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S. 1169

[Report No. 114–181]

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

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2015

Mr. GRASSLEY (for himself, Mr. WHITEHOUSE, Mr. LEAHY, Mr. BLUNT, Mr. CORNYN, Mr. DURBIN, Mr. COONS, Mr. HATCH, Mr. RUBIO, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Ms. AYOTTE, Mrs. SHAHEEN, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

DECEMBER 15, 2015

Reported by Mr. GRASSLEY, with an amendment

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

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Juvenile Justice and
3 Delinquency Prevention Reauthorization Act of 2015”.

4 **SEC. 2. TABLE OF CONTENTS.**

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

Sec. 1: Short title.

Sec. 2: Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

Sec. 101: Purposes.

Sec. 102: 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: Reallocation of grant funds.

Sec. 207: Authority to make grants.

Sec. 208: Eligibility of States.

Sec. 209: Grants to Indian tribes.

Sec. 210: Research and evaluation; statistical analyses; information dissemination.

Sec. 211: Training and technical assistance.

Sec. 212: Administrative authority.

Sec. 213: Technical and conforming amendments.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

Sec. 301: Definitions.

Sec. 302: Grants for delinquency prevention programs.

Sec. 303: Technical and conforming amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401: Evaluation by Government Accountability Office.

Sec. 402: Authorization of appropriations.

Sec. 403: Accountability and oversight.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

Sec. 501: Grant eligibility.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

SEC. 101. PURPOSES.

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

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

(2) by amending paragraph (3) to read as follows:

“(3) to assist State and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency;”;
and

(3) by adding at the end the following:

“(4) to support a trauma-informed continuum of programs (including delinquency prevention, intervention, mental health and substance abuse treatment, and aftercare) to address the needs of at-risk youth and youth who come into contact with the justice system.”.

1 **SEC. 102. DEFINITIONS.**

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

4 (1) in paragraph (8), by amending subpara-
5 graph (C) to read as follows:

6 “(C) an Indian tribe; or”;

7 (2) by amending paragraph (18) to read as fol-
8 lows:

9 “(18) the term ‘Indian tribe’ has the meaning
10 given that term in section 102 of the Federally Rec-
11 ognized Indian Tribe List Act of 1994 (~~25 U.S.C.~~
12 ~~479a~~);”;

13 (3) by amending paragraph (22) to read as fol-
14 lows:

15 “(22) the term ‘jail or lockup for adults’—

16 “(A) means a secure facility that is used
17 by a State, unit of local government, or law en-
18 forcement authority to detain or confine adult
19 inmates; and

20 “(B) does not include a non-secure area in
21 a police facility or station in which a portion of
22 the area is secured to physically restrict the
23 movement and activity of individuals in lawful
24 custody;”;

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

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

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

6 ~~“(26) the term ‘adult inmate’—~~

7 ~~“(A) means an individual who—~~

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

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

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

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

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

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

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

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

6 “(30) the term ‘core requirements’ means the
7 requirements described in paragraphs (11), (12),
8 (13), (14), and (15) of section 223(a);

9 “(31) the term ‘chemical agent’ means a spray
10 or injection used to temporarily incapacitate a per-
11 son, including oleoresin capsicum spray, tear gas,
12 and 2-chlorobenzalmalononitrile gas;

13 “(32) the term ‘isolation’—

14 “(A) means any instance in which a youth
15 is confined alone for more than 15 minutes in
16 a room or cell; and

17 “(B) does not include confinement during
18 regularly scheduled sleeping hours, or for not
19 more than 1 hour during any 24-hour period in
20 the room or cell in which the youth usually
21 sleeps, protective confinement (for injured
22 youths or youths whose safety is threatened),
23 separation based on an approved treatment pro-
24 gram, confinement or separation that is re-
25 quested by the youth, or the separation of the

1 youth from a group in a nonlocked setting for
 2 the purpose of calming;

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

6 ~~“(34) the term ‘evidence-based’ means a pro-~~
 7 ~~gram or practice that—~~

8 ~~“(A) is demonstrated to be effective when~~
 9 ~~implemented with fidelity;~~

10 ~~“(B) is based on a clearly articulated and~~
 11 ~~empirically supported theory;~~

12 ~~“(C) has measurable outcomes, including a~~
 13 ~~detailed description of the outcomes produced~~
 14 ~~in a particular population, in rural and urban~~
 15 ~~areas; and~~

16 ~~“(D) has been scientifically tested through~~
 17 ~~randomized control studies or comparison group~~
 18 ~~studies;~~

19 ~~“(35) the term ‘promising’ means a program or~~
 20 ~~practice that is demonstrated to be effective based~~
 21 ~~on positive outcomes from 1 or more objective, inde-~~
 22 ~~pendent, and scientifically valid evaluations, as docu-~~
 23 ~~mented in writing to the Administrator;~~

24 ~~“(36) the term ‘dangerous practice’ means an~~
 25 ~~act, procedure, or program that creates an unreason-~~

1 able risk of physical injury, pain, or psychological
2 harm to a juvenile subjected to the act, procedure,
3 or program;

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

6 “(A) designed to identify youth who may
7 have mental health, behavioral health, sub-
8 stance abuse, or other needs requiring imme-
9 diate attention, intervention, and further eval-
10 uation; and

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

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

18 “(A) by an appropriately trained profes-
19 sional who meets the criteria of the applicable
20 State for licensing and education in the mental
21 health, behavioral health, or substance abuse
22 field; and

23 “(B) which is designed to identify signifi-
24 cant mental health, behavioral health, or sub-

1 stance abuse treatment needs to be addressed
2 during a youth's confinement;

3 “(39) the term ‘contact’ means the points at
4 which a youth and the juvenile justice system or
5 criminal justice system officially intersect, including
6 interactions with a juvenile justice, juvenile court, or
7 law enforcement official;

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

9 “(A) understanding the impact that expo-
10 sure to violence and trauma have on a youth's
11 physical, psychological, and psychosocial devel-
12 opment;

13 “(B) recognizing when a youth has been
14 exposed to violence and trauma and is in need
15 of help to recover from the adverse impacts of
16 trauma; and

17 “(C) responding by helping in ways that
18 reflect awareness of the adverse impacts of
19 trauma;

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

25 “(42) the term ‘status offender’ means—

1 “(A) a juvenile who is charged with or who
2 has committed an offense that would not be
3 criminal if committed by an adult; or

4 “(B) an individual under 18 years of age
5 who is charged with or who has committed an
6 offense of purchase or possession of any alco-
7 holic beverage; and

8 “(43) the term ‘rural’ means an area that is
9 not located in a metropolitan statistical area, as de-
10 fined by the Office of Management and Budget.”.

11 **TITLE II—JUVENILE JUSTICE**
12 **AND DELINQUENCY PREVEN-**
13 **TION**

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

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

17 (1) in subsection (a)—

18 (A) in paragraph (1), in the first sen-
19 tence—

20 (i) by striking “a long-term plan, and
21 implement” and inserting the following: “a
22 long-term plan to improve the juvenile jus-
23 tice system in the United States, taking
24 into account scientific knowledge regarding
25 adolescent development and behavior and

1 regarding the effects of delinquency pre-
 2 vention programs and juvenile justice
 3 interventions on adolescents, and shall im-
 4 plement”; and

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

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

13 (2) in subsection (b)—

14 (A) in paragraph (5), by adding “and” at
 15 the end;

16 (B) in paragraph (6), by striking “; and”
 17 and inserting a period; and

18 (C) by striking paragraph (7).

19 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
 20 **AND DELINQUENCY PREVENTION.**

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

23 (1) in subsection (a)(1)—

24 (A) by inserting “the Administrator of the
 25 Substance Abuse and Mental Health Services

Administration, the Secretary of Defense, the Secretary of Agriculture, the Assistant Secretary for Indian Affairs” after “the Secretary of Health and Human Services,”; and

(B) by striking “Commissioner of Immigration and Naturalization” and inserting “Assistant Secretary for Immigration and Customs Enforcement”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section 223(a) of this title” and inserting “the core requirements”; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, on an annual basis” after “collectively”; and

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

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

1 “(i) contains the recommendations de-
 2 scribed in subparagraph (A);

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

9 “(iii) is published on the websites of
 10 the Department of Justice, Office of Juve-
 11 nile Justice and Delinquency Prevention,
 12 and the Council; and

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

15 **SEC. 203. ANNUAL REPORT.**

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

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

21 (2) in paragraph (1)—

22 (A) in subparagraph (B), by inserting “,
 23 ethnicity, as such term is defined by the United
 24 States Census Bureau,” after “gender”;

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

3 (C) in subparagraph (F)—

4 (i) by inserting “and other” before
5 “disabilities,”; and

6 (ii) by striking the period at the end
7 and inserting a semicolon; and

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

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

14 “(H) the number of status offense cases
15 petitioned to court, number of status offenders
16 held in secure detention, the findings used to
17 justify the use of secure detention, and the av-
18 erage period of time a status offender was held
19 in secure detention;

20 “(I) the number of juveniles in the custody
21 of secure detention and correctional facilities
22 operated by a State or unit of local government
23 who report to being pregnant; and

24 “(J) the number of juveniles whose of-
25 fenses originated on school grounds, during off-

1 campus activities, or due to a referral by any
2 school official.”;

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

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

10 “~~(6)~~ A description of funding provided to In-
11 dian tribes under this Act, or under the Tribal Law
12 and Order Act of 2010 (Public Law 111–211, 124
13 Stat. 2261), including direct Federal grants and
14 funding provided to Indian tribes through a State or
15 unit of local government.

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

1 “(A) supporting documentation was not
2 provided for cost reports;

3 “(B) unauthorized expenditures occurred;
4 or

5 “(C) subrecipients of grant funds were not
6 compliant with program requirements.

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

14 “(A) the full name and location of the
15 grantee;

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

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

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

23 **SEC. 204. ALLOCATION OF FUNDS.**

24 (a) **TECHNICAL ASSISTANCE.**—Section 221(b)(1) of
25 the Juvenile Justice and Delinquency Prevention Act of

1 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
2 percent” and inserting “5 percent”.

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

6 (1) in subsection (a)—

7 (A) in paragraph (1), by striking “age
8 eighteen” and inserting “18 years of age, based
9 on the most recent census”; and

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

12 “(2)(A) If the aggregate amount appropriated
13 for a fiscal year to carry out this title is less than
14 \$75,000,000, then—

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

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

1 “(B) If the aggregate amount appropriated for
2 a fiscal year to carry out this title is not less than
3 \$75,000,000, then—

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

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

13 (2) by redesignating subsections (c) and (d) as
14 subsections (d) and (e), respectively;

15 (3) by inserting after subsection (b) the fol-
16 lowing:

17 “(c)(1) If any amount allocated under subsection (a)
18 is withheld from a State due to noncompliance with the
19 core requirements, the funds shall be reallocated for an
20 improvement grant designed to assist the State in achiev-
21 ing compliance with the core requirements.

22 “(2) The Administrator shall condition a grant de-
23 scribed in paragraph (1) on the State—

1 “(A) with the approval of the Administrator;
2 developing specific action steps designed to restore
3 compliance with the core requirements; and

4 “(B) semiannually submitting to the Adminis-
5 trator a report on progress toward implementing the
6 specific action steps developed under subparagraph
7 (A).

8 “(3) The Administrator shall provide appropriate and
9 effective technical assistance directly or through an agree-
10 ment with a contractor to assist a State receiving an im-
11 provement grant described in paragraph (1) in achieving
12 compliance with the core requirements.”;

13 (4) in subsection (d), as redesignated, by strik-
14 ing “efficient administration, including monitoring,
15 evaluation, and one full-time staff position” and in-
16 serting “effective and efficient administration, in-
17 cluding the designation of not less than 1 person to
18 coordinate efforts to achieve and sustain compliance
19 with the core requirements”; and

20 (5) in subsection (e), as redesignated, by strik-
21 ing “5 per centum of the minimum” and inserting
22 “not more than 5 percent of the”.

23 **SEC. 205. STATE PLANS.**

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

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “and shall describe the status of compliance with State plan requirements” and inserting “and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 45 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State’s publicly available website.”;

(B) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting “adolescent development,” after “concerning”;

(II) in clause (ii)—

(aa) in subclause (II), by striking “counsel for children and youth” and inserting “publicly

1 supported court-appointed legal
2 counsel for children and youth
3 charged in delinquency matters”;

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

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

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

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

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

1 “(VIII) persons with expertise
2 and competence in preventing and ad-
3 dressing mental health and substance
4 abuse needs in juvenile delinquents
5 and those at-risk of delinquency; and

6 “(IX) representatives of victim or
7 witness advocacy groups;”;

8 (III) in clause (iii), by striking
9 “a majority of which” and inserting
10 “at least 6”;

11 (IV) in clause (iv)—

12 (aa) by striking “one fifth of
13 which” and inserting “3”; and

14 (bb) by striking “24 at the
15 time of appointment” and insert-
16 ing “28 at the time of initial ap-
17 pointment”;

18 (ii) in subparagraph (D)(ii)—

19 (I) by striking “at least annu-
20 ally” and inserting “at least every 2
21 years”; and

22 (II) by striking “requirements of
23 paragraphs (11), (12), and (13)” and
24 inserting “core requirements”; and

1 (iii) in subparagraph (E)(i), by adding
 2 “and” at the end;

3 ~~(C)~~ in paragraph (5)—

4 (i) in the matter preceding subpara-
 5 graph (A), by striking “section 222(d)”
 6 and inserting “section 222(c)”; and

7 (ii) in subparagraph (C), by striking
 8 “Indian tribes” and all that follows
 9 through “applicable to the detention and
 10 confinement of juveniles” and inserting
 11 “Indian tribes that agree to attempt to
 12 comply with the core requirements applica-
 13 ble to the detention and confinement of ju-
 14 veniles”;

15 ~~(D)~~ in paragraph (7)—

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

19 (ii) in subparagraph (B)—

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

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

24 “(iv) a plan to provide alternatives to
 25 detention, including specialized or problem-

1 solving courts or diversion to home-based
2 or community-based services that are cul-
3 turally and linguistically competent or
4 treatment for those youth in need of men-
5 tal health, substance abuse, or co-occurring
6 disorder services at the time such juveniles
7 first come into contact with the juvenile
8 justice system;

