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OCTOBER 2 (legislative day, SEPTEMBER 28), 2018

Read twice and placed on the calendar

AN ACT

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Justice Re-
5 form 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—

1 (1) in paragraph (1), by inserting “, tribal,”
2 after “State”;

3 (2) in paragraph (2)—

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

5 and

6 (B) by striking “and” at the end;

7 (3) by amending paragraph (3) to read as fol-
8 lows:

9 “(3) to assist State, tribal, and local govern-
10 ments in addressing juvenile crime through the pro-
11 vision of technical assistance, research, training,
12 evaluation, and the dissemination of current and rel-
13 evant information on effective and evidence-based
14 programs and practices for combating juvenile delin-
15 quency; and”;

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

17 “(4) to support a continuum of evidence-based
18 or promising programs (including delinquency pre-
19 vention, intervention, mental health, behavioral
20 health and substance abuse treatment, family serv-
21 ices, and services for children exposed to violence)
22 that are trauma informed, reflect the science of ado-
23 lescent development, and are designed to meet the
24 needs of at-risk youth and youth who come into con-
25 tact with the justice system.”.

1 **SEC. 102. DEFINITIONS.**

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

4 (1) in paragraph (8)—

5 (A) in subparagraph (B)(ii), by adding
6 “or” at the end;

7 (B) by striking subparagraph (C); and

8 (C) by redesignating subparagraph (D) as
9 subparagraph (C);

10 (2) in paragraph (18)—

11 (A) by inserting “for purposes of title II,”
12 before “the term”; and

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

14 “that has a law enforcement function, as determined
15 by the Secretary of the Interior in consultation with
16 the Attorney General;”;

17 (3) by amending paragraph (22) to read as fol-
18 lows:

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

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

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

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

6 “(26) the term ‘adult inmate’—

7 “(A) means an individual who—

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

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

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

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

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

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

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

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

6 “(30) the term ‘core requirements’—

7 “(A) means the requirements described in
8 paragraphs (11), (12), (13), and (15) of section
9 223(a); and

10 “(B) does not include the data collection
11 requirements described in subparagraphs (A)
12 through (K) of section 207(1);

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

17 “(32) the term ‘isolation’—

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

21 “(B) does not include—

22 “(i) confinement during regularly
23 scheduled sleeping hours;

1 “(ii) separation based on a treatment
2 program approved by a licensed medical or
3 mental health professional;

4 “(iii) confinement or separation that
5 is requested by the youth; or

6 “(iv) the separation of the youth from
7 a group in a nonlocked setting for the lim-
8 ited purpose of calming;

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

12 “(34) the term ‘evidence-based’ means a pro-
13 gram or practice that—

14 “(A) is demonstrated to be effective when
15 implemented with fidelity;

16 “(B) is based on a clearly articulated and
17 empirically supported theory;

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

22 “(D) has been scientifically tested and
23 proven effective through randomized control
24 studies or comparison group studies and with
25 the ability to replicate and scale;

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

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

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

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

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

18 “(A) designed to identify youth who may
19 have mental health, behavioral health, sub-
20 stance abuse, or other needs requiring imme-
21 diate attention, intervention, and further eval-
22 uation; and

23 “(B) the purpose of which is to quickly
24 identify a youth with possible mental health, be-

1 behavioral health, substance abuse, or other needs
2 in need of further assessment;

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

6 “(A) by an appropriately trained profes-
7 sional who is licensed or certified by the appli-
8 cable State in the mental health, behavioral
9 health, or substance abuse fields; and

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

14 “(39) for purposes of section 223(a)(15), the
15 term ‘contact’ means the points at which a youth
16 and the juvenile justice system or criminal justice
17 system officially intersect, including interactions
18 with a juvenile justice, juvenile court, or law enforce-
19 ment official;

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

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

1 “(B) recognizing when a youth has been
2 exposed to violence and trauma and is in need
3 of help to recover from the adverse impacts of
4 trauma; and

5 “(C) responding in ways that resist re-
6 traumatization;

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

12 “(42) the term ‘status offender’ means a juve-
13 nile who is charged with or who has committed an
14 offense that would not be criminal if committed by
15 an adult;

16 “(43) the term ‘rural’ means an area that is
17 not located in a metropolitan statistical area, as de-
18 fined by the Office of Management and Budget;

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

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

24 “(B) reliability of reporting for internal
25 and external use; and

1 “(C) compliance with applicable laws and
2 regulations, as well as recommendations of the
3 Office of Inspector General and the Government
4 Accountability Office; and

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

7 **TITLE II—CHARLES GRASSLEY**
8 **JUVENILE JUSTICE AND DE-**
9 **LINQUENCY PREVENTION**
10 **PROGRAM**

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

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

14 (1) in subsection (a)—

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

17 (i) by striking “a long-term plan, and
18 implement” and inserting the following: “a
19 long-term plan to improve the juvenile jus-
20 tice system in the United States, taking
21 into account scientific knowledge regarding
22 adolescent development and behavior and
23 regarding the effects of delinquency pre-
24 vention programs and juvenile justice

1 interventions on adolescents, and shall im-
2 plement”; and

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

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

11 (2) in subsection (b)—

12 (A) by striking paragraph (7);

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

15 (C) by inserting after paragraph (4), the
16 following:

17 “(5) not later than 1 year after the date of en-
18 actment of the Juvenile Justice Reform Act of 2018,
19 in consultation with Indian Tribes, develop a policy
20 for the Office of Juvenile Justice and Delinquency
21 Prevention to collaborate with representatives of In-
22 dian Tribes with a criminal justice function on the
23 implementation of the provisions of this Act relating
24 to Indian Tribes;”;

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

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

4 (i) by striking “monitoring”;

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

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

7 (iii) by striking “to review the ade-
8 quacy of such systems; and” and inserting
9 “for monitoring compliance.”.

10 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**
11 **AND DELINQUENCY PREVENTION.**

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

14 (1) in subsection (a)—

15 (A) in paragraph (1)—

16 (i) by inserting “the Assistant Sec-
17 retary for Mental Health and Substance
18 Use, the Secretary of the Interior,” after
19 “the Secretary of Health and Human
20 Services,”; and

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

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

5 (A) in paragraph (1), by striking “para-
6 graphs (12)(A), (13), and (14) of section
7 223(a) of this title” and inserting “the core re-
8 quirements”; and

9 (B) in paragraph (2)—

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

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

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

21 “(i) contains the recommendations de-
22 scribed in subparagraph (A);

23 “(ii) includes a detailed account of the
24 activities conducted by the Council during
25 the fiscal year, including a complete de-

1 tailed accounting of expenses incurred by
2 the Council to conduct operations in ac-
3 cordance with this section;

4 “(iii) is published on the websites of
5 the Office of Juvenile Justice and Delin-
6 quency Prevention, the Council, and the
7 Department of Justice; and

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

10 **SEC. 203. ANNUAL REPORT.**

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

13 (1) in the matter preceding paragraph (1), by
14 striking “a fiscal year” and inserting “each fiscal
15 year”;

16 (2) in paragraph (1)—

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

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

23 (C) in subparagraph (F)—

24 (i) by inserting “and other” before
25 “disabilities,”; and

1 (ii) by striking the period at the end
2 and inserting a semicolon; and

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

4 “(G) a summary of data from 1 month of
5 the applicable fiscal year of the use of restraints
6 and isolation upon juveniles held in the custody
7 of secure detention and correctional facilities
8 operated by a State or unit of local government;

9 “(H) the number of status offense cases
10 petitioned to court, number of status offenders
11 held in secure detention, the findings used to
12 justify the use of secure detention, and the av-
13 erage period of time a status offender was held
14 in secure detention;

15 “(I) the number of juveniles released from
16 custody and the type of living arrangement to
17 which they are released;

18 “(J) the number of juveniles whose offense
19 originated on school grounds, during school-
20 sponsored off-campus activities, or due to a re-
21 ferral by a school official, as collected and re-
22 ported by the Department of Education or simi-
23 lar State educational agency; and

24 “(K) the number of juveniles in the cus-
25 tody of secure detention and correctional facili-

1 ties operated by a State or unit of local or trib-
2 al government who report being pregnant.”;
3 and

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

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

11 “(6) A description of funding provided to In-
12 dian Tribes under this Act or for a juvenile delin-
13 quency or prevention program under the Tribal Law
14 and Order Act of 2010 (Public Law 111–211; 124
15 Stat. 2261), including direct Federal grants and
16 funding provided to Indian Tribes through a State
17 or unit of local government.

