

105TH CONGRESS
1ST SESSION

S. 825

To provide for violent and repeat juvenile offender accountability, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 3, 1997

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

A BILL

To provide for violent and repeat juvenile offender accountability, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Protect Children From Violence Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and declaration of purposes.
- Sec. 3. Definitions.

TITLE I—VIOLENT, ARMED, AND DANGEROUS JUVENILE
OFFENDER ACCOUNTABILITY

Subtitle A—Protecting Children From Drugs, Guns, and Violence

- Sec. 101. Increased penalties for distributing drugs to minors.
- Sec. 102. Increased penalty for drug trafficking in or near a school or other protected location.
- Sec. 103. Increased penalties for using minors to distribute drugs.
- Sec. 104. Use of minors in crimes of violence.
- Sec. 105. Solicitation or recruitment of minors in criminal gang activity.
- Sec. 106. Transfer of firearms to minors for use in crime.
- Sec. 107. Mandatory minimum sentences for juveniles for illegal possession of firearms or use of firearms in commission of crimes.
- Sec. 108. Crimes involving the use of minors as RICO predicates.

Subtitle B—Violent and Repeat Juvenile Offender Accountability

- Sec. 121. Treatment of juvenile offenders.
- Sec. 122. Use of juvenile records.
- Sec. 123. Juvenile adjudications considered in sentencing.
- Sec. 124. Disposition; availability of increased detention, fines, and supervised release for juvenile offenders.
- Sec. 125. Violent, armed, and dangerous youth apprehension directive.
- Sec. 126. Construction of Federal juvenile corrections facilities.

Subtitle C—Combating Gang Violence

- Sec. 131. Gang franchising.
- Sec. 132. Increase in offense level for participation in crime as a gang member.
- Sec. 133. Amendment of title 18 with respect to criminal street gangs.
- Sec. 134. Interstate and foreign travel or transportation in aid of criminal street gangs.
- Sec. 135. Serious juvenile drug offenses as armed career criminal act predicates.
- Sec. 136. Application of racketeering offenses to firearms offenses.
- Sec. 137. Increasing the penalty for using physical force or tampering with witnesses, victims, or informants.

TITLE II—ACCOUNTABILITY FOR JUVENILE OFFENDERS AND
PUBLIC PROTECTION INCENTIVE GRANTS TO STATES

- Sec. 201. Block grant program.

TITLE III—REFORM OF GRANT PROGRAMS

- Sec. 301. Findings and purposes.
- Sec. 302. Definitions.
- Sec. 303. Office of Juvenile Justice and Delinquency Prevention.
- Sec. 304. Annual report.
- Sec. 305. Block grants for State and local programs.
- Sec. 306. State plans.
- Sec. 307. Repeals.
- Sec. 308. Authorization of appropriations.

1 SEC. 2. FINDINGS AND DECLARATION OF PURPOSES.

- 2 (a) FINDINGS.**—Congress finds that—

1 (1) at the beginning of the twentieth century,
2 States adopted separate justice systems for juvenile
3 offenders;

4 (2) violent crimes committed by juveniles, such
5 as homicide, rape, and robbery, were virtually an un-
6 known phenomenon at that time, but the rate at
7 which juveniles commit those crimes has escalated
8 astronomically recently;

9 (3) in 1994—

10 (A) juveniles accounted for nearly 20 per-
11 cent of all violent crime committed in the Unit-
12 ed States;

13 (B) 65 percent of juvenile murder victims
14 were killed with a firearm; and

15 (C) 31 percent of juvenile arrests for vio-
16 lent crimes involved juveniles less than 15 years
17 of age;

18 (4) the number of juvenile arrests for violent
19 crimes is expected to more than double by the year
20 2010;

21 (5) the juveniles who commit the most serious
22 offenses are becoming increasingly violent;

23 (6) the homicide rate for individuals between 14
24 and 17 years of age is 4 times the rate for adults;

1 (7) according to the results of a nationwide sur-
2 vey of law enforcement agencies, there are 23,388
3 gangs and 664,906 gang members in the United
4 States;

5 (8) Federal programs for juveniles have not
6 provided the direction, coordination, resources, and
7 leadership required to meet the current crisis in ju-
8 venile delinquency;

9 (9) the high incidence of delinquency in the
10 United States today results in enormous annual eco-
11 nomic losses and substantial loss of human life, re-
12 duction in personal security, and wasted human re-
13 sources;

14 (10) juvenile delinquency constitutes a growing
15 threat to the national welfare that requires an imme-
16 diate response by the Federal Government;

17 (11) the rehabilitative model of sentencing for
18 juveniles, which Congress rejected for adult offend-
19 ers when it enacted the Sentencing Reform Act of
20 1984, is inadequate and inappropriate for dealing
21 with violent and repeat juvenile offenders;

22 (12) an effective strategy for reducing violent
23 juvenile crime requires greater collection of inves-
24 tigative data and other information, such as finger-
25 prints and photographs, as well as greater sharing

1 of that information among Federal, State, and local
2 agencies, including the courts, in the law enforce-
3 ment and educational systems;

4 (13) data regarding violent juvenile offenders
5 must be made available to the adult criminal justice
6 system if recidivism by criminals is to be addressed
7 adequately;

8 (14) holding juvenile proceedings in secret de-
9 nies victims of crime the opportunity to attend and
10 be heard at the proceedings, helps juvenile offenders
11 to avoid accountability for their actions, and shields
12 juvenile proceedings from public scrutiny and ac-
13 countability;

14 (15) the injuries and losses suffered by the vic-
15 tims of violent crime are no less painful or devastat-
16 ing because the offender is a juvenile; and

17 (16) the investigation, prosecution, adjudica-
18 tion, and punishment of criminal offenses committed
19 by juveniles is, and should remain, primarily the re-
20 sponsibility of the States.

21 (b) PURPOSES.—The purposes of this Act are—

22 (1) to reform juvenile law to ensure public safe-
23 ty and to hold juvenile wrongdoers accountable for
24 their actions, while providing the wrongdoer a genu-
25 ine opportunity for self-reform;

1 (2) to revise the procedures in Federal court
2 applicable to the prosecution of juvenile offenders;
3 and

4 (3) to target the problem of violent crime and
5 controlled substance offenses committed by youth
6 gangs.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) ATTORNEY GENERAL.—The term “Attorney
10 General” means the Attorney General of the United
11 States.

12 (2) CRIME OF VIOLENCE.—The term “crime of
13 violence” has the same meaning as in section 16 of
14 title 18, United States Code.

15 **TITLE I—VIOLENT, ARMED, AND**
16 **DANGEROUS JUVENILE OF-**
17 **FENDER ACCOUNTABILITY**

18 **Subtitle A—Protecting Children**
19 **From Drugs, Guns, and Violence**

20 **SEC. 101. INCREASED PENALTIES FOR DISTRIBUTING**
21 **DRUGS TO MINORS.**

22 Section 418 of the Controlled Substances Act (21
23 U.S.C. 859) is amended—

24 (1) in subsection (a), by striking “one year”
25 and inserting “3 years”; and

1 (2) in subsection (b), by striking “one year”
2 and inserting “5 years”.

3 **SEC. 102. INCREASED PENALTY FOR DRUG TRAFFICKING IN**
4 **OR NEAR A SCHOOL OR OTHER PROTECTED**
5 **LOCATION.**

6 Section 419 of the Controlled Substances Act (21
7 U.S.C. 860) is amended—

8 (1) in subsection (a), by striking “one year”
9 and inserting “3 years”; and

10 (2) in subsection (b), by striking “three years”
11 each place that term appears and inserting “5
12 years”.

13 **SEC. 103. INCREASED PENALTIES FOR USING MINORS TO**
14 **DISTRIBUTE DRUGS.**

15 Section 420 of the Controlled Substances Act (21
16 U.S.C. 861) is amended—

17 (1) in subsection (b), by striking “one year”
18 and inserting “3 years”; and

19 (2) in subsection (c), by striking “one year”
20 and inserting “5 years”.

21 **SEC. 104. USE OF MINORS IN CRIMES OF VIOLENCE.**

22 (a) IN GENERAL.—Chapter 1 of title 18, United
23 States Code, is amended by adding at the end the follow-
24 ing:

1 **“§ 25. Use of minors in crimes of violence**

2 “(a) PENALTIES.—Except as otherwise provided by
3 law, whoever, being not less than 18 years of age, know-
4 ingly and intentionally uses a minor to commit a crime
5 of violence, or to assist in avoiding detection or apprehen-
6 sion for a crime of violence, shall—

7 “(1) be subject to 2 times the maximum impris-
8 onment and 2 times the maximum fine for the crime
9 of violence; and

10 “(2) for second or subsequent convictions under
11 this subsection, be subject to 3 times the maximum
12 imprisonment and 3 times the maximum fine other-
13 wise provided for the crime of violence in which the
14 minor is used.

15 “(b) DEFINITIONS.—In this section:

16 “(1) CRIME OF VIOLENCE.—The term ‘crime of
17 violence’ has the same meaning as in section 16.

18 “(2) MINOR.—The term ‘minor’ means a per-
19 son who is less than 18 years of age.

20 “(3) USES.—The term ‘uses’ means employs,
21 hires, persuades, induces, entices, or coerces.”.

22 (b) CONFORMING AMENDMENT.—The analysis for
23 chapter 1 of title 18, United States Code, is amended by
24 adding at the end the following:

“25. Use of minors in crimes of violence.”.

1 **SEC. 105. SOLICITATION OR RECRUITMENT OF MINORS IN**
 2 **CRIMINAL GANG ACTIVITY.**

3 (a) PROHIBITED ACTS.—Chapter 26 of title 18,
 4 United States Code, is amended by adding at the end the
 5 following:

6 **“§ 522. Recruitment of minors to participate in crimi-**
 7 **nal street gang activity**

8 “(a) PROHIBITED ACT.—It shall be unlawful for any
 9 person to—

10 “(1) use any facility in, or travel in, interstate
 11 or foreign commerce, or cause another to do so, to
 12 recruit, solicit, request, induce, counsel, command,
 13 or cause a minor to be a member of a criminal street
 14 gang, or conspire to do so; or

15 “(2) recruit, solicit, request, induce, counsel,
 16 command, or cause a minor to engage in a predicate
 17 gang crime for which the person may be prosecuted
 18 in a court of the United States, or conspire to do so.

19 “(b) PENALTIES.—A person who violates subsection
 20 (a) shall—

21 “(1) be imprisoned not less than 4 years and
 22 not more than 10 years, or be imprisoned not less
 23 than 4 years and not more than 10 years and fined
 24 under this title; and

25 “(2) be liable for any costs incurred by the
 26 Federal Government or by any State or local govern-

1 ment for housing, maintaining, and treating the
2 minor until the minor reaches the age of 18.

3 “(c) DEFINITIONS.—In this section:

4 “(1) CRIMINAL STREET GANG; PREDICATE
5 GANG CRIME.—The terms ‘criminal street gang’ and
6 ‘predicate gang crime’ have the same meanings as in
7 section 521.

8 “(2) MINOR.—The term ‘minor’ means a per-
9 son who is less than 18 years of age.”.

10 (b) SENTENCING GUIDELINES.—

11 (1) IN GENERAL.—Pursuant to its authority
12 under section 994(p) of title 28, United States Code,
13 the United States Sentencing Commission shall
14 amend chapter 2 of the Federal Sentencing Guide-
15 lines to provide an appropriate enhancement for any
16 offense involving the recruitment of a minor to par-
17 ticipate in a criminal street gang.

18 (2) DEFINITIONS.—In this subsection:

19 (A) CRIMINAL STREET GANG.—The term
20 “criminal street gang” has the same meaning
21 as in section 521 of title 18, United States
22 Code.

23 (B) MINOR.—The term “minor” means a
24 person who is less than 18 years of age.

1 (c) CONFORMING AMENDMENT.—The analysis for
 2 chapter 26 of title 18, United States Code, is amended
 3 by adding at the end the following:

“522. Recruitment of minors to participate in criminal street gang activity.”.

4 **SEC. 106. TRANSFER OF FIREARMS TO MINORS FOR USE IN**
 5 **CRIME.**

6 Section 924(h) of title 18, United States Code, is
 7 amended by inserting before the period at the end the fol-
 8 lowing: “, and if the transferee is a person who is less
 9 than 18 years of age, shall be imprisoned not less than
 10 3 years and not more than 15 years, or imprisoned not
 11 less than 3 years and not more than 15 years and fined
 12 under this title.”.

