

## Union Calendar No. 596

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5963

[Report No. 114-763]

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

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### IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2016

Mr. CURBELO of Florida (for himself, Mr. CARTER of Georgia, Mr. KLINE, Mr. SCOTT of Virginia, Mrs. DAVIS of California, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on Education and the Workforce

SEPTEMBER 20, 2016

Additional sponsors: Mr. BISHOP of Michigan, Mr. ROKITA, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Ms. STEFANIK, Mr. THOMPSON of Pennsylvania, Mr. BARLETTA, Ms. ADAMS, Ms. BONAMICI, Mr. TAKANO, Mr. DESAULNIER, Mr. CÁRDENAS, Mr. HINOJOSA, Ms. BASS, and Mr. SMITH of Washington

SEPTEMBER 20, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on September 8, 2016]

# **A BILL**

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

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

3 **SECTION 1. SHORT TITLE.**

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

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

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

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

**TITLE I—DECLARATION OF FINDINGS, PURPOSE, AND DEFINITIONS**

*Sec. 101. Findings.*

*Sec. 102. Purposes.*

*Sec. 103. Definitions.*

**TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION**

*Sec. 201. Concentration of Federal efforts.*

*Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.*

*Sec. 203. Annual report.*

*Sec. 204. Allocation of funds.*

*Sec. 205. State plans.*

*Sec. 206. Repeal of juvenile delinquency prevention block grant program.*

*Sec. 207. Research and evaluation; statistical analyses; information dissemina-*  
*tion.*

*Sec. 208. Training and technical assistance.*

*Sec. 209. Authorization of appropriations.*

*Sec. 210. Administrative authority.*

**TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY  
 PREVENTION PROGRAMS**

*Sec. 301. Short Title.*

*Sec. 302. Definitions.*

*Sec. 303. Duties and functions of the administrator.*

*Sec. 304. Grants for delinquency prevention programs.*

*Sec. 305. Grants for tribal delinquency prevention and response programs.*

*Sec. 306. Authorization of appropriations.*

*Sec. 307. Technical amendment.*

**TITLE IV—MISCELLANEOUS PROVISIONS**

*Sec. 401. Evaluation by Government Accountability Office.*

*Sec. 402. Accountability and oversight.*

1 **TITLE I—DECLARATION OF FIND-**  
2 **INGS, PURPOSE, AND DEFINI-**  
3 **TIONS**

4 **SEC. 101. FINDINGS.**

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

10 **SEC. 102. PURPOSES.**

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

13 *(1) in paragraph (1), by inserting “, tribal,”*  
14 *after “State”;*

15 *(2) in paragraph (2)—*

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

17 *and*

18 *(B) by striking “and” at the end;*

19 *(3) by amending paragraph (3) to read as fol-*  
20 *lows:*

21 *“(3) to assist State, tribal, and local govern-*  
22 *ments in addressing juvenile crime through the provi-*  
23 *sion of technical assistance, research, training, eval-*  
24 *uation, and the dissemination of current and relevant*  
25 *information on effective and evidence-based programs*

1 *and practices for combating juvenile delinquency;*  
2 *and”;* and

3 *(4) by adding at the end the following:*

4 *“(4) to support a continuum of evidence-based or*  
5 *promising programs (including delinquency preven-*  
6 *tion, intervention, mental health, behavioral health*  
7 *and substance abuse treatment, family services, and*  
8 *services for children exposed to violence) that are*  
9 *trauma informed, reflect the science of adolescent de-*  
10 *velopment, and are designed to meet the needs of at-*  
11 *risk youth and youth who come into contact with the*  
12 *justice system.”.*

13 **SEC. 103. DEFINITIONS.**

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

16 *(1) in paragraph (8)—*

17 *(A) in subparagraph (B)(ii), by adding*  
18 *“or” at the end;*

19 *(B) by striking subparagraph (C); and*

20 *(C) by redesignating subparagraph (D) as*  
21 *subparagraph (C);*

22 *(2) in paragraph (18) by adding at the end the*  
23 *following:*

1       *“that has a law enforcement function, as determined*  
2       *by the Secretary of the Interior in consultation with*  
3       *the Attorney General;”.*

4             (3) *by amending paragraph (22) to read as fol-*  
5       *lows:*

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

10            (4) *by amending paragraph (25) to read as fol-*  
11       *lows:*

12            *“(25) the term ‘sight or sound contact’ means*  
13       *any physical, clear visual, or verbal contact that is*  
14       *not brief and inadvertent;”;*

15            (5) *by amending paragraph (26) to read as fol-*  
16       *lows:*

17            *“(26) the term ‘adult inmate’—*

18            *“(A) means an individual who—*

19            *“(i) has reached the age of full crimi-*  
20       *nal responsibility under applicable State*  
21       *law; and*

22            *“(ii) has been arrested and is in cus-*  
23       *tody for or awaiting trial on a criminal*  
24       *charge, or is convicted of a criminal offense;*  
25       *and*

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

2                   “(i) at the time of the time of the of-  
3           fense, was younger than the maximum age  
4           at which a youth can be held in a juvenile  
5           facility under applicable State law; and

6                   “(ii) was committed to the care and  
7           custody or supervision, including post-  
8           placement or parole supervision, of a juve-  
9           nile correctional agency by a court of com-  
10          petent jurisdiction or by operation of appli-  
11          cable State law;”;

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

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

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

17                   “(30) the term ‘core requirements’—

18                           “(A) means the requirements described in  
19                   paragraphs (11), (12), (13), and (15) of section  
20                   223(a); and

21                           “(B) does not include the data collection re-  
22                   quirements described in subparagraphs (A)  
23                   through (K) of section 207(1);

24                   “(31) the term ‘chemical agent’ means a spray  
25                   or injection used to temporarily incapacitate a per-

1 son, including oleoresin capsicum spray, tear gas,  
2 and 2-chlorobenzalmalononitrile gas;

3 “(32) the term ‘isolation’—

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

7 “(B) does not include—

8 “(i) confinement during regularly  
9 scheduled sleeping hours;

10 “(ii) separation based on a treatment  
11 program approved by a licensed medical or  
12 mental health professional;

13 “(iii) confinement or separation that is  
14 requested by the youth; or

15 “(iv) the separation of the youth from  
16 a group in a nonlocked setting for the lim-  
17 ited purpose of calming;

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

21 “(34) the term ‘evidence-based’ means a program  
22 or practice that—

23 “(A) is demonstrated to be effective when  
24 implemented with fidelity;

1           “(B) is based on a clearly articulated and  
2           empirically supported theory;

3           “(C) has measurable outcomes relevant to  
4           juvenile justice, including a detailed description  
5           of the outcomes produced in a particular popu-  
6           lation, whether urban or rural; and

7           “(D) has been scientifically tested and prov-  
8           en effective through randomized control studies  
9           or comparison group studies and with the ability  
10          to replicate and scale;

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

13                 “(A) is demonstrated to be effective based on  
14                 positive outcomes relevant to juvenile justice  
15                 from 1 or more objective, independent, and sci-  
16                 entifically valid evaluations, as documented in  
17                 writing to the Administrator; and

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

21          “(36) the term ‘dangerous practice’ means an  
22          act, procedure, or program that creates an unreason-  
23          able risk of physical injury, pain, or psychological  
24          harm to a juvenile subjected to the act, procedure, or  
25          program;

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

3                   “(A) designed to identify youth who may  
4           have mental health, behavioral health, substance  
5           abuse, or other needs requiring immediate atten-  
6           tion, intervention, and further evaluation; and

7                   “(B) the purpose of which is to quickly  
8           identify a youth with possible mental health, be-  
9           havioral health, substance abuse, or other needs  
10          in need of further assessment;

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

14                   “(A) by an appropriately trained profes-  
15          sional who is licensed or certified by the applica-  
16          ble State in the mental health, behavioral health,  
17          or substance abuse fields; and

18                   “(B) which is designed to identify signifi-  
19          cant mental health, behavioral health, or sub-  
20          stance abuse treatment needs to be addressed  
21          during a youth’s confinement;

22          “(39) for purposes of section 223(a)(15), the term  
23          ‘contact’ means the points at which a youth and the  
24          juvenile justice system or criminal justice system offi-

1 *cially intersect, including interactions with a juvenile*  
2 *justice, juvenile court, or law enforcement official;*

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

4 *“(A) understanding the impact that expo-*  
5 *sure to violence and trauma have on a youth’s*  
6 *physical, psychological, and psychosocial devel-*  
7 *opment;*

8 *“(B) recognizing when a youth has been ex-*  
9 *posed to violence and trauma and is in need of*  
10 *help to recover from the adverse impacts of trau-*  
11 *ma; and*

12 *“(C) responding in ways that resist re-*  
13 *traumatization;*

14 *“(41) the term ‘racial and ethnic disparity’*  
15 *means minority youth populations are involved at a*  
16 *decision point in the juvenile justice system at higher*  
17 *rates, incrementally or cumulatively, than non-mi-*  
18 *nority youth at that decision point;*

19 *“(42) the term ‘status offender’ means a juvenile*  
20 *who is charged with or who has committed an offense*  
21 *that would not be criminal if committed by an adult;*

22 *“(43) the term ‘rural’ means an area that is not*  
23 *located in a metropolitan statistical area, as defined*  
24 *by the Office of Management and Budget;*

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

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

6                   “(B) reliability of reporting for internal  
7                   and external use; and

8                   “(C) compliance with applicable laws and  
9                   regulations, as well as recommendations of the  
10                  Office of Inspector General and the Government  
11                  Accountability Office; and

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

14   **TITLE II—JUVENILE JUSTICE**  
15   **AND DELINQUENCY PREVEN-**  
16   **TION**

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

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

20                   (1) in subsection (a)—

21                           (A) in paragraph (1), in the first sen-  
22                           tence—

