Public Law 95-115
95th Congress

An Act

Oct. 3, 1977
[H.R. 6111]

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

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

Juvenile Justice Amendments of 1977.

SHORT TITLE

42 USC 5601 note.

SECTION 1. This Act may be cited as the "Juvenile Justice Amendments of 1977".

DEFINITION OF JUVENILE DELINQUENCY PROGRAMS

42 USC 5603.

SEC. 2. Section 103(3) of the Juvenile Justice and Delinquency Prevention Act of 1974 (hereinafter in this Act referred to as the "Act") is amended by striking out "who are in danger of becoming delinquent" and inserting in lieu thereof "to help prevent delinquency".

JUVENILE JUSTICE AND DELINQUENCY PREVENTION OFFICE

42 USC 5611.

SEC. 3. (a)(1) Section 201(a) of the Act is amended by adding at the end thereof the following new sentence: "The Administrator shall administer the provisions of this Act through the Office.".

(2) Section 201(c) of the Act is amended by adding at the end thereof the following new sentence: "The Associate Administrator may be referred to as the Administrator of the Office of Juvenile Justice and Delinquency Prevention in connection with the performance of his functions as the head of the Office, except that any reference in this Act to the 'Administrator' shall not be construed as a reference to the Associate Administrator.".

(3)(A) The Act is amended by striking out "Assistant Administrator" and inserting in lieu thereof "Associate Administrator" in sections 201, 202(c), 204(i), 206(a)(1), 206(b), 241, 246, and any other place it appears therein.

42 USC 5612, 5614, 5616, 5651, 5656.

(B) The Act is amended by inserting "Associate" before "Administrator" in sections 208(b), 208(e), 223(a)(14), 223(a)(20), 223(a)(21), 243(4), 246, 248 (as so redesignated by section 5(e)(1)), 249 (as so redesignated by section 5(e)(1)), and section 250 (as so redesignated by section 5(e)(1)).

42 USC 5618, 5633, 5653, 5656, 5659, 5660, 5661.

Powers of Associate Administrator.

(4) Section 201(d) of the Act is amended by adding at the end thereof the following new sentences: "The Associate Administrator is authorized, subject to the direction of the Administrator, to award, administer, modify, extend, terminate, monitor, evaluate, reject, or deny all grants and contracts from, and applications for, funds made available under part B and part C of this title. The Administrator may delegate such authority to the Associate Administrator for all grants and contracts from, and applications for, funds made available under this part and funds made available for juvenile justice and delinquency prevention programs under the Omnibus Crime Control and

42 USC 5731, 5751.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Safe Streets Act of 1968, as amended. The Associate Administrator shall report directly to the Administrator.". 42 USC 3701 note.

(5) The Act is amended by striking out "Deputy Assistant Administrator" and inserting in lieu thereof "Deputy Associate Administrator" in sections 201(e), 206(a)(1), 246, and any other place it appears therein. 42 USC 5611, 5616, 5655, 5656.

(6) Section 5316 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(141) Associate Administrator, Office of Juvenile Justice and Delinquency Prevention of the Law Enforcement Assistance Administration.".

(b)(1) Section 204(b) of the Act is amended— 42 USC 5614.

(A) by inserting ", with the assistance of the Associate Administrator," after "the Administrator"; and

(B) by redesignating paragraph (7) as paragraph (6), and by striking out paragraph (5) and paragraph (6) and inserting in lieu thereof the following new paragraph:

"(5) develop annually with the assistance of the Advisory Committee and the Coordinating Council and submit to the President and the Congress, after the first year following the date of the enactment of the Juvenile Justice Amendments of 1977, prior to December 31, an analysis and evaluation of Federal juvenile delinquency programs conducted and assisted by Federal departments and agencies, the expenditures made, the results achieved, the plans developed, and problems in the operations and coordination of such programs and a brief but precise comprehensive plan for Federal juvenile delinquency programs, with particular emphasis on the prevention of juvenile delinquency and the development of programs and services which will encourage increased diversion of juveniles from the traditional juvenile justice system, which analysis and evaluation shall include recommendations for modifications in organization, management, personnel, standards, budget requests, and implementation plans necessary to increase the effectiveness of these programs; and". Federal juvenile delinquency programs, analysis and evaluation, submittal to President and Congress.

(2) Section 204(d)(1) of the Act is amended by inserting "Associate" before "Administrator" the second place it appears therein.