13 **SEC. 107. MANDATORY MINIMUM SENTENCES FOR JUVE-**
 14 **NILES FOR ILLEGAL POSSESSION OF FIRE-**
 15 **ARMS OR USE OF FIREARMS IN COMMISSION**
 16 **OF CRIMES.**

17 (a) PENALTIES.—Section 924(a)(6) of title 18, Unit-
 18 ed States Code, is amended—

19 (1) by striking subparagraph (A);

20 (2) by redesignating subparagraph (B) as sub-
 21 paragraph (A);

22 (3) in subparagraph (A), as redesignated —

23 (A) by striking “(B) A person other than
 24 a juvenile who knowingly” and inserting “(A) A
 25 person who knowingly”;

1 (B) by striking clause (i) and inserting the
2 following:

3 “(i) shall be imprisoned not less than
4 1 year and not more than 5 years or im-
5 prisoned not less than 1 year and not more
6 than 5 years and fined under this title;
7 and”; and

8 (C) in clause (ii), by striking “fined under
9 this title, imprisoned not more than 10 years,
10 or both” and inserting “imprisoned not less
11 than 1 year and not more than 10 years, or im-
12 prisoned not less than 1 year and not more
13 than 10 years and fined under this title”; and
14 (4) by adding at the end the following:

15 “(B) Notwithstanding subparagraph (A),
16 no mandatory minimum sentence shall apply to
17 a juvenile who is less than 14 years of age.”.

18 **SEC. 108. CRIMES INVOLVING THE USE OF MINORS AS RICO**

19 **PREDICATES.**

20 Section 1961(1) of title 18, United States Code, is
21 amended—

22 (1) by striking “or” before “(F)”; and

23 (2) by inserting before the semicolon at the end
24 of the paragraph the following: “, or (G) any offense

1 that is subject to a sentencing enhancement under
2 section 25”.

3 **Subtitle B—Violent and Repeat**
4 **Juvenile Offender Accountability**

5 **SEC. 121. TREATMENT OF JUVENILE OFFENDERS.**

6 Section 5032 of title 18, United States Code, is
7 amended to read as follows:

8 **“§ 5032. Delinquency proceedings in district courts;**
9 **juveniles tried as adults; transfer for**
10 **other criminal prosecution**

11 “(a) IN GENERAL.—

12 “(1) SURRENDER TO STATE AUTHORITIES.—A
13 juvenile alleged to have committed an offense
14 against the United States or an act of juvenile delin-
15 quency may be surrendered to State authorities, but
16 if not so surrendered, shall be proceeded against as
17 a juvenile under this subsection or tried as an adult
18 in the circumstances described in subsection (b).

19 “(2) JUVENILE PROCEEDINGS.—If a juvenile
20 alleged to have committed an act of juvenile delin-
21 quency is proceeded against as a juvenile under this
22 section, any proceedings against the juvenile shall be
23 in an appropriate district court of the United States.
24 For such purposes, the court may be convened at
25 any time and place within the district, and shall be

1 open to the public, except that the court may ex-
2 clude all or some members of the public, other than
3 a victim unless the victim is a witness in the deter-
4 mination of guilt or innocence, if required by the in-
5 terests of justice or if other good cause is shown.
6 The United States Attorney having jurisdiction over
7 the offense shall proceed by information or as au-
8 thorized by section 3401(g) of this title, and no
9 criminal prosecution shall be instituted except as
10 provided in this chapter.

11 “(b) JUVENILES TRIED AS ADULTS.—A juvenile who
12 is not less than 14 years of age and who is alleged to have
13 committed an act of juvenile delinquency that, if commit-
14 ted by an adult, would be a Federal felony offense—

15 “(1) shall be tried in the appropriate district
16 court of the United States as an adult if the offense
17 charged is—

18 “(A) murder or attempted murder;

19 “(B) robbery while armed with a dan-
20 gerous or deadly weapon;

21 “(C) battery or assault while armed with a
22 dangerous or deadly weapon;

23 “(D) forcible rape;

24 “(E) any serious drug offense that, if com-
25 mitted by an adult, would be punishable under

1 section 401(b)(1)(A) or 408 of the Controlled
2 Substances Act (21 U.S.C. 841(b)(1)(A), 848)
3 or section 1010(b)(1)(A) of the Controlled Sub-
4 stances Import and Export Act (21 U.S.C.
5 960(b)(1)(A)); and

6 “(F) the third or subsequent occasion, un-
7 related to any previous occasion, on which the
8 juveniles engage in conduct for which adults
9 could be imprisoned for a term exceeding 1
10 year, unless, on a case-by-case basis the United
11 States district court of appropriate jurisdic-
12 tion—

13 “(i) determines, on a motion from the
14 juvenile defendant, that trying such a juve-
15 nile as an adult is not in the interest of
16 justice (which determination shall not be
17 appealable);

18 “(ii) records its reasons for making
19 the determination in writing and makes
20 that record available for inspection by the
21 public; and

22 “(iii) makes a record in writing of the
23 disposition of the juvenile in the juvenile
24 justice system available to the public, not-
25 withstanding any other law requiring the

1 information to be withheld or limited in
2 any way from access by the public.”;

3 “(2) may be tried as an adult, if the United
4 States Attorney having jurisdiction over the offense
5 determines that there is a substantial Federal inter-
6 est in the case, or the offense otherwise warrants the
7 exercise of Federal jurisdiction—

8 “(A) if the offense charged is an offense
9 described in—

10 “(i) subsection (b), (g), or (h) of sec-
11 tion 924; or

12 “(ii) section 922(x); or

13 “(B) if the juvenile is alleged to have com-
14 mitted (after the juvenile has attained the age
15 of 13) an act that, if committed by an adult,
16 would be a felony crime of violence (as that
17 term is defined in section 16); and

18 “(3) in all other cases, shall be proceeded
19 against as a juvenile.

20 “(c) FURTHER PROCEEDINGS.—Whenever a juvenile
21 transferred to district court under this section is not con-
22 victed of the crime upon which the transfer was based or
23 another crime which would have warranted transfer had
24 the juvenile been initially charged with that crime, further

1 proceedings concerning the juvenile shall be conducted
2 pursuant to this chapter.”.

3 **SEC. 122. USE OF JUVENILE RECORDS.**

4 Section 5038 of title 18, United States Code, is
5 amended—

6 (1) by striking subsections (d) and (f);

7 (2) by redesignating subsection (e) as sub-
8 section (d); and

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

10 “(e) USE OF JUVENILE RECORDS.—

11 “(1) IN GENERAL.—The court shall comply
12 with the requirements of paragraph (2), if a juvenile
13 is adjudicated delinquent in a juvenile delinquency
14 proceeding for conduct that, if committed by an
15 adult, would constitute a felony.

16 “(2) REQUIREMENTS.—The requirements re-
17 ferred to in paragraph (1) are that—

18 “(A) a record shall be kept relating to the
19 adjudication that is—

20 “(i) equivalent to the record that
21 would be kept of an adult conviction for
22 such an offense;

23 “(ii) retained for a period of time that
24 is equal to the period of time that records
25 are kept for adult convictions;

1 “(iii) made available to law enforce-
2 ment agencies of any jurisdiction;

3 “(iv) made available to officials of a
4 school, school district, or postsecondary
5 school where the individual who is the sub-
6 ject of the juvenile record seeks, intends,
7 or is instructed to enroll, and that those
8 officials are held liable to the same stand-
9 ards and penalties that law enforcement
10 and juvenile justice system employees are
11 held liable to, under Federal and State law
12 for handling and disclosing the informa-
13 tion; and

14 “(v) made available to any court hav-
15 ing criminal jurisdiction over such an indi-
16 vidual (in a juvenile or adult proceeding)
17 for the purpose of allowing the court to
18 consider the prior juvenile history of the
19 individual as a relevant factor in determin-
20 ing appropriate punishment for the individ-
21 ual at the sentencing hearing;

22 “(B) the juvenile shall be fingerprinted
23 and photographed, and the fingerprints and
24 photograph shall be—

1 “(i) sent to the Identification Division
2 of the Federal Bureau of Investigation;
3 and

4 “(ii) otherwise made available to the
5 same extent that fingerprints and photo-
6 graphs of adults are made available; and

7 “(C) the court in which the adjudication
8 takes place shall transmit to the Identification
9 Division of the Federal Bureau of Investigation,
10 any information concerning the adjudication,
11 including the name, date of adjudication, court,
12 offenses, and disposition, along with a promi-
13 nent notation that the matter concerns a juve-
14 nile adjudication.

15 “(3) DISSEMINATION OF JUVENILE RECORDS
16 BY THE FEDERAL BUREAU OF INVESTIGATION.—

17 “(A) IN GENERAL.—Any juvenile records
18 received by the Federal Bureau of Investigation
19 under this subsection shall be disseminated to
20 State and local law enforcement officials to the
21 same extent and on the same terms as the Fed-
22 eral Bureau of Investigation makes adult
23 records available to those officials, except that
24 all juvenile records shall include a prominent

1 notation that the matter concerns a juvenile ad-
2 judication.

3 “(B) INFORMATION TO SCHOOL OFFI-
4 CIALS.—The head of the Identification Division
5 of the Federal Bureau of Investigation shall
6 provide, upon request, the information received
7 by the Director under this subsection to offi-
8 cials of a school, school district, or postsecond-
9 ary school at which the individual who is the
10 subject of the information seeks, intends, or is
11 instructed or ordered to enroll.

12 “(4) REPEAT OFFENDERS.—If a juvenile has
13 been adjudicated to be delinquent on 2 or more sep-
14 arate occasions based on conduct that would be a
15 felony if committed by an adult, the record of the
16 second and all subsequent adjudications shall be
17 made available to the public to the same extent that
18 a record of an adult conviction is open to the public.

19 “(5) FINGERPRINTING AND PHOTOGRAPHING
20 UPON ARREST OF VIOLENT JUVENILE OFFEND-
21 ERS.—If a juvenile who is arrested for conduct that,
22 if committed by an adult, would constitute a crime
23 of violence (as that term is defined in section 16)—

24 “(A) a record equivalent to the record that
25 would be kept for an adult arrested for that

1 conduct, including fingerprints and photo-
2 graphs, shall be kept; and

3 “(B) the fingerprints and photograph shall
4 be—

5 “(i) sent to the Identification Division
6 of the Federal Bureau of Investigation;
7 and

8 “(ii) otherwise made available to the
9 same extent that fingerprints and photo-
10 graphs of adult offenders are made avail-
11 able.”.

12 **SEC. 123. JUVENILE ADJUDICATIONS CONSIDERED IN SEN-**
13 **TENCING.**

14 Pursuant to its authority under section 994(p) of title
15 28, United States Code, the United States Sentencing
16 Commission shall amend the Federal Sentencing Guide-
17 lines to provide that, for purposes of sentencing deter-
18 minations with respect to an adult defendant, an offense
19 contained in the juvenile record of the defendant for which
20 the defendant was adjudicated delinquent, shall be treated
21 in the same manner as an adult offense, if the juvenile
22 offense would have constituted a felony if it had been com-
23 mitted by the defendant as an adult.

1 **SEC. 124. DISPOSITION; AVAILABILITY OF INCREASED DE-**
2 **TENTION, FINES, AND SUPERVISED RELEASE**
3 **FOR JUVENILE OFFENDERS.**

4 (a) DISPOSITION.—Section 5037 of title 18, United
5 States Code, is amended to read as follows:

6 **“§ 5037. Disposition**

7 “(a) IN GENERAL.—

8 “(1) HEARING.—In a proceeding under section
9 5032(a), if the court finds a juvenile to be a juvenile
10 delinquent, the court shall hold a hearing concerning
11 the appropriate disposition of the juvenile not later
12 than 30 court days after the finding of juvenile de-
13 linquency, unless the court has ordered further study
14 pursuant to subsection (e).

15 “(2) PREDISPOSITION REPORT.—A predisposi-
16 tion report shall be prepared by the probation officer
17 who shall promptly provide a copy to the juvenile,
18 counsel for the juvenile, and the attorney for the
19 Government.

20 “(3) VICTIM IMPACT INFORMATION.—Victim
21 impact information and a copy of the prior convic-
22 tion record of the juvenile shall be included in each
23 predisposition report under paragraph (2), and vic-
24 tims, or in appropriate cases their official represent-
25 atives, shall be provided the opportunity to make a

1 statement to the court in person or present any in-
2 formation in relation to the disposition.

3 “(4) SANCTIONS.—After a dispositional hearing
4 under this subsection, and after considering possible
5 sanctions established pursuant to subsection (f), the
6 court shall impose an appropriate sanction, including
7 the ordering of restitution pursuant to section 3556.

8 “(5) RELEASE OR DETENTION PENDING AP-
9 PEAL.—With respect to release or detention pending
10 an appeal or a petition for a writ of certiorari after
11 disposition, the court shall proceed pursuant to
12 chapter 207.