18 “(7) An analysis and evaluation of the internal
19 controls at the Office of Juvenile Justice and Delin-
20 quency Prevention to determine if grantees are fol-
21 lowing the requirements of the Office of Juvenile
22 Justice and Delinquency Prevention grant programs
23 and what remedial action the Office of Juvenile Jus-
24 tice and Delinquency Prevention has taken to re-

1 cover any grant funds that are expended in violation
2 of the grant programs, including instances—

3 “(A) in which supporting documentation
4 was not provided for cost reports;

5 “(B) where unauthorized expenditures oc-
6 curred; or

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

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

16 “(A) the full name and location of the
17 grantee;

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

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

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

1 **SEC. 204. ALLOCATION OF FUNDS.**

2 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
3 the Juvenile Justice and Delinquency Prevention Act of
4 1974 (34 U.S.C. 11131(b)(1)) is amended by striking “2
5 percent” and inserting “5 percent”.

6 (b) OTHER ALLOCATIONS.—Section 222 of the Juve-
7 nile Justice and Delinquency Prevention Act of 1974 (34
8 U.S.C. 11132) is amended—

9 (1) in subsection (a)—

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

14 (B) by striking paragraphs (2) and (3) and
15 inserting the following:

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

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

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

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

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

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

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

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

22 (c) CHARLES GRASSLEY JUVENILE JUSTICE AND
23 DELINQUENCY PREVENTION PROGRAM.—Part B of title
24 II of the Juvenile Justice and Delinquency Prevention Act
25 of 1974 (34 U.S.C. 11131 et seq.) is amended—

1 (1) in the part heading, by striking “FEDERAL
2 ASSISTANCE FOR STATE AND LOCAL PROGRAMS”
3 and inserting “CHARLES GRASSLEY JUVENILE JUSTICE
4 AND DELINQUENCY PREVENTION PROGRAM”;
5 and

6 (2) by inserting before section 221 the fol-
7 lowing:

8 “SHORT TITLE
9 “SEC. 220. This part may be cited as the ‘Charles
10 Grassley Juvenile Justice and Delinquency Prevention
11 Program’.”.

12 **SEC. 205. STATE PLANS.**

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

15 (1) in subsection (a)—

16 (A) in the matter preceding paragraph (1),
17 by striking “and shall describe the status of
18 compliance with State plan requirements.” and
19 inserting “and shall describe how the State plan
20 is supported by or takes account of scientific
21 knowledge regarding adolescent development
22 and behavior and regarding the effects of delin-
23 quency prevention programs and juvenile justice
24 interventions on adolescents. Not later than 60
25 days after the date on which a plan or amended
26 plan submitted under this subsection is final-

1 ized, a State shall make the plan or amended
2 plan publicly available by posting the plan or
3 amended plan on the State’s publicly available
4 website.”;

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

9 (C) in paragraph (3)—

10 (i) in subparagraph (A)—

11 (I) in clause (i), by inserting “ad-
12 olescent development,” after “con-
13 cerning”;

14 (II) in clause (ii)—

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

23 (bb) in subclause (V), by
24 striking “delinquents or potential
25 delinquents” and inserting “de-

1 linquent youth or youth at risk of
2 delinquency”;

3 (cc) in subclause (VI), by
4 striking “youth workers involved
5 with” and inserting “representa-
6 tives of”;

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

9 (ee) by striking subclause
10 (VIII) and inserting the fol-
11 lowing:

12 “(VIII) persons, licensed or cer-
13 tified by the applicable State, with ex-
14 pertise and competence in preventing
15 and addressing mental health and
16 substance abuse needs in delinquent
17 youth and youth at risk of delin-
18 quency;

19 “(IX) representatives of victim or
20 witness advocacy groups, including at
21 least one individual with expertise in
22 addressing the challenges of sexual
23 abuse and exploitation and trauma,
24 particularly the needs of youth who
25 experience disproportionate levels of

1 sexual abuse, exploitation, and trauma
2 before entering the juvenile justice
3 system; and

4 “(X) for a State in which one or
5 more Indian Tribes are located, an In-
6 dian tribal representative (if such rep-
7 resentative is available) or other indi-
8 vidual with significant expertise in
9 tribal law enforcement and juvenile
10 justice in Indian tribal communities;”;

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

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

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

24 (iii) in subparagraph (D)—

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

3 (II) in clause (ii), by striking “at
4 least annually recommendations re-
5 garding State compliance with the re-
6 quirements of paragraphs (11), (12),
7 and (13)” and inserting “at least
8 every 2 years a report and necessary
9 recommendations regarding State
10 compliance with the core require-
11 ments”; and

12 (iv) in subparagraph (E)—

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

15 (II) in clause (ii), by striking the
16 period at the end and inserting a
17 semicolon;

18 (D) in paragraph (5)(C), by striking “In-
19 dian tribes” and all that follows through “appli-
20 cable to the detention and confinement of juve-
21 niles” and inserting “Indian Tribes that agree
22 to attempt to comply with the core require-
23 ments applicable to the detention and confine-
24 ment of juveniles”;

25 (E) in paragraph (7)—

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

4 (ii) in subparagraph (B)—

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

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

9 “(iv) a plan to provide alternatives to
10 detention for status offenders, survivors of
11 commercial sexual exploitation, and others,
12 where appropriate, such as specialized or
13 problem-solving courts or diversion to
14 home-based or community-based services
15 or treatment for those youth in need of
16 mental health, substance abuse, or co-oc-
17 ccurring disorder services at the time such
18 juveniles first come into contact with the
19 juvenile justice system;

20 “(v) a plan to reduce the number of
21 children housed in secure detention and
22 corrections facilities who are awaiting
23 placement in residential treatment pro-
24 grams;

1 “(vi) a plan to engage family mem-
2 bers, where appropriate, in the design and
3 delivery of juvenile delinquency prevention
4 and treatment services, particularly post-
5 placement;

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

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

13 “(ix) not later than 1 year after the
14 date of enactment of the Juvenile Justice
15 Reform Act of 2018, a plan which shall be
16 implemented not later than 2 years after
17 the date of enactment of the Juvenile Jus-
18 tice Reform Act of 2018, to—

19 “(I) eliminate the use of re-
20 straints of known pregnant juveniles
21 housed in secure juvenile detention
22 and correction facilities, during labor,
23 delivery, and post-partum recovery,
24 unless credible, reasonable grounds
25 exist to believe the detainee presents

1 an immediate and serious threat of
2 hurting herself, staff, or others; and

3 “(II) eliminate the use of abdom-
4 inal restraints, leg and ankle re-
5 straints, wrist restraints behind the
6 back, and four-point restraints on
7 known pregnant juveniles, unless—

8 “(aa) credible, reasonable
9 grounds exist to believe the de-
10 tainee presents an immediate and
11 serious threat of hurting herself,
12 staff, or others; or

13 “(bb) reasonable grounds
14 exist to believe the detainee pre-
15 sents an immediate and credible
16 risk of escape that cannot be rea-
17 sonably minimized through any
18 other method;”;

19 (F) in paragraph (8), by striking “exist-
20 ing” and inserting “evidence-based and prom-
21 ising”;

22 (G) in paragraph (9)—

23 (i) in the matter preceding subpara-
24 graph (A), by inserting “, with priority in
25 funding given to entities meeting the cri-

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

3 (ii) in subparagraph (A)—

4 (I) in clause (i)—

5 (aa) by inserting “status of-
6 fenders and other” before “youth
7 who need”; and

8 (bb) by striking “and” at
9 the end;

10 (II) in clause (ii) by adding
11 “and” at the end; and

12 (III) by inserting after clause (ii)
13 the following:

14 “(iii) for youth who need specialized
15 intensive and comprehensive services that
16 address the unique issues encountered by
17 youth when they become involved with
18 gangs;”;

19 (iii) in subparagraph (B)(i)—

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

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

3 (iv) in subparagraph (E)—

4 (I) in the matter preceding clause
5 (i), by striking “delinquent” and in-
6 serting “at-risk or delinquent youth”;
7 and