(3) Section 204(e) of the Act is amended by striking out "(6)" each place it appears therein and inserting in lieu thereof "(5)".

(4) Section 204(f) of the Act is amended by inserting "Federal" after "appropriate authority,".

(5) Section 204(g) of the Act is amended by striking out "part, except the making of regulations", and inserting in lieu thereof "title".

(6) Section 204(j) of the Act is amended by inserting "organization," after "agency," and by striking out "part" and inserting in lieu thereof "title".

(7) Section 204(k) of the Act is amended by striking out "part" and inserting in lieu thereof "title" and by striking out "the Juvenile Delinquency Prevention Act (42 U.S.C. 3801 et seq.)" and inserting in lieu thereof "title III of this Act".

(8) Section 204(l)(1) of the Act is amended by inserting "Associate" before "Administrator" the second place it appears therein.

(c) Section 205 of the Act is amended by inserting immediately before the period at the end of the first sentence, the following: "whenever the Associate Administrator finds the program or activity to be Joint funding. 42 USC 5615.

exceptionally effective or for which the Associate Administrator finds exceptional need".

42 USC 5616.

(d)(1) Section 206(a)(1) of the Act is amended by inserting after "the Director of the Office of Drug Abuse Policy," the following: "the Commissioner of the Office of Education, the Director of the ACTION Agency".

Federal agencies, programs and practices, review and report.

(2) Section 206(c) of the Act is amended by inserting at the end thereof the following new sentence: "The Council is authorized to review the programs and practices of Federal agencies and report on the degree to which Federal agency funds are used for purposes which are consistent or inconsistent with the mandates of section 223(a)(12)(A) and (13) of this title.".

Post, pp. 1053, 1054.

42 USC 5616.

(3) Section 206(d) of the Act is amended by striking out "six" and inserting in lieu thereof "four".

(4) Section 206(e) of the Act is amended—

(A) by striking out "(e)" and paragraphs (1) and (2);

(B) by striking out "(3) The Executive Secretary" and inserting in lieu thereof "(e) The Associate Administrator"; and

(C) by inserting "or staff support" after "personnel".

42 USC 5617.

(e)(1) Section 207(c) of the Act is amended by inserting ", including youth workers involved with alternative youth programs and persons with special experience and competence in addressing the problem of school violence and vandalism and the problem of learning disabilities," after "community-based programs", and by inserting immediately before the period at the end thereof the following: ", of whom at least three shall have been or shall currently be under the jurisdiction of the juvenile justice system".

(2) Section 207(d) of the Act is amended by adding at the end thereof the following new sentence: "Eleven members of the committee shall constitute a quorum.".

42 USC 5618.

(f)(1) Section 208(b) of the Act is amended by inserting ", the President, and the Congress" after "the Administrator".

(2) Section 208(c) of the Act is amended to read as follows:

"(c) The Chairman shall designate a subcommittee of members of the Advisory Committee to advise the Associate Administrator on particular functions or aspects of the work of the Office.".

(3) Section 208(d) of the Act is amended by inserting "not less than" immediately after "subcommittee of".

(4) Section 208(e) of the Act is amended—

(A) by inserting "not less than" after "subcommittee of"; and

(B) by striking out "the Administration of".

(5) Section 208(f) of the Act is amended to read as follows:

"(f) The Chairman, with the approval of the Committee, shall request of the Associate Administrator such staff and other support as may be necessary to carry out the duties of the Advisory Committee.".

(6) Section 208 of the Act is amended by adding at the end thereof the following new subsection:

"(g) The Associate Administrator shall provide such staff and other support as may be necessary to perform the duties of the Advisory Committee.".

FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

42 USC 5631.

SEC. 4. (a) Section 221 of the Act is amended by striking out "local governments" and inserting in lieu thereof "units of general local government or combinations thereof", and by inserting "grants and" after "through".

(b)(1) The last sentence of section 222(a) of the Act is amended by striking out "$200,000" and inserting in lieu thereof "$225,000", and by striking out "$50,000" and inserting in lieu thereof "$56,250".

Funds, allocation. 42 USC 5632.

(2)(A) The first sentence of section 222(c) of the Act is amended—

(i) by inserting "or for other pre-award activities associated with such State plan," after "State plan"; and

(ii) by inserting immediately before the period at the end thereof the following: ", including monitoring and evaluation".

