

***In the Senate of the United States,***

*December 11, 2018.*

*Resolved*, That the bill from the House of Representatives (H.R. 6964) entitled “An Act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.”, do pass with the following

**AMENDMENT:**

1       Strike all after the enacting clause and insert the fol-  
2       lowing:

3       ***SECTION 1. SHORT TITLE.***

4       *This Act may be cited as the “Juvenile Justice Reform*  
5       *Act of 2018”.*

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

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

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

*Sec. 3. Application of amendments.*

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

*Sec. 101. Purposes.*

*Sec. 102. Definitions.*

*TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND  
DELINQUENCY PREVENTION PROGRAM*

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

*TITLE III—INCENTIVE GRANTS FOR PRISON REDUCTION THROUGH  
OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND  
EDUCATION*

- Sec. 301. Short Title.*  
*Sec. 302. Definitions.*  
*Sec. 303. Duties and functions of the administrator.*  
*Sec. 304. Grants for delinquency prevention programs.*  
*Sec. 305. Grants for tribal delinquency prevention and response programs.*  
*Sec. 306. Evaluation by Government Accountability Office.*  
*Sec. 307. Technical amendment.*

*TITLE IV—MISCELLANEOUS PROVISIONS*

- Sec. 401. Evaluation by Government Accountability Office.*  
*Sec. 402. Authorization of appropriations; accountability and oversight.*

**1 SEC. 3. APPLICATION OF AMENDMENTS.**

2       *The amendments made by this Act shall not apply*  
 3 *with respect to funds appropriated for any fiscal year that*  
 4 *begins before the date of the enactment of this Act.*

5       ***TITLE I—DECLARATION OF***  
 6       ***PURPOSE AND DEFINITIONS***

7 ***SEC. 101. PURPOSES.***

8       *Section 102 of the Juvenile Justice and Delinquency*  
 9 *Prevention Act of 1974 (34 U.S.C. 11102) is amended—*  
 10           (1) *in paragraph (1), by inserting “, tribal,”*  
 11       *after “State”;*  
 12           (2) *in paragraph (2)—*

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

2           and

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

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

6           “(3) to assist State, tribal, and local govern-  
7           ments in addressing juvenile crime through the provi-  
8           sion of technical assistance, research, training, eval-  
9           uation, and the dissemination of current and relevant  
10          information on effective and evidence-based programs  
11          and practices for combating juvenile delinquency;  
12          and”;

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

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

23   **SEC. 102. DEFINITIONS.**

24          Section 103 of the *Juvenile Justice and Delinquency*  
25   *Prevention Act of 1974* (34 U.S.C. 11103) is amended—

1           (1) *in paragraph (8)—*

2                   (A) *in subparagraph (B)(ii), by adding*

3                   “or” *at the end;*

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

5                   (C) *by redesignating subparagraph (D) as*

6                   *subparagraph (C);*

7           (2) *in paragraph (18)—*

8                   (A) *by inserting “for purposes of title II,”*

9                   *before “the term”; and*

10                  (B) *by adding at the end the following:*

11                  “*that has a law enforcement function, as determined*

12                  *by the Secretary of the Interior in consultation with*

13                  *the Attorney General;”;*

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

15                  *lows:*

16                  “*(22) the term ‘jail or lockup for adults’ means*

17                  *a secure facility that is used by a State, unit of local*

18                  *government, or law enforcement authority to detain*

19                  *or confine adult inmates;”;*

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

21                  *lows:*

22                  “*(25) the term ‘sight or sound contact’ means*

23                  *any physical, clear visual, or verbal contact that is*

24                  *not brief and inadvertent;”;*

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

3           “(26) the term ‘adult inmate’—

4                 “(A) means an individual who—

5                         “(i) has reached the age of full crimi-  
6                         nal responsibility under applicable State  
7                         law; and

8                         “(ii) has been arrested and is in cus-  
9                         tody for or awaiting trial on a criminal  
10                         charge, or is convicted of a criminal offense;  
11                         and

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

13                         “(i) at the time of the offense, was  
14                         younger than the maximum age at which a  
15                         youth can be held in a juvenile facility  
16                         under applicable State law; and

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

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

1           (7) *in paragraph (29), by striking the period at*  
2 *the end and inserting a semicolon; and*

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

4           “(30) *the term ‘core requirements’—*

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

8                 “(B) *does not include the data collection re-*  
9 *quirements described in subparagraphs (A)*  
10 *through (K) of section 207(1);*

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

15           “(32) *the term ‘isolation’—*

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

19                 “(B) *does not include—*

20                         “(i) *confinement during regularly*  
21 *scheduled sleeping hours;*

22                         “(ii) *separation based on a treatment*  
23 *program approved by a licensed medical or*  
24 *mental health professional;*

1                   “(iii) confinement or separation that is  
2                   requested by the youth; or

3                   “(iv) the separation of the youth from  
4                   a group in a nonlocked setting for the lim-  
5                   ited purpose of calming;

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

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

11                  “(A) is demonstrated to be effective when  
12                  implemented with fidelity;

13                  “(B) is based on a clearly articulated and  
14                  empirically supported theory;

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

19                  “(D) has been scientifically tested and prov-  
20                  en effective through randomized control studies  
21                  or comparison group studies and with the ability  
22                  to replicate and scale;

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

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

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

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

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

16                 “(A) designed to identify youth who may  
17                 have mental health, behavioral health, substance  
18                 abuse, or other needs requiring immediate atten-  
19                 tion, intervention, and further evaluation; and

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



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

4                   “(A) by an appropriately trained profes-  
5                   sional who is licensed or certified by the applica-  
6                   ble State in the mental health, behavioral health,  
7                   or substance abuse fields; and

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

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

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

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

22                   “(B) recognizing when a youth has been ex-  
23                   posed to violence and trauma and is in need of  
24                   help to recover from the adverse impacts of trau-  
25                   ma; and

1           “(C) responding in ways that resist re-  
2           traumatization;

3           “(41) the term ‘racial and ethnic disparity’  
4           means minority youth populations are involved at a  
5           decision point in the juvenile justice system at dis-  
6           proportionately higher rates than non-minority youth  
7           at that decision point;

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

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

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

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

19               “(B) reliability of reporting for internal  
20               and external use; and

21               “(C) compliance with applicable laws and  
22               regulations, as well as recommendations of the  
23               Office of Inspector General and the Government  
24               Accountability Office; and

1           “(45) the term ‘tribal government’ means the  
2           governing body of an Indian Tribe.”.

3 **TITLE II—CHARLES GRASSLEY**  
4 **JUVENILE JUSTICE AND DE-**  
5 **LINQUENCY           PREVENTION**  
6 **PROGRAM**

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

8           Section 204 of the Juvenile Justice and Delinquency  
9 Prevention Act of 1974 (34 U.S.C. 11114) is amended—

10           (1) in subsection (a)—

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

13                           (i) by striking “a long-term plan, and  
14                           implement” and inserting the following: “a  
15                           long-term plan to improve the juvenile jus-  
16                           tice system in the United States, taking into  
17                           account scientific knowledge regarding ado-  
18                           lescent development and behavior and re-  
19                           garding the effects of delinquency prevention  
20                           programs and juvenile justice interventions  
21                           on adolescents, and shall implement”; and

22                           (ii) by striking “research, and im-  
23                           provement of the juvenile justice system in  
24                           the United States” and inserting “and re-  
25                           search”; and

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

3           (2) in subsection (b)—

4           (A) by striking paragraph (7);

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

7           (C) by inserting after paragraph (4), the  
8           following:

9           “(5) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, in  
10           consultation with Indian Tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention to collaborate with representatives of Indian Tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian Tribes;”;

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

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

14           (i) by striking “monitoring”;

15           (ii) by striking “section 223(a)(15)”

16           and inserting “section 223(a)(14)”;

17           and

1                   (iii) by striking “to review the ade-  
2                   quacy of such systems; and” and inserting  
3                   “for monitoring compliance.”.

