations, as documented
7 in writing to the Administrator; and

8 “(B) will be evaluated through a well-de-
9 signed and rigorous study, as described in para-
10 graph (34)(D);

11 “(36) the term ‘dangerous practice’ means an
12 act, procedure, or program that creates an unreason-
13 able risk of physical injury, pain, or psychological
14 harm to a juvenile subjected to the act, procedure,
15 or program;

16 “(37) the term ‘screening’ means a brief proc-
17 ess—

18 “(A) designed to identify youth who may
19 have mental health, behavioral health, sub-
20 stance abuse, or other needs requiring imme-
21 diate attention, intervention, and further eval-
22 uation; and

23 “(B) the purpose of which is to quickly
24 identify a youth with possible mental health, be-

1 behavioral health, substance abuse, or other needs
2 in need of further assessment;

3 “(38) the term ‘assessment’ includes, at a min-
4 imum, an interview and review of available records
5 and other pertinent information—

6 “(A) by an appropriately trained profes-
7 sional who is licensed or certified by the appli-
8 cable State in the mental health, behavioral
9 health, or substance abuse fields; and

10 “(B) which is designed to identify signifi-
11 cant mental health, behavioral health, or sub-
12 stance abuse treatment needs to be addressed
13 during a youth’s confinement;

14 “(39) for purposes of section 223(a)(15), the
15 term ‘contact’ means the points at which a youth
16 and the juvenile justice system or criminal justice
17 system officially intersect, including interactions
18 with a juvenile justice, juvenile court, or law enforce-
19 ment official;

20 “(40) the term ‘trauma-informed’ means—

21 “(A) understanding the impact that expo-
22 sure to violence and trauma have on a youth’s
23 physical, psychological, and psychosocial devel-
24 opment;

1 “(B) recognizing when a youth has been
2 exposed to violence and trauma and is in need
3 of help to recover from the adverse impacts of
4 trauma; and

5 “(C) responding in ways that resist re-
6 traumatization;

7 “(41) the term ‘racial and ethnic disparity’
8 means minority youth populations are involved at a
9 decision point in the juvenile justice system at high-
10 er rates, incrementally or cumulatively, than non-mi-
11 nority youth at that decision point;

12 “(42) the term ‘status offender’ means a juve-
13 nile who is charged with or who has committed an
14 offense that would not be criminal if committed by
15 an adult;

16 “(43) the term ‘rural’ means an area that is
17 not located in a metropolitan statistical area, as de-
18 fined by the Office of Management and Budget;

19 “(44) the term ‘internal controls’ means a proc-
20 ess implemented to provide reasonable assurance re-
21 garding the achievement of objectives in—

22 “(A) effectiveness and efficiency of oper-
23 ations, such as grant management practices;

24 “(B) reliability of reporting for internal
25 and external use; and

1 “(C) compliance with applicable laws and
2 regulations, as well as recommendations of the
3 Office of Inspector General and the Government
4 Accountability Office; and

5 “(45) the term ‘tribal government’ means the
6 governing body of an Indian tribe.”.

7 **TITLE II—JUVENILE JUSTICE**
8 **AND DELINQUENCY PREVEN-**
9 **TION**

10 **SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.**

11 Section 204 of the Juvenile Justice and Delinquency
12 Prevention Act of 1974 (42 U.S.C. 5614) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), in the first sen-
15 tence—

16 (i) by striking “a long-term plan, and
17 implement” and inserting the following: “a
18 long-term plan to improve the juvenile jus-
19 tice system in the United States, taking
20 into account scientific knowledge regarding
21 adolescent development and behavior and
22 regarding the effects of delinquency pre-
23 vention programs and juvenile justice
24 interventions on adolescents, and shall im-
25 plement”; and

1 (ii) by striking “research, and im-
2 provement of the juvenile justice system in
3 the United States” and inserting “and re-
4 search”; and

5 (B) in paragraph (2)(B), by striking “Fed-
6 eral Register” and all that follows and inserting
7 “Federal Register during the 30-day period
8 ending on October 1 of each year.”; and

9 (2) in subsection (b)—

10 (A) by striking paragraph (7);

11 (B) by redesignating paragraphs (5) and
12 (6) as paragraphs (6) and (7), respectively;

13 (C) by inserting after paragraph (4), the
14 following:

15 “(5) not later than 1 year after the date of en-
16 actment of the Supporting Youth Opportunity and
17 Preventing Delinquency Act of 2016, in consultation
18 with Indian tribes, develop a policy for the Office of
19 Juvenile Justice and Delinquency Prevention to col-
20 laborate with representatives of Indian tribes with a
21 criminal justice function on the implementation of
22 the provisions of this Act relating to Indian tribes;”;

23 (D) in paragraph (6), as so redesignated,
24 by adding “and” at the end; and

25 (E) in paragraph (7), as so redesignated—

- 1 (i) by striking “monitoring”;
- 2 (ii) by striking “section 223(a)(15)”
- 3 and inserting “section 223(a)(16)”; and
- 4 (iii) by striking “to review the ade-
- 5 quacy of such systems; and” and inserting
- 6 “for monitoring compliance.”.

7 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**

8 **AND DELINQUENCY PREVENTION.**

9 Section 206 of the Juvenile Justice and Delinquency

10 Prevention Act of 1974 (42 U.S.C. 5616) is amended—

11 (1) in subsection (a)—

12 (A) in paragraph (1)—

13 (i) by inserting “the Administrator of

14 the Substance Abuse and Mental Health

15 Services Administration, the Secretary of

16 the Interior,” after “the Secretary of

17 Health and Human Services,”; and

18 (ii) by striking “Commissioner of Im-

19 migration and Naturalization” and insert-

20 ing “Assistant Secretary for Immigration

21 and Customs Enforcement”; and

22 (B) in paragraph (2), by striking “United

23 States” and inserting “Federal Government”;

24 and

25 (2) in subsection (c)—

1 (A) in paragraph (1), by striking “para-
2 graphs (12)(A), (13), and (14) of section
3 223(a) of this title” and inserting “the core re-
4 quirements”; and

5 (B) in paragraph (2)—

6 (i) in the matter preceding subpara-
7 graph (A), by inserting “, on an annual
8 basis” after “collectively”; and

9 (ii) by striking subparagraph (B) and
10 inserting the following:

11 “(B) not later than 120 days after the
12 completion of the last meeting of the Council
13 during any fiscal year, submit to the Committee
14 on Education and the Workforce of the House
15 of Representatives and the Committee on the
16 Judiciary of the Senate a report that—

17 “(i) contains the recommendations de-
18 scribed in subparagraph (A);

19 “(ii) includes a detailed account of the
20 activities conducted by the Council during
21 the fiscal year, including a complete de-
22 tailed accounting of expenses incurred by
23 the Council to conduct operations in ac-
24 cordance with this section;

1 “(iii) is published on the Web sites of
2 the Office of Juvenile Justice and Delin-
3 quency Prevention, the Council, and the
4 Department of Justice; and

5 “(iv) is in addition to the annual re-
6 port required under section 207.”.

7 **SEC. 203. ANNUAL REPORT.**

8 Section 207 of the Juvenile Justice and Delinquency
9 Prevention Act of 1974 (42 U.S.C. 5617) is amended—

10 (1) in the matter preceding paragraph (1), by
11 striking “a fiscal year” and inserting “each fiscal
12 year”;

13 (2) in paragraph (1)—

14 (A) in subparagraph (B), by striking “and
15 gender” and inserting “, gender, and ethnicity,
16 as such term is defined by the Bureau of the
17 Census,”;

18 (B) in subparagraph (E), by striking
19 “and” at the end;

20 (C) in subparagraph (F)—

21 (i) by inserting “and other” before
22 “disabilities,”; and

23 (ii) by striking the period at the end
24 and inserting a semicolon; and

25 (D) by adding at the end the following:

1 “(G) a summary of data from 1 month of
2 the applicable fiscal year of the use of restraints
3 and isolation upon juveniles held in the custody
4 of secure detention and correctional facilities
5 operated by a State or unit of local government;

6 “(H) the number of status offense cases
7 petitioned to court, number of status offenders
8 held in secure detention, the findings used to
9 justify the use of secure detention, and the av-
10 erage period of time a status offender was held
11 in secure detention;

12 “(I) the number of juveniles released from
13 custody and the type of living arrangement to
14 which they are released;

15 “(J) the number of juveniles whose offense
16 originated on school grounds, during school-
17 sponsored off-campus activities, or due to a re-
18 ferral by a school official, as collected and re-
19 ported by the Department of Education or simi-
20 lar State educational agency; and

21 “(K) the number of juveniles in the cus-
22 tody of secure detention and correctional facili-
23 ties operated by a State or unit of local govern-
24 ment who report being pregnant.”; and

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

1 “(5) A description of the criteria used to deter-
2 mine what programs qualify as evidence-based and
3 promising programs under this title and title V and
4 a comprehensive list of those programs the Adminis-
5 trator has determined meet such criteria in both
6 rural and urban areas.

7 “(6) A description of funding provided to In-
8 dian tribes under this Act or for a juvenile delin-
9 quency or prevention program under the Tribal Law
10 and Order Act of 2010 (Public Law 111–211; 124
11 Stat. 2261), including direct Federal grants and
12 funding provided to Indian tribes through a State or
13 unit of local government.

14 “(7) An analysis and evaluation of the internal
15 controls at the Office of Juvenile Justice and Delin-
16 quency Prevention to determine if grantees are fol-
17 lowing the requirements of the Office of Juvenile
18 Justice and Delinquency Prevention grant programs
19 and what remedial action the Office of Juvenile Jus-
20 tice and Delinquency Prevention has taken to re-
21 cover any grant funds that are expended in violation
22 of the grant programs, including instances—

23 “(A) in which supporting documentation
24 was not provided for cost reports;

1 “(B) where unauthorized expenditures oc-
2 curred; or

3 “(C) where subrecipients of grant funds
4 were not compliant with program requirements.

5 “(8) An analysis and evaluation of the total
6 amount of payments made to grantees that the Of-
7 fice of Juvenile Justice and Delinquency Prevention
8 recouped from grantees that were found to be in vio-
9 lation of policies and procedures of the Office of Ju-
10 venile Justice and Delinquency Prevention grant
11 programs, including—

12 “(A) the full name and location of the
13 grantee;

14 “(B) the violation of the program found;

15 “(C) the amount of funds sought to be re-
16 couped by the Office of Juvenile Justice and
17 Delinquency Prevention; and

18 “(D) the actual amount recouped by the
19 Office of Juvenile Justice and Delinquency Pre-
20 vention.”.