8 (II) in clause (i), by inserting “,
9 including for truancy prevention and
10 reduction” before the semicolon;

11 (v) in subparagraph (F), in the mat-
12 ter preceding clause (i), by striking “ex-
13 panding” and inserting “programs to ex-
14 pand”;

15 (vi) by redesignating subparagraphs
16 (G) through (S) as subparagraphs (H)
17 through (T), respectively;

18 (vii) by inserting after subparagraph
19 (F), the following:

20 “(G) programs—

21 “(i) to ensure youth have access to
22 appropriate legal representation; and

23 “(ii) to expand access to publicly sup-
24 ported, court-appointed legal counsel who

1 are trained to represent juveniles in adju-
2 dication proceedings,
3 except that the State may not use more than 2
4 percent of the funds received under section 222
5 for these purposes;”;

6 (viii) in subparagraph (H), as so re-
7 designated, by striking “State,” each place
8 the term appears and inserting “State,
9 tribal,”;

10 (ix) in subparagraph (M), as so redesi-
11 gnated—

12 (I) in clause (i)—

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

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

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

21 (II) in clause (ii)—

22 (aa) by striking “by the pro-
23 vision by the Administrator”; and

24 (bb) by striking “to States”;

- 1 (x) in subparagraph (N), as so reded-
2 igned—
- 3 (I) by inserting “and reduce the
4 risk of recidivism” after “families”;
5 and
- 6 (II) by striking “so that such ju-
7 veniles may be retained in their
8 homes”;
- 9 (xi) in subparagraph (S), as so reded-
10 igned, by striking “and” at the end;
- 11 (xii) in subparagraph (T), as so reded-
12 igned—
- 13 (I) by inserting “or co-occurring
14 disorder” after “mental health”;
- 15 (II) by inserting “court-involved
16 or” before “incarcerated”;
- 17 (III) by striking “suspected to
18 be”;
- 19 (IV) by striking “and discharge
20 plans” and inserting “provision of
21 treatment, and development of dis-
22 charge plans”; and
- 23 (V) by striking the period at the
24 end and inserting a semicolon; and

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

3 “(U) programs and projects designed—

4 “(i) to inform juveniles of the oppor-
5 tunity and process for sealing and
6 expunging juvenile records; and

7 “(ii) to assist juveniles in pursuing ju-
8 venile record sealing and expungements for
9 both adjudications and arrests not followed
10 by adjudications;

11 except that the State may not use more than 2
12 percent of the funds received under section 222
13 for these purposes;

14 “(V) programs that address the needs of
15 girls in or at risk of entering the juvenile justice
16 system, including pregnant girls, young moth-
17 ers, survivors of commercial sexual exploitation
18 or domestic child sex trafficking, girls with dis-
19 abilities, and girls of color, including girls who
20 are members of an Indian Tribe; and

21 “(W) monitoring for compliance with the
22 core requirements and providing training and
23 technical assistance on the core requirements to
24 secure facilities;”;

1 (H) by striking paragraph (11) and insert-
2 ing the following:

3 “(11)(A) in accordance with rules issued by the
4 Administrator, provide that a juvenile shall not be
5 placed in a secure detention facility or a secure cor-
6 rectional facility, if—

7 “(i) the juvenile is charged with or has
8 committed an offense that would not be crimi-
9 nal if committed by an adult, excluding—

10 “(I) a juvenile who is charged with or
11 has committed a violation of section
12 922(x)(2) of title 18, United States Code,
13 or of a similar State law;

14 “(II) a juvenile who is charged with
15 or has committed a violation of a valid
16 court order issued and reviewed in accord-
17 ance with paragraph (23); and

18 “(III) a juvenile who is held in ac-
19 cordance with the Interstate Compact on
20 Juveniles as enacted by the State; or

21 “(ii) the juvenile—

22 “(I) is not charged with any offense;
23 and

24 “(II)(aa) is an alien; or

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

3 “(B) require that—

4 “(i) not later than 3 years after the date
5 of enactment of the Juvenile Justice Reform
6 Act of 2018, unless a court finds, after a hear-
7 ing and in writing, that it is in the interest of
8 justice, juveniles awaiting trial or other legal
9 process who are treated as adults for purposes
10 of prosecution in criminal court and housed in
11 a secure facility—

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

14 “(II) except as provided in paragraph
15 (13), may not be held in any jail or lockup
16 for adults;

17 “(ii) in determining under clause (i)
18 whether it is in the interest of justice to permit
19 a juvenile to be held in any jail or lockup for
20 adults, or have sight or sound contact with
21 adult inmates, a court shall consider—

22 “(I) the age of the juvenile;

23 “(II) the physical and mental matu-
24 rity of the juvenile;

1 “(III) the present mental state of the
2 juvenile, including whether the juvenile
3 presents an imminent risk of harm to the
4 juvenile;

5 “(IV) the nature and circumstances of
6 the alleged offense;

7 “(V) the juvenile’s history of prior de-
8 linquent acts;

9 “(VI) the relative ability of the avail-
10 able adult and juvenile detention facilities
11 to not only meet the specific needs of the
12 juvenile but also to protect the safety of
13 the public as well as other detained youth;
14 and

15 “(VII) any other relevant factor; and

16 “(iii) if a court determines under clause (i)
17 that it is in the interest of justice to permit a
18 juvenile to be held in any jail or lockup for
19 adults—

20 “(I) the court shall hold a hearing not
21 less frequently than once every 30 days, or
22 in the case of a rural jurisdiction, not less
23 frequently than once every 45 days, to re-
24 view whether it is still in the interest of

1 justice to permit the juvenile to be so held
2 or have such sight or sound contact; and

3 “(II) the juvenile shall not be held in
4 any jail or lockup for adults, or permitted
5 to have sight or sound contact with adult
6 inmates, for more than 180 days, unless
7 the court, in writing, determines there is
8 good cause for an extension or the juvenile
9 expressly waives this limitation;”.

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

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

15 (K) in paragraph (14)—

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

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

20 (iii) by inserting “and” after “deten-
21 tion facilities,”;

22 (iv) by striking “, and non-secure fa-
23 cilities”;

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

1 (vi) by striking “requirements of
2 paragraphs (11), (12), and (13)” and in-
3 serting “core requirements”; and

4 (vii) by striking “, in the opinion of
5 the Administrator,”;

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

7 (M) by redesignating paragraph (28) as
8 paragraph (27);

9 (N) by redesignating paragraphs (15)
10 through (21) as paragraphs (16) through (22),
11 respectively;

12 (O) by inserting after paragraph (14) the
13 following:

14 “(15) implement policy, practice, and system
15 improvement strategies at the State, territorial,
16 local, and tribal levels, as applicable, to identify and
17 reduce racial and ethnic disparities among youth
18 who come into contact with the juvenile justice sys-
19 tem, without establishing or requiring numerical
20 standards or quotas, by—

21 “(A) establishing or designating existing
22 coordinating bodies, composed of juvenile jus-
23 tice stakeholders, (including representatives of
24 the educational system) at the State, local, or
25 tribal levels, to advise efforts by States, units of

1 local government, and Indian Tribes to reduce
2 racial and ethnic disparities;

3 “(B) identifying and analyzing data on
4 race and ethnicity at decision points in State,
5 local, or tribal juvenile justice systems to deter-
6 mine which such points create racial and ethnic
7 disparities among youth who come into contact
8 with the juvenile justice system; and

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

14 (P) in paragraph (16), as so redesignated,
15 by inserting “ethnicity,” after “race,”;

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

19 (R) in paragraph (23)—

20 (i) in subparagraphs (A), (B), and
21 (C), by striking “juvenile” each place it
22 appears and inserting “status offender”;

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

25 (iii) in subparagraph (C)—

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

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

5 (III) by adding at the end the
6 following:

7 “(iii) if such court determines the sta-
8 tus offender should be placed in a secure
9 detention facility or correctional facility for
10 violating such order—

11 “(I) the court shall issue a writ-
12 ten order that—

13 “(aa) identifies the valid
14 court order that has been vio-
15 lated;

16 “(bb) specifies the factual
17 basis for determining that there
18 is reasonable cause to believe
19 that the status offender has vio-
20 lated such order;

21 “(cc) includes findings of
22 fact to support a determination
23 that there is no appropriate less
24 restrictive alternative available to
25 placing the status offender in