4 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
5 **AND DELINQUENCY PREVENTION.**

6           Section 206 of the *Juvenile Justice and Delinquency*  
7 *Prevention Act of 1974* (34 U.S.C. 11116) is amended—

8                   (1) in subsection (a)—

9                           (A) in paragraph (1)—

10                                   (i) by inserting “the Assistant Sec-  
11                                   retary for Mental Health and Substance  
12                                   Use, the Secretary of the Interior,” after  
13                                   “the Secretary of Health and Human Serv-  
14                                   ices,”; and

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

19                           (B) in paragraph (2), by striking “United  
20                           States” and inserting “Federal Government”;  
21                           and

22                   (2) in subsection (c)—

23                           (A) in paragraph (1), by striking “para-  
24                           graphs (12)(A), (13), and (14) of section 223(a)

1           *of this title” and inserting “the core require-*  
2           *ments”; and*

3                     *(B) in paragraph (2)—*

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

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

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

15                             *“(i) contains the recommendations de-*  
16                             *scribed in subparagraph (A);*

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

23                             *“(iii) is published on the websites of*  
24                             *the Office of Juvenile Justice and Delin-*

1                    *quency Prevention, the Council, and the De-*  
2                    *partment of Justice; and*

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

5    **SEC. 203. ANNUAL REPORT.**

6                    *Section 207 of the Juvenile Justice and Delinquency*  
7                    *Prevention Act of 1974 (34 U.S.C. 11117) is amended—*

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

11                   *(2) in paragraph (1)—*

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

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 or tribal gov-*  
22          *ernment 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 *(34 U.S.C. 11131(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 (34  
3       U.S.C. 11132) is amended—

4               (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

19           (c) *CHARLES GRASSLEY JUVENILE JUSTICE AND DE-*  
20 *LINQUENCY PREVENTION PROGRAM.*—Part B of title II of  
21 *the Juvenile Justice and Delinquency Prevention Act of*  
22 *1974 (34 U.S.C. 11131 et seq.) is amended—*

23           (1) in the part heading, by striking “*FEDERAL*  
24 *ASSISTANCE FOR STATE AND LOCAL PROGRAMS*” and

1       *inserting “CHARLES GRASSLEY JUVENILE JUSTICE*  
2       *AND DELINQUENCY PREVENTION PROGRAM”*; and

3               *(2) by inserting before section 221 the following:*

4                               *“SHORT TITLE*

5               *“SEC. 220. This part may be cited as the ‘Charles*  
6       *Grassley Juvenile Justice and Delinquency Prevention Pro-*  
7       *gram’.”.*

8       **SEC. 205. STATE PLANS.**

9               *Section 223 of the Juvenile Justice and Delinquency*  
10       *Prevention Act of 1974 (34 U.S.C. 11133) is amended—*

11               *(1) in subsection (a)—*

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

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

5           (C) in paragraph (3)—

6           (i) in subparagraph (A)—

7           (I) in clause (i), by inserting “ad-  
8           olescent development,” after “con-  
9           cerning”;

10          (II) in clause (ii)—

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

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

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

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

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

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

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

13                  “(IX) representatives of victim or  
14                  witness advocacy groups, including at  
15                  least one individual with expertise in  
16                  addressing the challenges of sexual  
17                  abuse and exploitation and trauma,  
18                  particularly the needs of youth who ex-  
19                  perience disproportionate levels of sex-  
20                  ual abuse, exploitation, and trauma  
21                  before entering the juvenile justice sys-  
22                  tem; and

23                  “(X) for a State in which one or  
24                  more Indian Tribes are located, an In-  
25                  dian tribal representative (if such rep-

1            *representative is available) or other indi-*  
2            *vidual with significant expertise in*  
3            *tribal law enforcement and juvenile*  
4            *justice in Indian tribal communities;”;*

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

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

16           *(ii) in subparagraph (C), by striking*  
17           *“30 days” and inserting “45 days”;*

18           *(iii) in subparagraph (D)—*

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

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



1                   2 years a report and necessary rec-  
2                   ommendations regarding State compli-  
3                   ance with the core requirements”; and  
4                   (iv) in subparagraph (E)—

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

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

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

17                  (E) in paragraph (7)—

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

21                  (ii) in subparagraph (B)—

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

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

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

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

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

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

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

4           “(ix) not later than 1 year after the  
5           date of enactment of the Juvenile Justice  
6           Reform Act of 2018, a plan which shall be  
7           implemented not later than 2 years after the  
8           date of enactment of the Juvenile Justice  
9           Reform Act of 2018, to—

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

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

24                           “(aa) credible, reasonable  
25                           grounds exist to believe the de-

1            *tainee presents an immediate and*  
2            *serious threat of hurting herself,*  
3            *staff, or others; or*

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

10            *(F) in paragraph (8), by striking “existing”*  
11            *and inserting “evidence-based and promising”;*

12            *(G) in paragraph (9)—*

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

18                       *(ii) in subparagraph (A)—*

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

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

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

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

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

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

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

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

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

18                  (iv) in subparagraph (E)—

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

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

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

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

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

9                   “(G) programs—

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

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

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

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

23                   (ix) in subparagraph (M), as so red-  
24 igned—

25                   (I) in clause (i)—

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(aa) by inserting “pre-adjudication and” before “post-adjudication”;

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

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

(II) in clause (ii)—

(aa) by striking “by the provision by the Administrator”; and

(bb) by striking “to States”;

(x) in subparagraph (N), as so redesignated—

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

(II) by striking “so that such juveniles may be retained in their homes”;

(xi) in subparagraph (S), as so redesignated, by striking “and” at the end;

(xii) in subparagraph (T), as so redesignated—

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

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

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

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

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

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

15                  “(U) programs and projects designed—

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

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

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



1           “(V) programs that address the needs of  
2           girls in or at risk of entering the juvenile justice  
3           system, including pregnant girls, young mothers,  
4           survivors of commercial sexual exploitation or  
5           domestic child sex trafficking, girls with disabil-  
6           ities, and girls of color, including girls who are  
7           members of an Indian Tribe; and

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

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

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

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

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

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

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

8           “(i) the juvenile—

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

11          “(II)(aa) is an alien; or

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

14          “(B) require that—

15               “(i) not later than 3 years after the date of  
16               enactment of the Juvenile Justice Reform Act of  
17               2018, unless a court finds, after a hearing and  
18               in writing, that it is in the interest of justice, ju-  
19               veniles awaiting trial or other legal process who  
20               are treated as adults for purposes of prosecution  
21               in criminal court and housed in a secure facil-  
22               ity—

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

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

4                   “(ii) in determining under clause (i) wheth-  
5                   er it is in the interest of justice to permit a juve-  
6                   nile to be held in any jail or lockup for adults,  
7                   or have sight or sound contact with adult in-  
8                   mates, a court shall consider—

9                   “(I) the age of the juvenile;