21 **SEC. 204. ALLOCATION OF FUNDS.**

22 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
23 the Juvenile Justice and Delinquency Prevention Act of
24 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
25 percent” and inserting “5 percent”.

1 (b) OTHER ALLOCATIONS.—Section 222 of the Juve-
2 nile Justice and Delinquency Prevention Act of 1974 (42
3 U.S.C. 5632) is amended—

4 (1) in subsection (a)—

5 (A) in paragraph (1), by striking “age
6 eighteen” and inserting “18 years of age, based
7 on the most recent data available from the Bu-
8 reau of the Census”; and

9 (B) by striking paragraphs (2) and (3) and
10 inserting the following:

11 “(2)(A) If the aggregate amount appropriated for a
12 fiscal year to carry out this title is less than \$75,000,000,
13 then—

14 “(i) the amount allocated to each State other
15 than a State described in clause (ii) for that fiscal
16 year shall be not less than \$400,000; and

17 “(ii) the amount allocated to the United States
18 Virgin Islands, Guam, American Samoa, and the
19 Commonwealth of the Northern Mariana Islands for
20 that fiscal year shall be not less than \$75,000.

21 “(B) If the aggregate amount appropriated for a fis-
22 cal year to carry out this title is not less than
23 \$75,000,000, then—

1 “(i) the amount allocated to each State other
2 than a State described in clause (ii) for that fiscal
3 year shall be not less than \$600,000; and

4 “(ii) the amount allocated to the United States
5 Virgin Islands, Guam, American Samoa, and the
6 Commonwealth of the Northern Mariana Islands for
7 that fiscal year shall be not less than \$100,000.”;

8 (2) in subsection (c), by striking “efficient ad-
9 ministration, including monitoring, evaluation, and
10 one full-time staff position” and inserting “effective
11 and efficient administration of funds, including the
12 designation of not less than one individual who shall
13 coordinate efforts to achieve and sustain compliance
14 with the core requirements and certify whether the
15 State is in compliance with such requirements”; and

16 (3) in subsection (d), by striking “5 per centum
17 of the minimum” and inserting “not more than 5
18 percent of the”.

19 **SEC. 205. STATE PLANS.**

20 Section 223 of the Juvenile Justice and Delinquency
21 Prevention Act of 1974 (42 U.S.C. 5633) is amended—

22 (1) in subsection (a)—

23 (A) in the matter preceding paragraph (1),
24 by striking “and shall describe the status of
25 compliance with State plan requirements.” and

1 inserting “and shall describe how the State plan
2 is supported by or takes account of scientific
3 knowledge regarding adolescent development
4 and behavior and regarding the effects of delin-
5 quency prevention programs and juvenile justice
6 interventions on adolescents. Not later than 60
7 days after the date on which a plan or amended
8 plan submitted under this subsection is final-
9 ized, a State shall make the plan or amended
10 plan publicly available by posting the plan or
11 amended plan on the State’s publicly available
12 website.”;

13 (B) in paragraph (1), by striking “de-
14 scribed in section 299(c)(1)” and inserting “as
15 designated by the chief executive officer of the
16 State”;

17 (C) in paragraph (3)—

18 (i) in subparagraph (A)—

19 (I) in clause (i), by inserting “ad-
20 olescent development,” after “con-
21 cerning”;

22 (II) in clause (ii)—

23 (aa) in subclause (II), by in-
24 serting “publicly supported court-
25 appointed legal counsel with ex-

1 perience representing juveniles in
2 delinquency proceedings,” after
3 “youth,”;

4 (bb) in subclause (III), by
5 striking “mental health, edu-
6 cation, special education” and in-
7 serting “child and adolescent
8 mental health, education, child
9 and adolescent substance abuse,
10 special education, services for
11 youth with disabilities”;

12 (cc) in subclause (V), by
13 striking “delinquents or potential
14 delinquents” and inserting “de-
15 linquent youth or youth at risk of
16 delinquency”;

17 (dd) in subclause (VI), by
18 striking “youth workers involved
19 with” and inserting “representa-
20 tives of”;

21 (ee) in subclause (VII), by
22 striking “and” at the end; and

23 (ff) by striking subclause
24 (VIII) and inserting the fol-
25 lowing:

1 “(VIII) persons, licensed or cer-
2 tified by the applicable State, with ex-
3 pertise and competence in preventing
4 and addressing mental health and
5 substance abuse needs in delinquent
6 youth and youth at risk of delin-
7 quency;

8 “(IX) representatives of victim or
9 witness advocacy groups, including at
10 least one individual with expertise in
11 addressing the challenges of sexual
12 abuse and exploitation and trauma,
13 particularly the needs of special popu-
14 lations who experience dispropor-
15 tionate levels of sexual abuse, exploi-
16 tation, and trauma before entering the
17 juvenile justice system; and

18 “(X) for a State in which one or
19 more Indian tribes are located, an In-
20 dian tribal representative or other in-
21 dividual with significant expertise in
22 tribal law enforcement and juvenile
23 justice in Indian tribal communities;”;

24 (III) in clause (iv), by striking
25 “24 at the time of appointment” and

1 inserting “28 at the time of initial ap-
2 pointment”; and

3 (IV) in clause (v) by inserting
4 “or, if not feasible and in appropriate
5 circumstances, who is the parent or
6 guardian of someone who has been or
7 is currently under the jurisdiction of
8 the juvenile justice system” after “ju-
9 venile justice system”;

10 (ii) in subparagraph (C), by striking
11 “30 days” and inserting “45 days”;

12 (iii) in subparagraph (D)—

13 (I) in clause (i), by striking
14 “and” at the end; and

15 (II) in clause (ii), by striking “at
16 least annually recommendations re-
17 garding State compliance with the re-
18 quirements of paragraphs (11), (12),
19 and (13)” and inserting “at least
20 every 2 years a report and necessary
21 recommendations regarding State
22 compliance with the core require-
23 ments”; and

24 (iv) in subparagraph (E)—

1 (I) in clause (i), by adding “and”
2 at the end; and

3 (II) in clause (ii), by striking the
4 period at the end and inserting a
5 semicolon;

6 (D) in paragraph (5)(C), by striking “In-
7 dian tribes” and all that follows through “appli-
8 cable to the detention and confinement of juve-
9 niles” and inserting “Indian tribes that agree
10 to attempt to comply with the core require-
11 ments applicable to the detention and confine-
12 ment of juveniles”;

13 (E) in paragraph (7)—

14 (i) in subparagraph (A), by striking
15 “performs law enforcement functions” and
16 inserting “has jurisdiction”; and

17 (ii) in subparagraph (B)—

18 (I) in clause (iii), by striking
19 “and” at the end; and

20 (II) by striking clause (iv) and
21 inserting the following:

22 “(iv) a plan to provide alternatives to
23 detention for status offenders, survivors of
24 commercial sexual exploitation, and others,
25 where appropriate, such as specialized or

1 problem-solving courts or diversion to
2 home-based or community-based services
3 or treatment for those youth in need of
4 mental health, substance abuse, or co-oc-
5 ccurring disorder services at the time such
6 juveniles first come into contact with the
7 juvenile justice system;

8 “(v) a plan to reduce the number of
9 children housed in secure detention and
10 corrections facilities who are awaiting
11 placement in residential treatment pro-
12 grams;

13 “(vi) a plan to engage family mem-
14 bers, where appropriate, in the design and
15 delivery of juvenile delinquency prevention
16 and treatment services, particularly post-
17 placement;

18 “(vii) a plan to use community-based
19 services to respond to the needs of at-risk
20 youth or youth who have come into contact
21 with the juvenile justice system;

22 “(viii) a plan to promote evidence-
23 based and trauma-informed programs and
24 practices; and

1 “(ix) not later than 1 year after the
2 date of enactment of the Supporting Youth
3 Opportunity and Preventing Delinquency
4 Act of 2016, a plan, which shall be imple-
5 mented not later than 2 years after the
6 date of enactment of the Supporting Youth
7 Opportunity and Preventing Delinquency
8 Act of 2016, to—

9 “(I) eliminate the use of re-
10 straints of known pregnant juveniles
11 housed in secure juvenile detention
12 and correction facilities, during labor,
13 delivery, and post-partum recovery,
14 unless credible, reasonable grounds
15 exist to believe the detainee presents
16 an immediate and serious threat of
17 hurting herself, staff, or others; and

18 “(II) eliminate the use of abdom-
19 inal restraints, leg and ankle re-
20 straints, wrist restraints behind the
21 back, and four-point restraints on
22 known pregnant juveniles, unless—

23 “(aa) credible, reasonable
24 grounds exist to believe the de-
25 tainee presents an immediate and

1 serious threat of hurting herself,
2 staff, or others; or

3 “(bb) reasonable grounds
4 exist to believe the detainee pre-
5 sents an immediate and credible
6 risk of escape that cannot be rea-
7 sonably minimized through any
8 other method;”;

9 (F) in paragraph (8), by striking “exist-
10 ing” and inserting “evidence-based and prom-
11 ising”;

12 (G) in paragraph (9)—

13 (i) in the matter preceding subpara-
14 graph (A), by inserting “, with priority in
15 funding given to entities meeting the cri-
16 teria for evidence-based or promising pro-
17 grams” after “used for”;

18 (ii) in subparagraph (A)—

19 (I) in clause (i)—

20 (aa) by inserting “status of-
21 fenders and other” before “youth
22 who need”; and

23 (bb) by striking “and” at
24 the end;

1 (II) in clause (ii) by adding
2 “and” at the end; and

3 (III) by inserting after clause (ii)
4 the following:

5 “(iii) for youth who are active or
6 former gang members, specialized intensive
7 and comprehensive services that address
8 the unique issues encountered by youth
9 when they become involved with gangs;”;

10 (iii) in subparagraph (B)(i)—

11 (I) by striking “parents and
12 other family members” and inserting
13 “status offenders, other youth, and
14 the parents and other family members
15 of such offenders and youth”; and

16 (II) by striking “be retained”
17 and inserting “remain”;

18 (iv) in subparagraph (E)—

19 (I) in the matter preceding clause
20 (i), by striking “delinquent” and in-
21 serting “at-risk or delinquent youth”;
22 and

23 (II) in clause (i), by inserting “,
24 including for truancy prevention and
25 reduction” before the semicolon;

