

115TH CONGRESS
1ST SESSION

S. 860

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

IN THE SENATE OF THE UNITED STATES

APRIL 5 (legislative day, APRIL 4), 2017

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Juvenile Justice and
5 Delinquency Prevention Reauthorization Act of 2017”.

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

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

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

- Sec. 101. Purposes.
- Sec. 102. Definitions.

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- Sec. 201. Concentration of Federal efforts.
- Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 203. Annual report.
- Sec. 204. Allocation of funds.
- Sec. 205. State plans.
- Sec. 206. Reallocation of grant funds.
- Sec. 207. Authority to make grants.
- Sec. 208. Eligibility of States.
- Sec. 209. Grants to Indian tribes.
- Sec. 210. Research and evaluation; statistical analyses; information dissemination.
- Sec. 211. Training and technical assistance.
- Sec. 212. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

- Sec. 301. Definitions.
- Sec. 302. Grants for delinquency prevention programs.
- Sec. 303. Technical and conforming amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Evaluation by Government Accountability Office.
- Sec. 402. Authorization of appropriations.
- Sec. 403. Accountability and oversight.

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

- Sec. 501. Grant eligibility.

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

3 **SEC. 101. PURPOSES.**

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

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

8 (2) in paragraph (2)—

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

3 (B) by striking “and” at the end;

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

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

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

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

23 **SEC. 102. DEFINITIONS.**

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

1 (1) in paragraph (8)—

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

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

5 (C) by redesignating subparagraph (D) as
6 subparagraph (C);

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

9 “(18) the term ‘Indian tribe’ means a federally
10 recognized Indian tribe or an Alaskan Native organi-
11 zation that has a law enforcement function, as deter-
12 mined by the Secretary of the Interior in consulta-
13 tion with the Attorney General;”.

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

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

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

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

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

3 “(26) the term ‘adult inmate’—

4 “(A) means an individual who—

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

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

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

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

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

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

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

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

4 “(30) the term ‘core requirements’—

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

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

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

15 “(32) the term ‘isolation’—

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

19 “(B) does not include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 “(B) recognizing when a youth has been
24 exposed to violence and trauma and is in need

1 of help to recover from the adverse impacts of
2 trauma; and

3 “(C) responding in ways that resist re-
4 traumatization;

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

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

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

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

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

22 “(B) reliability of reporting for internal
23 and external use; and

24 “(C) compliance with applicable laws and
25 regulations, as well as recommendations of the

1 Office of Inspector General and the Government
2 Accountability Office; and

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

5 **TITLE II—JUVENILE JUSTICE**
6 **AND DELINQUENCY PREVEN-**
7 **TION**

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

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

11 (1) in subsection (a)—

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

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

24 (ii) by striking “research, and im-
25 provement of the juvenile justice system in

1 the United States” and inserting “and re-
2 search”; and

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

7 (2) in subsection (b)—

8 (A) by striking paragraph (7);

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

11 (C) by inserting after paragraph (4), the
12 following:

13 “(5) not later than 1 year after the date of en-
14 actment of the Juvenile Justice and Delinquency
15 Prevention Reauthorization Act of 2017, in consulta-
16 tion with Indian tribes, develop a policy for the Of-
17 fice of Juvenile Justice and Delinquency Prevention
18 to collaborate with representatives of Indian tribes
19 with a criminal justice function on the implementa-
20 tion of the provisions of this Act relating to Indian
21 tribes;”;

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

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

25 (i) by striking “monitoring”;

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

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

- 8 Section 206 of the Juvenile Justice and Delinquency
 9 Prevention Act of 1974 (42 U.S.C. 5616) is amended—
 10 (1) in subsection (a)
 11 (A) in paragraph (1)—
 12 (i) by inserting “the Administrator of
 13 the Substance Abuse and Mental Health
 14 Services Administration, the Secretary of
 15 the Interior,” after “the Secretary of
 16 Health and Human Services,”; and
 17 (ii) by striking “Commissioner of Im-
 18 migration and Naturalization” and insert-
 19 ing “Assistant Secretary for Immigration
 20 and Customs Enforcement”; and
 21 (B) in paragraph (2), by striking “United
 22 States” and inserting “Federal Government”;
 23 and
 24 (2) in subsection (c)—

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

5 (B) in paragraph (2)—

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

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

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

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

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

1 “(iii) is published on the websites of
 2 the Office of Juvenile Justice and Delin-
 3 quency Prevention, the Council, and the
 4 Department of Justice; and
 5 “(iv) is in addition to the annual re-
 6 port required under section 207.”.

7 **SEC. 203. ANNUAL REPORT.**

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

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

13 (2) in paragraph (1)—

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

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

20 (C) in subparagraph (F)—

21 (i) by inserting “and other” before
 22 “disabilities,”; and

23 (ii) by striking the period at the end
 24 and inserting a semicolon; and

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

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

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

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

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

21 “(K) the number of juveniles in the cus-
22 tody of secure detention and correctional facili-
23 ties operated by a State or unit of local govern-
24 ment who report being pregnant.”; and

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

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

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

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

23 “(A) in which supporting documentation
24 was not provided for cost reports;

1 “(B) where unauthorized expenditures oc-
 2 curred; or

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

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

12 “(A) the full name and location of the
 13 grantee;

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

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

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

21 **SEC. 204. ALLOCATION OF FUNDS.**

22 (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of
 23 the Juvenile Justice and Delinquency Prevention Act of
 24 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2
 25 percent” and inserting “5 percent”.

