

**Calendar No. 325**114TH CONGRESS  
1ST SESSION**S. 1169****[Report No. 114–181]**

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

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## IN THE SENATE OF THE UNITED STATES

APRIL 30, 2015

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

DECEMBER 15, 2015

Reported by Mr. GRASSLEY, with an amendment

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

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**A BILL**

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

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

1 **SECTION 1. SHORT TITLE.**

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

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

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

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

TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION

- Sec. 201. Concentration of Federal efforts.
- Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 203. Annual report.
- Sec. 204. Allocation of funds.
- Sec. 205. State plans.
- Sec. 206. Reallocation of grant funds.
- Sec. 207. Authority to make grants.
- Sec. 208. Eligibility of States.
- Sec. 209. Grants to Indian tribes.
- Sec. 210. Research and evaluation; statistical analyses; information dissemination.
- Sec. 211. Training and technical assistance.
- Sec. 212. Administrative authority.
- Sec. 213. Technical and conforming amendments.

TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

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

TITLE IV—MISCELLANEOUS PROVISIONS

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

TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS

- Sec. 501. Grant eligibility.

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

3       **SEC. 101. PURPOSES.**

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

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

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

10              “~~(3)~~ to assist State and local governments in  
11       addressing juvenile crime through the provision of  
12       technical assistance, research, training, evaluation,  
13       and the dissemination of current and relevant infor-  
14       mation on effective and evidence-based programs  
15       and practices for combating juvenile delinquency;”;  
16       and

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

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

1 **SEC. 102. DEFINITIONS.**

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

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

6 “(C) an Indian tribe; or”;

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

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

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

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

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

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

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

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

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

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

7           “(A) means an individual who—

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

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

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

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

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

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

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

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

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

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

13          “(32) the term ‘isolation’—

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

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

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

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

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

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

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

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

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

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

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

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

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

6           “(A) designed to identify youth who may  
7       have mental health, behavioral health, substance  
8       abuse, or other needs requiring immediate  
9       attention, intervention, and further evaluation;  
10      and

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

17           (1) in subsection (a)—

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

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

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

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

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

13 (2) in subsection (b)—

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

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

18 (C) by striking paragraph (7).

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

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

23 (1) in subsection (a)(1)—

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

1 Administration, the Secretary of Defense, the  
2 Secretary of Agriculture, the Assistant Sec-  
3 retary for Indian Affairs” after “the Secretary  
4 of Health and Human Services,”; and

5 (B) by striking “Commissioner of Immi-  
6 gration and Naturalization” and inserting “As-  
7 sistant Secretary for Immigration and Customs  
8 Enforcement”; and

9 (2) in subsection (c)—

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

14 (B) in paragraph (2)—

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

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

20 “(B) not later than 120 days after the  
21 completion of the last meeting of the Council  
22 during any fiscal year, submit to the Committee  
23 on Education and Labor of the House of Rep-  
24 resentatives and the Committee on the Judici-  
25 ary of the Senate a report that—

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

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

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

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

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

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

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

21 (2) in paragraph (1)—

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

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

3           (C) in subparagraph (F)—

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

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

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

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

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

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

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

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

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

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

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

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

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

3           “(B) unauthorized expenditures occurred;  
4           or

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

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

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

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

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

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

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

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



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

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

6 (1) in subsection (a)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           (1) in subsection (a)—

2                   (A) in the matter preceding paragraph (1),  
3           by striking “and shall describe the status of  
4           compliance with State plan requirements” and  
5           inserting “and shall describe how the State plan  
6           is supported by or takes account of scientific  
7           knowledge regarding adolescent development  
8           and behavior and regarding the effects of delin-  
9           quency prevention programs and juvenile justice  
10          interventions on adolescents. Not later than 45  
11          days after the date on which a plan or amended  
12          plan submitted under this subsection is final-  
13          ized, a State shall make the plan or amended  
14          plan publicly available by posting the plan or  
15          amended plan on the State’s publicly available  
16          website.”;

17                   (B) in paragraph (3)—

18                           (i) in subparagraph (A)—

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

22                                   (II) in clause (ii)—

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

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

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

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

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

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

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

- 1           “(VIII) persons with expertise  
2           and competence in preventing and ad-  
3           dressing mental health and substance  
4           abuse needs in juvenile delinquents  
5           and those at-risk of delinquency; and  
6           “(IX) representatives of victim or  
7           witness advocacy groups;”;  
8           (III) in clause (iii), by striking  
9           “a majority of which” and inserting  
10          “at least 6”;  
11          (IV) in clause (iv)—  
12           (aa) by striking “one fifth of  
13           which” and inserting “3”; and  
14           (bb) by striking “24 at the  
15           time of appointment” and insert-  
16           ing “28 at the time of initial ap-  
17           pointment”;  
18          (ii) in subparagraph (D)(ii)—  
19           (I) by striking “at least annu-  
20           ally” and inserting “at least every 2  
21           years”; and  
22           (II) by striking “requirements of  
23           paragraphs (11), (12), and (13)” and  
24           inserting “core requirements”; and

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

3 (C) in paragraph (5)—

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

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

15 (D) in paragraph (7)—

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

19 (ii) in subparagraph (B)—

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

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

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

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

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

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

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

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



1           (~~E~~) in paragraph (8), by striking “exist-  
2           ing” and inserting “evidence-based and prom-  
3           ising”;

4           (~~F~~) in paragraph (9)—

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

8           (ii) in subparagraph (A)(i), by insert-  
9           ing “status offenders and other” before  
10          “youth who need”;

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

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

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

19          (iv) by redesignating subparagraphs  
20          (~~G~~) through (~~S~~) as subparagraphs (H)  
21          through (T), respectively;

22          (v) in subparagraph (~~F~~), in the mat-  
23          ter preceding clause (i), by striking “ex-  
24          panding” and inserting “programs to ex-  
25          pand”;

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

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

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

9 (I) in clause (i), by striking “re-  
10 straints” and inserting “alternatives”;  
11 and

12 (II) in clause (ii)—

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

15 (bb) by striking “to States”;

16 (viii) in subparagraph (S), as so re-  
17 designated, by striking the “and” at the  
18 end;

19 (ix) in subparagraph (T), as so reded-  
20 icated—

21 (I) by striking “suspected to be”;

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

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

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

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

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

22                  (G) in paragraph (11)—

23                   (i) in subparagraph (A)—

24                   (I) in the matter preceding clause

25                   (i); by inserting “and individuals

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

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

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

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

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

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

20 (I) in paragraph (13)—

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

23 (I) by striking “detained or”; and

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

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

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

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

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

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

15 “(14) require that—

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

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

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

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

11           “(i) the age of the juvenile;