13 “(b) PROBATION.—

14 “(1) IN GENERAL.—The term for which proba-
15 tion may be ordered for a juvenile found to be a ju-
16 venile delinquent may not extend beyond the maxi-
17 mum term that would be authorized by section
18 3561(c) if the juvenile had been tried and convicted
19 as an adult.

20 “(2) APPLICABLE LAW.—Sections 3563, 3564,
21 and 3565 apply to an order placing a juvenile on
22 probation.

23 “(c) OFFICIAL DETENTION.—

24 “(1) IN GENERAL.—The term for which official
25 detention may be ordered for a juvenile found to be

1 a juvenile delinquent may not extend beyond the
2 lesser of—

3 “(A) the maximum term of imprisonment
4 that would be authorized if the juvenile had
5 been tried and convicted as an adult;

6 “(B) 10 years; or

7 “(C) the 26th birthday of the juvenile.

8 “(2) APPLICABLE LAW.—Section 3624 applies
9 to an order placing a juvenile in detention.

10 “(d) SUPERVISED RELEASE.—

11 “(1) IN GENERAL.—The term for which super-
12 vised release may be ordered for a juvenile found to
13 be a juvenile delinquent may not exceed 5 years.

14 “(2) APPLICABLE LAW.—Subsections (c)
15 through (i) of section 3583 apply to an order placing
16 a juvenile on supervised release.

17 “(e) OBSERVATION AND STUDY.—If the court desires
18 more detailed information concerning a juvenile alleged to
19 have committed an act of juvenile delinquency or a juvenile
20 adjudicated delinquent, it may commit the juvenile, after
21 notice and hearing at which the juvenile is represented by
22 counsel, to the custody of the Attorney General for obser-
23 vation and study by an appropriate agency or entity. Such
24 observation and study shall be conducted on an outpatient
25 basis, unless the court determines that inpatient observa-

1 tion and study are necessary to obtain the desired infor-
2 mation. In the case of an alleged juvenile delinquent, inpa-
3 tient study may be ordered only with the consent of the
4 juvenile and the juvenile’s attorney. The agency or entity
5 shall make a study of all matters relevant to the alleged
6 or adjudicated delinquent behavior and the court’s inquiry.
7 The Attorney General shall submit to the court and the
8 attorneys for the juvenile and the Government the results
9 of the study within 30 days after the commitment of the
10 juvenile, unless the court grants additional time. Time
11 spent in custody under this subsection shall be excluded
12 for purposes of section 5036.

13 “(f) SENTENCING COMMISSION.—

14 “(1) IN GENERAL.—The United States Sen-
15 tencing Commission, in consultation with the Attor-
16 ney General, shall develop a list of possible sanctions
17 for juveniles adjudicated delinquent.

18 “(2) LIST.—The list developed under para-
19 graph (1) shall—

20 “(A) be comprehensive in nature and en-
21 compass punishments of varying levels of sever-
22 ity;

23 “(B) include terms of confinement; and

1 “(C) provide punishments that escalate in
2 severity with each additional or subsequent
3 more serious delinquent conduct.”.

4 (b) **EFFECTIVE DATE.**—The United States Sentenc-
5 ing Commission shall develop the list required pursuant
6 to section 5037(f), as amended by subsection (a), not later
7 than 180 days after the date of enactment of this Act.

8 **SEC. 125. VIOLENT, ARMED, AND DANGEROUS YOUTH AP-**
9 **PREHENSION DIRECTIVE.**

10 (a) **IN GENERAL.**—Not later than 180 days after the
11 date of enactment of this Act, the Attorney General shall
12 establish a violent, armed, and dangerous youth apprehen-
13 sion program consistent with the following requirements:

14 (1) **VIOLENT YOUTH PROSECUTORS.**—Each
15 United States attorney shall designate at least 1 as-
16 sistant United States attorney to prosecute, on ei-
17 ther a full- or part-time basis, violent, armed, and
18 dangerous youth offenders.

19 (2) **TASK FORCE.**—Each United States attorney
20 shall establish a violent, armed, and dangerous
21 youth criminal apprehension task force comprised of
22 appropriate law enforcement representatives. The
23 task force shall develop strategies for removing vio-
24 lent, armed, and dangerous youth offenders from the
25 streets, taking into consideration—

1 (A) the importance of severe punishment
2 in deterring violent youth crime;

3 (B) the effectiveness of Federal and State
4 laws pertaining to apprehension and prosecu-
5 tion of violent, armed, and dangerous youth of-
6 fenders;

7 (C) the resources available to each law en-
8 forcement agency participating in the task
9 force;

10 (D) the nature and extent of the violent
11 youth crime occurring in the district for which
12 the United States attorney is appointed; and

13 (E) the principle of limited Federal in-
14 volvement in the prosecution of crimes tradi-
15 tionally prosecuted in State and local jurisdic-
16 tions.

17 (3) REPORT ON VIOLENT, ARMED, AND DAN-
18 GEROUS YOUTH OFFENDERS.—Not less frequently
19 than every other month, the Attorney General shall
20 require each United States attorney to report to the
21 Department of Justice—

22 (A) the number of youths in the district
23 for which the United States attorney is ap-
24 pointed, who were charged with, or convicted
25 of—

- 1 (i) a crime of violence;
- 2 (ii) a Federal felony offense involving
- 3 a controlled substance (as that term is de-
- 4 fined in section 102 of the Controlled Sub-
- 5 stances Act (21 U.S.C. 802)) for which the
- 6 maximum term of imprisonment is not less
- 7 than 5 years; or
- 8 (iii) a criminal street gang offense (as
- 9 that term is defined in section 521 of title
- 10 18, United States Code); and

11 (B) the number of youths referred to a

12 State for prosecution for offenses described in

13 subparagraph (A).

14 (4) COMPILATION AND REPORT ON WAIVERS.—

15 Not less frequently than twice annually, the Attor-

16 ney General shall submit to Congress a compilation

17 of the information received by the Department of

18 Justice pursuant to paragraph (3) and a report on

19 any waivers granted under subsection (b).

20 (b) WAIVER AUTHORITY.—

21 (1) REQUEST FOR WAIVER.—A United States

22 attorney may request the Attorney General to waive

23 the requirements of subsection (a) with respect to

24 the United States attorney.

25 (2) PROVISION OF WAIVER.—

1 (A) IN GENERAL.—The Attorney General
2 may waive the requirements of subsection (a)
3 pursuant to a request made under paragraph
4 (1), in accordance with guidelines which shall
5 be established by the Attorney General.

6 (B) FACTORS FOR CONSIDERATION.—In
7 establishing guidelines under this paragraph,
8 the Attorney General shall take into consider-
9 ation the number of assistant United States at-
10 torneys in the office of the United States attor-
11 ney making the request and the level of crime
12 committed by violent, armed, and dangerous
13 youth in the district for which the United
14 States attorney is appointed.

15 (c) DEFINITION OF VIOLENT, ARMED, AND DAN-
16 GEROUS YOUTH.—In this section, the term “violent,
17 armed, and dangerous youth” means a person who is less
18 than 18 years of age and who is charged with—

19 (1) a violation of section 922(g)(1) of title 18,
20 United States Code, having been previously—

21 (A) convicted of a crime of violence; or

22 (B) adjudicated delinquent for an act that
23 would have been a crime of violence, if the per-
24 son had been an adult at the time the act was
25 committed; or

1 (2) a violation of section 924 of that title;

2 (3) a Federal felony involving a controlled sub-
3 stance (as defined in section 102 of the Controlled
4 Substances Act (21 U.S.C. 802)) for which the max-
5 imum term of imprisonment is not less than 5 years;

6 (4) a Federal felony crime of violence that has
7 as an element the use or attempted use of physical
8 force against the person of another; or

9 (5) a criminal street gang offense (as that term
10 is defined in section 521 of title 18, United States
11 Code).

12 **SEC. 126. CONSTRUCTION OF FEDERAL JUVENILE CORREC-**
13 **TIONS FACILITIES.**

14 (a) IN GENERAL.—Not later than 4 years after the
15 date of enactment of this Act, to ensure that prison cell
16 space is available for the confinement of Federal juvenile
17 offenders, the Bureau of Prisons of the Department of
18 Justice shall establish (through construction and develop-
19 ment of new facilities, expansion or modification of exist-
20 ing facilities, or any combination thereof) and operate 4
21 new correctional facilities for the confinement of Federal
22 juvenile offenders.

23 (b) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated such sums as may be
25 necessary to carry out this section.

1 **Subtitle C—Combating Gang**
2 **Violence**

3 **SEC. 131. GANG FRANCHISING.**

4 (a) IN GENERAL.—Chapter 26 of title 18, United
5 States Code, is amended by adding at the end the follow-
6 ing:

7 **“SEC. 523. INTERSTATE FRANCHISING OF CRIMINAL**
8 **STREET GANGS.**

9 “(a) PROHIBITED ACT.—Whoever travels in inter-
10 state or foreign commerce, or causes another to do so, to
11 recruit, solicit, induce, command, cause to create, or at-
12 tempt to create a franchise of a criminal street gang shall
13 be punished in accordance with subsection (c).

14 “(b) DEFINITIONS.—In this section:

15 “(1) CRIMINAL STREET GANG.—The term
16 ‘criminal street gang’ has the meaning given that
17 term in section 521 of title 18, United States Code.

18 “(2) FRANCHISE.—The term ‘franchise’ means
19 an organized group of individuals related by name,
20 moniker, or other identifier, that engages in coordi-
21 nated violent crime or drug trafficking activities in
22 interstate or foreign commerce with a criminal street
23 gang in another State.

24 “(c) PENALTIES.—Any person who violates sub-
25 section (a) shall be imprisoned not less than 4 years and

1 not more than 10 years, or imprisoned not less than 4
 2 years and not more than 10 years and fined under this
 3 title.”.

4 (b) CONFORMING AMENDMENT.—The analysis for
 5 chapter 26 of title 18, United States Code, is amended
 6 by adding at the end the following:

“523. Interstate franchising of criminal street gangs.”.

7 **SEC. 132. INCREASE IN OFFENSE LEVEL FOR PARTICIPA-**
 8 **TION IN CRIME AS A GANG MEMBER.**

9 (a) DEFINITION.—In this section, the term “criminal
 10 street gang” has the same meaning as in section 521 of
 11 title 18, United States Code.

12 (b) AMENDMENT OF SENTENCING GUIDELINES.—
 13 Pursuant to its authority under section 994(p) of title 28,
 14 United States Code, the United States Sentencing Com-
 15 mission shall amend the Federal sentencing guidelines to
 16 provide an appropriate enhancement, increasing the of-
 17 fense level by not less than 6 levels, for any offense, if
 18 the offense was both committed in connection with, or in
 19 furtherance of, the activities of a criminal street gang and
 20 the defendant was a member of the criminal street gang
 21 at the time of the offense.

22 (c) CONSTRUCTION WITH OTHER GUIDELINES.—
 23 The amendment made pursuant to subsection (b) shall
 24 provide that the increase in the offense level shall be in

1 addition to any other adjustment under chapter 3 of the
2 Federal sentencing guidelines.

3 **SEC. 133. AMENDMENT OF TITLE 18 WITH RESPECT TO**
4 **CRIMINAL STREET GANGS.**

5 (a) IN GENERAL.—Section 521 of title 18, United
6 States Code, is amended—

7 (1) in subsection (a)—

8 (A) by striking “(a) DEFINITIONS.—” and
9 inserting the following:

10 “(a) DEFINITIONS.—In this section:”, and

11 (B) by striking “‘conviction’ and all that
12 follows through the end of the subsection and
13 inserting the following:

14 “(1) CRIMINAL STREET GANG.—The term
15 ‘criminal street gang’ means an ongoing group, club,
16 organization, or association of 3 or more persons,
17 whether formal or informal—

18 “(A) a primary activity of which is the
19 commission of 1 or more predicate gang crimes;

20 “(B) any member of which engages, or has
21 engaged during the 5-year period preceding the
22 date at issue, in a pattern of criminal gang ac-
23 tivity; and

24 “(C) the activities of which affect inter-
25 state or foreign commerce.

1 “(2) PATTERN OF CRIMINAL GANG ACTIVITY.—
 2 The term ‘pattern of criminal gang activity’ means
 3 the commission of 2 or more predicate gang crimes
 4 committed in connection with, or in furtherance of,
 5 the activities of a criminal street gang—

6 “(A) not less than 1 of which was commit-
 7 ted after the date of enactment of the Federal
 8 Gang Violence Act;

9 “(B) the first of which was committed not
 10 more than 5 years before the commission of an-
 11 other predicate gang crime; and

12 “(C) that were committed on separate oc-
 13 casions.

