

1 **Purpose: In the nature of a substitute.**

2

3

4 **S. 1169**

5

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

8

9 **Referred to the Committee on _____ and ordered to be**
10 **printed**

11 **Ordered to lie on the table and to be printed**

12 **AMENDMENT IN THE NATURE OF A SUBSTITUTE INTENDED TO**
13 **BE PROPOSED BY MR. GRASSLEY (for himself and Mr.**
14 **WHITEHOUSE)**

15 **Viz:**

16 **Strike all after the enacting clause and insert the following:**

17 ~~Be it enacted by the Senate and House of Representatives of the United States of America in~~
18 ~~Congress assembled,~~

19 **SECTION 1. SHORT TITLE.**

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

22 **SEC. 2. TABLE OF CONTENTS.**

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

24 Sec.1.Short title.

25 Sec.2.Table of contents.

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

28 Sec.101.Purposes.

29 Sec.102.Definitions.

30 **TITLE II—JUVENILE JUSTICE AND DELINQUENCY**

1 **PREVENTION**

2 Sec.201.Concentration of Federal efforts.

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

4 Sec.203.Annual report.

5 Sec.204.Allocation of funds.

6 Sec.205.State plans.

7 Sec.206.Reallocation of grant funds.

8 Sec.207.Authority to make grants.

9 Sec.208.Eligibility of States.

10 Sec.209.Grants to Indian tribes.

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

12 Sec.211.Training and technical assistance.

13 Sec.212.Administrative authority.

14 ~~Sec.213.Technical and conforming amendments.~~

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

17 Sec.301.Definitions.

18 Sec.302.Grants for delinquency prevention programs.

19 Sec.303.Technical and conforming amendment.

20 **TITLE IV—MISCELLANEOUS PROVISIONS**

21 Sec.401.Evaluation by Government Accountability Office.

22 Sec.402.Authorization of appropriations.

23 Sec.403.Accountability and oversight.

24 **TITLE V—JUVENILE ACCOUNTABILITY BLOCK**
25 **GRANTS**

26 Sec.501.Grant eligibility.

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

29 **SEC. 101. PURPOSES.**

30 Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5602)

1 is amended—

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

3 (2) by amending paragraph (3) to read as follows:

4 “(3) to assist State and local governments in addressing juvenile crime through the
5 provision of technical assistance, research, training, evaluation, and the dissemination of
6 current and relevant information on effective and evidence-based programs and practices
7 for combating juvenile delinquency;” **and**”; and

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

9 “(4) to support a ~~trauma-informed~~ continuum of **evidence-based or promising** programs
10 (including delinquency prevention, intervention, mental health and substance abuse
11 treatment, ~~and aftercare~~) to address **family services, and services for children exposed to**
12 **violence) that are trauma informed, reflect the science of adolescent development, and**
13 **are designed to meet** the needs of at-risk youth and youth who come into contact with the
14 justice system.”.

15 SEC. 102. DEFINITIONS.

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

18 (1) in paragraph (8), by amending subparagraph (C) to read as follows:

19 “(C) an Indian tribe; or”;

20 (2) by amending paragraph (18) to read as follows:

21 “(18) the term ‘Indian tribe’ has the meaning given that term in section 102 of the
22 Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a);”;

23 (3) by amending paragraph (22) to read as follows:

24 “(22) the term ‘jail or lockup for **adults**’ ~~adults~~—

25 “~~(A)~~ means a secure facility that is used by a State, unit of local government, or law
26 enforcement authority to detain or confine adult inmates; ~~and~~

27 “~~(B)~~ ~~does not include a non-secure area in a police facility or station in which a portion of~~
28 ~~the area is secured to physically restrict the movement and activity of individuals in lawful~~
29 ~~eustody;”;~~

30 (4) by amending paragraph (25) to read as follows:

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

33 (5) by amending paragraph (26) to read as follows:

34 “(26) the term ‘adult inmate’—

35 “(A) means an individual who—

36 “(i) has reached the age of full criminal responsibility under applicable State
37 law; and

1 “(ii) has been arrested and is in custody for or awaiting trial on a criminal
2 charge, or is convicted of a criminal charge offense; and

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

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

6 “(ii) was committed to the care and custody or supervision, including
7 post-placement or parole supervision, of a juvenile correctional agency by a court
8 of competent jurisdiction or by operation of applicable State law;”;

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

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

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

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

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

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

17 “(31) the term ‘chemical agent’ means a spray or injection used to temporarily
18 incapacitate a person, including oleoresin capsicum spray, tear gas, and
19 2-chlorobenzalmalonitrile gas;