(B) The second sentence of section 222(c) of the Act is amended—

(i) by striking out "15 per centum" and inserting in lieu thereof "7½ per centum"; and

(ii) by inserting immediately before the period at the end thereof the following: ", except that any amount expended or obligated by such State, or by units of general local government or any combination thereof, from amounts made available under this subsection shall be matched (in an amount equal to any such amount so expended or obligated) by such State, or by such units or combinations, from State or local funds, as the case may be".

(C) Section 222 of the Act is amended by striking out subsection (d) thereof.

(D) The amendments made by this paragraph shall take effect on October 1, 1978.

Effective date. 42 USC 5632 note.

(3) The last sentence of section 222(c) of the Act is amended by striking out "local government" and inserting in lieu thereof "units of general local government or combinations thereof".

(4)(A) Section 222 of the Act is amended by adding at the end thereof the following new subsection:

"(e) In accordance with regulations promulgated under this part, 5 per centum of the minimum annual allotment to any State under this part shall be available to assist the advisory group established under section 223(a)(3) of this Act.".

Funds, availability to advisory group. *Infra.*

(B) Effective on October 1, 1978, section 222(e) of the Act, as added by subparagraph (A), is redesignated as section 222(d) of the Act.

(c)(1) Section 223(a)(3) of the Act is amended—

42 USC 5633.

(A) by striking out the matter preceding "(A)" and inserting in lieu thereof the following: "provide for an advisory group appointed by the chief executive of the State to carry out the functions specified in subparagraph (F) and to participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action and";

(B) in subparagraph (C) thereof, by inserting after "prevention or treatment programs;" the following: "business groups and businesses employing youth, youth workers involved with alternative youth programs, and persons with special experience and competence in addressing the problem of school violence and vandalism and the problem of learning disabilities;";

(C) in subparagraph (D) thereof, by striking out "and" at the end thereof;

(D) in subparagraph (E) thereof, by striking out the semicolon at the end thereof and inserting in lieu thereof the following: "at least three of whom shall have been or shall currently be under the jurisdiction of the juvenile justice system; and"; and

(E) by inserting after subparagraph (E) the following new subparagraph: "(F) which (i) shall, consistent with this title, advise the State planning agency and its supervisory board;

(ii) may advise the Governor and the legislature on matters related to its functions, as requested; (iii) shall have an opportunity for review and comment on all juvenile justice and delinquency prevention grant applications submitted to the State planning agency other than those subject to review by the State's judicial planning committee established pursuant to section 203 (c) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, except that any such review and comment shall be made no later than 30 days after the submission of any such application to the advisory group; and (iv) may be given a role in monitoring State compliance with the requirements of paragraph (12)(A) and paragraph (13), in advising on State planning agency and regional planning unit supervisory board composition, in advising on the State's maintenance of effort under section 261(b) and section 520(b) of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and in review of the progress and accomplishments of juvenile justice and delinquency prevention projects funded under the comprehensive State plan;".

42 USC 3723.

42 USC 5671, 3768.

(2) Section 223(a)(4) of the Act is amended—

42 USC 5633.

(A) by striking out "local governments" the first place it appears therein and inserting in lieu thereof "units of general local government or combinations thereof"; and

(B) by inserting immediately before the semicolon at the end thereof the following: ", except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the State from making grants to, or entering into contracts with, local private agencies or the advisory group".

(3)(A) Section 223(a)(5) of the Act is amended to read as follows:

"(5) unless the provisions of this paragraph are waived at the discretion of the Administrator for any State in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66⅔ per centum of funds received by the State under section 222, other than funds made available to the State advisory group under section 222(e), shall be expended through—

42 USC 5632.
Ante, p. 1051.

"(A) programs of units of general local government or combinations thereof, to the extent such programs are consistent with the State plan; and

"(B) programs of local private agencies, to the extent such programs are consistent with the State plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of general local government or combination thereof;".

Effective date.

(B) Effective October 1, 1978, section 223(a)(5) of the Act, as amended by subparagraph (A), is amended by striking out "section 222(e)" and inserting in lieu thereof "section 222(d)".

(4) Section 223(a)(6) of the Act is amended by striking out "local government" and inserting in lieu thereof "unit of general local government", and by inserting "or to a regional planning agency" after "local government's structure".

(5) Section 223(a)(8) of the Act is amended by inserting before the semicolon at the end thereof a period and the following: "Programs and projects developed from the study may be funded under paragraph (10) provided that they meet the criteria for advanced technique programs as specified therein".