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

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

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

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

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

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

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

8           “(ix) any other relevant factor; and

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

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

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

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

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

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

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

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



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

3 “(D) developing and implementing a work  
4 plan that includes measurable objectives for pol-  
5 icy, practice, or other system changes, based on  
6 the needs identified in the data collection and  
7 analysis under subparagraphs (B) and (C).”;

8 (N) in paragraph (16), as so redesign-  
9 nated—

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

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

14 (iii) by inserting “and” after “deten-  
15 tion facilities,”;

16 (iv) by striking “, and non-secure fa-  
17 cilities”;

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

20 (vi) by striking “requirements of  
21 paragraph (11),” and all that follows  
22 through “monitoring to the Administrator”  
23 and inserting “core requirements are met,  
24 and for annual reporting to the Adminis-  
25 trator”; and

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

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

5 (P) in paragraph (24), as so redesignated—  
6

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

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

12 (iii) in subparagraph (C)—

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

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

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

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

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

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

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

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

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

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

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

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

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

1           (Q) in paragraph (26), as so redesignated,  
2           by striking “section 222(d)” and inserting “sec-  
3           tion 222(e)”;

4           (R) in paragraph (27), as so redesign-  
5           ated—

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) a compilation of data reflecting infor-  
13                mation on juveniles entering the juvenile justice  
14                system with a prior reported history as victims  
15                of child abuse or neglect through arrest, court  
16                intake, probation and parole, juvenile detention,  
17                and corrections; and

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

23                (S) in paragraph (28), by striking the pe-  
24                riod at the end and inserting a semicolon; and

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

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

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

10          “(31) describe—

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

15           “(i) request a screening;

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

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

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

1           “(C) the policies of the State designed to  
2           develop and implement comprehensive collaborative  
3           State or local plans to meet the service  
4           needs of juveniles with mental health or substance  
5           abuse needs who come into contact with  
6           the justice system and the families of the juveniles,  
7           including recognizing trauma histories of  
8           juveniles and providing trauma-informed care;  
9           “(32) describe reentry planning at the State  
10          level for juveniles, including—  
11               “(A) elements of written case plans for juveniles,  
12               including if the plan is based on an assessment of the needs  
13               of the juvenile and developed and updated in consultation  
14               with the juvenile, the family of the juvenile, and, if  
15               appropriate, counsel for the juvenile; and  
16               “(B) the hearing and review processes; and  
17               “(33) provide that the agency of the State receiving  
18               funds under this Act collaborate with the State educational  
19               agency receiving assistance under part A of title I of the  
20               Elementary and Secondary Education Act of 1965 (20 U.S.C.  
21               6311 et seq.) to develop and implement a plan to ensure  
22               that, in order to support educational progress—

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

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

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

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

20          (2) in subsection (d)—

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

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



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

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

7 ~~(3)~~ in subsection (f)(2)—

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

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

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

13 “(g) COMPLIANCE DETERMINATION.—

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

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

21 “(A) issue an annual public report—

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

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

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

9 “(B) make the report described in sub-  
 10 paragraph (A) available on a publicly available  
 11 website.”.

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—

18 “(A) subject to subparagraph (B), the amount  
 19 allocated to such State under section 222 for that  
 20 fiscal year shall be reduced by not less than 20 per-  
 21 cent for each core requirement with respect to which  
 22 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, administrative, or legislative ac-  
14 tion, an unequivocal commitment to achiev-  
15 ing full compliance with such applicable re-  
16 quirements within a reasonable time.

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (1) by striking subparagraph (A);

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

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

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

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

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

15               (1) in subsection (a)—

16                       (A) in paragraph (1)—

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

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

23                               (iii) in subparagraph (B)—

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

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

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

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

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

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

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

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

1 icine, law enforcement, the judiciary, juve-  
2 nile justice, social work and child protec-  
3 tion, education, and other relevant fields  
4 who are engaged in, or intend to work in,  
5 the field of prevention, identification, and  
6 treatment of delinquency;” and

7 (B) in paragraph (4)—

8 (i) in the matter preceding subpara-  
9 graph (A), by striking “date of enactment  
10 of this paragraph, the” and inserting “date  
11 of enactment of the Juvenile Justice and  
12 Delinquency Prevention Reauthorization  
13 Act of 2015, the”;

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

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

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

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

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

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

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

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

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

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

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

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

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

20           (1) in subsection (a)—

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

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



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

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

6           (B) in paragraph (1)—

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

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

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

13           (C) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18           “(1) juvenile justice intake personnel;

19           “(2) probation officers;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 **SEC. 301. DEFINITIONS.**

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

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

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

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

10           “~~(2)~~ the term”.

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

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

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

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

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

21           “~~(9)~~ mentoring programs.”.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

4           (4) whether expenditures were authorized;

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

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

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

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

13       (d) REPORT.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

24 The Juvenile Justice and Delinquency Prevention Act of  
 25 1974 is amended by striking—

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

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

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

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

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

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

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

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

6           “(b) ACCOUNTABILITY.—

7           “(1) AGENCY PROGRAM REVIEW.—

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

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

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

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

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

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

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

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

19                   “(i) of an appropriate size to—

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

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

25                   “(ii) selected based on—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



1                   venile justice system and juvenile jus-  
2                   tice programs.

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

6                   “(E) PUBLIC AVAILABILITY ON  
7                   WEBSITE.—The Inspector General of the De-  
8                   partment of Justice shall make each audit con-  
9                   ducted under subparagraph (A) available on the  
10                  website of the Inspector General, subject to re-  
11                  daction as the Inspector General determines  
12                  necessary to protect classified and other sen-  
13                  sitive information.

14                  “(F) PROVISION OF INFORMATION TO AD-  
15                  MINISTRATOR.—The Inspector General of the  
16                  Department of Justice shall provide to the Ad-  
17                  ministrators any findings and recommendations  
18                  from audits conducted under subparagraph (A).

19                  “(G) EVALUATION OF GRANTS MANAGE-  
20                  MENT AND OVERSIGHT.—Not later than 1 year  
21                  after the date of enactment of this section, the  
22                  Inspector General of the Department of Justice  
23                  shall review and evaluate the grants manage-  
24                  ment and oversight practices of the Office of  
25                  Juvenile Justice and Delinquency Prevention,

1 including assessment of and recommendations  
2 relating to—

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

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

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

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

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

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

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

11 “(i) deposit an amount equal to the  
12 amount of the grant funds that were im-  
13 properly awarded to the grantee into the  
14 General Fund of the Treasury; and

15 “(ii) seek to recoup the costs of the  
16 repayment to the General Fund under  
17 clause (i) from the grantee that was erro-  
18 neously awarded grant funds.