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

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

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

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

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

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A) by striking “section 222(d)” and inserting “section 222(e)”;

(ii) in subparagraph (A)(i), by inserting “status offenders and other” before “youth who need”;

(iii) in subparagraph (B)(i)—

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

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

(iv) by redesignating subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively;

(v) in subparagraph (F), in the matter preceding clause (i), by striking “expanding” and inserting “programs to expand”;

1 (vi) by inserting after subparagraph
2 (F), the following:

3 “(G) expanding access to publicly sup-
4 ported, court-appointed legal counsel and en-
5 hancing capacity for the competent representa-
6 tion of every child;”;

7 (vii) in subparagraph (M), as so re-
8 designated—

9 (I) in clause (i), by striking “re-
10 straints” and inserting “alternatives”;
11 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 (viii) in subparagraph (S), as so re-
17 designated, by striking the “and” at the
18 end;

19 (ix) in subparagraph (T), as so redes-
20 ignated—

21 (I) by striking “suspected to be”;

22 (II) by striking “and discharge
23 plans” and inserting “provision of
24 treatment, and development of dis-
25 charge plans”; and

1 (III) by striking the period at the
 2 end and inserting a semicolon; and
 3 (x) by inserting after subparagraph
 4 (T) the following:

5 “(U) programs and projects designed to in-
 6 form juveniles of the opportunity and process
 7 for expunging juvenile records and to assist ju-
 8 veniles in pursuing juvenile record
 9 expungements for both adjudications and ar-
 10 rests not followed by adjudications;

11 “(V) programs that address the needs of
 12 girls in or at risk of entering the juvenile justice
 13 system, including young mothers, survivors of
 14 commercial sexual exploitation or domestic child
 15 sex trafficking, girls with disabilities, and girls
 16 of color, including girls who are members of an
 17 Indian tribe and;

18 “(W) monitoring for compliance with the
 19 core requirements and providing training and
 20 technical assistance on the core requirements to
 21 secure facilities.”;

22 (G) in paragraph (11)—

23 (i) in subparagraph (A)—

24 (I) in the matter preceding clause

25 (i), by inserting “and individuals

1 under 18 years of age who are
 2 charged with or who have committed
 3 an offense of purchase or possession
 4 of any alcoholic beverage” after “by
 5 an adult”; and

6 (H) in the matter following
 7 clause (iii), by striking “and” at the
 8 end;

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

11 (iii) by adding at the end the fol-
 12 lowing:

13 “(C) encourage the use of community-
 14 based alternatives to secure detention, including
 15 programs of public and nonprofit entities re-
 16 ceiving a grant under part A of title III;”;

17 (H) in paragraph (12)(A), by striking
 18 “contact” and inserting “sight or sound con-
 19 tact”;

20 (I) in paragraph (13)—

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

23 (I) by striking “detained or”; and

24 (H) by inserting “or securely de-
 25 tained in any facility or building that

1 contains a jail or lock-up for adult in-
 2 mates” after “lookup for adults”; and
 3 (ii) by striking “contact” each place it
 4 appears and inserting “sight or sound con-
 5 tact”;

6 (J) by striking paragraphs (22) and (27);

7 (K) by redesignating paragraphs (23)
 8 through (26) as paragraphs (24) through (27),
 9 respectively;

10 (L) by redesignating paragraphs (14)
 11 through (21) as paragraphs (16) through (23),
 12 respectively;

13 (M) by inserting after paragraph (13) the
 14 following:

15 “(14) require that—

16 “(A) not later than 3 years after the date
 17 of enactment of the Juvenile Justice and Delin-
 18 quency Prevention Reauthorization Act of 2015,
 19 unless a court finds, after a hearing and in
 20 writing, that it is in the interest of justice, juve-
 21 niles awaiting trial or other legal process who
 22 are treated as adults for purposes of prosecu-
 23 tion in criminal court and housed in a secure
 24 facility—

1 “(i) shall not have sight or sound con-
2 tact with adult inmates; and

3 “(ii) except as provided in paragraph
4 (13), may not be held in any jail or lockup
5 for adults;

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

11 “(i) the age of the juvenile;

12 “(ii) the physical and mental maturity
13 of the juvenile;

14 “(iii) the present mental state of the
15 juvenile, including whether the juvenile
16 presents an imminent risk of harm to the
17 juvenile;

18 “(iv) the nature and circumstances of
19 the alleged offense;

20 “(v) the juvenile’s history of prior de-
21 linquent acts;

22 “(vi) the relative ability of the avail-
23 able adult and juvenile detention facilities
24 to meet the specific needs of the juvenile
25 and to protect the public;

1 “(vii) whether placement in a juvenile
2 facility will better serve the long-term in-
3 terests of the juvenile and be more likely to
4 prevent recidivism;

5 “(viii) the availability of programs de-
6 signed to treat the juvenile’s behavioral
7 problems; and

8 “(ix) any other relevant factor; and

9 “(C) if a court determines under subpara-
10 graph (A) that it is in the interest of justice to
11 permit a juvenile to be held in any jail or lock-
12 up for adults—

13 “(i) the court shall hold a hearing not
14 less frequently than once every 30 days, or
15 in the case of a rural jurisdiction, not less
16 frequently than once every 45 days, to re-
17 view whether it is still in the interest of
18 justice to permit the juvenile to be so held
19 or have such sight or sound contact; and

20 “(ii) the juvenile shall not be held in
21 any jail or lockup for adults, or permitted
22 to have sight or sound contact with adult
23 inmates, for more than 180 days, unless
24 the court, in writing, determines there is

1 good cause for an extension or the juvenile
2 expressly waives this limitation;

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

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

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

22 “(C) developing and implementing data
23 collection and analysis systems to identify
24 where racial and ethnic disparities exist in the

juvenile justice system and to track and analyze such disparities; and

~~“(D) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraphs (B) and (C).”;~~

(N) in paragraph (16), as so redesignated—

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

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

(iii) by inserting “and” after “detention facilities,”;

(iv) by striking “, and non-secure facilities”;

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

(vi) by striking “requirements of paragraph (11),” and all that follows through “monitoring to the Administrator” and inserting “core requirements are met, and for annual reporting to the Administrator”; and

1 (vii) by striking “, in the opinion of
2 the Administrator,”;

3 (O) in paragraph (17), as so redesignated,
4 by inserting “ethnicity,” after “race,”;

5 (P) in paragraph (24), as so redesign-
6 nated—

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

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

12 (iii) in subparagraph (C)—

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

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

17 (III) by adding at the end the
18 following:

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

23 “~~(I)~~ the court shall issue a writ-
24 ten order that—

1 “(aa) identifies the valid
2 court order that has been vio-
3 lated;

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

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

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

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

1 “(H) the court may not issue a
 2 second or subsequent order described
 3 in subelause (I) relating to a status
 4 offender, unless the status offender
 5 violates a valid court order after the
 6 date on which the court issues an
 7 order described in subelause (I);” and
 8 (iv) by adding at the end the fol-
 9 lowing:

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

17 “(E) not later than 3 years after the date
 18 of enactment of the Juvenile Justice and Delin-
 19 quency Prevention Reauthorization Act of 2015
 20 with a 1-year extension for each additional year
 21 that the State can demonstrate hardship as de-
 22 termined by the Administrator, the State will
 23 eliminate the use of valid court orders to pro-
 24 vide secure confinement of status offenders;”;

(Q) in paragraph (26), as so redesignated, by striking “section 222(d)” and inserting “section 222(e)”;

(R) in paragraph (27), as so redesignated—

(i) by inserting “and in accordance with confidentiality concerns,” after “maximum extent practicable,”; and

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

“(A) a compilation of data reflecting information on juveniles entering the juvenile justice system with a prior reported history as victims of child abuse or neglect through arrest, court intake, probation and parole, juvenile detention, and corrections; and

“(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of victims of child abuse and neglect who have entered, or are at risk of entering, the juvenile justice system;”;

(S) in paragraph (28), by striking the period at the end and inserting a semicolon; and

(T) by adding at the end the following:

1 “(29) provide for the coordinated use of funds
2 provided under this Act with other Federal and
3 State funds directed at juvenile delinquency preven-
4 tion and intervention programs;

5 “(30) develop policies and procedures, and pro-
6 vide training for facility staff to eliminate the use of
7 dangerous practices, unreasonable restraints, and
8 unreasonable isolation, including by developing effec-
9 tive behavior management techniques;

10 “(31) describe—

11 “(A) the evidence-based methods that will
12 be used to conduct mental health and substance
13 abuse screening, assessment, referral, and
14 treatment for juveniles who—

15 “(i) request a screening;

16 “(ii) show signs of needing a screen-
17 ing; or

18 “(iii) are held for a period of more
19 than 24 hours in a secure facility that pro-
20 vides for an initial screening;

21 “(B) the method to be used by the State
22 to provide or arrange for mental health and
23 substance abuse disorder treatment for juve-
24 niles determined to be in need of such treat-
25 ment; and

1 “(C) the policies of the State designed to
 2 develop and implement comprehensive collabo-
 3 rative State or local plans to meet the service
 4 needs of juveniles with mental health or sub-
 5 stance abuse needs who come into contact with
 6 the justice system and the families of the juve-
 7 niles, including recognizing trauma histories of
 8 juveniles and providing trauma-informed care;

9 “(32) describe reentry planning at the State
 10 level for juveniles, including—

11 “(A) elements of written case plans for ju-
 12 veniles, including if the plan is based on an as-
 13 sessment of the needs of the juvenile and devel-
 14 oped and updated in consultation with the juve-
 15 nile, the family of the juvenile, and, if appro-
 16 priate, counsel for the juvenile; and

17 “(B) the hearing and review processes; and

18 “(33) provide that the agency of the State re-
 19 ceiving funds under this Act collaborate with the
 20 State educational agency receiving assistance under
 21 part A of title I of the Elementary and Secondary
 22 Education Act of 1965 (20 U.S.C. 6311 et seq.) to
 23 develop and implement a plan to ensure that, in
 24 order to support educational progress—

1 “(A) the student records of adjudicated ju-
 2 veniles, including electronic records if available,
 3 are transferred in a timely manner from the
 4 educational program in the juvenile detention or
 5 secure treatment facility to the educational or
 6 training program into which the juveniles will
 7 enroll;

8 “(B) the credits of adjudicated juveniles
 9 are transferred; and

10 “(C) adjudicated juveniles receive full or
 11 partial credit toward high school graduation for
 12 secondary school coursework satisfactorily com-
 13 pleted before and during the period of time dur-
 14 ing which the juveniles are held in custody, re-
 15 gardless of the local educational agency or enti-
 16 ty from which the credits were earned; and

17 “(34) provide a description of the use by the
 18 State of funds for reentry and aftercare services for
 19 juveniles released from the juvenile justice system.”;

20 (2) in subsection (d)—

21 (A) by striking “section 222(d)” and in-
 22 serting “section 222(e)”;

23 (B) by striking “described in paragraphs
 24 (11), (12), (13), and (22) of subsection (a)”

1 and inserting “described in the core require-
2 ments”; and

3 (C) by striking “the requirements under
4 paragraphs (11), (12), (13), and (22) of sub-
5 section (a)” and inserting “the core require-
6 ments”;

7 ~~(3)~~ in subsection ~~(f)~~(2)—

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

9 (B) by redesignating subparagraphs (B)
10 through (E) and subparagraphs (A) through
11 (D); and

12 ~~(4)~~ by adding at the end the following:

13 “~~(g)~~ COMPLIANCE DETERMINATION.—

14 “(1) IN GENERAL.—Not later than 60 days
15 after the date of receipt of information indicating
16 that a State may be out of compliance with any of
17 the core requirements, the Administrator shall deter-
18 mine whether the State is in compliance with the
19 core requirements.

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

21 “(A) issue an annual public report—

22 “(i) describing any determination de-
23 scribed in paragraph (1) made during the
24 previous year, including a summary of the
25 information on which the determination is

based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

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

“(B) make the report described in subparagraph (A) available on a publicly available website.”.

SEC. 206. REALLOCATION OF GRANT FUNDS.

Section 223(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5633(c)) is amended to read as follows:

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

“(A) subject to subparagraph (B), the amount allocated to such State under section 222 for that fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

“(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

1 “(i) the State agrees to expend 50 percent
2 of the amount allocated to the State for such
3 fiscal year to achieve compliance with any such
4 paragraph 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, administrative, or legislative ac-
14 tion, an unequivocal commitment to achiev-
15 ing full compliance with such applicable re-
16 quirements within a reasonable time.

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

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

22 “(B) 50 percent of the unallocated funds shall
23 be used by the Administrator to provide additional
24 training and technical assistance to States relating
25 to compliance with the core requirements.”.

1 **SEC. 207. AUTHORITY TO MAKE GRANTS.**

2 Section 241(a) of the Juvenile Justice and Delin-
 3 quency Prevention Act of 1974 (42 U.S.C. 5651(a)) is
 4 amended—

5 (1) in paragraph (1), by inserting “status of-
 6 fenders,” before “juvenile offenders, and juveniles”;

7 (2) in paragraph (5), by striking “juvenile of-
 8 fenders and juveniles” and inserting “status offend-
 9 ers, juvenile offenders, and juveniles”;

10 (3) in paragraph (10), by inserting “, including
 11 juveniles with disabilities” before the semicolon; and

12 (4) in paragraph (17), by inserting “truaney
 13 prevention and reduction,” after “mentoring,”.

14 **SEC. 208. ELIGIBILITY OF STATES.**

15 Section 243(a)(1)(A) of the Juvenile Justice and De-
 16 linquency Prevention Act of 1974 (42 U.S.C.
 17 5653(a)(1)(A)) is amended by striking “5” and inserting
 18 “10”.

19 **SEC. 209. GRANTS TO INDIAN TRIBES.**

20 (a) IN GENERAL.—Section 246(a)(2) of the Juvenile
 21 Justice and Delinquency Prevention Act of 1974 (42
 22 U.S.C. 5656(a)(2)) is amended—

23 (1) by striking subparagraph (A);

24 (2) by redesignating subparagraphs (B)
 25 through (E) as subparagraphs (A) through (D), re-
 26 spectively; and

1 ~~(3)~~ in subparagraph (B)(ii), as redesignated, by
 2 striking “subparagraph (B)” and inserting “sub-
 3 paragraph (A)”.

4 (b) **TECHNICAL AND CONFORMING AMENDMENT.**—
 5 Section 223(a)(7)(A) of the Juvenile Justice and Delin-
 6 quency Prevention Act of 1974 (42 U.S.C. 5633(a)(7)(A))
 7 is amended by striking “(including any geographical area
 8 in which an Indian tribe performs law enforcement func-
 9 tions)” and inserting “(including any geographical area of
 10 which an Indian tribe has jurisdiction)”.

11 **SEC. 210. RESEARCH AND EVALUATION; STATISTICAL**
 12 **ANALYSES; INFORMATION DISSEMINATION.**

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

15 ~~(1)~~ in subsection (a)—

16 ~~(A)~~ in paragraph (1)—

17 (i) in the matter proceeding subpara-
 18 graph (A), by striking “may” and inserting
 19 “shall”;

20 (ii) in subparagraph (A), by striking
 21 “plan and identify” and inserting “annu-
 22 ally publish a plan to identify”; and

23 (iii) in subparagraph (B)—

24 ~~(I)~~ by striking clause (iii) and in-
 25 serting the following:

1 “(iii) successful efforts to prevent sta-
 2 tus offenders and first-time minor offend-
 3 ers from subsequent involvement with the
 4 criminal justice system;”;

5 (II) by striking clause (vii) and
 6 inserting the following:

7 “(vii) the prevalence and duration of
 8 behavioral health needs (including mental
 9 health, substance abuse, and co-occurring
 10 disorders) among juveniles pre-placement
 11 and post-placement when held in the cus-
 12 tody of secure detention and corrections fa-
 13 cilities, including an examination of the ef-
 14 fects of confinement;”;

15 (III) by redesignating clauses
 16 (ix), (x), and (xi) as clauses (xi), (xii),
 17 and (xiii), respectively; and

18 (IV) by inserting after clause
 19 (viii) the following:

20 “(ix) training efforts and reforms that
 21 have produced reductions in or elimination
 22 of the use of dangerous practices;

23 “(x) methods to improve the recruit-
 24 ment, selection, training, and retention of
 25 professional personnel in the fields of med-

icine, law enforcement, the judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency;” and

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by striking “date of enactment of this paragraph, the” and inserting “date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015, the”;

(ii) in subparagraph (F), by striking “and” at the end;

(iii) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(H) a description of the best practices in discharge planning; and

“(I) an assessment of living arrangements for juveniles who cannot return to the homes of the juveniles.”;

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

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

5 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
 6 istrator, in consultation with experts in the field of juve-
 7 nile justice research, recidivism, and data collection,
 8 shall—

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

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

14 “(3) make cumulative juvenile recidivism data
 15 that is collected from States available to the pub-
 16 lic.”.

17 **SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.**

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

20 (1) in subsection (a)—

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

23 (B) in paragraph (1), by inserting “shall”
 24 before “develop and carry out projects”; and

1 (C) in paragraph (2), by inserting “may”
 2 before “make grants to and contracts with”;
 3 (2) in subsection (b)—

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

6 (B) in paragraph (1)—

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

9 (ii) by inserting “, including compli-
 10 ance with the core requirements” after
 11 “this title”; and

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

13 (C) in paragraph (2)—

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

16 (ii) by striking the period at the end
 17 and inserting “; and”; and

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

19 “(3) shall, upon request, provide technical as-
 20 sistance to States and units of local government on
 21 achieving compliance with the amendments made by
 22 the Juvenile Justice and Delinquency Prevention Re-
 23 authorization Act of 2015; and

24 “(4) shall provide technical assistance to States
 25 in support of efforts to establish partnerships be-

1 tween a State and a university, institution of higher
 2 education, or research center designed to improve
 3 the recruitment, selection, training, and retention of
 4 professional personnel in the fields of medicine, law
 5 enforcement, the judiciary, juvenile justice, social
 6 work and child protection, education, and other rel-
 7 evant fields who are engaged in, or intend to work
 8 in, the field of prevention, identification, and treat-
 9 ment of delinquency.”; and

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

11 “(d) TECHNICAL ASSISTANCE TO STATES REGARD-
 12 ING LEGAL REPRESENTATION OF CHILDREN.—In con-
 13 sultation with the American Bar Association (commonly
 14 known as the ‘ABA’) and experts in the field of juvenile
 15 defense, the Administrator shall—

16 “(1) develop and issue standards of practice for
 17 attorneys representing children; and

18 “(2) ensure that the standards issued under
 19 paragraph (1) are adapted for use in States.

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

1 “(1) promote methods for improving conditions
 2 of juvenile confinement, including methods that are
 3 designed to minimize the use of dangerous practices;
 4 unreasonable restraints, and isolation; and

5 “(2) encourage alternative behavior manage-
 6 ment techniques based on positive youth develop-
 7 ment approaches.

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

18 ~~“(1) juvenile justice intake personnel;~~

19 ~~“(2) probation officers;~~

20 ~~“(3) juvenile court judges and court services~~
 21 ~~personnel;~~

22 ~~“(4) prosecutors and court-appointed counsel;~~
 23 ~~and~~

24 ~~“(5) family members of juveniles and family ad-~~
 25 ~~vocates.~~

1 “(g) GRANTS FOR JUVENILE COURT JUDGES AND
 2 PERSONNEL.—The Attorney General, acting through the
 3 Office of Juvenile Justice and Delinquency Prevention and
 4 the Office of Justice Programs, shall make grants to im-
 5 prove training, education, technical assistance, evaluation,
 6 and research to enhance the capacity of State and local
 7 courts, judges, and related judicial personnel to—

8 “(1) improve the lives of children currently in-
 9 volved in or at risk of being involved in the juvenile
 10 court system; and

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

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

22 **SEC. 212. ADMINISTRATIVE AUTHORITY.**

23 Section 299A(e) of the Juvenile Justice and Delin-
 24 quency Prevention Act of 1974 (42 U.S.C. 5672(e)) is
 25 amended by striking “requirements described in para-

1 graphs (11), (12), and (13) of section 223(a)” and insert-
 2 ing “core requirements”.

3 **SEC. 213. TECHNICAL AND CONFORMING AMENDMENTS.**

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

6 (1) in section 204(b)(6) (42 U.S.C.
 7 5614(b)(6)), by striking “section 223(a)(15)” and
 8 inserting “section 223(a)(14)”;

9 (2) in subparagraph (C) of section 246(a)(2)
 10 (42 U.S.C. 5656(a)(2)), as redesignated by section
 11 208, by striking “section 222(e)” and inserting “sec-
 12 tion 222(d)”;

13 (3) in section 299D(b) (42 U.S.C. 5675(b)), by
 14 striking “section 222(e)” and inserting “section
 15 222(d)”.

16 **TITLE III—INCENTIVE GRANTS**
 17 **FOR LOCAL DELINQUENCY**
 18 **PREVENTION PROGRAMS**

19 **SEC. 301. DEFINITIONS.**

20 Section 502 of the Incentive Grants for Local Delin-
 21 quency Prevention Programs Act of 2002 (42 U.S.C.
 22 5781) is amended—

23 (1) in the section heading, by striking “DEFINI-
 24 TION” and inserting “DEFINITIONS”; and

1 (2) by striking “this title, the term” and insert-
2 ing the following: “this title—

3 “~~(1)~~ the term ‘mentoring’ means matching 1
4 adult with 1 or more youths (not to exceed 4 youths)
5 for the purpose of providing guidance, support, and
6 encouragement aimed at developing the character of
7 the youths, where the adult and youths meet regu-
8 larly for not less than 4 hours each month for not
9 less than a 9-month period; and
10 “~~(2)~~ the term”.

11 **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**
12 **GRAMS.**

13 Section 504(a) of the Incentive Grants for Local De-
14 linquency Prevention Programs Act of 2002 (42 U.S.C.
15 5783(a)) is amended—

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

18 (2) in paragraph (8), by striking the period at
19 the end and inserting “; and”; and

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

21 “~~(9)~~ mentoring programs.”.

22 **SEC. 303. TECHNICAL AND CONFORMING AMENDMENT.**

23 The Juvenile Justice and Delinquency Prevention Act
24 of 1974 is amended by striking title V, as added by the
25 Juvenile Justice and Delinquency Prevention Act of 1974

1 (Public Law 93-415, 88 Stat. 1133) (relating to miscella-
 2 neous and conforming amendments).

3 **TITLE IV—MISCELLANEOUS** 4 **PROVISIONS**

5 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY** 6 **OFFICE.**

7 (a) **EVALUATION.**—Not later than October 1, 2015,
 8 the Comptroller General of the United States shall—

9 (1) conduct a comprehensive analysis and eval-
 10 uation regarding the performance of the Office of
 11 Juvenile Justice Delinquency and Prevention (re-
 12 ferred to in this section as “the agency”), its func-
 13 tions, its programs, and its grants;

14 (2) conduct a comprehensive audit and evalua-
 15 tion of a selected, statistically significant sample of
 16 grantees (as determined by the Comptroller General)
 17 that receive Federal funds under grant programs ad-
 18 ministered by the Office of Juvenile Justice Delin-
 19 quency and Prevention including a review of internal
 20 controls to prevent fraud, waste, and abuse of funds
 21 by grantees; and

22 (3) submit a report in accordance with sub-
 23 section (d).

24 (b) **CONSIDERATIONS FOR EVALUATION.**—In con-
 25 ducting the analysis and evaluation under subsection

1 (a)(1), and in order to document the efficiency and public
 2 benefit of the Juvenile Justice and Delinquency Preven-
 3 tion Act of 1974 (42 U.S.C. 5601 et seq.); excluding the
 4 Runaway and Homeless Youth Act (42 U.S.C. 5701 et
 5 seq.) and the Missing Children's Assistance Act (42
 6 U.S.C. 5771 et seq.); the Comptroller General shall take
 7 into consideration—

8 (1) the extent to which the jurisdiction of, and
 9 the programs administered by, the agency duplicate
 10 or conflict with the jurisdiction and programs of
 11 other agencies;

12 (2) the potential benefits of consolidating pro-
 13 grams administered by the agency with similar or
 14 duplicative programs of other agencies; and the po-
 15 tential for consolidating those programs;

16 (3) whether present functions or operations are
 17 impeded or enhanced by existing statutes, rules, and
 18 procedures;

19 (4) the number and types of beneficiaries or
 20 persons served by programs carried out by the agen-
 21 cy;

22 (5) the manner with which the agency seeks
 23 public input and input from State and local govern-
 24 ments on the performance of the functions of the
 25 agency;

1 (6) the extent to which the agency complies
2 with section 552 of title 5, United States Code (com-
3 monly known as the Freedom of Information Act);

4 (7) whether greater oversight is needed of pro-
5 grams developed with grants made by the agency;
6 and

7 (8) the extent to which changes are necessary
8 in the authorizing statutes of the agency in order for
9 the functions of the agency to be performed in a
10 more efficient and effective manner.

11 (c) CONSIDERATIONS FOR AUDITS.—In conducting
12 the audit and evaluation under subsection (a)(2), and in
13 order to document the efficiency and public benefit of the
14 Juvenile Justice and Delinquency Prevention Act of 1974
15 (42 U.S.C. 5601 et seq.), excluding the Runaway and
16 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the
17 Missing Children's Assistance Act (42 U.S.C. 5771 et
18 seq.); the Comptroller General shall take into consider-
19 ation—

20 (1) whether grantees timely file Financial Sta-
21 tus Reports;

22 (2) whether grantees have sufficient internal
23 controls to ensure adequate oversight of grant fund
24 received;

1 ~~(3)~~ whether disbursements were accompanied
 2 with adequate supporting documentation (including
 3 invoices and receipts);

4 ~~(4)~~ whether expenditures were authorized;

5 ~~(5)~~ whether subrecipients of grant funds were
 6 complying with program requirements;

7 ~~(6)~~ whether salaries and fringe benefits of per-
 8 sonnel were adequately supported by documentation;

9 ~~(7)~~ whether contracts were bid in accordance
 10 with program guidelines; and

11 ~~(8)~~ whether grant funds were spent in accord-
 12 ance with program goals and guidelines.

13 ~~(d) REPORT.—~~

14 ~~(1) IN GENERAL.—~~The Comptroller General of
 15 the United States shall submit a report regarding
 16 the evaluation conducted under subsection (a) and
 17 audit under subsection (b); together with supporting
 18 materials; to the Speaker of the House of Represent-
 19 atives and the President pro tempore of the Senate;
 20 and be made available to the public, not later than
 21 October 1, 2011.

22 ~~(2) CONTENTS.—~~The report submitted in ac-
 23 cordance with paragraph (1) shall include all audit
 24 findings determined by the selected; statistically sig-
 25 nificant sample of grantees as required by subsection

1 ~~(a)(2)~~ and shall include the name and location of
 2 any selected grantee as well as any findings required
 3 by subsection ~~(a)(2)~~.

4 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

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

8 **~~“TITLE VI—AUTHORIZATION OF~~**
 9 **~~APPROPRIATIONS; ACCOUNT-~~**
 10 **~~ABILITY AND OVERSIGHT~~**

11 **~~“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.~~**

12 ~~“(a) IN GENERAL.—~~There are authorized to be ap-
 13 propriated to carry out this Act—

14 ~~“(1) \$159,000,000 for fiscal year 2016;~~

15 ~~“(2) \$162,180,000 for fiscal year 2017;~~

16 ~~“(3) \$165,423,600 for fiscal year 2018;~~

17 ~~“(4) \$168,732,072 for fiscal year 2019; and~~

18 ~~“(5) \$172,106,713 for fiscal year 2020.~~

19 ~~“(b) MENTORING PROGRAMS.—~~Not more than 20
 20 percent of the amount authorized to be appropriated
 21 under subsection ~~(a)~~ for a fiscal year may be used for
 22 mentoring programs.”.

23 ~~(b) TECHNICAL AND CONFORMING AMENDMENTS.—~~
 24 The Juvenile Justice and Delinquency Prevention Act of
 25 1974 is amended by striking—

- 1 ~~(1) section 299 (42 U.S.C. 5671);~~
- 2 ~~(2) section 388 (42 U.S.C. 5751);~~
- 3 ~~(3) section 408 (42 U.S.C. 5777); and~~
- 4 ~~(4) section 505 (42 U.S.C. 5784).~~

5 **SEC. 403. ACCOUNTABILITY AND OVERSIGHT.**

6 ~~(a) IN GENERAL.—~~Title VI of the Juvenile Justice
7 and Delinquency Prevention Act of 1974, as added by this
8 Act, is amended by adding at the end the following:

9 **“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.**

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

15 ~~“(1) the Department of Justice, through its Of-~~
16 ~~ffice of Juvenile Justice and Delinquency Prevention;~~
17 ~~must restore meaningful enforcement of the core~~
18 ~~protections in this Act;~~

19 ~~“(2) the Attorney General should, not later~~
20 ~~than 90 days after the date of enactment of this~~
21 ~~Act, issue a proposed rule to update existing Federal~~
22 ~~regulations used to make State compliance deter-~~
23 ~~minations and provide participating States with~~
24 ~~technical assistance to develop more effective and~~
25 ~~comprehensive data collection systems; and~~

1 “(3) States, which are entrusted with a fiscal
2 stewardship role if they accept funds under this Act,
3 must exercise vigilant oversight to ensure full com-
4 pliance with the core protections for juveniles pro-
5 vided for in this Act.

6 “(b) ACCOUNTABILITY.—

7 “(1) AGENCY PROGRAM REVIEW.—

8 “(A) IN GENERAL.—Not less often than
9 once every 2 years, the Administrator shall con-
10 duct, for each State and Indian tribe receiving
11 a grant under this Act, a programmatic and fi-
12 nancial review of all grants awarded to the
13 State or Indian tribe under this Act in order to
14 prevent waste, fraud, and abuse by grantees.

15 “(B) CONTENTS.—Each review under sub-
16 paragraph (A) shall, at a minimum, examine—

17 “(i) whether the funds awarded were
18 used in accordance with the law, program
19 guidance, and any applicable plans; and

20 “(ii) the extent to which funds award-
21 ed under this Act enhanced the ability of
22 the grantee to improve its juvenile justice
23 system and juvenile justice delinquency
24 prevention programs.

1 “(C) AUTHORIZATION OF APPROPRIA-
 2 TIONS.—In addition to any other amounts au-
 3 thorized to be appropriated to the Adminis-
 4 trator, there are authorized to be appropriated
 5 to the Administrator for reviews under this
 6 paragraph such sums as are necessary for fiscal
 7 year 2016 and each fiscal year thereafter.

8 “(2) OFFICE OF INSPECTOR GENERAL PER-
 9 FORMANCE AUDITS.—

10 “(A) IN GENERAL.—In order to ensure the
 11 effective and appropriate use of grants adminis-
 12 tered under this Act, the Inspector General of
 13 the Department of Justice each year shall con-
 14 duct audits of a sample of States and Indian
 15 tribes that receive grants under this Act.

16 “(B) DETERMINING SAMPLES.—The sam-
 17 ple selected for audits under subparagraph (A)
 18 shall be—

19 “(i) of an appropriate size to—

20 “(I) assess the overall integrity
 21 of the grant programs described in
 22 subparagraph (A); and

23 “(II) act as a deterrent to finan-
 24 cial mismanagement; and

25 “(ii) selected based on—

1 “(I) the size of the grants award-
2 ed to the recipient;

3 “(II) the past grant management
4 performance of the recipient;

5 “(III) concerns identified by the
6 Administrator, including referrals
7 from the Administrator; and

8 “(IV) such other factors as deter-
9 mined by the Inspector General of the
10 Department of Justice.

11 “(C) COMPREHENSIVE AUDITING.—During
12 the 5-year period beginning on the date of en-
13 actment of this section, the Inspector General
14 of the Department of Justice shall conduct not
15 fewer than 1 audit of each State or Indian tribe
16 that receives a grant under this Act.

17 “(D) REPORT BY THE INSPECTOR GEN-
18 ERAL.—

19 “(i) IN GENERAL.—The Inspector
20 General of the Department of Justice shall
21 submit to the appropriate committees of
22 Congress—

23 “(I) not later than 90 days after
24 the date of enactment of this section;
25 a report on the estimated amount of

1 grant funds disbursed by the Office of
2 Juvenile Justice and Delinquency Pre-
3 vention since fiscal year 1997 that did
4 not meet the requirements for awards
5 of formula grants to States under this
6 Act; and

7 “(H) an annual report on every
8 audit conducted under this section
9 during the fiscal year preceding the
10 report.

11 “(ii) CONTENTS.—Each report sub-
12 mitted under clause (i)(H) shall describe,
13 for the fiscal year preceding the report—

14 “(I) the audits conducted under
15 subparagraph (A);

16 “(II) the findings of the Inspec-
17 tor General with respect to the audits
18 conducted under subparagraph (A);

19 “(III) whether the funds awarded
20 under this Act were used in accord-
21 ance with law, program guidance, and
22 applicable plans; and

23 “(IV) the extent to which funds
24 awarded under this Act enhanced the
25 ability of a grantee to improve its ju-

venile justice system and juvenile justice programs.

“(iii) DEADLINE.—For each year, the report required under clause (i)(II) shall be submitted not later than December 31.

“(E) PUBLIC AVAILABILITY ON WEBSITE.—The Inspector General of the Department of Justice shall make each audit conducted under subparagraph (A) available on the website of the Inspector General, subject to redaction as the Inspector General determines necessary to protect classified and other sensitive information.

“(F) PROVISION OF INFORMATION TO ADMINISTRATOR.—The Inspector General of the Department of Justice shall provide to the Administrator any findings and recommendations from audits conducted under subparagraph (A).

“(G) EVALUATION OF GRANTS MANAGEMENT AND OVERSIGHT.—Not later than 1 year after the date of enactment of this section, the Inspector General of the Department of Justice shall review and evaluate the grants management and oversight practices of the Office of Juvenile Justice and Delinquency Prevention,

1 including assessment of and recommendations
2 relating to—

3 “(i) the skills, resources, and capabili-
4 ties of the workforce; and

5 “(ii) any additional resources and
6 staff necessary to carry out such manage-
7 ment and oversight.

8 “(H) AUTHORIZATION OF APPROPRIA-
9 TIONS.—In addition to any other amounts au-
10 thorized to be appropriated to the Inspector
11 General of the Department of Justice, there are
12 authorized to be appropriated to the Inspector
13 General of the Department of Justice for audits
14 under subparagraph (A) such sums as are nec-
15 essary for fiscal year 2016, and each fiscal year
16 thereafter.

17 “(I) MANDATORY EXCLUSION.—A recipient
18 of grant funds under this Act that is found to
19 have an unresolved audit finding shall not be el-
20 igible to receive grant funds under this Act dur-
21 ing the first 2 fiscal years beginning after the
22 12-month period beginning on the date on
23 which the audit report is issued.

24 “(J) PRIORITY.—In awarding grants
25 under this Act, the Administrator shall give pri-

ority to a State or Indian tribe that did not have an unresolved audit finding during the 3 fiscal years prior to the date on which the eligible entity submits an application for a grant under this Act.

“(K) REIMBURSEMENT.—If a State or Indian tribe is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (I), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the General Fund under clause (i) from the grantee that was erroneously awarded grant funds.

“(L) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General—

“(i) that the audited State or Indian tribe has used grant funds for an unau-

thorized expenditure or otherwise unallowable cost; and

“(ii) that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

“(3) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

“(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—

“(i) IN GENERAL.—Each nonprofit organization that is awarded a grant under

1 a grant program described in this Act and
 2 uses the procedures prescribed in regula-
 3 tions to create a rebuttable presumption of
 4 reasonableness for the compensation of its
 5 officers, directors, trustees, and key em-
 6 ployees, shall disclose to the Administrator,
 7 in the application for the grant, the proc-
 8 ess for determining such compensation, in-
 9 cluding—

10 “(I) the independent persons in-
 11 volved in reviewing and approving
 12 such compensation;

13 “(II) the comparability data
 14 used; and

15 “(III) contemporaneous substan-
 16 tiation of the deliberation and deci-
 17 sion.

18 “(ii) PUBLIC INSPECTION UPON RE-
 19 QUEST.—Upon request, the Administrator
 20 shall make the information disclosed under
 21 clause (i) available for public inspection.

22 “(4) CONFERENCE EXPENDITURES.—

23 “(A) LIMITATION.—No amounts author-
 24 ized to be appropriated to the Department of
 25 Justice under this Act may be used by the At-

1 torney General, or by any individual or organi-
2 zation awarded discretionary funds through a
3 cooperative agreement under this Act, to host
4 or support any expenditure for conferences that
5 uses more than \$20,000 in funds made avail-
6 able to the Department of Justice, unless the
7 Deputy Attorney General or such Assistant At-
8 torney Generals, Directors, or principal deputies
9 as the Deputy Attorney General may designate,
10 provides prior written authorization that the
11 funds may be expended to host a conference.

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

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

24 “(5) PROHIBITION ON LOBBYING ACTIVITY.—

1 “(A) IN GENERAL.—Amounts authorized
2 to be appropriated under this Act may not be
3 utilized by any recipient of a grant made using
4 such amounts to—

5 “(i) lobby any representative of the
6 Department of Justice regarding the
7 award of grant funding; or

8 “(ii) lobby any representative of a
9 Federal, State, local, or tribal government
10 regarding the award of grant funding.

11 “(B) PENALTY.—If the Attorney General
12 determines that any recipient of a grant made
13 using amounts authorized to be appropriated
14 under this Act has violated subparagraph (A),
15 the Attorney General shall—

16 “(i) require the grant recipient to
17 repay the grant in full; and

18 “(ii) prohibit the grant recipient from
19 receiving another grant under this Act for
20 not less than 5 years.

21 “(6) ANNUAL CERTIFICATION.—Beginning in
22 the first fiscal year beginning after the date of en-
23 actment of this section, the Attorney General shall
24 submit, to the Committee on the Judiciary and the
25 Committee on Appropriations of the Senate and the

1 Committee on the Judiciary and the Committee on
 2 Appropriations of the House of Representatives, an
 3 annual certification that—

4 “(A) all audits issued by the Office of the
 5 Inspector General of the Department of Justice
 6 under paragraph (2) have been completed and
 7 reviewed by the appropriate Assistant Attorney
 8 General or Director;

9 “(B) all mandatory exclusions required
 10 under paragraph (2)(I) have been issued;

11 “(C) all reimbursements required under
 12 paragraph (2)(K)(i) have been made; and

13 “(D) includes a list of any grant recipients
 14 excluded under paragraph (2)(I) during the
 15 preceding fiscal year.”.

16 (b) TECHNICAL AND CONFORMING AMENDMENT.—

17 (1) IN GENERAL.—The Juvenile Justice and
 18 Delinquency Prevention Act of 1974 is amended by
 19 striking section 407 (42 U.S.C. 5776a).

20 (2) EFFECTIVE DATE.—The amendment made
 21 by paragraph (1) shall take effect on the first day
 22 of the first fiscal year beginning after the date of en-
 23 actment of this Act.

24 (3) SAVINGS CLAUSE.—In the case of an entity
 25 that is barred from receiving grant funds under

paragraph (2) or (7)(B)(ii) of section 407 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5776a), the amendment made by paragraph (1) of this subsection shall not affect the applicability to the entity, or to the Attorney General with respect to the entity, of paragraph (2), (3), or (7) of such section 407, as in effect on the day before the effective date under paragraph (2) of this subsection.

10 TITLE V—JUVENILE ACCOUNT- **11 ABILITY BLOCK GRANTS**

12 SEC. 501. GRANT ELIGIBILITY.

13 Section 1802(a) of title I of the Omnibus Crime Con-
14 trol and Safe Streets Act of 1968 (42 U.S.C. 3796ee-
15 2(a)) is amended—

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

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

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

21 “(3) assurances that the State agrees to comply
22 with the core requirements, as defined in section 103
23 of the Juvenile Justice and Delinquency Prevention
24 Act of 1974 (42 U.S.C. 5603), applicable to the de-
25 tention and confinement of juveniles.”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Juvenile Justice and*
 3 *Delinquency Prevention Reauthorization Act of 2015”.*

4 **SEC. 2. TABLE OF CONTENTS.**

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

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

Sec. 101. Purposes.

Sec. 102. 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. Reallocation of grant funds.

Sec. 207. Authority to make grants.

Sec. 208. Eligibility of States.

Sec. 209. Grants to Indian tribes.

Sec. 210. Research and evaluation; statistical analyses; information dissemination.

Sec. 211. Training and technical assistance.

Sec. 212. Administrative authority.

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

Sec. 301. Definitions.

Sec. 302. Grants for delinquency prevention programs.

Sec. 303. Technical and conforming amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Evaluation by Government Accountability Office.

Sec. 402. Authorization of appropriations.

Sec. 403. Accountability and oversight.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

Sec. 501. Grant eligibility.

1 ***TITLE I—DECLARATION OF***
2 ***PURPOSE AND DEFINITIONS***

3 ***SEC. 101. PURPOSES.***

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

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

8 *(2) by amending paragraph (3) to read as fol-*
9 *lows:*

10 *“(3) to assist State and local governments in ad-*
11 *dresssing juvenile crime through the provision of tech-*
12 *anical assistance, research, training, evaluation, and*
13 *the dissemination of current and relevant information*
14 *on effective and evidence-based programs and prac-*
15 *tices for combating juvenile delinquency; and”;* and

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

17 *“(4) to support a continuum of evidence-based or*
18 *promising programs (including delinquency preven-*
19 *tion, intervention, mental health and substance abuse*
20 *treatment, family services, and services for children*
21 *exposed to violence) that are trauma informed, reflect*
22 *the science of adolescent development, and are de-*
23 *signed to meet the needs of at-risk youth and youth*
24 *who come into contact with the justice system.”.*

1 **SEC. 102. DEFINITIONS.**

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

4 *(1) in paragraph (8), by amending subpara-*
 5 *graph (C) to read as follows:*

6 *“(C) an Indian tribe; or”;*

7 *(2) by amending paragraph (18) to read as fol-*
 8 *lows:*

9 *“(18) the term ‘Indian tribe’ has the meaning*
 10 *given that term in section 102 of the Federally Recog-*
 11 *nized Indian Tribe List Act of 1994 (25 U.S.C.*
 12 *479a);”;*

13 *(3) by amending paragraph (22) to read as fol-*
 14 *lows:*

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

19 *(4) by amending paragraph (25) to read as fol-*
 20 *lows:*

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

24 *(5) by amending paragraph (26) to read as fol-*
 25 *lows:*

26 *“(26) the term ‘adult inmate’—*

1 “(A) means an individual who—

2 “*(i) has reached the age of full criminal*
3 *responsibility under applicable State*
4 *law; and*

5 “*(ii) has been arrested and is in cus-*
6 *tody for or awaiting trial on a criminal*
7 *charge, or is convicted of a criminal offense;*
8 *and*

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

10 “*(i) at the time of the time of the of-*
11 *fense, was younger than the maximum age*
12 *at which a youth can be held in a juvenile*
13 *facility under applicable State law; and*

14 “*(ii) was committed to the care and*
15 *custody or supervision, including post-*
16 *placement or parole supervision, of a juve-*
17 *nile correctional agency by a court of com-*
18 *petent jurisdiction or by operation of appli-*
19 *cable State law;”;*

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

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

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

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

1 “(A) means the requirements described in
2 paragraphs (11), (12), (13), (14), and (15) of
3 section 223(a); and

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

7 “(31) the term ‘chemical agent’ means a spray
8 or injection used to temporarily incapacitate a per-
9 son, including oleoresin capsicum spray, tear gas,
10 and 2-chlorobenzalmalononitrile gas;

11 “(32) the term ‘isolation’—

12 “(A) means any instance in which a youth
13 is confined alone for more than 15 minutes in a
14 room or cell; and

15 “(B) does not include—

16 “(i) confinement during regularly
17 scheduled sleeping hours;

18 “(ii) separation based on a treatment
19 program approved by a licensed medical or
20 mental health professional;

21 “(iii) confinement or separation that is
22 requested by the youth; or

23 “(iv) the separation of the youth from
24 a group in a nonlocked setting for the lim-
25 ited purpose of calming;

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

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

6 “(A) is demonstrated to be effective when
7 implemented with fidelity;

8 “(B) is based on a clearly articulated and
9 empirically supported theory;

10 “(C) has measurable outcomes relevant to
11 juvenile justice, including a detailed description
12 of the outcomes produced in a particular popu-
13 lation, whether urban or rural; and

14 “(D) has been scientifically tested and prov-
15 en effective through randomized control studies
16 or comparison group studies and with the ability
17 to replicate and scale;

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

20 “(A) is demonstrated to be effective based on
21 positive outcomes relevant to juvenile justice
22 from 1 or more objective, independent, and sci-
23 entifically valid evaluations, as documented in
24 writing to the Administrator; and

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

4 “(36) the term ‘dangerous practice’ means an
 5 act, procedure, or program that creates an unreason-
 6 able risk of physical injury, pain, or psychological
 7 harm to a juvenile subjected to the act, procedure, or
 8 program;

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

11 “(A) designed to identify youth who may
 12 have mental health, behavioral health, substance
 13 abuse, or other needs requiring immediate atten-
 14 tion, intervention, and further evaluation; and

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

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

22 “(A) by an appropriately trained profes-
 23 sional in the mental health, behavioral health, or
 24 substance abuse fields; and

1 “(B) which is designed to identify signifi-
 2 cant mental health, behavioral health, or sub-
 3 stance abuse treatment needs to be addressed
 4 during a youth’s confinement;

5 “(39) for purposes of section 223(a)(15), the term
 6 ‘contact’ means the points at which a youth and the
 7 juvenile justice system or criminal justice system offi-
 8 cially intersect, including interactions with a juvenile
 9 justice, juvenile court, or law enforcement official;

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

11 “(A) understanding the impact that expo-
 12 sure to violence and trauma have on a youth’s
 13 physical, psychological, and psychosocial devel-
 14 opment;

15 “(B) recognizing when a youth has been ex-
 16 posed to violence and trauma and is in need of
 17 help to recover from the adverse impacts of trau-
 18 ma; and

19 “(C) responding in ways that resist re-
 20 traumatization;

21 “(41) the term ‘racial and ethnic disparity’
 22 means minority youth populations are involved at a
 23 decision point in the juvenile justice system at higher
 24 rates, incrementally or cumulatively, than non-mi-
 25 nority youth at that decision point;

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

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

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

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

12 “(B) reliability of reporting for internal
13 and external use; and

14 “(C) compliance with applicable laws and
15 regulations, as well as recommendations of the
16 Office of Inspector General and the Government
17 Accountability Office.”.

18 **TITLE II—JUVENILE JUSTICE**
19 **AND DELINQUENCY PREVEN-**
20 **TION**

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

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

24 (1) in subsection (a)—

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

3 (i) by striking “a long-term plan, and
4 implement” and inserting the following: “a
5 long-term plan to improve the juvenile jus-
6 tice system in the United States, taking into
7 account scientific knowledge regarding ado-
8 lescent development and behavior and re-
9 garding the effects of delinquency prevention
10 programs and juvenile justice interventions
11 on adolescents, and shall implement”; and

12 (ii) by striking “research, and im-
13 provement of the juvenile justice system in
14 the United States” and inserting “and re-
15 search”; and

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

20 (2) in subsection (b)—

21 (A) in paragraph (5), by adding “and” at
22 the end;

23 (B) in paragraph (6)—

24 (i) by striking “monitoring”;

- 1 (ii) by striking “section 223(a)(15)”
 2 and inserting “section 223(a)(16)”; and
 3 (iii) by striking “to review the ade-
 4 quacy of such systems; and” and inserting
 5 “for monitoring compliance.”; and
 6 (C) by striking paragraph (7).

7 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
 8 **AND DELINQUENCY PREVENTION.**

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

11 (1) in subsection (a)

12 (A) in paragraph (1)—

13 (i) by inserting “the Administrator of
 14 the Substance Abuse and Mental Health
 15 Services Administration, the Secretary of
 16 the Interior,” after “the Secretary of Health
 17 and Human Services,”; and

18 (ii) by striking “Commissioner of Im-
 19 migration and Naturalization” and insert-
 20 ing “Assistant Secretary for Immigration
 21 and Customs Enforcement”; and

22 (B) in paragraph (2), by striking “United
 23 States” and inserting “Federal Government”;
 24 and

25 (2) in subsection (c)—

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

5 (B) in paragraph (2)—

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

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

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

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

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

1 “(iii) is published on the websites of
2 the Office of Juvenile Justice and Delin-
3 quency Prevention and the Council; and

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

6 **SEC. 203. ANNUAL REPORT.**

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

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

12 (2) in paragraph (1)—

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

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

18 (C) in subparagraph (F)—

19 (i) by inserting “and other” before
20 “disabilities,”; 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 “(G) a summary of data from 1 month of
25 the applicable fiscal year of the use of restraints

1 *and isolation upon juveniles held in the custody*
 2 *of secure detention and correctional facilities op-*
 3 *erated by a State or unit of local government;*

4 *“(H) the number of status offense cases peti-*
 5 *tioned to court, number of status offenders held*
 6 *in secure detention, the findings used to justify*
 7 *the use of secure detention, and the average pe-*
 8 *riod of time a status offender was held in secure*
 9 *detention;*

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

13 *“(J) the number of juveniles whose offense*
 14 *originated on school grounds, during school-spon-*
 15 *sored off-campus activities, or due to a referral*
 16 *by a school official, as collected and reported by*
 17 *the Department of Education or similar State*
 18 *educational agency; and*

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

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

24 *“(5) A description of the criteria used to deter-*
 25 *mine what programs qualify as evidence-based and*

1 *promising programs under this title and title V and*
 2 *a comprehensive list of those programs the Adminis-*
 3 *trator has determined meet such criteria in both rural*
 4 *and urban areas.*

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

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

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

23 *“(B) where unauthorized expenditures oc-*
 24 *curred; or*

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

3 “(8) An analysis and evaluation of the total
4 amount of payments made to grantees that the Office
5 of Juvenile Justice and Delinquency Prevention re-
6 couped from grantees that were found to be in viola-
7 tion of policies and procedures of the Office of Juve-
8 nile Justice and Delinquency Prevention grant pro-
9 grams, including—

10 “(A) the full name and location of the
11 grantee;

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

13 “(C) the amount of funds sought to be re-
14 couped by the Office of Juvenile Justice and De-
15 linquency Prevention; and

16 “(D) the actual amount recouped by the Of-
17 fice of Juvenile Justice and Delinquency Preven-
18 tion.”.

19 **SEC. 204. ALLOCATION OF FUNDS.**

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

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

4 (1) in subsection (a)—

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

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

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

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

18 “(ii) the amount allocated to the United
 19 States Virgin Islands, Guam, American Samoa,
 20 and the Commonwealth of the Northern Mariana
 21 Islands for that fiscal year shall be not less than
 22 \$75,000.

23 “(B) If the aggregate amount appropriated for a
 24 fiscal year to carry out this title is not less than
 25 \$75,000,000, then—

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

5 “(ii) the amount allocated to the United
 6 States Virgin Islands, Guam, American Samoa,
 7 and the Commonwealth of the Northern Mariana
 8 Islands for that fiscal year shall be not less than
 9 \$100,000.”;

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

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

21 **SEC. 205. STATE PLANS.**

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

24 (1) in subsection (a)—

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

15 (B) in paragraph (3)—

16 (i) in subparagraph (A)—

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

20 (II) in clause (ii)—

21 (aa) in subclause (II), by
 22 striking “counsel for children and
 23 youth” and inserting “publicly
 24 supported court-appointed legal
 25 counsel for juveniles charged with

1 *an act of juvenile delinquency or*
 2 *a status offense, consistent with*
 3 *other Federal law”;*

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

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

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

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

23 *(ff) by striking subclause*
 24 *(VIII) and inserting the following:*

1 “(VIII) persons with expertise and
 2 competence in preventing and address-
 3 ing mental health and substance abuse
 4 needs in juvenile delinquents and those
 5 at-risk of delinquency; and

6 “(IX) representatives of victim or
 7 witness advocacy groups, including at
 8 least 1 individual with expertise in ad-
 9 dressing the challenges of sexual abuse
 10 and exploitation and trauma;”;

11 (III) in clause (iv), by striking
 12 “24 at the time of appointment” and
 13 inserting “28 at the time of initial ap-
 14 pointment”; and

15 (IV) in clause (v) by inserting
 16 “or, if not feasible and in appropriate
 17 circumstances, who is the parent or
 18 guardian of someone who has been or
 19 is currently under the jurisdiction of
 20 the juvenile justice system” after “juve-
 21 nile justice system”;

22 (ii) in subparagraph (C), by striking
 23 “30 days” and inserting “45 days”; and

24 (iii) in subparagraph (D)(ii), by strik-
 25 ing “at least annually recommendations re-

1 *garding State compliance with the require-*
 2 *ments of paragraphs (11), (12), and (13)”*
 3 *and inserting “at least every 2 years a re-*
 4 *port and necessary recommendations re-*
 5 *garding State compliance with the core re-*
 6 *quirements”;* and

7 *(iv) in subparagraph (E)—*

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

10 *(II) in clause (ii), by striking the*
 11 *period at the end and inserting a semi-*
 12 *colon;*

13 *(C) in paragraph (5)—*

14 *(i) in the matter preceding subpara-*
 15 *graph (A), by striking “paragraph (25)”*
 16 *and inserting “paragraph (26)”;* and

17 *(ii) in subparagraph (C), by striking*
 18 *“Indian tribes” and all that follows through*
 19 *“applicable to the detention and confine-*
 20 *ment of juveniles” and inserting “Indian*
 21 *tribes that agree to attempt to comply with*
 22 *the core requirements applicable to the de-*
 23 *tention and confinement of juveniles”;*

24 *(D) in paragraph (7)—*

1 (i) in subparagraph (A), by striking
 2 “performs law enforcement functions” and
 3 inserting “has jurisdiction”; and

4 (ii) in subparagraph (B)—

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

7 (II) by striking clause (iv) and
 8 inserting the following:

9 “(iv) a plan to provide alternatives to
 10 detention for status offenders, juveniles who
 11 have been induced to perform commercial
 12 sex acts, and others, where appropriate,
 13 such as specialized or problem-solving
 14 courts or diversion to home-based or com-
 15 munity-based services or treatment for those
 16 youth in need of mental health, substance
 17 abuse, or co-occurring disorder services at
 18 the time such juveniles first come into con-
 19 tact with the juvenile justice system;

20 “(v) a plan to reduce the number of
 21 children housed in secure detention and cor-
 22 rections facilities who are awaiting place-
 23 ment in residential treatment programs;

24 “(vi) a plan to engage family members,
 25 where appropriate, in the design and deliv-

ery of juvenile delinquency prevention and treatment services, particularly post-placement;

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

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

“(ix) a plan to, within 1 year of the date of enactment of the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2015, eliminate the use of shackling of pregnant juveniles housed in secure detention and corrections facilities, covering at a minimum the third trimester, labor, delivery, and post-partum recovery;”;

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

(F) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by inserting “, with priority in funding given to entities meeting the cri-

1 *teria for evidence-based or promising pro-*
 2 *grams” after “used for”;*

3 *(ii) in subparagraph (A)(i), by insert-*
 4 *ing “status offenders and other” before*
 5 *“youth who need”;*

6 *(iii) in subparagraph (B)(i)—*

7 *(I) by striking “parents and other*
 8 *family members” and inserting “status*
 9 *offenders, other youth, and the parents*
 10 *and other family members of such of-*
 11 *fenders and youth”;* *and*

12 *(II) by striking “be retained” and*
 13 *inserting “remain”;*

14 *(iv) in subparagraph (E)—*

15 *(I) in the matter preceding clause*
 16 *(i), by striking “delinquent” and in-*
 17 *serting “at-risk or delinquent youth”;*
 18 *and*

19 *(II) in clause (i), by inserting “,*
 20 *including for truancy prevention and*
 21 *reduction” before the semicolon;*

22 *(v) by redesignating subparagraphs*
 23 *(G) through (S) as subparagraphs (H)*
 24 *through (T), respectively;*

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

5 (vii) by inserting after subparagraph
 6 (F), the following:

7 “(G) expanding access to publicly sup-
 8 ported, court-appointed legal counsel and en-
 9 hancing capacity for the competent representa-
 10 tion of every child, consistent with other Federal
 11 law;”;

12 (viii) in subparagraph (M), as so re-
 13 designated—

14 (I) in clause (i)—

15 (aa) by inserting “pre-adju-
 16 dication and” before “post-adju-
 17 dication”;

18 (bb) by striking “restraints”
 19 and inserting “alternatives”; and

20 (cc) by inserting “specialized
 21 or problem-solving courts,” after
 22 “(including”; and

23 (II) in clause (ii)—

24 (aa) by striking “by the pro-
 25 vision by the Administrator”; and

1 *(bb) by striking “to States”;*

2 *(ix) in subparagraph (N), as so redes-*

3 *ignated—*

4 *(I) by inserting “and reduce the*

5 *risk of recidivism” after “families”;*

6 *and*

7 *(II) by striking “so that juveniles*

8 *may be retained in their homes”;*

9 *(x) in subparagraph (S), as so redesign-*

10 *ated, by striking “and” at the end;*

11 *(xi) in subparagraph (T), as so redes-*

12 *ignated—*

13 *(I) by inserting “or co-occurring*

14 *disorder” after “mental health”;*

15 *(II) by inserting “court-involved*

16 *or” before “incarcerated”;*

17 *(III) by striking “suspected to*

18 *be”;*

19 *(IV) by striking “and discharge*

20 *plans” and inserting “provision of*

21 *treatment, and development of dis-*

22 *charge plans”; and*

23 *(V) by striking the period at the*

24 *end and inserting a semicolon; and*

1 *(xii) by inserting after subparagraph*
2 *(T) the following:*

3 *“(U) programs and projects designed to in-*
4 *form juveniles of the opportunity and process for*
5 *expunging juvenile records and to assist juveniles*
6 *in pursuing juvenile record expungements for*
7 *both adjudications and arrests not followed by*
8 *adjudications;*

9 *“(V) programs that address the needs of*
10 *girls in or at risk of entering the juvenile justice*
11 *system, including pregnant girls, young mothers,*
12 *survivors of commercial sexual exploitation or*
13 *domestic child sex trafficking, girls with disabil-*
14 *ities, and girls of color, including girls who are*
15 *members of an Indian tribe; and*

16 *“(W) monitoring for compliance with the*
17 *core requirements and providing training and*
18 *technical assistance on the core requirements to*
19 *secure facilities;”;*

20 *(G) in paragraph (11)(A)(ii), by inserting*
21 *“issued and reviewed in accordance with para-*
22 *graph (24)” after “valid court order”;*

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

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

4 (J) by striking paragraphs (22) and (27);

5 (K) by redesignating paragraphs (23)
6 through (26) as paragraphs (24) through (27),
7 respectively;

8 (L) by redesignating paragraphs (14)
9 through (21) as paragraphs (16) through (23),
10 respectively;

11 (M) by inserting after paragraph (13) the
12 following:

13 “(14) require that—

14 “(A) not later than 3 years after the date
15 of enactment of the Juvenile Justice and Delin-
16 quency Prevention Reauthorization Act of 2015,
17 unless a court finds, after a hearing and in writ-
18 ing, that it is in the interest of justice, juveniles
19 awaiting trial or other legal process who are
20 treated as adults for purposes of prosecution in
21 criminal court and housed in a secure facility—

22 “(i) shall not have sight or sound con-
23 tact with adult inmates; and

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

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

9 “(i) the age of the juvenile;

10 “(ii) the physical and mental maturity
11 of the juvenile;

12 “(iii) the present mental state of the
13 juvenile, including whether the juvenile pre-
14 sents an imminent risk of harm to the juve-
15 nile;

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

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

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

25 “(vii) any other relevant factor; and

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

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

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

19 “(15) implement policy, practice, and system
 20 improvement strategies at the State, territorial, local,
 21 and tribal levels, as applicable, to identify and reduce
 22 racial and ethnic disparities among youth who come
 23 into contact with the juvenile justice system, without
 24 establishing or requiring numerical standards or
 25 quotas, by—

1 “(A) establishing or designating existing co-
 2 ordinating bodies, composed of juvenile justice
 3 stakeholders, (including representatives of the
 4 educational system) at the State, local, or tribal
 5 levels, to advise efforts by States, units of local
 6 government, and Indian tribes to reduce racial
 7 and ethnic disparities;

8 “(B) identifying and analyzing key decision
 9 points in State, local, or tribal juvenile justice
 10 systems to determine which points create racial
 11 and ethnic disparities among youth who come
 12 into contact with the juvenile justice system; and

13 “(C) developing and implementing a work
 14 plan that includes measurable objectives for pol-
 15 icy, practice, or other system changes, based on
 16 the needs identified in the data collection and
 17 analysis under subparagraph (B);”;

18 (N) in paragraph (16), as so redesignated—

19 (i) by striking “adequate system” and
 20 inserting “effective system”;

21 (ii) by inserting “lock-ups,” after
 22 “monitoring jails,”;

23 (iii) by inserting “and” after “deten-
 24 tion facilities,”;

1 (iv) by striking “, and non-secure fa-
2 cilities”;

3 (v) by striking “insure” and inserting
4 “ensure”;

5 (vi) by striking “requirements of para-
6 graph (11),” and all that follows through
7 “monitoring to the Administrator” and in-
8 serting “core requirements are met, and for
9 annual reporting to the Administrator”;
10 and

11 (vii) by striking “, in the opinion of
12 the Administrator,”;

13 (O) in paragraph (17), as so redesignated,
14 by inserting “ethnicity,” after “race,”;

15 (P) in paragraph (24), as so redesignated—

16 (i) in subparagraphs (A), (B), and
17 (C), by striking “juvenile” each place it ap-
18 pears and inserting “status offender”;

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

21 (iii) in subparagraph (C)—

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

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

1 (III) by adding at the end the fol-
2 lowing:

3 “(iii) if such court determines the sta-
4 tus offender should be placed in a secure de-
5 tention facility or correctional facility for
6 violating such order—

7 “(I) the court shall issue a written
8 order that—

9 “(aa) identifies the valid
10 court order that has been violated;

11 “(bb) specifies the factual
12 basis for determining that there is
13 reasonable cause to believe that
14 the status offender has violated
15 such order;

16 “(cc) includes findings of fact
17 to support a determination that
18 there is no appropriate less re-
19 strictive alternative available to
20 placing the status offender in such
21 a facility, with due consideration
22 to the best interest of the juvenile;

23 “(dd) specifies the length of
24 time, not to exceed 7 days, that
25 the status offender may remain in

1 *a secure detention facility or cor-*
2 *rectional facility, and includes a*
3 *plan for the status offender's re-*
4 *lease from such facility; and*

5 *“(ee) may not be renewed or*
6 *extended; and*

7 *“(II) the court may not issue a*
8 *second or subsequent order described in*
9 *subclause (I) relating to a status of-*
10 *fender, unless the status offender vio-*
11 *lates a valid court order after the date*
12 *on which the court issues an order de-*
13 *scribed in subclause (I);”; and*

14 *(iv) by adding at the end the following:*

15 *“(D) there are procedures in place to ensure*
16 *that any status offender held in a secure deten-*
17 *tion facility or correctional facility pursuant to*
18 *a court order described in this paragraph does*
19 *not remain in custody longer than 7 days or the*
20 *length of time authorized by the court, whichever*
21 *is shorter; and*

22 *“(E) not later than 3 years after the date*
23 *of enactment of the Juvenile Justice and Delin-*
24 *quency Prevention Reauthorization Act of 2015,*
25 *the State will eliminate the use of valid court or-*

1 *ders to provide secure confinement of status of-*
 2 *fenders;”;*

3 *(Q) in paragraph (27), as so redesignated—*

4 *(i) by inserting “and in accordance*
 5 *with confidentiality concerns,” after “max-*
 6 *imum extent practicable,”; and*

7 *(ii) by striking the semicolon at the*
 8 *end and inserting the following: “, so as to*
 9 *provide for—*

10 *“(A) data in child abuse or neglect reports*
 11 *relating to juveniles entering the juvenile justice*
 12 *system with a prior reported history of arrest,*
 13 *court intake, probation and parole, juvenile de-*
 14 *tention, and corrections; and*

15 *“(B) a plan to use the data described in*
 16 *subparagraph (A) to provide necessary services*
 17 *for the treatment of such victims of child abuse*
 18 *or neglect;”;*

19 *(R) in paragraph (28), by striking the pe-*
 20 *riod at the end and inserting a semicolon; and*

21 *(S) by adding at the end the following:*

22 *“(29) provide for the coordinated use of funds*
 23 *provided under this Act with other Federal and State*
 24 *funds directed at juvenile delinquency prevention and*
 25 *intervention programs;*

1 “(30) describe the policies, procedures, and train-
 2 ing in effect for the staff of juvenile State correctional
 3 facilities to eliminate the use of dangerous practices,
 4 unreasonable restraints (such as the shackling of preg-
 5 nant juveniles during labor and delivery), and unrea-
 6 sonable isolation, including by developing effective be-
 7 havior management techniques;

8 “(31) describe—

9 “(A) the evidence-based methods that will be
 10 used to conduct mental health and substance
 11 abuse screening, assessment, referral, and treat-
 12 ment for juveniles who—

13 “(i) request a screening;

14 “(ii) show signs of needing a screening;

15 or

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

19 “(B) how the State will seek, to the extent
 20 practicable, to provide or arrange for mental
 21 health and substance abuse disorder treatment
 22 for juveniles determined to be in need of such
 23 treatment;

24 “(32) describe how reentry planning by the State
 25 for juveniles will include—

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

3 “(i) the pre-release and post-release
4 plans for the juveniles;

5 “(ii) the living arrangement to which
6 the juveniles are to be discharged; and

7 “(iii) any other plans developed for the
8 juveniles based on an individualized assess-
9 ment; and

10 “(B) review processes;

11 “(33) provide that the agency of the State receiv-
12 ing funds under this Act collaborate with the State
13 educational agency receiving assistance under part A
14 of title I of the Elementary and Secondary Education
15 Act of 1965 (20 U.S.C. 6311 et seq.) to develop and
16 implement a plan to ensure that, in order to support
17 educational progress—

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

1 “(B) the credits of adjudicated juveniles are
2 transferred; and

3 “(C) adjudicated juveniles receive full or
4 partial credit toward high school graduation for
5 secondary school coursework satisfactorily com-
6 pleted before and during the period of time dur-
7 ing which the juveniles are held in custody, re-
8 gardless of the local educational agency or entity
9 from which the credits were earned; and

10 “(34) describe policies and procedures to—

11 “(A) screen for, identify, and document in
12 records of the State the identification of victims
13 of domestic human trafficking, or those at risk of
14 such trafficking, upon intake; and

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

18 (2) in subsection (d)—

19 (A) by striking “described in paragraphs
20 (11), (12), (13), and (22) of subsection (a)” and
21 inserting “described in the core requirements”;
22 and

23 (B) by striking “the requirements under
24 paragraphs (11), (12), (13), and (22) of sub-

1 *section (a)” and inserting “the core require-*
 2 *ments”;*

3 *(3) in subsection (f)(2)—*

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

5 *(B) by redesignating subparagraphs (B)*
 6 *through (E) and subparagraphs (A) through (D),*
 7 *respectively; and*

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

9 “(g) *COMPLIANCE DETERMINATION.—*

10 “(1) *IN GENERAL.—For each fiscal year, the Ad-*
 11 *ministrator shall make a determination regarding*
 12 *whether each State receiving a grant under this Act*
 13 *is in compliance or out of compliance with respect to*
 14 *each of the core requirements.*

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

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

17 “(i) *describing any determination de-*
 18 *scribed in paragraph (1) made during the*
 19 *previous year, including a summary of the*
 20 *information on which the determination is*
 21 *based and the actions to be taken by the Ad-*
 22 *ministrator (including a description of any*
 23 *reduction imposed under subsection (c));*
 24 *and*

1 “(ii) for any such determination that a
 2 State is out of compliance with any of the
 3 core requirements, describing the basis for
 4 the determination; and

5 “(B) make the report described in subpara-
 6 graph (A) available on a publicly available
 7 website.

8 “(3) DETERMINATIONS REQUIRED.—The Admin-
 9 istrator may not determine that a State is not out of
 10 compliance, or issue any other determination not de-
 11 scribed in paragraph (1), with respect to any core re-
 12 quirement, or otherwise fail to make the compliance
 13 determinations required under paragraph (1).”.

14 **SEC. 206. REALLOCATION OF GRANT FUNDS.**

15 Section 223(c) of the Juvenile Justice and Delinquency
 16 Prevention Act of 1974 (42 U.S.C. 5633(c)) is amended to
 17 read as follows:

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

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

1 “(B) the State shall be ineligible to receive any
2 allocation under such section for such fiscal year un-
3 less—

4 “(i) the State agrees to expend 50 percent of
5 the amount allocated to the State for such fiscal
6 year to achieve compliance with any such para-
7 graph with respect to which the State is in non-
8 compliance; or

9 “(ii) the Administrator determines that the
10 State—

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

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

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

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

1 “(B) 50 percent of the unallocated funds shall be
 2 used by the Administrator to provide additional
 3 training and technical assistance to States for the
 4 purpose of promoting compliance with the core re-
 5 quirements.”.

6 **SEC. 207. AUTHORITY TO MAKE GRANTS.**

7 Section 241(a) of the Juvenile Justice and Delin-
 8 quency Prevention Act of 1974 (42 U.S.C. 5651(a)) is
 9 amended—

10 (1) in paragraph (1), by inserting “status of-
 11 fenders,” before “juvenile offenders, and juveniles”;

12 (2) in paragraph (2)(A), by inserting before the
 13 semicolon at the end the following: “, including for
 14 truancy prevention and reduction and social and
 15 independent living skills development”;

16 (3) in paragraph (5), by striking “juvenile of-
 17 fenders and juveniles” and inserting “status offenders,
 18 juvenile offenders, and juveniles”; and

19 (4) in paragraph (10), by inserting “, including
 20 juveniles with disabilities” before the semicolon.

21 **SEC. 208. ELIGIBILITY OF STATES.**

22 Section 243(a)(1)(A) of the Juvenile Justice and De-
 23 linquency Prevention Act of 1974 (42 U.S.C.
 24 5653(a)(1)(A)) is amended by striking “5” and inserting
 25 “10”.

1 **SEC. 209. GRANTS TO INDIAN TRIBES.**

2 (a) *IN GENERAL.*—Section 246(a)(2) of the *Juvenile*
 3 *Justice and Delinquency Prevention Act of 1974* (42 U.S.C.
 4 5656(a)(2)) is amended—

5 (1) by striking subparagraph (A);

6 (2) by redesignating subparagraphs (B) through
 7 (E) as subparagraphs (A) through (D), respectively;
 8 and

9 (3) in subparagraph (B)(ii), as redesignated, by
 10 striking “subparagraph (B)” and inserting “subpara-
 11 graph (A)”.

12 (b) *TECHNICAL AND CONFORMING AMENDMENT.*—Sec-
 13 tion 223(a)(7)(A) of the *Juvenile Justice and Delinquency*
 14 *Prevention Act of 1974* (42 U.S.C. 5633(a)(7)(A)) is
 15 amended by striking “(including any geographical area in
 16 which an Indian tribe performs law enforcement func-
 17 tions)” and inserting “(including any geographical area of
 18 which an Indian tribe has jurisdiction)”.

19 **SEC. 210. RESEARCH AND EVALUATION; STATISTICAL ANAL-**
 20 **YSES; INFORMATION DISSEMINATION.**

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

23 (1) in subsection (a)—

24 (A) in paragraph (1)—

1 (i) in the matter proceeding subpara-
2 graph (A), by striking “may” and inserting
3 “shall”;

4 (ii) in subparagraph (A), by striking
5 “plan and identify” and inserting “annu-
6 ally publish a plan to identify”; and

7 (iii) in subparagraph (B)—

8 (I) by striking clause (iii) and in-
9 serting the following:

10 “(iii) successful efforts to prevent sta-
11 tus offenders and first-time minor offenders
12 from subsequent involvement with the juve-
13 nile justice and criminal justice systems;”;

14 (II) by striking clause (vii) and
15 inserting the following:

16 “(vii) the prevalence and duration of
17 behavioral health needs (including mental
18 health, substance abuse, and co-occurring
19 disorders) among juveniles pre-placement
20 and post-placement when held in the cus-
21 tody of secure detention and corrections fa-
22 cilities, including an examination of the ef-
23 fects of confinement;”;

1 (III) by redesignating clauses (ix),
2 (x), and (xi) as clauses (xv), (xvi), and
3 (xvii), respectively; and

4 (IV) by inserting after clause
5 (viii) the following:

6 “(ix) training efforts and reforms that
7 have produced reductions in or elimination
8 of the use of dangerous practices;

9 “(x) methods to improve the recruit-
10 ment, selection, training, and retention of
11 professional personnel who are focused on
12 the prevention, identification, and treat-
13 ment of delinquency;

14 “(xi) methods to improve the identi-
15 fication and response to victims of domestic
16 child sex trafficking within the juvenile jus-
17 tice system;

18 “(xii) identifying positive outcome
19 measures, such as attainment of employ-
20 ment and educational degrees, that States
21 and units of local government should use to
22 evaluate the success of programs aimed at
23 reducing recidivism of youth who have come
24 in contact with the juvenile justice system
25 or criminal justice system;

1 “(xiii) evaluating the impact and out-
2 comes of the prosecution and sentencing of
3 juveniles as adults;

4 “(xiv) successful and cost-effective ef-
5 forts by States and units of local govern-
6 ment to reduce recidivism through policies
7 that provide for consideration of appro-
8 priate alternative sanctions to incarceration
9 of youth facing nonviolent charges, while
10 ensuring that public safety is preserved;”;
11 and

12 (B) in paragraph (4)—

13 (i) in the matter preceding subpara-
14 graph (A), by striking “date of enactment of
15 this paragraph, the” and inserting “date of
16 enactment of the Juvenile Justice and De-
17 linquency Prevention Reauthorization Act
18 of 2015, the”;

19 (ii) in subparagraph (F), by striking
20 “and” at the end;

21 (iii) in subparagraph (G), by striking
22 the period at the end and inserting a semi-
23 colon; and

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

1 “(H) a description of the best practices in
2 discharge planning; and

3 “(I) an assessment of living arrangements
4 for juveniles who, upon release from confinement
5 in a State correctional facility, cannot return to
6 the residence they occupied prior to such confine-
7 ment.”;

8 (2) in subsection (b), in the matter preceding
9 paragraph (1), by striking “may” and inserting
10 “shall”; and

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

12 “(f) *NATIONAL RECIDIVISM MEASURE.*—*The Adminis-*
13 *trator, in consultation with experts in the field of juvenile*
14 *justice research, recidivism, and data collection, shall—*

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

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

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

22 **SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.**

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

25 (1) in subsection (a)—

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

3 (B) in paragraph (1)—

4 (i) by inserting “shall” before “develop
5 and carry out projects”; and

6 (ii) by striking “and” after the semi-
7 colon;

8 (C) in paragraph (2)—

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

11 (ii) by striking the period and insert-
12 ing “; and”; and

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

14 “(3) shall provide periodic training for States
15 regarding implementation of the core requirements,
16 current protocols and best practices for achieving and
17 monitoring compliance, and information sharing re-
18 garding relevant Office resources on evidence-based
19 and promising programs or practices that promote
20 the purposes of this Act.”;

21 (2) in subsection (b)—

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

24 (B) in paragraph (1)—

1 (i) by inserting “shall” before “develop
2 and implement projects”;

3 (ii) by inserting “, including compli-
4 ance with the core requirements” after “this
5 title”; and

6 (iii) by striking “and” at the end;

7 (C) in paragraph (2)—

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

10 (ii) by striking the period at the end
11 and inserting “; and”; and

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

13 “(3) shall provide technical assistance to States
14 and units of local government on achieving compli-
15 ance with the amendments to the core requirements
16 and State Plans made by the Juvenile Justice and
17 Delinquency Prevention Reauthorization Act of 2015,
18 including training and technical assistance and,
19 when appropriate, pilot or demonstration projects in-
20 tended to develop and replicate best practices for
21 achieving sight and sound separation in facilities or
22 portions of facilities that are open and available to
23 the general public and that may or may not contain
24 a jail or a lock-up; and

1 “(4) shall provide technical assistance to States
 2 in support of efforts to establish partnerships between
 3 a State and a university, institution of higher edu-
 4 cation, or research center designed to improve the re-
 5 cruitment, selection, training, and retention of profes-
 6 sional personnel in the fields of medicine, law enforce-
 7 ment, the judiciary, juvenile justice, social work and
 8 child protection, education, and other relevant fields
 9 who are engaged in, or intend to work in, the field
 10 of prevention, identification, and treatment of delin-
 11 quency.”;

12 (3) in subsection (c)—

13 (A) by inserting “prosecutors,” after “public
 14 defenders,”; and

15 (B) by inserting “status offenders and”
 16 after “needs of”; and

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

18 “(d) *TECHNICAL ASSISTANCE TO STATES REGARDING*
 19 *LEGAL REPRESENTATION OF CHILDREN.—In consultation*
 20 *with experts in the field of juvenile defense, the Adminis-*
 21 *trator shall—*

22 “(1) develop and issue standards of practice for
 23 attorneys representing children; and

24 “(2) ensure that the standards issued under
 25 paragraph (1) are adapted for use in States.

1 “(e) *TRAINING AND TECHNICAL ASSISTANCE FOR*
 2 *LOCAL AND STATE JUVENILE DETENTION AND CORREC-*
 3 *TIONS PERSONNEL.—The Administrator shall coordinate*
 4 *training and technical assistance programs with juvenile*
 5 *detention and corrections personnel of States and units of*
 6 *local government to—*

7 “(1) *promote methods for improving conditions*
 8 *of juvenile confinement, including methods that are*
 9 *designed to minimize the use of dangerous practices,*
 10 *unreasonable restraints, and isolation; and*

11 “(2) *encourage alternative behavior management*
 12 *techniques based on positive youth development ap-*
 13 *proaches.*

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

24 “(1) *juvenile justice intake personnel;*

25 “(2) *probation officers;*

1 “(3) juvenile court judges and court services per-
2 sonnel;

3 “(4) prosecutors and court-appointed counsel;
4 and

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

7 “(g) *GRANTS FOR JUVENILE COURT JUDGES AND PER-*
8 *SONNEL.—The Attorney General, acting through the Office*
9 *of Juvenile Justice and Delinquency Prevention and the Of-*
10 *fice of Justice Programs, shall make grants to improve*
11 *training, education, technical assistance, evaluation, and*
12 *research to enhance the capacity of State and local courts,*
13 *judges, and related judicial personnel to—*

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

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

18 “(h) *FREE AND REDUCED PRICE SCHOOL LUNCHESES*
19 *FOR INCARCERATED JUVENILES.—The Attorney General, in*
20 *consultation with the Secretary of Agriculture, shall provide*
21 *guidance to States relating to existing options for school*
22 *food authorities in the States to apply for reimbursement*
23 *for free or reduced price lunches under the Richard B. Rus-*
24 *sell National School Lunch Act (42 U.S.C. 1751 et seq.) for*
25 *juveniles who are incarcerated and would, if not incarcer-*

1 ated, be eligible for free or reduced price lunches under that
2 Act.”.

3 **SEC. 212. ADMINISTRATIVE AUTHORITY.**

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

6 (1) in subsection (d)—

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

10 (B) by inserting “guidance,” after “regula-
11 tions,”; and

12 (C) by adding at the end the following: “In
13 developing guidance and procedures, the Admin-
14 istrator shall consult with representatives of
15 States and units of local government, including
16 those individuals responsible for administration
17 of this Act and compliance with the core require-
18 ments.”; and

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

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

4 **SEC. 301. DEFINITIONS.**

5 *Section 502 of the Incentive Grants for Local Delin-*
 6 *quency Prevention Programs Act of 2002 (42 U.S.C. 5781)*
 7 *is amended—*

8 *(1) in the section heading, by striking “DEFINI-*
 9 *TION” and inserting “DEFINITIONS”; and*

10 *(2) by striking “this title, the term” and insert-*
 11 *ing the following: “this title—*

12 *“(1) the term ‘mentoring’ means matching 1*
 13 *adult with 1 or more youths for the purpose of pro-*
 14 *viding guidance, support, and encouragement through*
 15 *regularly scheduled meetings for not less than 9*
 16 *months; and*

17 *“(2) the term”.*

18 **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**
 19 **GRAMS.**

20 *Section 504(a) of the Incentive Grants for Local Delin-*
 21 *quency Prevention Programs Act of 2002 (42 U.S.C.*
 22 *5783(a)) is amended—*

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

1 (2) *in paragraph (8), by striking the period at*
 2 *the end and inserting “; and”; and*

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

4 “(9) *mentoring, parent training and support, or*
 5 *in-home family services programs, if such programs*
 6 *are evidence-based or promising.”.*

7 **SEC. 303. TECHNICAL AND CONFORMING AMENDMENT.**

8 *The Juvenile Justice and Delinquency Prevention Act*
 9 *of 1974 is amended by striking title V, as added by the*
 10 *Juvenile Justice and Delinquency Prevention Act of 1974*
 11 *(Public Law 93–415; 88 Stat. 1133) (relating to miscella-*
 12 *neous and conforming amendments).*

13 **TITLE IV—MISCELLANEOUS**
 14 **PROVISIONS**

15 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
 16 **OFFICE.**

17 (a) *EVALUATION.*—*Not later than 1 year after the date*
 18 *of enactment of this Act, and not less often than once every*
 19 *3 years thereafter, the Comptroller General of the United*
 20 *States shall—*

21 (1) *conduct a comprehensive analysis and eval-*
 22 *uation regarding the performance of the Office of Ju-*
 23 *venile Justice and Delinquency Prevention (referred*
 24 *to in this section as “the agency”), its functions, its*
 25 *programs, and its grants;*

1 (2) *conduct a comprehensive audit and evalua-*
 2 *tion of a selected, statistically significant sample of*
 3 *grantees (as determined by the Comptroller General)*
 4 *that receive Federal funds under grant programs ad-*
 5 *ministered by the agency including a review of inter-*
 6 *nal controls (as defined in section 103 of the Juvenile*
 7 *Justice and Delinquency Prevention Act of 1974 (42*
 8 *U.S.C. 5603), as amended by this Act) to prevent*
 9 *fraud, waste, and abuse of funds by grantees; and*

10 (3) *submit a report in accordance with sub-*
 11 *section (d).*

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

21 (1) *the outcome and results of the programs car-*
 22 *ried out by the agency and those programs adminis-*
 23 *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), together with supporting*
 14 *materials, to the Speaker of the House of Rep-*
 15 *resentatives and the President pro tempore of the*
 16 *Senate; and*

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

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

1 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

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—AUTHORIZATION OF**
 6 **APPROPRIATIONS; ACCOUNT-**
 7 **ABILITY AND OVERSIGHT**

8 **“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

9 “(a) *IN GENERAL.*—*There are authorized to be appro-*
 10 *priated to carry out this Act—*

11 “(1) \$160,000,000 for fiscal year 2016;

12 “(2) \$163,200,000 for fiscal year 2017;

13 “(3) \$166,464,000 for fiscal year 2018;

14 “(4) \$169,793,000 for fiscal year 2019; and

15 “(5) \$173,190,000 for fiscal year 2020.

16 “(b) *MENTORING PROGRAMS.*—*Not more than 20 per-*
 17 *cent of the amount authorized to be appropriated under sub-*
 18 *section (a) for a fiscal year may be used for mentoring pro-*
 19 *grams.”.*

20 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

21 *The Juvenile Justice and Delinquency Prevention Act of*
 22 *1974 is amended by striking—*

23 (1) *section 299 (42 U.S.C. 5671);*

24 (2) *section 388 (42 U.S.C. 5751);*

25 (3) *section 408 (42 U.S.C. 5777); and*

26 (4) *section 505 (42 U.S.C. 5784).*

1 **SEC. 403. ACCOUNTABILITY AND OVERSIGHT.**

2 (a) *IN GENERAL.*—*Title VI of the Juvenile Justice and*
3 *Delinquency Prevention Act of 1974, as added by this Act,*
4 *is amended by adding at the end the following:*

5 **“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.**

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

11 “(1) *the Department of Justice, through its Of-*
12 *fice of Juvenile Justice and Delinquency Prevention,*
13 *must restore meaningful enforcement of the core re-*
14 *quirements in this Act;*

15 “(2) *the Attorney General should, not later than*
16 *90 days after the date of enactment of this Act, issue*
17 *a proposed rule to update existing Federal regulations*
18 *used to make State compliance determinations and*
19 *provide participating States with technical assistance*
20 *to develop more effective and comprehensive data col-*
21 *lection systems; and*

22 “(3) *States, which are entrusted with a fiscal*
23 *stewardship role if they accept funds under this Act,*
24 *must exercise vigilant oversight to ensure full compli-*
25 *ance with the core requirements for juveniles provided*
26 *for in this Act.*

1 “(b) *ACCOUNTABILITY.*—

2 “(1) *AGENCY PROGRAM REVIEW.*—

3 “(A) *PROGRAMMATIC AND FINANCIAL AS-*
4 *SESSMENT.*—

5 “(i) *IN GENERAL.*—*Not later than 60*
6 *days after the date of enactment of this sec-*
7 *tion, the Director of the Office of Audit, As-*
8 *essment, and Management of the Office of*
9 *Justice Programs at the Department of Jus-*
10 *tice (referred to in this section as the ‘Direc-*
11 *tor’) shall—*

12 “(I) *conduct a comprehensive*
13 *analysis and evaluation of the internal*
14 *controls of the Office of Juvenile Jus-*
15 *tice and Delinquency Prevention (re-*
16 *ferred to in this section as the ‘agency’)*
17 *to determine if State and Indian tribes*
18 *receiving grants are following the re-*
19 *quirements of the agency grant pro-*
20 *grams and what remedial action the*
21 *agency has taken to recover any grant*
22 *funds that are expended in violation of*
23 *grant programs, including instances*
24 *where—*

1 “(aa) supporting documenta-
2 tion was not provided for cost re-
3 ports;

4 “(bb) unauthorized expendi-
5 tures occurred; and

6 “(cc) subrecipients of grant
7 funds were not compliance with
8 program requirements;

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

18 “(III) submit a report in accord-
19 ance with clause (iv).

20 “(ii) CONSIDERATIONS FOR EVALUA-
21 TIONS.—In conducting the analysis and
22 evaluation under clause (i)(I), and in order
23 to document the efficiency and public ben-
24 efit of this Act, excluding the Runaway and
25 Homeless Youth Act and the Missing Chil-

1 *dren's Assistance Act, the Director shall*
 2 *take into consideration the extent to*
 3 *which—*

4 *“(I) greater oversight is needed of*
 5 *programs developed with grants made*
 6 *by the agency;*

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

12 *“(III) the agency has imple-*
 13 *mented recommendations issued by the*
 14 *Comptroller General or Office of In-*
 15 *pector General relating to the grant*
 16 *making and grant monitoring respon-*
 17 *sibilities of the agency.*

18 *“(iii) CONSIDERATIONS FOR AUDITS.—*
 19 *In conducting the audit and evaluation*
 20 *under clause (i)(II), and in order to docu-*
 21 *ment the efficiency and public benefit of this*
 22 *Act, excluding the Runaway and Homeless*
 23 *Youth Act and the Missing Children's As-*
 24 *sistance Act, the Director shall take into*
 25 *consideration—*

1 “(I) whether grantees timely file
2 *Financial Status Reports*;

3 “(II) whether grantees have suffi-
4 cient internal controls to ensure ade-
5 quate oversight of grant funds received;

6 “(III) whether grantees’ assertions
7 of compliance with the core require-
8 ments were accompanied with adequate
9 supporting documentation;

10 “(IV) whether expenditures were
11 authorized;

12 “(V) whether subrecipients of
13 grant funds were complying with pro-
14 gram requirements; and

15 “(VI) whether grant funds were
16 spent in accordance with the program
17 goals and guidelines.

18 “(iv) *REPORT.*—The Director shall
19 submit to Congress a report outlining the
20 results of the analysis, evaluation, and
21 audit conducted under clause (i), including
22 supporting materials, to the Speaker of the
23 House of Representatives and the President
24 pro tempore of the Senate and shall make
25 such report available to the public online,

1 *not later than 1 year after the date of enact-*
 2 *ment of this section.*

3 *“(B) ANALYSIS OF INTERNAL CONTROLS.—*

4 *“(i) IN GENERAL.—Not later than 30*
 5 *days after the date of enactment of this sec-*
 6 *tion, the Administrator shall initiate a*
 7 *comprehensive analysis and evaluation of*
 8 *the internal controls of the agency to deter-*
 9 *mine whether, and to what extent, States*
 10 *and Indian tribes that receive grants under*
 11 *this Act are following the requirements of*
 12 *the grant programs authorized under this*
 13 *Act.*

14 *“(ii) REPORT.—Not later than 180*
 15 *days after the date of enactment of this sec-*
 16 *tion, the Administrator shall submit to Con-*
 17 *gress a report containing—*

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-*

tion of law, regulations, or program requirements issued under this Act; and

“(III) a description of—

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

“(bb) whether the funds awarded under this Act have been used in accordance with law, regulations, program guidance, and applicable plans; and

“(cc) the extent to which funds awarded to States and Indian tribes under this Act enhanced the ability of grantees to fulfill the core requirements.

“(C) *REPORT BY THE ATTORNEY GENERAL.*—Not later than 180 days after the date of enactment of this section, the Attorney General shall submit to the appropriate committees of Congress a report on the estimated amount of grant funds disbursed by the agency since fiscal year 2010 that did not meet the requirements for awards of formula grants to States under this Act.

1 “(2) *OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.*—

2

3 “(A) *IN GENERAL.*—*In order to ensure the*

4 *effective and appropriate use of grants adminis-*

5 *tered under this Act and to prevent waste, fraud,*

6 *and abuse of funds by grantees, the Inspector*

7 *General of the Department of Justice each year*

8 *shall periodically conduct audits of States and*

9 *Indian tribes that receive grants under this Act.*

10 “(B) *DETERMINING SAMPLES.*—*The sample*

11 *selected for audits under subparagraph (A) shall*

12 *be—*

13 “(i) *of an appropriate size to—*

14 “(I) *assess the grant programs au-*

15 *thorized under this Act; and*

16 “(II) *act as a deterrent to finan-*

17 *cial mismanagement; and*

18 “(ii) *selected based on—*

19 “(I) *the size of the grants awarded*

20 *to the recipient;*

21 “(II) *the past grant management*

22 *performance of the recipient;*

23 “(III) *concerns identified by the*

24 *Administrator, including referrals*

25 *from the Administrator; and*

1 “(IV) *such other factors as deter-*
2 *mined by the Inspector General of the*
3 *Department of Justice.*

4 “(C) *PUBLIC AVAILABILITY ON WEBSITE.—*
5 *The Attorney General shall make the summary of*
6 *each review conducted under this section avail-*
7 *able on the website of the Department of Justice,*
8 *subject to redaction as the Attorney General de-*
9 *termines necessary to protect classified and other*
10 *sensitive information.*

11 “(D) *MANDATORY EXCLUSION.—A recipient*
12 *of grant funds under this Act that is found to*
13 *have an unresolved audit finding shall not be eli-*
14 *gible to receive grant funds under this Act dur-*
15 *ing the first 2 fiscal years beginning after the*
16 *12-month period beginning on the date on which*
17 *the audit report is issued.*

18 “(E) *PRIORITY.—In awarding grants under*
19 *this Act, the Administrator shall give priority to*
20 *a State or Indian tribe that did not have an un-*
21 *resolved audit finding during the 3 fiscal years*
22 *prior to the date on which the eligible entity sub-*
23 *mits an application for a grant under this Act.*

24 “(F) *REIMBURSEMENT.—If a State or In-*
25 *dian tribe is awarded grant funds under this Act*

1 *during the 2-fiscal-year period in which the enti-*
 2 *ty is barred from receiving grants under sub-*
 3 *paragraph (I), the Attorney General shall—*

4 “(i) *deposit an amount equal to the*
 5 *amount of the grant funds that were im-*
 6 *properly awarded to the grantee into the*
 7 *General Fund of the Treasury; and*

8 “(ii) *seek to recoup the costs of the re-*
 9 *payment to the General Fund under clause*
 10 *(i) from the grantee that was erroneously*
 11 *awarded grant funds.*

12 “(G) *DEFINITION.—In this paragraph, the*
 13 *term ‘unresolved audit finding’ means a finding*
 14 *in the final audit report of the Inspector Gen-*
 15 *eral—*

16 “(i) *that the audited State or Indian*
 17 *tribe has used grant funds for an unauthor-*
 18 *ized expenditure or otherwise unallowable*
 19 *cost; and*

20 “(ii) *that is not closed or resolved dur-*
 21 *ing the 12-month period beginning on the*
 22 *date on which the final audit report is*
 23 *issued.*

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

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

8 “(B) *PROHIBITION.*—*The Administrator*
9 *may not award a grant under any grant pro-*
10 *gram described in this Act to a nonprofit organi-*
11 *zation that holds money in offshore accounts for*
12 *the purpose of avoiding paying the tax described*
13 *in section 511(a) of the Internal Revenue Code*
14 *of 1986.*

15 “(C) *DISCLOSURE.*—

16 “(i) *IN GENERAL.*—*Each nonprofit or-*
17 *ganization that is awarded a grant under a*
18 *grant program described in this Act and*
19 *uses the procedures prescribed in regulations*
20 *to create a rebuttable presumption of rea-*
21 *sonableness for the compensation of its offi-*
22 *cers, directors, trustees, and key employees,*
23 *shall disclose to the Administrator, in the*
24 *application for the grant, the process for de-*
25 *termining such compensation, including—*

1 “(I) the independent persons in-
 2 volved in reviewing and approving
 3 such compensation;

4 “(II) the comparability data used;
 5 and

6 “(III) contemporaneous substan-
 7 tiation of the deliberation and decision.

8 “(ii) *PUBLIC INSPECTION UPON RE-*
 9 *QUEST.*—Upon request, the Administrator
 10 shall make the information disclosed under
 11 clause (i) available for public inspection.

12 “(4) *CONFERENCE EXPENDITURES.*—

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

1 *written authorization that the funds may be ex-*
 2 *pend to host a conference.*

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

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

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

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

20 “(i) *lobby any representative of the De-*
 21 *partment of Justice regarding the award of*
 22 *grant funding; or*

23 “(ii) *lobby any representative of a Fed-*
 24 *eral, State, local, or tribal government re-*
 25 *garding the award of grant funding.*

1 “(B) *PENALTY.*—*If the Attorney General*
 2 *determines that any recipient of a grant made*
 3 *using amounts authorized to be appropriated*
 4 *under this Act has violated subparagraph (A),*
 5 *the Attorney General shall—*

6 “(i) *require the grant recipient to*
 7 *repay the grant in full; and*

8 “(ii) *prohibit the grant recipient from*
 9 *receiving another grant under this Act for*
 10 *not less than 5 years.*

11 “(6) *ANNUAL CERTIFICATION.*—*Beginning in the*
 12 *first fiscal year beginning after the date of enactment*
 13 *of this section, the Attorney General shall submit, to*
 14 *the Committee on the Judiciary and the Committee*
 15 *on Appropriations of the Senate and the Committee*
 16 *on the Judiciary and the Committee on Appropria-*
 17 *tions of the House of Representatives, an annual cer-*
 18 *tification that—*

19 “(A) *all audits issued by the Office of the*
 20 *Inspector General of the Department of Justice*
 21 *under paragraph (2) have been completed and*
 22 *reviewed by the appropriate Assistant Attorney*
 23 *General or Director;*

24 “(B) *all mandatory exclusions required*
 25 *under paragraph (2)(I) have been issued;*

1 “(C) all reimbursements required under
2 paragraph (2)(K)(i) have been made; and

3 “(D) includes a list of any grant recipients
4 excluded under paragraph (2)(I) during the pre-
5 ceding fiscal year.”.

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

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

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

14 (3) *SAVINGS CLAUSE.*—*In the case of an entity*
15 *that is barred from receiving grant funds under para-*
16 *graph (2) or (7)(B)(ii) of section 407 of the Juvenile*
17 *Justice and Delinquency Prevention Act of 1974 (42*
18 *U.S.C. 5776a), the amendment made by paragraph*
19 *(1) of this subsection shall not affect the applicability*
20 *to the entity, or to the Attorney General with respect*
21 *to the entity, of paragraph (2), (3), or (7) of such sec-*
22 *tion 407, as in effect on the day before the effective*
23 *date under paragraph (2) of this subsection.*

1 **TITLE V—JUVENILE ACCOUNT-**
 2 **ABILITY BLOCK GRANTS**

3 **SEC. 501. GRANT ELIGIBILITY.**

4 *Section 1802(a) of title I of the Omnibus Crime Con-*
 5 *trol and Safe Streets Act of 1968 (42 U.S.C. 3796ee–2(a))*
 6 *is amended—*

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

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

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

12 *“(3) assurances that the State agrees to comply*
 13 *with the core requirements, as defined in section 103*
 14 *of the Juvenile Justice and Delinquency Prevention*
 15 *Act of 1974 (42 U.S.C. 5603), applicable to the deten-*
 16 *tion and confinement of juveniles.”.*

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114TH CONGRESS
1ST Session

S. 1169

[Report No. 114-181]

A BILL

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

DECEMBER 15, 2015

Reported with an amendment