23                                   (i) by striking “a long-term plan, and  
24                                   implement” and inserting the following: “a  
25                                   long-term plan to improve the juvenile jus-

1            *tice system in the United States, taking into*  
2            *account scientific knowledge regarding ado-*  
3            *lescent development and behavior and re-*  
4            *garding the effects of delinquency prevention*  
5            *programs and juvenile justice interventions*  
6            *on adolescents, and shall implement”; and*

7            *(ii) by striking “research, and im-*  
8            *provement of the juvenile justice system in*  
9            *the United States” and inserting “and re-*  
10           *search”; and*

11           *(B) in paragraph (2)(B), by striking “Fed-*  
12           *eral Register” and all that follows and inserting*  
13           *“Federal Register during the 30-day period end-*  
14           *ing on October 1 of each year.”; and*

15           *(2) in subsection (b)—*

16           *(A) by striking paragraph (7);*

17           *(B) by redesignating paragraphs (5) and*  
18           *(6) as paragraphs (6) and (7), respectively;*

19           *(C) by inserting after paragraph (4), the*  
20           *following:*

21           *“(5) not later than 1 year after the date of enact-*  
22           *ment of the Supporting Youth Opportunity and Pre-*  
23           *venting Delinquency Act of 2016, in consultation with*  
24           *Indian tribes, develop a policy for the Office of Juve-*  
25           *nile Justice and Delinquency Prevention to collabo-*

1 *rate with representatives of Indian tribes with a*  
 2 *criminal justice function on the implementation of*  
 3 *the provisions of this Act relating to Indian tribes;”;*

4 *(D) in paragraph (6), as so redesignated, by*  
 5 *adding “and” at the end; and*

6 *(E) in paragraph (7), as so redesignated—*

7 *(i) by striking “monitoring”;*

8 *(ii) by striking “section 223(a)(15)”*  
 9 *and inserting “section 223(a)(16)”;* and

10 *(iii) by striking “to review the ade-*  
 11 *quacy of such systems; and” and inserting*  
 12 *“for monitoring compliance.”.*

13 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
 14 **AND DELINQUENCY PREVENTION.**

15 *Section 206 of the Juvenile Justice and Delinquency*  
 16 *Prevention Act of 1974 (42 U.S.C. 5616) is amended—*

17 *(1) in subsection (a)—*

18 *(A) in paragraph (1)—*

19 *(i) by inserting “the Administrator of*  
 20 *the Substance Abuse and Mental Health*  
 21 *Services Administration, the Secretary of*  
 22 *the Interior,” after “the Secretary of Health*  
 23 *and Human Services;”;* and

24 *(ii) by striking “Commissioner of Im-*  
 25 *migration and Naturalization” and insert-*

1           ing “Assistant Secretary for Immigration  
2           and Customs Enforcement”; and

3           (B) in paragraph (2), by striking “United  
4           States” and inserting “Federal Government”;  
5           and

6           (2) in subsection (c)—

7           (A) in paragraph (1), by striking “para-  
8           graphs (12)(A), (13), and (14) of section 223(a)  
9           of this title” and inserting “the core require-  
10          ments”; and

11          (B) in paragraph (2)—

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

15           (ii) by striking subparagraph (B) and  
16          inserting the following:

17           “(B) not later than 120 days after the com-  
18          pletion of the last meeting of the Council during  
19          any fiscal year, submit to the Committee on  
20          Education and the Workforce of the House of  
21          Representatives and the Committee on the Judi-  
22          ciary of the Senate a report that—

23           “(i) contains the recommendations de-  
24          scribed in subparagraph (A);

1           “(ii) includes a detailed account of the  
2           activities conducted by the Council during  
3           the fiscal year, including a complete de-  
4           tailed accounting of expenses incurred by  
5           the Council to conduct operations in accord-  
6           ance with this section;

7           “(iii) is published on the Web sites of  
8           the Office of Juvenile Justice and Delin-  
9           quency Prevention, the Council, and the De-  
10          partment of Justice; and

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

13 **SEC. 203. ANNUAL REPORT.**

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

16               (1) in the matter preceding paragraph (1), by  
17               striking “a fiscal year” and inserting “each fiscal  
18               year”;

19               (2) in paragraph (1)—

20                     (A) in subparagraph (B), by striking “and  
21                     gender” and inserting “, gender, and ethnicity,  
22                     as such term is defined by the Bureau of the  
23                     Census,”;

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

1                   (C) in subparagraph (F)—

2                   (i) by inserting “and other” before  
3                   “disabilities,”; and

4                   (ii) by striking the period at the end  
5                   and inserting a semicolon; and

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

7                   “(G) a summary of data from 1 month of  
8                   the applicable fiscal year of the use of restraints  
9                   and isolation upon juveniles held in the custody  
10                  of secure detention and correctional facilities op-  
11                  erated by a State or unit of local government;

12                  “(H) the number of status offense cases peti-  
13                  tioned to court, number of status offenders held  
14                  in secure detention, the findings used to justify  
15                  the use of secure detention, and the average pe-  
16                  riod of time a status offender was held in secure  
17                  detention;

18                  “(I) the number of juveniles released from  
19                  custody and the type of living arrangement to  
20                  which they are released;

21                  “(J) the number of juveniles whose offense  
22                  originated on school grounds, during school-spon-  
23                  sored off-campus activities, or due to a referral  
24                  by a school official, as collected and reported by

1           *the Department of Education or similar State*  
2           *educational agency; and*

3           “(K) *the number of juveniles in the custody*  
4           *of secure detention and correctional facilities op-*  
5           *erated by a State or unit of local government*  
6           *who report being pregnant.”; and*

7           (3) *by adding at the end the following:*

8           “(5) *A description of the criteria used to deter-*  
9           *mine what programs qualify as evidence-based and*  
10          *promising programs under this title and title V and*  
11          *a comprehensive list of those programs the Adminis-*  
12          *trator has determined meet such criteria in both rural*  
13          *and urban areas.*

14          “(6) *A description of funding provided to Indian*  
15          *tribes under this Act or for a juvenile delinquency or*  
16          *prevention program under the Tribal Law and Order*  
17          *Act of 2010 (Public Law 111–211; 124 Stat. 2261),*  
18          *including direct Federal grants and funding provided*  
19          *to Indian tribes through a State or unit of local gov-*  
20          *ernment.*

21          “(7) *An analysis and evaluation of the internal*  
22          *controls at the Office of Juvenile Justice and Delin-*  
23          *quency Prevention to determine if grantees are fol-*  
24          *lowing the requirements of the Office of Juvenile Jus-*  
25          *tice and Delinquency Prevention grant programs and*

1 *what remedial action the Office of Juvenile Justice*  
2 *and Delinquency Prevention has taken to recover any*  
3 *grant funds that are expended in violation of the*  
4 *grant programs, including instances—*

5 *“(A) in which supporting documentation*  
6 *was not provided for cost reports;*

7 *“(B) where unauthorized expenditures oc-*  
8 *curred; or*

9 *“(C) where subrecipients of grant funds*  
10 *were not compliant with program requirements.*

11 *“(8) An analysis and evaluation of the total*  
12 *amount of payments made to grantees that the Office*  
13 *of Juvenile Justice and Delinquency Prevention re-*  
14 *couped from grantees that were found to be in viola-*  
15 *tion of policies and procedures of the Office of Juve-*  
16 *nile Justice and Delinquency Prevention grant pro-*  
17 *grams, including—*

18 *“(A) the full name and location of the*  
19 *grantee;*

20 *“(B) the violation of the program found;*

21 *“(C) the amount of funds sought to be re-*  
22 *couped by the Office of Juvenile Justice and De-*  
23 *linquency Prevention; and*

1                   “(D) the actual amount recouped by the Of-  
2                   fice of Juvenile Justice and Delinquency Preven-  
3                   tion.”.

4 **SEC. 204. ALLOCATION OF FUNDS.**

5           (a) *TECHNICAL ASSISTANCE.*—Section 221(b)(1) of the  
6 *Juvenile Justice and Delinquency Prevention Act of 1974*  
7 *(42 U.S.C. 5631(b)(1))* is amended by striking “2 percent”  
8 and inserting “5 percent”.

9           (b) *OTHER ALLOCATIONS.*—Section 222 of the *Ju-  
10 nile Justice and Delinquency Prevention Act of 1974* (42  
11 *U.S.C. 5632)* is amended—

12                   (1) in subsection (a)—

13                           (A) in paragraph (1), by striking “age  
14                           eighteen” and inserting “18 years of age, based  
15                           on the most recent data available from the Bu-  
16                           reau of the Census”; and

17                           (B) by striking paragraphs (2) and (3) and  
18                           inserting the following:

19                   “(2)(A) If the aggregate amount appropriated for a fis-  
20 cal year to carry out this title is less than \$75,000,000,  
21 then—

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

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

5           “(B) If the aggregate amount appropriated for a fiscal  
6           year to carry out this title is not less than \$75,000,000,  
7           then—

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

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

15          (2) in subsection (c), by striking “efficient ad-  
16          ministration, including monitoring, evaluation, and  
17          one full-time staff position” and inserting “effective  
18          and efficient administration of funds, including the  
19          designation of not less than 1 individual who shall co-  
20          ordinate efforts to achieve and sustain compliance  
21          with the core requirements and certify whether the  
22          State is in compliance with such requirements”; and