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

4 (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

24 (1) in subsection (a)—

(A) in the matter preceding paragraph (1),
 by striking “and shall describe the status of
 compliance with State plan requirements.” and
 inserting “and shall describe how the State plan
 is supported by or takes account of scientific
 knowledge regarding adolescent development
 and behavior and regarding the effects of delin-
 quency prevention programs and juvenile justice
 interventions on adolescents. Not later than 60
 days after the date on which a plan or amended
 plan submitted under this subsection is final-
 ized, a State shall make the plan or amended
 plan publicly available by posting the plan or
 amended plan on the State’s publicly available
 website.”;

(B) in paragraph (3)—

(i) in subparagraph (A)—

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

(II) in clause (ii)—

(aa) in subclause (II), by
 striking “counsel for children and
 youth” and inserting “publicly
 supported court-appointed legal

1 counsel for juveniles charged with
2 an act of juvenile delinquency or
3 a status offense, consistent with
4 other Federal law”;

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

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

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

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

1 (ff) by striking subclause
2 (VIII) and inserting the fol-
3 lowing:

4 “(VIII) persons, licensed or cer-
5 tified by the applicable State, with ex-
6 pertise and competence in preventing
7 and addressing mental health and
8 substance abuse needs in juvenile
9 delinquents and those at-risk of delin-
10 quency;

11 “(IX) representatives of victim or
12 witness advocacy groups, including at
13 least 1 individual with expertise in ad-
14 dressing the challenges of sexual
15 abuse and exploitation and trauma;
16 and

17 “(X) for a State in which one or
18 more Indian tribes are located, an In-
19 dian tribal representative or, if such
20 Indian tribal representative is unavail-
21 able, other individual with significant
22 expertise in tribal law enforcement
23 and juvenile justice in Indian tribal
24 communities;”;

1 (III) in clause (iv), by striking
2 “24 at the time of appointment” and
3 inserting “28 at the time of initial ap-
4 pointment”; and

5 (IV) in clause (v) by inserting
6 “or, if not feasible and in appropriate
7 circumstances, who is the parent or
8 guardian of someone who has been or
9 is currently under the jurisdiction of
10 the juvenile justice system” after “ju-
11 venile justice system”;

12 (ii) in subparagraph (C), by striking
13 “30 days” and inserting “45 days”; and

14 (iii) in subparagraph (D)(ii), by strik-
15 ing “at least annually recommendations re-
16 garding State compliance with the require-
17 ments of paragraphs (11), (12), and (13)”
18 and inserting “at least every 2 years a re-
19 port and necessary recommendations re-
20 garding State compliance with the core re-
21 quirements”; and

22 (iv) in subparagraph (E)—

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

1 (II) in clause (ii), by striking the
2 period at the end and inserting a
3 semicolon;

4 (C) in paragraph (5)(C), by striking “In-
5 dian tribes” and all that follows through “appli-
6 cable to the detention and confinement of juve-
7 niles” and inserting “Indian tribes that agree
8 to attempt to comply with the core require-
9 ments applicable to the detention and confine-
10 ment of juveniles”;

11 (D) in paragraph (7)—

12 (i) in subparagraph (A), by striking
13 “performs law enforcement functions” and
14 inserting “has jurisdiction”; and

15 (ii) in subparagraph (B)—

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

18 (II) by striking clause (iv) and
19 inserting the following:

20 “(iv) a plan to provide alternatives to
21 detention for status offenders, juveniles
22 who have been induced to perform com-
23 mercial sex acts, and others, where appro-
24 priate, such as specialized or problem-solv-
25 ing courts or diversion to home-based or

1 community-based services or treatment for
2 those youth in need of mental health, sub-
3 stance abuse, or co-occurring disorder serv-
4 ices at the time such juveniles first come
5 into contact with the juvenile justice sys-
6 tem;

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

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

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

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

24 “(ix) not later than 1 year after the
25 date of enactment of the Juvenile Justice

1 and Delinquency Prevention Reauthoriza-
2 tion Act of 2017, a plan, which shall be
3 implemented not later than 2 years after
4 the date of enactment of the Juvenile Jus-
5 tice and Delinquency Prevention Reauthor-
6 ization Act of 2017, to—

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

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

21 “(aa) credible, reasonable
22 grounds exist to believe the de-
23 tainee presents an immediate and
24 serious threat of hurting herself,
25 staff, or others; or

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

7 (E) in paragraph (8), by striking “exist-
 8 ing” and inserting “evidence-based and prom-
 9 ising”;

10 (F) in paragraph (9)—

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

16 (ii) in subparagraph (A)(i), by insert-
 17 ing “status offenders and other” before
 18 “youth who need”;

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) by redesignating subparagraphs
 12 (G) through (S) as subparagraphs (H)
 13 through (T), respectively;
 14 (vi) in subparagraph (F), in the mat-
 15 ter preceding clause (i), by striking “ex-
 16 panding” and inserting “programs to ex-
 17 pand”;
 18 (vii) by inserting after subparagraph
 19 (F), the following:
 20 “(G) expanding access to publicly sup-
 21 ported, court-appointed legal counsel and en-
 22 hancing capacity for the competent representa-
 23 tion of every child, consistent with other Fed-
 24 eral law;”