14 “(3) PREDICATE GANG CRIME.—The term
 15 ‘predicate gang crime’ means an offense, including
 16 an act of juvenile delinquency that, if committed by
 17 an adult, would be an offense that is—

18 “(A) a Federal offense—

19 “(i) that is a crime of violence (as
 20 that term is defined in section 16) includ-
 21 ing carjacking, drive-by-shooting, shooting
 22 at an unoccupied dwelling or motor vehicle,
 23 assault with a deadly weapon, and homi-
 24 cide;

1 “(ii) that involves a controlled sub-
2 stance (as that term is defined in section
3 102 of the Controlled Substances Act (21
4 U.S.C. 802)) for which the penalty is im-
5 prisonment for not less than 5 years;

6 “(iii) that is a violation of section
7 844, 875, or 876 (relating to extortion and
8 threats), section 1084 (relating to gam-
9 bling), section 1955 (relating to gambling),
10 chapter 44 (relating to firearms), or chap-
11 ter 73 (relating to obstruction of justice);

12 “(iv) that is a violation of section
13 1956 (relating to money laundering), inso-
14 far as the violation of that section is relat-
15 ed to a Federal or State offense involving
16 a controlled substance (as that term is de-
17 fined in section 102 of the Controlled Sub-
18 stances Act (21 U.S.C. 802)); or

19 “(v) that is a violation of section
20 274(a)(1)(A), 277, or 278 of the Immigra-
21 tion and Nationality Act (8 U.S.C.
22 1324(a)(1)(A), 1327, or 1328) (relating to
23 alien smuggling);

24 “(B) a State offense involving conduct that
25 would constitute an offense under subparagraph

1 (A) if Federal jurisdiction existed or had been
2 exercised; or

3 “(C) a conspiracy, attempt, or solicitation
4 to commit an offense described in subparagraph
5 (A) or (B).

6 “(4) STATE.—The term ‘State’ includes a State
7 of the United States, the District of Columbia, Puer-
8 to Rico, Guam, the Virgin Islands, and any other
9 territory of possession of the United States.”; and

10 (2) by striking subsections (b), (c), and (d) and
11 inserting the following:

12 “(b) CRIMINAL PENALTIES.—Any person who en-
13 gages in a pattern of criminal gang activity—

14 “(1) shall be sentenced to—

15 “(A) a term of imprisonment of not less
16 than 10 years and not more than life, or a term
17 of imprisonment of not less than 10 years and
18 not more than life and fined under this title;
19 and

20 “(B) the forfeiture prescribed in section
21 413 of the Controlled Substances Act (21
22 U.S.C. 853); and

23 “(2) if any person engages in that activity after
24 1 or more prior convictions under this section have
25 become final, shall be sentenced to—

1 “(A) a term of imprisonment of not less
2 than 20 years and not more than life, or a term
3 of imprisonment of not less than 20 years and
4 not more than life and fined under this title;
5 and

6 “(B) the forfeiture prescribed in section
7 412 of the Controlled Substances Act (21
8 U.S.C. 853).”.

9 (b) CONFORMING AMENDMENT.—Section 3663(c)(4)
10 of title 18, United States Code, is amended by inserting
11 before “chapter 46” the following: “section 521 of this
12 title,”.

13 **SEC. 134. INTERSTATE AND FOREIGN TRAVEL OR TRANS-**
14 **PORTATION IN AID OF CRIMINAL STREET**
15 **GANGS.**

16 (a) TRAVEL ACT AMENDMENTS.—

17 (1) PROHIBITED CONDUCT AND PENALTIES.—
18 Section 1952(a) of title 18, United States Code, is
19 amended to read as follows:

20 “(a) PROHIBITED CONDUCT AND PENALTIES.—

21 “(1) IN GENERAL.—Any person who—

22 “(A) travels in interstate or foreign com-
23 merce or uses the mail or any facility in inter-
24 state or foreign commerce, with intent to—

1 “(i) distribute the proceeds of any un-
2 lawful activity; or

3 “(ii) otherwise promote, manage, es-
4 tablish, carry on, or facilitate the pro-
5 motion, management, establishment, or
6 carrying on, of any unlawful activity; and

7 “(B) after travel or use of the mail or any
8 facility in interstate or foreign commerce de-
9 scribed in subparagraph (A), performs, at-
10 tempts to perform, or conspires to perform an
11 act described in clause (i) or (ii) of subpara-
12 graph (A),

13 shall be imprisoned not more than 10 years, fined
14 under this title, or both.

15 “(2) CRIMES OF VIOLENCE.—Any person
16 who—

17 “(A) travels in interstate or foreign com-
18 merce or uses the mail or any facility in inter-
19 state or foreign commerce, with intent to com-
20 mit any crime of violence to further any unlaw-
21 ful activity; and

22 “(B) after travel or use of the mail or any
23 facility in interstate or foreign commerce de-
24 scribed in subparagraph (A), commits, attempts

1 to commit, or conspires to commit any crime of
2 violence to further any unlawful activity,
3 shall be imprisoned not more than 20 years, fined
4 under this title, or both, and if death results shall
5 be sentenced to death or be imprisoned for any term
6 of years or for life.”.

7 (2) DEFINITIONS.—Section 1952(b) of title 18,
8 United States Code, is amended to read as follows:
9 “(b) DEFINITIONS.—In this section:

10 “(1) CONTROLLED SUBSTANCE.—The term
11 ‘controlled substance’ has the same meaning as in
12 section 102(6) of the Controlled Substances Act (21
13 U.S.C. 802(6)).

14 “(2) CRIME OF VIOLENCE.—The term ‘crime of
15 violence’ has the same meaning as in section 16.

16 “(3) STATE.—The term ‘State’ includes a State
17 of the United States, the District of Columbia, and
18 any commonwealth, territory, or possession of the
19 United States.

20 “(4) UNLAWFUL ACTIVITY.—The term ‘unlaw-
21 ful activity’ means—

22 “(A) predicate gang crime (as that term is
23 defined in section 521);

24 “(B) any business enterprise involving
25 gambling, liquor on which the Federal excise

1 tax has not been paid, narcotics or controlled
2 substances, or prostitution offenses in violation
3 of the laws of the State in which the offense is
4 committed or of the United States;

5 “(C) extortion, bribery, arson, robbery,
6 burglary, assault with a deadly weapon, retali-
7 ation against or intimidation of witnesses, vic-
8 tims, jurors, or informants, assault resulting in
9 bodily injury, possession of or trafficking in sto-
10 len property, illegally trafficking in firearms,
11 kidnapping, alien smuggling, or shooting at an
12 occupied dwelling or motor vehicle, in each case,
13 in violation of the laws of the State in which
14 the offense is committed or of the United
15 States; or

16 “(D) any act that is indictable under sec-
17 tion 1956 or 1957 of this title or under sub-
18 chapter II of chapter 53 of title 31.”.

19 (b) AMENDMENT OF SENTENCING GUIDELINES.—

20 (1) IN GENERAL.—Pursuant to its authority
21 under section 994(p) of title 28, United States Code,
22 the United States Sentencing Commission shall
23 amend chapter 2 of the Federal sentencing guide-
24 lines so that—

1 (A) the base offense level for traveling in
 2 interstate or foreign commerce in aid of a
 3 criminal street gang or other unlawful activity
 4 is increased to 12; and

5 (B) the base offense level for the commis-
 6 sion of a crime of violence in aid of a criminal
 7 street gang or other unlawful activity is in-
 8 creased to 24.

9 (2) DEFINITIONS.—In this subsection:

10 (A) CRIMINAL STREET GANG.—The term
 11 “criminal street gang” has the same meaning
 12 as in section 521 of title 18, United States
 13 Code.

14 (B) UNLAWFUL ACTIVITY.—The term “un-
 15 lawful activity” has the same meaning as in
 16 section 1952(b) of title 18, United States Code,
 17 as amended by this section.

18 **SEC. 135. SERIOUS JUVENILE DRUG OFFENSES AS ARMED**

19 **CAREER CRIMINAL ACT PREDICATES.**

20 Section 924(e)(2)(A) of title 18, United States Code,
 21 is amended—

22 (1) in clause (i), by striking “or” at the end;

23 (2) in clause (ii), by adding “or” at the end;

24 and

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

1 “(iii) any act of juvenile delinquency
2 that if committed by an adult would be an
3 offense described in clause (i) or (ii);”.

4 **SEC. 136. APPLICATION OF RACKETEERING OFFENSES TO**
5 **FIREARMS OFFENSES.**

6 Section 1961(1) of title 18, United States Code, is
7 amended by inserting before “section 1028” the following:
8 “subsection (a)(1), (a)(6), (i), (j), (k), (o), (q), (u), (v),
9 or (x)(1) of section 922, subsection (b), (g), (h), (k), (l),
10 or (m), of section 924 (relating to firearms),”

11 **SEC. 137. INCREASING THE PENALTY FOR USING PHYSICAL**
12 **FORCE OR TAMPERING WITH WITNESSES,**
13 **VICTIMS, OR INFORMANTS.**

14 Section 1512 (b) of title 18, United States Code, is
15 amended by striking “not more than ten years” and in-
16 serting “not more than 20 years”.

17 **TITLE II—ACCOUNTABILITY FOR**
18 **JUVENILE OFFENDERS AND**
19 **PUBLIC PROTECTION INCEN-**
20 **TIVE GRANTS TO STATES**

21 **SEC. 201. BLOCK GRANT PROGRAM.**

22 (a) IN GENERAL.—Part R of title I of the Omnibus
23 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
24 3796 et seq.) is amended to read as follows:

1 **“PART R—JUVENILE ACCOUNTABILITY BLOCK**2 **GRANTS**3 **“SEC. 1801. DEFINITIONS.**

4 “In this part:

5 “(1) DIRECTOR.—The term ‘Director’ means
6 the Director of the Bureau of Justice Assistance of
7 the Department of Justice.8 “(2) JUVENILE.—The term ‘juvenile’ means an
9 individual who is 17 years of age or younger.10 “(3) LAW ENFORCEMENT EXPENDITURES.—
11 The term ‘law enforcement expenditures’ means the
12 expenditures associated with police, prosecutorial,
13 legal, and judicial services, and corrections as re-
14 ported to the Bureau of the Census for the fiscal
15 year preceding the fiscal year for which a determina-
16 tion is made under this part.17 “(4) PART 1 VIOLENT CRIMES.—The term ‘part
18 1 violent crimes’ means murder and nonnegligent
19 manslaughter, forcible rape, robbery, and aggravated
20 assault as reported to the Federal Bureau of Inves-
21 tigation for purposes of the Uniform Crime Reports.22 “(5) STATE.—The term ‘State’ means any
23 State of the United States, the District of Columbia,
24 the Commonwealth of Puerto Rico, the Virgin Is-
25 lands, American Samoa, Guam, and the Northern
26 Mariana Islands, except that—

1 “(A) American Samoa, Guam, and the
2 Northern Mariana Islands shall be considered
3 to be 1 State; and

4 “(B) for purposes of section 1804, 33 per-
5 cent of the amounts allocated shall be allocated
6 to American Samoa, 50 percent to Guam, and
7 17 percent to the Northern Mariana Islands.

8 “(6) UNIT OF LOCAL GOVERNMENT.—The term
9 ‘unit of local government’ means—

10 “(A) a county, township, city, or political
11 subdivision of a county, township, or city, that
12 is a unit of local government as determined by
13 the Secretary of Commerce for general statis-
14 tical purposes; and

15 “(B) the District of Columbia and the rec-
16 ognized governing body of an Indian tribe or
17 Alaskan Native village that carries out substan-
18 tial governmental duties and powers.

19 **“SEC. 1802. GRANT AUTHORIZATION.**

20 “(a) IN GENERAL.—In order to promote greater ac-
21 countability in the juvenile justice system, the Director
22 may make grants in accordance with this part to States,
23 for use by States and units of local government for activi-
24 ties described in subsection (b).