19 “(L) DEFINITION.—In this paragraph, the  
20 term ‘unresolved audit finding’ means a finding  
21 in the final audit report of the Inspector Gen-  
22 eral—

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

1           thorized expenditure or otherwise unallow-  
2           able cost; and

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

7           “~~(3)~~ NONPROFIT ORGANIZATION REQUIRE-  
8           MENTS.—

9           “~~(A)~~ DEFINITION.—For purposes of this  
10          paragraph and the grant programs described in  
11          this Act, the term ‘nonprofit organization’  
12          means an organization that is described in sec-  
13          tion 501(c)~~(3)~~ of the Internal Revenue Code of  
14          1986 and is exempt from taxation under section  
15          501(a) of such Code.

16          “~~(B)~~ PROHIBITION.—The Administrator  
17          may not award a grant under any grant pro-  
18          gram described in this Act to a nonprofit orga-  
19          nization that holds money in offshore accounts  
20          for the purpose of avoiding paying the tax de-  
21          scribed in section 511(a) of the Internal Rev-  
22          enue Code of 1986.

23          “~~(C)~~ DISCLOSURE.—

24          “~~(i)~~ IN GENERAL.—Each nonprofit or-  
25          ganization that is awarded a grant under

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

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

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

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

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

22 “(4) CONFERENCE EXPENDITURES.—

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

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

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

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

24           “(5) PROHIBITION ON LOBBYING ACTIVITY.—

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

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

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

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

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

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

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

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

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

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

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

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

16 (b) TECHNICAL AND CONFORMING AMENDMENT.—

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

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

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



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

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

### 12 **SEC. 501. GRANT ELIGIBILITY.**

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

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

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

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

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

1 **SECTION 1. SHORT TITLE.**

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

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

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

*Sec. 1. Short title.*

*Sec. 2. Table of contents.*

*TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS*

*Sec. 101. Purposes.*

*Sec. 102. Definitions.*

*TITLE II—JUVENILE JUSTICE AND DELINQUENCY PREVENTION*

*Sec. 201. Concentration of Federal efforts.*

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

*Sec. 203. Annual report.*

*Sec. 204. Allocation of funds.*

*Sec. 205. State plans.*

*Sec. 206. Reallocation of grant funds.*

*Sec. 207. Authority to make grants.*

*Sec. 208. Eligibility of States.*

*Sec. 209. Grants to Indian tribes.*

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

*Sec. 211. Training and technical assistance.*

*Sec. 212. Administrative authority.*

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

*Sec. 301. Definitions.*

*Sec. 302. Grants for delinquency prevention programs.*

*Sec. 303. Technical and conforming amendment.*

*TITLE IV—MISCELLANEOUS PROVISIONS*

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

*Sec. 402. Authorization of appropriations.*

*Sec. 403. Accountability and oversight.*

*TITLE V—JUVENILE ACCOUNTABILITY BLOCK GRANTS*

*Sec. 501. Grant eligibility.*

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

3   **SEC. 101. PURPOSES.**

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

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

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

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

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

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

1 **SEC. 102. DEFINITIONS.**

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

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

6 *“(C) an Indian tribe; or”;*

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

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

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

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

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

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

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

26 *“(26) the term ‘adult inmate’—*

1           “(A) means an individual who—

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

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

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

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

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

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

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

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

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

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

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

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

11           “(32) the term ‘isolation’—

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

15           “(B) does not include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24           (1) in subsection (a)—

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

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

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

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

20           (2) in subsection (b)—

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

23                   (B) in paragraph (6)—

24                           (i) by striking “monitoring”;

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

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

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

11                   (1) in subsection (a)

12                           (A) in paragraph (1)—

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

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

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

25                   (2) in subsection (c)—

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

5           (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

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

12                  (2) in paragraph (1)—

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

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

18                         (C) in subparagraph (F)—

19                                 (i) by inserting “and other” before  
20                                 “disabilities,”; and

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

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

24                                 “(G) a summary of data from 1 month of  
25                                 the applicable fiscal year of the use of restraints

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

4           (1) *in subsection (a)*—

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

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

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

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

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

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

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

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

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

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

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

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

24          (1) in subsection (a)—

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

15          (B) in paragraph (3)—

16               (i) in subparagraph (A)—

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

20                       (II) in clause (ii)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7                    *(iv) in subparagraph (E)—*

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

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

13            *(C) in paragraph (5)—*

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

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

24            *(D) in paragraph (7)—*

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

4           (ii) in subparagraph (B)—

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

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

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

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

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



1            *ery of juvenile delinquency prevention and*  
2            *treatment services, particularly post-place-*  
3            *ment;*

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

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

11           *“(ix) a plan to, within 1 year of the*  
12           *date of enactment of the Juvenile Justice*  
13           *and Delinquency Prevention Reauthoriza-*  
14           *tion Act of 2015, eliminate the use of shack-*  
15           *ling of pregnant juveniles housed in secure*  
16           *detention and corrections facilities, covering*  
17           *at a minimum the third trimester, labor,*  
18           *delivery, and post-partum recovery;”;*

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

22           *(F) 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)(i), by insert-*  
4            *ing “status offenders and other” before*  
5            *“youth who need”;*

6            *(iii) in subparagraph (B)(i)—*

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

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

14           *(iv) in subparagraph (E)—*

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

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

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

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

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

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

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

14                   (I) in clause (i)—

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

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

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

23                   (II) in clause (ii)—

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

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

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

3 *ignated—*

4                    *(I) by inserting “and reduce the*

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

6 *and*

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

8 *may be retained in their homes”;*

9                    *(x) in subparagraph (S), as so redesign-*  
10 *ated, by striking “and” at the end;*

11                    *(xi) in subparagraph (T), as so redesign-*  
12 *ated—*

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

15                    *(II) by inserting “court-involved*  
16 *or” before “incarcerated”;*

17                    *(III) by striking “suspected to*  
18 *be”;*

19                    *(IV) by striking “and discharge*  
20 *plans” and inserting “provision of*  
21 *treatment, and development of dis-*  
22 *charge plans”; and*

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

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

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

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

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

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

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

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

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

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

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

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

13           “(14) require that—

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

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

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

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

9           “(i) the age of the juvenile;

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

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

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

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

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

25          “(vii) any other relevant factor; and

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21                   (iii) in subparagraph (C)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8           “(31) describe—

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

13                   “(i) request a screening;

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

15                   or

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

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

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

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

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

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

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

10           “(B) review processes;

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

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

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

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

10          “(34) describe policies and procedures to—

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

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

18          (2) in subsection (d)—

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

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



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

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

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

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

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

9           “*(g) COMPLIANCE DETERMINATION.—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5           (1) by striking subparagraph (A);

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

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

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

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

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

23           (1) in subsection (a)—

24               (A) in paragraph (1)—

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

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

7           (iii) in subparagraph (B)—

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

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

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

16                 “(vii) the prevalence and duration of  
17 behavioral health needs (including mental  
18 health, substance abuse, and co-occurring  
19 disorders) among juveniles pre-placement  
20 and post-placement when held in the cus-  
21 tody of secure detention and corrections fa-  
22 cilities, including an examination of the ef-  
23 fects of confinement;”;

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

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

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

9                   “(x) methods to improve the recruit-  
10                  ment, selection, training, and retention of  
11                  professional personnel who are focused on  
12                  the prevention, identification, and treat-  
13                  ment of delinquency;

14                  “(xi) methods to improve the identi-  
15                  fication and response to victims of domestic  
16                  child sex trafficking within the juvenile jus-  
17                  tice system;

18                  “(xii) identifying positive outcome  
19                  measures, such as attainment of employ-  
20                  ment and educational degrees, that States  
21                  and units of local government should use to  
22                  evaluate the success of programs aimed at  
23                  reducing recidivism of youth who have come  
24                  in contact with the juvenile justice system  
25                  or criminal justice system;

1           “(xiii) evaluating the impact and out-  
2 comes of the prosecution and sentencing of  
3 juveniles as adults;

4           “(xiv) successful and cost-effective ef-  
5 forts by States and units of local govern-  
6 ment to reduce recidivism through policies  
7 that provide for consideration of appro-  
8 priate alternative sanctions to incarceration  
9 of youth facing nonviolent charges, while  
10 ensuring that public safety is preserved;”;  
11 and

12 (B) in paragraph (4)—

13           (i) in the matter preceding subpara-  
14 graph (A), by striking “date of enactment of  
15 this paragraph, the” and inserting “date of  
16 enactment of the Juvenile Justice and De-  
17 linquency Prevention Reauthorization Act  
18 of 2015, the”;

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

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

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



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

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

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

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

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

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

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

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

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

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

25           (1) in subsection (a)—

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

3           (B) in paragraph (1)—

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

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

8           (C) in paragraph (2)—

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

11                 (ii) by striking the period and insert-  
12                 ing “; and”; and

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

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

21           (2) in subsection (b)—

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

24                 (B) in paragraph (1)—

1                   (i) by inserting “shall” before “develop  
2                   and implement projects”;

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

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

7                   (C) in paragraph (2)—

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

10                  (ii) by striking the period at the end  
11                  and inserting “; and”; and

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

13                  “(3) shall provide technical assistance to States  
14                  and units of local government on achieving compli-  
15                  ance with the amendments to the core requirements  
16                  and State Plans made by the Juvenile Justice and  
17                  Delinquency Prevention Reauthorization Act of 2015,  
18                  including training and technical assistance and,  
19                  when appropriate, pilot or demonstration projects in-  
20                  tended to develop and replicate best practices for  
21                  achieving sight and sound separation in facilities or  
22                  portions of facilities that are open and available to  
23                  the general public and that may or may not contain  
24                  a jail or a lock-up; and

1           “(4) shall provide technical assistance to States  
2           in support of efforts to establish partnerships between  
3           a State and a university, institution of higher edu-  
4           cation, or research center designed to improve the re-  
5           cruitment, selection, training, and retention of profes-  
6           sional personnel in the fields of medicine, law enforce-  
7           ment, the judiciary, juvenile justice, social work and  
8           child protection, education, and other relevant fields  
9           who are engaged in, or intend to work in, the field  
10          of prevention, identification, and treatment of delin-  
11          quency.”;

12           (3) in subsection (c)—

13           (A) by inserting “prosecutors,” after “public  
14           defenders,”; and

15           (B) by inserting “status offenders and”  
16           after “needs of”; and

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

18          “(d) *TECHNICAL ASSISTANCE TO STATES REGARDING*  
19          *LEGAL REPRESENTATION OF CHILDREN.*—In consultation  
20          with experts in the field of juvenile defense, the Adminis-  
21          trator shall—

22           “(1) develop and issue standards of practice for  
23           attorneys representing children; and

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

1       “(e) *TRAINING AND TECHNICAL ASSISTANCE FOR*  
2 *LOCAL AND STATE JUVENILE DETENTION AND CORREC-*  
3 *TIONS PERSONNEL.—The Administrator shall coordinate*  
4 *training and technical assistance programs with juvenile*  
5 *detention and corrections personnel of States and units of*  
6 *local government to—*

7               “(1) *promote methods for improving conditions*  
8 *of juvenile confinement, including methods that are*  
9 *designed to minimize the use of dangerous practices,*  
10 *unreasonable restraints, and isolation; and*

11               “(2) *encourage alternative behavior management*  
12 *techniques based on positive youth development ap-*  
13 *proaches.*

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

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

25               “(2) *probation officers;*

1           “(3) juvenile court judges and court services per-  
2           sonnel;

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

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

7           “(g) *GRANTS FOR JUVENILE COURT JUDGES AND PER-*  
8           *SONNEL.—The Attorney General, acting through the Office*  
9           *of Juvenile Justice and Delinquency Prevention and the Of-*  
10          *fice of Justice Programs, shall make grants to improve*  
11          *training, education, technical assistance, evaluation, and*  
12          *research to enhance the capacity of State and local courts,*  
13          *judges, and related judicial personnel to—*

14               “(1) improve the lives of children currently in-  
15               volved in or at risk of being involved in the juvenile  
16               court system; and

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

18           “(h) *FREE AND REDUCED PRICE SCHOOL LUNCHESES*  
19          *FOR INCARCERATED JUVENILES.—The Attorney General, in*  
20          *consultation with the Secretary of Agriculture, shall provide*  
21          *guidance to States relating to existing options for school*  
22          *food authorities in the States to apply for reimbursement*  
23          *for free or reduced price lunches under the Richard B. Rus-*  
24          *sell National School Lunch Act (42 U.S.C. 1751 et seq.) for*  
25          *juveniles who are incarcerated and would, if not incarcer-*

1 ated, be eligible for free or reduced price lunches under that  
2 Act.”.

3 **SEC. 212. ADMINISTRATIVE AUTHORITY.**

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

6 (1) in subsection (d)—

7 (A) by striking “, after appropriate con-  
8 sultation with representatives of States and units  
9 of local government,”;

10 (B) by inserting “guidance,” after “regula-  
11 tions,”; and

12 (C) by adding at the end the following: “In  
13 developing guidance and procedures, the Admin-  
14 istrator shall consult with representatives of  
15 States and units of local government, including  
16 those individuals responsible for administration  
17 of this Act and compliance with the core require-  
18 ments.”; and

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

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

4 **SEC. 301. DEFINITIONS.**

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

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

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

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

17 *“(2) the term”.*

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

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

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



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

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

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

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

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

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

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

16                   **OFFICE.**

17          (a) *EVALUATION.*—*Not later than 1 year after the date*  
 18          *of enactment of this Act, and not less often than once every*  
 19          *3 years thereafter, the Comptroller General of the United*  
 20          *States shall—*

21               (1) *conduct a comprehensive analysis and eval-*  
 22               *uation regarding the performance of the Office of Ju-*  
 23               *venile Justice and Delinquency Prevention (referred*  
 24               *to in this section as “the agency”), its functions, its*  
 25               *programs, and its grants;*

1           (2) *conduct a comprehensive audit and evalua-*  
2           *tion of a selected, statistically significant sample of*  
3           *grantees (as determined by the Comptroller General)*  
4           *that receive Federal funds under grant programs ad-*  
5           *ministered by the agency including a review of inter-*  
6           *nal controls (as defined in section 103 of the Juvenile*  
7           *Justice and Delinquency Prevention Act of 1974 (42*  
8           *U.S.C. 5603), as amended by this Act) to prevent*  
9           *fraud, waste, and abuse of funds by grantees; and*

10           (3) *submit a report in accordance with sub-*  
11           *section (d).*

12           (b) *CONSIDERATIONS FOR EVALUATION.—In con-*  
13           *ducting the analysis and evaluation under subsection*  
14           *(a)(1), and in order to document the efficiency and public*  
15           *benefit of the Juvenile Justice and Delinquency Prevention*  
16           *Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Run-*  
17           *away and Homeless Youth Act (42 U.S.C. 5701 et seq.) and*  
18           *the Missing Children's Assistance Act (42 U.S.C. 5771 et*  
19           *seq.), the Comptroller General shall take into consider-*  
20           *ation—*

21           (1) *the outcome and results of the programs car-*  
22           *ried out by the agency and those programs adminis-*  
23           *tered through grants by the agency;*

1           (2) *the extent to which the agency has complied*  
2 *with the Government Performance and Results Act of*  
3 *1993 (Public Law 103–62; 107 Stat. 285);*

4           (3) *the extent to which the jurisdiction of, and*  
5 *the programs administered by, the agency duplicate*  
6 *or conflict with the jurisdiction and programs of*  
7 *other agencies;*

8           (4) *the potential benefits of consolidating pro-*  
9 *grams administered by the agency with similar or*  
10 *duplicative programs of other agencies, and the poten-*  
11 *tial for consolidating those programs;*

12           (5) *whether less restrictive or alternative methods*  
13 *exist to carry out the functions of the agency and*  
14 *whether current functions or operations are impeded*  
15 *or enhanced by existing statutes, rules, and proce-*  
16 *dures;*

17           (6) *the number and types of beneficiaries or per-*  
18 *sons served by programs carried out by the agency;*

19           (7) *the manner with which the agency seeks pub-*  
20 *lic input and input from State and local governments*  
21 *on the performance of the functions of the agency;*

22           (8) *the extent to which the agency complies with*  
23 *section 552 of title 5, United States Code (commonly*  
24 *known as the Freedom of Information Act);*

1           (9) *whether greater oversight is needed of pro-*  
2           *grams developed with grants made by the agency; and*

3           (10) *the extent to which changes are necessary in*  
4           *the authorizing statutes of the agency in order for the*  
5           *functions of the agency to be performed in a more effi-*  
6           *cient and effective manner.*

7           (c) *CONSIDERATIONS FOR AUDITS.—In conducting the*  
8           *audit and evaluation under subsection (a)(2), and in order*  
9           *to document the efficiency and public benefit of the Juvenile*  
10           *Justice and Delinquency Prevention Act of 1974 (42 U.S.C.*  
11           *5601 et seq.), excluding the Runaway and Homeless Youth*  
12           *Act (42 U.S.C. 5701 et seq.) and the Missing Children’s As-*  
13           *sistance Act (42 U.S.C. 5771 et seq.), the Comptroller Gen-*  
14           *eral shall take into consideration—*

15           (1) *whether grantees timely file Financial Status*  
16           *Reports;*

17           (2) *whether grantees have sufficient internal con-*  
18           *trols to ensure adequate oversight of grant fund re-*  
19           *ceived;*

20           (3) *whether disbursements were accompanied*  
21           *with adequate supporting documentation (including*  
22           *invoices and receipts);*

23           (4) *whether expenditures were authorized;*

24           (5) *whether subrecipients of grant funds were*  
25           *complying with program requirements;*

1           (6) *whether salaries and fringe benefits of per-*  
2           *sonnel were adequately supported by documentation;*

3           (7) *whether contracts were bid in accordance*  
4           *with program guidelines; and*

5           (8) *whether grant funds were spent in accord-*  
6           *ance with program goals and guidelines.*

7           (d) *REPORT.—*

8           (1) *IN GENERAL.—Not later than 1 year after*  
9           *the date of enactment of this Act, the Comptroller*  
10           *General of the United States shall—*

11                   (A) *submit a report regarding the evalua-*  
12                   *tion conducted under subsection (a) and audit*  
13                   *under subsection (b), together with supporting*  
14                   *materials, to the Speaker of the House of Rep-*  
15                   *resentatives and the President pro tempore of the*  
16                   *Senate; and*

17                   (B) *make the report described in subpara-*  
18                   *graph (A) available to the public.*

19           (2) *CONTENTS.—The report submitted in accord-*  
20           *ance with paragraph (1) shall include all audit find-*  
21           *ings determined by the selected, statistically signifi-*  
22           *cant sample of grantees as required by subsection*  
23           *(a)(2) and shall include the name and location of any*  
24           *selected grantee as well as any findings required by*  
25           *subsection (a)(2).*

1 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) *IN GENERAL.*—*The Juvenile Justice and Delin-*  
 3 *quency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) is*  
 4 *amended by adding at the end the following:*

5 **“TITLE VI—AUTHORIZATION OF**  
 6 **APPROPRIATIONS; ACCOUNT-**  
 7 **ABILITY AND OVERSIGHT**

8 **“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

9 “(a) *IN GENERAL.*—*There are authorized to be appro-*  
 10 *priated to carry out this Act—*

11 “(1) \$160,000,000 for fiscal year 2016;

12 “(2) \$163,200,000 for fiscal year 2017;

13 “(3) \$166,464,000 for fiscal year 2018;

14 “(4) \$169,793,000 for fiscal year 2019; and

15 “(5) \$173,190,000 for fiscal year 2020.

16 “(b) *MENTORING PROGRAMS.*—*Not more than 20 per-*  
 17 *cent of the amount authorized to be appropriated under sub-*  
 18 *section (a) for a fiscal year may be used for mentoring pro-*  
 19 *grams.”.*

20 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—

21 *The Juvenile Justice and Delinquency Prevention Act of*  
 22 *1974 is amended by striking—*

23 (1) *section 299 (42 U.S.C. 5671);*

24 (2) *section 388 (42 U.S.C. 5751);*

25 (3) *section 408 (42 U.S.C. 5777); and*

26 (4) *section 505 (42 U.S.C. 5784).*

1 **SEC. 403. ACCOUNTABILITY AND OVERSIGHT.**

2       (a) *IN GENERAL.*—*Title VI of the Juvenile Justice and*  
3 *Delinquency Prevention Act of 1974, as added by this Act,*  
4 *is amended by adding at the end the following:*

5 **“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.**

6       “(a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
7 *that, in order to ensure that at-risk youth and youth who*  
8 *come into contact with the juvenile justice system or the*  
9 *criminal justice system are treated fairly and the outcome*  
10 *of that contact is beneficial to the Nation—*

11               “(1) *the Department of Justice, through its Of-*  
12 *fice of Juvenile Justice and Delinquency Prevention,*  
13 *must restore meaningful enforcement of the core re-*  
14 *quirements in this Act;*

15               “(2) *the Attorney General should, not later than*  
16 *90 days after the date of enactment of this Act, issue*  
17 *a proposed rule to update existing Federal regulations*  
18 *used to make State compliance determinations and*  
19 *provide participating States with technical assistance*  
20 *to develop more effective and comprehensive data col-*  
21 *lection systems; and*

22               “(3) *States, which are entrusted with a fiscal*  
23 *stewardship role if they accept funds under this Act,*  
24 *must exercise vigilant oversight to ensure full compli-*  
25 *ance with the core requirements for juveniles provided*  
26 *for in this Act.*

1       “(b) *ACCOUNTABILITY.*—

2               “(1) *AGENCY PROGRAM REVIEW.*—

3                       “(A) *PROGRAMMATIC AND FINANCIAL AS-*  
4                       *SESSMENT.*—

5                               “(i) *IN GENERAL.*—*Not later than 60*  
6                               *days after the date of enactment of this sec-*  
7                               *tion, the Director of the Office of Audit, As-*  
8                               *essment, and Management of the Office of*  
9                               *Justice Programs at the Department of Jus-*  
10                              *tice (referred to in this section as the ‘Direc-*  
11                              *tor’) shall—*

12                                       “(I) *conduct a comprehensive*  
13                                       *analysis and evaluation of the internal*  
14                                       *controls of the Office of Juvenile Jus-*  
15                                       *tice and Delinquency Prevention (re-*  
16                                       *ferred to in this section as the ‘agency’)*  
17                                       *to determine if State and Indian tribes*  
18                                       *receiving grants are following the re-*  
19                                       *quirements of the agency grant pro-*  
20                                       *grams and what remedial action the*  
21                                       *agency has taken to recover any grant*  
22                                       *funds that are expended in violation of*  
23                                       *grant programs, including instances*  
24                                       *where—*



1                   “(aa) supporting documenta-  
2                   tion was not provided for cost re-  
3                   ports;

4                   “(bb) unauthorized expendi-  
5                   tures occurred; and

6                   “(cc) subrecipients of grant  
7                   funds were not compliance with  
8                   program requirements;

9                   “(II) conduct a comprehensive  
10                  audit and evaluation of a selected sta-  
11                  tistically significant sample of States  
12                  and Indian tribes (as determined by  
13                  the Director) that have received Fed-  
14                  eral funds under this Act, including a  
15                  review of internal controls to prevent  
16                  fraud, waste, and abuse of funds by  
17                  grantees;

18                  “(III) submit a report in accord-  
19                  ance with clause (iv).

20                  “(ii) CONSIDERATIONS FOR EVALUA-  
21                  TIONS.—In conducting the analysis and  
22                  evaluation under clause (i)(I), and in order  
23                  to document the efficiency and public ben-  
24                  efit of this Act, excluding the Runaway and  
25                  Homeless Youth Act and the Missing Chil-

1            *dren’s Assistance Act, the Director shall*  
2            *take into consideration the extent to*  
3            *which—*

4                    *“(I) greater oversight is needed of*  
5                    *programs developed with grants made*  
6                    *by the agency;*

7                    *“(II) changes are necessary in the*  
8                    *authorizing statutes of the agency in*  
9                    *order that the functions of the agency*  
10                   *can be performed in a more efficient*  
11                   *and effective manner; and*

12                   *“(III) the agency has imple-*  
13                   *mented recommendations issued by the*  
14                   *Comptroller General or Office of In-*  
15                   *pector General relating to the grant*  
16                   *making and grant monitoring respon-*  
17                   *sibilities of the agency.*

18                   *“(iii) CONSIDERATIONS FOR AUDITS.—*  
19                   *In conducting the audit and evaluation*  
20                   *under clause (i)(II), and in order to docu-*  
21                   *ment the efficiency and public benefit of this*  
22                   *Act, excluding the Runaway and Homeless*  
23                   *Youth Act and the Missing Children’s As-*  
24                   *sistance Act, the Director shall take into*  
25                   *consideration—*

1           “(I) whether grantees timely file  
2           *Financial Status Reports;*

3           “(II) whether grantees have suffi-  
4           cient internal controls to ensure ade-  
5           quate oversight of grant funds received;

6           “(III) whether grantees’ assertions  
7           of compliance with the core require-  
8           ments were accompanied with adequate  
9           supporting documentation;

10          “(IV) whether expenditures were  
11          authorized;

12          “(V) whether subrecipients of  
13          grant funds were complying with pro-  
14          gram requirements; and

15          “(VI) whether grant funds were  
16          spent in accordance with the program  
17          goals and guidelines.

18          “(iv) *REPORT.*—*The Director shall*  
19          *submit to Congress a report outlining the*  
20          *results of the analysis, evaluation, and*  
21          *audit conducted under clause (i), including*  
22          *supporting materials, to the Speaker of the*  
23          *House of Representatives and the President*  
24          *pro tempore of the Senate and shall make*  
25          *such report available to the public online,*

1           *not later than 1 year after the date of enact-*  
2           *ment of this section.*

3           “(B) *ANALYSIS OF INTERNAL CONTROLS.—*

4                 “(i) *IN GENERAL.—Not later than 30*  
5                 *days after the date of enactment of this sec-*  
6                 *tion, the Administrator shall initiate a*  
7                 *comprehensive analysis and evaluation of*  
8                 *the internal controls of the agency to deter-*  
9                 *mine whether, and to what extent, States*  
10                *and Indian tribes that receive grants under*  
11                *this Act are following the requirements of*  
12                *the grant programs authorized under this*  
13                *Act.*

14               “(ii) *REPORT.—Not later than 180*  
15                *days after the date of enactment of this sec-*  
16                *tion, the Administrator shall submit to Con-*  
17                *gress a report containing—*

18                         “(I) *the findings of the analysis*  
19                         *and evaluation conducted under clause*  
20                         *(i);*

21                         “(II) *a description of remedial ac-*  
22                         *tions, if any, that will be taken by the*  
23                         *Administrator to enhance the internal*  
24                         *controls of the agency and recoup funds*  
25                         *that may have been expended in viola-*

1                    *tion of law, regulations, or program re-*  
2                    *quirements issued under this Act; and*

3                    *“(III) a description of—*

4                    *“(aa) the analysis conducted*  
5                    *under clause (i);*

6                    *“(bb) whether the funds*  
7                    *awarded under this Act have been*  
8                    *used in accordance with law, reg-*  
9                    *ulations, program guidance, and*  
10                   *applicable plans; and*

11                   *“(cc) the extent to which*  
12                   *funds awarded to States and In-*  
13                   *dian tribes under this Act en-*  
14                   *hanced the ability of grantees to*  
15                   *fulfill the core requirements.*

16                   *“(C) REPORT BY THE ATTORNEY GEN-*  
17                   *ERAL.—Not later than 180 days after the date of*  
18                   *enactment of this section, the Attorney General*  
19                   *shall submit to the appropriate committees of*  
20                   *Congress a report on the estimated amount of*  
21                   *grant funds disbursed by the agency since fiscal*  
22                   *year 2010 that did not meet the requirements for*  
23                   *awards of formula grants to States under this*  
24                   *Act.*

1           “(2) *OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.*—

2  
3           “(A) *IN GENERAL.*—*In order to ensure the*  
4           *effective and appropriate use of grants adminis-*  
5           *tered under this Act and to prevent waste, fraud,*  
6           *and abuse of funds by grantees, the Inspector*  
7           *General of the Department of Justice each year*  
8           *shall periodically conduct audits of States and*  
9           *Indian tribes that receive grants under this Act.*

10           “(B) *DETERMINING SAMPLES.*—*The sample*  
11           *selected for audits under subparagraph (A) shall*  
12           *be—*

13                   “(i) *of an appropriate size to—*

14                           “(I) *assess the grant programs au-*  
15                           *thorized under this Act; and*

16                           “(II) *act as a deterrent to finan-*  
17                           *cial mismanagement; and*

18                   “(ii) *selected based on—*

19                           “(I) *the size of the grants awarded*  
20                           *to the recipient;*

21                           “(II) *the past grant management*  
22                           *performance of the recipient;*

23                           “(III) *concerns identified by the*  
24                           *Administrator, including referrals*  
25                           *from the Administrator; and*

1                   “(IV) *such other factors as deter-*  
2                   *mined by the Inspector General of the*  
3                   *Department of Justice.*

4                   “(C) *PUBLIC AVAILABILITY ON WEBSITE.—*  
5                   *The Attorney General shall make the summary of*  
6                   *each review conducted under this section avail-*  
7                   *able on the website of the Department of Justice,*  
8                   *subject to redaction as the Attorney General de-*  
9                   *termines necessary to protect classified and other*  
10                  *sensitive information.*

11                  “(D) *MANDATORY EXCLUSION.—A recipient*  
12                  *of grant funds under this Act that is found to*  
13                  *have an unresolved audit finding shall not be eli-*  
14                  *gible to receive grant funds under this Act dur-*  
15                  *ing the first 2 fiscal years beginning after the*  
16                  *12-month period beginning on the date on which*  
17                  *the audit report is issued.*

18                  “(E) *PRIORITY.—In awarding grants under*  
19                  *this Act, the Administrator shall give priority to*  
20                  *a State or Indian tribe that did not have an un-*  
21                  *resolved audit finding during the 3 fiscal years*  
22                  *prior to the date on which the eligible entity sub-*  
23                  *mits an application for a grant under this Act.*

24                  “(F) *REIMBURSEMENT.—If a State or In-*  
25                  *dian tribe is awarded grant funds under this Act*

1           *during the 2-fiscal-year period in which the enti-*  
 2           *ty is barred from receiving grants under sub-*  
 3           *paragraph (I), the Attorney General shall—*

4                   “(i) *deposit an amount equal to the*  
 5                   *amount of the grant funds that were im-*  
 6                   *properly awarded to the grantee into the*  
 7                   *General Fund of the Treasury; and*

8                   “(ii) *seek to recoup the costs of the re-*  
 9                   *payment to the General Fund under clause*  
 10                   *(i) from the grantee that was erroneously*  
 11                   *awarded grant funds.*

12           “(G) *DEFINITION.—In this paragraph, the*  
 13           *term ‘unresolved audit finding’ means a finding*  
 14           *in the final audit report of the Inspector Gen-*  
 15           *eral—*

16                   “(i) *that the audited State or Indian*  
 17                   *tribe has used grant funds for an unauthor-*  
 18                   *ized expenditure or otherwise unallowable*  
 19                   *cost; and*

20                   “(ii) *that is not closed or resolved dur-*  
 21                   *ing the 12-month period beginning on the*  
 22                   *date on which the final audit report is*  
 23                   *issued.*

24           “(3) *NONPROFIT ORGANIZATION REQUIRE-*  
 25           *MENTS.—*



1           “(A) *DEFINITION.*—*For purposes of this*  
2 *paragraph and the grant programs described in*  
3 *this Act, the term ‘nonprofit organization’ means*  
4 *an organization that is described in section*  
5 *501(c)(3) of the Internal Revenue Code of 1986*  
6 *and is exempt from taxation under section*  
7 *501(a) of such Code.*

8           “(B) *PROHIBITION.*—*The Administrator*  
9 *may not award a grant under any grant pro-*  
10 *gram described in this Act to a nonprofit organi-*  
11 *zation that holds money in offshore accounts for*  
12 *the purpose of avoiding paying the tax described*  
13 *in section 511(a) of the Internal Revenue Code*  
14 *of 1986.*

15           “(C) *DISCLOSURE.*—

16           “(i) *IN GENERAL.*—*Each nonprofit or-*  
17 *ganization that is awarded a grant under a*  
18 *grant program described in this Act and*  
19 *uses the procedures prescribed in regulations*  
20 *to create a rebuttable presumption of rea-*  
21 *sonableness for the compensation of its offi-*  
22 *cers, directors, trustees, and key employees,*  
23 *shall disclose to the Administrator, in the*  
24 *application for the grant, the process for de-*  
25 *termining such compensation, including—*

1           “(I) the independent persons in-  
2           volved in reviewing and approving  
3           such compensation;

4           “(II) the comparability data used;  
5           and

6           “(III) contemporaneous substan-  
7           tiation of the deliberation and decision.

8           “(ii) PUBLIC INSPECTION UPON RE-  
9           QUEST.—Upon request, the Administrator  
10          shall make the information disclosed under  
11          clause (i) available for public inspection.

12          “(4) CONFERENCE EXPENDITURES.—

13               “(A) LIMITATION.—No amounts authorized  
14               to be appropriated to the Department of Justice  
15               under this Act may be used by the Attorney Gen-  
16               eral, or by any individual or organization  
17               awarded discretionary funds through a coopera-  
18               tive agreement under this Act, to host or support  
19               any expenditure for conferences that uses more  
20               than \$20,000 in funds made available to the De-  
21               partment of Justice, unless the Deputy Attorney  
22               General or such Assistant Attorney Generals, Di-  
23               rectors, or principal deputies as the Deputy At-  
24               torney General may designate, provides prior

1           *written authorization that the funds may be ex-*  
2           *pended to host a conference.*

3           “(B) *WRITTEN APPROVAL.*—*Written ap-*  
4           *proval under subparagraph (A) shall include a*  
5           *written estimate of all costs associated with the*  
6           *conference, including the cost of all food and bev-*  
7           *erages, audiovisual equipment, honoraria for*  
8           *speakers, and entertainment.*

9           “(C) *REPORT.*—*The Deputy Attorney Gen-*  
10           *eral shall submit an annual report to the Com-*  
11           *mittee on the Judiciary of the Senate and the*  
12           *Committee on the Judiciary of the House of Rep-*  
13           *resentatives on all conference expenditures ap-*  
14           *proved under this paragraph.*

15           “(5) *PROHIBITION ON LOBBYING ACTIVITY.*—

16           “(A) *IN GENERAL.*—*Amounts authorized to*  
17           *be appropriated under this Act may not be uti-*  
18           *lized by any recipient of a grant made using*  
19           *such amounts to—*

20                   “(i) *lobby any representative of the De-*  
21                   *partment of Justice regarding the award of*  
22                   *grant funding; or*

23                   “(ii) *lobby any representative of a Fed-*  
24                   *eral, State, local, or tribal government re-*  
25                   *garding the award of grant funding.*

1           “(B) *PENALTY.*—*If the Attorney General*  
2           *determines that any recipient of a grant made*  
3           *using amounts authorized to be appropriated*  
4           *under this Act has violated subparagraph (A),*  
5           *the Attorney General shall—*

6                     “(i) *require the grant recipient to*  
7                     *repay the grant in full; and*

8                     “(ii) *prohibit the grant recipient from*  
9                     *receiving another grant under this Act for*  
10                    *not less than 5 years.*

11           “(6) *ANNUAL CERTIFICATION.*—*Beginning in the*  
12           *first fiscal year beginning after the date of enactment*  
13           *of this section, the Attorney General shall submit, to*  
14           *the Committee on the Judiciary and the Committee*  
15           *on Appropriations of the Senate and the Committee*  
16           *on the Judiciary and the Committee on Appropria-*  
17           *tions of the House of Representatives, an annual cer-*  
18           *tification that—*

19                    “(A) *all audits issued by the Office of the*  
20                    *Inspector General of the Department of Justice*  
21                    *under paragraph (2) have been completed and*  
22                    *reviewed by the appropriate Assistant Attorney*  
23                    *General or Director;*

24                    “(B) *all mandatory exclusions required*  
25                    *under paragraph (2)(I) have been issued;*

1           “(C) all reimbursements required under  
2           paragraph (2)(K)(i) have been made; and

3           “(D) includes a list of any grant recipients  
4           excluded under paragraph (2)(I) during the pre-  
5           ceding fiscal year.”.

6           (b) *TECHNICAL AND CONFORMING AMENDMENT.*—

7           (1) *IN GENERAL.*—*The Juvenile Justice and De-*  
8           *linquency Prevention Act of 1974 is amended by*  
9           *striking section 407 (42 U.S.C. 5776a).*

10           (2) *EFFECTIVE DATE.*—*The amendment made by*  
11           *paragraph (1) shall take effect on the first day of the*  
12           *first fiscal year beginning after the date of enactment*  
13           *of this Act.*

14           (3) *SAVINGS CLAUSE.*—*In the case of an entity*  
15           *that is barred from receiving grant funds under para-*  
16           *graph (2) or (7)(B)(ii) of section 407 of the Juvenile*  
17           *Justice and Delinquency Prevention Act of 1974 (42*  
18           *U.S.C. 5776a), the amendment made by paragraph*  
19           *(1) of this subsection shall not affect the applicability*  
20           *to the entity, or to the Attorney General with respect*  
21           *to the entity, of paragraph (2), (3), or (7) of such sec-*  
22           *tion 407, as in effect on the day before the effective*  
23           *date under paragraph (2) of this subsection.*

1 **TITLE V—JUVENILE ACCOUNT-**  
2 **ABILITY BLOCK GRANTS**

3 **SEC. 501. GRANT ELIGIBILITY.**

4 *Section 1802(a) of title I of the Omnibus Crime Con-*  
5 *trol and Safe Streets Act of 1968 (42 U.S.C. 3796ee–2(a))*  
6 *is amended—*

7 *(1) in paragraph (1), by striking “and” at the*  
8 *end;*

9 *(2) in paragraph (2), by striking the period at*  
10 *the end and inserting “; and”; and*

11 *(3) by adding at the end the following:*

12 *“(3) assurances that the State agrees to comply*  
13 *with the core requirements, as defined in section 103*  
14 *of the Juvenile Justice and Delinquency Prevention*  
15 *Act of 1974 (42 U.S.C. 5603), applicable to the deten-*  
16 *tion and confinement of juveniles.”.*



Calendar No. 325

114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1169**

[Report No. 114-181]

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**A BILL**

To reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

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DECEMBER 15, 2015

Reported with an amendment