1 (viii) in subparagraph (H), as so re-
 2 designated, by striking “State,” each place
 3 the term appears and inserting “State,
 4 tribal,”;

5 (ix) in subparagraph (M), as so redes-
 6 ignated—

7 (I) in clause (i)—

8 (aa) by inserting “pre-adju-
 9 dication and” before “post-adju-
 10 dication”;

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

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

16 (II) in clause (ii)—

17 (aa) by striking “by the pro-
 18 vision by the Administrator”; and

19 (bb) by striking “to States”;

20 (x) in subparagraph (N), as redesign-
 21 nated—

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

- 1 (II) by striking “so that juveniles
- 2 may be retained in their homes”;
- 3 (xi) in subparagraph (S), as so redes-
- 4 ignated, by striking “and” at the end;
- 5 (xii) in subparagraph (T), as so redes-
- 6 ignated—
- 7 (I) by inserting “or co-occurring
- 8 disorder” after “mental health”;
- 9 (II) by inserting “court-involved
- 10 or” before “incarcerated”;
- 11 (III) by striking “suspected to
- 12 be”;
- 13 (IV) by striking “and discharge
- 14 plans” and inserting “provision of
- 15 treatment, and development of dis-
- 16 charge plans”; and
- 17 (V) by striking the period at the
- 18 end and inserting a semicolon; and
- 19 (xiii) by inserting after subparagraph
- 20 (T) the following:
- 21 “(U) programs and projects designed to in-
- 22 form juveniles of the opportunity and process
- 23 for expunging juvenile records and to assist ju-
- 24 veniles in pursuing juvenile record expunge-

1 ments for both adjudications and arrests not
2 followed by adjudications;

3 “(V) programs that address the needs of
4 girls in or at risk of entering the juvenile justice
5 system, including pregnant girls, young moth-
6 ers, survivors of commercial sexual exploitation
7 or domestic child sex trafficking, girls with dis-
8 abilities, and girls of color, including girls who
9 are members of an Indian tribe; and

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

14 (G) by striking paragraph (11) and insert-
15 ing the following:

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

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

23 “(I) a juvenile who is charged with or
24 has committed a violation of section

1 922(x)(2) of title 18, United States Code,
2 or of a similar State law;

3 “(II) a juvenile who is charged with
4 or has committed a violation of a valid
5 court order issued and reviewed in accord-
6 ance with paragraph (23); and

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

10 “(ii) the juvenile—

11 “(I) is not charged with any offense;
12 and

13 “(II)(aa) is an alien; or

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

16 “(B) require that—

17 “(i) not later than 3 years after the date
18 of enactment of the Juvenile Justice and Delin-
19 quency Prevention Reauthorization Act of 2017,
20 unless a court finds, after a hearing and in
21 writing, that it is in the interest of justice, juve-
22 niles awaiting trial or other legal process who
23 are treated as adults for purposes of prosecu-
24 tion in criminal court and housed in a secure
25 facility—

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

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

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

11 “(I) the age of the juvenile;

12 “(II) the physical and mental matu-
13 rity of the juvenile;

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

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

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

22 “(VI) the relative ability of the avail-
23 able adult and juvenile detention facilities
24 to not only meet the specific needs of the
25 juvenile but also to protect the safety of

1 the public as well as other detained youth;
2 and

3 “(VII) any other relevant factor; and

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

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

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

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

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

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

5 (K) by redesignating paragraph (28) as
 6 paragraph (27);

7 (L) by redesignating paragraphs (15)
 8 through (21) as paragraphs (16) through (22),
 9 respectively;

10 (M) by inserting after paragraph (14) the
 11 following:

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

19 “(A) establishing or designating existing
 20 coordinating bodies, composed of juvenile jus-
 21 tice stakeholders, (including representatives of
 22 the educational system) at the State, local, or
 23 tribal levels, to advise efforts by States, units of
 24 local government, and Indian tribes to reduce
 25 racial and ethnic disparities;

1 “(B) identifying and analyzing key decision
2 points in State, local, or tribal juvenile justice
3 systems to determine which points create racial
4 and ethnic disparities among youth who come
5 into contact with the juvenile justice system;
6 and

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

12 (N) in paragraph (15), as so redesign-
13 nated—

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

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

18 (iii) by inserting “and” after “deten-
19 tion facilities,”;

20 (iv) by striking “, and non-secure fa-
21 cilities”;

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

24 (vi) by striking “requirements of
25 paragraph (11),” and all that follows

1 through “monitoring to the Administrator”
2 and inserting “core requirements are met,
3 and for annual reporting to the Adminis-
4 trator”; and

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

7 (O) in paragraph (16), as so redesignated,
8 by inserting “ethnicity,” after “race,”;

9 (P) in paragraph (21), as so redesignated,
10 by striking “local,” each place the term appears
11 and inserting “local, tribal,”;

12 (Q) in paragraph (23)—

13 (i) in subparagraphs (A), (B), and
14 (C), by striking “juvenile” each place it
15 appears and inserting “status offender”;

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

18 (iii) in subparagraph (C)—

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

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

23 (III) by adding at the end the
24 following:

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

5 “(I) the court shall issue a writ-
6 ten order that—

7 “(aa) identifies the valid
8 court order that has been vio-
9 lated;

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

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

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

1 in a secure detention facility or
2 correctional facility, and includes
3 a plan for the status offender's
4 release from such facility; and