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

1 **SEC. 205. STATE PLANS.**

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

4 *(1) in subsection (a)—*

5 *(A) in the matter preceding paragraph (1),*  
6 *by striking “and shall describe the status of com-*  
7 *pliance with State plan requirements.” and in-*  
8 *serting “and shall describe how the State plan is*  
9 *supported by or takes account of scientific knowl-*  
10 *edge regarding adolescent development and be-*  
11 *havior and regarding the effects of delinquency*  
12 *prevention programs and juvenile justice inter-*  
13 *ventions on adolescents. Not later than 60 days*  
14 *after the date on which a plan or amended plan*  
15 *submitted under this subsection is finalized, a*  
16 *State shall make the plan or amended plan pub-*  
17 *licly available by posting the plan or amended*  
18 *plan on the State’s publicly available website.”;*

19 *(B) in paragraph (1), by striking “de-*  
20 *scribed in section 299(c)(1)” and inserting “as*  
21 *designated by the chief executive officer of the*  
22 *State”;*

23 *(C) in paragraph (3)—*

24 *(i) in subparagraph (A)—*

1           (I) in clause (i), by inserting “ad-  
2           olescent development,” after “con-  
3           cerning”;

4           (II) in clause (ii)—

5           (aa) in subclause (II), by in-  
6           serting “publicly supported court-  
7           appointed legal counsel with expe-  
8           rience representing juveniles in  
9           delinquency proceedings,” after  
10          “youth,”;

11          (bb) in subclause (III), by  
12          striking “mental health, edu-  
13          cation, special education” and in-  
14          serting “child and adolescent  
15          mental health, education, child  
16          and adolescent substance abuse,  
17          special education, services for  
18          youth with disabilities”;

19          (cc) in subclause (V), by  
20          striking “delinquents or potential  
21          delinquents” and inserting “delin-  
22          quent youth or youth at risk of  
23          delinquency”;

24          (dd) in subclause (VI), by  
25          striking “youth workers involved

1                   with” and inserting “representa-  
2                   tives of”;

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

5                   (ff) by striking subclause  
6                   (VIII) and inserting the following:

7                   “(VIII) persons, licensed or cer-  
8                   tified by the applicable State, with ex-  
9                   pertise and competence in preventing  
10                  and addressing mental health and sub-  
11                  stance abuse needs in delinquent youth  
12                  and youth at risk of delinquency;

13                  “(IX) representatives of victim or  
14                  witness advocacy groups, including at  
15                  least 1 individual with expertise in ad-  
16                  dressing the challenges of sexual abuse  
17                  and exploitation and trauma, particu-  
18                  larly the needs of special populations  
19                  who experience disproportionate levels  
20                  of sexual abuse, exploitation, and trau-  
21                  ma before entering the juvenile justice  
22                  system; and

23                  “(X) for a State in which 1 or  
24                  more Indian tribes are located, an In-  
25                  dian tribal representative or other in-

1 *dividual with significant expertise in*  
2 *tribal law enforcement and juvenile*  
3 *justice in Indian tribal communities;”;*

4 *(III) in clause (iv), by striking*  
5 *“24 at the time of appointment” and*  
6 *inserting “28 at the time of initial ap-*  
7 *pointment”; and*

8 *(IV) in clause (v) by inserting*  
9 *“or, if not feasible and in appropriate*  
10 *circumstances, who is the parent or*  
11 *guardian of someone who has been or*  
12 *is currently under the jurisdiction of*  
13 *the juvenile justice system” after “juve-*  
14 *nile justice system”;*

15 *(ii) in subparagraph (C), by striking*  
16 *“30 days” and inserting “45 days”; and*

17 *(iii) in subparagraph (D)—*

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

20 *(II) in clause (ii), by striking “at*  
21 *least annually recommendations re-*  
22 *garding State compliance with the re-*  
23 *quirements of paragraphs (11), (12),*  
24 *and (13)” and inserting “at least every*  
25 *2 years a report and necessary rec-*

1                    *ommendations regarding State compli-*  
2                    *ance with the core requirements”; and*  
3                    *(iv) in subparagraph (E)—*

4                    *(I) in clause (i), by adding “and”*  
5                    *at the end; and*

6                    *(II) in clause (ii), by striking the*  
7                    *period at the end and inserting a semi-*  
8                    *colon;*

9                    *(D) in paragraph (5)(C), by striking “In-*  
10                    *dian tribes” and all that follows through “appli-*  
11                    *cable to the detention and confinement of juve-*  
12                    *niles” and inserting “Indian tribes that agree to*  
13                    *attempt to comply with the core requirements*  
14                    *applicable to the detention and confinement of*  
15                    *juveniles”;*

16                    *(E) in paragraph (7)—*

17                    *(i) in subparagraph (A), by striking*  
18                    *“performs law enforcement functions” and*  
19                    *inserting “has jurisdiction”; and*

20                    *(ii) in subparagraph (B)—*

21                    *(I) in clause (iii), by striking*  
22                    *“and” at the end; and*

23                    *(II) by striking clause (iv) and*  
24                    *inserting the following:*

1           “(iv) a plan to provide alternatives to  
2           detention for status offenders, survivors of  
3           commercial sexual exploitation, and others,  
4           where appropriate, such as specialized or  
5           problem-solving courts or diversion to home-  
6           based or community-based services or treat-  
7           ment for those youth in need of mental  
8           health, substance abuse, or co-occurring dis-  
9           order services at the time such juveniles first  
10          come into contact with the juvenile justice  
11          system;

12          “(v) a plan to reduce the number of  
13          children housed in secure detention and cor-  
14          rections facilities who are awaiting place-  
15          ment in residential treatment programs;

16          “(vi) a plan to engage family members,  
17          where appropriate, in the design and deliv-  
18          ery of juvenile delinquency prevention and  
19          treatment services, particularly post-place-  
20          ment;

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

1           “(viii) a plan to promote evidence-  
2           based and trauma-informed programs and  
3           practices; and

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

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

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

1                   “(aa) credible, reasonable  
2 grounds exist to believe the de-  
3 tainee presents an immediate and  
4 serious threat of hurting herself,  
5 staff, or others; or

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

12                   (F) in paragraph (8), by striking “existing”  
13 and inserting “evidence-based and promising”;

14                   (G) in paragraph (9)—

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

20                   (ii) in subparagraph (A)—

21                   (I) in clause (i)—

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

1                                    (bb) by striking “and” at the  
2                                    end;

3                                    (II) in clause (ii) by adding  
4                                    “and” at the end; and

5                                    (III) by inserting after clause (ii)  
6                                    the following:

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

12                                   (iii) in subparagraph (B)(i)—

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

18                                   (II) by striking “be retained” and  
19                                   inserting “remain”;

20                                   (iv) in subparagraph (E)—

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

1                   (II) in clause (i), by inserting “,  
2                   including for truancy prevention and  
3                   reduction” before the semicolon;

4                   (v) in subparagraph (F), in the matter  
5                   preceding clause (i), by striking “expand-  
6                   ing” and inserting “programs to expand”;

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

10                  (vii) by inserting after subparagraph  
11                  (F), the following:

12                  “(G) programs—

13                         “(i) to ensure youth have access to ap-  
14                         propriate legal representation; and

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

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

22                   (viii) in subparagraph (H), as so re-  
23                   designated, by striking “State,” each place  
24                   the term appears and inserting “State, trib-  
25                   al,”;

1                   *(ix) in subparagraph (M), as so redese-*  
2                   *gnated—*

3                   *(I) in clause (i)—*

4                   *(aa) by inserting “pre-adju-*  
5                   *dication and” before “post-adju-*  
6                   *dication”;*

7                   *(bb) by striking “restraints”*  
8                   *and inserting “alternatives”; and*

9                   *(cc) by inserting “specialized*  
10                   *or problem-solving courts,” after*  
11                   *“(including”; and*

12                   *(II) in clause (ii)—*

13                   *(aa) by striking “by the pro-*  
14                   *vision by the Administrator”; and*

15                   *(bb) by striking “to States”;*

16                   *(x) in subparagraph (N), as redese-*  
17                   *gnated—*

18                   *(I) by inserting “and reduce the*  
19                   *risk of recidivism” after “families”;*  
20                   *and*

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

24                   *(xi) in subparagraph (S), as so redese-*  
25                   *gnated, by striking “and” at the end;*

1                   *(xii) in subparagraph (T), as so redес-*  
2                   *ignated—*

3                   *(I) by inserting “or co-occurring*  
4                   *disorder” after “mental health”;*

5                   *(II) by inserting “court-involved*  
6                   *or” before “incarcerated”;*

7                   *(III) by striking “suspected to*  
8                   *be”;*

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

13                   *(V) by striking the period at the*  
14                   *end and inserting a semicolon; and*

15                   *(xiii) by inserting after subparagraph*  
16                   *(T) the following:*

17                   *“(U) programs and projects designed—*

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

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

1           *except that the State may not use more than 2*  
2           *percent of the funds received under section 222*  
3           *for these purposes;*

4           “(V) *programs that address the needs of*  
5           *girls in or at risk of entering the juvenile justice*  
6           *system, including pregnant girls, young mothers,*  
7           *victims of sexual abuse, survivors of commercial*  
8           *sexual exploitation or domestic child sex traf-*  
9           *ficking, girls with disabilities, and girls of color,*  
10          *including girls who are members of an Indian*  
11          *tribe; and*

12          “(W) *monitoring for compliance with the*  
13          *core requirements and providing training and*  
14          *technical assistance on the core requirements to*  
15          *secure facilities;”;*

16          “(H) *by striking paragraph (11) and insert-*  
17          *ing the following:*

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

22                 “(i) *the juvenile is charged with or has com-*  
23                 *mitted an offense that would not be criminal if*  
24                 *committed by an adult, excluding—*

1           “(I) a juvenile who is charged with or  
2           has committed a violation of section  
3           922(x)(2) of title 18, United States Code, or  
4           of a similar State law;

5           “(II) a juvenile who is charged with or  
6           has committed a violation of a valid court  
7           order issued and reviewed in accordance  
8           with paragraph (23); and