1 “(b) AUTHORIZED ACTIVITIES.—Amounts paid to a
2 State, or a unit of local government under this part shall
3 be used by the State or unit of local government for the
4 purpose of promoting greater accountability in the juvenile
5 justice system, including—

6 “(1) building, expanding, or operating tem-
7 porary or permanent juvenile correction or detention
8 facilities;

9 “(2) developing and administering accountabil-
10 ity-based sanctions for juvenile offenders;

11 “(3) hiring additional prosecutors, so that more
12 cases involving violent juvenile offenders can be
13 prosecuted and backlogs reduced;

14 “(4) providing funding to enable prosecutors to
15 address drug, gang, and youth violence problems
16 more effectively;

17 “(5) providing funding for technology, equip-
18 ment, and training to assist prosecutors in identify-
19 ing and expediting the prosecution of violent juvenile
20 offenders;

21 “(6) providing funding to enable juvenile courts
22 and juvenile probation offices to be more effective
23 and efficient in holding juvenile offenders account-
24 able and reducing recidivism;

1 “(7) the establishment of court-based juvenile
2 justice programs that target young firearms offend-
3 ers through the establishment of juvenile gun courts
4 for the adjudication and prosecution of juvenile fire-
5 arms offenders;

6 “(8) establishing and maintaining interagency
7 information-sharing programs that enable the juve-
8 nile and criminal justice system, schools, and social
9 services agencies to make more informed decisions
10 regarding the early identification, control, super-
11 vision, and treatment of juveniles who repeatedly
12 commit serious delinquent or criminal acts; and

13 “(9) establishing and maintaining accountabil-
14 ity-based programs that work with juvenile offenders
15 who are referred by law enforcement agencies, or
16 that are designed, in cooperation with law enforce-
17 ment officials, to protect students and school person-
18 nel from drug, gang, and youth violence.

19 **“SEC. 1803. ELIGIBILITY.**

20 “(a) **ELIGIBILITY.**—To be eligible to receive a grant
21 under this part, a State shall submit an application to the
22 Director that demonstrates that the State has in effect
23 or has implemented (or will have in effect or will have im-
24 plemented not later than 1 year after the date on which

1 the State submits the application) laws, policies, or pro-
2 grams that provide for each of the following:

3 “(1) PROSECUTION OF JUVENILES AS ADULTS
4 FOR CERTAIN OFFENSES.—The State shall provide
5 for the prosecution of juveniles who are not less than
6 14 years of age as adults in criminal court, rather
7 than in juvenile delinquency proceedings, for conduct
8 constituting—

9 “(A) murder;

10 “(B) robbery while armed with a dan-
11 gerous or deadly weapon;

12 “(C) battery or assault while armed with a
13 dangerous or deadly weapon;

14 “(D) forcible rape;

15 “(E) any serious drug offense that, if com-
16 mitted by an adult subject to Federal jurisdic-
17 tion, would be punishable under section
18 401(b)(1)(A) of the controlled Substances Im-
19 port and Export Act (21 U.S.C. 960(b)(1)(A));

20 “(F) the third or subsequent occasion, un-
21 related to any previous occasion, on which the
22 juveniles engage in conduct for which adults
23 could be imprisoned for a term exceeding 1
24 year, unless, on a case-by-case basis—

1 “(i) a court determines that trying the
2 juvenile as an adult is not in the interest
3 of justice under State law;

4 “(ii) the court records its reasons for
5 making that determination in writing and
6 makes the record available for inspection
7 by the public at large; and

8 “(iii) the court makes a record in
9 writing of the disposition of the juvenile in
10 the juvenile justice system available to the
11 public to the same extent that records of
12 adult criminal proceedings are open to the
13 public, notwithstanding any other law re-
14 quiring the information to be withheld or
15 limited in any way from access by the pub-
16 lic; and

17 “(G) any other crime or in any other cir-
18 cumstance, as the State determines to be appro-
19 priate.

20 “(2) RECORDKEEPING REQUIREMENTS FOR JU-
21 VENILE DELINQUENCY PROCEEDINGS.—In any case
22 in which a juvenile is adjudicated delinquent, as de-
23 fined by Federal or State law, in a juvenile delin-
24 quency proceeding, for conduct that if committed by

1 an adult would constitute a felony under Federal or
2 State law, the State shall ensure that—

3 “(A) a record is kept relating to the adju-
4 dication that is—

5 “(i) equivalent to the record that
6 would be kept of an adult conviction for
7 such an offense;

8 “(ii) retained for a period of time that
9 is equal to the period of time records are
10 kept for adult convictions;

11 “(iii) made available to law enforce-
12 ment agencies of any jurisdiction;

13 “(iv) made available to officials of a
14 school, school district, or postsecondary
15 school in which the individual who is the
16 subject of the juvenile record seeks, in-
17 tends, or is instructed to enroll, and that
18 those officials are held liable to the same
19 standards and penalties that law enforce-
20 ment and juvenile justice system employees
21 are held liable to, under Federal and State
22 law for handling and disclosing the infor-
23 mation; and

24 “(v) made available to any court hav-
25 ing criminal jurisdiction over such an indi-

1 vidual (in a juvenile or adult proceeding)
2 for the purpose of allowing the court to
3 consider the entire juvenile history of the
4 individual as a relevant factor in determin-
5 ing appropriate punishment for the individ-
6 ual at the sentencing hearing;

7 “(B) the juvenile is fingerprinted and pho-
8 tographed, and the fingerprints and photograph
9 are sent to the Identification Division of the
10 Federal Bureau of Investigation and are other-
11 wise made available to the same extent that fin-
12 gerprints and photographs of adults are made
13 available; and

14 “(C) the court in which the adjudication
15 takes place transmits to the Identification Divi-
16 sion of the Federal Bureau of Investigation, in-
17 formation concerning the adjudication, includ-
18 ing the name, date of adjudication, court, of-
19 fenses, and disposition, along with a prominent
20 notation that the matter concerns a juvenile ad-
21 judication.

22 “(3) REPEAT OFFENDERS.—In any case in
23 which a juvenile has been adjudicated to be delin-
24 quent on 2 or more separate occasions based on con-
25 duct that would be a felony if committed by an

1 adult, the record of the second and all subsequent
2 adjudications shall be made available to the public to
3 the same extent that a record of an adult conviction
4 is open to the public.

5 “(4) FINGERPRINTING AND PHOTOGRAPHING
6 UPON ARREST OF VIOLENT JUVENILE OFFEND-
7 ERS.—In any case in which a juvenile is arrested for
8 conduct that if committed by an adult would con-
9 stitute a crime of violence (as that term is defined
10 in section 16 of title 18, United States Code), the
11 State shall ensure that—

12 “(A) the juvenile is fingerprinted and pho-
13 tographed;

14 “(B) the fingerprints and photograph—

15 “(i) are submitted to the Identifica-
16 tion Division of the Federal Bureau of In-
17 vestigation in the same manner in which
18 fingerprints and photographs of adult of-
19 fenders are submitted; and

20 “(ii) are otherwise made available to
21 the same extent that fingerprints and pho-
22 tographs of adult offenders are made avail-
23 able.

1 “(5) PENALTIES FOR ADULTS WHO USE JUVE-
2 NILES IN CRIMES OF VIOLENCE OR DRUG OF-
3 FENSES.—

4 “(A) IN GENERAL.—In any case in which
5 an adult knowingly and intentionally uses a ju-
6 venile during the commission or attempted com-
7 mission of a crime of violence or an offense in-
8 volving a controlled substance, the State shall
9 provide for a criminal penalty for the adult.

10 “(B) DEFINITIONS.—In this paragraph:

11 “(i) CONTROLLED SUBSTANCE.—The
12 term ‘controlled substance’ has the same
13 meaning as in section 102 of the Con-
14 trolled Substances Act (21 U.S.C. 802) for
15 which the penalty is imprisonment of not
16 less than 5 years.

17 “(ii) CRIME OF VIOLENCE.—The term
18 ‘crime of violence’ has the same meaning
19 as in section 16 of title 18, United States
20 Code.

21 “(iii) USES.—The term ‘uses’ means
22 employs, hires, persuades, induces, entices,
23 or coerces.

24 “(b) ADDITIONAL AMOUNT BASED ON ACCOUNT-
25 ABILITY-BASED JUVENILE CRIME CONTROL PRAC-

1 TICES.—Each State that receives a grant under this part
2 shall be eligible to receive an additional amount added to
3 the grant, if the State demonstrates that the State has
4 in effect, or will have in effect not later than 1 year after
5 the deadline established by the Administrator for the sub-
6 mission of applications under subsection (a) for the fiscal
7 year at issue, 1 or more of the following accountability-
8 based juvenile crime control practices:

9 “(1) GRADUATED SANCTIONS.—Graduated
10 sanctions for juvenile delinquents, ensuring a sanc-
11 tion for every delinquent act, and escalating the
12 sanction with each subsequent delinquent act.

13 “(2) VICTIMS’ RIGHTS.—Increased victims’
14 rights, including—

15 “(A) the right to be present at any juvenile
16 proceeding at which the juvenile defendant has
17 that right;

18 “(B) the right to be notified of any release
19 or escape of an offender who committed a crime
20 against a particular victim; and

21 “(C) the right to full restitution.

22 “(3) RESTITUTION PROGRAMS FOR YOUNG OF-
23 FENDERS.—Restitution programs, such as any pro-
24 gram that gives juvenile offenders the opportunity to
25 assume responsibility for their delinquent acts by

1 earning restitution for their victims while working at
2 community or public agencies.

3 “(4) HABITUAL OFFENDER PROGRAM.—A seri-
4 ous habitual offender comprehensive action program
5 that—

6 “(A) establishes a multidisciplinary inter-
7 agency case management and information shar-
8 ing system, that enables the juvenile and crimi-
9 nal justice system, schools, and social service
10 agencies to make informed decisions regarding
11 early identification, control, supervision, and
12 treatment of juveniles who repeatedly commit
13 serious delinquent or criminal acts;

14 “(B) requires, under each program de-
15 scribed in subparagraph (A), each unit of local
16 government in a State to establish a multidisci-
17 plinary agency comprised of representatives
18 from—

19 “(i) law enforcement organizations;

20 “(ii) school districts;

21 “(iii) State’s attorneys offices;

22 “(iv) court services;

23 “(v) State and county children and
24 family services; and

1 “(vi) any additional organizations,
2 groups, or agencies determined by the
3 State to be appropriate to accomplish the
4 purposes described in subparagraph (A),
5 including—

6 “(I) juvenile detention centers;

7 “(II) mental and medical health
8 agencies; and

9 “(III) the community;

10 “(C) requires each multidisciplinary agency
11 established under subparagraph (B) to adopt,
12 by a majority of its members, criteria to iden-
13 tify individuals who are serious habitual offend-
14 ers;

15 “(D)(i) requires each multidisciplinary
16 agency established under subparagraph (B) to
17 adopt, by a majority of its members, an inter-
18 agency information sharing agreement to be
19 signed by the chief executive officer of each or-
20 ganization and agency represented in the multi-
21 disciplinary agency; and

22 “(ii) requires an interagency information
23 sharing agreement referred to in clause (i) to
24 require that—

1 “(I) all records pertaining to serious
2 habitual offenders shall be kept confiden-
3 tial to the extent required by State law;

4 “(II) information in the records may
5 be made available to other staff from mem-
6 ber organizations and agencies as author-
7 ized by the multidisciplinary agency for the
8 purposes of promoting case management,
9 community supervision, conduct control,
10 and tracking of the serious habitual of-
11 fender for the application and coordination
12 of appropriate services; and

13 “(III) access to the information in the
14 records shall be limited to individuals who
15 provide direct services to the serious habit-
16 ual offender or who provide community
17 conduct control and supervision to the seri-
18 ous habitual offender.

19 “(5) CONSTRUCTION OF JUVENILE CORREC-
20 TIONAL FACILITIES.—

21 “(A) IN GENERAL.—The construction, de-
22 velopment, expansion, modification, or improve-
23 ment of secure juvenile correctional facilities or
24 secure detention facilities.

25 “(B) DEFINITIONS.—In this paragraph:

1 “(i) SECURE DETENTION FACILITY.—

2 The term ‘secure detention facility’ means
3 a residential facility that includes construc-
4 tion fixtures designed to physically restrict
5 the movements and activities of juveniles,
6 and is used for the temporary placement of
7 any juvenile who is accused of having com-
8 mitted an offense.

9 “(ii) SECURE JUVENILE CORRECTION
10 FACILITY.—The term ‘secure juvenile cor-
11 rection facility’ means a residential facility
12 that includes construction fixtures designed
13 to physically restrict the movements and
14 activities of juveniles and is used for place-
15 ment, after adjudication and disposition, of
16 any juvenile who has been adjudicated as
17 having committed an offense.

18 “(c) NOTICE.—The Director shall issue regulations
19 establishing procedures under which a State that receives
20 a grant under this part shall be required to provide notice
21 to the Director regarding the proposed use of amounts
22 made available under this part.

23 **“SEC. 1804. ALLOCATION AND DISTRIBUTION OF AMOUNTS.**

24 “(a) STATE ALLOCATION.—

1 “(1) IN GENERAL.—In accordance with regula-
2 tions promulgated pursuant to this part, of the total
3 amount made available to carry out this part in each
4 fiscal year, the Director shall distribute—

5 “(A) 0.2 percent to each State; and

6 “(B) of the total amount remaining after
7 the allocation under subparagraph (A), to each
8 State, an amount that bears the same ratio to
9 that remaining amount as the population of ju-
10 veniles living in the State for the most recent
11 calendar year in which that data is available
12 bears to the population of juveniles of all the
13 States for that fiscal year.

14 “(2) PROPORTIONAL REDUCTION.—

15 “(A) IN GENERAL.—If amounts available
16 to carry out paragraph (1)(A) for any payment
17 period are insufficient to pay in full the total
18 payment that any State is otherwise eligible to
19 receive under paragraph (1)(A) for that period,
20 the Director shall reduce payments under para-
21 graph (1)(A) for that payment period to the ex-
22 tent of the insufficiency.

23 “(B) ALLOCATION.—Any reduction under
24 subparagraph (A) shall be allocated among the
25 States (other than States whose payment is de-

1 terminated under paragraph (2)) in the same pro-
2 portions as amounts would be allocated under
3 paragraph (1) without regard to paragraph (2).

4 “(3) PROHIBITION.—No amount allocated to a
5 State under this subsection or received by a State
6 for distribution under subsection (b) may be distrib-
7 uted by the Director or by the State at issue for any
8 program other than a program described in an appli-
9 cation approved under this part.

10 “(b) LOCAL DISTRIBUTION.—

11 “(1) IN GENERAL.—Each State that receives
12 amounts under subsection (a)(1) in a fiscal year
13 shall distribute not less than 75 percent of those
14 amounts among units of local government for activi-
15 ties described in section 1802(b).

16 “(2) RATIO.—In making any distribution under
17 paragraph (1), a State shall allocate to each unit of
18 local government described an amount that bears the
19 same ratio to the aggregate of those amounts as—

20 “(A) the sum of—

21 “(i) the product of—

22 “(I) two-thirds; multiplied by

23 “(II) the average law enforce-
24 ment expenditure for the unit of local
25 government for the 3 most recent cal-

1 endar years for which such data is
2 available; plus

3 “(ii) the product of—

4 “(I) one-third; multiplied by

5 “(II) the average annual number
6 of part 1 violent crimes in the unit of
7 local government for the 3 most re-
8 cent calendar years for which such
9 data is available, bears to—

10 “(B) the sum of the products determined
11 under subparagraph (A) for all those units of
12 local government in the State.

13 “(3) EXPENDITURES.—The allocation that any
14 unit of local government shall receive under para-
15 graph (2) for a payment period shall not exceed 100
16 percent of law enforcement expenditures of the unit
17 of local government for that payment period.

18 “(4) REALLOCATION.—The amount of any allo-
19 cation to a unit of local government that is not avail-
20 able to the unit of local government by operation of
21 paragraph (3) shall be available to other units of
22 local government that are not affected by the oper-
23 ation of that paragraph in accordance with this sub-
24 section.

1 “(c) UNAVAILABILITY OF DATA FOR UNITS OF
2 LOCAL GOVERNMENT.—If a State has reason to believe
3 that the reported rate of part 1 violent crimes or law en-
4 forcement expenditures for a unit of local government is
5 insufficient or inaccurate, the State shall—

6 “(1) investigate the methodology used by the
7 unit of local government to determine the accuracy
8 of the submitted data; and

9 “(2) if necessary, use the best available com-
10 parable data regarding the number of violent crimes
11 or law enforcement expenditure for the relevant
12 years for the unit of local government.

13 “(d) LOCAL GOVERNMENT WITH ALLOCATIONS LESS
14 THAN \$5,000.—If under this section a unit of local gov-
15 ernment is allocated less than \$5,000 for a payment pe-
16 riod, the amount allotted shall be expended by the State
17 on services to units of local government whose allotment
18 is less than such amount in a manner consistent with this
19 part.

20 **“SEC. 1805. STATE OPTIONS.**

21 “(a) IN GENERAL.—Subject to subsection (b), each
22 State that receives a grant under this part (including a
23 unit of local government that receives amounts from a
24 State through the grant) may—

1 “(1) administer and provide services under a
2 program authorized under this part through con-
3 tracts with charitable, religious, or private organiza-
4 tions; and

5 “(2) provide beneficiaries of assistance under a
6 program authorized under this part with certificates,
7 vouchers, or other forms of disbursement that are
8 redeemable with those organizations.

9 “(b) RELIGIOUS ORGANIZATIONS.—

10 “(1) IN GENERAL.—A State that contracts
11 under this section with a religious organization to
12 carry out a program authorized under this part or
13 that allows a religious organization to accept certifi-
14 cates, vouchers, or other forms of disbursement
15 under any program authorized under this part, shall
16 do so on the same basis that it contracts with any
17 other nongovernmental provider, without impairing
18 the religious character of the organization or dimin-
19 ishing the religious freedom of beneficiaries of as-
20 sistance funded under the program.

21 “(2) NONDISCRIMINATION AGAINST RELIGIOUS
22 ORGANIZATIONS.—A State exercising the authority
23 described in subsection (a) shall ensure that reli-
24 gious organizations are eligible, on the same basis as
25 any other private organization, as contractors to

1 provide assistance, or to accept certificates, vouch-
2 ers, or other forms of disbursement, under any orga-
3 nization on the basis that it has religious orientation
4 any program authorized under this part, and shall
5 not discriminate against any organization on the
6 basis that it has a religious organization, so long as
7 the programs are implemented consistent with the
8 Establishment Clause of the first amendment to the
9 Constitution of the United States.

10 “(3) RELIGIOUS CHARACTER AND FREEDOM.—

11 “(A) RELIGIOUS ORGANIZATIONS.—A reli-
12 gious organization that participates in a pro-
13 gram funded under this part shall retain its
14 independence from Federal, State, and local
15 governments, including such organization’s con-
16 trol over the definition, development, practice,
17 and expression of its religious beliefs.

18 “(B) ADDITIONAL SAFEGUARDS.—Neither
19 the Federal Government nor a State shall re-
20 quire a religious organization to—

21 “(i) alter its form of internal govern-
22 ance; or

23 “(ii) remove religious art, icons, scrip-
24 ture, or other symbols;

1 in order to be eligible to contract to provide as-
2 sistance, or to accept certificates, vouchers, or
3 other forms of disbursement, funded under a
4 program authorized under this part.

5 “(4) EMPLOYMENT PRACTICES.—A religious or-
6 ganization’s exemption provided under section 702
7 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-
8 1a) regarding employment practices shall not be af-
9 fected by its participation in, or receipt of amounts
10 from, programs authorized under this part.

11 “(5) RIGHTS OF BENEFICIARIES OF ASSIST-
12 ANCE.—If juvenile offender objects to the religious
13 character of the organization from which the juvenile
14 receives, or would receive, assistance funded under
15 any program funded under this part, the State in
16 which the juvenile resides shall provide the juvenile
17 (if otherwise eligible for that assistance), within a
18 reasonable period of time after the date of such ob-
19 jection, with assistance from an alternative provider
20 that is accessible to the juvenile and the value of
21 which is not less than the value of assistance that
22 the juvenile would have received from such organiza-
23 tion.

24 “(6) NONDISCRIMINATION AGAINST BENE-
25 FIARIES.—Except as otherwise provided in law, a

1 religious organization shall not discriminate against
2 an individual in regard to rendering assistance fund-
3 ed under any program authorized under this part on
4 the basis of religion, a religious belief, or refusal to
5 actively participate in a religious practice.

6 “(7) FISCAL ACCOUNTABILITY.—

7 “(A) IN GENERAL.—Except as provided in
8 subparagraph (B), any religious organization
9 contracting to provide assistance funded under
10 any program authorized under this part shall be
11 subject to the same regulations as other con-
12 tractors to account in accord with generally ac-
13 cepted accounting principles for the use of those
14 amounts provided under the programs.

15 “(B) LIMITED AUDIT.—If such organiza-
16 tion segregates Federal funds provided under
17 such programs into separate accounts, only the
18 financial assistance provided with such amounts
19 shall be subject to audit.

20 “(8) COMPLIANCE.—Any party which seeks to
21 enforce its rights under this subsection may assert
22 a civil action for injunctive relief exclusively in an
23 appropriate Federal district court against the official
24 or governmental agency alleged to have committed
25 such violation.

1 “(9) LIMITATIONS ON USE OF AMOUNTS FOR
2 CERTAIN PURPOSES.—No State may use amounts
3 provided under this part to fund sectarian worship,
4 proselytization, or prayer, or for any purpose other
5 than the provision of social services under this part.

6 **“SEC. 1806. TIMING.**

7 “(a) TIMING OF PAYMENTS.—The Director shall dis-
8 tribute amounts in accordance with this part to each
9 State, not later than 90 days after the date on which the
10 amount is made available to the Director.

11 “(b) REPAYMENT OF UNEXPENDED AMOUNTS.—

12 “(1) REPAYMENT REQUIRED.—Not later than
13 27 months after the receipt of amounts from the Di-
14 rector under this section, from amounts appro-
15 priated under this part, a State shall refund to the
16 Director any amounts that are not expended by the
17 State before the expiration of the 2-year period be-
18 ginning on the date on which those amounts are re-
19 ceived from the Director under this section.

20 “(2) PENALTY FOR FAILURE TO REPAY.—If the
21 amount required to be repaid under paragraph (1)
22 is not repaid by a State in accordance with that
23 paragraph, the Director shall reduce the amount of
24 any payment to the State under this part in any fu-
25 ture payment period accordingly.

1 “(3) DEPOSIT OF AMOUNTS REPAID.—Any
2 amounts received by the Director under paragraph
3 (2) shall be deposited in a designated fund for fu-
4 ture payments to States.

5 “(c) ADMINISTRATIVE COSTS.—A State or unit of
6 local government that receives amounts under this part
7 may use not more than 3 percent of those amounts for
8 administrative costs.

9 “(d) NONSUPPLANTING REQUIREMENT.—Amounts
10 made available under this part to States or units of local
11 government—

12 “(1) shall not be used to supplant State or local
13 funds, as applicable; and

14 “(2) shall be used to increase the amount that
15 would, in the absence of amounts made available
16 under this part, be made available from State or
17 local sources, as applicable.

18 “(e) MATCHING FUNDS.—The Federal share of a
19 grant received under this part may not exceed 90 percent
20 of the total cost of a program or activity funded under
21 this part.

22 **“SEC. 1807. ADMINISTRATIVE PROVISIONS.**

23 “(a) IN GENERAL.—Each State that receives a grant
24 under this part shall—

1 “(1) establish a trust fund into which all pay-
2 ments received under this part shall be deposited;
3 and

4 “(2) use amounts deposited in that trust fund
5 (including interest) during a period not to exceed 2
6 years from the date on which the initial grant pay-
7 ment is made to the State under this part;

8 “(3) designate an official of the State to submit
9 to the Director such reports as the Director may
10 reasonably require, in addition to the annual reports
11 required under this part; and

12 “(4) expend the grant amount only for activities
13 described in section 1802(b).

14 “(b) TITLE I PROVISIONS.—The administrative pro-
15 visions of part H apply to this part and, for purposes of
16 this section, any reference in those provisions to title I
17 shall be deemed to include a reference to this part.

18 **“SEC. 1808. AUTHORIZATION OF APPROPRIATIONS.**

19 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this part—

21 “(1) \$250,000,000 for fiscal year 1998;

22 “(2) \$250,000,000 for fiscal year 1999; and

23 “(3) \$250,000,000 for fiscal year 2000.

24 “(b) ALLOCATION.—Of the amount made available
25 under subsection (a) for any fiscal year—

1 “(1) 50 percent shall be allocated among States
2 that meet the requirements of section 1803(a); and

3 “(2) 50 percent shall be allocated among States
4 that meet the requirements of both subsections (a)
5 and (b) of section 1803.

6 “(c) OVERSIGHT ACCOUNTABILITY AND ADMINIS-
7 TRATION.—For each of fiscal years 1998 through 2000,
8 not more than 1 percent of the amount appropriated
9 under subsection (a), shall be available (to remain avail-
10 able until expended) to the Director for—

11 “(1) studying the overall effectiveness and effi-
12 ciency of this part, including the establishment and
13 execution of an oversight plan for monitoring the ac-
14 tivities of grant recipients;

15 “(2) assuring compliance with the provisions of
16 this part; and

17 “(3) administrative costs to carry out the pur-
18 poses of this part.