1 (v) in subparagraph (F), in the mat-
2 ter preceding clause (i), by striking “ex-
3 panding” and inserting “programs to ex-
4 pand”;

5 (vi) by redesignating subparagraphs
6 (G) through (S) as subparagraphs (H)
7 through (T), respectively;

8 (vii) by inserting after subparagraph
9 (F), the following:

10 “(G) programs—

11 “(i) to ensure youth have access to
12 appropriate legal representation; and

13 “(ii) to expand access to publicly sup-
14 ported, court-appointed legal counsel who
15 are trained to represent juveniles in adju-
16 dication proceedings,

17 except that the State may not use more than 2
18 percent of the funds received under section 222
19 for these purposes;”;

20 (viii) in subparagraph (H), as so re-
21 designated, by striking “State,” each place
22 the term appears and inserting “State,
23 tribal,”;

24 (ix) in subparagraph (M), as so redesi-
25 gnated—

1 (I) in clause (i)—

2 (aa) by inserting “pre-adju-
3 dication and” before “post-adju-
4 dication”;

5 (bb) by striking “restraints”
6 and inserting “alternatives”; and

7 (cc) by inserting “specialized
8 or problem-solving courts,” after
9 “(including”;

10 (II) in clause (ii)—

11 (aa) by striking “by the pro-
12 vision by the Administrator”; and

13 (bb) by striking “to States”;

14 (x) in subparagraph (N), as redesig-
15 nated—

16 (I) by inserting “and reduce the
17 risk of recidivism” after “families”;
18 and

19 (II) by striking “so that such ju-
20 veniles may be retained in their
21 homes”;

22 (xi) in subparagraph (S), as so redesi-
23 gnated, by striking “and” at the end;

24 (xii) in subparagraph (T), as so redesi-
25 gnated—

1 (I) by inserting “or co-occurring
2 disorder” after “mental health”;

3 (II) by inserting “court-involved
4 or” before “incarcerated”;

5 (III) by striking “suspected to
6 be”;

7 (IV) by striking “and discharge
8 plans” and inserting “provision of
9 treatment, and development of dis-
10 charge plans”; and

11 (V) by striking the period at the
12 end and inserting a semicolon; and

13 (xiii) by inserting after subparagraph
14 (T) the following:

15 “(U) programs and projects designed—

16 “(i) to inform juveniles of the oppor-
17 tunity and process for sealing and
18 expunging juvenile records; and

19 “(ii) to assist juveniles in pursuing ju-
20 venile record sealing and expungements for
21 both adjudications and arrests not followed
22 by adjudications;

23 except that the State may not use more than 2
24 percent of the funds received under section 222
25 for these purposes;

1 “(V) programs that address the needs of
2 girls in or at risk of entering the juvenile justice
3 system, including pregnant girls, young moth-
4 ers, victims of sexual abuse, survivors of com-
5 mercial sexual exploitation or domestic child sex
6 trafficking, girls with disabilities, and girls of
7 color, including girls who are members of an In-
8 dian tribe; and

9 “(W) monitoring for compliance with the
10 core requirements and providing training and
11 technical assistance on the core requirements to
12 secure facilities;”;

13 (H) by striking paragraph (11) and insert-
14 ing the following:

15 “(11)(A) in accordance with rules issued by the
16 Administrator, provide that a juvenile shall not be
17 placed in a secure detention facility or a secure cor-
18 rectional facility, if—

19 “(i) the juvenile is charged with or has
20 committed an offense that would not be crimi-
21 nal if committed by an adult, excluding—

22 “(I) a juvenile who is charged with or
23 has committed a violation of section
24 922(x)(2) of title 18, United States Code,
25 or of a similar State law;

1 “(II) a juvenile who is charged with
2 or has committed a violation of a valid
3 court order issued and reviewed in accord-
4 ance with paragraph (23); and

5 “(III) a juvenile who is held in ac-
6 cordance with the Interstate Compact on
7 Juveniles as enacted by the State; or

8 “(ii) the juvenile—

9 “(I) is not charged with any offense;
10 and

11 “(II)(aa) is an alien; or

12 “(bb) is alleged to be dependent, ne-
13 glected, or abused; and

14 “(B) require that—

15 “(i) not later than 3 years after the date
16 of enactment of the Supporting Youth Oppor-
17 tunity and Preventing Delinquency Act of 2016,
18 unless a court finds, after a hearing and in
19 writing, that it is in the interest of justice, juve-
20 niles awaiting trial or other legal process who
21 are treated as adults for purposes of prosecu-
22 tion in criminal court and housed in a secure
23 facility—

24 “(I) shall not have sight or sound con-
25 tact with adult inmates; and

1 “(II) except as provided in paragraph
2 (13), may not be held in any jail or lockup
3 for adults;

4 “(ii) in determining under subparagraph
5 (A) whether it is in the interest of justice to
6 permit a juvenile to be held in any jail or lock-
7 up for adults, or have sight or sound contact
8 with adult inmates, a court shall consider—

9 “(I) the age of the juvenile;

10 “(II) the physical and mental matu-
11 rity of the juvenile;

12 “(III) the present mental state of the
13 juvenile, including whether the juvenile
14 presents an imminent risk of harm to the
15 juvenile;

16 “(IV) the nature and circumstances of
17 the alleged offense;

18 “(V) the juvenile’s history of prior de-
19 linquent acts;

20 “(VI) the relative ability of the avail-
21 able adult and juvenile detention facilities
22 to not only meet the specific needs of the
23 juvenile but also to protect the safety of
24 the public as well as other detained youth;
25 and

1 “(VII) any other relevant factor; and

2 “(iii) if a court determines under subpara-
3 graph (A) that it is in the interest of justice to
4 permit a juvenile to be held in any jail or lock-
5 up for adults—

6 “(I) the court shall hold a hearing not
7 less frequently than once every 30 days, or
8 in the case of a rural jurisdiction, not less
9 frequently than once every 45 days, to re-
10 view whether it is still in the interest of
11 justice to permit the juvenile to be so held
12 or have such sight or sound contact; and

13 “(II) the juvenile shall not be held in
14 any jail or lockup for adults, or permitted
15 to have sight or sound contact with adult
16 inmates, for more than 180 days, unless
17 the court, in writing, determines there is
18 good cause for an extension or the juvenile
19 expressly waives this limitation;”.

20 (I) in paragraph (12)(A), by striking “con-
21 tact” and inserting “sight or sound contact”;

22 (J) in paragraph (13), by striking “con-
23 tact” each place it appears and inserting “sight
24 or sound contact”;

25 (K) in paragraph (14)—

1 (i) by striking “adequate system” and
2 inserting “effective system”;

3 (ii) by inserting “lock-ups,” after
4 “monitoring jails,”;

5 (iii) by inserting “and” after “deten-
6 tion facilities,”;

7 (iv) by striking “, and non-secure fa-
8 cilities”;

9 (v) by striking “insure” and inserting
10 “ensure”;

11 (vi) by striking “requirements of
12 paragraphs (11), (12), and (13)” and in-
13 sserting “core requirements”; and

14 (vii) by striking “, in the opinion of
15 the Administrator,”;

16 (L) by striking paragraphs (22) and (27);

17 (M) by redesignating paragraph (28) as
18 paragraph (27);

19 (N) by redesignating paragraphs (15)
20 through (21) as paragraphs (16) through (22),
21 respectively;

22 (O) by inserting after paragraph (14) the
23 following:

24 “(15) implement policy, practice, and system
25 improvement strategies at the State, territorial,

1 local, and tribal levels, as applicable, to identify and
2 reduce racial and ethnic disparities among youth
3 who come into contact with the juvenile justice sys-
4 tem, without establishing or requiring numerical
5 standards or quotas, by—

6 “(A) establishing or designating existing
7 coordinating bodies, composed of juvenile jus-
8 tice stakeholders, (including representatives of
9 the educational system) at the State, local, or
10 tribal levels, to advise efforts by States, units of
11 local government, and Indian tribes to reduce
12 racial and ethnic disparities;

13 “(B) identifying and analyzing data on
14 race and ethnicity at all decision points in
15 State, local, or tribal juvenile justice systems to
16 determine which key points create racial and
17 ethnic disparities among youth who come into
18 contact with the juvenile justice system; and

19 “(C) developing and implementing a work
20 plan that includes measurable objectives for pol-
21 icy, practice, or other system changes, based on
22 the needs identified in the data collection and
23 analysis under subparagraph (B);”;

24 (P) in paragraph (16), as so redesignated,
25 by inserting “ethnicity,” after “race,”;

1 (Q) in paragraph (21), as so redesignated,
2 by striking “local,” each place the term appears
3 and inserting “local, tribal,”;

4 (R) in paragraph (23)—

5 (i) in subparagraphs (A), (B), and
6 (C), by striking “juvenile” each place it
7 appears and inserting “status offender”;

8 (ii) in subparagraph (B), by striking
9 “and” at the end;

10 (iii) in subparagraph (C)—

11 (I) in clause (i), by striking
12 “and” at the end;

13 (II) in clause (ii), by adding
14 “and” at the end; and

15 (III) by adding at the end the
16 following:

17 “(iii) if such court determines the sta-
18 tus offender should be placed in a secure
19 detention facility or correctional facility for
20 violating such order—

21 “(I) the court shall issue a writ-
22 ten order that—

23 “(aa) identifies the valid
24 court order that has been vio-
25 lated;

1 “(bb) specifies the factual
2 basis for determining that there
3 is reasonable cause to believe
4 that the status offender has vio-
5 lated such order;

6 “(cc) includes findings of
7 fact to support a determination
8 that there is no appropriate less
9 restrictive alternative available to
10 placing the status offender in
11 such a facility, with due consider-
12 ation to the best interest of the
13 juvenile;

14 “(dd) specifies the length of
15 time, not to exceed 7 days, that
16 the status offender may remain
17 in a secure detention facility or
18 correctional facility, and includes
19 a plan for the status offender’s
20 release from such facility; and

21 “(ee) may not be renewed or
22 extended; and

23 “(II) the court may not issue a
24 second or subsequent order described
25 in subclause (I) relating to a status

1 offender unless the status offender
2 violates a valid court order after the
3 date on which the court issues an
4 order described in subclause (I);” and
5 (iv) by adding at the end the fol-
6 lowing:

7 “(D) there are procedures in place to en-
8 sure that any status offender held in a secure
9 detention facility or correctional facility pursu-
10 ant to a court order described in this paragraph
11 does not remain in custody longer than 7 days
12 or the length of time authorized by the court,
13 whichever is shorter; and

14 “(E) not later than September 30, 2020
15 (with a 1-year extension for each additional fis-
16 cal year that a State can demonstrate hardship,
17 as determined by the State, and submits in
18 writing evidence of such hardship to the Admin-
19 istrator which shall be considered approved un-
20 less the Administrator justifies to the State in
21 writing that the hardship does not qualify for
22 an exemption), the State will eliminate the use
23 of valid court orders to provide secure confine-
24 ment of status offenders, except that juveniles
25 may be held in secure confinement in accord-

1 ance with the Interstate Compact for Juveniles
2 if the judge issues a written order that—

3 “(i) specifies the factual basis to be-
4 lieve that the State has the authority to
5 detain the juvenile under the terms of the
6 Interstate Compact for Juveniles;

7 “(ii) includes findings of fact to sup-
8 port a determination that there is no ap-
9 propriate less restrictive alternative avail-
10 able to placing the juvenile in such a facil-
11 ity, with due consideration to the best in-
12 terest of the juvenile;

13 “(iii) specifies the length of time a ju-
14 venile may remain in secure confinement,
15 not to exceed 15 days, and includes a plan
16 for the return of the juvenile to the home
17 State of the juvenile; and

18 “(iv) may not be renewed or ex-
19 tended;”;

20 (S) in paragraph (26)—

21 (i) by inserting “and in accordance
22 with confidentiality concerns,” after “max-
23 imum extent practicable,”; and

1 (ii) by striking the semicolon at the
2 end and inserting the following: “, so as to
3 provide for—

4 “(A) data in child abuse or neglect reports
5 relating to juveniles entering the juvenile justice
6 system with a prior reported history of arrest,
7 court intake, probation and parole, juvenile de-
8 tention, and corrections; and

9 “(B) a plan to use the data described in
10 subparagraph (A) to provide necessary services
11 for the treatment of such victims of child abuse
12 or neglect;”;

13 (T) in paragraph (27), as so redesignated,
14 by striking the period at the end and inserting
15 a semicolon; and

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

17 “(28) provide for the coordinated use of funds
18 provided under this title with other Federal and
19 State funds directed at juvenile delinquency preven-
20 tion and intervention programs;

21 “(29) describe the policies, procedures, and
22 training in effect for the staff of juvenile State cor-
23 rectional facilities to eliminate the use of dangerous
24 practices, unreasonable restraints, and unreasonable

1 isolation, including by developing effective behavior
2 management techniques;

3 “(30) describe—

4 “(A) the evidence-based methods that will
5 be used to conduct mental health and substance
6 abuse screening, assessment, referral, and
7 treatment for juveniles who—

8 “(i) request a screening;

9 “(ii) show signs of needing a screen-
10 ing; or

11 “(iii) are held for a period of more
12 than 24 hours in a secure facility that pro-
13 vides for an initial screening; and

14 “(B) how the State will seek, to the extent
15 practicable, to provide or arrange for mental
16 health and substance abuse disorder treatment
17 for juveniles determined to be in need of such
18 treatment;

19 “(31) describe how reentry planning by the
20 State for juveniles will include—

21 “(A) a written case plan based on an as-
22 sessment of needs that includes—

23 “(i) the pre-release and post-release
24 plans for the juveniles;

1 “(ii) the living arrangement to which
2 the juveniles are to be discharged; and

3 “(iii) any other plans developed for
4 the juveniles based on an individualized as-
5 sessment; and

6 “(B) review processes;

7 “(32) provide an assurance that the agency of
8 the State receiving funds under this title collaborates
9 with the State educational agency receiving assist-
10 ance under part A of title I of the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C. 6311
12 et seq.) to develop and implement a plan to ensure
13 that, in order to support educational progress—

14 “(A) the student records of adjudicated ju-
15 veniles, including electronic records if available,
16 are transferred in a timely manner from the
17 educational program in the juvenile detention or
18 secure treatment facility to the educational or
19 training program into which the juveniles will
20 enroll;

21 “(B) the credits of adjudicated juveniles
22 are transferred; and

23 “(C) adjudicated juveniles receive full or
24 partial credit toward high school graduation for
25 secondary school coursework satisfactorily com-

1 pleted before and during the period of time dur-
2 ing which the juveniles are held in custody, re-
3 gardless of the local educational agency or enti-
4 ty from which the credits were earned; and
5 “(33) describe policies and procedures to—

6 “(A) screen for, identify, and document in
7 records of the State the identification of victims
8 of domestic human trafficking, or those at risk
9 of such trafficking, upon intake; and

10 “(B) divert youth described in subpara-
11 graph (A) to appropriate programs or services,
12 to the extent practicable.”;

13 (2) by amending subsection (c) to read as fol-
14 lows:

15 “(c)(1) If a State fails to comply with any of the core
16 requirements in any fiscal year, then—

17 “(A) subject to subparagraph (B), the amount
18 allocated to such State under section 222 for the
19 subsequent fiscal year shall be reduced by not less
20 than 20 percent for each core requirement with re-
21 spect to which the failure occurs; and

22 “(B) the State shall be ineligible to receive any
23 allocation under such section for such fiscal year un-
24 less—

1 “(i) the State agrees to expend 50 percent
2 of the amount allocated to the State for such
3 fiscal year to achieve compliance with any such
4 core requirement with respect to which the
5 State is in noncompliance; or

6 “(ii) the Administrator determines that the
7 State—

8 “(I) has achieved substantial compli-
9 ance with such applicable requirements
10 with respect to which the State was not in
11 compliance; and

12 “(II) has made, through appropriate
13 executive or legislative action, an unequivocal
14 commitment to achieving full compli-
15 ance with such applicable requirements
16 within a reasonable time.

17 “(2) Of the total amount of funds not allocated for
18 a fiscal year under paragraph (1)—

19 “(A) 50 percent of the unallocated funds shall
20 be reallocated under section 222 to States that have
21 not failed to comply with the core requirements; and

22 “(B) 50 percent of the unallocated funds shall
23 be used by the Administrator to provide additional
24 training and technical assistance to States for the

1 purpose of promoting compliance with the core re-
2 quirements.”;

3 (3) in subsection (d)—

4 (A) by striking “described in paragraphs
5 (11), (12), (13), and (22) of subsection (a)”
6 and inserting “described in the core require-
7 ments”; and

8 (B) by striking “the requirements under
9 paragraphs (11), (12), (13), and (22) of sub-
10 section (a)” and inserting “the core require-
11 ments”;

12 (4) in subsection (f)(2)—

13 (A) by striking subparagraph (A); and

14 (B) by redesignating subparagraphs (B)
15 through (E) as subparagraphs (A) through (D),
16 respectively; and

17 (5) by adding at the end the following:

18 “(g) COMPLIANCE DETERMINATION.—

19 “(1) IN GENERAL.—For each fiscal year, the
20 Administrator shall make a determination regarding
21 whether each State receiving a grant under this title
22 is in compliance or out of compliance with respect to
23 each of the core requirements.

24 “(2) REPORTING.—The Administrator shall—

25 “(A) issue an annual public report—

1 “(i) describing any determination de-
2 scribed in paragraph (1) made during the
3 previous year, including a summary of the
4 information on which the determination is
5 based and the actions to be taken by the
6 Administrator (including a description of
7 any reduction imposed under subsection
8 (c)); and

9 “(ii) for any such determination that
10 a State is out of compliance with any of
11 the core requirements, describing the basis
12 for the determination; and

13 “(B) make the report described in sub-
14 paragraph (A) available on a publicly available
15 website.

16 “(3) DETERMINATIONS REQUIRED.—The Ad-
17 ministrator may not—

18 “(A) determine that a State is ‘not out of
19 compliance’, or issue any other determination
20 not described in paragraph (1), with respect to
21 any core requirement; or

22 “(B) otherwise fail to make the compliance
23 determinations required under paragraph (1).”.

1 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**
2 **TION BLOCK GRANT PROGRAM.**

3 Part C of title II of the Juvenile Justice and Delin-
4 quency Prevention Act of 1974 (42 U.S.C. 5651 et seq.)
5 is repealed.

6 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL**
7 **ANALYSES; INFORMATION DISSEMINATION.**

8 Section 251 of the Juvenile Justice and Delinquency
9 Prevention Act of 1974 (42 U.S.C. 5661) is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking “may” and inserting
14 “shall”;

15 (ii) in subparagraph (A), by striking
16 “plan and identify” and inserting “annu-
17 ally publish a plan to identify”; and

18 (iii) in subparagraph (B)—

19 (I) by striking clause (iii) and in-
20 serting the following:

21 “(iii) successful efforts to prevent status
22 offenders and first-time minor offenders from
23 subsequent involvement with the juvenile justice
24 and criminal justice systems;”;

25 (II) by striking clause (vii) and
26 inserting the following:

1 “(vii) the prevalence and duration of be-
2 havioral health needs (including mental health,
3 substance abuse, and co-occurring disorders)
4 among juveniles pre-placement and post-place-
5 ment in the juvenile justice system, including
6 an examination of the effects of secure confine-
7 ment;”;

8 (III) by redesignating clauses
9 (ix), (x), and (xi) as clauses (xvi),
10 (xvii), and (xviii), respectively; and

11 (IV) by inserting after clause
12 (viii) the following:

13 “(ix) training efforts and reforms that
14 have produced reductions in or elimination of
15 the use of dangerous practices;

16 “(x) methods to improve the recruitment,
17 selection, training, and retention of professional
18 personnel who are focused on the prevention,
19 identification, and treatment of delinquency;

20 “(xi) methods to improve the identification
21 and response to victims of domestic child sex
22 trafficking within the juvenile justice system;

23 “(xii) identifying positive outcome meas-
24 ures, such as attainment of employment and
25 educational degrees, that States and units of

1 local government should use to evaluate the
2 success of programs aimed at reducing recidi-
3 vism of youth who have come in contact with
4 the juvenile justice system or criminal justice
5 system;

6 “(xiii) evaluating the impact and outcomes
7 of the prosecution and sentencing of juveniles
8 as adults;

9 “(xiv) evaluating the impact of fines, fees,
10 and other costs assessed by the juvenile justice
11 system on the long-term disposition of status
12 offenders and other juveniles;

13 “(xiv) successful and cost-effective efforts
14 by States and units of local government to re-
15 duce recidivism through policies that provide for
16 consideration of appropriate alternative sanc-
17 tions to incarceration of youth facing nonviolent
18 charges, while ensuring that public safety is
19 preserved;” and

20 (B) in paragraph (4)—

21 (i) in the matter preceding subpara-
22 graph (A)—

23 (I) by striking “date of enact-
24 ment of this paragraph, the” and in-
25 serting “date of enactment of the

1 Supporting Youth Opportunity and
2 Preventing Delinquency Act of 2016,
3 the”; and

4 (II) by inserting “in accordance
5 with relevant confidentiality require-
6 ments” after “wards of the State”;

7 (ii) in subparagraph (D), by inserting
8 “and Indian tribes” after “State”;

9 (iii) in subparagraph (F), by striking
10 “and” at the end;

11 (iv) in subparagraph (G), by striking
12 the period at the end and inserting a semi-
13 colon; and

14 (v) by adding at the end the following:

15 “(H) a description of the best practices in dis-
16 charge planning; and

17 “(I) an assessment of living arrangements for
18 juveniles who, upon release from confinement in a
19 State correctional facility, cannot return to the resi-
20 dence they occupied prior to such confinement.”;

21 (2) in subsection (b), in the matter preceding
22 paragraph (1), by striking “may” and inserting
23 “shall”; and

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

1 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
2 istrator, in accordance with applicable confidentiality re-
3 quirements and in consultation with experts in the field
4 of juvenile justice research, recidivism, and data collection,
5 shall—

6 “(1) establish a uniform method of data collec-
7 tion and technology that States may use to evaluate
8 data on juvenile recidivism on an annual basis;

9 “(2) establish a common national juvenile re-
10 cidivism measurement system; and

11 “(3) make cumulative juvenile recidivism data
12 that is collected from States available to the pub-
13 lic.”.

14 **SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.**

15 Section 252 of the Juvenile Justice and Delinquency
16 Prevention Act of 1974 (42 U.S.C. 5662) is amended—

17 (1) in subsection (a)—

18 (A) in the matter preceding paragraph (1),
19 by striking “may”;

20 (B) in paragraph (1)—

21 (i) by inserting “shall” before “de-
22 velop and carry out projects”; and

23 (ii) by striking “and” after the semi-
24 colon;

25 (C) in paragraph (2)—

1 (i) by inserting “may” before “make
2 grants to and contracts with”; and

3 (ii) by striking the period at the end
4 and inserting “; and”; and

5 (D) by adding at the end the following:

6 “(3) shall provide periodic training for States
7 regarding implementation of the core requirements,
8 current protocols and best practices for achieving
9 and monitoring compliance, and information sharing
10 regarding relevant Office resources on evidence-
11 based and promising programs or practices that pro-
12 mote the purposes of this Act.”;

13 (2) in subsection (b)—

14 (A) in the matter preceding paragraph (1),
15 by striking “may”;

16 (B) in paragraph (1)—

17 (i) by inserting “shall” before “de-
18 velop and implement projects”;

19 (ii) by inserting “, including compli-
20 ance with the core requirements” after
21 “this title”; and

22 (iii) by striking “and” at the end;

23 (C) in paragraph (2)—

24 (i) by inserting “may” before “make
25 grants to and contracts with”; and

1 (ii) by striking the period at the end
2 and inserting a semicolon; and

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

4 “(3) shall provide technical assistance to States
5 and units of local government on achieving compli-
6 ance with the amendments to the core requirements
7 and State Plans made by the Supporting Youth Op-
8 portunity and Preventing Delinquency Act of 2016,
9 including training and technical assistance and,
10 when appropriate, pilot or demonstration projects in-
11 tended to develop and replicate best practices for
12 achieving sight and sound separation in facilities or
13 portions of facilities that are open and available to
14 the general public and that may or may not contain
15 a jail or a lock-up; and

16 “(4) shall provide technical assistance to States
17 in support of efforts to establish partnerships be-
18 tween a State and a university, institution of higher
19 education, or research center designed to improve
20 the recruitment, selection, training, and retention of
21 professional personnel in the fields of medicine, law
22 enforcement, the judiciary, juvenile justice, social
23 work and child protection, education, and other rel-
24 evant fields who are engaged in, or intend to work

1 in, the field of prevention, identification, and treat-
2 ment of delinquency.”;

3 (3) in subsection (c)—

4 (A) by inserting “prosecutors,” after “pub-
5 lic defenders,”; and

6 (B) by inserting “status offenders and”
7 after “needs of”; and

8 (4) by adding at the end the following:

9 “(d) BEST PRACTICES REGARDING LEGAL REP-
10 RESENTATION OF CHILDREN.—In consultation with ex-
11 perts in the field of juvenile defense, the Administrator
12 shall—

13 “(1) share best practices, which may include
14 sharing standards of practice developed by recog-
15 nized entities in the profession, for attorneys rep-
16 resenting children; and

17 “(2) provide a State, if it so requests, technical
18 assistance to implement any of the best practices
19 shared under paragraph (1).

20 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR
21 LOCAL AND STATE JUVENILE DETENTION AND CORREC-
22 TIONS PERSONNEL.—The Administrator shall coordinate
23 training and technical assistance programs with juvenile
24 detention and corrections personnel of States and units
25 of local government—

1 “(1) to promote methods for improving condi-
2 tions of juvenile confinement, including methods that
3 are designed to minimize the use of dangerous prac-
4 tices, unreasonable restraints, and isolation and
5 methods responsive to cultural differences; and

6 “(2) to encourage alternative behavior manage-
7 ment techniques based on positive youth develop-
8 ment approaches, which may include policies and
9 procedures to train personnel to be culturally com-
10 petent.

11 “(f) TRAINING AND TECHNICAL ASSISTANCE TO
12 SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE
13 TREATMENT INCLUDING HOME-BASED OR COMMUNITY-
14 BASED CARE.—The Administrator shall provide training
15 and technical assistance, in conjunction with the appro-
16 priate public agencies, to individuals involved in making
17 decisions regarding the disposition and management of
18 cases for youth who enter the juvenile justice system about
19 the appropriate services and placement for youth with
20 mental health or substance abuse needs, including—

21 “(1) juvenile justice intake personnel;

22 “(2) probation officers;

23 “(3) juvenile court judges and court services
24 personnel;

1 “(4) prosecutors and court-appointed counsel;
2 and

3 “(5) family members of juveniles and family ad-
4 vocates.

5 “(g) TRAINING AND TECHNICAL ASSISTANCE TO
6 SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.—
7 The Attorney General, acting through the Office of Juve-
8 nile Justice and Delinquency Prevention and the Office
9 of Justice Programs, shall provide training and technical
10 assistance, in conjunction with the appropriate public
11 agencies, to enhance the capacity of State and local courts,
12 judges, and related judicial personnel to—

13 “(1) improve the lives of children currently in-
14 volved in or at risk of being involved in the juvenile
15 court system; and

16 “(2) carry out the requirements of this Act.

17 “(h) FREE AND REDUCED PRICE SCHOOL LUNCHES
18 FOR INCARCERATED JUVENILES.—The Attorney General,
19 in consultation with the Secretary of Agriculture, shall
20 provide guidance to States relating to existing options for
21 school food authorities in the States to apply for reim-
22 bursement for free or reduced price lunches under the
23 Richard B. Russell National School Lunch Act (42 U.S.C.
24 1751 et seq.) for juveniles who are incarcerated and

1 would, if not incarcerated, be eligible for free or reduced
2 price lunches under that Act.”.

3 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 299 of the Juvenile Justice and Delinquency
5 Prevention Act of 1974 (42 U.S.C. 5672) is amended—

6 (1) by striking subsections (b) and (c), and re-
7 designating subsection (d) as subsection (b);

8 (2) in subsection (a)—

9 (A) in the matter preceding paragraph (1),
10 by striking “(EXCLUDING PARTS C AND E)”;

11 (B) by striking paragraph (1) and insert-
12 ing the following:

13 “(1) There are authorized to be appropriated to carry
14 out this title—

15 “(A) \$76,125,000 for fiscal year 2018;

16 “(B) \$76,125,000 for fiscal year 2019;

17 “(C) \$77,266,875 for fiscal year 2020;

18 “(D) \$78,425,878 for fiscal year 2021; and

19 “(E) \$79,602,266 for fiscal year 2022.”; and

20 (C) in paragraph (2)—

21 (i) in the matter preceding subpara-
22 graph (A), by striking “(other than parts
23 C and E)”;

24 (ii) in subparagraph (C), by striking
25 “part D” and inserting “parts D and E”.

1 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

2 Section 299A of the Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5672) is
4 amended—

5 (1) in subsection (d)—

6 (A) by inserting “(1)” before “The Admin-
7 istrator”;

8 (B) by striking “, after appropriate con-
9 sultation with representatives of States and
10 units of local government,”;

11 (C) by inserting “guidance,” after “regula-
12 tions,”; and

13 (D) by adding at the end the following: “In
14 developing guidance and procedures, the Ad-
15 ministrator shall consult with representatives of
16 States and units of local government, including
17 those individuals responsible for administration
18 of this Act and compliance with the core re-
19 quirements.

20 “(2) The Administrator shall ensure that—

21 “(A) reporting, compliance reporting, State
22 plan requirements, and other similar documentation
23 as may be required from States is requested in a
24 manner that respects confidentiality, encourages effi-
25 ciency and reduces the duplication of reporting ef-
26 forts; and

1 “(B) States meeting all the core requirements
2 are encouraged to experiment with offering innova-
3 tive, data-driven programs designed to further im-
4 prove the juvenile justice system.”; and

5 (2) in subsection (e), by striking “requirements
6 described in paragraphs (11), (12), and (13) of sec-
7 tion 223(a)” and inserting “core requirements”.

8 **TITLE III—INCENTIVE GRANTS**
9 **FOR LOCAL DELINQUENCY**
10 **PREVENTION PROGRAMS**

11 **SEC. 301. SHORT TITLE.**

12 Section 501 of the Incentive Grants for Local Delin-
13 quency Prevention Programs Act of 2002 (42 U.S.C. 5601
14 note) is amended—

15 (1) by inserting “Youth Promise” before “In-
16 centive Grants”; and

17 (2) by striking “2002” and inserting “2016”.

18 **SEC. 302. DEFINITIONS.**

19 Section 502 of the Incentive Grants for Local Delin-
20 quency Prevention Programs Act of 2002 (42 U.S.C.
21 5781) is amended to read as follows:

22 **“SEC. 502. DEFINITIONS.**

23 “In this title—

24 “(1) the term ‘eligible entity’ means—

1 “(A) a unit of local government that is in
2 compliance with the requirements of part B of
3 title II; or

4 “(B) a nonprofit organization in partner-
5 ship with a unit of local government described
6 in subparagraph (A);

7 “(2) the term ‘local policy board’, when used
8 with respect to an eligible entity, means a policy
9 board that the eligible entity will engage in the de-
10 velopment of the eligible entity’s plan described in
11 section 504(e)(5), and that includes—

12 “(A) not fewer than 15 and not more than
13 21 members; and

14 “(B) a balanced representation of—

15 “(i) public agencies and private non-
16 profit organizations serving juveniles and
17 their families; and

18 “(ii) business and industry;

19 “(C) at least one representative of the
20 faith community, one adjudicated youth, and
21 one parent of an adjudicated youth; and

22 “(D) in the case of an eligible entity de-
23 scribed in paragraph (1)(B), a representative of
24 the nonprofit organization of the eligible entity;

1 “(3) the term ‘mentoring’ means matching one
2 adult with one or more youths for the purpose of
3 providing guidance, support, and encouragement
4 through regularly scheduled meetings for not less
5 than 9 months;

6 “(4) the term ‘juvenile delinquency program’
7 means a juvenile delinquency program that is evi-
8 dence-based or promising and that may include—

9 “(A) alcohol and substance abuse preven-
10 tion services;

11 “(B) tutoring and remedial education, es-
12 pecially in reading and mathematics;

13 “(C) child and adolescent health and men-
14 tal health services;

15 “(D) recreation services;

16 “(E) leadership and youth development ac-
17 tivities;

18 “(F) the teaching that individuals are and
19 should be held accountable for their actions;

20 “(G) assistance in the development of job
21 training skills;

22 “(H) youth mentoring programs;

23 “(I) after-school programs;

24 “(J) coordination of a continuum of serv-
25 ices, which may include—

- 1 “(i) early childhood development serv-
2 ices;
- 3 “(ii) voluntary home visiting pro-
4 grams;
- 5 “(iii) nurse-family partnership pro-
6 grams;
- 7 “(iv) parenting skills training;
- 8 “(v) child abuse prevention programs;
- 9 “(vi) family stabilization programs;
- 10 “(vii) child welfare services;
- 11 “(viii) family violence intervention
12 programs;
- 13 “(ix) adoption assistance programs;
- 14 “(x) emergency, transitional and per-
15 manent housing assistance;
- 16 “(xi) job placement and retention
17 training;
- 18 “(xii) summer jobs programs;
- 19 “(xiii) alternative school resources for
20 youth who have dropped out of school or
21 demonstrate chronic truancy;
- 22 “(xiv) conflict resolution skill training;
- 23 “(xv) restorative justice programs;
- 24 “(xvi) mentoring programs;

1 “(xvii) targeted gang prevention,
2 intervention and exit services;

3 “(xviii) training and education pro-
4 grams for pregnant teens and teen par-
5 ents; and

6 “(xix) pre-release, post-release, and
7 reentry services to assist detained and in-
8 carcerated youth with transitioning back
9 into and reentering the community; and

10 “(K) other data-driven evidence-based or
11 promising prevention programs;

12 “(5) the term ‘State advisory group’ means the
13 advisory group appointed by the chief executive offi-
14 cer of a State under a plan described in section
15 223(a); and

16 “(6) the term ‘State entity’ means the State
17 agency designated under section 223(a)(1) or the en-
18 tity receiving funds under section 223(d).”.

19 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**
20 **TRATOR.**

21 Section 503 of the Incentive Grants for Local Delin-
22 quency Prevention Programs Act of 2002 (42 U.S.C.
23 5782) is amended—

24 (1) by striking paragraph (1); and

1 (2) by redesignating paragraphs (2) through
2 (4) as paragraphs (1) through (3), respectively.

3 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**
4 **GRAMS.**

5 Section 504 of the Incentive Grants for Local Delin-
6 quency Prevention Programs Act of 2002 (42 U.S.C. 5781
7 et seq.) is amended to read as follows:

8 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**
9 **TION PROGRAMS.**

10 “(a) PURPOSE.—The purpose of this section is to en-
11 able local communities to address the unmet needs of
12 youth who are involved in, or are at risk of involvement
13 in, juvenile delinquency or gang activity, including through
14 a continuum of delinquency prevention programs for juve-
15 niles who have had contact with the juvenile justice system
16 or who are likely to have contact with the juvenile justice
17 system.

18 “(b) PROGRAM AUTHORIZED.—The Administrator
19 shall—

20 “(1) for each fiscal year for which less than
21 \$25,000,000 is appropriated under section 506,
22 award grants to not fewer than three State entities,
23 but not more than five State entities, that apply
24 under subsection (c) and meet the requirements of
25 subsection (d); or

1 “(2) for each fiscal year for which \$25,000,000
2 or more is appropriated under section 506, award
3 grants to not fewer than five State entities that
4 apply under subsection (c) and meet the require-
5 ments of subsection (d).

6 “(c) STATE APPLICATION.—To be eligible to receive
7 a grant under this section, a State entity shall submit an
8 application to the Administrator, which includes the fol-
9 lowing:

10 “(1) An assurance the State entity will use—

11 “(A) not more than 10 percent of such
12 grant, in the aggregate—

13 “(i) for the costs incurred by the
14 State entity to carry out this section, ex-
15 cept that not more than 3 percent of such
16 grant may be used for such costs; and

17 “(ii) to provide technical assistance to
18 eligible entities receiving a subgrant under
19 subsection (e) in carrying out juvenile de-
20 linquency programs under the subgrant;
21 and

22 “(B) the remainder of such grant to award
23 subgrants to eligible entities under subsection
24 (e).

1 “(2) An assurance that such grant will supple-
2 ment, and not supplant, State and local efforts to
3 prevent juvenile delinquency.

4 “(3) An assurance the State entity will evaluate
5 the capacity of eligible entities receiving a subgrant
6 under subsection (e) to fulfill the requirements
7 under such subsection.

8 “(4) An assurance that such application was
9 prepared after consultation with, and participation
10 by, the State advisory group, units of local govern-
11 ment, community-based organizations, and organiza-
12 tions that carry out programs, projects, or activities
13 to prevent juvenile delinquency in the local juvenile
14 justice system served by the State entity.

15 “(d) APPROVAL OF STATE APPLICATIONS.—In
16 awarding grants under this section for a fiscal year, the
17 Administrator may not award a grant to a State entity
18 for a fiscal year unless—

19 “(1)(A) the State that will be served by the
20 State entity submitted a plan under section 223 for
21 such fiscal year; and

22 “(B) such plan is approved by the Adminis-
23 trator for such fiscal year; or

1 “(2) after finding good cause for a waiver, the
2 Administrator waives the plan required under sub-
3 paragraph (A) for such State for such fiscal year.

4 “(e) SUBGRANT PROGRAM.—

5 “(1) PROGRAM AUTHORIZED.—

6 “(A) IN GENERAL.—Each State entity re-
7 ceiving a grant under this section shall award
8 subgrants to eligible entities in accordance with
9 this subsection.

10 “(B) PRIORITY.—In awarding subgrants
11 under this subsection, the State entity shall give
12 priority to eligible entities that demonstrate
13 ability in—

14 “(i) plans for service and agency co-
15 ordination and collaboration including the
16 collocation of services;

17 “(ii) innovative ways to involve the
18 private nonprofit and business sector in de-
19 linquency prevention activities;

20 “(iii) developing data-driven preven-
21 tion plans, employing evidence-based pre-
22 vention strategies, and conducting program
23 evaluations to determine impact and effec-
24 tiveness;

1 “(iv) identifying under the plan sub-
2 mitted under paragraph (5) potential sav-
3 ings and efficiencies associated with suc-
4 cessful implementation of such plan; and

5 “(v) describing how such savings and
6 efficiencies may be used to carry out delin-
7 quency prevention programs and be rein-
8 vested in the continuing implementation of
9 such programs after the end of the
10 subgrant period.

11 “(C) SUBGRANT PROGRAM PERIOD AND DI-
12 VERSITY OF PROJECTS.—

13 “(i) PROGRAM PERIOD.—A subgrant
14 awarded to an eligible entity by a State en-
15 tity under this section shall be for a period
16 of not more than 5 years, of which the eli-
17 gible entity—

18 “(I) may use not more than 18
19 months for completing the plan sub-
20 mitted by the eligible entity under
21 paragraph (5); and

22 “(II) shall use the remainder of
23 the subgrant period, after planning
24 period described in subclause (I), for
25 the implementation of such plan.

1 “(ii) DIVERSITY OF PROJECTS.—In
2 awarding subgrants under this subsection,
3 a State entity shall ensure, to the extent
4 practicable and applicable, that such sub-
5 grants are distributed throughout different
6 areas, including urban, suburban, and
7 rural areas.

8 “(2) LOCAL APPLICATION.—An eligible entity
9 that desires a subgrant under this subsection shall
10 submit an application to the State entity in the
11 State of the eligible entity, at such time and in such
12 manner as determined by the State entity, and that
13 includes—

14 “(A) a description of—

15 “(i) the local policy board and local
16 partners the eligible entity will engage in
17 the development of the plan described in
18 paragraph (5);

19 “(ii) the unmet needs of youth in the
20 community who are or have been involved
21 in, or are at risk of being involved in juve-
22 nile delinquency or gang activity;

23 “(iii) available resources in the com-
24 munity to meet the unmet needs identified

1 in the needs assessment described in para-
2 graph (5)(A);

3 “(iv) potential costs to the community
4 if the unmet needs are not addressed;

5 “(B) a specific time period for the plan-
6 ning and subsequent implementation of its con-
7 tinuum of local delinquency prevention pro-
8 grams;

9 “(C) the steps the eligible entity will take
10 to implement the plan under subparagraph (A);
11 and

12 “(D) a plan to continue the grant activity
13 with non-Federal funds, if proven successful ac-
14 cording to the performance evaluation process
15 under paragraph (5)(D), after the grant period.

16 “(3) MATCHING REQUIREMENT.—An eligible
17 entity desiring a subgrant under this subsection
18 shall agree to provide a 50 percent match of the
19 amount of the subgrant, which may include the
20 value of in-kind contributions.

21 “(4) SUBGRANT REVIEW.—

22 “(A) REVIEW.—Not later than the end of
23 the second year of a subgrant period for a
24 subgrant awarded to an eligible entity under
25 this subsection and before awarding the remain-

1 ing amount of the subgrant to the eligible enti-
2 ty, the State entity shall—

3 “(i) ensure that the eligible entity has
4 completed the plan submitted under para-
5 graph (2) and that the plan meets the re-
6 quirements of such paragraph; and

7 “(ii) verify that the eligible entity will
8 begin the implementation of its plan upon
9 receiving the next installment of its
10 subgrant award.

11 “(B) TERMINATION.—If the State entity
12 finds through the review conducted under sub-
13 paragraph (A) that the eligible entity has not
14 met the requirements of clause (i) of such sub-
15 paragraph, the State entity shall reallocate the
16 amount remaining on the subgrant of the eligi-
17 ble entity to other eligible entities receiving a
18 subgrant under this subsection or award the
19 amount to an eligible entity during the next
20 subgrant competition under this subsection.

21 “(5) LOCAL USES OF FUNDS.—An eligible enti-
22 ty that receives a subgrant under this subsection
23 shall use the funds to implement a plan to carry out
24 delinquency prevention programs in the community
25 served by the eligible entity in a coordinated manner

1 with other delinquency prevention programs or enti-
2 ties serving such community, which includes—

3 “(A) an analysis of the unmet needs of
4 youth in the community who are or have been,
5 or are at risk of being, involved in juvenile de-
6 linquency or gang activity—

7 “(i) which shall include—

8 “(I) the available resources in the
9 community to meet the unmet needs;
10 and

11 “(II) factors present in the com-
12 munity that may contribute to delin-
13 quency, such as homelessness, food in-
14 security, teen pregnancy, youth unem-
15 ployment, family instability, lack of
16 educational opportunity; and

17 “(ii) may include an estimate—

18 “(I) for the most recent year for
19 which reliable data is available, the
20 amount expended by the community
21 and other entities for delinquency ad-
22 judication for juveniles and the incar-
23 ceration of adult offenders for of-
24 fenses committed in such community;
25 and

1 “(II) of potential savings and ef-
2 ficiencies that may be achieved
3 through the implementation of the
4 plan;

5 “(B) a minimum 3-year comprehensive
6 strategy to address the unmet needs and an es-
7 timate of the amount or percentage of non-Fed-
8 eral funds that are available to carry out the
9 strategy;

10 “(C) a description of how delinquency pre-
11 vention programs under the plan will be coordi-
12 nated;

13 “(D) a description of the performance eval-
14 uation process of the delinquency prevention
15 programs to be implemented under the plan,
16 which shall include performance measures to
17 assess efforts to address the unmet needs of
18 youth in the community analyzed under sub-
19 paragraph (A);

20 “(E) the evidence or promising evaluation
21 on which such delinquency prevention programs
22 are based; and

23 “(F) if such delinquency prevention pro-
24 grams are proven successful according to the
25 performance evaluation process under subpara-

1 graph (D), a strategy to continue such pro-
 2 grams after the subgrant period with non-Fed-
 3 eral funds, including a description of how any
 4 estimated savings or efficiencies created by the
 5 implementation of the plan may be used to con-
 6 tinue such programs.”.

7 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**
 8 **AND RESPONSE PROGRAMS.**

9 The Incentive Grants for Local Delinquency Preven-
 10 tion Programs Act of 2002 (42 U.S.C. 5781 et seq.) is
 11 amended by redesignating section 505 as section 506 and
 12 by inserting after section 504 the following:

13 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**
 14 **TION AND RESPONSE PROGRAMS.**

15 “(a) IN GENERAL.—The Administrator shall make
 16 grants under this section, on a competitive basis, to eligi-
 17 ble Indian tribes (or consortia of Indian tribes) as de-
 18 scribed in subsection (b)—

19 “(1) to support and enhance—

20 “(A) tribal juvenile delinquency prevention
 21 services; and

22 “(B) the ability of Indian tribes to respond
 23 to, and care for, juvenile offenders; and

24 “(2) to encourage accountability of Indian trib-
 25 al governments with respect to preventing juvenile

1 delinquency, and responding to, and caring for, juve-
2 nile offenders.

3 “(b) ELIGIBLE INDIAN TRIBES.—To be eligible to re-
4 ceive a grant under this section, an Indian tribe or consor-
5 tium of Indian tribes shall submit to the Administrator
6 an application in such form as the Administrator may re-
7 quire.

8 “(c) CONSIDERATIONS.—In providing grants under
9 this section, the Administrator shall take into consider-
10 ation, with respect to the Indian tribe to be served, the—

11 “(1) juvenile delinquency rates;

12 “(2) school dropout rates; and

13 “(3) number of youth at risk of delinquency.

14 “(d) AVAILABILITY OF FUNDS.—Of the amount ap-
15 propriated for a fiscal year to carry out this title, 11 per-
16 cent shall be available to carry out this section.”.

17 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 506, as redesignated by section 305, is
19 amended to read as follows:

20 **“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

21 “There are authorized to be appropriated to carry out
22 this title—

23 “(1) \$91,857,500 for fiscal year 2018;

24 “(2) \$91,857,500 for fiscal year 2019;

25 “(3) \$93,235,362 for fiscal year 2020;

1 “(4) \$94,633,892 for fiscal year 2021; and
2 “(5) \$96,053,401 for fiscal year 2022.”.

3 **SEC. 307. TECHNICAL AMENDMENT.**

4 Title V of the Juvenile Justice and Delinquency Pre-
5 vention Act of 1974 as enacted by Public Law 93-415 (88
6 Stat. 1133) (relating to miscellaneous and conforming
7 amendments) is repealed.

8 **TITLE IV—MISCELLANEOUS**
9 **PROVISIONS**

10 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
11 **OFFICE.**

12 (a) EVALUATION.—Not later than 1 year after the
13 date of enactment of this Act, the Comptroller General
14 of the United States shall—

15 (1) conduct a comprehensive analysis and eval-
16 uation regarding the performance of the Office of
17 Juvenile Justice and Delinquency Prevention (re-
18 ferred to in this section as “the agency”), its func-
19 tions, its programs, and its grants;

20 (2) conduct a comprehensive audit and evalua-
21 tion of a selected, sample of grantees (as determined
22 by the Comptroller General) that receive Federal
23 funds under grant programs administered by the
24 agency including a review of internal controls (as de-
25 fined in section 103 of the Juvenile Justice and De-

1 linquency Prevention Act of 1974 (42 U.S.C. 5603),
2 as amended by this Act) to prevent fraud, waste,
3 and abuse of funds by grantees; and

4 (3) submit a report in accordance with sub-
5 section (d).

6 (b) CONSIDERATIONS FOR EVALUATION.—In con-
7 ducting the analysis and evaluation under subsection
8 (a)(1), and in order to document the efficiency and public
9 benefit of the Juvenile Justice and Delinquency Preven-
10 tion Act of 1974 (42 U.S.C. 5601 et seq.), excluding the
11 Runaway and Homeless Youth Act (42 U.S.C. 5701 et
12 seq.) and the Missing Children’s Assistance Act (42
13 U.S.C. 5771 et seq.), the Comptroller General shall take
14 into consideration—

15 (1) the outcome and results of the programs
16 carried out by the agency and those programs ad-
17 ministered through grants by the agency;

18 (2) the extent to which the agency has complied
19 with the Government Performance and Results Act
20 of 1993 (Public Law 103–62; 107 Stat. 285);

21 (3) the extent to which the jurisdiction of, and
22 the programs administered by, the agency duplicate
23 or conflict with the jurisdiction and programs of
24 other agencies;

1 (4) the potential benefits of consolidating pro-
2 grams administered by the agency with similar or
3 duplicative programs of other agencies, and the po-
4 tential for consolidating those programs;

5 (5) whether less restrictive or alternative meth-
6 ods exist to carry out the functions of the agency
7 and whether current functions or operations are im-
8 peded or enhanced by existing statutes, rules, and
9 procedures;

10 (6) the number and types of beneficiaries or
11 persons served by programs carried out by the agen-
12 cy;

13 (7) the manner with which the agency seeks
14 public input and input from State and local govern-
15 ments on the performance of the functions of the
16 agency;

17 (8) the extent to which the agency complies
18 with section 552 of title 5, United States Code (com-
19 monly known as the Freedom of Information Act);

20 (9) whether greater oversight is needed of pro-
21 grams developed with grants made by the agency;
22 and

23 (10) the extent to which changes are necessary
24 in the authorizing statutes of the agency in order for

1 the functions of the agency to be performed in a
2 more efficient and effective manner.

3 (c) CONSIDERATIONS FOR AUDITS.—In conducting
4 the audit and evaluation under subsection (a)(2), and in
5 order to document the efficiency and public benefit of the
6 Juvenile Justice and Delinquency Prevention Act of 1974
7 (42 U.S.C. 5601 et seq.), excluding the Runaway and
8 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the
9 Missing Children’s Assistance Act (42 U.S.C. 5771 et
10 seq.), the Comptroller General shall take into consider-
11 ation—

12 (1) whether grantees timely file Financial Sta-
13 tus Reports;

14 (2) whether grantees have sufficient internal
15 controls to ensure adequate oversight of grant fund
16 received;

17 (3) whether disbursements were accompanied
18 with adequate supporting documentation (including
19 invoices and receipts);

20 (4) whether expenditures were authorized;

21 (5) whether subrecipients of grant funds were
22 complying with program requirements;

23 (6) whether salaries and fringe benefits of per-
24 sonnel were adequately supported by documentation;

1 (7) whether contracts were bid in accordance
2 with program guidelines; and

3 (8) whether grant funds were spent in accord-
4 ance with program goals and guidelines.

5 (d) REPORT.—

6 (1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this Act, the Comptroller
8 General of the United States shall—

9 (A) submit a report regarding the evalua-
10 tion conducted under subsection (a) and audit
11 under subsection (b), to the Speaker of the
12 House of Representatives and the President pro
13 tempore of the Senate; and

14 (B) make the report described in subpara-
15 graph (A) available to the public.

16 (2) CONTENTS.—The report submitted in ac-
17 cordance with paragraph (1) shall include all audit
18 findings determined by the selected, statistically sig-
19 nificant sample of grantees as required by subsection
20 (a)(2) and shall include the name and location of
21 any selected grantee as well as any findings required
22 by subsection (a)(2).

1 **SEC. 402. ACCOUNTABILITY AND OVERSIGHT.**

2 (a) IN GENERAL.—The Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5601 et seq.)
4 is amended by adding at the end the following:

5 **“TITLE VI—ACCOUNTABILITY**
6 **AND OVERSIGHT**

7 **“SEC. 601. ACCOUNTABILITY AND OVERSIGHT.**

8 “(a) SENSE OF CONGRESS.—It is the sense of Con-
9 gress that, in order to ensure that at-risk youth, and youth
10 who come into contact with the juvenile justice system or
11 the criminal justice system, are treated fairly and that the
12 outcome of that contact is beneficial to the Nation—

13 “(1) the Department of Justice, through its Of-
14 fice of Juvenile Justice and Delinquency Prevention,
15 must restore meaningful enforcement of the core re-
16 quirements in title II; and

17 “(2) States, which are entrusted with a fiscal
18 stewardship role if they accept funds under title II
19 must exercise vigilant oversight to ensure full com-
20 pliance with the core requirements for juveniles pro-
21 vided for in title II.

22 “(b) ACCOUNTABILITY.—

23 “(1) AGENCY PROGRAM REVIEW.—

24 “(A) PROGRAMMATIC AND FINANCIAL AS-
25 SESSMENT.—

1 “(i) IN GENERAL.—Not later than 60
2 days after the date of enactment of the
3 Supporting Youth Opportunity and Pre-
4 venting Delinquency Act of 2016, the Di-
5 rector of the Office of Audit, Assessment,
6 and Management of the Office of Justice
7 Programs at the Department of Justice
8 (referred to in this section as the ‘Direc-
9 tor’) shall—

10 “(I) conduct a comprehensive
11 analysis and evaluation of the internal
12 controls of the Office of Juvenile Jus-
13 tice and Delinquency Prevention (re-
14 ferred to in this section as the ‘agen-
15 cy’) to determine if States and Indian
16 tribes receiving grants are following
17 the requirements of the agency grant
18 programs and what remedial action
19 the agency has taken to recover any
20 grant funds that are expended in vio-
21 lation of grant programs, including in-
22 stances where—

23 “(aa) supporting docu-
24 mentation was not provided for
25 cost reports;

1 “(bb) unauthorized expendi-
2 tures occurred; and

3 “(cc) subrecipients of grant
4 funds were not in compliance
5 with program requirements;

6 “(II) conduct a comprehensive
7 audit and evaluation of a selected sta-
8 tistically significant sample of States
9 and Indian tribes (as determined by
10 the Director) that have received Fed-
11 eral funds under title II, including a
12 review of internal controls to prevent
13 fraud, waste, and abuse of funds by
14 grantees; and

15 “(III) submit a report in accord-
16 ance with clause (iv).

17 “(ii) CONSIDERATIONS FOR EVALUA-
18 TIONS.—In conducting the analysis and
19 evaluation under clause (i)(I), and in order
20 to document the efficiency and public ben-
21 efit of titles II and V, the Director shall
22 take into consideration the extent to
23 which—

1 “(I) greater oversight is needed
2 of programs developed with grants
3 made by the agency;

4 “(II) changes are necessary in
5 the authorizing statutes of the agency
6 in order that the functions of the
7 agency can be performed in a more ef-
8 ficient and effective manner; and

9 “(III) the agency has imple-
10 mented recommendations issued by
11 the Comptroller General or Office of
12 Inspector General relating to the
13 grant making and grant monitoring
14 responsibilities of the agency.

15 “(iii) CONSIDERATIONS FOR AU-
16 DITS.—In conducting the audit and evalua-
17 tion under clause (i)(II), and in order to
18 document the efficiency and public benefit
19 of titles II and V, the Director shall take
20 into consideration—

21 “(I) whether grantees timely file
22 Financial Status Reports;

23 “(II) whether grantees have suf-
24 ficient internal controls to ensure ade-

1 quate oversight of grant funds re-
2 ceived;

3 “(III) whether grantees’ asser-
4 tions of compliance with the core re-
5 quirements were accompanied with
6 adequate supporting documentation;

7 “(IV) whether expenditures were
8 authorized;

9 “(V) whether subrecipients of
10 grant funds were complying with pro-
11 gram requirements; and

12 “(VI) whether grant funds were
13 spent in accordance with the program
14 goals and guidelines.

15 “(iv) REPORT.—The Director shall—

16 “(I) submit to the Congress a re-
17 port outlining the results of the anal-
18 ysis, evaluation, and audit conducted
19 under clause (i), including supporting
20 materials, to the Speaker of the
21 House of Representatives and the
22 President pro tempore of the Senate;
23 and

24 “(II) shall make such report
25 available to the public online, not later

1 than 1 year after the date of enact-
2 ment of this section.

3 “(B) ANALYSIS OF INTERNAL CON-
4 TROLS.—

5 “(i) IN GENERAL.—Not later than 30
6 days after the date of enactment of the
7 Supporting Youth Opportunity and Pre-
8 venting Delinquency Act of 2016, the Ad-
9 ministrator shall initiate a comprehensive
10 analysis and evaluation of the internal con-
11 trols of the agency to determine whether,
12 and to what extent, States and Indian
13 tribes that receive grants under titles II
14 and V are following the requirements of
15 the grant programs authorized under titles
16 II and V.

17 “(ii) REPORT.—Not later than 180
18 days after the date of enactment of the
19 Supporting Youth Opportunity and Pre-
20 venting Delinquency Act of 2016, the Ad-
21 ministrator shall submit to Congress a re-
22 port containing—

23 “(I) the findings of the analysis
24 and evaluation conducted under clause
25 (i);

1 “(II) a description of remedial
2 actions, if any, that will be taken by
3 the Administrator to enhance the in-
4 ternal controls of the agency and re-
5 coup funds that may have been ex-
6 pended in violation of law, regulations,
7 or program requirements issued under
8 titles II and V; and

9 “(III) a description of—

10 “(aa) the analysis conducted
11 under clause (i);

12 “(bb) whether the funds
13 awarded under titles II and V
14 have been used in accordance
15 with law, regulations, program
16 guidance, and applicable plans;
17 and

18 “(cc) the extent to which
19 funds awarded to States and In-
20 dian tribes under titles II and V
21 enhanced the ability of grantees
22 to fulfill the core requirements.

23 “(C) REPORT BY THE ATTORNEY GEN-
24 ERAL.—Not later than 180 days after the date
25 of enactment of the Supporting Youth Oppor-

1 tunity and Preventing Delinquency Act of 2016,
2 the Attorney General shall submit to the appro-
3 priate committees of the Congress a report on
4 the estimated amount of formula grant funds
5 disbursed by the agency since fiscal year 2010
6 that did not meet the requirements for awards
7 of formula grants to States under title II.

8 “(2) CONFERENCE EXPENDITURES.—

9 “(A) LIMITATION.—No amounts author-
10 ized to be appropriated to the Department of
11 Justice under this Act may be used by the At-
12 torney General, or by any individual or organi-
13 zation awarded discretionary funds through a
14 cooperative agreement under this Act, to host
15 or support any expenditure for conferences that
16 uses more than \$20,000 in funds made avail-
17 able to the Department of Justice, unless the
18 Deputy Attorney General or such Assistant At-
19 torney Generals, Directors, or principal deputies
20 as the Deputy Attorney General may designate,
21 provides prior written authorization that the
22 funds may be expended to host a conference.

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

1 conference, including the cost of all food and
2 beverages, audiovisual equipment, honoraria for
3 speakers, and entertainment.

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

10 “(3) PROHIBITION ON LOBBYING ACTIVITY.—

11 “(A) IN GENERAL.—Amounts authorized
12 to be appropriated under this Act may not be
13 utilized by any recipient of a grant made using
14 such amounts—

15 “(i) to lobby any representative of the
16 Department of Justice regarding the
17 award of grant funding; or

18 “(ii) to lobby any representative of a
19 Federal, State, local, or tribal government
20 regarding the award of grant funding.

21 “(B) PENALTY.—If the Attorney General
22 determines that any recipient of a grant made
23 using amounts authorized to be appropriated
24 under this Act has violated subparagraph (A),
25 the Attorney General shall—

1 “(i) require the recipient to repay the
2 grant in full; and

3 “(ii) prohibit the recipient to receive
4 another grant under this Act for not less
5 than 5 years.

6 “(C) CLARIFICATION.—For purposes of
7 this paragraph, submitting an application for a
8 grant under this Act shall not be considered
9 lobbying activity in violation of subparagraph
10 (A).

11 “(c) PREVENTING DUPLICATIVE GRANTS.—

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

18 “(2) REPORT.—If the Attorney General awards
19 duplicate grants to the same applicant for the same
20 purpose the Attorney General shall submit to the
21 Committee on the Judiciary of the Senate and the
22 Committee on Education and the Workforce of the
23 House of Representatives a report that includes—

1 “(A) a list of all duplicate grants awarded,
2 including the total dollar amount of any dupli-
3 cate grants awarded; and

4 “(B) the reason the Attorney General
5 awarded the duplicative grant.

6 “(d) COMPLIANCE WITH AUDITING STANDARDS.—
7 The Administrator shall comply with the Generally Ac-
8 cepted Government Auditing Standards, published by the
9 General Accountability Office (commonly known as the
10 ‘Yellow Book’), in the conduct of fiscal, compliance, and
11 programmatic audits of States.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENT.—

13 (1) IN GENERAL.—The Juvenile Justice and
14 Delinquency Prevention Act of 1974 is amended by
15 striking paragraphs (6) and (7) of section 407 (42
16 U.S.C. 5776a).

17 (2) EFFECTIVE DATE.—The amendment made
18 by paragraph (1) shall take effect on the first day
19 of the first fiscal year that begins after the date of
20 enactment of this Act.

21 (3) SAVINGS CLAUSE.—In the case of an entity
22 that is barred from receiving grant funds under
23 paragraph (7)(B)(ii) of section 407 of the Juvenile
24 Justice and Delinquency Prevention Act of 1974 (42
25 U.S.C. 5776a), the amendment made by paragraph

1 (1) of this subsection shall not affect the applica-
2 bility to the entity, or to the Attorney General with
3 respect to the entity, of paragraph (7) of such sec-
4 tion 407, as in effect on the day before the effective
5 date of the amendment made by paragraph (1).

Passed the House of Representatives September 22,
2016.

Attest:

KAREN L. HAAS,

Clerk.

Calendar No. 649

114TH CONGRESS
2^D SESSION

H. R. 5963

AN ACT

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

SEPTEMBER 27, 2016

Read twice and placed on the calendar