(6) (A) Section 223(a)(10) of the Act is amended— 42 USC 5633.

(i) by striking out the matter preceding subparagraph (A) and inserting in lieu thereof the following: "provide that not less than 75 per centum of the funds available to such State under section 222, other than funds made available to the State advisory group under section 222(e), whether expended directly by the State, by the unit of general local government or combination thereof, or through grants and contracts with public or private agencies, shall be used for advanced techniques in developing, maintaining, and expanding programs and services designed to prevent juvenile delinquency, to divert juveniles from the juvenile justice system, to provide community-based alternatives to juvenile detention and correctional facilities, to encourage a diversity of alternatives within the juvenile justice system, and to establish and adopt juvenile justice standards. These advanced techniques include—"; 42 USC 5632. *Ante*, p. 1051.

(ii) in subparagraph (A) thereof, by inserting after "health services," the following: "twenty-four hour intake screening, volunteer and crisis home programs, day treatment, and home probation,";

(iii) in subparagraph (C) thereof, by striking out "youth in danger of becoming delinquent" and inserting in lieu thereof "other youth to help prevent delinquency";

(iv) by amending subparagraph (D) to read as follows:

"(D) projects designed to develop and implement programs stressing advocacy activities aimed at improving services for and protecting the rights of youth impacted by the juvenile justice system;";

(v) in subparagraph (G) thereof, by inserting "traditional youth" immediately after "reached by";

(vi) in subparagraph (H) thereof, by striking out "that may include but are not limited to programs designed to" and inserting in lieu thereof "are designed to"; and

(vii) by adding at the end thereof the following new subparagraph:

"(I) programs and activities to establish and adopt, based on the recommendations of the Advisory Committee, standards for the improvement of juvenile justice within the State;".

(B) Effective October 1, 1978, section 223(a)(10) of the Act, as amended by subparagraph (A), is amended by striking out "section 222(e)" and inserting in lieu thereof "section 222(d)". Effective date. *Supra.*

(7) Section 223(a)(12) of the Act is amended to read as follows: Deinstitutionalization of juveniles.

"(12)(A) provide within three years after submission of the initial plan that juveniles who are charged with or who have committed offenses that would not be criminal if committed by an adult, or such nonoffenders as dependent or neglected children, shall not be placed in juvenile detention or correctional facilities; and

"(B) provide that the State shall submit annual reports to the Associate Administrator containing a review of the progress made by the State to achieve the deinstitutionalization of juveniles described in subparagraph (A) and a review of the progress made by the State to provide that such juveniles, if placed in facili- Annual reports, submittal to Associate Administrator.

ties, are placed in facilities which (i) are the least restrictive alternatives appropriate to the needs of the child and the community; (ii) are in reasonable proximity to the family and the home communities of such juveniles; and (iii) provide the services described in section 103(1);".

42 USC 5603. State plans, requirements. 42 USC 5633. *Ante*, p. 1053.

(8) Section 223(a)(13) of the Act is amended by inserting "and youths within the purview of paragraph (12)" immediately after "delinquent".

(9) Section 223(a)(14) of the Act is amended by striking out "and" the first place it appears therein, by inserting ", and non-secure facilities" after "facilities" the second place it appears therein, and by striking out "section 223(12) and (13)" and inserting in lieu thereof "paragraph (12)(A) and paragraph (13)".

Supra.

(10) Section 223(a)(15) of the Act is amended by striking out "all".

(11) Section 223(a)(19) of the Act is amended by striking out ", to the extent feasible and practical,".

(12) Section 223(b) of the Act is amended by striking out "consultation with" and inserting in lieu thereof "receiving and considering the advice and recommendations of".

(13) Section 223(c) of the Act is amended by adding at the end thereof the following new sentence: "Failure to achieve compliance with the subsection (a)(12)(A) requirement within the three-year time limitation shall terminate any State's eligibility for funding under this subpart unless the Administrator, with the concurrence of the Associate Administrator, determines that the State is in substantial compliance with the requirement, through achievement of deinstitutionalization of not less than 75 per centum of such juveniles, and has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time not exceeding two additional years.".

Reallocated funds, preference.

(14) Section 223(d) of the Act is amended by inserting "chooses not to submit a plan," after "State" the first place it appears therein, and by adding at the end thereof the following new sentence: "The Administrator shall endeavor to make such reallocated funds available on a preferential basis to programs in nonparticipating States under section 224(a)(2) and to those States that have achieved substantial or full compliance with the subsection (a)(12)(A) requirement within the initial three years of participation or have achieved full compliance within a reasonable time thereafter as provided by subsection (c).".