9           “(III) a juvenile who is held in accord-  
10          ance with the Interstate Compact on Juve-  
11          niles as enacted by the State; or

12          “(i) the juvenile—

13                 “(I) is not charged with any offense;  
14                 and

15                 “(II)(aa) is an alien; or

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

18          “(B) require that—

19                 “(i) not later than 3 years after the date of  
20                 enactment of the Supporting Youth Opportunity  
21                 and Preventing Delinquency Act of 2016, unless  
22                 a court finds, after a hearing and in writing,  
23                 that it is in the interest of justice, juveniles  
24                 awaiting trial or other legal process who are

1           *treated as adults for purposes of prosecution in*  
2           *criminal court and housed in a secure facility—*

3                   “(I) *shall not have sight or sound con-*  
4                   *tact with adult inmates; and*

5                   “(II) *except as provided in paragraph*  
6                   *(13), may not be held in any jail or lockup*  
7                   *for adults;*

8                   “(i) *in determining under subparagraph*  
9                   *(A) whether it is in the interest of justice to per-*  
10                   *mit a juvenile to be held in any jail or lockup*  
11                   *for adults, or have sight or sound contact with*  
12                   *adult inmates, a court shall consider—*

13                           “(I) *the age of the juvenile;*

14                           “(II) *the physical and mental matu-*  
15                           *rity of the juvenile;*

16                           “(III) *the present mental state of the*  
17                           *juvenile, including whether the juvenile pre-*  
18                           *sents an imminent risk of harm to the juve-*  
19                           *nile;*

20                           “(IV) *the nature and circumstances of*  
21                           *the alleged offense;*

22                           “(V) *the juvenile’s history of prior de-*  
23                           *linquent acts;*

24                           “(VI) *the relative ability of the avail-*  
25                           *able adult and juvenile detention facilities*

1           to not only meet the specific needs of the ju-  
2           venile but also to protect the safety of the  
3           public as well as other detained youth; and

4                   “(VII) any other relevant factor; and

5                   “(iii) if a court determines under subpara-  
6           graph (A) that it is in the interest of justice to  
7           permit a juvenile to be held in any jail or lockup  
8           for adults—

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

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

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

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

4           (K) in paragraph (14)—

5                 (i) by striking “adequate system” and  
6                 inserting “effective system”;

7                 (ii) by inserting “lock-ups,” after  
8                 “monitoring jails,”;

9                 (iii) by inserting “and” after “deten-  
10                tion facilities,”;

11                (iv) by striking “, and non-secure fa-  
12                cilities”;

13                (v) by striking “insure” and inserting  
14                “ensure”;

15                (vi) by striking “requirements of para-  
16                graphs (11), (12), and (13)” and inserting  
17                “core requirements”; and

18                (vii) by striking “, in the opinion of  
19                the Administrator,”;

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

21           (M) by redesignating paragraph (28) as  
22           paragraph (27);

23           (N) by redesignating paragraphs (15)  
24           through (21) as paragraphs (16) through (22),  
25           respectively;

1           (O) by inserting after paragraph (14) the  
2           following:

3           “(15) implement policy, practice, and system  
4           improvement strategies at the State, territorial, local,  
5           and tribal levels, as applicable, to identify and reduce  
6           racial and ethnic disparities among youth who come  
7           into contact with the juvenile justice system, without  
8           establishing or requiring numerical standards or  
9           quotas, by—

10           “(A) establishing or designating existing co-  
11           ordinating bodies, composed of juvenile justice  
12           stakeholders, (including representatives of the  
13           educational system) at the State, local, or tribal  
14           levels, to advise efforts by States, units of local  
15           government, and Indian tribes to reduce racial  
16           and ethnic disparities;

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

23           “(C) developing and implementing a work  
24           plan that includes measurable objectives for pol-  
25           icy, practice, or other system changes, based on

1           *the needs identified in the data collection and*  
2           *analysis under subparagraph (B);”;*

3           *(P) in paragraph (16), as so redesignated,*  
4           *by inserting “ethnicity,” after “race,”;*

5           *(Q) in paragraph (21), as so redesignated,*  
6           *by striking “local,” each place the term appears*  
7           *and inserting “local, tribal,”;*

8           *(R) in paragraph (23)—*

9           *(i) in subparagraphs (A), (B), and*  
10          *(C), by striking “juvenile” each place it ap-*  
11          *pears and inserting “status offender”;*

12          *(ii) in subparagraph (B), by striking*  
13          *“and” at the end;*

14          *(iii) in subparagraph (C)—*

15            *(I) in clause (i), by striking*  
16            *“and” at the end;*

17            *(II) in clause (ii), by adding*  
18            *“and” at the end; and*

19            *(III) by adding at the end the fol-*  
20            *lowing:*

21            *“(iii) if such court determines the sta-*  
22            *tus offender should be placed in a secure de-*  
23            *tention facility or correctional facility for*  
24            *violating such order—*

1                   “(I) the court shall issue a written  
2 order that—

3                   “(aa) identifies the valid  
4 court order that has been violated;

5                   “(bb) specifies the factual  
6 basis for determining that there is  
7 reasonable cause to believe that  
8 the status offender has violated  
9 such order;

10                   “(cc) includes findings of fact  
11 to support a determination that  
12 there is no appropriate less re-  
13 strictive alternative available to  
14 placing the status offender in such  
15 a facility, with due consideration  
16 to the best interest of the juvenile;

17                   “(dd) specifies the length of  
18 time, not to exceed 7 days, that  
19 the status offender may remain in  
20 a secure detention facility or cor-  
21 rectional facility, and includes a  
22 plan for the status offender’s re-  
23 lease from such facility; and

24                   “(ee) may not be renewed or  
25 extended; and

1                   “(II) the court may not issue a  
2                   second or subsequent order described in  
3                   subclause (I) relating to a status of-  
4                   fender unless the status offender vio-  
5                   lates a valid court order after the date  
6                   on which the court issues an order de-  
7                   scribed in subclause (I);” and

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

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

16                  “(E) not later than September 30, 2020  
17                  (with a 1-year extension for each additional fis-  
18                  cal year that a State can demonstrate hardship,  
19                  as determined by the State, and submits in writ-  
20                  ing evidence of such hardship to the Adminis-  
21                  trator which shall be considered approved unless  
22                  the Administrator justifies to the State in writ-  
23                  ing that the hardship does not qualify for an ex-  
24                  emption), the State will eliminate the use of  
25                  valid court orders to provide secure confinement

1           *of status offenders, except that juveniles may be*  
2           *held in secure confinement in accordance with*  
3           *the Interstate Compact for Juveniles if the judge*  
4           *issues a written order that—*

5                     *“(i) specifies the factual basis to believe*  
6                     *that the State has the authority to detain*  
7                     *the juvenile under the terms of the Inter-*  
8                     *state Compact for Juveniles;*

9                     *“(ii) includes findings of fact to sup-*  
10                    *port a determination that there is no appro-*  
11                    *priate less restrictive alternative available*  
12                    *to placing the juvenile in such a facility,*  
13                    *with due consideration to the best interest of*  
14                    *the juvenile;*

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

20                    *“(iv) may not be renewed or ex-*  
21                    *tended;”;*

22                    *(S) in paragraph (26)—*

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

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

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

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

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

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

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

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

1 *including by developing effective behavior manage-*  
2 *ment techniques;*

3 *“(30) describe—*

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

8 *“(i) request a screening;*

9 *“(ii) show signs of needing a screening;*

10 *or*

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

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

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

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

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

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

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

6                   “(B) review processes;

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

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

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

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

1            *pleted before and during the period of time dur-*  
2            *ing which the juveniles are held in custody, re-*  
3            *gardless of the local educational agency or entity*  
4            *from which the credits were earned; and*

5            *“(33) describe policies and procedures to—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 *(3) in subsection (d)—*

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

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

12 *(4) in subsection (f)(2)—*

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

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

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

18 *“(g) COMPLIANCE DETERMINATION.—*

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

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

25 *“(A) issue an annual public report—*

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

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

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

16          “(3) DETERMINATIONS REQUIRED.—The Admin-  
17          istrator may not—

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

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

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

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

6 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANAL-**  
 7 **YSES; INFORMATION DISSEMINATION.**

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

10 *(1) in subsection (a)—*

11 *(A) in paragraph (1)—*

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

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

18 *(iii) in subparagraph (B)—*

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

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

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

1           “(vii) the prevalence and duration of behav-  
2           ioral health needs (including mental health, sub-  
3           stance abuse, and co-occurring disorders) among  
4           juveniles pre-placement and post-placement in  
5           the juvenile justice system, including an exam-  
6           ination of the effects of secure confinement;”;

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

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

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

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

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

22                        “(xii) identifying positive outcome meas-  
23                        ures, such as attainment of employment and  
24                        educational degrees, that States and units of  
25                        local government should use to evaluate the suc-

1           *cess of programs aimed at reducing recidivism of*  
2           *youth who have come in contact with the juvenile*  
3           *justice system or criminal justice system;*

4           *“(xiii) evaluating the impact and outcomes*  
5           *of the prosecution and sentencing of juveniles as*  
6           *adults;*

7           *“(xiv) successful and cost-effective efforts by*  
8           *States and units of local government to reduce*  
9           *recidivism through policies that provide for con-*  
10          *sideration of appropriate alternative sanctions to*  
11          *incarceration of youth facing nonviolent charges,*  
12          *while ensuring that public safety is preserved;”;*  
13          *and*

14          *(B) in paragraph (4)—*

15                 *(i) in the matter preceding subpara-*  
16                 *graph (A)—*

17                         *(I) by striking “date of enactment*  
18                         *of this paragraph, the” and inserting*  
19                         *“date of enactment of the Supporting*  
20                         *Youth Opportunity and Preventing De-*  
21                         *linquency Act of 2016, the”; and*

22                         *(II) by inserting “in accordance*  
23                         *with relevant confidentiality require-*  
24                         *ments” after “wards of the State”; and*

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

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

5                   (iv) in subparagraph (G), by striking  
6                   the period at the end and inserting a semi-  
7                   colon; and

8                   (v) by adding at the end the following:  
9                   “(H) a description of the best practices in dis-  
10                  charge planning; and

11                  “(I) an assessment of living arrangements for ju-  
12                  veniles who, upon release from confinement in a State  
13                  correctional facility, cannot return to the residence  
14                  they occupied prior to such confinement.”;

15                  (2) in subsection (b), in the matter preceding  
16                  paragraph (1), by striking “may” and inserting  
17                  “shall”; and

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

19                  “(f) NATIONAL RECIDIVISM MEASURE.—The Adminis-  
20                  trator, in accordance with applicable confidentiality re-  
21                  quirements and in consultation with experts in the field of  
22                  juvenile justice research, recidivism, and data collection,  
23                  shall—

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

4           “(2) establish a common national juvenile recidi-  
5           vism measurement system; and

6           “(3) make cumulative juvenile recidivism data  
7           that is collected from States available to the public.”.