19 “(d) FUNDING SOURCE.—Notwithstanding any other
20 provision of law, amounts authorized to be appropriated
21 to carry out this part may be appropriated from the Vio-
22 lent Crime Reduction Trust Fund established under sec-
23 tion 310001 of the Violent Crime Control and Law En-
24 forcement Act of 1994 (42 U.S.C. 14211).”.

1 (b) CONFORMING AMENDMENT.—The table of con-
 2 tents for title I of the Omnibus Crime Control and Safe
 3 Streets Act of 1968 is amended by striking the item relat-
 4 ing to part R and inserting the following:

“PART R—JUVENILE ACCOUNTABILITY BLOCK GRANTS

“Sec. 1801. Definitions.

“Sec. 1802. Grant authorization.

“Sec. 1803. Eligibility.

“Sec. 1804. Allocation and distribution of amounts.

“Sec. 1805. State option.

“Sec. 1806. Timing.

“Sec. 1807. Administrative provisions.

“Sec. 1808. Authorization of appropriations.”.

5 **TITLE III—REFORM OF GRANT**
 6 **PROGRAMS**

7 **SEC. 301. FINDINGS AND PURPOSES.**

8 (a) FINDINGS.—Section 101 of the Juvenile Justice
 9 and Delinquency Prevention Act of 1974 (42 U.S.C. 5601)
 10 is amended—

11 (1) by striking subsection (a) and inserting the
 12 following:

13 “(a) FINDINGS.—Congress finds that—

14 “(1) the Nation’s juvenile justice system is in
 15 trouble as evidenced by a number of factors, includ-
 16 ing dangerously overcrowded facilities, overworked
 17 field staff, and a growing number of children who
 18 are breaking the law;

19 “(2) a redesigned juvenile corrections program
 20 for the next century should be based on 4 prin-
 21 ciples—

1 “(A) protecting the community;

2 “(B) accountability for offenders and their
3 families;

4 “(C) restitution for victims and the com-
5 munity; and

6 “(D) community-based prevention;

7 “(3) existing programs have not adequately re-
8 sponded to the particular problems of juvenile
9 delinquents in the 1990’s;

10 “(4) State and local communities, which experi-
11 ence directly the devastating failure of the juvenile
12 justice system, do not have sufficient resources to
13 deal comprehensively with the problems of juvenile
14 crime and delinquency;

15 “(5) limited State and local resources are being
16 unnecessarily wasted complying with overly technical
17 Federal requirements for ‘sight and sound’ separa-
18 tion imposed by the 1974 Act, while prohibiting the
19 commingling of adults and juvenile populations
20 would achieve the same purpose without imposing an
21 undue burden on State and local governments;

22 “(6) limited State and local resources are being
23 unnecessarily wasted complying with the overly re-
24 strictive Federal mandate that no juveniles be de-
25 tained or confined in any jail or lockup for adults,

1 which imposes a particularly onerous burden on
2 rural communities;

3 “(7) the juvenile justice system should give ad-
4 ditional attention to the problem of juveniles who
5 commit serious crimes, with particular attention
6 given to the area of sentencing;

7 “(8) local school districts lack information nec-
8 essary to track serious violent juvenile offenders, in-
9 formation that is essential to promoting safety in
10 public schools;

11 “(9) the term ‘prevention’ should mean both en-
12 suring that families have a greater chance to raise
13 their children so that those children do not engage
14 in criminal or delinquent activities, and preventing
15 children who have engaged in such activities from
16 becoming permanently entrenched in the juvenile
17 justice system;

18 “(10) in 1994, there were more than 330,000
19 juvenile arrests for violent crimes, and between 1985
20 and 1994, the number of juvenile criminal homicide
21 cases increased by 144 percent, and the number of
22 juvenile weapons cases increased by 156 percent;

23 “(11) in 1994, males age 14 through 24 con-
24 stituted only 8 percent of the population, but ac-

1 counted for more than 25 percent of all homicide
2 victims and nearly half of all convicted murderers;

3 “(12) in a survey of 250 judges, 93 percent of
4 those judges stated that juvenile offenders should be
5 fingerprinted, 85 percent stated that juvenile crimi-
6 nal records should be made available to adult au-
7 thorities, and 40 percent stated that the minimum
8 age for facing murder charges should be 14 or 15;

9 “(13) studies indicate that good parenting
10 skills, including normative development, monitoring,
11 and discipline, clearly affect whether children will
12 become delinquent, and adequate supervision of free-
13 time activities, whereabouts, and peer interaction is
14 critical to ensure that children do not drift into de-
15 linquency;

16 “(14) in the 1970’s, less than half of our Na-
17 tion’s cities reported gang activity, while 2 decades
18 later, a nationwide survey reported a total of 23,388
19 gangs and 664,906 gang members on the streets of
20 United States cities in 1995;

21 “(15) the high incidence of delinquency in the
22 United States results in an enormous annual cost
23 and substantial loss of human life, a reduction in
24 personal security, and wasted human resources; and

1 “(16) juvenile delinquency constitutes a grow-
2 ing threat to the national welfare, requiring imme-
3 diate and comprehensive action by the Federal Gov-
4 ernment to reduce and eliminate the threat.”; and

5 (2) in subsection (b)—

6 (A) by striking “further”; and

7 (B) by striking “Federal Government” and
8 inserting “Federal, State, and local govern-
9 ments”.

10 (b) PURPOSES.—Section 102 of the Juvenile Justice
11 and Delinquency Prevention Act of 1974 (42 U.S.C. 5602)
12 is amended to read as follows:

13 **“SEC. 102. PURPOSES.**

14 “The purposes of this title and title II are—

15 “(1) to assist State and local governments in
16 promoting public safety by supporting juvenile delin-
17 quency prevention and control activities;

18 “(2) to give greater flexibility to schools to de-
19 sign academic programs and educational services for
20 juvenile delinquents expelled or suspended for dis-
21 ciplinary reasons;

22 “(3) to assist State and local governments in
23 promoting public safety by encouraging accountabil-
24 ity through the imposition of meaningful sanctions
25 for acts of juvenile delinquency;

1 “(4) to assist State and local governments in
2 promoting public safety by improving the extent, ac-
3 curacy, availability, and usefulness of juvenile court
4 and law enforcement records and the openness of
5 the juvenile justice system to the public;

6 “(5) to assist teachers and school officials in
7 ensuring school safety by improving their access to
8 information concerning juvenile offenders attending
9 or intending to enroll in their schools or school-relat-
10 ed activities;

11 “(6) to assist State and local governments in
12 promoting public safety by encouraging the identi-
13 fication of violent and hardcore juveniles and in
14 transferring such juveniles out of the jurisdiction of
15 the juvenile justice system and into the jurisdiction
16 of adult criminal court;

17 “(7) to provide for the evaluation of federally
18 assisted juvenile crime control programs, and train-
19 ing necessary for the establishment and operation of
20 such programs;

21 “(8) to ensure the dissemination of information
22 regarding juvenile crime control programs by provid-
23 ing a national clearinghouse; and

1 “(9) to provide technical assistance to public
2 and private nonprofit juvenile justice and delin-
3 quency prevention programs.”.

4 **SEC. 302. DEFINITIONS.**

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

7 (1) in paragraph (3), by inserting “punish-
8 ment,” after “control,”;

9 (2) in paragraph (22)(iii), by striking “and” at
10 the end;

11 (3) in paragraph (23), by striking the period at
12 the end and inserting a semicolon; and

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

14 “(24) the term ‘serious violent crime’ means—

15 “(A) murder or nonnegligent man-
16 slaughter, or robbery;

17 “(B) aggravated assault committed with
18 the use of a dangerous or deadly weapon, forc-
19 ible rape, kidnaping, felony aggravated battery,
20 assault with intent to commit a serious violent
21 crime, and vehicular homicide committed while
22 under the influence of an intoxicating liquor or
23 controlled substance; or

24 “(C) a serious drug offense;

1 “(25) the term ‘serious drug offense’ means an
2 act or acts that, if committed by an adult subject to
3 Federal criminal jurisdiction, would be punishable
4 under section 401(b)(1)(A) or 408 of the Controlled
5 Substances Act (21 U.S.C. 841(b)(1)(A), 848) or
6 section 1010(b)(1)(A) of the Controlled Substances
7 Import and Export Act (21 U.S.C. 960(b)(1)(A));
8 and

9 “(26) the term ‘serious habitual offender’
10 means a juvenile who—

11 “(A) has been adjudicated delinquent and
12 subsequently arrested for a capital offense, life
13 offense, first degree aggravated sexual offense,
14 or serious drug offense;

15 “(B) has had not fewer than 5 arrests,
16 with 3 arrests chargeable as felonies if commit-
17 ted by an adult and not fewer than 3 arrests
18 occurring within the most recent 12-month pe-
19 riod;

20 “(C) has had not fewer than 10 arrests,
21 with 2 arrests chargeable as felonies if commit-
22 ted by an adult and not fewer than 3 arrests
23 occurring within the most recent 12-month pe-
24 riod; or

1 “(D) has had not fewer than 10 arrests,
 2 with 8 or more arrests for misdemeanor crimes
 3 involving theft, assault, battery, narcotics pos-
 4 session or distribution, or possession of weap-
 5 ons, and not fewer than 3 arrests occurring
 6 within the most recent 12-month period.”.

7 **SEC. 303. OFFICE OF JUVENILE JUSTICE AND DELIN-**
 8 **QUENCY PREVENTION.**

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

11 (1) in subsection (a)(1)—

12 (A) by striking “shall develop” and insert-
 13 ing the following: “shall—

14 “(A) develop”;

15 (B) by inserting “punishment,” before “di-
 16 version”; and

17 (C) in the first sentence, by striking
 18 “States” and all that follows before the period
 19 at the end of the paragraph and inserting the
 20 following: “States; and

21 “(B) annually submit the plan required
 22 under subparagraph (A) to Congress”;

23 (2) in subsection (b)—

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

1 (B) by striking paragraphs (2) through (7)
2 and inserting the following:

3 “(2) reduce duplication among Federal juvenile
4 delinquency programs and activities conducted by
5 Federal departments and agencies.”;

6 (3) by redesignating subsection (h) as sub-
7 section (f); and

8 (4) by striking subsection (i).

9 **SEC. 304. ANNUAL REPORT.**

10 Section 207 of the Juvenile Justice and Delinquency
11 Prevention Act of 1974 (42 U.S.C. 5617) is amended to
12 read as follows:

13 **“SEC. 207. ANNUAL REPORT.**

14 “Not later than 180 days after the end of each fiscal
15 year, the Administrator shall submit to the President, the
16 Speaker of the House of Representatives, the President
17 pro tempore of the Senate, and the Governor of each
18 State, a report that contains each of the following with
19 respect to that fiscal year:

20 “(1) SUMMARY AND ANALYSIS.—

21 “(A) IN GENERAL.—A detailed summary and
22 analysis of the most recent data available regarding
23 the number of juveniles taken into custody, the rate
24 at which juveniles are taken into custody, the num-
25 ber of repeat juvenile offenders, the number of juve-

1 niles using weapons, the number of juvenile and
2 adult victims of juvenile crime and the trends dem-
3 onstrated by the data required by clauses (i), (ii),
4 and (iii) of subparagraph (C).

5 “(B) SEPARATION OF INFORMATION.—The
6 summary and analysis described in subpara-
7 graph (A) shall set out the information required
8 by clauses (i), (ii), (iii), and (iv) of subpara-
9 graph (C) separately for juvenile nonoffenders,
10 juvenile status offenders, and other juvenile of-
11 fenders.

12 “(C) DATA.—The summary and analysis
13 under subparagraph (A) shall separately ad-
14 dress with respect to each category of juveniles
15 specified in subparagraph (B)—

16 “(i) the types of offenses with which
17 the juveniles are charged, data on serious
18 violent crimes committed by juveniles, and
19 data on serious habitual offenders;

20 “(ii) the race and gender of the juve-
21 niles and their victims;

22 “(iii) the ages of the juveniles and
23 their victims;

24 “(iv) the types of facilities used to
25 hold the juveniles (including juveniles

1 treated as adults for purposes of prosecu-
2 tion) in custody, including secure detention
3 facilities, secure correctional facilities, jails,
4 and lockups;

5 “(v) the number of juveniles who died
6 while in custody and the circumstances
7 under which they died;

8 “(vi) the educational status of juve-
9 niles, including information relating to
10 learning disabilities, failing performance,
11 grade retention, and dropping out of
12 school;

13 “(vii) the number of juveniles who are
14 substance abusers; and

15 “(viii) information on juveniles father-
16 ing or giving birth to children out of wed-
17 lock, and whether such juveniles have as-
18 sumed financial responsibility for their
19 children.

20 “(2) ACTIVITIES FUNDED.—A description of
21 the activities for which funds are expended under
22 this part.

23 “(3) STATE COMPLIANCE.—A description based
24 on the most recent data available of the extent to
25 which each State complies with section 223 and with

1 the plan submitted under that section by the State
2 for that fiscal year.

3 “(4) SUMMARY AND EXPLANATION.—A sum-
4 mary of each program or activity for which assist-
5 ance is provided under part D, an evaluation of the
6 results of such program or activity, and a determina-
7 tion of the feasibility and advisability of replacing
8 such program or activity in other locations.

9 “(5) EXEMPLARY PROGRAMS AND PRAC-
10 TICES.—A description of selected exemplary delin-
11 quency prevention programs and accountability-
12 based youth violence reduction practices.”.

13 **SEC. 305. BLOCK GRANTS FOR STATE AND LOCAL PRO-**
14 **GRAMS.**

15 (a) SECTION 221.—Section 221 of the Juvenile Jus-
16 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
17 5631) is amended—

18 (1) in subsection (a)—

19 (A) by inserting “(1)” before “The Admin-
20 istrator”;

21 (B) by inserting “, including charitable
22 and religious organizations,” after “and private
23 agencies”;

24 (C) by inserting before the period at the
25 end the following: “, including—

1 “(A) initiatives for holding juveniles account-
2 able for any act for which they are adjudicated de-
3 linquent;

4 “(B) increasing public awareness of juvenile
5 proceedings;

6 “(C) improving the content, accuracy, availabil-
7 ity, and usefulness of juvenile court and law enforce-
8 ment records (including fingerprints and photo-
9 graphs); and

10 “(D) education programs such as funding for
11 extended hours for libraries and recreational pro-
12 grams that benefit all juveniles”; and

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

14 “(2) ASSISTANCE TO RELIGIOUS ORGANIZA-
15 TIONS.—

16 “(A) IN GENERAL.—Subject to subpara-
17 graph (B), each State or local government that
18 receives a grant under paragraph (1) may con-
19 tract with religious organizations or allow reli-
20 gious organizations to accept grants under any
21 program described in this title.

22 “(B) RELIGIOUS ORGANIZATIONS.—

23 “(i) IN GENERAL.—A State or local
24 government that contracts under this para-
25 graph with a religious organization to

1 carry out a program authorized under this
2 title or that allows a religious organization
3 to accept a grant under any program de-
4 scribed in this title, shall do so on the
5 same basis that it contracts with any other
6 nongovernmental provider, without impair-
7 ing the religious character of the organiza-
8 tion or diminishing the religious freedom of
9 beneficiaries of assistance funded under
10 the program.

11 “(ii) NONDISCRIMINATION AGAINST
12 RELIGIOUS ORGANIZATIONS.—A State or
13 local government exercising the authority
14 described in subparagraph (A) shall ensure
15 that religious organizations are eligible, on
16 the same basis as any other private organi-
17 zation, as contractors to provide assist-
18 ance, or to accept certificates, vouchers, or
19 other forms of disbursement, under any or-
20 ganization on the basis that it has religious
21 orientation any program authorized under
22 this title, and shall not discriminate
23 against any organization on the basis that
24 it has a religious organization, so long as
25 the programs are implemented consistent

1 with the Establishment Clause of the first
2 amendment to the Constitution of the
3 United States.

4 “(C) RELIGIOUS CHARACTER AND FREE-
5 DOM.—

6 “(i) RELIGIOUS ORGANIZATIONS.—A
7 religious organization that participates in a
8 program funded under this title shall re-
9 tain its independence from Federal, State,
10 and local governments, including such or-
11 ganization’s control over the definition, de-
12 velopment, practice, and expression of its
13 religious beliefs.

14 “(ii) ADDITIONAL SAFEGUARDS.—Nei-
15 ther the Federal Government nor a State
16 or local government shall require a reli-
17 gious organization to—

18 “(I) alter its form of internal
19 governance; or

20 “(II) remove religious art, icons,
21 scripture, or other symbols;

22 in order to be eligible to contract to pro-
23 vide assistance, or to accept certificates,
24 vouchers, or other forms of disbursement,

1 funded under a program authorized under
2 this title.

3 “(D) EMPLOYMENT PRACTICES.—A reli-
4 gious organization’s exemption provided under
5 section 702 of the Civil Rights Act of 1964 (42
6 U.S.C. 2000e–1a) regarding employment prac-
7 tices shall not be affected by its participation
8 in, or receipt of amounts from, programs au-
9 thorized under this title.

10 “(E) RIGHTS OF BENEFICIARIES OF AS-
11 SISTANCE.—If a juvenile offender objects to the
12 religious character of the organization from
13 which the juvenile receives, or would receive, as-
14 sistance funded under any program funded
15 under this title, the State in which the juvenile
16 resides shall provide the juvenile (if otherwise
17 eligible for that assistance), within a reasonable
18 period of time after the date of such objection,
19 with assistance from an alternative provider
20 that is accessible to the juvenile and the value
21 of which is not less than the value of assistance
22 that the juvenile would have received from such
23 organization.

24 “(F) NONDISCRIMINATION AGAINST BENE-
25 FICIARIES.—Except as otherwise provided in

1 law, a religious organization shall not discrimi-
2 nate against an individual in regard to render-
3 ing assistance funded under any program au-
4 thorized under this title on the basis of religion,
5 a religious belief, or refusal to actively partici-
6 pate in a religious practice.

7 “(G) FISCAL ACCOUNTABILITY.—

8 “(i) IN GENERAL.—Except as pro-
9 vided in clause (ii), any religious organiza-
10 tion contracting to provide assistance fund-
11 ed under any program authorized under
12 this title shall be subject to the same regu-
13 lations as other contractors to account in
14 accord with generally accepted accounting
15 principles for the use of those amounts
16 provided under the programs.

17 “(ii) LIMITED AUDIT.—If such organi-
18 zation segregates Federal funds provided
19 under such programs into separate ac-
20 counts, only the financial assistance pro-
21 vided with such amounts shall be subject
22 to audit.

23 “(H) COMPLIANCE.—Any party which
24 seeks to enforce its rights under this subpara-
25 graph may assert a civil action for injunctive

1 relief exclusively in an appropriate Federal dis-
2 trict court against the official or governmental
3 agency alleged to have committed such viola-
4 tion.

5 “(I) LIMITATIONS ON USE OF AMOUNTS
6 FOR CERTAIN PURPOSES.—No State or local
7 government may use amounts provided under
8 this title to fund sectarian worship, proselytiza-
9 tion, or prayer, or for any purpose other than
10 the provision of social services under this title.”;
11 and

12 (2) in subsection (b), by striking paragraph (1)
13 and inserting the following:

14 “(1) Of amounts made available to carry out this part
15 in any fiscal year, \$10,000,000 or 1 percent (whichever
16 is greater) may be used by the Administrator—

17 “(A) to establish and maintain a clearinghouse
18 to disseminate to the States information on juvenile
19 delinquency prevention, treatment, and control; and

20 “(B) to provide training and technical assist-
21 ance to States to improve the administration of the
22 juvenile justice system.”.

23 (b) SECTION 223.—Section 223(a)(10) of the Juve-
24 nile Justice and Delinquency Prevention Act of 1974 (42
25 U.S.C. 5633(a)(10)) is amended—

1 (1) by striking “or through” and inserting
2 “through”; and

3 (2) by inserting “or through grants and con-
4 tracts with religious organizations in accordance
5 with section 221(b)(2)(B)” after “agencies,”.

6 **SEC. 306. STATE PLANS.**

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

9 (1) in subsection (a)—

10 (A) by striking the second sentence;

11 (B) by striking paragraph (3) and insert-
12 ing the following:

13 “(3) provide for an advisory group, which—

14 “(A) shall—

15 “(i)(I) consist of such number of
16 members deemed necessary to carry out
17 the responsibilities of the group and ap-
18 pointed by the chief executive officer of the
19 State; and

20 “(II) consist of a majority of members
21 (including the chairperson) who are not
22 full-time employees of the Federal Govern-
23 ment, or a State or local government;

1 “(ii) include members who have train-
2 ing, experience, or special knowledge con-
3 cerning—

4 “(I) the prevention and treat-
5 ment of juvenile delinquency;

6 “(II) the administration of juve-
7 nile justice, including law enforce-
8 ment; and

9 “(III) the representation of the
10 interests of the victims of violent juve-
11 nile crime and their families; and

12 “(iii) include as members at least 1
13 locally elected official representing general
14 purpose local government;

15 “(B) shall participate in the development
16 and review of the State’s juvenile justice plan
17 prior to submission to the supervisory board for
18 final action;

19 “(C) shall be afforded an opportunity to
20 review and comment, not later than 30 days
21 after the submission to the advisory group, on
22 all juvenile justice and delinquency prevention
23 grants submitted to the State agency des-
24 ignated under paragraph (1);

25 “(D) shall, consistent with this title—

1 “(i) advise the State agency des-
2 ignated under paragraph (1) and its super-
3 visory board; and

4 “(ii) submit to the chief executive offi-
5 cer and the legislature of the State not less
6 frequently than annually recommendations
7 regarding State compliance with this sub-
8 section; and

9 “(E) may, consistent with this title—

10 “(i) advise on State supervisory board
11 and local criminal justice advisory board
12 composition;

13 “(ii) review progress and accomplish-
14 ments of projects funded under the State
15 plan; and

16 “(iii) contact and seek regular input
17 from juveniles currently under the jurisdic-
18 tion of the juvenile justice system;”;

19 (C) in paragraph (10)—

20 (i) in subparagraph (N), by striking
21 “and” at the end;

22 (ii) in subparagraph (O), by striking
23 the period at the end and inserting “;
24 and”; and

1 (iii) by adding at the end the follow-
2 ing:

3 “(P) programs implementing the practices
4 described in sections 1802(b), 1803(a), and
5 1803(b) of part R of title I of the Omnibus
6 Crime Control and Safe Streets Act of 1968
7 (42 U.S.C. 3796ee–1(b), 3796ee–2(a), 3796ee–
8 2(b));”;

9 (D) by striking paragraph (13) and insert-
10 ing the following:

11 “(13) provide assurances that, in each secure
12 facility located in the State (including any jail or
13 lockup for adults), there is no commingling in the
14 same cell or community room of, or any other regu-
15 lar, sustained, physical contact between—

16 “(A) any juvenile detained or confined for
17 any period of time in that facility; and

18 “(B) any adult offender detained or con-
19 fined for any period of time in that facility.”;

20 (E) by striking paragraphs (8), (9), (12),
21 (14), (15), (17), (18), (19), (24), and (25);

22 (F) by redesignating paragraphs (10),
23 (11), (13), (16), (20), (21), (22), and (23) as
24 paragraphs (8) through (15), respectively;

1 (G) in paragraph (14), as redesignated, by
2 adding “and” at the end; and

3 (H) in paragraph (15), as redesignated, by
4 striking the semicolon at the end and inserting
5 a period; and

6 (2) by striking subsections (c) and (d).

7 **SEC. 307. REPEALS.**

8 The Juvenile Justice and Delinquency Prevention Act
9 of 1974 (42 U.S.C. 5601 et seq.) is amended—

10 (1) in title II—

11 (A) by striking parts C, E, F, G, and H;

12 (B) by striking part I, as added by section
13 2(i)(1)(C) of Public Law 102–586; and

14 (C) by striking the heading of part I, as
15 redesignated by section 2(i)(1)(A) of Public
16 Law 102–586, and inserting the following:

17 “PART E—GENERAL AND ADMINISTRATIVE
18 PROVISIONS”; and

19 (2) by striking title V, as added by section 5(a)
20 of Public Law 102–586.

21 **SEC. 308. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 299 of the Juvenile Justice and Delinquency
23 Prevention Act of 1974 (42 U.S.C. 5671) is amended by
24 striking subsections (a) through (e) and inserting the fol-
25 lowing:

1 “(a) OFFICE OF JUVENILE DELINQUENCY PREVEN-
2 TION.—There are authorized to be appropriated for each
3 of fiscal years 1998, 1999, and 2000, such sums as may
4 be necessary to carry out part A.

5 “(b) BLOCK GRANTS FOR STATE AND LOCAL PRO-
6 GRAMS.—There is authorized to be appropriated
7 \$100,000,000 for each of fiscal years 1998, 1999, and
8 2000, to carry out part B.

9 “(c) SOURCE OF APPROPRIATIONS.—Notwithstand-
10 ing any other provision of law, amounts authorized to be
11 appropriated under this section may be appropriated from
12 the Violent Crime Reduction Trust Fund established
13 under section 310001 of the Violent Crime Control and
14 Law Enforcement Act of 1994 (42 U.S.C. 14211).”.

○