42 USC 5634.

(15) Section 223 of the Act is amended by striking out subsection (e) thereof.

42 USC 5634.

(d)(1) Section 224(a)(3) of the Act is amended by inserting after "system" the following: ", including restitution projects which test and validate selected arbitration models, such as neighborhood courts or panels, and increase victim satisfaction while providing alternatives to incarceration for detained or adjudicated delinquents".

(2) Section 224(a)(4) of the Act is amended by striking out all after "for delinquents" and inserting in lieu thereof "and other youth to help prevent delinquency;".

(3) Section 224(a)(5) of the Act is amended by striking out "on Standards for Juvenile Justice" and by striking out "and" at the end thereof.

(4) Section 224(a)(6) of the Act is amended by inserting after "develop and implement" the following: ", in coordination with the Commissioner of Education,", and by striking out the period at the end thereof and inserting in lieu thereof the following: "and to encourage new approaches and techniques with respect to the prevention of school violence and vandalism;". *Ante*, p. 1054.

(5) Section 224(a) of the Act is amended by adding at the end thereof the following new paragraphs:

"(7) develop and support programs stressing advocacy activities aimed at improving services to youth impacted by the juvenile justice system;

"(8) develop, implement, and support, in conjunction with the Secretary of Labor, other public and private agencies and organizations and business and industry programs for youth employment;

"(9) improve the juvenile justice system to conform to standards of due process;

"(10) develop and support programs designed to encourage and enable State legislatures to consider and further the purposes of this Act, both by amending State laws where necessary, and devoting greater resources to those purposes; and

"(11) develop and implement programs relating to juvenile delinquency and learning disabilities.".

(6) Section 224(b) of the Act is amended to read as follows: Appropriated funds, limitation.

"(b) Twenty-five per centum of the funds appropriated for each fiscal year pursuant to this part shall be available only for special emphasis prevention and treatment grants and contracts made pursuant to this section.".

(7) Section 224(c) of the Act is amended by striking out "20" and inserting in lieu thereof "30".

(e)(1) Section 225(c)(4) of the Act is amended by striking out all after "to delinquents" and inserting in lieu thereof "and other youth to help prevent delinquency;". Applications. 42 USC 5635.

(2) Section 225(c)(5) of the Act is amended by striking out "and" at the end thereof.

(3) Section 225(c)(6) of the Act is amended by striking out "on Standards for Juvenile Justice", and by striking out the period at the end thereof and inserting in lieu thereof "; and".

(f)(1) Section 227(a) of the Act is amended by striking out "State, public or private agency, institution, or individual (whether directly or through a State or local agency)" and inserting in lieu thereof "public or private agency, organization, institution, or individual (whether directly or through a State planning agency)". Funds, use. 42 USC 5637.

(2) Section 227(b) of the Act is amended by striking out "institution, or individual under this part (whether directly or through a State agency or local agency)" and inserting in lieu thereof "organization, institution, or individual under this title (whether directly or through a State planning agency)".

(g)(1) Section 228(b) of the Act is amended by striking out "under this part" and inserting in lieu thereof "by the Law Enforcement Assistance Administration". Continuing financial assistance for programs. 42 USC 5638.

(2) Section 228(c) of the Act is amended to read as follows: Contributions. 42 USC 5611, 5651.

"(c) Whenever the Administrator determines that it will contribute to the purposes of part A or part C, he may require the recipient of any grant or contract to contribute money, facilities, or services.".

29-194 O - 80 - 69

Ante, p. 1055.

(3) (A) Section 228 of the Act is amended by adding at the end thereof the following new subsections:

Ante, p. 1051.

"(e) Except as provided in the second sentence of section 222(c), financial assistance extended under the provisions of this title shall be 100 per centum of the approved costs of any program or activity.

Indian tribe.
Federal share, increase.

"(f) In the case of a grant under this part to an Indian tribe or other aboriginal group, if the Administrator determines that the tribe or group does not have sufficient funds available to meet the local share of the cost of any program or project to be funded under the grant, the Administrator may increase the Federal share of the cost thereof to the extent he deems necessary. Where a State does not have an adequate forum to enforce grant provisions imposing any liability on Indian tribes, the Administrator is authorized to waive State liability and may pursue such legal remedies as are necessary.

State liability, waiver.
Legal remedies.

Funds, reallocation.

"(g) If the Administrator determines, on the basis of information available to him during any fiscal year, that a portion of the funds granted to an applicant under this part for that fiscal year will not be required by the applicant or will become available by virtue of the application of the provisions of section 509 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, that portion shall be available for reallocation under section 224 of this title.".

42 USC 3757.
Ante, p. 1054.

Effective date.
42 USC 5638 note.

(B) Section 228(e) of the Act, as added by subparagraph (A), shall take effect October 1, 1978.

Nondisclosure.

(h) Part B of title II of the Act is amended by adding at the end thereof the following new section:

"CONFIDENTIALITY OF PROGRAM RECORDS

42 USC 5639.

"SEC. 229. Except as authorized by law, program records containing the identity of individual juveniles gathered for purposes pursuant to this title may not be disclosed except with the consent of the service recipient or legally authorized representative, or as may be necessary to perform the functions required by this title. Under no circumstances may project reports or findings available for public dissemination contain the actual names of individual service recipients.".

NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION

42 USC 5651.

SEC. 5. (a)(1) Section 241 of the Act is amended by striking out subsection (d) and subsection (e), and by redesignating subsection (f) and subsection (g) as subsection (d) and subsection (e), respectively.

(2) Section 241(e)(4) of the Act, as so redesignated by paragraph (1), is amended by inserting "make grants and" after "(4)", and by striking out "and" at the end thereof.

(3) Section 241(e) of the Act, as so redesignated by paragraph (1), is amended by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

Ante, p. 1051.

"(6) assist, through training, the advisory groups established pursuant to section 223(a)(3) or comparable public or private citizen groups in nonparticipating States in the accomplishment of their objectives consistent with this Act.".

(4) The subsection designated as subsection (b) immediately following section 241(e) of the Act, as so redesignated by paragraph (1), is redesignated as subsection (f). *Ante*, p. 1056.

(5) Section 241(f) of the Act, as so redesignated by paragraph (4), is amended by striking out "subsection (g)(1)" and inserting in lieu thereof "subsection (e)(1)".

(b) Section 243(5) of the Act is amended by inserting after "effective prevention and treatment" the following: ", such as assessments regarding the role of family violence, sexual abuse or exploitation and media violence in delinquency, the improper handling of youth placed in one State by another State, the possible ameliorating roles of recreation and the arts, and the extent to which youth in the juvenile system are treated differently on the basis of sex and the ramifications of such practices". 42 USC 5653.

(c) Section 245 of the Act is amended to read as follows: Duties. 42 USC 5655.

"INSTITUTE ADVISORY COMMITTEE

"SEC. 245. The Advisory Committee shall advise, consult with, and make recommendations to the Associate Administrator concerning the overall policy and operations of the Institute.".

(d)(1) Section 247(a) of the Act is amended by striking out "on Standards for Juvenile Justice established in section 208(e)". Juvenile justice system, standards. 42 USC 5657.

(2) Section 247 of the Act is amended by adding at the end thereof the following new subsection:

"(d) Following the submission of its report under subsection (b) the Advisory Committee shall direct its efforts toward refinement of the recommended standards and may assist State and local governments and private agencies and organizations in the adoption of appropriate standards at State and local levels. The National Institute for Juvenile Justice and Delinquency Prevention is authorized to develop and support model State legislation consistent with the mandates of this Act and the standards developed by Advisory Committee.". Assistance. Model State legislation, development.

(e)(1) Part C of title II of the Act is amended by striking out section 248 and by redesignating section 249, section 250, and section 251, as section 248, section 249, and section 250, respectively. 42 USC 5658-5661.

(2)(A) Section 249 of the Act, as so redesignated by paragraph (1), is amended by striking out "section 249" and inserting in lieu thereof "section 248".

(B) Section 250 of the Act, as so redesignated by paragraph (1), is amended by striking out "section 249" each place it appears therein and inserting in lieu thereof "section 248".

(f) Section 241(d) of the Act, as so redesignated by subsection (a)(1), section 244(3) of the Act, and section 248(b) of the Act, as so redesignated by subsection (e), are amended by inserting after "lay personnel" the following: ", including persons associated with law-related education programs, youth workers, and representatives of private youth agencies and organizations". *Ante*, p. 1056. 42 USC USC 5654.