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

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

11                  (1) in subsection (a)—

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

14                          (B) in paragraph (1)—

15                                  (i) by inserting “shall” before “develop  
16                                  and carry out projects”; and

17                                  (ii) by striking “and” after the semi-  
18                                  colon;

19                          (C) in paragraph (2)—

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

22                                  (ii) by striking the period at the end  
23                                  and inserting “; and”; and

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

1           “(3) shall provide periodic training for States  
2           regarding implementation of the core requirements,  
3           current protocols and best practices for achieving and  
4           monitoring compliance, and information sharing re-  
5           garding relevant Office resources on evidence-based  
6           and promising programs or practices that promote  
7           the purposes of this Act.”;

8           (2) in subsection (b)—

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

11          (B) in paragraph (1)—

12           (i) by inserting “shall” before “develop  
13           and implement projects”;

14           (ii) by inserting “, including compli-  
15           ance with the core requirements” after “this  
16           title”; and

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

18          (C) in paragraph (2)—

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

21           (ii) by striking the period at the end  
22           and inserting a semicolon; and

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

24           “(3) shall provide technical assistance to States  
25           and units of local government on achieving compli-

1        *ance with the amendments to the core requirements*  
2        *and State Plans made by the Supporting Youth Op-*  
3        *portunity and Preventing Delinquency Act of 2016,*  
4        *including training and technical assistance and,*  
5        *when appropriate, pilot or demonstration projects in-*  
6        *tended to develop and replicate best practices for*  
7        *achieving sight and sound separation in facilities or*  
8        *portions of facilities that are open and available to*  
9        *the general public and that may or may not contain*  
10       *a jail or a lock-up; and*

11                *“(4) shall provide technical assistance to States*  
12        *in support of efforts to establish partnerships between*  
13        *a State and a university, institution of higher edu-*  
14        *cation, or research center designed to improve the re-*  
15        *ruitment, selection, training, and retention of profes-*  
16        *sional personnel in the fields of medicine, law enforce-*  
17        *ment, the judiciary, juvenile justice, social work and*  
18        *child protection, education, and other relevant fields*  
19        *who are engaged in, or intend to work in, the field*  
20        *of prevention, identification, and treatment of delin-*  
21        *quency.”;*

22                *(3) in subsection (c)—*

23                        *(A) by inserting “prosecutors,” after “public*  
24                        *defenders,”; and*

1                   (B) by inserting “status offenders and”  
2                   after “needs of”; and

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

4                   “(d) *BEST PRACTICES REGARDING LEGAL REPRESENTATION OF CHILDREN.*—In consultation with experts in the  
5                   field of juvenile defense, the Administrator shall—  
6                   field of juvenile defense, the Administrator shall—

7                   “(1) share best practices, which may include  
8                   sharing standards of practice developed by recognized  
9                   entities in the profession, for attorneys representing  
10                  children; and

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

14                  “(e) *TRAINING AND TECHNICAL ASSISTANCE FOR*  
15                  *LOCAL AND STATE JUVENILE DETENTION AND CORREC-*  
16                  *TIONS PERSONNEL.*—The Administrator shall coordinate  
17                  training and technical assistance programs with juvenile  
18                  detention and corrections personnel of States and units of  
19                  local government—

20                  “(1) to promote methods for improving condi-  
21                  tions of juvenile confinement, including methods that  
22                  are designed to minimize the use of dangerous prac-  
23                  tices, unreasonable restraints, and isolation and  
24                  methods responsive to cultural differences; and

1           “(2) to encourage alternative behavior manage-  
2           ment techniques based on positive youth development  
3           approaches, which may include policies and proce-  
4           dures to train personnel to be culturally competent.

5           “(f) *TRAINING AND TECHNICAL ASSISTANCE TO SUP-*  
6 *PORT MENTAL HEALTH OR SUBSTANCE ABUSE TREAT-*  
7 *MENT INCLUDING HOME-BASED OR COMMUNITY-BASED*  
8 *CARE.—The Administrator shall provide training and tech-*  
9 *nical assistance, in conjunction with the appropriate public*  
10 *agencies, to individuals involved in making decisions re-*  
11 *garding the disposition and management of cases for youth*  
12 *who enter the juvenile justice system about the appropriate*  
13 *services and placement for youth with mental health or sub-*  
14 *stance abuse needs, including—*

15           “(1) juvenile justice intake personnel;

16           “(2) probation officers;

17           “(3) juvenile court judges and court services per-  
18           sonnel;

19           “(4) prosecutors and court-appointed counsel;  
20           and

21           “(5) family members of juveniles and family ad-  
22           vocates.

23           “(g) *TRAINING AND TECHNICAL ASSISTANCE TO SUP-*  
24 *PORT JUVENILE COURT JUDGES AND PERSONNEL.—The*  
25 *Attorney General, acting through the Office of Juvenile Jus-*

1 *tice and Delinquency Prevention and the Office of Justice*  
2 *Programs, shall provide training and technical assistance,*  
3 *in conjunction with the appropriate public agencies, to en-*  
4 *hance the capacity of State and local courts, judges, and*  
5 *related judicial personnel to—*

6           “(1) *improve the lives of children currently in-*  
7 *olved in or at risk of being involved in the juvenile*  
8 *court system; and*

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

10       “(h) *FREE AND REDUCED PRICE SCHOOL LUNCHES*  
11 *FOR INCARCERATED JUVENILES.—The Attorney General, in*  
12 *consultation with the Secretary of Agriculture, shall provide*  
13 *guidance to States relating to existing options for school*  
14 *food authorities in the States to apply for reimbursement*  
15 *for free or reduced price lunches under the Richard B. Rus-*  
16 *sell National School Lunch Act (42 U.S.C. 1751 et seq.) for*  
17 *juveniles who are incarcerated and would, if not incarcer-*  
18 *ated, be eligible for free or reduced price lunches under that*  
19 *Act.”.*

20 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

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

23           (1) *by striking subsections (b) and (c), and re-*  
24 *designating subsection (d) as subsection (b);*

25           (2) *in subsection (a)—*

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

3           (B) by striking paragraph (1) and inserting  
4           the following:

5           “(1) There are authorized to be appropriated to carry  
6 out this title—

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

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

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

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

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

12          (C) in paragraph (2)—

13               (i) in the matter preceding subpara-  
14               graph (A), by striking “(other than parts C  
15               and E)”; and

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

18 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

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

21           (1) in subsection (d)—

22               (A) by inserting “(1)” before “The Adminis-  
23               trator”;

1           (B) by striking “, after appropriate con-  
2           sultation with representatives of States and units  
3           of local government,”;

4           (C) by inserting “guidance,” after “regula-  
5           tions,”; and

6           (D) by adding at the end the following: “In  
7           developing guidance and procedures, the Admin-  
8           istrator shall consult with representatives of  
9           States and units of local government, including  
10          those individuals responsible for administration  
11          of this Act and compliance with the core require-  
12          ments.

13          “(2) The Administrator shall ensure that—

14                “(A) reporting, compliance reporting, State plan  
15                requirements, and other similar documentation as  
16                may be required from States is requested in a manner  
17                that respects confidentiality, encourages efficiency  
18                and reduces the duplication of reporting efforts; and

19                “(B) States meeting all the core requirements are  
20                encouraged to experiment with offering innovative,  
21                data-driven programs designed to further improve the  
22                juvenile justice system.”; and

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

1 **TITLE III—INCENTIVE GRANTS**  
2 **FOR LOCAL DELINQUENCY**  
3 **PREVENTION PROGRAMS**

4 **SEC. 301. SHORT TITLE.**

5 *Section 501 of the Incentive Grants for Local Delin-*  
6 *quency Prevention Programs Act of 2002 (42 U.S.C. 5601*  
7 *note) is amended—*

8 *(1) by inserting “Youth Promise” before “Incen-*  
9 *tive Grants”; and*

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

11 **SEC. 302. DEFINITIONS.**

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

15 **“SEC. 502. DEFINITIONS.**

16 *“In this title—*

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

18 *“(A) a unit of local government that is in*  
19 *compliance with the requirements of part B of*  
20 *title II; or*

21 *“(B) a nonprofit organization in partner-*  
22 *ship with a unit of local government described in*  
23 *subparagraph (A);*

24 *“(2) the term ‘local policy board’, when used*  
25 *with respect to an eligible entity, means a policy*

1 *board that the eligible entity will engage in the devel-*  
2 *opment of the eligible entity’s plan described in sec-*  
3 *tion 504(e)(5), and that includes—*