1 such a facility, with due consider-
2 ation to the best interest of the
3 juvenile;

4 “(dd) specifies the length of
5 time, not to exceed 7 days, that
6 the status offender may remain
7 in a secure detention facility or
8 correctional facility, and includes
9 a plan for the status offender’s
10 release from such facility; and

11 “(ee) may not be renewed or
12 extended; and

13 “(II) the court may not issue a
14 second or subsequent order described
15 in subclause (I) relating to a status
16 offender unless the status offender
17 violates a valid court order after the
18 date on which the court issues an
19 order described in subclause (I); and”;
20 and

21 (iv) by adding at the end the fol-
22 lowing:

23 “(D) there are procedures in place to en-
24 sure that any status offender held in a secure
25 detention facility or correctional facility pursu-

1 ant to a court order described in this paragraph
2 does not remain in custody longer than 7 days
3 or the length of time authorized by the court,
4 whichever is shorter;”;

5 (S) in paragraph (26)—

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

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

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

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

21 (T) in paragraph (27), as so redesignated,
22 by striking the period at the end and inserting
23 a semicolon; and

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

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

5 “(29) describe the policies, procedures, and
6 training in effect for the staff of juvenile State cor-
7 rectional facilities to eliminate the use of dangerous
8 practices, unreasonable restraints, and unreasonable
9 isolation, including by developing effective behavior
10 management techniques;

11 “(30) describe—

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

16 “(i) request a screening;

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

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

22 “(B) how the State will seek, to the extent
23 practicable, to provide or arrange for mental
24 health and substance abuse disorder treatment

1 for juveniles determined to be in need of such
2 treatment;

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

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

7 “(i) the pre-release and post-release
8 plans for the juveniles;

9 “(ii) the living arrangement to which
10 the juveniles are to be discharged; and

11 “(iii) any other plans developed for
12 the juveniles based on an individualized as-
13 sessment; and

14 “(B) review processes;

15 “(32) provide an assurance that the agency of
16 the State receiving funds under this title collaborates
17 with the State educational agency receiving assist-
18 ance under part A of title I of the Elementary and
19 Secondary Education Act of 1965 (20 U.S.C. 6311
20 et seq.) to develop and implement a plan to ensure
21 that, in order to support educational progress—

22 “(A) the student records of adjudicated ju-
23 veniles, including electronic records if available,
24 are transferred in a timely manner from the
25 educational program in the juvenile detention or

1 secure treatment facility to the educational or
2 training program into which the juveniles will
3 enroll;

4 “(B) the credits of adjudicated juveniles
5 are transferred; and

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

13 “(33) describe policies and procedures to—

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

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

21 (2) by amending subsection (c) to read as
22 follows:

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

1 “(A) subject to subparagraph (B), the amount
2 allocated to such State under section 222 for the
3 subsequent fiscal year shall be reduced by not less
4 than 20 percent for each core requirement with re-
5 spect to which the failure occurs; and

6 “(B) the State shall be ineligible to receive any
7 allocation under such section for such fiscal year un-
8 less—

9 “(i) the State agrees to expend 50 percent
10 of the amount allocated to the State for such
11 fiscal year to achieve compliance with any such
12 core requirement with respect to which the
13 State is in noncompliance; or

14 “(ii) the Administrator determines that the
15 State—

16 “(I) has achieved substantial compli-
17 ance with such applicable requirements
18 with respect to which the State was not in
19 compliance; and

20 “(II) has made, through appropriate
21 executive or legislative action, an unequivocal
22 commitment to achieving full compli-
23 ance with such applicable requirements
24 within a reasonable time.

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

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

6 “(B) 50 percent of the unallocated funds shall
7 be used by the Administrator to provide additional
8 training and technical assistance to States for the
9 purpose of promoting compliance with the core re-
10 quirements.”;

11 (3) in subsection (d)—

12 (A) by striking “described in paragraphs
13 (11), (12), (13), and (22) of subsection (a)”
14 and inserting “described in the core require-
15 ments”; and

16 (B) by striking “the requirements under
17 paragraphs (11), (12), (13), and (22) of sub-
18 section (a)” and inserting “the core require-
19 ments”;

20 (4) in subsection (f)(2)—

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

22 (B) by redesignating subparagraphs (B)
23 through (E) as subparagraphs (A) through (D),
24 respectively; and

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

1 “(g) COMPLIANCE DETERMINATION.—

2 “(1) IN GENERAL.—For each fiscal year, the
3 Administrator shall make a determination regarding
4 whether each State receiving a grant under this title
5 is in compliance or out of compliance with respect to
6 each of the core requirements.

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

8 “(A) issue an annual public report—

9 “(i) describing any determination de-
10 scribed in paragraph (1) made during the
11 previous year, including a summary of the
12 information on which the determination is
13 based and the actions to be taken by the
14 Administrator (including a description of
15 any reduction imposed under subsection
16 (c)); and

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

21 “(B) make the report described in sub-
22 paragraph (A) available on a publicly available
23 website.

24 “(3) DETERMINATIONS REQUIRED.—The Ad-
25 ministrator may not—

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

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

7 **SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVEN-**
8 **TION BLOCK GRANT PROGRAM.**

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

12 **SEC. 207. RESEARCH AND EVALUATION; STATISTICAL**
13 **ANALYSES; INFORMATION DISSEMINATION.**

14 Section 251 of the Juvenile Justice and Delinquency
15 Prevention Act of 1974 (34 U.S.C. 11161) is amended—

16 (1) in subsection (a)—

17 (A) in paragraph (1)—

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

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

24 (iii) in subparagraph (B)—

1 (I) by striking clause (iii) and in-
2 serting the following:

3 “(iii) successful efforts to prevent status
4 offenders and first-time minor offenders from
5 subsequent involvement with the juvenile justice
6 and criminal justice systems;”;

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

9 “(vii) the prevalence and duration of be-
10 havioral health needs (including mental health,
11 substance abuse, and co-occurring disorders)
12 among juveniles pre-placement and post-place-
13 ment in the juvenile justice system, including
14 an examination of the effects of secure deten-
15 tion in a correctional facility;”;

16 (III) by redesignating clauses
17 (ix), (x), and (xi) as clauses (xvi),
18 (xvii), and (xviii), respectively; and

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

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

24 “(x) methods to improve the recruitment,
25 selection, training, and retention of professional

1 personnel who are focused on the prevention,
2 identification, and treatment of delinquency;

3 “(xi) methods to improve the identification
4 and response to victims of domestic child sex
5 trafficking within the juvenile justice system;

6 “(xii) identifying positive outcome meas-
7 ures, such as attainment of employment and
8 educational degrees, that States and units of
9 local government should use to evaluate the
10 success of programs aimed at reducing recidi-
11 vism of youth who have come in contact with
12 the juvenile justice system or criminal justice
13 system;

14 “(xiii) evaluating the impact and outcomes
15 of the prosecution and sentencing of juveniles
16 as adults;

17 “(xiv) successful and cost-effective efforts
18 by States and units of local government to re-
19 duce recidivism through policies that provide for
20 consideration of appropriate alternative sanc-
21 tions to incarceration of youth facing nonviolent
22 charges, while ensuring that public safety is
23 preserved;” and

24 (B) in paragraph (4)—

1 (i) in the matter preceding subpara-
2 graph (A)—

3 (I) by striking “date of enact-
4 ment of this paragraph, the” and in-
5 sserting “date of enactment of the Ju-
6 venile Justice Reform Act of 2018,
7 the”; and

8 (II) by inserting “in accordance
9 with applicable confidentiality require-
10 ments” after “wards of the State”;
11 and

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

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

16 (iv) in subparagraph (G), by striking
17 the period at the end and inserting a semi-
18 colon; and

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

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

22 “(I) an assessment of living arrangements for
23 juveniles who, upon release from confinement in a
24 State correctional facility, cannot return to the resi-
25 dence they occupied prior to such confinement.”;

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

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

5 “(f) NATIONAL RECIDIVISM MEASURE.—The Admin-
6 istrator, in accordance with applicable confidentiality re-
7 quirements and in consultation with experts in the field
8 of juvenile justice research, recidivism, and data collection,
9 shall—