20 “(32) the term ‘isolation’—

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

23 “(B) does not ~~include~~ **include**—

24 ~~“(i) confinement during regularly scheduled sleeping hours, or for not more~~
25 ~~than 1 hour during any 24-hour period in the room or cell in which the youth~~
26 ~~usually sleeps, protective confinement (for injured youths or youths whose safety~~
27 ~~is threatened);;~~

28 **“(ii) separation based on an approved a treatment program, approved by a**
29 **licensed medical or mental health professional;**

30 **“(iii) confinement or separation that is requested by the youth; or**

31 **“(iv) the separation of the youth from a group in a nonlocked setting for the**
32 **limited purpose of calming;**

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

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

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

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

1 “(C) has measurable outcomes **relevant to juvenile justice**, including a detailed
2 description of the outcomes produced in a particular population, ~~in rural and urban~~
3 ~~areas~~ **whether urban or rural**; and

4 “(D) has been scientifically tested **and proven effective** through randomized control
5 studies or comparison group studies **and with the ability to replicate and scale**;

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

7 “(A) is demonstrated to be effective based on positive outcomes **relevant to**
8 **juvenile justice** from 1 or more objective, independent, and scientifically valid
9 evaluations, as documented in writing to the Administrator; **and**

10 “(B) **will be evaluated through a well-designed and rigorous study, as described**
11 **in paragraph (34)(D)**;

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

15 “(37) the term ‘screening’ means a brief process—

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

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

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

23 “(A) by an appropriately trained professional ~~who meets the criteria of the~~
24 ~~applicable State for licensing and education~~ in the mental health, behavioral health, or
25 substance abuse ~~field~~ **fields**; and

26 “(B) which is designed to identify significant mental health, behavioral health, or
27 substance abuse treatment needs to be addressed during a youth’s confinement;

28 “(39) **for purposes of section 223(a)(15)**, the term ‘contact’ means the points at which a
29 youth and the juvenile justice system or criminal justice system officially intersect,
30 including interactions with a juvenile justice, juvenile court, or law enforcement official;

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

32 “(A) understanding the impact that exposure to violence and trauma have on a
33 youth’s physical, psychological, and psychosocial development;

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

36 “(C) responding ~~by helping~~ in ways that ~~reflect awareness of the adverse impacts of~~
37 ~~trauma~~ **resist retraumatization**;

38 “(41) the term ‘racial and ethnic disparity’ means minority youth populations are
39 involved at a decision point in the juvenile justice system at higher rates, incrementally or

1 cumulatively, than non-minority youth at that decision point;

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

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

5 ~~“(B) an individual under 18 years of age who is charged with or who has committed an~~
6 ~~offense of purchase or possession of any alcoholic beverage; and~~

7 “(43) the term ‘rural’ means an area that is not located in a metropolitan statistical area,
8 as defined by the Office of Management and ~~Budget~~.”.

9 **Budget; and**

10 **“(44) the term ‘internal controls’ means a process implemented to provide**
11 **reasonable assurance regarding the achievement of objectives in—**

12 **“(A) effectiveness and efficiency of operations, such as grant management**
13 **practices;**

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

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

18 TITLE II—JUVENILE JUSTICE AND DELINQUENCY 19 PREVENTION

20 SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

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

23 (1) in subsection (a)—

24 (A) in paragraph (1), in the first sentence—

25 (i) by striking “a long-term plan, and implement” and inserting the following:
26 “a long-term plan to improve the juvenile justice system in the United States,
27 taking into account scientific knowledge regarding adolescent development and
28 behavior and regarding the effects of delinquency prevention programs and
29 juvenile justice interventions on adolescents, and shall implement”; and

30 (ii) by striking “research, and improvement of the juvenile justice system in the
31 United States” and inserting “and research”; and

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

35 (2) in subsection (b)—

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

1 (B) in paragraph ~~(6)~~, by striking “~~(6)~~—

2 (i) by striking “monitoring”;

3 (ii) by striking “section 223(a)(15)” and inserting “section 223(a)(16)”; and

4 (iii) by striking “to review the adequacy of such systems; and” and inserting
5 a period “for monitoring compliance.”; and

6 (C) by striking paragraph (7).

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

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

11 (1) in subsection (a)~~(1)~~—

12 (A) in paragraph (1)—

13 ~~(A)(i)~~ by inserting “the Administrator of the Substance Abuse and Mental
14 Health Services Administration, the Secretary of Defense, the Secretary of
15 Agriculture, the Assistant Secretary for Indian Affairs” **the Interior,**” after “the
16 Secretary of Health and Human Services,”; and

17 ~~(B)(ii)~~ by striking “Commissioner of Immigration and Naturalization” and
18 inserting “Assistant Secretary for Immigration and Customs Enforcement”; and

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

21 (2) in subsection (c)—

22 (A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section
23 223(a) of this title” and inserting “the core requirements”; and

24 (B) in paragraph (2)—

25 (i) in the matter preceding subparagraph (A), by inserting “, on an annual basis”
26 after “collectively”; and

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

28 “(B) not later than 120 days after the completion of the last meeting of the Council
29 during any fiscal year, submit to the Committee on Education and Labor of the House
30 of Representatives and the Committee on the Judiciary of the Senate a report that—

31 “(i) contains the recommendations described in subparagraph (A);

32 “(ii) includes a detailed account of the activities conducted by the Council
33 during the fiscal year, including a complete detailed accounting of expenses
34 incurred by the Council to conduct operations in accordance with this section;

35 “(iii) is published on the websites of the Department of Justice, Office of
36 Juvenile Justice and Delinquency Prevention, and the Council; and

1 “(iv) is in addition to the annual report required under section 207.”.

2 SEC. 203. ANNUAL REPORT.

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

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

7 (2) in paragraph (1)—

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

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

11 (C) in subparagraph (F)—

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

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

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

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

18 “(H) the number of status offense cases petitioned to court, number of status
19 offenders held in secure detention, the findings used to justify the use of secure
20 detention, and the average period of time a status offender was held in secure
21 detention;

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

24 “(J) **the number of juveniles whose offense originated on school grounds,**
25 **during school-sponsored off-campus activities, or due to a referral by a school**
26 **official, as collected and reported by the Department of Education or similar**
27 **State educational agency; and**

28 “(K) the number of juveniles in the custody of secure detention and correctional
29 facilities operated by a State or unit of local government who report **being pregnant.**”;
30 **and to being pregnant; and**

31 ~~“(J) the number of juveniles whose offenses originated on school grounds, during~~
32 ~~off-campus activities, or due to a referral by any school official.”;~~

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

34 “(5) A description of the criteria used to determine what programs qualify as
35 evidence-based and promising programs under this title and title V and a comprehensive list
36 of those programs the Administrator has determined meet such criteria in both rural and
37 urban areas.

38 “(6) A description of funding provided to Indian tribes under this Act, ~~or~~ **or for a**

1 **juvenile delinquency or prevention program** under the Tribal Law and Order Act of 2010
2 (Public Law 111–211; 124 Stat. 2261), including direct Federal grants and funding provided
3 to Indian tribes through a State or unit of local government.

4 “(7) An analysis and evaluation of the internal controls at the Office of Juvenile Justice
5 and Delinquency Prevention to determine if grantees are following the requirements of the
6 Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial
7 action the Office of Juvenile Justice and Delinquency Prevention has taken to recover any
8 grant funds that are expended in violation of the grant programs, including ~~instances in~~
9 ~~which~~— **instances**—

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

11 “(B) **where** unauthorized expenditures occurred; or

12 “(C) **where** subrecipients of grant funds were not compliant with program
13 requirements.

14 “(8) An analysis and evaluation of the total amount of payments made to grantees that the
15 Office of Juvenile Justice and Delinquency Prevention recouped from grantees that were
16 found to be in violation of policies and procedures of the Office of Juvenile Justice and
17 Delinquency Prevention grant programs, including—

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

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

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

22 “(D) the actual amount recouped by the Office of Juvenile Justice and Delinquency
23 Prevention.”.

24 **SEC. 204. ALLOCATION OF FUNDS.**

25 (a) Technical Assistance.—Section 221(b)(1) of the Juvenile Justice and Delinquency
26 Prevention Act of 1974 (42 U.S.C. 5631(b)(1)) is amended by striking “2 percent” and inserting
27 “5 percent”.

28 (b) Other Allocations.—Section 222 of the Juvenile Justice and Delinquency Prevention Act
29 of 1974 (42 U.S.C. 5632) is amended—

30 (1) in subsection (a)—

31 (A) in paragraph (1), by striking “age eighteen” and inserting “18 years of age,
32 based on the most recent ~~census~~” **data available from the Bureau of the Census**”;
33 and

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

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

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

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

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

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

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

11 (2) **in subsection (c), by redesignating subsections (e) and (d) as subsections (d) and (e),**
12 **respectively;**

13 (3) **by inserting after subsection (b) the following:**

14 ~~“(c)(1) If any amount allocated under subsection (a) is withheld from a State due to~~
15 ~~noncompliance with the core requirements, the funds shall be reallocated for an~~
16 ~~improvement grant designed to assist the State in achieving compliance with the core~~
17 ~~requirements.~~

18 ~~“(2) The Administrator shall condition a grant described in paragraph (1) on the State—~~

19 ~~“(A) with the approval of the Administrator, developing specific action steps designed to~~
20 ~~restore compliance with the core requirements; and~~

21 ~~“(B) semiannually submitting to the Administrator a report on progress toward~~
22 ~~implementing the specific action steps developed under subparagraph (A).~~

23 ~~“(3) The Administrator shall provide appropriate and effective technical assistance~~
24 ~~directly or through an agreement with a contractor to assist a State receiving an~~
25 ~~improvement grant described in paragraph (1) in achieving compliance with the core~~
26 ~~requirements.”;~~

27 (4) **in subsection (d), as redesignated, by striking “efficient administration, including**
28 **monitoring, evaluation, and one full-time staff position” and inserting “effective and**
29 **efficient administration of funds, including the designation of not less than 1 person to**
30 **individual who shall coordinate efforts to achieve and sustain compliance with the core**
31 **requirements and certify whether the State is in compliance with such requirements”;**
32 and

33 (5) **(3) in subsection (e), as redesignated (d), by striking “5 per centum of the minimum”**
34 and inserting “not more than 5 percent of the”.

35 SEC. 205. STATE PLANS.

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

38 (1) in subsection (a)—

39 (A) in the matter preceding paragraph (1), by striking “and shall describe the status

1 of compliance with State plan requirements” and inserting “and shall describe how the
2 State plan is supported by or takes account of scientific knowledge regarding
3 adolescent development and behavior and regarding the effects of delinquency
4 prevention programs and juvenile justice interventions on adolescents. Not later than
5 ~~45~~ **60** days after the date on which a plan or amended plan submitted under this
6 subsection is finalized, a State shall make the plan or amended plan publicly available
7 by posting the plan or amended plan on the State’s publicly available website.”;

8 (B) in paragraph (3)—

9 (i) in subparagraph (A)—

10 (I) in clause (i), by inserting “adolescent development,” after
11 “concerning”;

12 (II) in clause (ii)—

13 (aa) in subclause (II), by striking “counsel for children and youth”
14 and inserting “publicly supported court-appointed legal counsel for
15 ~~children and youth charged in delinquency matters~~; **juveniles charged**
16 **with an act of juvenile delinquency or a status offense, consistent**
17 **with other Federal law”;**

18 (bb) in subclause (III), by striking “mental health, education, special
19 education” and inserting “~~children’s~~ **child and adolescent** mental
20 health, education, child and adolescent substance abuse, special
21 education, services for youth with disabilities”;

22 (cc) in subclause (V), by striking “delinquents or potential
23 delinquents” and inserting “delinquent youth or youth at risk of
24 delinquency”;

25 (dd) in subclause (VI), by striking “youth workers involved with” and
26 inserting “representatives of”;

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

28 (ff) by striking subclause (VIII) and inserting the following: and

29 “(VIII) persons with expertise and competence in preventing and
30 addressing mental health and substance abuse needs in juvenile delinquents
31 and those at-risk of delinquency; and

32 “(IX) representatives of victim or witness advocacy groups;”, **including**
33 **at least 1 individual with expertise in addressing the challenges of sexual**
34 **abuse and exploitation and trauma.”;**

35 ~~(III) in clause (iii), by striking “a majority of which” and inserting “at least~~
36 ~~6”;~~

37 ~~(IV) in clause (iv)—~~

38 ~~(aa) by striking “one fifth of which” and inserting “3”; and~~

39 ~~(bb)~~ **(III) in clause (iv)**, by striking “24 at the time of appointment” and
40 inserting “28 at the time of initial appointment”; **and**

1 **(IV) in clause (v) by inserting “or, if not feasible and in appropriate**
2 **circumstances, who is the parent or guardian of someone who has been**
3 **or is currently under the jurisdiction of the juvenile justice system” after**
4 **“juvenile justice system”;**

5 (ii) in subparagraph ~~(D)~~(ii)—(C), by striking “30 days” and inserting “45
6 days”; and

7 ~~(D)~~(iii) in subparagraph (D)(ii), by striking “at least annually
8 recommendations regarding State compliance with the requirements
9 annually” and inserting “at least every 2 years”; and

10 (H) by striking “requirements of paragraphs (11), (12), and (13)” and inserting
11 “core requirements”; and “at least every 2 years a report and necessary
12 recommendations regarding State compliance with the core requirements”;
13 and

14 ~~(iii) in subparagraph (E)~~(iv) in subparagraph (E)—

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

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

18 (C) in paragraph (5)—

19 (i) in the matter preceding subparagraph (A), by striking “section-
20 222(d)” “**paragraph (25)**” and inserting “section 222(e)” “**paragraph (26)**”; and

21 (ii) in subparagraph (C), by striking “Indian tribes” and all that follows through
22 “applicable to the detention and confinement of juveniles” and inserting “Indian
23 tribes that agree to attempt to comply with the core requirements applicable to the
24 detention and confinement of juveniles”;

25 (D) in paragraph (7)—

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

28 (ii) in subparagraph (B)—

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

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

31 “(iv) a plan to provide alternatives to detention, ~~including~~ **for status offenders,**
32 **juveniles who have been induced to perform commercial sex acts, and others,**
33 **where appropriate, such as** specialized or problem-solving courts or diversion to
34 home-based or community-based services ~~that are culturally and linguistically~~
35 ~~competent~~ or treatment for those youth in need of mental health, substance abuse,
36 or co-occurring disorder services at the time such juveniles first come into contact
37 with the juvenile justice system;

38 “(v) a plan to reduce the number of children housed in secure detention and
39 corrections facilities who are awaiting placement in residential treatment
40 programs;

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

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

7 “(viii) a plan to promote evidence-based and trauma-informed programs and
8 ~~practices.”; practices; and~~

9 **“(ix) a plan to, within 1 year of the date of enactment of the Juvenile**
10 **Justice and Delinquency Prevention Reauthorization Act of 2015, eliminate**
11 **the use of shackling of pregnant juveniles housed in secure detention and**
12 **corrections facilities, covering at a minimum the third trimester, labor,**
13 **delivery, and post-partum recovery.”;**

14 (E) in paragraph (8), by striking “existing” and inserting “evidence-based and
15 promising”;

16 (F) in paragraph (9)—

17 (i) in the matter preceding subparagraph (A) ~~by striking “section 222(d)” and~~
18 ~~inserting “section 222(e)”;~~ **by inserting “, with priority in funding given to**
19 **entities meeting the criteria for evidence-based or promising programs” after**
20 **“used for”;**

21 (ii) in subparagraph (A)(i), by inserting “status offenders and other” before
22 “youth who need”;

23 (iii) in subparagraph (B)(i)—

24 (I) by striking “parents and other family members” and inserting “status
25 offenders, other youth, and the parents and other family members of such
26 offenders and youth”; and

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

28 (iv) **in subparagraph (E)—**

29 **(I) in the matter preceding clause (i), by striking “delinquent” and**
30 **inserting “at-risk or delinquent youth”;** and

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

33 (v) by redesignating subparagraphs (G) through (S) as subparagraphs (H)
34 through (T), respectively;

35 ~~(vi)~~(vi) in subparagraph (F), in the matter preceding clause (i), by striking
36 “expanding” and inserting “programs to expand”;

37 ~~(vi)~~(vii) by inserting after subparagraph (F), the following:

38 “(G) expanding access to publicly supported, court-appointed legal counsel and
39 enhancing capacity for the competent representation of every child;”**;** **consistent with**

1 **other Federal law;”;**

2 ~~(vii)~~**(viii)** in subparagraph (M), as so redesignated—

3 (I) in clause ~~(i)~~**(i)**—

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

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

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

9 (II) in clause (ii)—

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

11 (bb) by striking “to States”;

12 **(ix) in subparagraph (N), as so redesignated—**

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

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

16 ~~(x)~~**(viii)** in subparagraph (S), as so redesignated, by striking ~~the~~“and” at the
17 end;

18 ~~(ix)~~**(xi)** in subparagraph (T), as so redesignated—

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

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

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

22 ~~(H)~~**(IV)** by striking “and discharge plans” and inserting “provision of
23 treatment, and development of discharge plans”; and

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

25 ~~(x)~~**(xii)** by inserting after subparagraph (T) the following:

26 “(U) programs and projects designed to inform juveniles of the opportunity and
27 process for expunging juvenile records and to assist juveniles in pursuing juvenile
28 record expungements for both adjudications and arrests not followed by adjudications;

29 “(V) programs that address the needs of girls in or at risk of entering the juvenile
30 justice system, including **pregnant girls**, young mothers, survivors of commercial
31 sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of
32 color, including girls who are members of an Indian tribe and;

33 “(W) monitoring for compliance with the core requirements and providing training
34 and technical assistance on the core requirements to secure ~~facilities.~~”; **facilities;”;**

35 ~~(G) in paragraph (11)—~~

36 ~~(i) in subparagraph (A)—~~

1 ~~(I) in the matter preceding clause (i), by inserting “and individuals under 18 years of~~
2 ~~age who are charged with or who have committed an offense of purchase or possession~~
3 ~~of any alcoholic beverage” after “by an adult”; and~~

4 ~~(II) in the matter following clause (iii), by striking “and” at the end;~~

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

6 ~~(iii) by adding at the end the following:~~

7 ~~“(C) encourage the use of community-based alternatives to secure detention,~~
8 ~~including programs of public and nonprofit entities receiving a grant under part A of~~
9 ~~title III;”;~~**(G) in paragraph (11)(A)(ii), by inserting “issued and reviewed in**
10 **accordance with paragraph (24)” after “valid court order”;**

11 (H) in paragraph (12)(A), by striking “contact” and inserting “sight or sound
12 contact”;

13 (I) in paragraph **(13)**,~~(13)~~—

14 ~~(i) in the matter preceding subparagraph (A) —~~

15 ~~(I) by striking “detained or”; and~~

16 ~~(II) by inserting “or securely detained in any facility or building that contains a jail-~~
17 ~~or lock-up for adult inmates” after “lockup for adults”; and~~

18 ~~(ii) by striking “contact” each place it appears and inserting “sight or sound~~
19 ~~contact”;~~

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

21 (K) by redesignating paragraphs (23) through (26) as paragraphs (24) through (27),
22 respectively;

23 (L) by redesignating paragraphs (14) through (21) as paragraphs (16) through (23),
24 respectively;

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

26 “(14) require that—

27 “(A) not later than 3 years after the date of enactment of the Juvenile Justice and
28 Delinquency Prevention Reauthorization Act of 2015, unless a court finds, after a
29 hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or
30 other legal process who are treated as adults for purposes of prosecution in criminal
31 court and housed in a secure facility—

32 “(i) shall not have sight or sound contact with adult inmates; and

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

35 “(B) in determining under subparagraph (A) whether it is in the interest of justice to
36 permit a juvenile to be held in any jail or lockup for adults, or have sight or sound
37 contact with adult inmates, a court shall consider—

38 “(i) the age of the juvenile;

- 1 “(ii) the physical and mental maturity of the juvenile;
- 2 “(iii) the present mental state of the juvenile, including whether the juvenile
3 presents an imminent risk of harm to the juvenile;
- 4 “(iv) the nature and circumstances of the alleged offense;
- 5 “(v) the juvenile’s history of prior delinquent acts;
- 6 “(vi) the relative ability of the available adult and juvenile detention facilities to
7 **not only** meet the specific needs of the juvenile ~~and to protect the public;~~ **but also**
8 **to protect the safety of the public as well as other detained youth; and**
- 9 ~~“(vii) whether placement in a juvenile facility will better serve the long term~~
10 ~~interests of the juvenile and be more likely to prevent recidivism;~~
- 11 ~~“(viii) the availability of programs designed to treat the juvenile’s behavioral~~
12 ~~problems; and~~
- 13 ~~“(ix)“(vii)~~“(vii) any other relevant factor; and
- 14 “(C) if a court determines under subparagraph (A) that it is in the interest of justice
15 to permit a juvenile to be held in any jail or lockup for adults—
- 16 “(i) the court shall hold a hearing not less frequently than once every 30 days,
17 or in the case of a rural jurisdiction, not less frequently than once every 45 days,
18 to review whether it is still in the interest of justice to permit the juvenile to be so
19 held or have such sight or sound contact; and
- 20 “(ii) the juvenile shall not be held in any jail or lockup for adults, or permitted
21 to have sight or sound contact with adult inmates, for more than 180 days, unless
22 the court, in writing, determines there is good cause for an extension or the
23 juvenile expressly waives this limitation;
- 24 “(15) implement policy, practice, and system improvement strategies at the State,
25 territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic
26 disparities among youth who come into contact with the juvenile justice system, without
27 establishing or requiring numerical standards or quotas, by—
- 28 “(A) establishing or designating existing coordinating bodies, composed of juvenile
29 justice stakeholders, (including representatives of the educational system) at the State,
30 local, or tribal levels, to advise efforts by States, units of local government, and Indian
31 tribes to reduce racial and ethnic disparities;
- 32 “(B) identifying and analyzing key decision points in State, local, or tribal juvenile
33 justice systems to determine which points create racial and ethnic disparities among
34 youth who come into contact with the juvenile justice system; ~~and“(C) developing and~~
35 ~~implementing data collection and analysis systems to identify where racial and ethnic~~
36 ~~disparities exist in the juvenile justice system and to track and analyze such disparities;~~
37 ~~and~~
- 38 ~~“(D)“(C)~~“(C) developing and implementing a work plan that includes measurable
39 objectives for policy, practice, or other system changes, based on the needs identified
40 in the data collection and analysis under ~~subparagraphs (B) and (C).”~~ **subparagraph**

1 (B);”;

2 (N) in paragraph (16), as so redesignated—

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

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

5 (iii) by inserting “and” after “detention facilities,”;

6 (iv) by striking “, and non-secure facilities”;

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

8 (vi) by striking “requirements of paragraph (11),” and all that follows through
9 “monitoring to the Administrator” and inserting “core requirements are met, and
10 for annual reporting to the Administrator”; and

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

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

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

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

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

17 (iii) in subparagraph (C)—

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

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

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

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

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

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

25 “(bb) specifies the factual basis for determining that there is
26 reasonable cause to believe that the status offender has violated such
27 order;

28 “(cc) includes findings of fact to support a determination that there is
29 no appropriate less restrictive alternative available to placing the status
30 offender in such a facility, with due consideration to the best interest of
31 the juvenile;

32 “(dd) specifies the length of time, not to exceed 7 days, that the status
33 offender may remain in a secure detention facility or correctional
34 facility, and includes a plan for the status offender’s release from such
35 facility; and

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

1 “(II) the court may not issue a second or subsequent order described in
2 subclause (I) relating to a status offender, unless the status offender violates
3 a valid court order after the date on which the court issues an order described
4 in subclause (I);” and

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

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

10 “(E) not later than 3 years after the date of enactment of the Juvenile Justice and
11 Delinquency Prevention Reauthorization Act of 2015 ~~with a 1-year extension for each~~
12 ~~additional year that the State can demonstrate hardship as determined by the~~
13 ~~Administrator~~, the State will eliminate the use of valid court orders to provide secure
14 confinement of status offenders;”;

15 (Q) in paragraph (26), as so redesignated, by striking “section 222(d)” and inserting
16 “section 222(e)”;

17 ~~(R)~~ in paragraph(27), as so redesignated—

18 (i) by inserting “and in accordance with confidentiality concerns,” after
19 “maximum extent practicable,”; and

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

22 “(A) ~~a compilation of data reflecting information on~~ **data in child abuse or neglect**
23 **reports relating to** juveniles entering the juvenile justice system with a prior reported
24 ~~history as victims of child abuse or neglect through~~ **of** arrest, court intake, probation
25 and parole, juvenile detention, and corrections; and

26 “(B) a plan to use the data described in subparagraph (A) to provide necessary
27 services for the treatment of **such** victims of child abuse ~~and neglect who have entered,~~
28 ~~or are at risk of entering, the juvenile justice system;”;~~ **or neglect;”;**

29 ~~(S)~~~~(R)~~ in paragraph (28), by striking the period at the end and inserting a semicolon;
30 and

31 ~~(T)~~~~(S)~~ by adding at the end the following:

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

34 ~~“(30) develop policies and procedures, and provide training for facility staff~~ **describe the**
35 **policies, procedures, and training in effect for the staff of juvenile State correctional**
36 **facilities** to eliminate the use of dangerous practices, unreasonable restraints (**such as the**
37 **shackling of pregnant juveniles during labor and delivery**), and unreasonable isolation,
38 including by developing effective behavior management techniques;

39 “(31) describe—

40 “(A) the evidence-based methods that will be used to conduct mental health and

1 substance abuse screening, assessment, referral, and treatment for juveniles who—

2 “(i) request a screening;

3 “(ii) show signs of needing a screening; or

4 “(iii) are held for a period of more than 24 hours in a secure facility that
5 provides for an initial screening; **and**

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

9 **and“(32) describe how reentry planning by the State for juveniles will include—**

10 ~~“(C) the policies of the State designed to develop and implement comprehensive-~~
11 ~~collaborative State or local plans to meet the service needs of juveniles with mental-~~
12 ~~health or substance abuse needs who come into contact with the justice system and the~~
13 ~~families of the juveniles, including recognizing trauma histories of juveniles and~~
14 ~~providing trauma informed care;~~

15 ~~“(32) describe reentry planning at the State level for juveniles, including—~~

16 ~~“(A) elements of written case plans for juveniles, including if the plan is“(A) a~~
17 **written case plan** based on an assessment of ~~the needs of the juvenile and developed~~
18 ~~and updated in consultation with the juvenile, the family of the juvenile, and, if~~
19 ~~appropriate, counsel for the juvenile; and needs that includes—~~

20 ~~“(B) the hearing and review processes; and“(i) the pre-release and~~
21 **post-release plans for the juveniles;**

22 **“(ii) the living arrangement to which the juveniles are to be discharged;**
23 **and**

24 **“(iii) any other plans developed for the juveniles based on an**
25 **individualized assessment; and**

26 **“(B) review processes;**

27 **“(33) provide that the agency of the State receiving funds under this Act collaborate with**
28 **the State educational agency receiving assistance under part A of title I of the Elementary**
29 **and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a**
30 **plan to ensure that, in order to support educational progress—**

31 **“(A) the student records of adjudicated juveniles, including electronic records if**
32 **available, are transferred in a timely manner from the educational program in the**
33 **juvenile detention or secure treatment facility to the educational or training program**
34 **into which the juveniles will enroll;**

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

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

1 ~~“(34) provide a description of the use by the State of funds for reentry and aftercare-~~
2 ~~services for juveniles released from the juvenile justice system.”; describe policies and~~
3 ~~procedures to—~~

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

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

9 (2) in subsection (d)—

10 (A) ~~by striking “section 222(d)” and inserting “section 222(e)”;~~

11 ~~(B)~~ by striking “described in paragraphs (11), (12), (13), and (22) of subsection (a)”
12 and inserting “described in the core requirements”; and