4 *“(A) not fewer than 15 and not more than*  
5 *21 members; and*

6 *“(B) a balanced representation of—*

7 *“(i) public agencies and private non-*  
8 *profit organizations serving juveniles and*  
9 *their families; and*

10 *“(ii) business and industry;*

11 *“(C) at least one representative of the faith*  
12 *community, one adjudicated youth, and one par-*  
13 *ent of an adjudicated youth; and*

14 *“(D) in the case of an eligible entity de-*  
15 *scribed in paragraph (1)(B), a representative of*  
16 *the nonprofit organization of the eligible entity;*

17 *“(3) the term ‘mentoring’ means matching 1*  
18 *adult with 1 or more youths for the purpose of pro-*  
19 *viding guidance, support, and encouragement through*  
20 *regularly scheduled meetings for not less than 9*  
21 *months;*

22 *“(4) the term ‘juvenile delinquency program’*  
23 *means a juvenile delinquency program that is evi-*  
24 *dence-based or promising and that may include—*

1           “(A) alcohol and substance abuse prevention  
2 services;

3           “(B) tutoring and remedial education, espe-  
4 cially in reading and mathematics;

5           “(C) child and adolescent health and mental  
6 health services;

7           “(D) recreation services;

8           “(E) leadership and youth development ac-  
9 tivities;

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

12          “(G) assistance in the development of job  
13 training skills;

14          “(H) youth mentoring programs;

15          “(I) after-school programs;

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

18               “(i) early childhood development serv-  
19 ices;

20               “(ii) voluntary home visiting pro-  
21 grams;

22               “(iii) nurse-family partnership pro-  
23 grams;

24               “(iv) parenting skills training;

25               “(v) child abuse prevention programs;

- 1                   “(vi) family stabilization programs;
- 2                   “(vii) child welfare services;
- 3                   “(viii) family violence intervention
- 4 programs;
- 5                   “(ix) adoption assistance programs;
- 6                   “(x) emergency, transitional and per-
- 7 manent housing assistance;
- 8                   “(xi) job placement and retention
- 9 training;
- 10                  “(xii) summer jobs programs;
- 11                  “(xiii) alternative school resources for
- 12 youth who have dropped out of school or
- 13 demonstrate chronic truancy;
- 14                  “(xiv) conflict resolution skill training;
- 15                  “(xv) restorative justice programs;
- 16                  “(xvi) mentoring programs;
- 17                  “(xvii) targeted gang prevention, inter-
- 18 vention and exit services;
- 19                  “(xviii) training and education pro-
- 20 grams for pregnant teens and teen parents;
- 21 and
- 22                  “(xix) pre-release, post-release, and re-
- 23 entry services to assist detained and incar-
- 24 cerated youth with transitioning back into
- 25 and reentering the community; and

1           “(K) other data-driven evidence-based or  
2           promising prevention programs;

3           “(5) the term ‘State advisory group’ means the  
4           advisory group appointed by the chief executive officer  
5           of a State under a plan described in section 223(a);  
6           and

7           “(6) the term ‘State entity’ means the State  
8           agency designated under section 223(a)(1) or the enti-  
9           ty receiving funds under section 223(d).”.

10 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**  
11 **TRATOR.**

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

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

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

18 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**  
19 **GRAMS.**

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

1 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVENTION**  
2 **PROGRAMS.**

3 “(a) *PURPOSE.*—*The purpose of this section is to en-*  
4 *able local communities to address the unmet needs of youth*  
5 *who are involved in, or are at risk of involvement in, juve-*  
6 *nile delinquency or gang activity, including through a con-*  
7 *tinuum of delinquency prevention programs for juveniles*  
8 *who have had contact with the juvenile justice system or*  
9 *who are likely to have contact with the juvenile justice sys-*  
10 *tem.*

11 “(b) *PROGRAM AUTHORIZED.*—*The Administrator*  
12 *shall—*

13 “(1) *for each fiscal year for which less than*  
14 *\$25,000,000 is appropriated under section 506,*  
15 *award grants to not fewer than 3 State entities, but*  
16 *not more than 5 State entities, that apply under sub-*  
17 *section (c) and meet the requirements of subsection*  
18 *(d); or*

19 “(2) *for each fiscal year for which \$25,000,000*  
20 *or more is appropriated under section 506, award*  
21 *grants to not fewer than 5 State entities that apply*  
22 *under subsection (c) and meet the requirements of*  
23 *subsection (d).*

24 “(c) *STATE APPLICATION.*—*To be eligible to receive a*  
25 *grant under this section, a State entity shall submit an ap-*

1 *plication to the Administrator, which includes the fol-*  
2 *lowing:*

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

4                   “(A) *not more than 10 percent of such*  
5 *grant, in the aggregate—*

6                           “(i) *for the costs incurred by the State*  
7 *entity to carry out this section, except that*  
8 *not more than 3 percent of such grant may*  
9 *be used for such costs; and*

10                           “(ii) *to provide technical assistance to*  
11 *eligible entities receiving a subgrant under*  
12 *subsection (e) in carrying out juvenile de-*  
13 *linquency programs under the subgrant;*  
14 *and*

15                           “(B) *the remainder of such grant to award*  
16 *subgrants to eligible entities under subsection (e).*

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

20           “(3) *An assurance the State entity will evaluate*  
21 *the capacity of eligible entities receiving a subgrant*  
22 *under subsection (e) to fulfill the requirements under*  
23 *such subsection.*

24           “(4) *An assurance that such application was*  
25 *prepared after consultation with, and participation*

1       *by, the State advisory group, units of local govern-*  
2       *ment, community-based organizations, and organiza-*  
3       *tions that carry out programs, projects, or activities*  
4       *to prevent juvenile delinquency in the local juvenile*  
5       *justice system served by the State entity.*

6       “(d) *APPROVAL OF STATE APPLICATIONS.—In award-*  
7       *ing grants under this section for a fiscal year, the Adminis-*  
8       *trator may not award a grant to a State entity for a fiscal*  
9       *year unless—*

10               “(1)(A) *the State that will be served by the State*  
11               *entity submitted a plan under section 223 for such*  
12               *fiscal year; and*

13               “(B) *such plan is approved by the Administrator*  
14               *for such fiscal year; or*

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

18       “(e) *SUBGRANT PROGRAM.—*

19               “(1) *PROGRAM AUTHORIZED.—*

20               “(A) *IN GENERAL.—Each State entity re-*  
21               *ceiving a grant under this section shall award*  
22               *subgrants to eligible entities in accordance with*  
23               *this subsection.*

24               “(B) *PRIORITY.—In awarding subgrants*  
25               *under this subsection, the State entity shall give*

1           *priority to eligible entities that demonstrate abil-*  
2           *ity in—*

3                   “(i) *plans for service and agency co-*  
4                   *ordination and collaboration including the*  
5                   *collocation of services;*

6                   “(ii) *innovative ways to involve the*  
7                   *private nonprofit and business sector in de-*  
8                   *linquency prevention activities;*

9                   “(iii) *developing data-driven preven-*  
10                   *tion plans, employing evidence-based pre-*  
11                   *vention strategies, and conducting program*  
12                   *evaluations to determine impact and effec-*  
13                   *tiveness;*

14                   “(iv) *identifying under the plan sub-*  
15                   *mitted under paragraph (5) potential sav-*  
16                   *ings and efficiencies associated with success-*  
17                   *ful implementation of such plan; and*

18                   “(v) *describing how such savings and*  
19                   *efficiencies may be used to carry out delin-*  
20                   *quency prevention programs and be rein-*  
21                   *vested in the continuing implementation of*  
22                   *such programs after the end of the subgrant*  
23                   *period.*

24                   “(C) *SUBGRANT PROGRAM PERIOD AND DI-*  
25                   *VERSITY OF PROJECTS.—*

1           “(i) *PROGRAM PERIOD.*—A subgrant  
2           awarded to an eligible entity by a State en-  
3           tity under this section shall be for a period  
4           of not more than 5 years, of which the eligi-  
5           ble entity—

6                     “(I) may use not more than 18  
7                     months for completing the plan sub-  
8                     mitted by the eligible entity under  
9                     paragraph (5); and

10                    “(II) shall use the remainder of  
11                    the subgrant period, after planning pe-  
12                    riod described in subclause (I), for the  
13                    implementation of such plan.

14           “(ii) *DIVERSITY OF PROJECTS.*—In  
15           awarding subgrants under this subsection, a  
16           State entity shall ensure, to the extent prac-  
17           ticable and applicable, that such subgrants  
18           are distributed throughout different areas,  
19           including urban, suburban, and rural  
20           areas.