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

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

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

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

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

21 (1) in subsection (a)—

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

24 (B) in paragraph (1)—

1 (i) by inserting “shall” before “de-
2 velop and carry out projects”; and

3 (ii) by striking “and” after the semi-
4 colon;

5 (C) in paragraph (2)—

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

8 (ii) by striking the period at the end
9 and inserting “; and”; and

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

11 “(3) shall provide periodic training for States
12 regarding implementation of the core requirements,
13 current protocols and best practices for achieving
14 and monitoring compliance, and information sharing
15 regarding relevant Office resources on evidence-
16 based and promising programs or practices that pro-
17 mote the purposes of this Act.”;

18 (2) in subsection (b)—

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

21 (B) in paragraph (1)—

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

1 (ii) by inserting “, including compli-
2 ance with the core requirements” after
3 “this title”; and

4 (iii) by striking “and” at the end;
5 (C) in paragraph (2)—

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

8 (ii) by striking the period at the end
9 and inserting a semicolon; and

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

11 “(3) shall provide technical assistance to States
12 and units of local government on achieving compli-
13 ance with the amendments to the core requirements
14 and State Plans made by the Juvenile Justice Re-
15 form Act of 2018, including training and technical
16 assistance and, when appropriate, pilot or dem-
17 onstration projects intended to develop and replicate
18 best practices for achieving sight and sound separa-
19 tion in facilities or portions of facilities that are
20 open and available to the general public and that
21 may or may not contain a jail or a lock-up; and

22 “(4) shall provide technical assistance to States
23 in support of efforts to establish partnerships be-
24 tween a State and a university, institution of higher
25 education, or research center designed to improve

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

8 (3) in subsection (c)—

9 (A) by inserting “prosecutors,” after “pub-
10 lic defenders,”; and

11 (B) by inserting “status offenders and”
12 after “needs of”; and

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

14 “(d) BEST PRACTICES REGARDING LEGAL REP-
15 RESENTATION OF CHILDREN.—In consultation with ex-
16 perts in the field of juvenile defense, the Administrator
17 shall—

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

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

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

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

9 “(2) provide a State, on request, technical as-
10 sistance to implement any of the best practices
11 shared 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
17 of 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 develop-

1 ment approaches that may include methods respon-
2 sive to cultural differences.

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

13 “(1) juvenile justice intake personnel;

14 “(2) probation officers;

15 “(3) juvenile court judges and court services
16 personnel;

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
22 SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.—
23 The Attorney General, acting through the Office of Juve-
24 nile Justice and Delinquency Prevention and the Office
25 of Justice Programs in consultation with entities in the

1 profession, shall provide directly, or through grants or
2 contracts, training and technical assistance to enhance the
3 capacity of State and local courts, judges, and related ju-
4 dicial personnel to—

5 “(1) improve the lives of children currently in-
6 volved 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,
11 in consultation with the Secretary of Agriculture, shall
12 provide guidance to States relating to existing options for
13 school food authorities in the States to apply for reim-
14 bursement for free or reduced price lunches under the
15 Richard B. Russell National School Lunch Act (42 U.S.C.
16 1751 et seq.) for juveniles who are incarcerated and
17 would, if not incarcerated, be eligible for free or reduced
18 price lunches under that Act.”.

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

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

23 (1) in subsection (d)—

24 (A) by inserting “(1)” before “The Admin-
25 istrator”;

1 (B) by striking “, after appropriate con-
2 sultation with representatives of States and
3 units 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 Ad-
8 ministrator 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 re-
12 quirements.

13 “(2) The Administrator shall ensure that—

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

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

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

4 **TITLE III—INCENTIVE GRANTS**
5 **FOR PRISON REDUCTION**
6 **THROUGH OPPORTUNITIES,**
7 **MENTORING, INTERVENTION,**
8 **SUPPORT, AND EDUCATION**

9 **SEC. 301. SHORT TITLE.**

10 Section 501 of the Incentive Grants for Local Delin-
11 quency Prevention Programs Act of 2002 (34 U.S.C.
12 11101 note) is amended—

13 (1) by inserting “Youth Promise” before
14 “Grants”; and

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

16 **SEC. 302. DEFINITIONS.**

17 Section 502 of the Incentive Grants for Local Delin-
18 quency Prevention Programs Act of 2002 (34 U.S.C.
19 11281) is amended to read as follows:

20 **“SEC. 502. DEFINITIONS.**

21 “In this title—

22 “(1) the term ‘at-risk’ has the meaning given
23 that term in section 1432 of the Elementary and
24 Secondary Education Act of 1965 (20 U.S.C. 6472);

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

1 “(A) a unit of local government that is in
2 compliance with the requirements of part B of
3 title II; or

4 “(B) a nonprofit organization in partner-
5 ship with a unit of local government described
6 in subparagraph (A);

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

10 “(A) alcohol and substance abuse preven-
11 tion or treatment services;

12 “(B) tutoring and remedial education, es-
13 pecially in reading and mathematics;

14 “(C) child and adolescent health and men-
15 tal health services;

16 “(D) recreation services;

17 “(E) leadership and youth development ac-
18 tivities;

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

21 “(G) assistance in the development of job
22 training skills;

23 “(H) youth mentoring programs;

24 “(I) after-school programs;

1 “(J) coordination of a continuum of serv-
2 ices that may include—

3 “(i) early childhood development serv-
4 ices;

5 “(ii) voluntary home visiting pro-
6 grams;

7 “(iii) nurse-family partnership pro-
8 grams;

9 “(iv) parenting skills training;

10 “(v) child abuse prevention programs;

11 “(vi) family stabilization programs;

12 “(vii) child welfare services;

13 “(viii) family violence intervention
14 programs;

15 “(ix) adoption assistance programs;

16 “(x) emergency, transitional and per-
17 manent housing assistance;

18 “(xi) job placement and retention
19 training;

20 “(xii) summer jobs programs;

21 “(xiii) alternative school resources for
22 youth who have dropped out of school or
23 demonstrate chronic truancy;

24 “(xiv) conflict resolution skill training;

25 “(xv) restorative justice programs;

- 1 “(xvi) mentoring programs;
- 2 “(xvii) targeted gang prevention,
- 3 intervention and exit services;
- 4 “(xviii) training and education pro-
- 5 grams for pregnant teens and teen par-
- 6 ents; and
- 7 “(xix) pre-release, post-release, and
- 8 reentry services to assist detained and in-
- 9 carcerated youth with transitioning back
- 10 into and reentering the community; and
- 11 “(K) other data-driven evidence-based or
- 12 promising prevention programs;
- 13 “(4) the term ‘local policy board’, when used
- 14 with respect to an eligible entity, means a policy
- 15 board that the eligible entity will engage in the de-
- 16 velopment of the eligible entity’s plan described in
- 17 section 504(e)(5), and that includes—
- 18 “(A) not fewer than 15 and not more than
- 19 21 members; and
- 20 “(B) a balanced representation of—
- 21 “(i) public agencies and private non-
- 22 profit organizations serving juveniles and
- 23 their families; and
- 24 “(ii) business and industry;

1 “(C) at least one representative of the
2 faith community, one adjudicated youth, and
3 one parent of an adjudicated youth; and

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

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

12 “(6) the term ‘State advisory group’ means the
13 advisory group appointed by the chief executive offi-
14 cer of a State under a plan described in section
15 223(a); and

16 “(7) the term ‘State entity’ means the State
17 agency designated under section 223(a)(1) or the en-
18 tity receiving funds under section 223(d).”.

19 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**
20 **TRATOR.**

21 Section 503 of the Incentive Grants for Local Delin-
22 quency Prevention Programs Act of 2002 (34 U.S.C.
23 11282) is amended—

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

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

3 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**
4 **GRAMS.**

5 Section 504 of the Incentive Grants for Local Delin-
6 quency Prevention Programs Act of 2002 (34 U.S.C.
7 11281 et seq.) is amended to read as follows:

8 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**
9 **TION PROGRAMS.**

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

16 “(b) PROGRAM AUTHORIZED.—The Administrator
17 shall—

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

24 “(2) for each fiscal year for which \$25,000,000
25 or more is appropriated under section 506, award

1 grants to not fewer than 5 State entities that apply
2 under subsection (c) and meet the requirements of
3 subsection (d).

4 “(c) STATE APPLICATION.—To be eligible to receive
5 a grant under this section, a State entity shall submit an
6 application to the Administrator that includes the fol-
7 lowing:

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

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

11 “(i) for the costs incurred by the
12 State entity to carry out this section, ex-
13 cept that not more than 3 percent of such
14 grant may be used for such costs; and

15 “(ii) to provide technical assistance to
16 eligible entities receiving a subgrant under
17 subsection (e) in carrying out delinquency
18 prevention programs under the subgrant;
19 and

20 “(B) the remainder of such grant to award
21 subgrants to eligible entities under subsection
22 (e).

23 “(2) An assurance that such grant will supple-
24 ment, and not supplant, State and local efforts to
25 prevent juvenile delinquency.

1 “(3) An assurance the State entity will evaluate
2 the capacity of eligible entities receiving a subgrant
3 under subsection (e) to fulfill the requirements
4 under such subsection.

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

12 “(d) APPROVAL OF STATE APPLICATIONS.—In
13 awarding grants under this section for a fiscal year, the
14 Administrator may not award a grant to a State entity
15 for a fiscal year unless—

16 “(1)(A) the State that will be served by the
17 State entity submitted a plan under section 223 for
18 such fiscal year; and

19 “(B) such plan is approved by the Adminis-
20 trator for such fiscal year; or

21 “(2) after finding good cause for a waiver, the
22 Administrator waives the plan required under sub-
23 paragraph (A) for such State for such fiscal year.

24 “(e) SUBGRANT PROGRAM.—

25 “(1) PROGRAM AUTHORIZED.—

1 “(A) IN GENERAL.—Each State entity re-
2 ceiving a grant under this section shall award
3 subgrants to eligible entities in accordance with
4 this subsection.

5 “(B) PRIORITY.—In awarding subgrants
6 under this subsection, the State shall give pri-
7 ority to eligible entities that demonstrate ability
8 in—

9 “(i) plans for service and agency co-
10 ordination and collaboration including the
11 collocation of services;

12 “(ii) innovative ways to involve the
13 private nonprofit and business sector in de-
14 linquency prevention activities;

15 “(iii) developing data-driven preven-
16 tion plans, employing evidence-based pre-
17 vention strategies, and conducting program
18 evaluations to determine impact and effec-
19 tiveness;

20 “(iv) identifying under the plan sub-
21 mitted under paragraph (5) potential sav-
22 ings and efficiencies associated with suc-
23 cessful implementation of such plan; and

24 “(v) describing how such savings and
25 efficiencies may be used to carry out delin-

1 quency prevention programs and be rein-
2 vested in the continuing implementation of
3 such programs after the end of the
4 subgrant period.

5 “(C) SUBGRANT PROGRAM PERIOD AND DI-
6 VERSITY OF PROJECTS.—

7 “(i) PROGRAM PERIOD.—A subgrant
8 awarded to an eligible entity by a State en-
9 tity under this section shall be for a period
10 of not more than 5 years, of which the eli-
11 gible entity—

12 “(I) may use not more than 18
13 months for completing the plan sub-
14 mitted by the eligible entity under
15 paragraph (5); and

16 “(II) shall use the remainder of
17 the subgrant period, after planning
18 period described in subclause (I), for
19 the implementation of such plan.

20 “(ii) DIVERSITY OF PROJECTS.—In
21 awarding subgrants under this subsection,
22 a State entity shall ensure, to the extent
23 practicable and applicable, that such sub-
24 grants are distributed throughout different

1 areas, including urban, suburban, and
2 rural areas.

3 “(2) LOCAL APPLICATION.—An eligible entity
4 that desires a subgrant under this subsection shall
5 submit an application to the State entity in the
6 State of the eligible entity, at such time and in such
7 manner as determined by the State entity, and that
8 includes—

9 “(A) a description of—

10 “(i) the local policy board and local
11 partners the eligible entity will engage in
12 the development of the plan described in
13 paragraph (5);

14 “(ii) the unmet needs of at-risk or de-
15 linquent youth in the community;

16 “(iii) available resources in the com-
17 munity to meet the unmet needs identified
18 in the needs assessment described in para-
19 graph (5)(A);

20 “(iv) potential costs to the community
21 if the unmet needs are not addressed;

22 “(B) a specific time period for the plan-
23 ning and subsequent implementation of its con-
24 tinuum of local delinquency prevention pro-
25 grams;

1 “(C) the steps the eligible entity will take
2 to implement the plan under subparagraph (A);
3 and

4 “(D) a plan to continue the grant activity
5 with non-Federal funds, if proven successful ac-
6 cording to the performance evaluation process
7 under paragraph (5)(D), after the grant period.

8 “(3) MATCHING REQUIREMENT.—An eligible
9 entity desiring a subgrant under this subsection
10 shall agree to provide a 50 percent match of the
11 amount of the subgrant that may include the value
12 of in-kind contributions.

13 “(4) SUBGRANT REVIEW.—

14 “(A) REVIEW.—Not later than the end of
15 the second year of a subgrant period for a
16 subgrant awarded to an eligible entity under
17 this subsection and before awarding the remain-
18 ing amount of the subgrant to the eligible enti-
19 ty, the State entity shall—

20 “(i) ensure that the eligible entity has
21 completed the plan submitted under para-
22 graph (2) and that the plan meets the re-
23 quirements of such paragraph; and

24 “(ii) verify that the eligible entity will
25 begin the implementation of its plan upon

1 receiving the next installment of its
2 subgrant award.

3 “(B) TERMINATION.—If the State entity
4 finds through the review conducted under sub-
5 paragraph (A) that the eligible entity has not
6 met the requirements of clause (i) of such sub-
7 paragraph, the State entity shall reallocate the
8 amount remaining on the subgrant of the eligi-
9 ble entity to other eligible entities receiving a
10 subgrant under this subsection or award the
11 amount to an eligible entity during the next
12 subgrant competition under this subsection.

13 “(5) LOCAL USES OF FUNDS.—An eligible enti-
14 ty that receives a subgrant under this subsection
15 shall use the funds to implement a plan to carry out
16 delinquency prevention programs in the community
17 served by the eligible entity in a coordinated manner
18 with other delinquency prevention programs or enti-
19 ties serving such community, which includes—

20 “(A) an analysis of the unmet needs of at-
21 risk or delinquent youth in the community—

22 “(i) which shall include—

23 “(I) the available resources in the
24 community to meet the unmet needs;
25 and

1 “(II) factors present in the com-
2 munity that may contribute to delin-
3 quency, such as homelessness, food in-
4 security, teen pregnancy, youth unem-
5 ployment, family instability, lack of
6 educational opportunity; and

7 “(ii) may include an estimate—

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

16 “(II) of potential savings and ef-
17 ficiencies that may be achieved
18 through the implementation of the
19 plan;

20 “(B) a minimum 3-year comprehensive
21 strategy to address the unmet needs and an es-
22 timate of the amount or percentage of non-Fed-
23 eral funds that are available to carry out the
24 strategy;

1 “(C) a description of how delinquency pre-
2 vention programs under the plan will be coordi-
3 nated;

4 “(D) a description of the performance eval-
5 uation process of the delinquency prevention
6 programs to be implemented under the plan,
7 which shall include performance measures to
8 assess efforts to address the unmet needs of
9 youth in the community analyzed under sub-
10 paragraph (A);

11 “(E) the evidence or promising evaluation
12 on which such delinquency prevention programs
13 are based; and

14 “(F) if such delinquency prevention pro-
15 grams are proven successful according to the
16 performance evaluation process under subpara-
17 graph (D), a strategy to continue such pro-
18 grams after the subgrant period with non-Fed-
19 eral funds, including a description of how any
20 estimated savings or efficiencies created by the
21 implementation of the plan may be used to con-
22 tinue such programs.”.

1 **SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION**
2 **AND RESPONSE PROGRAMS.**

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

7 **“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVEN-**
8 **TION AND RESPONSE PROGRAMS.**

9 “(a) IN GENERAL.—The Administrator shall make
10 grants under this section, on a competitive basis, to eligi-
11 ble Indian Tribes (or consortia of Indian Tribes) as de-
12 scribed in subsection (b)—

13 “(1) to support and enhance—

14 “(A) tribal juvenile delinquency prevention
15 services; and

16 “(B) the ability of Indian Tribes to re-
17 spond to, and care for, at-risk or delinquent
18 youth upon release; and

19 “(2) to encourage accountability of Indian trib-
20 al governments with respect to preventing juvenile
21 delinquency, and responding to, and caring for, juve-
22 nile offenders.

23 “(b) ELIGIBLE INDIAN TRIBES.—To be eligible to re-
24 ceive a grant under this section, an Indian Tribe or con-
25 sortium of Indian Tribes shall submit to the Administrator

1 an application in such form as the Administrator may re-
2 quire.

3 “(c) CONSIDERATIONS.—In providing grants under
4 this section, the Administrator shall take into consider-
5 ation, with respect to the Indian Tribe to be served, the—

6 “(1) juvenile delinquency rates;

7 “(2) school dropout rates; and

8 “(3) number of youth at risk of delinquency.

9 “(d) AVAILABILITY OF FUNDS.—Of the amount
10 available for a fiscal year to carry out this title, 11 percent
11 shall be available to carry out this section.”.

12 **SEC. 306. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
13 **OFFICE.**

14 (a) EVALUATION.—Not later than 2 years after the
15 end of the 5th fiscal year for which funds are appropriated
16 to carry out the Incentive Grants for Local Delinquency
17 Prevention Programs Act of 2002, the Comptroller Gen-
18 eral of the United States shall conduct an evaluation of
19 a sample of subgrantees selected by the Comptroller Gen-
20 eral in accordance with subsection (b)) that received funds
21 under section 504(e) of such Act and shall submit a report
22 of such evaluation to the Committee on the Judiciary of
23 the United States Senate and the Committee on Edu-
24 cation and the Workforce of the United States House of
25 Representatives.

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

3 (1) ensure that the sample to be evaluated is
4 made up of subgrantees in States that are diverse
5 geographically and economically; and

6 (2) include in such sample subgrantees that
7 proposed different delinquency prevention programs.

8 (c) RECOMMENDATIONS AND FINDINGS.—In con-
9 ducting the evaluation required by subsection (a), the
10 Comptroller General shall take into consideration wheth-
11 er—

12 (1) the delinquency prevention programs for
13 which subgrantees received funds under section
14 504(e) of Incentive Grants for Local Delinquency
15 Prevention Programs Act of 2002 achieved the out-
16 comes and results anticipated by the particular State
17 involved;

18 (2) in the case of outcomes and results of delin-
19 quency prevention programs defined by the State or
20 a local entity, unanticipated improved outcomes or
21 results for juveniles occurred;

22 (3) the number of subgrantees that continue
23 after the expenditure of such funds to provide such
24 delinquency prevention programs;

1 (2) conduct a comprehensive audit and evalua-
2 tion of a selected, sample of grantees (as determined
3 by the Comptroller General) that receive Federal
4 funds under grant programs administered by the
5 agency including a review of internal controls (as de-
6 fined in section 103 of the Juvenile Justice and De-
7 linquency Prevention Act of 1974 (34 U.S.C.
8 11103), as amended by this Act) to prevent fraud,
9 waste, and abuse of funds by grantees; and

10 (3) submit a report in accordance with sub-
11 section (d).

12 (b) CONSIDERATIONS FOR EVALUATION.—In con-
13 ducting the analysis and evaluation under subsection
14 (a)(1), and in order to document the efficiency and public
15 benefit of the Juvenile Justice and Delinquency Preven-
16 tion Act of 1974 (34 U.S.C. 11101 et seq.), the Comp-
17 troller General shall take into consideration—

18 (1) the outcome and results of the programs
19 carried out by the agency and those programs ad-
20 ministered through grants by the agency;

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

24 (3) the extent to which the jurisdiction of, and
25 the programs administered by, the agency duplicate

1 or conflict with the jurisdiction and programs of
2 other agencies;

3 (4) the potential benefits of consolidating pro-
4 grams administered by the agency with similar or
5 duplicative programs of other agencies, and the po-
6 tential for consolidating those programs;

7 (5) whether less restrictive or alternative meth-
8 ods exist to carry out the functions of the agency
9 and whether current functions or operations are im-
10 peded or enhanced by existing statutes, rules, and
11 procedures;

12 (6) the number and types of beneficiaries or
13 persons served by programs carried out by the agen-
14 cy;

15 (7) the manner with which the agency seeks
16 public input and input from State and local govern-
17 ments on the performance of the functions of the
18 agency;

19 (8) the extent to which the agency complies
20 with section 552 of title 5, United States Code (com-
21 monly known as the Freedom of Information Act);

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

1 (10) the extent to which changes are necessary
2 in the authorizing statutes of the agency in order for
3 the functions of the agency to be performed in a
4 more efficient and effective manner.

5 (c) CONSIDERATIONS FOR AUDITS.—In conducting
6 the audit and evaluation under subsection (a)(2), and in
7 order to document the efficiency and public benefit of the
8 Juvenile Justice and Delinquency Prevention Act of 1974
9 (34 U.S.C. 11101 et seq.), the Comptroller General shall
10 take into consideration—

11 (1) whether grantees timely file Financial Sta-
12 tus Reports;

13 (2) whether grantees have sufficient internal
14 controls to ensure adequate oversight of grant fund
15 received;

16 (3) whether disbursements were accompanied
17 with adequate supporting documentation (including
18 invoices and receipts);

19 (4) whether expenditures were authorized;

20 (5) whether subrecipients of grant funds were
21 complying with program requirements;

22 (6) whether salaries and fringe benefits of per-
23 sonnel were adequately supported by documentation;

24 (7) whether contracts were bid in accordance
25 with program guidelines; and

1 (8) whether grant funds were spent in accord-
2 ance with program goals and guidelines.

3 (d) REPORT.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of enactment of this Act, the Comptroller
6 General of the United States shall—

7 (A) submit a report regarding the evalua-
8 tion conducted under subsection (a) and audit
9 under subsection (b), to the Speaker of the
10 House of Representatives and the President pro
11 tempore of the Senate; and

12 (B) make the report described in subpara-
13 graph (A) available to the public.

14 (2) CONTENTS.—The report submitted in ac-
15 cordance with paragraph (1) shall include all audit
16 findings determined by the selected, statistically sig-
17 nificant sample of grantees as required by subsection
18 (a)(2) and shall include the name and location of
19 any selected grantee as well as any findings required
20 by subsection (a)(2).

21 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS; ACCOUNT-**
22 **ABILITY AND OVERSIGHT.**

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

1 **“TITLE VI—AUTHORIZATION OF**
2 **APPROPRIATIONS; ACCOUNT-**
3 **ABILITY AND OVERSIGHT**

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

5 “There are authorized to be appropriated to carry out
6 this Act, except for titles III and IV, \$176,000,000 for
7 each of fiscal years 2019 through 2023, of which not more
8 than \$96,053,401 shall be used to carry out title V for
9 each such fiscal year.

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

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

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

20 “(2) States, which are entrusted with a fiscal
21 stewardship role if they accept funds under title II
22 must exercise vigilant oversight to ensure full com-
23 pliance with the core requirements for juveniles pro-
24 vided for in title II.

25 “(b) ACCOUNTABILITY.—

1 “(1) AGENCY PROGRAM REVIEW.—

2 “(A) PROGRAMMATIC AND FINANCIAL AS-
3 SESSMENT.—

4 “(i) IN GENERAL.—Not later than 60
5 days after the date of enactment of the Ju-
6 venile Justice Reform Act of 2018, the Di-
7 rector of the Office of Audit, Assessment,
8 and Management of the Office of Justice
9 Programs at the Department of Justice
10 (referred to in this section as the ‘Direc-
11 tor’) shall—

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

1 “(aa) supporting docu-
2 mentation was not provided for
3 cost reports;

4 “(bb) unauthorized expendi-
5 tures occurred; and

6 “(cc) subrecipients of grant
7 funds were not in compliance
8 with program requirements;

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

18 “(III) submit a report in accord-
19 ance with clause (iv).

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

1 take into consideration the extent to
2 which—

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

6 “(II) changes are necessary in
7 the authorizing statutes of the agency
8 in order that the functions of the
9 agency can be performed in a more ef-
10 ficient and effective manner; and

11 “(III) the agency has imple-
12 mented recommendations issued by
13 the Comptroller General or Office of
14 Inspector General relating to the
15 grant making and grant monitoring
16 responsibilities of the agency.

17 “(iii) CONSIDERATIONS FOR AU-
18 DITS.—In conducting the audit and evalua-
19 tion under clause (i)(II), and in order to
20 document the efficiency and public benefit
21 of titles II and V, the Director shall take
22 into consideration—

23 “(I) whether grantees timely file
24 Financial Status Reports;

1 “(II) whether grantees have suf-
2 ficient internal controls to ensure ade-
3 quate oversight of grant funds re-
4 ceived;

5 “(III) whether grantees’ asser-
6 tions of compliance with the core re-
7 quirements were accompanied with
8 adequate supporting documentation;

9 “(IV) whether expenditures were
10 authorized;

11 “(V) whether subrecipients of
12 grant funds were complying with pro-
13 gram requirements; and

14 “(VI) whether grant funds were
15 spent in accordance with the program
16 goals and guidelines.

17 “(iv) REPORT.—The Director shall—

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

1 “(II) shall make such report
2 available to the public online, not later
3 than 1 year after the date of enact-
4 ment of this section.

5 “(B) ANALYSIS OF INTERNAL CON-
6 TROLS.—

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

18 “(ii) REPORT.—Not later than 180
19 days after the date of enactment of the Ju-
20 venile Justice Reform Act of 2018, the Ad-
21 ministrator shall submit to Congress a re-
22 port containing—

23 “(I) the findings of the analysis
24 and evaluation conducted under clause
25 (i);

1 “(II) a description of remedial
2 actions, if any, that will be taken by
3 the Administrator to enhance the in-
4 ternal controls of the agency and re-
5 coup funds that may have been ex-
6 pended in violation of law, regulations,
7 or program requirements issued under
8 titles II and V; and

9 “(III) a description of—

10 “(aa) the analysis conducted
11 under clause (i);

12 “(bb) whether the funds
13 awarded under titles II and V
14 have been used in accordance
15 with law, regulations, program
16 guidance, and applicable plans;
17 and

18 “(cc) the extent to which
19 funds awarded to States and In-
20 dian Tribes under titles II and V
21 enhanced the ability of grantees
22 to fulfill the core requirements.

23 “(C) REPORT BY THE ATTORNEY GEN-
24 ERAL.—Not later than 180 days after the date
25 of enactment of the Juvenile Justice Reform

1 Act of 2018, the Attorney General shall submit
2 to the appropriate committees of the Congress
3 a report on the estimated amount of formula
4 grant funds disbursed by the agency since fiscal
5 year 2010 that did not meet the requirements
6 for awards of formula grants to States under
7 title II.

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

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

17 “(B) ASSESSMENT.—Not later than 1 year
18 after the date of enactment of the Juvenile Jus-
19 tice Reform Act of 2018 and annually there-
20 after, the Inspector General shall conduct a risk
21 assessment to determine the appropriate num-
22 ber of grantees to be audited under subpara-
23 graph (A) in the year involved.

24 “(C) PUBLIC AVAILABILITY ON
25 WEBSITE.—The Attorney General shall make

1 the summary of each review conducted under
2 this section available on the website of the De-
3 partment of Justice, subject to redaction as the
4 Attorney General determines necessary to pro-
5 tect classified and other sensitive information.

6 “(D) MANDATORY EXCLUSION.—A recipi-
7 ent of grant funds under this Act (excluding
8 title IV) that is found to have an unresolved
9 audit finding shall not be eligible to receive
10 grant funds under this Act (excluding title IV)
11 during the first 2 fiscal years beginning after
12 the 12-month period beginning on the date on
13 which the audit report is issued.

14 “(E) PRIORITY.—In awarding grants
15 under this Act (excluding title IV), the Admin-
16 istrator shall give priority to a State or Indian
17 Tribe that did not have an unresolved audit
18 finding during the 3 fiscal years prior to the
19 date on which the State or Indian Tribe sub-
20 mits an application for a grant under this Act.

21 “(F) REIMBURSEMENT.—If a State or an
22 Indian Tribe is awarded a grant under this Act
23 (excluding title IV) during the 2-fiscal-year pe-
24 riod in which the recipient is barred from re-

1 ceiving grants under subparagraph (D), the At-
2 torney General shall—

3 “(i) deposit an amount equal to the
4 amount of the grant funds that were im-
5 properly awarded to the grantee into the
6 general fund of the Treasury; and

7 “(ii) seek to recoup the costs of the
8 repayment to the general fund under
9 clause (i) from the grantee that was erro-
10 neously awarded grant funds.

11 “(G) DEFINITION.—In this paragraph, the
12 term ‘unresolved audit finding’ means a finding
13 in the final audit report of the Inspector Gen-
14 eral—

15 “(i) that the audited State or Indian
16 Tribe has used grant funds for an unau-
17 thorized expenditure or otherwise unallow-
18 able cost; and

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

23 “(3) NONPROFIT ORGANIZATION REQUIRE-
24 MENTS.—

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

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

15 “(C) DISCLOSURE.—

16 “(i) IN GENERAL.—Each nonprofit or-
17 ganization that is awarded a grant under
18 a grant program described in this Act (ex-
19 cluding title IV) and uses the procedures
20 prescribed in regulations to create a rebut-
21 table presumption of reasonableness for
22 the compensation of its officers, directors,
23 trustees, and key employees, shall disclose
24 to the Administrator, in the application for

1 the grant, the process for determining such
2 compensation, including—

3 “(I) the independent persons in-
4 volved in reviewing and approving
5 such compensation;

6 “(II) the comparability data
7 used; and

8 “(III) contemporaneous substan-
9 tiation of the deliberation and deci-
10 sion.

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

15 “(4) CONFERENCE EXPENDITURES.—

16 “(A) LIMITATION.—No amounts author-
17 ized to be appropriated to the Department of
18 Justice under this Act may be used by the At-
19 torney General, or by any individual or organi-
20 zation awarded discretionary funds through a
21 cooperative agreement under this Act, to host
22 or support any expenditure for conferences that
23 uses more than \$20,000 in funds made avail-
24 able to the Department of Justice, unless the
25 Deputy Attorney General or such Assistant At-

1 torney Generals, Directors, or principal deputies
2 as the Deputy Attorney General may designate,
3 provides prior written authorization that the
4 funds may be expended to host a conference.

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

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

17 “(5) PROHIBITION ON LOBBYING ACTIVITY.—

18 “(A) IN GENERAL.—Amounts authorized
19 to be appropriated under this Act may not be
20 utilized by any recipient of a grant made using
21 such amounts—

22 “(i) to lobby any representative of the
23 Department of Justice regarding the
24 award of grant funding; or

1 “(ii) to lobby any representative of a
2 Federal, State, local, or tribal government
3 regarding the award of grant funding.

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

9 “(i) require the recipient to repay the
10 grant in full; and

11 “(ii) prohibit the recipient to receive
12 another grant under this Act for not less
13 than 5 years.

14 “(C) CLARIFICATION.—For purposes of
15 this paragraph, submitting an application for a
16 grant under this Act shall not be considered
17 lobbying activity in violation of subparagraph
18 (A).

19 “(6) ANNUAL CERTIFICATION.—Beginning in
20 the 1st fiscal year that begins after the effective
21 date of this section, the Attorney General shall sub-
22 mit to the Committee on the Judiciary and the Com-
23 mittee on Appropriations of the Senate, and the
24 Committee on Education and the Workforce and the

1 Committee on Appropriations of the House of Rep-
2 resentatives, an annual certification that—

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

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

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

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

15 “(c) PREVENTING DUPLICATIVE GRANTS.—

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

22 “(2) REPORT.—If the Attorney General awards
23 duplicate grants to the same applicant for the same
24 purpose the Attorney General shall submit to the
25 Committee on the Judiciary of the Senate and the

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

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

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

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

14 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
15 The Juvenile Justice and Delinquency Prevention Act of
16 1974 (34 U.S.C. 11101 et seq.) is amended by striking—

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

18 (2) section 505.

Passed the House of Representatives September 28,
2018.

Attest:

KAREN L. HAAS,

Clerk.

Calendar No. 612

115TH CONGRESS
2^D SESSION

H. R. 6964

AN ACT

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

OCTOBER 2 (legislative day; SEPTEMBER 28), 2018

Read twice and placed on the calendar