ADMINISTRATIVE PROVISIONS

SEC. 6. (a) The heading for part D of title II of the Act is amended to read as follows: 42 USC 5671 *et seq.*

"PART D—ADMINISTRATIVE PROVISIONS".

Appropriation authorization.
42 USC 5671.

(b) Section 261(a) of the Act is amended to read as follows:

"SEC. 261. (a) To carry out the purposes of this title there is authorized to be appropriated $150,000,000 for the fiscal year ending September 30, 1978, $175,000,000 for the fiscal year ending September 30, 1979, and $200,000,000 for the fiscal year ending September 30, 1980. Funds appropriated for any fiscal year may remain available for obligation until expended.".

42 USC 5672.

(c) Section 262 of the Act is amended to read as follows:

"APPLICABILITY OF OTHER ADMINISTRATIVE PROVISIONS

42 USC 3701.

"SEC. 262. The administrative provisions of title I of the Omnibus Crime Control and Safe Streets Act of 1968, designated as sections 501, 504, 507, 509, 510, 511, 516, 518(c), 521, and 524 (a) and (c) of such Act, are incorporated herein as administrative provisions applicable to this Act.".

42 USC 3751, 3754, 3755, 3757, 3758, 3759, 3764, 3766, 3769, 3771.

(d)(1) Section 263(a) of the Act is amended by striking out "subsection (b)" and inserting in lieu thereof "subsections (b) and (c)".

(2) Section 263 of the Act is amended by adding at the end thereof the following new subsection:

42 USC 5601 note.
Effective date.

"(c) Except as otherwise provided by the Juvenile Justice Amendments of 1977, the amendments made by the Juvenile Justice Amendments of 1977 shall take effect on October 1, 1977.".

RUNAWAY YOUTH

42 USC 5711.

SEC. 7. (a)(1) Section 311 of the Act is amended—

(A) by inserting in the first sentence "and short-term training" after "technical assistance" and by inserting "and coordinated networks of such agencies" after "agencies";

(B) by inserting "or otherwise homeless youth" immediately after "runaway youth" where it first appears and by striking out "runaway youth" in the third and fourth sentences and inserting in lieu thereof "such youth"; and

(C) by inserting "States," before "localities".

42 USC 5712.

(2) Section 312(b)(5) of the Act is amended by striking out "aftercase" and inserting in lieu thereof "aftercare".

(3) Section 312(b)(6) of the Act is amended by striking out "parental consent" and inserting in lieu thereof "the consent of the individual youth and parent or legal guardian".

42 USC 5713.

(4) Section 313 of the Act is amended by striking out "$75,000" and "$100,000" and inserting in lieu thereof "$100,000" and "$150,000", respectively.

(b) Part B of title III of the Act is amended to read as follows:

"PART B—RECORDS

"RECORDS

42 USC 5731.

"SEC. 321. Records containing the identity of individual youths pursuant to this Act may under no circumstances be disclosed or transferred to any individual or to any public or private agency.".

(c) Title III of the Act is amended by redesigning part C as part D, by redesignating section 331 as section 341, and by inserting after part B the following new part: 42 USC 5751.

"PART C—REORGANIZATION

"REORGANIZATION PLAN

"SEC. 331. (a) After April 30, 1978, the President may submit to the Congress a reorganization plan which, subject to the provisions of subsection (b) of this section, shall take effect, if such reorganization plan is not disapproved by a resolution of either House of the Congress, in accordance with the provisions of, and the procedures established by chapter 9 of title 5, United States Code, except to the extent provided in this part. Submittal to Congress. 42 USC 5741. 5 USC 901 *et seq.*

"(b) A reorganization plan submitted in accordance with the provisions of subsection (a) shall provide—

"(1) for the establishment of an Office of Youth Assistance which shall be the principal agency for purposes of carrying out this title and which shall be established— Office of Youth Assistance.

"(A) within the Office of Juvenile Justice and Delinquency Prevention in the Department of Justice; or

"(B) within the ACTION Agency;

"(2) that the transfer authorized by paragraph (1) shall be effective 30 days after the last date on which such transfer could be disapproved under chapter 9 of title 5, United States Code;

"(3) that property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions of the Office of Youth Development within the Department of Health, Education, and Welfare in the operation of functions pursuant to this title, shall be transferred to the Office of Youth Assistance within the Office of Juvenile Justice and Delinquency Prevention or within the ACTION Agency, as the case may be, and that all grants, applications for grants, contracts, and other agreements awarded or entered into by the Office of Youth Development shall continue in effect until modified, superseded, or revoked;

"(4) that all official actions taken by the Secretary of Health, Education, and Welfare, his designee, or any other person under the authority of this title which are in force on the effective date of such plan, and for which there is continuing authority under the provisions of this title, shall continue in full force and effect until modified, susperseded, or revoked by the Associate Administrator for the office of Juvenile Justice and Delinquency Prevention or by the Director of the ACTION Agency, as the case may be, as appropriate; and

"(5) that references to the Office of Youth Development within the Department of Health, Education, and Welfare in any statue, reorganization plan, Executive order, regulation, or other official document or proceeding shall, on and after such date, be deemed to refer to the Office of Youth Assistance within the Office of

Juvenile Justice and Delinquency Prevention or within the ACTION Agency, as the case may be, as appropriate.".

Ante, p. 1059.

(d)(1) Section 341(a) of the Act, as so redesignated by subsection (c), is amended by inserting immediately before the period at the end thereof the fololwing: ", and for each of the fiscal years ending September 30, 1978, 1979, and 1980, the sum of $25,000,000".

Consultation with Attorney General. Coordination.

(2) Section 341(b) of the Act, as so redesignated by subsection (c), is amended to read as follows:

"(b) The Secretary (through the Office of Youth Development which shall administer this title) shall consult with the Attorney General (through the Associate Administrator of the Office of Juvenile Justice and Delinquency Prevention) for the purpose of coordinating the development and implementation of programs and activities funded under this title with those related programs and activities funded under title II of this Act and under the Omnibus Crime Control and Safe Streets Act of 1968, as amended.".

Ante, p. 1048. 42 USC 3701 note.

AMENDMENTS TO TITLE 18, UNITED STATES CODE

SEC. 8. (a) Section 4351(b) of title 18, United States Code, is amended by striking out "Deputy Assistant Administrator for the National Institute for" and inserting in lieu thereof "Associate Administrator for the Office of".

(b) Section 5038(a) of title 18, United States Code, is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon and "and"; and

(3) by adding immediately after paragraph (5) the following:

"(6) inquiries from any victim of such juvenile delinquency, or if the victim is deceased from the immediate family of such victim, related to the final disposition of such juvenile by the court in accordance with section 5037.".

AMENDMENTS TO OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

SEC. 9. (a) Section 519 of the Omnibus Crime Control and Safe Streets Act of 1968 is amended—

42 USC 3767.

(1) by inserting ", and to the Committee on Education and Labor of the House of Representatives," immediately after "House of Representatives"; and

(2) by striking out "and" at the end of paragraph (10), by striking out the period at the end of paragraph (11) and inserting in lieu thereof "; and", and by adding at the end thereof the following new paragraph:

"(12) a summary of State compliance with sections 223(a)(12)-(14) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, the maintenance of effort requirement under section 261(b) of such Act and section 520(b) of this Act, State planning agency and regional planning unit representation requirements as set forth in section 203 of this Act, and other areas of state activity in carrying out juvenile justice and delinquency prevention programs under the comprehensive State plan.".

Ante, p. 1051. 42 USC 5671. 42 USC 3768. 42 USC 3723.

(b) Section 203(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by adding at the end thereof the following new sentences: "The Chairman and at least two additional citizen members of any advisory group established pursuant to section 223(a)(3) of the Juvenile Justice and Delinquency Prevention Act of 1974 shall be appointed to the State planning agency as members thereof. These individuals may be considered in meeting the general representation requirements of this section. Any executive committee of a State planning agency shall include in its membership the same proportion of advisory group members as the total number of such members bears to the total membership of the State planning agency.".

State planning agency, membership. 42 USC 3723.

Ante, p. 1051.

TECHNICAL AMENDMENT

SEC. 10. The Act is amended by striking out title IV thereof.

42 USC 3811-3814, 3821, 3882, 3883, 3888, 3889.

Approved October 3, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 95-313 (Comm. on Education and Labor) and No. 95-542 (Comm. of Conference).

SENATE REPORTS: No. 95-165 accompanying S. 1021 (Comm. on the Judiciary) and No. 95-368 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 123 (1977):

May 19, considered and passed House.

June 21, considered and passed Senate, amended, in lieu of S. 1021.

July 28, Senate agreed to conference report.

Sept. 23, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 41:

Oct. 3, Presidential statement.