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

7 “(II) the court may not issue a
8 second or subsequent order described
9 in subclause (I) relating to a status
10 offender, unless the status offender
11 violates a valid court order after the
12 date on which the court issues an
13 order described in subclause (I);” and
14 (iv) by adding at the end the fol-
15 lowing:

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

23 “(E) not later than 3 years after the date
24 of enactment of the Juvenile Justice and Delin-
25 quency Prevention Reauthorization Act of 2017,

1 the State will eliminate the use of valid court
2 orders to provide secure confinement of status
3 offenders, except that juveniles may be held in
4 secure confinement in accordance with the
5 Interstate Compact for Juveniles if the judge
6 issues a written order that—

7 “(i) specifies the factual basis to be-
8 lieve that the State has the authority to
9 detain the juvenile under the terms of the
10 Interstate Compact for Juveniles;

11 “(ii) includes findings of fact to sup-
12 port a determination that there is no ap-
13 propriate less restrictive alternative avail-
14 able to placing the juvenile in such a facil-
15 ity, with due consideration to the best in-
16 terest of the juvenile;

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

22 “(iv) may not be renewed or ex-
23 tended;”;

24 (R) in paragraph (26)—

1 (i) by inserting “and in accordance
2 with confidentiality concerns,” after “max-
3 imum extent practicable,”; and

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

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

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

16 (S) in paragraph (27), as so redesignated,
17 by striking the period at the end and inserting
18 a semicolon; and

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

20 “(28) provide for the coordinated use of funds
21 provided under this Act with other Federal and
22 State funds directed at juvenile delinquency preven-
23 tion and intervention programs;

24 “(29) describe the policies, procedures, and
25 training in effect for the staff of juvenile State cor-

1 rectional facilities to eliminate the use of dangerous
2 practices, unreasonable restraints, and unreasonable
3 isolation, including by developing effective behavior
4 management techniques;

5 “(30) describe—

6 “(A) the evidence-based methods that will
7 be used to conduct mental health and substance
8 abuse screening, assessment, referral, and
9 treatment for juveniles who—

10 “(i) request a screening;

11 “(ii) show signs of needing a screen-
12 ing; or

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

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

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

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

1 “(i) the pre-release and post-release
2 plans for the juveniles;

3 “(ii) the living arrangement to which
4 the juveniles are to be discharged; and

5 “(iii) any other plans developed for
6 the juveniles based on an individualized as-
7 sessment; and

8 “(B) review processes;

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

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

23 “(B) the credits of adjudicated juveniles
24 are transferred; and

“(C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

“(33) describe policies and procedures to—

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

“(B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.”;

(2) in subsection (d)—

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

(B) by striking “the requirements under paragraphs (11), (12), (13), and (21) of subsection (a)” and inserting “the core requirements”;

(3) in subsection (f)(2)—

1 (A) by striking subparagraph (A); and
 2 (B) by redesignating subparagraphs (B)
 3 through (E) and subparagraphs (A) through
 4 (D), respectively; and
 5 (4) by adding at the end the following:

6 “(g) COMPLIANCE DETERMINATION.—

7 “(1) IN GENERAL.—For each fiscal year, the
 8 Administrator shall make a determination regarding
 9 whether each State receiving a grant under this Act
 10 is in compliance or out of compliance with respect to
 11 each of the core requirements.

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

13 “(A) issue an annual public report—

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

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

1 “(B) make the report described in sub-
 2 paragraph (A) available on a publicly available
 3 website.

4 “(3) DETERMINATIONS REQUIRED.—The Ad-
 5 ministrator may not—

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

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

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

13 Section 223(c) of the Juvenile Justice and Delin-
 14 quency Prevention Act of 1974 (42 U.S.C. 5633(c)) is
 15 amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (3) in paragraph (4), by striking “State,” each
14 place the term appears and inserting “State, trib-
15 al,”;

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

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

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

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

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

2 Section 246(a)(2) of the Juvenile Justice and Delin-
3 quency Prevention Act of 1974 (42 U.S.C. 5656(a)(2)) is
4 amended—

5 (1) by striking subparagraph (A);

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

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

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

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

16 (1) in subsection (a)—

17 (A) in paragraph (1)—

18 (i) in the matter proceeding 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)—

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

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

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

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

16 (III) by redesignating clauses
 17 (ix), (x), and (xi) as clauses (xv),
 18 (xvi), and (xvii), 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
 23 of the use of dangerous practices;

24 “(x) methods to improve the recruit-
 25 ment, selection, training, and retention of

1 professional personnel who are focused on
2 the prevention, identification, and treat-
3 ment of delinquency;

4 “(xi) methods to improve the identi-
5 fication and response to victims of domes-
6 tic child sex trafficking within the juvenile
7 justice system;

8 “(xii) identifying positive outcome
9 measures, such as attainment of employ-
10 ment and educational degrees, that States
11 and units of local government should use
12 to evaluate the success of programs aimed
13 at reducing recidivism of youth who have
14 come in contact with the juvenile justice
15 system or criminal justice system;

16 “(xiii) evaluating the impact and out-
17 comes of the prosecution and sentencing of
18 juveniles as adults;

19 “(xiv) successful and cost-effective ef-
20 forts by States and units of local govern-
21 ment to reduce recidivism through policies
22 that provide for consideration of appro-
23 priate alternative sanctions to incarcer-
24 ation of youth facing nonviolent charges,

1 while ensuring that public safety is pre-
2 served;” and

3 (B) in paragraph (4)—

4 (i) in the matter preceding subpara-
5 graph (A), by striking “date of enactment
6 of this paragraph, the” and inserting “date
7 of enactment of the Juvenile Justice and
8 Delinquency Prevention Reauthorization
9 Act of 2017, the”;

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

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

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

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

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

20 “(I) an assessment of living arrangements
21 for juveniles who, upon release from confine-
22 ment in a State correctional facility, cannot re-
23 turn to the residence they occupied prior to
24 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 consultation with experts in the field of juve-
7 nile justice research, recidivism, and data collection,
8 shall—

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

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

14 “(3) make cumulative juvenile recidivism data
15 that is collected from States available to the public.