21           “(2) *LOCAL APPLICATION.*—An eligible entity  
22           that desires a subgrant under this subsection shall  
23           submit an application to the State entity in the State  
24           of the eligible entity, at such time and in such man-

1 *ner as determined by the State entity, and that in-*  
2 *cludes—*

3 *“(A) a description of—*

4 *“(i) the local policy board and local*  
5 *partners the eligible entity will engage in*  
6 *the development of the plan described in*  
7 *paragraph (5);*

8 *“(ii) the unmet needs of youth in the*  
9 *community who are or have been involved*  
10 *in, or are at risk of being involved in juve-*  
11 *venile delinquency or gang activity;*

12 *“(iii) available resources in the com-*  
13 *munity to meet the unmet needs identified*  
14 *in the needs assessment described in para-*  
15 *graph (5)(A);*

16 *“(iv) potential costs to the community*  
17 *if the unmet needs are not addressed;*

18 *“(B) a specific time period for the planning*  
19 *and subsequent implementation of its continuum*  
20 *of local delinquency prevention programs;*

21 *“(C) the steps the eligible entity will take to*  
22 *implement the plan under subparagraph (A);*  
23 *and*

24 *“(D) a plan to continue the grant activity*  
25 *with non-Federal funds, if proven successful ac-*

1           *ording to the performance evaluation process*  
2           *under paragraph (5)(D), after the grant period.*

3           “(3) *MATCHING REQUIREMENT.*—*An eligible en-*  
4           *tity desiring a subgrant under this subsection shall*  
5           *agree to provide a 50 percent match of the amount of*  
6           *the subgrant, which may include the value of in-kind*  
7           *contributions.*

8           “(4) *SUBGRANT REVIEW.*—

9           “(A) *REVIEW.*—*Not later than the end of*  
10           *the second year of a subgrant period for a*  
11           *subgrant awarded to an eligible entity under this*  
12           *subsection and before awarding the remaining*  
13           *amount of the subgrant to the eligible entity, the*  
14           *State entity shall—*

15           “(i) *ensure that the eligible entity has*  
16           *completed the plan submitted under para-*  
17           *graph (2) and that the plan meets the re-*  
18           *quirements of such paragraph; and*

19           “(ii) *verify that the eligible entity will*  
20           *begin the implementation of its plan upon*  
21           *receiving the next installment of its*  
22           *subgrant award.*

23           “(B) *TERMINATION.*—*If the State entity*  
24           *finds through the review conducted under sub-*  
25           *paragraph (A) that the eligible entity has not*

1           met the requirements of clause (i) of such sub-  
2           paragraph, the State entity shall reallocate the  
3           amount remaining on the subgrant of the eligible  
4           entity to other eligible entities receiving a  
5           subgrant under this subsection or award the  
6           amount to an eligible entity during the next  
7           subgrant competition under this subsection.

8           “(5) LOCAL USES OF FUNDS.—An eligible entity  
9           that receives a subgrant under this subsection shall  
10          use the funds to implement a plan to carry out delin-  
11          quency prevention programs in the community served  
12          by the eligible entity in a coordinated manner with  
13          other delinquency prevention programs or entities  
14          serving such community, which includes—

15                 “(A) an analysis of the unmet needs of  
16                 youth in the community who are or have been,  
17                 or are at risk of being, involved in juvenile delin-  
18                 quency or gang activity—

19                         “(i) which shall include—

20                                 “(I) the available resources in the  
21                                 community to meet the unmet needs;  
22                                 and

23                                 “(II) factors present in the com-  
24                                 munity that may contribute to delin-  
25                                 quency, such as homelessness, food inse-

1                    *curity, teen pregnancy, youth unem-*  
2                    *ployment, family instability, lack of*  
3                    *educational opportunity; and*

4                    *“(ii) may include an estimate—*

5                    *“(I) for the most recent year for*  
6                    *which reliable data is available, the*  
7                    *amount expended by the community*  
8                    *and other entities for delinquency ad-*  
9                    *judication for juveniles and the incar-*  
10                   *ceration of adult offenders for offenses*  
11                   *committed in such community; and*

12                   *“(II) of potential savings and effi-*  
13                   *ciencies that may be achieved through*  
14                   *the implementation of the plan;*

15                   *“(B) a minimum 3-year comprehensive*  
16                   *strategy to address the unmet needs and an esti-*  
17                   *mate of the amount or percentage of non-Federal*  
18                   *funds that are available to carry out the strat-*  
19                   *egy;*

20                   *“(C) a description of how delinquency pre-*  
21                   *vention programs under the plan will be coordi-*  
22                   *nated;*

23                   *“(D) a description of the performance eval-*  
24                   *uation process of the delinquency prevention pro-*  
25                   *grams to be implemented under the plan, which*

1 shall include performance measures to assess ef-  
2 forts to address the unmet needs of youth in the  
3 community analyzed under subparagraph (A);

4 “(E) the evidence or promising evaluation  
5 on which such delinquency prevention programs  
6 are based; and

7 “(F) if such delinquency prevention pro-  
8 grams are proven successful according to the per-  
9 formance evaluation process under subparagraph  
10 (D), a strategy to continue such programs after  
11 the subgrant period with non-Federal funds, in-  
12 cluding a description of how any estimated sav-  
13 ings or efficiencies created by the implementa-  
14 tion of the plan may be used to continue such  
15 programs.”.

16 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**  
17 **AND RESPONSE PROGRAMS.**

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

22 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**  
23 **TION AND RESPONSE PROGRAMS.**

24 “(a) *IN GENERAL.—The Administrator shall make*  
25 *grants under this section, on a competitive basis, to eligible*

1 *Indian tribes (or consortia of Indian tribes) as described*  
2 *in subsection (b)—*

3           “(1) *to support and enhance—*

4                   “(A) *tribal juvenile delinquency prevention*  
5                   *services; and*

6                   “(B) *the ability of Indian tribes to respond*  
7                   *to, and care for, juvenile offenders; and*

8           “(2) *to encourage accountability of Indian tribal*  
9                   *governments with respect to preventing juvenile delin-*  
10                   *quency, and responding to, and caring for, juvenile*  
11                   *offenders.*

12           “(b) *ELIGIBLE INDIAN TRIBES.—To be eligible to re-*  
13                   *ceive a grant under this section, an Indian tribe or consor-*  
14                   *tium of Indian tribes shall submit to the Administrator an*  
15                   *application in such form as the Administrator may require.*

16           “(c) *CONSIDERATIONS.—In providing grants under*  
17                   *this section, the Administrator shall take into consideration,*  
18                   *with respect to the Indian tribe to be served, the—*

19                   “(1) *juvenile delinquency rates;*

20                   “(2) *school dropout rates; and*

21                   “(3) *number of youth at risk of delinquency.*

22           “(d) *AVAILABILITY OF FUNDS.—Of the amount appro-*  
23                   *priated for a fiscal year to carry out this title, 11 percent*  
24                   *shall be available to carry out this section.”.*

1 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 506, as redesignated by section 305, is amend-*  
3 *ed to read as follows:*

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

5 *“There are authorized to be appropriated to carry out*  
6 *this title—*

7 *“(1) \$91,857,500 for fiscal year 2018;*

8 *“(2) \$91,857,500 for fiscal year 2019;*

9 *“(3) \$93,235,362 for fiscal year 2020;*

10 *“(4) \$94,633,892 for fiscal year 2021; and*

11 *“(5) \$96,053,401 for fiscal year 2022.”.*

12 **SEC. 307. TECHNICAL AMENDMENT.**

13 *Title V of the Juvenile Justice and Delinquency Pre-*  
14 *vention Act of 1974 as enacted by Public Law 93-415 (88*  
15 *Stat. 1133) (relating to miscellaneous and conforming*  
16 *amendments) is repealed.*

17 **TITLE IV—MISCELLANEOUS**  
18 **PROVISIONS**

19 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**  
20 **OFFICE.**

21 *(a) EVALUATION.—Not later than 1 year after the date*  
22 *of enactment of this Act, the Comptroller General of the*  
23 *United States shall—*

24 *(1) conduct a comprehensive analysis and eval-*  
25 *uation regarding the performance of the Office of Ju-*  
26 *venile Justice and Delinquency Prevention (referred*

1       to in this section as “the agency”), its functions, its  
2       programs, and its grants;

3               (2) conduct a comprehensive audit and evalua-  
4       tion of a selected, sample of grantees (as determined  
5       by the Comptroller General) that receive Federal  
6       funds under grant programs administered by the  
7       agency including a review of internal controls (as de-  
8       fined in section 103 of the Juvenile Justice and De-  
9       linquency Prevention Act of 1974 (42 U.S.C. 5603),  
10      as amended by this Act) to prevent fraud, waste, and  
11      abuse of funds by grantees; and

12              (3) submit a report in accordance with sub-  
13      section (d).

14      (b) *CONSIDERATIONS FOR EVALUATION.*—In con-  
15      ducting the analysis and evaluation under subsection  
16      (a)(1), and in order to document the efficiency and public  
17      benefit of the Juvenile Justice and Delinquency Prevention  
18      Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Run-  
19      away and Homeless Youth Act (42 U.S.C. 5701 et seq.) and  
20      the Missing Children’s Assistance Act (42 U.S.C. 5771 et  
21      seq.), the Comptroller General shall take into consider-  
22      ation—

23              (1) the outcome and results of the programs car-  
24      ried out by the agency and those programs adminis-  
25      tered through grants by the agency;

1           (2) *the extent to which the agency has complied*  
2 *with the Government Performance and Results Act of*  
3 *1993 (Public Law 103–62; 107 Stat. 285);*

4           (3) *the extent to which the jurisdiction of, and*  
5 *the programs administered by, the agency duplicate*  
6 *or conflict with the jurisdiction and programs of*  
7 *other agencies;*

8           (4) *the potential benefits of consolidating pro-*  
9 *grams administered by the agency with similar or*  
10 *duplicative programs of other agencies, and the poten-*  
11 *tial for consolidating those programs;*

12           (5) *whether less restrictive or alternative methods*  
13 *exist to carry out the functions of the agency and*  
14 *whether current functions or operations are impeded*  
15 *or enhanced by existing statutes, rules, and proce-*  
16 *dures;*

17           (6) *the number and types of beneficiaries or per-*  
18 *sons served by programs carried out by the agency;*

19           (7) *the manner with which the agency seeks pub-*  
20 *lic input and input from State and local governments*  
21 *on the performance of the functions of the agency;*

22           (8) *the extent to which the agency complies with*  
23 *section 552 of title 5, United States Code (commonly*  
24 *known as the Freedom of Information Act);*

1           (9) *whether greater oversight is needed of pro-*  
2           *grams developed with grants made by the agency; and*

3           (10) *the extent to which changes are necessary in*  
4           *the authorizing statutes of the agency in order for the*  
5           *functions of the agency to be performed in a more effi-*  
6           *cient and effective manner.*