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

12                  “(III) the present mental state of the  
13                  juvenile, including whether the juvenile 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           “(iii) if a court determines under clause (i)  
2           that it is in the interest of justice to permit a  
3           juvenile to be held in any jail or lockup for  
4           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                   (I) in paragraph (12)(A), by striking “con-  
20                  tact” and inserting “sight or sound contact”;

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

24                   (K) in paragraph (14)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4           (R) in paragraph (23)—

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

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

10          (iii) in subparagraph (C)—

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

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

15           (III) by adding at the end the fol-  
16           lowing:

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

21           “(I) the court shall issue a written  
22           order that—

23           “(aa) identifies the valid  
24           court order that has been violated;

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

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

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

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

22          “(II) the court may not issue a  
23          second or subsequent order described in  
24          subclause (I) relating to a status of-  
25          fender unless the status offender vio-



1            *lates a valid court order after the date*  
2            *on which the court issues an order de-*  
3            *scribed in subclause (I); and”;* and  
4            *(iv) by adding at the end the following:*

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

12           *(S) in paragraph (26)—*

13           *(i) by inserting “and in accordance*  
14           *with confidentiality concerns,” after “max-*  
15           *imum extent practicable;”;* and

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

19           *“(A) data in child abuse or neglect reports*  
20           *relating to juveniles entering the juvenile justice*  
21           *system with a prior reported history of arrest,*  
22           *court intake, probation and parole, juvenile de-*  
23           *tention, and corrections; and*

24           *“(B) a plan to use the data described in*  
25           *subparagraph (A) to provide necessary services*

1           *for the treatment of such victims of child abuse*  
2           *or neglect;”;*

3                   *(T) in paragraph (27), as so redesignated,*  
4           *by striking the period at the end and inserting*  
5           *a semicolon; and*

6                   *(U) by adding at the end the following:*

7                   *“(28) provide for the coordinated use of funds*  
8           *provided under this title with other Federal and State*  
9           *funds directed at juvenile delinquency prevention and*  
10          *intervention programs;*

11                   *“(29) describe the policies, procedures, and train-*  
12          *ing in effect for the staff of juvenile State correctional*  
13          *facilities to eliminate the use of dangerous practices,*  
14          *unreasonable restraints, and unreasonable isolation,*  
15          *including by developing effective behavior manage-*  
16          *ment techniques;*

17                   *“(30) describe—*

18                   *“(A) the evidence-based methods that will be*  
19          *used to conduct mental health and substance*  
20          *abuse screening, assessment, referral, and treat-*  
21          *ment for juveniles who—*

22                           *“(i) request a screening;*

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

24                           *or*

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

4           “(B) how the State will seek, to the extent  
5           practicable, to provide or arrange for mental  
6           health and substance abuse disorder treatment  
7           for juveniles determined to be in need of such  
8           treatment;

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

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

13           “(i) the pre-release and post-release  
14          plans for the juveniles;

15           “(ii) the living arrangement to which  
16          the juveniles are to be discharged; and

17           “(iii) any other plans developed for the  
18          juveniles based on an individualized assess-  
19          ment; and

20          “(B) review processes;

21          “(32) provide an assurance that the agency of  
22          the State receiving funds under this title collaborates  
23          with the State educational agency receiving assistance  
24          under part A of title I of the Elementary and Sec-  
25          ondary Education Act of 1965 (20 U.S.C. 6311 et

1       *seq.) to develop and implement a plan to ensure that,*  
2       *in order to support educational progress—*

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

10              “(B) *the credits of adjudicated juveniles are*  
11              *transferred; and*

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

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

20              “(A) *screen for, identify, and document in*  
21              *records of the State the identification of victims*  
22              *of domestic human trafficking, or those at risk of*  
23              *such trafficking, upon intake; and*

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

4           (2) by amending subsection (c) to read as  
5           follows:

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

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

13          “(B) the State shall be ineligible to receive any  
14          allocation under such section for such fiscal year un-  
15          less—

16                 “(i) the State agrees to expend 50 percent of  
17                 the amount allocated to the State for such fiscal  
18                 year to achieve compliance with any such core  
19                 requirement with respect to which the State is in  
20                 noncompliance; or

21                 “(ii) the Administrator determines that the  
22                 State—

23                         “(I) has achieved substantial compli-  
24                         ance with such applicable requirements

1           *with respect to which the State was not in*  
2           *compliance; and*

3                     *“(II) has made, through appropriate*  
4                     *executive or legislative action, an unequivocal*  
5                     *commitment to achieving full compli-*  
6                     *ance with such applicable requirements*  
7                     *within a reasonable time.*

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

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

13                    *“(B) 50 percent of the unallocated funds shall be*  
14                    *used by the Administrator to provide additional*  
15                    *training and technical assistance to States for the*  
16                    *purpose of promoting compliance with the core re-*  
17                    *quirements.”;*

18                    *(3) 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           *(4) in subsection (f)(2)—*

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

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

8           *(5) 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 title*  
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                   “(i) 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—

10                   “(A) determine that a State is ‘not out of  
11                   compliance’, or issue any other determination  
12                   not described in paragraph (1), with respect to  
13                   any core requirement; or

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

16 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**  
17 **TION BLOCK GRANT PROGRAM.**

18                   Part C of title II of the Juvenile Justice and Delin-  
19 quency Prevention Act of 1974 (34 U.S.C. 11141 et seq.)  
20 is repealed.

21 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANAL-**  
22 **YSES; INFORMATION DISSEMINATION.**

23                   Section 251 of the Juvenile Justice and Delinquency  
24 Prevention Act of 1974 (34 U.S.C. 11161) is amended—  
25                   (1) in subsection (a)—



1           (A) in paragraph (1)—

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

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

8                 (iii) in subparagraph (B)—

9                         (I) by striking clause (iii) and in-  
10 sserting the following:

11                         “(iii) successful efforts to prevent status of-  
12 fenders and first-time minor offenders from sub-  
13 sequent involvement with the juvenile justice and  
14 criminal justice systems;”;

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

17                         “(vii) the prevalence and duration of behav-  
18 ioral health needs (including mental health, sub-  
19 stance abuse, and co-occurring disorders) among  
20 juveniles pre-placement and post-placement in  
21 the juvenile justice system, including an exam-  
22 ination of the effects of secure detention in a cor-  
23 rectional facility;”;

1                   (III) by redesignating clauses (ix),  
2                   (x), and (xi) as clauses (xvi), (xvii),  
3                   and (xviii), respectively; and

4                   (IV) by inserting after clause  
5                   (viii) the following:

6                   “(ix) training efforts and reforms that have  
7                   produced reductions in or elimination of the use  
8                   of dangerous practices;

9                   “(x) methods to improve the recruitment, se-  
10                  lection, training, and retention of professional  
11                  personnel who are focused on the prevention,  
12                  identification, and treatment of delinquency;

13                  “(xi) methods to improve the identification  
14                  and response to victims of domestic child sex  
15                  trafficking within the juvenile justice system;

16                  “(xii) identifying positive outcome meas-  
17                  ures, such as attainment of employment and  
18                  educational degrees, that States and units of  
19                  local government should use to evaluate the suc-  
20                  cess of programs aimed at reducing recidivism of  
21                  youth who have come in contact with the juvenile  
22                  justice system or criminal justice system;

23                  “(xiii) evaluating the impact and outcomes  
24                  of the prosecution and sentencing of juveniles as  
25                  adults;

1           “(xiv) successful and cost-effective efforts by  
2           States and units of local government to reduce  
3           recidivism through policies that provide for con-  
4           sideration of appropriate alternative sanctions to  
5           incarceration of youth facing nonviolent charges,  
6           while ensuring that public safety is preserved;”;  
7           and

8           (B) in paragraph (4)—

9           (i) in the matter preceding subpara-  
10          graph (A)—

11           (I) by striking “date of enactment  
12           of this paragraph, the” and inserting  
13           “date of enactment of the Juvenile Jus-  
14           tice Reform Act of 2018, the”; and

15           (II) by inserting “in accordance  
16           with applicable confidentiality require-  
17           ments” after “wards of the State”; and

18           (ii) in subparagraph (D), by inserting  
19           “and Indian Tribes” after “State”;

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

22           (iv) in subparagraph (G), by striking  
23           the period at the end and inserting a semi-  
24           colon; and

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

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

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

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

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

11          “(f) NATIONAL RECIDIVISM MEASURE.—The Adminis-  
12          trator, in accordance with applicable confidentiality re-  
13          quirements and in consultation with experts in the field of  
14          juvenile justice research, recidivism, and data collection,  
15          shall—

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

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

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

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

24          Section 252 of the Juvenile Justice and Delinquency  
25          Prevention Act of 1974 (34 U.S.C. 11162) is amended—

1           (1) *in subsection (a)—*

2                   (A) *in the matter preceding paragraph (1),*  
3 *by striking “may”;*

4                   (B) *in paragraph (1)—*

5                           (i) *by inserting “shall” before “develop*  
6 *and carry out projects”;* *and*

7                           (ii) *by striking “and” after the semi-*  
8 *colon;*

9                   (C) *in paragraph (2)—*

10                           (i) *by inserting “may” before “make*  
11 *grants to and contracts with”;* *and*

12                           (ii) *by striking the period at the end*  
13 *and inserting “; and”;* *and*

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

15                           “(3) *shall provide periodic training for States*  
16 *regarding implementation of the core requirements,*  
17 *current protocols and best practices for achieving and*  
18 *monitoring compliance, and information sharing re-*  
19 *garding relevant Office resources on evidence-based*  
20 *and promising programs or practices that promote*  
21 *the purposes of this Act.”;*

22           (2) *in subsection (b)—*

23                   (A) *in the matter preceding paragraph (1),*  
24 *by striking “may”;*

25                   (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 a semicolon; 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 Reform  
17                  Act of 2018, including training and technical assist-  
18                  ance and, when appropriate, pilot or demonstration  
19                  projects intended to develop and replicate best prac-  
20                  tices for achieving sight and sound separation in fa-  
21                  cilities or portions of facilities that are open and  
22                  available to the general public and that may or may  
23                  not contain a jail or a lock-up; and

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

1 *a State and a university, institution of higher edu-*  
2 *cation, or research center designed to improve the re-*  
3 *ruitment, selection, training, and retention of profes-*  
4 *sional personnel in the fields of medicine, law enforce-*  
5 *ment, the judiciary, juvenile justice, social work and*  
6 *child protection, education, and other relevant fields*  
7 *who are engaged in, or intend to work in, the field*  
8 *of prevention, identification, and treatment of delin-*  
9 *quency.”;*

10 (3) *in subsection (c)—*

11 (A) *by inserting “prosecutors,” after “public*  
12 *defenders,”; and*

13 (B) *by inserting “status offenders and”*  
14 *after “needs of”; and*

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

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

19 (1) *share best practices that may include shar-*  
20 *ing standards of practice developed by recognized en-*  
21 *tities in the profession, for attorneys representing*  
22 *children; and*

23 (2) *provide a State, if it so requests, technical*  
24 *assistance to implement any of the best practices*  
25 *shared under paragraph (1).*

1       “(e) *BEST PRACTICES FOR STATUS OFFENDERS.*—  
2 *Based on the available research and State practices, the Ad-*  
3 *ministrators shall—*

4               “(1) *disseminate best practices for the treatment*  
5 *of status offenders with a focus on reduced recidivism,*  
6 *improved long-term outcomes, and limited usage of*  
7 *valid court orders to place status offenders in secure*  
8 *detention; and*

9               “(2) *provide a State, on request, technical assist-*  
10 *ance to implement any of the best practices shared*  
11 *under paragraph (1).*

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

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

23               “(2) *to encourage alternative behavior manage-*  
24 *ment techniques based on positive youth development*



1        *approaches that may include methods responsive to*  
2        *cultural differences.*

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

13                *“(1) juvenile justice intake personnel;*

14                *“(2) probation officers;*

15                *“(3) juvenile court judges and court services per-*  
16        *sonnel;*

17                *“(4) prosecutors and court-appointed counsel;*

18        *and*

19                *“(5) family members of juveniles and family ad-*  
20        *vocates.*

21        “(h) *TRAINING AND TECHNICAL ASSISTANCE TO SUP-*  
22        *PORT JUVENILE COURT JUDGES AND PERSONNEL.—The*  
23        *Attorney General, acting through the Office of Juvenile Jus-*  
24        *tice and Delinquency Prevention and the Office of Justice*  
25        *Programs in consultation with entities in the profession,*

1 *shall provide directly, or through grants or contracts, train-*  
2 *ing and technical assistance to enhance the capacity of*  
3 *State and local courts, judges, and related judicial per-*  
4 *sonnel to—*

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

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

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

19 **SEC. 209. ADMINISTRATIVE AUTHORITY.**

20           *Section 299A of the Juvenile Justice and Delinquency*  
21 *Prevention Act of 1974 (34 U.S.C. 11182) is amended—*

22           (1) *in subsection (d)—*

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

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

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

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

13         “(2) The Administrator shall ensure that—

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

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

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

1 **TITLE III—INCENTIVE GRANTS**  
2 **FOR PRISON REDUCTION**  
3 **THROUGH OPPORTUNITIES,**  
4 **MENTORING, INTERVENTION,**  
5 **SUPPORT, AND EDUCATION**

6 **SEC. 301. SHORT TITLE.**

7 *Section 501 of the Incentive Grants for Local Delin-*  
8 *quency Prevention Programs Act of 2002 (34 U.S.C. 11101*  
9 *note) is amended—*

10 *(1) by inserting “Youth Promise” before*  
11 *“Grants”; and*

12 *(2) by striking “2002” and inserting “2018”.*

13 **SEC. 302. DEFINITIONS.**

14 *Section 502 of the Incentive Grants for Local Delin-*  
15 *quency Prevention Programs Act of 2002 (34 U.S.C. 11281)*  
16 *is amended to read as follows:*

17 **“SEC. 502. DEFINITIONS.**

18 *“In this title—*

19 *“(1) the term ‘at-risk’ has the meaning given*  
20 *that term in section 1432 of the Elementary and Sec-*  
21 *ondary Education Act of 1965 (20 U.S.C. 6472);*

22 *“(2) the term ‘eligible entity’ means—*

23 *“(A) a unit of local government that is in*  
24 *compliance with the requirements of part B of*  
25 *title II; or*

1           “(B) a nonprofit organization in partner-  
2           ship with a unit of local government described in  
3           subparagraph (A);

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

7           “(A) alcohol and substance abuse prevention  
8           or treatment services;

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

11          “(C) child and adolescent health and mental  
12          health services;

13          “(D) recreation services;

14          “(E) leadership and youth development ac-  
15          tivities;

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

18          “(G) assistance in the development of job  
19          training skills;

20          “(H) youth mentoring programs;

21          “(I) after-school programs;

22          “(J) coordination of a continuum of services  
23          that may include—

24                 “(i) early childhood development serv-  
25                 ices;

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

1           “(xviii) training and education pro-  
2           grams for pregnant teens and teen parents;  
3           and

4           “(xix) pre-release, post-release, and re-  
5           entry services to assist detained and incar-  
6           cerated youth with transitioning back into  
7           and reentering the community; and

8           “(K) other data-driven evidence-based or  
9           promising prevention programs;

10          “(4) the term ‘local policy board’, when used  
11          with respect to an eligible entity, means a policy  
12          board that the eligible entity will engage in the devel-  
13          opment of the eligible entity’s plan described in sec-  
14          tion 504(e)(5), and that includes—

15               “(A) not fewer than 15 and not more than  
16               21 members; and

17               “(B) a balanced representation of—

18                       “(i) public agencies and private non-  
19                       profit organizations serving juveniles and  
20                       their families; and

21                       “(ii) business and industry;

22               “(C) at least one representative of the faith  
23               community, one adjudicated youth, and one par-  
24               ent of an adjudicated youth; and

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

4           “(5) the term ‘mentoring’ means matching 1  
5           adult with 1 or more youths for the purpose of pro-  
6           viding guidance, support, and encouragement through  
7           regularly scheduled meetings for not less than 9  
8           months;

9           “(6) the term ‘State advisory group’ means the  
10          advisory group appointed by the chief executive officer  
11          of a State under a plan described in section 223(a);  
12          and

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

16 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**  
17 **TRATOR.**

18          Section 503 of the Incentive Grants for Local Delin-  
19          quency Prevention Programs Act of 2002 (34 U.S.C. 11282)  
20          is amended—

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

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



1 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**  
2 **GRAMS.**

3 *Section 504 of the Incentive Grants for Local Delin-*  
4 *quency Prevention Programs Act of 2002 (34 U.S.C. 11281*  
5 *et seq.) is amended to read as follows:*

6 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVENTION**  
7 **PROGRAMS.**

8 *“(a) PURPOSE.—The purpose of this section is to en-*  
9 *able local communities to address the unmet needs of at-*  
10 *risk or delinquent youth, including through a continuum*  
11 *of delinquency prevention programs for juveniles who have*  
12 *had contact with the juvenile justice system or who are like-*  
13 *ly to have contact with the juvenile justice system.*

14 *“(b) PROGRAM AUTHORIZED.—The Administrator*  
15 *shall—*

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

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

1       “(c) *STATE APPLICATION.*—*To be eligible to receive a*  
2 *grant under this section, a State entity shall submit an ap-*  
3 *plication to the Administrator that includes the following:*

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

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

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

11                               “(ii) *to provide technical assistance to*  
12 *eligible entities receiving a subgrant under*  
13 *subsection (e) in carrying out delinquency*  
14 *prevention programs under the subgrant;*  
15 *and*

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

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

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

1           “(4) *An assurance that such application was*  
2           *prepared after consultation with, and participation*  
3           *by, the State advisory group, units of local govern-*  
4           *ment, community-based organizations, and organiza-*  
5           *tions that carry out programs, projects, or activities*  
6           *to prevent juvenile delinquency in the local juvenile*  
7           *justice system served by the State entity.*

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

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

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

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

20           “(e) *SUBGRANT PROGRAM.—*

21           “(1) *PROGRAM AUTHORIZED.—*

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

1           “(B) *PRIORITY.*—*In awarding subgrants*  
2           *under this subsection, the State shall give pri-*  
3           *ority to eligible entities that demonstrate ability*  
4           *in—*

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

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

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

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

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

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

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

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

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

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

23                  “(2) *LOCAL APPLICATION.*—*An eligible entity*  
24                  *that desires a subgrant under this subsection shall*  
25                  *submit an application to the State entity in the State*

1 *of the eligible entity, at such time and in such man-*  
2 *ner as determined by the State entity, and that in-*  
3 *cludes—*

4 *“(A) a description of—*

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

9 *“(ii) the unmet needs of at-risk or de-*  
10 *linquent youth in the community;*

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

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

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

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

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

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

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

8           “(4) *SUBGRANT REVIEW.*—

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

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

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

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

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

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

15                    *“(A) an analysis of the unmet needs of at-*  
16                    *risk or delinquent youth in the community—*

17                            *“(i) which shall include—*

18                                    *“(I) the available resources in the*  
19                                    *community to meet the unmet needs;*  
20                                    *and*

21                                    *“(II) factors present in the com-*  
22                                    *munity that may contribute to delin-*  
23                                    *quency, such as homelessness, food inse-*  
24                                    *curity, teen pregnancy, youth unem-*



1                    *ployment, family instability, lack of*  
2                    *educational opportunity; and*

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

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

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

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

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

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

1        *forts to address the unmet needs of youth in the*  
2        *community analyzed under subparagraph (A);*

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

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

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

17        *The Incentive Grants for Local Delinquency Preven-*  
18       *tion Programs Act of 2002 (34 U.S.C. 11281 et seq.) is*  
19       *amended by redesignating section 505 as section 506, and*  
20       *by inserting after section 504 the following:*

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

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

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

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

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

6                   “(B) *the ability of Indian Tribes to respond*  
7                   *to, and care for, at-risk or delinquent youth*  
8                   *upon release; and*

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

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

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

21                   “(1) *juvenile delinquency rates;*

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

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

1       “(d) *AVAILABILITY OF FUNDS.*—Of the amount avail-  
 2       able for a fiscal year to carry out this title, 11 percent shall  
 3       be available to carry out this section.”.

4       **SEC. 306. EVALUATION BY GOVERNMENT ACCOUNTABILITY**  
 5                               **OFFICE.**

6       (a) *EVALUATION.*—Not later than 2 years after the end  
 7       of the 5th fiscal year for which funds are appropriated to  
 8       carry out the Incentive Grants for Local Delinquency Pre-  
 9       vention Programs Act of 2002, the Comptroller General of  
 10      the United States shall conduct an evaluation of a sample  
 11      of subgrantees selected by the Comptroller General in ac-  
 12      cordance with subsection (b)) that received funds under sec-  
 13      tion 504(e) of such Act and shall submit a report of such  
 14      evaluation to the Committee on the Judiciary of the United  
 15      States Senate and the Committee on Education and the  
 16      Workforce of the United States House of Representatives.

17      (b) *CONSIDERATIONS FOR EVALUATION.*—For pur-  
 18      poses of subsection (a), the Comptroller General shall—

19               (1) ensure that the sample to be evaluated is  
 20               made up of subgrantees in States that are diverse geo-  
 21               graphically and economically; and

22               (2) include in such sample subgrantees that pro-  
 23               posed different delinquency prevention programs.

24      (c) *RECOMMENDATIONS AND FINDINGS.*—In con-  
 25      ducting the evaluation required by subsection (a), the

1 *Comptroller General shall take into consideration wheth-*  
2 *er—*

3           (1) *the delinquency prevention programs for*  
4 *which subgrantees received funds under section 504(e)*  
5 *of Incentive Grants for Local Delinquency Prevention*  
6 *Programs Act of 2002 achieved the outcomes and re-*  
7 *sults anticipated by the particular State involved;*

8           (2) *in the case of outcomes and results of delin-*  
9 *quency prevention programs defined by the State or*  
10 *a local entity, unanticipated improved outcomes or*  
11 *results for juveniles occurred;*

12           (3) *the number of subgrantees that continue after*  
13 *the expenditure of such funds to provide such delin-*  
14 *quency prevention programs;*

15           (4) *such delinquency prevention programs re-*  
16 *placed existing or planned programs or activities in*  
17 *the State; and*

18           (5) *the evidence-base information used to justify*  
19 *such delinquency prevention programs was used with*  
20 *fidelity by local entities in accordance with the ap-*  
21 *proach used to find the evidence;*

22 **SEC. 307. TECHNICAL AMENDMENT.**

23           *Title V of the Juvenile Justice and Delinquency Pre-*  
24 *vention Act of 1974 as enacted by Public Law 93-415 (88*

1 *Stat. 1133) (relating to miscellaneous and conforming*  
2 *amendments) is repealed.*

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

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

6                           **OFFICE.**

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

10                   (1) *conduct a comprehensive analysis and eval-*  
11 *uation regarding the performance of the Office of Ju-*  
12 *venile Justice and Delinquency Prevention (referred*  
13 *to in this section as “the agency”), its functions, its*  
14 *programs, and its grants;*

15                   (2) *conduct a comprehensive audit and evalua-*  
16 *tion of a selected, sample of grantees (as determined*  
17 *by the Comptroller General) that receive Federal*  
18 *funds under grant programs administered by the*  
19 *agency including a review of internal controls (as de-*  
20 *finied in section 103 of the Juvenile Justice and De-*  
21 *linquency Prevention Act of 1974 (34 U.S.C. 11103),*  
22 *as amended by this Act) to prevent fraud, waste, and*  
23 *abuse of funds by grantees; and*

24                   (3) *submit a report in accordance with sub-*  
25 *section (d).*

1       (b) *CONSIDERATIONS FOR EVALUATION.*—*In con-*  
2 *ducting the analysis and evaluation under subsection*  
3 *(a)(1), and in order to document the efficiency and public*  
4 *benefit of the Juvenile Justice and Delinquency Prevention*  
5 *Act of 1974 (34 U.S.C. 11101 et seq.), the Comptroller Gen-*  
6 *eral shall take into consideration—*

7           (1) *the outcome and results of the programs car-*  
8 *ried out by the agency and those programs adminis-*  
9 *tered through grants by the agency;*

10          (2) *the extent to which the agency has complied*  
11 *with the Government Performance and Results Act of*  
12 *1993 (Public Law 103–62; 107 Stat. 285);*

13          (3) *the extent to which the jurisdiction of, and*  
14 *the programs administered by, the agency duplicate*  
15 *or conflict with the jurisdiction and programs of*  
16 *other agencies;*

17          (4) *the potential benefits of consolidating pro-*  
18 *grams administered by the agency with similar or*  
19 *duplicative programs of other agencies, and the poten-*  
20 *tial for consolidating those programs;*

21          (5) *whether less restrictive or alternative methods*  
22 *exist to carry out the functions of the agency and*  
23 *whether current functions or operations are impeded*  
24 *or enhanced by existing statutes, rules, and proce-*  
25 *dures;*

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

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

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

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

11          (10) *the extent to which changes are necessary in*  
12          *the authorizing statutes of the agency in order for the*  
13          *functions of the agency to be performed in a more effi-*  
14          *cient and effective manner.*

15          (c) *CONSIDERATIONS FOR AUDITS.—In conducting the*  
16          *audit and evaluation under subsection (a)(2), and in order*  
17          *to document the efficiency and public benefit of the Juvenile*  
18          *Justice and Delinquency Prevention Act of 1974 (34 U.S.C.*  
19          *11101 et seq.), the Comptroller General shall take into con-*  
20          *sideration—*

21                 (1) *whether grantees timely file Financial Status*  
22                 *Reports;*

23                 (2) *whether grantees have sufficient internal con-*  
24                 *trols to ensure adequate oversight of grant fund re-*  
25                 *ceived;*



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.—Not later than 1 year after*  
15 *the date of enactment of this Act, the Comptroller*  
16 *General of the United States shall—*

17           (A) *submit a report regarding the evalua-*  
18 *tion conducted under subsection (a) and audit*  
19 *under subsection (b), to the Speaker of the House*  
20 *of Representatives and the President pro tempore*  
21 *of the Senate; and*

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

24          (2) *CONTENTS.—The report submitted in accord-*  
25 *ance with paragraph (1) shall include all audit find-*

1 *ings determined by the selected, statistically signifi-*  
2 *cant sample of grantees as required by subsection*  
3 *(a)(2) and shall include the name and location of any*  
4 *selected grantee as well as any findings required by*  
5 *subsection (a)(2).*

6 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS; ACCOUNT-**  
7 **ABILITY AND OVERSIGHT.**

8 *(a) IN GENERAL.—The Juvenile Justice and Delin-*  
9 *quency Prevention Act of 1974 (34 U.S.C. 11101 et seq.)*  
10 *is amended by adding at the end the following:*

11 **“TITLE VI—AUTHORIZATION OF**  
12 **APPROPRIATIONS; ACCOUNT-**  
13 **ABILITY AND OVERSIGHT**

14 **“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

15 *“There are authorized to be appropriated to carry out*  
16 *this Act, except for titles III and IV, \$176,000,000 for each*  
17 *of fiscal years 2019 through 2023, of which not more than*  
18 *\$96,053,401 shall be used to carry out title V for each such*  
19 *fiscal year.*

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

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

1           “(1) *the Department of Justice, through its Of-*  
2 *ice of Juvenile Justice and Delinquency Prevention,*  
3 *must restore meaningful enforcement of the core re-*  
4 *quirements in title II; and*

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

10          “(b) *ACCOUNTABILITY.—*

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

12           “(A) *PROGRAMMATIC AND FINANCIAL AS-*  
13 *SESSMENT.—*

14           “(i) *IN GENERAL.—Not later than 60*  
15 *days after the date of enactment of the Ju-*  
16 *venile Justice Reform Act of 2018, the Di-*  
17 *rector of the Office of Audit, Assessment,*  
18 *and Management of the Office of Justice*  
19 *Programs at the Department of Justice (re-*  
20 *ferred to in this section as the ‘Director’)*  
21 *shall—*

22           “(I) *conduct a comprehensive*  
23 *analysis and evaluation of the internal*  
24 *controls of the Office of Juvenile Jus-*  
25 *tice and Delinquency Prevention (re-*

1           *ferred to in this section as the ‘agency’)*  
2           *to determine if States and Indian*  
3           *Tribes receiving grants are following*  
4           *the requirements of the agency grant*  
5           *programs and what remedial action*  
6           *the agency has taken to recover any*  
7           *grant funds that are expended in viola-*  
8           *tion of grant programs, including in-*  
9           *stances where—*

10                     *“(aa) supporting documenta-*  
11                     *tion was not provided for cost re-*  
12                     *ports;*

13                     *“(bb) unauthorized expendi-*  
14                     *tures occurred; and*

15                     *“(cc) subrecipients of grant*  
16                     *funds were not in compliance*  
17                     *with program requirements;*

18                     *“(II) conduct a comprehensive*  
19                     *audit and evaluation of a selected sta-*  
20                     *tistically significant sample of States*  
21                     *and Indian Tribes (as determined by*  
22                     *the Director) that have received Fed-*  
23                     *eral funds under title II, including a*  
24                     *review of internal controls to prevent*

1           *fraud, waste, and abuse of funds by*  
2           *grantees; and*

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

5                     *“(i) CONSIDERATIONS FOR EVALUA-*  
6                     *TIONS.—In conducting the analysis and*  
7                     *evaluation under clause (i)(I), and in order*  
8                     *to document the efficiency and public ben-*  
9                     *efit of titles II and V, the Director shall*  
10                    *take into consideration the extent to*  
11                    *which—*

12                            *“(I) greater oversight is needed of*  
13                            *programs developed with grants made*  
14                            *by the agency;*

15                            *“(II) changes are necessary in the*  
16                            *authorizing statutes of the agency in*  
17                            *order that the functions of the agency*  
18                            *can be performed in a more efficient*  
19                            *and effective manner; and*

20                            *“(III) the agency has imple-*  
21                            *mented recommendations issued by the*  
22                            *Comptroller General or Office of In-*  
23                            *pector General relating to the grant*  
24                            *making and grant monitoring respon-*  
25                            *sibilities of the agency.*

1           “(iii) *CONSIDERATIONS FOR AUDITS.*—

2           *In conducting the audit and evaluation*  
3           *under clause (i)(II), and in order to docu-*  
4           *ment the efficiency and public benefit of ti-*  
5           *ties II and V, the Director shall take into*  
6           *consideration—*

7                     “(I) *whether grantees timely file*  
8                     *Financial Status Reports;*

9                     “(II) *whether grantees have suffi-*  
10                    *cient internal controls to ensure ade-*  
11                    *quate oversight of grant funds received;*

12                    “(III) *whether grantees’ assertions*  
13                    *of compliance with the core require-*  
14                    *ments were accompanied with adequate*  
15                    *supporting documentation;*

16                    “(IV) *whether expenditures were*  
17                    *authorized;*

18                    “(V) *whether subrecipients of*  
19                    *grant funds were complying with pro-*  
20                    *gram requirements; and*

21                    “(VI) *whether grant funds were*  
22                    *spent in accordance with the program*  
23                    *goals and guidelines.*

24                    “(iv) *REPORT.*—*The Director shall—*

1                   “(I) submit to the Congress a re-  
2                   port outlining the results of the anal-  
3                   ysis, evaluation, and audit conducted  
4                   under clause (i), including supporting  
5                   materials, to the Speaker of the House  
6                   of Representatives and the President  
7                   pro tempore of the Senate; and

8                   “(II) shall make such report  
9                   available to the public online, not later  
10                  than 1 year after the date of enactment  
11                  of this section.

12                  “(B) ANALYSIS OF INTERNAL CONTROLS.—

13                  “(i) IN GENERAL.—Not later than 30  
14                  days after the date of enactment of the Ju-  
15                  venile Justice Reform Act of 2018, the Ad-  
16                  ministrator shall initiate a comprehensive  
17                  analysis and evaluation of the internal con-  
18                  trols of the agency to determine whether,  
19                  and to what extent, States and Indian  
20                  Tribes that receive grants under titles II  
21                  and V are following the requirements of the  
22                  grant programs authorized under titles II  
23                  and V.

24                  “(ii) REPORT.—Not later than 180  
25                  days after the date of enactment of the Ju-

1           *venile Justice Reform Act of 2018, the Ad-*  
2           *ministrator shall submit to Congress a re-*  
3           *port containing—*

4                     *“(I) the findings of the analysis*  
5                     *and evaluation conducted under clause*  
6                     *(i);*

7                     *“(II) a description of remedial ac-*  
8                     *tions, if any, that will be taken by the*  
9                     *Administrator to enhance the internal*  
10                    *controls of the agency and recoup funds*  
11                    *that may have been expended in viola-*  
12                    *tion of law, regulations, or program re-*  
13                    *quirements issued under titles II and*  
14                    *V; and*

15                    *“(III) a description of—*

16                             *“(aa) the analysis conducted*  
17                             *under clause (i);*

18                             *“(bb) whether the funds*  
19                             *awarded under titles II and V*  
20                             *have been used in accordance with*  
21                             *law, regulations, program guid-*  
22                             *ance, and applicable plans; and*

23                             *“(cc) the extent to which*  
24                             *funds awarded to States and In-*  
25                             *Indian Tribes under titles II and V*



1                    *enhanced the ability of grantees to*  
2                    *fulfill the core requirements.*

3                    “(C) *REPORT BY THE ATTORNEY GEN-*  
4                    *ERAL.—Not later than 180 days after the date of*  
5                    *enactment of the Juvenile Justice Reform Act of*  
6                    *2018, the Attorney General shall submit to the*  
7                    *appropriate committees of the Congress a report*  
8                    *on the estimated amount of formula grant funds*  
9                    *disbursed by the agency since fiscal year 2010*  
10                   *that did not meet the requirements for awards of*  
11                   *formula grants to States under title II.*

12                   “(2) *OFFICE OF INSPECTOR GENERAL PERFORM-*  
13                   *ANCE AUDITS.—*

14                   “(A) *IN GENERAL.—In order to ensure the*  
15                   *effective and appropriate use of grants adminis-*  
16                   *tered under this Act (excluding title IV) and to*  
17                   *prevent waste, fraud, and abuse of funds by*  
18                   *grantees, the Inspector General of the Depart-*  
19                   *ment of Justice shall annually conduct audits of*  
20                   *grantees that receive funds under this Act.*

21                   “(B) *ASSESSMENT.—Not later than 1 year*  
22                   *after the date of enactment of the Juvenile Jus-*  
23                   *tice Reform Act of 2018 and annually thereafter,*  
24                   *the Inspector General shall conduct a risk assess-*  
25                   *ment to determine the appropriate number of*

1            *grantees to be audited under subparagraph (A)*  
2            *in the year involved.*

3            “(C) *PUBLIC AVAILABILITY ON WEBSITE.—*  
4            *The Attorney General shall make the summary of*  
5            *each review conducted under this section avail-*  
6            *able on the website of the Department of Justice,*  
7            *subject to redaction as the Attorney General de-*  
8            *termines necessary to protect classified and other*  
9            *sensitive information.*

10           “(D) *MANDATORY EXCLUSION.—A recipient*  
11           *of grant funds under this Act (excluding title IV)*  
12           *that is found to have an unresolved audit find-*  
13           *ing shall not be eligible to receive grant funds*  
14           *under this Act (excluding title IV) during the*  
15           *first 2 fiscal years beginning after the 12-month*  
16           *period beginning on the date on which the audit*  
17           *report is issued.*

18           “(E) *PRIORITY.—In awarding grants under*  
19           *this Act (excluding title IV), the Administrator*  
20           *shall give priority to a State or Indian Tribe*  
21           *that did not have an unresolved audit finding*  
22           *during the 3 fiscal years prior to the date on*  
23           *which the State or Indian Tribe submits an ap-*  
24           *plication for a grant under this Act.*

1           “(F) *REIMBURSEMENT.*—If a State or an  
2           Indian Tribe is awarded a grant under this Act  
3           (excluding title IV) during the 2-fiscal-year pe-  
4           riod in which the recipient is barred from receiv-  
5           ing grants under subparagraph (D), the Attor-  
6           ney General shall—

7                   “(i) deposit an amount equal to the  
8                   amount of the grant funds that were im-  
9                   properly awarded to the grantee into the  
10                  general fund of the Treasury; and

11                  “(ii) seek to recoup the costs of the re-  
12                  payment to the general fund under clause  
13                  (i) from the grantee that was erroneously  
14                  awarded grant funds.

15           “(G) *DEFINITION.*—In this paragraph, the  
16           term ‘unresolved audit finding’ means a finding  
17           in the final audit report of the Inspector Gen-  
18           eral—

19                   “(i) that the audited State or Indian  
20                   Tribe has used grant funds for an unau-  
21                   thorized expenditure or otherwise unallow-  
22                   able cost; and

23                   “(ii) that is not closed or resolved dur-  
24                   ing the 12-month period beginning on the

1           *date on which the final audit report is*  
2           *issued.*

3           “(3) *NONPROFIT ORGANIZATION REQUIRE-*  
4           *MENTS.—*

5           “(A) *DEFINITION.—For purposes of this*  
6           *paragraph and the grant programs described in*  
7           *this Act (excluding title IV), the term ‘nonprofit*  
8           *organization’ means an organization that is de-*  
9           *scribed in section 501(c)(3) of the Internal Rev-*  
10          *enue Code of 1986 and is exempt from taxation*  
11          *under section 501(a) of such Code.*

12          “(B) *PROHIBITION.—The Administrator*  
13          *may not award a grant under any grant pro-*  
14          *gram described in this Act (excluding title IV) to*  
15          *a nonprofit organization that holds money in*  
16          *offshore accounts for the purpose of avoiding*  
17          *paying the tax described in section 511(a) of the*  
18          *Internal Revenue Code of 1986.*

19          “(C) *DISCLOSURE.—*

20                 “(i) *IN GENERAL.—Each nonprofit or-*  
21                 *ganization that is awarded a grant under a*  
22                 *grant program described in this Act (ex-*  
23                 *cluding title IV) and uses the procedures*  
24                 *prescribed in regulations to create a rebut-*  
25                 *table presumption of reasonableness for the*

1           *compensation of its officers, directors, trust-*  
2           *ees, and key employees, shall disclose to the*  
3           *Administrator, in the application for the*  
4           *grant, the process for determining such com-*  
5           *ensation, including—*

6                     *“(I) the independent persons in-*  
7                     *volved in reviewing and approving*  
8                     *such compensation;*

9                     *“(II) the comparability data used;*  
10                    *and*

11                    *“(III) contemporaneous substan-*  
12                    *tiation of the deliberation and decision.*

13                    *“(ii) PUBLIC INSPECTION UPON RE-*  
14                    *QUEST.—Upon request, the Administrator*  
15                    *shall make the information disclosed under*  
16                    *clause (i) available for public inspection.*

17            *“(4) CONFERENCE EXPENDITURES.—*

18                    *“(A) LIMITATION.—No amounts authorized*  
19                    *to be appropriated to the Department of Justice*  
20                    *under this Act may be used by the Attorney Gen-*  
21                    *eral, or by any individual or organization*  
22                    *awarded discretionary funds through a coopera-*  
23                    *tive agreement under this Act, to host or support*  
24                    *any expenditure for conferences that uses more*  
25                    *than \$20,000 in funds made available to the De-*

1        *partment of Justice, unless the Deputy Attorney*  
2        *General or such Assistant Attorney Generals, Di-*  
3        *rectors, or principal deputies as the Deputy At-*  
4        *torney General may designate, provides prior*  
5        *written authorization that the funds may be ex-*  
6        *pended to host a conference.*

7            “(B) *WRITTEN APPROVAL.*—Written ap-  
8        *proval under subparagraph (A) shall include a*  
9        *written estimate of all costs associated with the*  
10       *conference, including the cost of all food and bev-*  
11       *erages, audiovisual equipment, honoraria for*  
12       *speakers, and entertainment.*

13            “(C) *REPORT.*—The Deputy Attorney Gen-  
14       *eral shall submit an annual report to the Com-*  
15       *mittee on the Judiciary of the Senate and the*  
16       *Committee on Education and the Workforce of*  
17       *the House of Representatives on all conference*  
18       *expenditures approved under this paragraph.*

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

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

1           “(i) to lobby any representative of the  
2           *Department of Justice regarding the award*  
3           *of grant funding; or*

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

7           “(B) *PENALTY.*—*If the Attorney General*  
8           *determines that any recipient of a grant made*  
9           *using amounts authorized to be appropriated*  
10          *under this Act has violated subparagraph (A),*  
11          *the Attorney General shall—*

12           “(i) *require the recipient to repay the*  
13           *grant in full; and*

14           “(ii) *prohibit the recipient to receive*  
15           *another grant under this Act for not less*  
16           *than 5 years.*

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

21           “(6) *ANNUAL CERTIFICATION.*—*Beginning in the*  
22           *1st fiscal year that begins after the effective date of*  
23           *this section, the Attorney General shall submit to the*  
24           *Committee on the Judiciary and the Committee on*  
25           *Appropriations of the Senate, and the Committee on*

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

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

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

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

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

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

17 “(1) *IN GENERAL.—Before the Attorney General*  
18 *awards a grant to an applicant under this Act, the*  
19 *Attorney General shall compare potential grant*  
20 *awards with other grants awarded under this Act to*  
21 *determine if duplicate grant awards are awarded for*  
22 *the same purpose.*

23 “(2) *REPORT.—If the Attorney General awards*  
24 *duplicate grants to the same applicant for the same*  
25 *purpose the Attorney General shall submit to the*



1 *Committee on the Judiciary of the Senate and the*  
2 *Committee on Education and the Workforce of the*  
3 *House of Representatives a report that includes—*

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

7 *“(B) the reason the Attorney General*  
8 *awarded the duplicative grant.*

9 *“(d) COMPLIANCE WITH AUDITING STANDARDS.—The*  
10 *Administrator shall comply with the Generally Accepted*  
11 *Government Auditing Standards, published by the General*  
12 *Accountability Office (commonly known as the ‘Yellow*  
13 *Book’), in the conduct of fiscal, compliance, and pro-*  
14 *grammatic audits of States.”.*

15 *(b) AUTHORIZATION OF APPROPRIATIONS.—Section*  
16 *388(a) of the Juvenile Justice and Delinquency Prevention*  
17 *Act (34 U.S.C. 11280(a)) is amended—*

18 *(1) in paragraph (1)—*

19 *(A) by striking “section 345 and”; and*

20 *(B) by striking “\$140,000,000 for fiscal*  
21 *year 2009, and such sums as may be necessary*  
22 *for fiscal years 2010, 2011, 2012, and 2013” and*  
23 *inserting “\$127,421,000 for each of fiscal years*  
24 *2019 through 2020”;*

1           (2) in paragraph (3), by striking subparagraph  
2       (B) and inserting the following:

3                       “(B) *PERIODIC ESTIMATE*.—Of the amount  
4           authorized to be appropriated under paragraph  
5           (1), such sums as may be necessary shall be  
6           made available to carry out section 345 for each  
7           of fiscal years 2019 through 2020.”; and

8           (3) in paragraph (4), by striking “fiscal year  
9           2009 and such sums as may be necessary for fiscal  
10          years 2010, 2011, 2012, and 2013” and inserting  
11          “each of fiscal years 2019 through 2020”.

12          (c) *TECHNICAL AND CONFORMING AMENDMENTS*.—The  
13          *Juvenile Justice and Delinquency Prevention Act of 1974*  
14          (34 U.S.C. 11101 et seq.) is amended by striking—

15                       (1) section 299 (34 U.S.C. 11171); and

16                       (2) section 505.

Attest:

*Secretary.*



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

**H.R. 6964**

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**AMENDMENT**