16 “(g) GAO REVIEW.—Not later than 1 year after the
17 date of enactment of the Juvenile Justice and Delinquency
18 Prevention Reauthorization Act of 2017, the Comptroller
19 General of the United States shall conduct a review of
20 available research conducted by the Attorney General, the
21 Secretary of the Interior, and other Federal entities relat-
22 ing to Indian youth who may come into contact with the
23 juvenile justice system, which shall include—

24 “(1) an examination of the extent of Indian
25 youth involvement in the juvenile justice system, in-

cluding the number of Indian youth in Federal,
State, or tribal custody or detention for offenses
committed while under the age of 18;

“(2) a description of the unique barriers faced
by Indian tribes in providing adequate services to re-
habilitate youth who have been adjudicated as delin-
quent; and

“(3) recommendations to improve effectiveness
of prevention and treatment services for Indian
youth who may come into contact with the juvenile
justice system.”.

SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.

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

(1) in subsection (a)—

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

(B) in paragraph (1)—

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

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

(C) in paragraph (2)—

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

1 (ii) by striking the period and insert-
2 ing “; and”; and

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

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

11 (2) in subsection (b)—

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

14 (B) in paragraph (1)—

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

17 (ii) by inserting “, including compli-
18 ance with the core requirements” after
19 “this title”; and

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

21 (C) in paragraph (2)—

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

24 (ii) by striking the period at the end
25 and inserting a semicolon; and

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

2 “(3) shall provide technical assistance to States
3 and units of local government on achieving compli-
4 ance with the amendments to the core requirements
5 and State Plans made by the Juvenile Justice and
6 Delinquency Prevention Reauthorization Act of
7 2017, including training and technical assistance
8 and, when appropriate, pilot or demonstration
9 projects intended to develop and replicate best prac-
10 tices for achieving sight and sound separation in fa-
11 cilities or portions of facilities that are open and
12 available to the general public and that may or may
13 not contain a jail or a lock-up; and

14 “(4) shall provide technical assistance to States
15 in support of efforts to establish partnerships be-
16 tween a State and a university, institution of higher
17 education, or research center designed to improve
18 the recruitment, selection, training, and retention of
19 professional personnel in the fields of medicine, law
20 enforcement, the judiciary, juvenile justice, social
21 work and child protection, education, and other rel-
22 evant fields who are engaged in, or intend to work
23 in, the field of prevention, identification, and treat-
24 ment of delinquency.”;

25 (3) in subsection (c)—

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

3 (B) by inserting “status offenders and”
 4 after “needs of”; and

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

6 “(d) TECHNICAL ASSISTANCE TO STATES REGARD-
 7 ING LEGAL REPRESENTATION OF CHILDREN.—In con-
 8 sultation with experts in the field of juvenile defense, the
 9 Administrator shall—

10 “(1) develop and issue standards of practice for
 11 attorneys representing children; and

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

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

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

1 “(2) encourage alternative behavior manage-
 2 ment techniques based on positive youth develop-
 3 ment approaches.

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

14 “(1) juvenile justice intake personnel;

15 “(2) probation officers;

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

18 “(4) prosecutors and court-appointed counsel;

19 and

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

22 “(g) GRANTS FOR JUVENILE COURT JUDGES AND
 23 PERSONNEL.—The Attorney General, acting through the
 24 Office of Juvenile Justice and Delinquency Prevention and
 25 the Office of Justice Programs, shall make grants to im-

1 prove training, education, technical assistance, evaluation,
 2 and research to enhance the capacity of State and local
 3 courts, judges, and related judicial personnel to—

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

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

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

18 **SEC. 212. ADMINISTRATIVE AUTHORITY.**

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

22 (1) in subsection (d)—

23 (A) by inserting “(1)” before “The Admin-
 24 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 encourages efficiency and reduces the
18 duplication of reporting efforts; and

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

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

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

4 **SEC. 301. DEFINITIONS.**

5 Section 502 of the Incentive Grants for Local Delin-
 6 quency Prevention Programs Act of 2002 (42 U.S.C.
 7 5781) is amended—

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

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

12 “(1) the term ‘mentoring’ means matching 1
 13 adult with one or more youths for the purpose of
 14 providing guidance, support, and encouragement
 15 through regularly scheduled meetings for not less
 16 than 9 months; and

17 “(2) the term”.

18 **SEC. 302. GRANTS FOR DELINQUENCY PREVENTION PRO-**
 19 **GRAMS.**

20 Section 504(a) of the Incentive Grants for Local De-
 21 linquency Prevention Programs Act of 2002 (42 U.S.C.
 22 5783(a)) is amended—

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

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

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

4 “(9) mentoring, parent training and support, or
5 in-home family services programs, if such programs
6 are evidence-based or promising.”.

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

8 The Juvenile Justice and Delinquency Prevention Act
9 of 1974 is amended by striking title V, as added by the
10 Juvenile Justice and Delinquency Prevention Act of 1974
11 (Public Law 93–415; 88 Stat. 1133) (relating to miscella-
12 neous and conforming amendments).

13 **TITLE IV—MISCELLANEOUS**
14 **PROVISIONS**

15 **SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY**
16 **OFFICE.**

17 (a) EVALUATION.—Not later than 1 year after the
18 date of enactment of this Act, the Comptroller General
19 of the United States shall—

20 (1) conduct a comprehensive analysis and eval-
21 uation regarding the performance of the Office of
22 Juvenile Justice and Delinquency Prevention (re-
23 ferred to in this section as “the agency”), its func-
24 tions, its programs, and its grants;

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 (42 U.S.C. 5603),
8 as amended by this Act) to prevent fraud, waste,
9 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 (42 U.S.C. 5601 et seq.), excluding the
17 Runaway and Homeless Youth Act (42 U.S.C. 5701 et
18 seq.) and the Missing Children’s Assistance Act (42
19 U.S.C. 5771 et seq.), the Comptroller General shall take
20 into consideration—

21 (1) the outcome and results of the programs
22 carried out by the agency and those programs ad-
23 ministered through grants by the agency;

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

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

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

12 (5) whether less restrictive or alternative meth-
13 ods exist to carry out the functions of the agency
14 and whether current functions or operations are im-
15 peded or enhanced by existing statutes, rules, and
16 procedures;

17 (6) the number and types of beneficiaries or
18 persons served by programs carried out by the agen-
19 cy;

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

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

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

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

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

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

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

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

4 (4) whether expenditures were authorized;

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

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

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

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

13 (d) REPORT.—

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

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

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

24 (2) CONTENTS.—The report submitted in ac-
25 cordance with paragraph (1) shall include all audit

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

6 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

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

16 “(1) \$160,000,000 for fiscal year 2017;

17 “(2) \$162,400,000 for fiscal year 2018;

18 “(3) \$164,836,000 for fiscal year 2019;

19 “(4) \$167,308,540 for fiscal year 2020; and

20 “(5) \$169,818,168 for fiscal year 2021.

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

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
 2 The Juvenile Justice and Delinquency Prevention Act of
 3 1974 is amended by striking—

4 (1) section 299 (42 U.S.C. 5671);

5 (2) section 388 (42 U.S.C. 5751);

6 (3) section 408 (42 U.S.C. 5777); and

7 (4) section 505 (42 U.S.C. 5784).

8 **SEC. 403. ACCOUNTABILITY AND OVERSIGHT.**

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

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

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

18 “(1) the Department of Justice, through its Of-
 19 fice of Juvenile Justice and Delinquency Prevention,
 20 must restore meaningful enforcement of the core re-
 21 quirements in this Act;

22 “(2) the Attorney General should, not later
 23 than 90 days after the date of enactment of this
 24 Act, issue a proposed rule to update existing Federal
 25 regulations used to make State compliance deter-

1 minations and provide participating States with
2 technical assistance to develop more effective and
3 comprehensive data collection systems; and

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

9 “(b) ACCOUNTABILITY.—

10 “(1) AGENCY PROGRAM REVIEW.—

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

13 “(i) IN GENERAL.—Not later than 60
14 days after the date of enactment of this
15 section, the Director of the Office of Audit,
16 Assessment, and Management of the Office
17 of Justice Programs at the Department of
18 Justice (referred to in this section as the
19 ‘Director’) shall—

20 “(I) conduct a comprehensive
21 analysis and evaluation of the internal
22 controls of the Office of Juvenile Jus-
23 tice and Delinquency Prevention (re-
24 ferred to in this section as the ‘agen-
25 cy’) to determine if States and Indian

1 tribes receiving grants are following
2 the requirements of the agency grant
3 programs and what remedial action
4 the agency has taken to recover any
5 grant funds that are expended in vio-
6 lation of grant programs, including in-
7 stances where—

8 “(aa) supporting documen-
9 tation was not provided for cost
10 reports;

11 “(bb) unauthorized expendi-
12 tures occurred; and

13 “(cc) subrecipients of grant
14 funds were not compliance with
15 program requirements;

16 “(II) conduct a comprehensive
17 audit and evaluation of a selected sta-
18 tistically significant sample of States
19 and Indian tribes (as determined by
20 the Director) that have received Fed-
21 eral funds under this Act, including a
22 review of internal controls to prevent
23 fraud, waste, and abuse of funds by
24 grantees;

1 “(III) submit a report in accord-
2 ance with clause (iv).

3 “(ii) CONSIDERATIONS FOR EVALUA-
4 TIONS.—In conducting the analysis and
5 evaluation under clause (i)(I), and in order
6 to document the efficiency and public ben-
7 efit of this Act, excluding the Runaway
8 and Homeless Youth Act and the Missing
9 Children’s Assistance Act, the Director
10 shall take into consideration the extent to
11 which—

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

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

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

1 “(iii) CONSIDERATIONS FOR AU-
2 DITS.—In conducting the audit and evalua-
3 tion under clause (i)(II), and in order to
4 document the efficiency and public benefit
5 of this Act, excluding the Runaway and
6 Homeless Youth Act and the Missing Chil-
7 dren’s Assistance Act, the Director shall
8 take into consideration—

9 “(I) whether grantees timely file
10 Financial Status Reports;

11 “(II) whether grantees have suf-
12 ficient internal controls to ensure ade-
13 quate oversight of grant funds re-
14 ceived;

15 “(III) whether grantees’ asser-
16 tions of compliance with the core re-
17 quirements were accompanied with
18 adequate supporting documentation;

19 “(IV) whether expenditures were
20 authorized;

21 “(V) whether subrecipients of
22 grant funds were complying with pro-
23 gram requirements; and

1 “(VI) whether grant funds were
2 spent in accordance with the program
3 goals and guidelines.

4 “(iv) REPORT.—The Director shall
5 submit to Congress a report outlining the
6 results of the analysis, evaluation, and
7 audit conducted under clause (i), including
8 supporting materials, to the Speaker of the
9 House of Representatives and the Presi-
10 dent pro tempore of the Senate and shall
11 make such report available to the public
12 online, not later than 1 year after the date
13 of enactment of this section.

14 “(B) ANALYSIS OF INTERNAL CON-
15 TROLS.—

16 “(i) IN GENERAL.—Not later than 30
17 days after the date of enactment of this
18 section, the Administrator shall initiate a
19 comprehensive analysis and evaluation of
20 the internal controls of the agency to de-
21 termine whether, and to what extent,
22 States and Indian tribes that receive
23 grants under this Act are following the re-
24 quirements of the grant programs author-
25 ized under this Act.

1 “(ii) REPORT.—Not later than 180
2 days after the date of enactment of this
3 section, the Administrator shall submit to
4 Congress a report containing—

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

8 “(II) a description of remedial
9 actions, if any, that will be taken by
10 the Administrator to enhance the in-
11 ternal controls of the agency and re-
12 coup funds that may have been ex-
13 pended in violation of law, regulations,
14 or program requirements issued under
15 this Act; and

16 “(III) a description of—

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

19 “(bb) whether the funds
20 awarded under this Act have
21 been used in accordance with
22 law, regulations, program guid-
23 ance, and applicable plans; and

24 “(cc) the extent to which
25 funds awarded to States and In-

1 dian tribes under this Act en-
 2 hanced the ability of grantees to
 3 fulfill the core requirements.

4 “(C) REPORT BY THE ATTORNEY GEN-
 5 ERAL.—Not later than 180 days after the date
 6 of enactment of this section, the Attorney Gen-
 7 eral shall submit to the appropriate committees
 8 of Congress a report on the estimated amount
 9 of grant funds disbursed by the agency since
 10 fiscal year 2010 that did not meet the require-
 11 ments for awards of formula grants to States
 12 under this Act.

13 “(2) OFFICE OF INSPECTOR GENERAL PER-
 14 FORMANCE AUDITS.—

15 “(A) IN GENERAL.—In order to ensure the
 16 effective and appropriate use of grants adminis-
 17 tered under this Act and to prevent waste,
 18 fraud, and abuse of funds by grantees, the In-
 19 specter General of the Department of Justice
 20 each year shall periodically conduct audits of
 21 States and Indian tribes that receive grants
 22 under this Act.

23 “(B) DETERMINING SAMPLES.—The sam-
 24 ple selected for audits under subparagraph (A)
 25 shall be—

1 “(i) of an appropriate size to—

2 “(I) assess the grant programs
3 authorized under this Act; and

4 “(II) act as a deterrent to finan-
5 cial mismanagement; and

6 “(ii) selected based on—

7 “(I) the size of the grants award-
8 ed to the recipient;

9 “(II) the past grant management
10 performance of the recipient;

11 “(III) concerns identified by the
12 Administrator, including referrals
13 from the Administrator; and

14 “(IV) such other factors as deter-
15 mined by the Inspector General of the
16 Department of Justice.

17 “(C) PUBLIC AVAILABILITY ON
18 WEBSITE.—The Attorney General shall make
19 the summary of each review conducted under
20 this section available on the website of the De-
21 partment of Justice, subject to redaction as the
22 Attorney General determines necessary to pro-
23 tect classified and other sensitive information.

24 “(D) MANDATORY EXCLUSION.—A recipi-
25 ent of grant funds under this Act that is found

1 to have an unresolved audit finding shall not be
 2 eligible to receive grant funds under this Act
 3 during the first 2 fiscal years beginning after
 4 the 12-month period beginning on the date on
 5 which the audit report is issued.

6 “(E) PRIORITY.—In awarding grants
 7 under this Act, the Administrator shall give pri-
 8 ority to a State or Indian tribe that did not
 9 have an unresolved audit finding during the 3
 10 fiscal years prior to the date on which the eligi-
 11 ble entity submits an application for a grant
 12 under this Act.

13 “(F) REIMBURSEMENT.—If a State or In-
 14 dian tribe is awarded grant funds under this
 15 Act during the 2-fiscal-year period in which the
 16 entity is barred from receiving grants under
 17 subparagraph (I), the Attorney General shall—

18 “(i) deposit an amount equal to the
 19 amount of the grant funds that were im-
 20 properly awarded to the grantee into the
 21 General Fund of the Treasury; and

22 “(ii) seek to recoup the costs of the
 23 repayment to the General Fund under
 24 clause (i) from the grantee that was erro-
 25 neously awarded grant funds.

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

“(i) that the audited State or Indian tribe has used grant funds for an unauthorized expenditure or otherwise unallowable cost; and

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

“(3) NONPROFIT ORGANIZATION REQUIREMENTS.—

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

“(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts

1 for the purpose of avoiding paying the tax de-
 2 scribed in section 511(a) of the Internal Rev-
 3 enue Code of 1986.

4 “(C) DISCLOSURE.—

5 “(i) IN GENERAL.—Each nonprofit or-
 6 ganization that is awarded a grant under
 7 a grant program described in this Act and
 8 uses the procedures prescribed in regula-
 9 tions to create a rebuttable presumption of
 10 reasonableness for the compensation of its
 11 officers, directors, trustees, and key em-
 12 ployees, shall disclose to the Administrator,
 13 in the application for the grant, the proc-
 14 ess for determining such compensation, in-
 15 cluding—

16 “(I) the independent persons in-
 17 volved in reviewing and approving
 18 such compensation;

19 “(II) the comparability data
 20 used; and

21 “(III) contemporaneous substan-
 22 tiation of the deliberation and deci-
 23 sion.

24 “(ii) PUBLIC INSPECTION UPON RE-
 25 QUEST.—Upon request, the Administrator

1 shall make the information disclosed under
2 clause (i) available for public inspection.

3 “(4) CONFERENCE EXPENDITURES.—

4 “(A) LIMITATION.—No amounts author-
5 ized to be appropriated to the Department of
6 Justice under this Act may be used by the At-
7 torney General, or by any individual or organi-
8 zation awarded discretionary funds through a
9 cooperative agreement under this Act, to host
10 or support any expenditure for conferences that
11 uses more than \$20,000 in funds made avail-
12 able to the Department of Justice, unless the
13 Deputy Attorney General or such Assistant At-
14 torney Generals, Directors, or principal deputies
15 as the Deputy Attorney General may designate,
16 provides prior written authorization that the
17 funds may be expended to host a conference.

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

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

mittee on the Judiciary of the Senate and the
Committee on the Judiciary of the House of
Representatives on all conference expenditures
approved under this paragraph.

“(5) PROHIBITION ON LOBBYING ACTIVITY.—

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

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

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

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

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

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

1 “(6) ANNUAL CERTIFICATION.—Beginning in
2 the first fiscal year beginning after the date of en-
3 actment of this section, the Attorney General shall
4 submit, to the Committee on the Judiciary and the
5 Committee on Appropriations of the Senate and the
6 Committee on the Judiciary and the Committee on
7 Appropriations of the House of Representatives, an
8 annual certification that—

9 “(A) all audits issued by the Office of the
10 Inspector General of the Department of Justice
11 under paragraph (2) have been completed and
12 reviewed by the appropriate Assistant Attorney
13 General or Director;

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

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

18 “(D) includes a list of any grant recipients
19 excluded under paragraph (2)(I) during the
20 preceding fiscal year.

21 “(c) PREVENTING DUPLICATIVE GRANTS.—

22 “(1) IN GENERAL.—Before the Attorney Gen-
23 eral awards a grant to an applicant under this Act,
24 the Attorney General shall compare potential grant
25 awards with other grants awarded under this Act to

1 determine if duplicate grant awards are awarded for
2 the same purpose.

3 “(2) REPORT.—If the Attorney General awards
4 duplicate grants to the same applicant for the same
5 purpose the Attorney General shall submit to the
6 Committee on the Judiciary of the Senate and the
7 Committee on the Judiciary of the House of Rep-
8 resentatives a report that includes—

9 “(A) a list of all duplicate grants awarded,
10 including the total dollar amount of any dupli-
11 cate grants awarded; and

12 “(B) the reason the Attorney General
13 awarded the duplicative grant.

14 “(d) COMPLIANCE WITH AUDITING STANDARDS.—
15 The Administrator shall comply with the Generally Ac-
16 cepted Government Auditing Standards, published by the
17 General Accountability Office (commonly known as the
18 ‘Yellow Book’), in the conduct of fiscal, compliance, and
19 programmatic audits of States.”.

20 (b) TECHNICAL AND CONFORMING AMENDMENT.—

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

24 (2) EFFECTIVE DATE.—The amendment made
25 by paragraph (1) shall take effect on the first day

1 of the first fiscal year beginning after the date of en-
 2 actment of this Act.

3 (3) SAVINGS CLAUSE.—In the case of an entity
 4 that is barred from receiving grant funds under
 5 paragraph (2) or (7)(B)(ii) of section 407 of the Ju-
 6 venile Justice and Delinquency Prevention Act of
 7 1974 (42 U.S.C. 5776a), the amendment made by
 8 paragraph (1) of this subsection shall not affect the
 9 applicability to the entity, or to the Attorney Gen-
 10 eral with respect to the entity, of paragraph (2), (3),
 11 or (7) of such section 407, as in effect on the day
 12 before the effective date under paragraph (2) of this
 13 subsection.

14 **TITLE V—JUVENILE ACCOUNT-** 15 **ABILITY BLOCK GRANTS**

16 **SEC. 501. GRANT ELIGIBILITY.**

17 Section 1802(a) of title I of the Omnibus Crime Con-
 18 trol and Safe Streets Act of 1968 (42 U.S.C. 3796ee–
 19 2(a)) is amended—

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

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

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

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

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