7           (c) *CONSIDERATIONS FOR AUDITS.*—*In conducting the*  
8           *audit and evaluation under subsection (a)(2), and in order*  
9           *to document the efficiency and public benefit of the Juvenile*  
10           *Justice and Delinquency Prevention Act of 1974 (42 U.S.C.*  
11           *5601 et seq.), excluding the Runaway and Homeless Youth*  
12           *Act (42 U.S.C. 5701 et seq.) and the Missing Children’s As-*  
13           *sistance Act (42 U.S.C. 5771 et seq.), the Comptroller Gen-*  
14           *eral shall take into consideration—*

15           (1) *whether grantees timely file Financial Status*  
16           *Reports;*

17           (2) *whether grantees have sufficient internal con-*  
18           *trols to ensure adequate oversight of grant fund re-*  
19           *ceived;*

20           (3) *whether disbursements were accompanied*  
21           *with adequate supporting documentation (including*  
22           *invoices and receipts);*

23           (4) *whether expenditures were authorized;*

24           (5) *whether subrecipients of grant funds were*  
25           *complying with program requirements;*

1           (6) *whether salaries and fringe benefits of per-*  
2           *sonnel were adequately supported by documentation;*

3           (7) *whether contracts were bid in accordance*  
4           *with program guidelines; and*

5           (8) *whether grant funds were spent in accord-*  
6           *ance with program goals and guidelines.*

7           (d) *REPORT.—*

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

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

16           (B) *make the report described in subpara-*  
17          *graph (A) available to the public.*

18           (2) *CONTENTS.—The report submitted in accord-*  
19          *ance with paragraph (1) shall include all audit find-*  
20          *ings determined by the selected, statistically signifi-*  
21          *cant sample of grantees as required by subsection*  
22          *(a)(2) and shall include the name and location of any*  
23          *selected grantee as well as any findings required by*  
24          *subsection (a)(2).*

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

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

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

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

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

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

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

22       “(b) *ACCOUNTABILITY.*—

23               “(1) *AGENCY PROGRAM REVIEW.*—

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

1           “(i) *IN GENERAL.*—Not later than 60  
2           *days after the date of enactment of the Sup-*  
3           *porting Youth Opportunity and Preventing*  
4           *Delinquency Act of 2016, the Director of the*  
5           *Office of Audit, Assessment, and Manage-*  
6           *ment of the Office of Justice Programs at*  
7           *the Department of Justice (referred to in*  
8           *this section as the ‘Director’) shall—*

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

22                               “(aa) *supporting documenta-*  
23                              *tion was not provided for cost re-*  
24                              *ports;*

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

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

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

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

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

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

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

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

15          “(iii) CONSIDERATIONS FOR AUDITS.—  
16          In conducting the audit and evaluation  
17          under clause (i)(II), and in order to docu-  
18          ment the efficiency and public benefit of ti-  
19          tles II and V, the Director shall take into  
20          consideration—

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

23                 “(II) whether grantees have suffi-  
24                 cient internal controls to ensure ade-  
25                 quate oversight of grant funds received;

1           “(III) whether grantees’ assertions  
2 of compliance with the core require-  
3 ments were accompanied with adequate  
4 supporting documentation;

5           “(IV) whether expenditures were  
6 authorized;

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

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

13          “(iv) REPORT.—The Director shall—

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

21           “(II) shall make such report  
22 available to the public online, not later  
23 than 1 year after the date of enactment  
24 of this section.

25          “(B) ANALYSIS OF INTERNAL CONTROLS.—

1           “(i) *IN GENERAL.*—Not later than 30  
2           *days after the date of enactment of the Sup-*  
3           *porting Youth Opportunity and Preventing*  
4           *Delinquency Act of 2016, the Administrator*  
5           *shall initiate a comprehensive analysis and*  
6           *evaluation of the internal controls of the*  
7           *agency to determine whether, and to what*  
8           *extent, States and Indian tribes that receive*  
9           *grants under titles II and V are following*  
10           *the requirements of the grant programs au-*  
11           *thorized under titles II and V.*

12           “(ii) *REPORT.*—Not later than 180  
13           *days after the date of enactment of the Sup-*  
14           *porting Youth Opportunity and Preventing*  
15           *Delinquency Act of 2016, the Administrator*  
16           *shall submit to Congress a report con-*  
17           *taining—*

18                   “(I) *the findings of the analysis*  
19                   *and evaluation conducted under clause*  
20                   *(i);*

21                   “(II) *a description of remedial ac-*  
22                   *tions, if any, that will be taken by the*  
23                   *Administrator to enhance the internal*  
24                   *controls of the agency and recoup funds*  
25                   *that may have been expended in viola-*

1                    *tion of law, regulations, or program re-*  
2                    *quirements issued under titles II and*  
3                    *V; and*

4                    *“(III) a description of—*

5                    *“(aa) the analysis conducted*  
6                    *under clause (i);*

7                    *“(bb) whether the funds*  
8                    *awarded under titles II and V*  
9                    *have been used in accordance with*  
10                   *law, regulations, program guid-*  
11                   *ance, and applicable plans; and*

12                   *“(cc) the extent to which*  
13                   *funds awarded to States and In-*  
14                   *Indian tribes under titles II and V*  
15                   *enhanced the ability of grantees to*  
16                   *fulfill the core requirements.*

17                   *“(C) REPORT BY THE ATTORNEY GEN-*  
18                   *ERAL.—Not later than 180 days after the date of*  
19                   *enactment of the Supporting Youth Opportunity*  
20                   *and Preventing Delinquency Act of 2016, the At-*  
21                   *torney General shall submit to the appropriate*  
22                   *committees of the Congress a report on the esti-*  
23                   *mated amount of formula grant funds disbursed*  
24                   *by the agency since fiscal year 2010 that did not*

1           *meet the requirements for awards of formula*  
2           *grants to States under title II.*

3           “(2) *CONFERENCE EXPENDITURES.*—

4                   “(A) *LIMITATION.*—*No amounts authorized*  
5                   *to be appropriated to the Department of Justice*  
6                   *under this Act may be used by the Attorney Gen-*  
7                   *eral, or by any individual or organization*  
8                   *awarded discretionary funds through a coopera-*  
9                   *tive agreement under this Act, to host or support*  
10                   *any expenditure for conferences that uses more*  
11                   *than \$20,000 in funds made available to the De-*  
12                   *partment of Justice, unless the Deputy Attorney*  
13                   *General or such Assistant Attorney Generals, Di-*  
14                   *rectors, or principal deputies as the Deputy At-*  
15                   *torney General may designate, provides prior*  
16                   *written authorization that the funds may be ex-*  
17                   *pended to host a conference.*

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

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

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

5            *“(3) PROHIBITION ON LOBBYING ACTIVITY.—*

6                    *“(A) IN GENERAL.—Amounts authorized to*  
7                    *be appropriated under this Act may not be uti-*  
8                    *lized by any recipient of a grant made using*  
9                    *such amounts—*

10                    *“(i) to lobby any representative of the*  
11                    *Department of Justice regarding the award*  
12                    *of grant funding; or*

13                    *“(ii) to lobby any representative of a*  
14                    *Federal, State, local, or tribal government*  
15                    *regarding the award of grant funding.*

16                    *“(B) PENALTY.—If the Attorney General*  
17                    *determines that any recipient of a grant made*  
18                    *using amounts authorized to be appropriated*  
19                    *under this Act has violated subparagraph (A),*  
20                    *the Attorney General shall—*

21                    *“(i) require the recipient to repay the*  
22                    *grant in full; and*

23                    *“(ii) prohibit the recipient to receive*  
24                    *another grant under this Act for not less*  
25                    *than 5 years.*

1           “(C) *CLARIFICATION.*—*For purposes of this*  
2           *paragraph, submitting an application for a*  
3           *grant under this Act shall not be considered lob-*  
4           *bying activity in violation of subparagraph (A).*

5           “(c) *PREVENTING DUPLICATIVE GRANTS.*—

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

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

18                  “(A) *a list of all duplicate grants awarded,*  
19                  *including the total dollar amount of any dupli-*  
20                  *cate grants awarded; and*

21                  “(B) *the reason the Attorney General*  
22                  *awarded the duplicative grant.*

23          “(d) *COMPLIANCE WITH AUDITING STANDARDS.*—*The*  
24          *Administrator shall comply with the Generally Accepted*  
25          *Government Auditing Standards, published by the General*

1 *Accountability Office (commonly known as the ‘Yellow*  
2 *Book’), in the conduct of fiscal, compliance, and pro-*  
3 *grammatic audits of States.’.*

4 (b) *TECHNICAL AND CONFORMING AMENDMENT.—*

5 (1) *IN GENERAL.—The Juvenile Justice and De-*  
6 *linquency Prevention Act of 1974 is amended by*  
7 *striking paragraphs (6) and (7) of section 407 (42*  
8 *U.S.C. 5776a).*

9 (2) *EFFECTIVE DATE.—The amendment made by*  
10 *paragraph (1) shall take effect on the 1st day of the*  
11 *1st fiscal year that begins after the date of enactment*  
12 *of this Act.*

13 (3) *SAVINGS CLAUSE.—In the case of an entity*  
14 *that is barred from receiving grant funds under para-*  
15 *graph (7)(B)(ii) of section 407 of the Juvenile Justice*  
16 *and Delinquency Prevention Act of 1974 (42 U.S.C.*  
17 *5776a), the amendment made by paragraph (1) of*  
18 *this subsection shall not affect the applicability to the*  
19 *entity, or to the Attorney General with respect to the*  
20 *entity, of paragraph (7) of such section 407, as in ef-*  
21 *fect on the day before the effective date of the amend-*  
22 *ment made by paragraph (1).*



Union Calendar No. 596

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 5963**

[Report No. 114-763]

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## **A BILL**

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

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SEPTEMBER 20, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed