

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5963  
OFFERED BY MR. CURBELO OF FLORIDA**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Supporting Youth Op-  
3 portunity and Preventing Delinquency Act of 2016”.

**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 FINDINGS, PURPOSE, AND  
DEFINITIONS**

- Sec. 101. Findings.
- Sec. 102. Purposes.
- Sec. 103. 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. Repeal of juvenile delinquency prevention block grant program.
- Sec. 207. Research and evaluation; statistical analyses; information dissemination.
- Sec. 208. Training and technical assistance.
- Sec. 209. Authorization of appropriations.
- Sec. 210. Administrative authority.

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

- Sec. 301. Short Title.

- Sec. 302. Definitions.  
Sec. 303. Duties and functions of the administrator.  
Sec. 304. Grants for delinquency prevention programs.  
Sec. 305. Grants for tribal delinquency prevention and response programs.  
Sec. 306. Authorization of appropriations.  
Sec. 307. Technical amendment.

#### TITLE IV—MISCELLANEOUS PROVISIONS

- Sec. 401. Evaluation by Government Accountability Office.  
Sec. 402. Accountability and oversight.

## 1 **TITLE I—DECLARATION OF** 2 **FINDINGS, PURPOSE, AND** 3 **DEFINITIONS**

### 4 **SEC. 101. FINDINGS.**

5 Section 101(a)(9) of the Juvenile Justice and Delin-  
6 quency Prevention Act of 1974 (42 U.S.C. 5601(a)(9)) is  
7 amended by inserting “, including offenders who enter the  
8 juvenile justice system as the result of sexual abuse, ex-  
9 ploitation, and trauma,” after “young juvenile offenders”.

### 10 **SEC. 102. PURPOSES.**

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

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

15 (2) in paragraph (2)—

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

17 and

18 (B) by striking “and” at the end;

19 (3) by amending paragraph (3) to read as fol-

20 lows:

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

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

9           “(4) to support a continuum of evidence-based  
10          or promising programs (including delinquency pre-  
11          vention, intervention, mental health, behavioral  
12          health and substance abuse treatment, family serv-  
13          ices, and services for children exposed to violence)  
14          that are trauma informed, reflect the science of ado-  
15          lescent development, and are designed to meet the  
16          needs of at-risk youth and youth who come into con-  
17          tact with the justice system.”.

18 **SEC. 103. DEFINITIONS.**

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

21                 (1) in paragraph (8)—

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

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

1 (C) by redesignating subparagraph (D) as  
2 subparagraph (C);

3 (2) in paragraph (18) by adding at the end the  
4 following:

5 “that has a law enforcement function, as determined  
6 by the Secretary of the Interior in consultation with  
7 the Attorney General;”.

8 (3) by amending paragraph (22) to read as fol-  
9 lows:

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

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

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

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

21 “(26) the term ‘adult inmate’—

22 “(A) means an individual who—

23 “(i) has reached the age of full crimi-  
24 nal responsibility under applicable State  
25 law; and

1           “(ii) has been arrested and is in cus-  
2           tody for or awaiting trial on a criminal  
3           charge, or is convicted of a criminal of-  
4           fense; and

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

6           “(i) at the time of the time of the of-  
7           fense, was younger than the maximum age  
8           at which a youth can be held in a juvenile  
9           facility under applicable State law; and

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

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

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

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

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

22           “(A) means the requirements described in  
23           paragraphs (11), (12), (13), and (15) of section  
24           223(a); and

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

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

8           “(32) the term ‘isolation’—

9           “(A) means any instance in which a youth  
10 is confined alone for more than 10 minutes in  
11 a room or cell; and

12           “(B) does not include—

13           “(i) confinement during regularly  
14 scheduled sleeping hours;

15           “(ii) separation based on a treatment  
16 program approved by a licensed medical or  
17 mental health professional;

18           “(iii) confinement or separation that  
19 is requested by the youth; or

20           “(iv) the separation of the youth from  
21 a group in a nonlocked setting for the lim-  
22 ited purpose of calming;

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

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

3                   “(A) is demonstrated to be effective when  
4                   implemented with fidelity;

5                   “(B) is based on a clearly articulated and  
6                   empirically supported theory;

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

11                  “(D) has been scientifically tested and  
12                  proven effective through randomized control  
13                  studies or comparison group studies and with  
14                  the ability to replicate and scale;

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

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

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

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

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

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

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

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

20                   “(A) by an appropriately trained profes-  
21                  sional who is licensed or certified by the appli-  
22                  cable State in the mental health, behavioral  
23                  health, or substance abuse fields; and

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

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

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

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

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

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

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

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;

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

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

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

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

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

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

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

1 **TITLE II—JUVENILE JUSTICE**  
2 **AND DELINQUENCY PREVEN-**  
3 **TION**

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

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

7 (1) in subsection (a)—

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

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

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

24 (B) in paragraph (2)(B), by striking “Fed-  
25 eral Register” and all that follows and inserting

1 “Federal Register during the 30-day period  
2 ending on October 1 of each year.”; and

3 (2) in subsection (b)—

4 (A) by striking paragraph (7);

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

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

9 “(5) not later than 1 year after the date of en-  
10 actment of the Supporting Youth Opportunity and  
11 Preventing Delinquency Act of 2016, in consultation  
12 with Indian tribes, develop a policy for the Office of  
13 Juvenile Justice and Delinquency Prevention to col-  
14 laborate with representatives of Indian tribes with a  
15 criminal justice function on the implementation of  
16 the provisions of this Act relating to Indian tribes;”;

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

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

20 (i) by striking “monitoring”;

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

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

23 (iii) by striking “to review the ade-  
24 quacy of such systems; and” and inserting  
25 “for monitoring compliance.”.

1 **SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
2 **AND DELINQUENCY PREVENTION.**

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

5 (1) in subsection (a)—

6 (A) in paragraph (1)—

7 (i) by inserting “the Administrator of  
8 the Substance Abuse and Mental Health  
9 Services Administration, the Secretary of  
10 the Interior,” after “the Secretary of  
11 Health and Human Services,”; and

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

16 (B) in paragraph (2), by striking “United  
17 States” and inserting “Federal Government”;  
18 and

19 (2) in subsection (c)—

20 (A) in paragraph (1), by striking “para-  
21 graphs (12)(A), (13), and (14) of section  
22 223(a) of this title” and inserting “the core re-  
23 quirements”; and

24 (B) in paragraph (2)—

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

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

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

12 “(i) contains the recommendations de-  
13 scribed in subparagraph (A);

14 “(ii) includes a detailed account of the  
15 activities conducted by the Council during  
16 the fiscal year, including a complete de-  
17 tailed accounting of expenses incurred by  
18 the Council to conduct operations in ac-  
19 cordance with this section;

20 “(iii) is published on the Web sites of  
21 the Office of Juvenile Justice and Delin-  
22 quency Prevention, the Council, and the  
23 Department of Justice; and

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

1 **SEC. 203. ANNUAL REPORT.**

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

4 (1) in the matter preceding paragraph (1), by  
5 striking “a fiscal year” and inserting “each fiscal  
6 year”;

7 (2) in paragraph (1)—

8 (A) in subparagraph (B), by striking “and  
9 gender” and inserting “, gender, and ethnicity,  
10 as such term is defined by the Bureau of the  
11 Census,”;

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

14 (C) in subparagraph (F)—

15 (i) by inserting “and other” before  
16 “disabilities,”; and

17 (ii) by striking the period at the end  
18 and inserting a semicolon; and

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

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

25 “(H) the number of status offense cases  
26 petitioned to court, number of status offenders

1 held in secure detention, the findings used to  
2 justify the use of secure detention, and the av-  
3 erage period of time a status offender was held  
4 in secure detention;

5 “(I) the number of juveniles released from  
6 custody and the type of living arrangement to  
7 which they are released;

8 “(J) the number of juveniles whose offense  
9 originated on school grounds, during school-  
10 sponsored off-campus activities, or due to a re-  
11 ferral by a school official, as collected and re-  
12 ported by the Department of Education or simi-  
13 lar State educational agency; and

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

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

19 “(5) A description of the criteria used to deter-  
20 mine what programs qualify as evidence-based and  
21 promising programs under this title and title V and  
22 a comprehensive list of those programs the Adminis-  
23 trator has determined meet such criteria in both  
24 rural and urban areas.

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

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

17                   “(A) in which supporting documentation  
18                   was not provided for cost reports;

19                   “(B) where unauthorized expenditures oc-  
20                   curred; or

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

23          “(8) An analysis and evaluation of the total  
24          amount of payments made to grantees that the Of-  
25          fice of Juvenile Justice and Delinquency Prevention

1       recouped from grantees that were found to be in vio-  
2       lation of policies and procedures of the Office of Ju-  
3       venile Justice and Delinquency Prevention grant  
4       programs, including—

5               “(A) the full name and location of the  
6               grantee;

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

8               “(C) the amount of funds sought to be re-  
9               couped by the Office of Juvenile Justice and  
10              Delinquency Prevention; and

11              “(D) the actual amount recouped by the  
12              Office of Juvenile Justice and Delinquency Pre-  
13              vention.”.

14   **SEC. 204. ALLOCATION OF FUNDS.**

15       (a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of  
16       the Juvenile Justice and Delinquency Prevention Act of  
17       1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2  
18       percent” and inserting “5 percent”.

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

22              (1) in subsection (a)—

23                      (A) in paragraph (1), by striking “age  
24                      eighteen” and inserting “18 years of age, based

1 on the most recent data available from the Bu-  
2 reau of the Census”; and

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

5 “(2)(A) If the aggregate amount appropriated  
6 for a fiscal year to carry out this title is less than  
7 \$75,000,000, then—

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

12 “(ii) the amount allocated to the United  
13 States Virgin Islands, Guam, American Samoa,  
14 and the Commonwealth of the Northern Mar-  
15 iana Islands for that fiscal year shall be not less  
16 than \$75,000.

17 “(B) If the aggregate amount appropriated for  
18 a fiscal year to carry out this title is not less than  
19 \$75,000,000, then—

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

24 “(ii) the amount allocated to the United  
25 States Virgin Islands, Guam, American Samoa,

1           and the Commonwealth of the Northern Mar-  
2           iana Islands for that fiscal year shall be not less  
3           than \$100,000.”;

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

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

15 **SEC. 205. STATE PLANS.**

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

18           (1) in subsection (a)—

19           (A) in the matter preceding paragraph (1),  
20           by striking “and shall describe the status of  
21           compliance with State plan requirements.” and  
22           inserting “and shall describe how the State plan  
23           is supported by or takes account of scientific  
24           knowledge regarding adolescent development  
25           and behavior and regarding the effects of delin-

1           quency prevention programs and juvenile justice  
2           interventions on adolescents. Not later than 60  
3           days after the date on which a plan or amended  
4           plan submitted under this subsection is final-  
5           ized, a State shall make the plan or amended  
6           plan publicly available by posting the plan or  
7           amended plan on the State’s publicly available  
8           website.”;

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

13          (C) in paragraph (3)—

14                 (i) in subparagraph (A)—

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

18                         (II) in clause (ii)—

19                                 (aa) in subclause (II), by in-  
20                                 serting “publicly supported court-  
21                                 appointed legal counsel with ex-  
22                                 perience representing juveniles in  
23                                 delinquency proceedings,” after  
24                                 “youth,”;

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

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

14 (dd) in subclause (VI), by  
15 striking “youth workers involved  
16 with” and inserting “representa-  
17 tives of”;

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

20 (ff) by striking subclause  
21 (VIII) and inserting the fol-  
22 lowing:

23 “(VIII) persons, licensed or cer-  
24 tified by the applicable State, with ex-  
25 pertise and competence in preventing

1 and addressing mental health and  
2 substance abuse needs in delinquent  
3 youth and youth at risk of delin-  
4 quency;

5 “(IX) representatives of victim or  
6 witness advocacy groups, including at  
7 least 1 individual with expertise in ad-  
8 dressing the challenges of sexual  
9 abuse and exploitation and trauma,  
10 particularly the needs of special popu-  
11 lations who experience dispropor-  
12 tionate levels of sexual abuse, exploi-  
13 tation, and trauma before entering the  
14 juvenile justice system; and

15 “(X) for a State in which 1 or  
16 more Indian tribes are located, an In-  
17 dian tribal representative or other in-  
18 dividual with significant expertise in  
19 tribal law enforcement and juvenile  
20 justice in Indian tribal communities;”;

21 (III) in clause (iv), by striking  
22 “24 at the time of appointment” and  
23 inserting “28 at the time of initial ap-  
24 pointment”; and

- 1 (IV) in clause (v) by inserting  
2 “or, if not feasible and in appropriate  
3 circumstances, who is the parent or  
4 guardian of someone who has been or  
5 is currently under the jurisdiction of  
6 the juvenile justice system” after “ju-  
7 venile justice system”;
- 8 (ii) in subparagraph (C), by striking  
9 “30 days” and inserting “45 days”; and
- 10 (iii) in subparagraph (D)—
- 11 (I) in clause (i), by striking  
12 “and” at the end; and
- 13 (II) in clause (ii), by striking “at  
14 least annually recommendations re-  
15 garding State compliance with the re-  
16 quirements of paragraphs (11), (12),  
17 and (13)” and inserting “at least  
18 every 2 years a report and necessary  
19 recommendations regarding State  
20 compliance with the core require-  
21 ments”; and
- 22 (iv) in subparagraph (E)—
- 23 (I) in clause (i), by adding “and”  
24 at the end; and

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

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

11 (E) in paragraph (7)—

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

15 (ii) in subparagraph (B)—

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

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

20 “(iv) a plan to provide alternatives to  
21 detention for status offenders, survivors of  
22 commercial sexual exploitation, and others,  
23 where appropriate, such as specialized or  
24 problem-solving courts or diversion to  
25 home-based or community-based services

1 or treatment for those youth in need of  
2 mental health, substance abuse, or co-oc-  
3 ccurring disorder services at the time such  
4 juveniles first come into contact with the  
5 juvenile justice system;

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

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

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

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

23 “(ix) not later than 1 year after the  
24 date of enactment of the Supporting Youth  
25 Opportunity and Preventing Delinquency

1 Act of 2016, a plan, which shall be imple-  
2 mented not later than 2 years after the  
3 date of enactment of the Supporting Youth  
4 Opportunity and Preventing Delinquency  
5 Act of 2016, to—

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

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

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

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

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

10                  (G) in paragraph (9)—

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

16                   (ii) in subparagraph (A)—

17                   (I) in clause (i)—

18                   (aa) by inserting “status of-  
19 fenders and other” before “youth  
20 who need”; and

21                   (bb) by striking “and” at  
22 the end;

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

1 (III) by inserting after clause (ii)  
2 the following:

3 “(iii) for youth who are active or  
4 former gang members, specialized intensive  
5 and comprehensive services that address  
6 the unique issues encountered by youth  
7 when they become involved with gangs”;

8 (iii) in subparagraph (B)(i)—

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

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

16 (iv) in subparagraph (E)—

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

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

24 (v) in subparagraph (F), in the mat-  
25 ter preceding clause (i), by striking “ex-

1           panding” and inserting “programs to ex-  
2           pand”;

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

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

8           “(G) programs—

9                   “(i) to ensure youth have access to  
10           appropriate legal representation; and

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

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

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

22                   (ix) in subparagraph (M), as so red-  
23           esignated—

24                           (I) in clause (i)—

1 (aa) by inserting “pre-adju-  
2 dication and” before “post-adju-  
3 dication”;

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

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

9 (II) in clause (ii)—

10 (aa) by striking “by the pro-  
11 vision by the Administrator”;

12 (bb) by striking “to States”;

13 (x) in subparagraph (N), as redesig-  
14 nated—

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

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

20 (xi) in subparagraph (S), as so redes-  
21 ignated, by striking “and” at the end;

22 (xii) in subparagraph (T), as so redes-  
23 ignated—

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

1 (II) by inserting “court-involved  
2 or” before “incarcerated”;

3 (III) by striking “suspected to  
4 be”;

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

9 (V) by striking the period at the  
10 end and inserting a semicolon; and

11 (xiii) by inserting after subparagraph  
12 (T) the following:

13 “(U) programs and projects designed—

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

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

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

24 “(V) programs that address the needs of  
25 girls in or at risk of entering the juvenile justice

1 system, including pregnant girls, young moth-  
2 ers, victims of sexual abuse, survivors of com-  
3 mercial sexual exploitation or domestic child sex  
4 trafficking, girls with disabilities, and girls of  
5 color, including girls who are members of an In-  
6 dian tribe; and

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

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

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

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

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

24 “(II) a juvenile who is charged with  
25 or has committed a violation of a valid

1 court order issued and reviewed in accord-  
2 ance with paragraph (23); and

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

6 “(ii) the juvenile—

7 “(I) is not charged with any offense;

8 and

9 “(II)(aa) is an alien; or

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

12 “(B) require that—

13 “(i) not later than 3 years after the date  
14 of enactment of the Supporting Youth Oppor-  
15 tunity and Preventing Delinquency Act of 2016,  
16 unless a court finds, after a hearing and in  
17 writing, that it is in the interest of justice, juve-  
18 niles awaiting trial or other legal process who  
19 are treated as adults for purposes of prosecu-  
20 tion in criminal court and housed in a secure  
21 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                   “(ii) in determining under subparagraph  
5                   (A) whether it is in the interest of justice to  
6                   permit a juvenile to be held in any jail or lock-  
7                   up for adults, or have sight or sound contact  
8                   with adult inmates, a court shall consider—

9                   “(I) the age of the juvenile;

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

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

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  
23                  juvenile but also to protect the safety of  
24                  the public as well as other detained youth;  
25                  and

1 “(VII) any other relevant factor; and

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

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

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

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

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

25 (K) in paragraph (14)—

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

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

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

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

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

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

14 (vii) by striking “requirements of  
15 paragraphs (11)” and all that follows  
16 through “monitoring to the Administrator”  
17 and inserting “core requirements are met,  
18 and for annual reporting to the Adminis-  
19 trator”; and

20 (viii) by striking “, in the opinion of  
21 the Administrator,”;

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

23 (M) by redesignating paragraph (28) as  
24 paragraph (27);

1 (N) by redesignating paragraphs (15)  
2 through (21) as paragraphs (16) through (22),  
3 respectively;

4 (O) by inserting after paragraph (14) the  
5 following:

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

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

20 “(B) identifying and analyzing data on  
21 race and ethnicity at all decision points in  
22 State, local, or tribal juvenile justice systems to  
23 determine which key points create racial and  
24 ethnic disparities among youth who come into  
25 contact with the juvenile justice system; and

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

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

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

11          (R) in paragraph (23)—

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

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

17           (iii) in subparagraph (C)—

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

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

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

24           “(iii) if such court determines the sta-  
25           tus offender should be placed in a secure

1 detention facility or correctional facility for  
2 violating such order—

3 “(I) the court shall issue a writ-  
4 ten order that—

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

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

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

21 “(dd) specifies the length of  
22 time, not to exceed 7 days, that  
23 the status offender may remain  
24 in a secure detention facility or  
25 correctional facility, and includes

1 a plan for the status offender’s  
2 release from such facility; and

3 “(ee) may not be renewed or  
4 extended; and

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

13 lowing:

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

21 “(E) not later than September 30, 2020  
22 (with a 1-year extension for each additional fis-  
23 cal year that a State can demonstrate hardship,  
24 as determined by the State, and submits in  
25 writing evidence of such hardship to the Admin-

1           istrator which shall be considered approved un-  
2           less the Administrator justifies to the State in  
3           writing that the hardship does not qualify for  
4           an exemption), the State will eliminate the use  
5           of valid court orders to provide secure confine-  
6           ment of status offenders, except that juveniles  
7           may be held in secure confinement in accord-  
8           ance with the Interstate Compact for Juveniles  
9           if the judge issues a written order that—

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

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

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

1           “(iv) may not be renewed or ex-  
2           tended;”;

3           (S) in paragraph (26)—

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

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

23           “(28) provide for the coordinated use of funds  
24           provided under this title with other Federal and

1 State funds directed at juvenile delinquency preven-  
2 tion and intervention programs;

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

9 “(30) describe—

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

14 “(i) request a screening;

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

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

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

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

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

5           “(i) the pre-release and post-release  
6 plans for the juveniles;

7           “(ii) the living arrangement to which  
8 the juveniles are to be discharged; and

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

12           “(B) review processes;

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

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

1 training program into which the juveniles will  
2 enroll;

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

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

12 “(33) describe policies and procedures to—

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

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

20 (2) by amending subsection (c) to read as fol-  
21 lows:

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

24 “(A) subject to subparagraph (B), the amount  
25 allocated to such State under section 222 for the

1 subsequent fiscal year shall be reduced by not less  
2 than 20 percent for each core requirement with re-  
3 spect to which the failure occurs; and

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

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

12 “(ii) the Administrator determines that the  
13 State—

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

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

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

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

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

9           (3) in subsection (d)—

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

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

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

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

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

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

24           “(g) COMPLIANCE DETERMINATION.—

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

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

7               “(A) issue an annual public report—

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

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

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

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

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

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

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

9           Part C of title II of the Juvenile Justice and Delin-  
10          quency Prevention Act of 1974 (42 U.S.C. 5651 et seq.)  
11          is repealed.

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

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

16               (1) in subsection (a)—

17                       (A) in paragraph (1)—

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

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

24                               (iii) in subparagraph (B)—

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

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

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

10 “(vii) the prevalence and duration of  
11 behavioral health needs (including mental  
12 health, substance abuse, and co-occurring  
13 disorders) among juveniles pre-placement  
14 and post-placement in the juvenile justice  
15 system, including an examination of the ef-  
16 fects of secure confinement;”;

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

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

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

1           “(x) methods to improve the recruit-  
2           ment, selection, training, and retention of  
3           professional personnel who are focused on  
4           the prevention, identification, and treat-  
5           ment of delinquency;

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

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

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

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

1           ation of youth facing nonviolent charges,  
2           while ensuring that public safety is pre-  
3           served;” and

4           (B) in paragraph (4)—

5                 (i) in the matter preceding subpara-  
6           graph (A)—

7                         (I) by striking “date of enact-  
8                         ment of this paragraph, the” and in-  
9                         serting “date of enactment of the  
10                        Supporting Youth Opportunity and  
11                        Preventing Delinquency Act of 2016,  
12                        the”; and

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

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

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

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

24                        (v) 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 confine-  
5 ment in a State correctional facility, cannot re-  
6 turn to the residence they occupied prior to  
7 such confinement.”;

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 Admin-  
13 istrator, in accordance with applicable confidentiality re-  
14 quirements and in consultation with experts in the field  
15 of juvenile justice research, recidivism, and data collection,  
16 shall—

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

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

22           “(3) make cumulative juvenile recidivism data  
23 that is collected from States available to the pub-  
24 lic.”.

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

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

4 (1) in subsection (a)—

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

7 (B) in paragraph (1)—

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

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

12 (C) in paragraph (2)—

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

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

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

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

25 (2) in subsection (b)—

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

3 (B) in paragraph (1)—

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

6 (ii) by inserting “, including compli-  
7 ance with the core requirements” after  
8 “this title”; and

9 (iii) by striking “and” at the end;

10 (C) in paragraph (2)—

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

13 (ii) by striking the period at the end  
14 and inserting a semicolon; and

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

16 “(3) shall provide technical assistance to States  
17 and units of local government on achieving compli-  
18 ance with the amendments to the core requirements  
19 and State Plans made by the Supporting Youth Op-  
20 portunity and Preventing Delinquency Act of 2016,  
21 including training and technical assistance and,  
22 when appropriate, pilot or demonstration projects in-  
23 tended to develop and replicate best practices for  
24 achieving sight and sound separation in facilities or  
25 portions of facilities that are open and available to

1 the general public and that may or may not contain  
2 a jail or a lock-up; and

3 “(4) shall provide technical assistance to States  
4 in support of efforts to establish partnerships be-  
5 tween a State and a university, institution of higher  
6 education, or research center designed to improve  
7 the recruitment, selection, training, and retention of  
8 professional personnel in the fields of medicine, law  
9 enforcement, the judiciary, juvenile justice, social  
10 work and child protection, education, and other rel-  
11 evant fields who are engaged in, or intend to work  
12 in, the field of prevention, identification, and treat-  
13 ment of delinquency.”;

14 (3) in subsection (c)—

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

17 (B) by inserting “status offenders and”  
18 after “needs of”; and

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

20 “(d) BEST PRACTICES REGARDING LEGAL REP-  
21 RESENTATION OF CHILDREN.—In consultation with ex-  
22 perts in the field of juvenile defense, the Administrator  
23 shall—

24 “(1) share best practices, which may include  
25 sharing standards of practice developed by recog-

1 nized entities in the profession, for attorneys rep-  
2 resenting children; and

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

6 “(e) TRAINING AND TECHNICAL ASSISTANCE FOR  
7 LOCAL AND STATE JUVENILE DETENTION AND CORREC-  
8 TIONS PERSONNEL.—The Administrator shall coordinate  
9 training and technical assistance programs with juvenile  
10 detention and corrections personnel of States and units  
11 of local government—

12 “(1) to promote methods for improving condi-  
13 tions of juvenile confinement, including methods that  
14 are designed to minimize the use of dangerous prac-  
15 tices, unreasonable restraints, and isolation and  
16 methods responsive to cultural differences; and

17 “(2) to encourage alternative behavior manage-  
18 ment techniques based on positive youth develop-  
19 ment approaches, which may include policies and  
20 procedures to train personnel to be culturally com-  
21 petent.

22 “(f) TRAINING AND TECHNICAL ASSISTANCE TO  
23 SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE  
24 TREATMENT INCLUDING HOME-BASED OR COMMUNITY-  
25 BASED CARE.—The Administrator shall provide training

1 and technical assistance, in conjunction with the appro-  
2 priate public agencies, to individuals involved in making  
3 decisions regarding the disposition and management of  
4 cases for youth who enter the juvenile justice system about  
5 the appropriate services and placement for youth with  
6 mental health or substance abuse needs, including—

7           “(1) juvenile justice intake personnel;

8           “(2) probation officers;

9           “(3) juvenile court judges and court services  
10 personnel;

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

12 and

13           “(5) family members of juveniles and family ad-  
14 vocates.

15           “(g) TRAINING AND TECHNICAL ASSISTANCE TO  
16 SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.—

17 The Attorney General, acting through the Office of Juve-  
18 nile Justice and Delinquency Prevention and the Office  
19 of Justice Programs, shall provide training and technical  
20 assistance, in conjunction with the appropriate public  
21 agencies, to enhance the capacity of State and local courts,  
22 judges, and related judicial personnel to—

23           “(1) improve the lives of children currently in-  
24 volved in or at risk of being involved in the juvenile  
25 court system; and

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

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

12 **SEC. 209. AUTHORIZATION OF APPROPRIATIONS.**

13           Section 299 of the Juvenile Justice and Delinquency  
14 Prevention Act of 1974 (42 U.S.C. 5672) is amended—

15           (1) by striking subsections (b) and (c), and re-  
16           designating subsection (d) as subsection (b);

17           (2) in subsection (a)—

18           (A) in the matter preceding paragraph (1),  
19           by striking “(EXCLUDING PARTS C AND E)”;

20           (B) by striking paragraph (1) and insert-  
21           ing the following:

22           “(1) There are authorized to be appropriated to  
23           carry out this title—

24           “(A) \$76,125,000 for fiscal year 2018;

25           “(B) \$76,125,000 for fiscal year 2019;

1                   “(C) \$77,266,875 for fiscal year 2020;  
2                   “(D) \$78,425,878 for fiscal year 2021;  
3                   and  
4                   “(E) \$79,602,266 for fiscal year 2022.”;  
5                   and  
6                   (C) in paragraph (2)—  
7                   (i) in the matter preceding subpara-  
8                   graph (A), by striking “(other than parts  
9                   C and E)”; and  
10                   (ii) in subparagraph (C), by striking  
11                   “part D” and inserting “parts D and E”.

12 **SEC. 210. ADMINISTRATIVE AUTHORITY.**

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

16           (1) in subsection (d)—  
17           (A) by inserting “(1)” before “The Admin-  
18           istrator”;  
19           (B) by striking “, after appropriate con-  
20           sultation with representatives of States and  
21           units of local government,”;  
22           (C) by inserting “guidance,” after “regula-  
23           tions,”; and  
24           (D) by adding at the end the following: “In  
25           developing guidance and procedures, the Ad-

1            administrator shall consult with representatives of  
2            States and units of local government, including  
3            those individuals responsible for administration  
4            of this Act and compliance with the core re-  
5            quirements.

6            “(2) The Administrator shall ensure that—

7                  “(A) reporting, compliance reporting, State  
8            plan requirements, and other similar documentation  
9            as may be required from States is requested in a  
10           manner that respects confidentiality, encourages effi-  
11           ciency and reduces the duplication of reporting ef-  
12           forts; and

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

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

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

4 **SEC. 301. SHORT TITLE.**

5 Section 501 of the Incentive Grants for Local Delin-  
6 quency Prevention Programs Act of 2002 (42 U.S.C. 5601  
7 note) is amended—

8 (1) by inserting “Youth Promise” before “In-  
9 centive Grants”; and

10 (2) by striking “2002” and inserting “2016”.

11 **SEC. 302. DEFINITIONS.**

12 Section 502 of the Incentive Grants for Local Delin-  
13 quency Prevention Programs Act of 2002 (42 U.S.C.  
14 5781) is amended to read as follows:

15 **“SEC. 502. DEFINITIONS.**

16 “In this title—

17 “(1) the term ‘eligible entity’ means—

18 “(A) a unit of local government that is in  
19 compliance with the requirements of part B of  
20 title II; or

21 “(B) a nonprofit organization in partner-  
22 ship with a unit of local government described  
23 in subparagraph (A);

24 “(2) the term ‘local policy board’, when used  
25 with respect to an eligible entity, means a policy

1 board that the eligible entity will engage in the de-  
2 velopment of the eligible entity’s plan described in  
3 section 504(e)(5), and that includes—

4 “(A) not fewer than 15 and not more than  
5 21 members; and

6 “(B) a balanced representation of—

7 “(i) public agencies and private non-  
8 profit organizations serving juveniles and  
9 their families; and

10 “(ii) business and industry;

11 “(C) at least one representative of the  
12 faith community, one adjudicated youth, and  
13 one parent of an adjudicated youth; and

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

17 “(3) the term ‘mentoring’ means matching 1  
18 adult with 1 or more youths for the purpose of pro-  
19 viding guidance, support, and encouragement  
20 through regularly scheduled meetings for not less  
21 than 9 months;

22 “(4) the term ‘juvenile delinquency program’  
23 means a juvenile delinquency program that is evi-  
24 dence-based or promising and that may include—

1           “(A) alcohol and substance abuse preven-  
2           tion services;

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

5           “(C) child and adolescent health and men-  
6           tal health services;

7           “(D) recreation services;

8           “(E) leadership and youth development ac-  
9           tivities;

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

12          “(G) assistance in the development of job  
13          training skills;

14          “(H) youth mentoring programs;

15          “(I) after-school programs;

16          “(J) coordination of a continuum of serv-  
17          ices, which may include—

18                 “(i) early childhood development serv-  
19                 ices;

20                 “(ii) voluntary home visiting pro-  
21                 grams;

22                 “(iii) nurse-family partnership pro-  
23                 grams;

24                 “(iv) parenting skills training;

25                 “(v) child abuse prevention programs;

- 1 “(vi) family stabilization programs;
- 2 “(vii) child welfare services;
- 3 “(viii) family violence intervention
- 4 programs;
- 5 “(ix) adoption assistance programs;
- 6 “(x) emergency, transitional and per-
- 7 manent housing assistance;
- 8 “(xi) job placement and retention
- 9 training;
- 10 “(xii) summer jobs programs;
- 11 “(xiii) alternative school resources for
- 12 youth who have dropped out of school or
- 13 demonstrate chronic truancy;
- 14 “(xiv) conflict resolution skill training;
- 15 “(xv) restorative justice programs;
- 16 “(xvi) mentoring programs;
- 17 “(xvii) targeted gang prevention,
- 18 intervention and exit services;
- 19 “(xviii) training and education pro-
- 20 grams for pregnant teens and teen par-
- 21 ents; and
- 22 “(xix) pre-release, post-release, and
- 23 reentry services to assist detained and in-
- 24 carcerated youth with transitioning back
- 25 into and reentering the community; and

1           “(K) other data-driven evidence-based or  
2           promising prevention programs;

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

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

10 **SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINIS-**  
11 **TRATOR.**

12           Section 503 of the Incentive Grants for Local Delin-  
13           quency Prevention Programs Act of 2002 (42 U.S.C.  
14           5782) is amended—

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

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

18 **SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PRO-**  
19 **GRAMS.**

20           Section 504 of the Incentive Grants for Local Delin-  
21           quency Prevention Programs Act of 2002 (42 U.S.C. 5781  
22           et seq.) is amended to read as follows:

1 **“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVEN-**  
2 **TION PROGRAMS.**

3 “(a) PURPOSE.—The purpose of this section is to en-  
4 able local communities to address the unmet needs of  
5 youth who are involved in, or are at risk of involvement  
6 in, juvenile delinquency or gang activity, including through  
7 a continuum of delinquency prevention programs for juve-  
8 niles who have had contact with the juvenile justice system  
9 or who are likely to have contact with the juvenile justice  
10 system.

11 “(b) PROGRAM AUTHORIZED.—The Administrator  
12 shall—

13 “(1) for each fiscal year for which less than  
14 \$25,000,000 is appropriated under section 506,  
15 award grants to not fewer than 3 State entities, but  
16 not more than 5 State entities, that apply under  
17 subsection (c) and meet the requirements of sub-  
18 section (d); or

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

24 “(c) STATE APPLICATION.—To be eligible to receive  
25 a grant under this section, a State entity shall submit an

1 application to the Administrator, which includes the fol-  
2 lowing:

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

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

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

10 “(ii) to provide technical assistance to  
11 eligible entities receiving a subgrant under  
12 subsection (e) in carrying out juvenile de-  
13 linquency programs under the subgrant;  
14 and

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

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

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

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

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

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

15           “(B) such plan is approved by the Admin-  
16          istrator for such fiscal year; or

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

20          “(e) SUBGRANT PROGRAM.—

21           “(1) PROGRAM AUTHORIZED.—

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

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

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

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

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

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

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

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

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

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

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

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

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

1 State of the eligible entity, at such time and in such  
2 manner as determined by the State entity, and that  
3 includes—

4 “(A) a description of—

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

9 “(ii) the unmet needs of youth in the  
10 community who are or have been involved  
11 in, or are at risk of being involved in juve-  
12 nile delinquency or gang activity;

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

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

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

23 “(C) the steps the eligible entity will take  
24 to implement the plan under subparagraph (A);  
25 and

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

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

10          “(4) SUBGRANT REVIEW.—

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

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

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

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

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

18                 “(A) an analysis of the unmet needs of  
19                 youth in the community who are or have been,  
20                 or are at risk of being, involved in juvenile de-  
21                 linquency or gang activity—

22                         “(i) which shall include—

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

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

7                   “(ii) may include an estimate—

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

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

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

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

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

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

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

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

3 The Incentive Grants for Local Delinquency Preven-  
4 tion Programs Act of 2002 (42 U.S.C. 5781 et seq.) is  
5 amended by redesignating section 505 as section 506 and  
6 by inserting after section 504 the following:

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

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

13 “(1) to support and enhance—

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

16 “(B) the ability of Indian tribes to respond  
17 to, and care for, juvenile offenders; and

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

22 “(b) ELIGIBLE INDIAN TRIBES.—To be eligible to re-  
23 ceive a grant under this section, an Indian tribe or consor-  
24 tium of Indian tribes shall submit to the Administrator  
25 an application in such form as the Administrator may re-  
26 quire.

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

4                   “(1) juvenile delinquency rates;

5                   “(2) school dropout rates; and

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

7           “(d) AVAILABILITY OF FUNDS.—Of the amount ap-  
8 propriated for a fiscal year to carry out this title, 11 per-  
9 cent shall be available to carry out this section.”.

10 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

11           Section 506, as redesignated by section 305, is  
12 amended to read as follows:

13 **“SEC. 506. AUTHORIZATION OF APPROPRIATIONS.**

14           “There are authorized to be appropriated to carry out  
15 this title—

16                   “(1) \$91,857,500 for fiscal year 2018;

17                   “(2) \$91,857,500 for fiscal year 2019;

18                   “(3) \$93,235,362 for fiscal year 2020;

19                   “(4) \$94,633,892 for fiscal year 2021; and

20                   “(5) \$96,053,401 for fiscal year 2022.”.

21 **SEC. 307. TECHNICAL AMENDMENT.**

22           Title V of the Juvenile Justice and Delinquency Pre-  
23 vention Act of 1974 as enacted by Public Law 93-415 (88  
24 Stat. 1133) (relating to miscellaneous and conforming  
25 amendments) is repealed.

1           **TITLE IV—MISCELLANEOUS**  
2                           **PROVISIONS**

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

4                           **OFFICE.**

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

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

13                      (2) conduct a comprehensive audit and evalua-  
14 tion of a selected, sample of grantees (as determined  
15 by the Comptroller General) that receive Federal  
16 funds under grant programs administered by the  
17 agency including a review of internal controls (as de-  
18 fined in section 103 of the Juvenile Justice and De-  
19 linquency Prevention Act of 1974 (42 U.S.C. 5603),  
20 as amended by this Act) to prevent fraud, waste,  
21 and abuse of funds 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 outcome and results of the programs  
9 carried out by the agency and those programs ad-  
10 ministered through grants by the agency;

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

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

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

22 (5) whether less restrictive or alternative meth-  
23 ods exist to carry out the functions of the agency  
24 and whether current functions or operations are im-

1 peded or enhanced by existing statutes, rules, and  
2 procedures;

3 (6) the number and types of beneficiaries or  
4 persons served by programs carried out by the agen-  
5 cy;

6 (7) the manner with which the agency seeks  
7 public input and input from State and local govern-  
8 ments on the performance of the functions of the  
9 agency;

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

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

16 (10) the extent to which changes are necessary  
17 in the authorizing statutes of the agency in order for  
18 the functions of the agency to be performed in a  
19 more efficient and effective manner.

20 (c) CONSIDERATIONS FOR AUDITS.—In conducting  
21 the audit and evaluation under subsection (a)(2), and in  
22 order to document the efficiency and public benefit of the  
23 Juvenile Justice and Delinquency Prevention Act of 1974  
24 (42 U.S.C. 5601 et seq.), excluding the Runaway and  
25 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the

1 Missing Children's Assistance Act (42 U.S.C. 5771 et  
2 seq.), the Comptroller General shall take into consider-  
3 ation—

4 (1) whether grantees timely file Financial Sta-  
5 tus Reports;

6 (2) whether grantees have sufficient internal  
7 controls to ensure adequate oversight of grant fund  
8 received;

9 (3) whether disbursements were accompanied  
10 with adequate supporting documentation (including  
11 invoices and receipts);

12 (4) whether expenditures were authorized;

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

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

17 (7) whether contracts were bid in accordance  
18 with program guidelines; and

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

21 (d) REPORT.—

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

1 (A) submit a report regarding the evalua-  
2 tion conducted under subsection (a) and audit  
3 under subsection (b), to the Speaker of the  
4 House of Representatives and the President pro  
5 tempore of the Senate; and

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

8 (2) CONTENTS.—The report submitted in ac-  
9 cordance with paragraph (1) shall include all audit  
10 findings determined by the selected, statistically sig-  
11 nificant sample of grantees as required by subsection  
12 (a)(2) and shall include the name and location of  
13 any selected grantee as well as any findings required  
14 by subsection (a)(2).

15 **SEC. 402. ACCOUNTABILITY AND OVERSIGHT.**

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

19 **“TITLE VI—ACCOUNTABILITY**  
20 **AND OVERSIGHT**

21 **“SEC. 601. ACCOUNTABILITY AND OVERSIGHT.**

22 “(a) SENSE OF CONGRESS.—It is the sense of Con-  
23 gress that, in order to ensure that at-risk youth, and youth  
24 who come into contact with the juvenile justice system or

1 the criminal justice system, are treated fairly and that the  
2 outcome of that contact is beneficial to the Nation—

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

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

12 “(b) ACCOUNTABILITY.—

13 “(1) AGENCY PROGRAM REVIEW.—

14 “(A) PROGRAMMATIC AND FINANCIAL AS-  
15 SESSMENT.—

16 “(i) IN GENERAL.—Not later than 60  
17 days after the date of enactment of the  
18 Supporting Youth Opportunity and Pre-  
19 venting Delinquency Act of 2016, the Di-  
20 rector of the Office of Audit, Assessment,  
21 and Management of the Office of Justice  
22 Programs at the Department of Justice  
23 (referred to in this section as the ‘Direc-  
24 tor’) shall—

1           “(I) conduct a comprehensive  
2 analysis and evaluation of the internal  
3 controls of the Office of Juvenile Jus-  
4 tice and Delinquency Prevention (re-  
5 ferred to in this section as the ‘agen-  
6 cy’) to determine if States and Indian  
7 tribes receiving grants are following  
8 the requirements of the agency grant  
9 programs and what remedial action  
10 the agency has taken to recover any  
11 grant funds that are expended in vio-  
12 lation of grant programs, including in-  
13 stances where—

14                   “(aa) supporting docu-  
15 mentation was not provided for  
16 cost reports;

17                   “(bb) unauthorized expendi-  
18 tures occurred; and

19                   “(cc) subrecipients of grant  
20 funds were not in compliance  
21 with program requirements;

22           “(II) conduct a comprehensive  
23 audit and evaluation of a selected sta-  
24 tistically significant sample of States  
25 and Indian tribes (as determined by

1 the Director) that have received Fed-  
2 eral funds under title II, including a  
3 review of internal controls to prevent  
4 fraud, waste, and abuse of funds by  
5 grantees; and

6 “(III) submit a report in accord-  
7 ance with clause (iv).

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

15 “(I) greater oversight is needed  
16 of programs developed with grants  
17 made by the agency;

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

23 “(III) the agency has imple-  
24 mented recommendations issued by  
25 the Comptroller General or Office of

1 Inspector General relating to the  
2 grant making and grant monitoring  
3 responsibilities of the agency.

4 “(iii) CONSIDERATIONS FOR AU-  
5 DITS.—In conducting the audit and evalua-  
6 tion under clause (i)(II), and in order to  
7 document the efficiency and public benefit  
8 of titles II and V, the Director shall take  
9 into consideration—

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

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

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

20 “(IV) whether expenditures were  
21 authorized;

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

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

4                   “(iv) REPORT.—The Director shall—

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

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

17                  “(B) ANALYSIS OF INTERNAL CON-  
18                  TROLS.—

19                  “(i) IN GENERAL.—Not later than 30  
20                  days after the date of enactment of the  
21                  Supporting Youth Opportunity and Pre-  
22                  venting Delinquency Act of 2016, the Ad-  
23                  ministrator shall initiate a comprehensive  
24                  analysis and evaluation of the internal con-  
25                  trols of the agency to determine whether,

1 and to what extent, States and Indian  
2 tribes that receive grants under titles II  
3 and V are following the requirements of  
4 the grant programs authorized under titles  
5 II and V.

6 “(ii) REPORT.—Not later than 180  
7 days after the date of enactment of the  
8 Supporting Youth Opportunity and Pre-  
9 venting Delinquency Act of 2016, the Ad-  
10 ministrator shall submit to Congress a re-  
11 port containing—

12 “(I) the findings of the analysis  
13 and evaluation conducted under clause  
14 (i);

15 “(II) a description of remedial  
16 actions, if any, that will be taken by  
17 the Administrator to enhance the in-  
18 ternal controls of the agency and re-  
19 coup funds that may have been ex-  
20 pended in violation of law, regulations,  
21 or program requirements issued under  
22 titles II and V; and

23 “(III) a description of—

24 “(aa) the analysis conducted  
25 under clause (i);

1                   “(bb) whether the funds  
2                   awarded under titles II and V  
3                   have been used in accordance  
4                   with law, regulations, program  
5                   guidance, and applicable plans;  
6                   and

7                   “(cc) the extent to which  
8                   funds awarded to States and In-  
9                   dian tribes under titles II and V  
10                  enhanced the ability of grantees  
11                  to fulfill the core requirements.

12                  “(C) REPORT BY THE ATTORNEY GEN-  
13                  ERAL.—Not later than 180 days after the date  
14                  of enactment of the Supporting Youth Oppor-  
15                  tunity and Preventing Delinquency Act of 2016,  
16                  the Attorney General shall submit to the appro-  
17                  priate committees of the Congress a report on  
18                  the estimated amount of formula grant funds  
19                  disbursed by the agency since fiscal year 2010  
20                  that did not meet the requirements for awards  
21                  of formula grants to States under title II.

22                  “(2) 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 Education and the Workforce of  
22           the House of Representatives on all conference  
23           expenditures approved under this paragraph.

24                 “(3) 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—

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

8                   “(ii) to 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 recipient to repay the  
17          grant in full; and

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

21          “(C) CLARIFICATION.—For purposes of  
22          this paragraph, submitting an application for a  
23          grant under this Act shall not be considered  
24          lobbying activity in violation of subparagraph  
25          (A).

1 “(c) PREVENTING DUPLICATIVE GRANTS.—

2 “(1) IN GENERAL.—Before the Attorney Gen-  
3 eral awards a grant to an applicant under this Act,  
4 the Attorney General shall compare potential grant  
5 awards with other grants awarded under this Act to  
6 determine if duplicate grant awards are awarded for  
7 the same purpose.

8 “(2) REPORT.—If the Attorney General awards  
9 duplicate grants to the same applicant for the same  
10 purpose the Attorney General shall submit to the  
11 Committee on the Judiciary of the Senate and the  
12 Committee on Education and the Workforce of the  
13 House of Representatives a report that includes—

14 “(A) a list of all duplicate grants awarded,  
15 including the total dollar amount of any dupli-  
16 cate grants awarded; and

17 “(B) the reason the Attorney General  
18 awarded the duplicative grant.

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

25 (b) TECHNICAL AND CONFORMING AMENDMENT.—

1           (1) IN GENERAL.—The Juvenile Justice and  
2 Delinquency Prevention Act of 1974 is amended by  
3 striking paragraphs (6) and (7) of section 407 (42  
4 U.S.C. 5776a).

5           (2) EFFECTIVE DATE.—The amendment made  
6 by paragraph (1) shall take effect on the 1st day of  
7 the 1st fiscal year that begins after the date of en-  
8 actment of this Act.

9           (3) SAVINGS CLAUSE.—In the case of an entity  
10 that is barred from receiving grant funds under  
11 paragraph (7)(B)(ii) of section 407 of the Juvenile  
12 Justice and Delinquency Prevention Act of 1974 (42  
13 U.S.C. 5776a), the amendment made by paragraph  
14 (1) of this subsection shall not affect the applica-  
15 bility to the entity, or to the Attorney General with  
16 respect to the entity, of paragraph (7) of such sec-  
17 tion 407, as in effect on the day before the effective  
18 date of the amendment made by paragraph (1).