13 ~~(C)~~**(B)** by striking “the requirements under paragraphs (11), (12), (13), and (22) of
14 subsection (a)” and inserting “the core requirements”;

15 (3) in subsection (f)(2)—

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

17 (B) by redesignating subparagraphs (B) through (E) and subparagraphs (A) through
18 (D); and

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

20 “(g) Compliance Determination.—

21 ~~“(1) IN GENERAL.— NOT LATER THAN 60 DAYS AFTER THE DATE OF RECEIPT OF~~
22 ~~INFORMATION INDICATING THAT A STATE MAY BE GENERAL.—~~**For each fiscal year, the**
23 **Administrator shall make a determination regarding whether each State receiving a**
24 **grant under this Act is in compliance or** ~~out of compliance with any of the core~~
25 ~~requirements, the Administrator shall determine whether the State is in compliance with~~
26 **respect to each of the core requirements.**

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

28 “(A) issue an annual public report—

29 “(i) describing any determination described in paragraph (1) made during the
30 previous year, including a summary of the information on which the
31 determination is based and the actions to be taken by the Administrator (including
32 a description of any reduction imposed under subsection (c)); and

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

35 “(B) make the report described in subparagraph (A) available on a publicly available
36 website.”.

37 **website.**

38 **“(3) DETERMINATIONS REQUIRED.—The Administrator may not determine that a**

1 **State is not out of compliance, or issue any other determination not described in**
2 **paragraph (1), with respect to any core requirement, or otherwise fail to make the**
3 **compliance determinations required under paragraph (1).”.**

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

5 Section 223(c) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C.
6 5633(c)) is amended to read as follows:

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

9 “(A) subject to subparagraph (B), the amount allocated to such State under section 222
10 for ~~that~~ **the subsequent** fiscal year shall be reduced by not less than 20 percent for each
11 core requirement with respect to which the failure occurs; and

12 “(B) the State shall be ineligible to receive any allocation under such section for such
13 fiscal year unless—

14 “(i) the State agrees to expend 50 percent of the amount allocated to the State for
15 such fiscal year to achieve compliance with any such paragraph with respect to which
16 the State is in noncompliance; or

17 “(ii) the Administrator determines that the State—

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

20 “(II) has made, through appropriate executive, ~~administrative,~~ or legislative
21 action, an unequivocal commitment to achieving full compliance with such
22 applicable requirements within a reasonable time.

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

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

26 “(B) 50 percent of the unallocated funds shall be used by the Administrator to provide
27 additional training and technical assistance to States ~~relating to~~ **for the purpose of**
28 **promoting** compliance with the core requirements.”.

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

30 Section 241(a) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C.
31 5651(a)) is amended—

32 (1) in paragraph (1), by inserting “status offenders,” before “juvenile offenders, and
33 juveniles”;

34 (2) **in paragraph (2)(A), by inserting before the semicolon at the end the following:**
35 **“, including for truancy prevention and reduction and social and independent living**
36 **skills development”;**

37 (3) in paragraph (5), by striking “juvenile offenders and juveniles” and inserting “status
38 offenders, juvenile offenders, and juveniles”; **and**

1 ~~(4)(3)~~ in paragraph (10), by inserting “, including juveniles with disabilities” before the
2 semicolon; ~~and~~

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

5 SEC. 208. ELIGIBILITY OF STATES.

6 Section 243(a)(1)(A) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42
7 U.S.C. 5653(a)(1)(A)) is amended by striking “5” and inserting “10”.

8 SEC. 209. GRANTS TO INDIAN TRIBES.

9 (a) In General.—Section 246(a)(2) of the Juvenile Justice and Delinquency Prevention Act of
10 1974 (42 U.S.C. 5656(a)(2)) is amended—

11 (1) by striking subparagraph (A);

12 (2) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D),
13 respectively; and

14 (3) in subparagraph (B)(ii), as redesignated, by striking “subparagraph (B)” and inserting
15 “subparagraph (A)”.

16 (b) Technical and Conforming Amendment.—Section 223(a)(7)(A) of the Juvenile Justice and
17 Delinquency Prevention Act of 1974 (42 U.S.C. 5633(a)(7)(A)) is amended by striking
18 “(including any geographical area in which an Indian tribe performs law enforcement functions)”
19 and inserting “(including any geographical area of which an Indian tribe has jurisdiction)”.

20 SEC. 210. RESEARCH AND EVALUATION; STATISTICAL 21 ANALYSES; INFORMATION DISSEMINATION.

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

24 (1) in subsection (a)—

25 (A) in paragraph (1)—

26 (i) in the matter proceeding subparagraph (A), by striking “may” and inserting
27 “shall”;

28 (ii) in subparagraph (A), by striking “plan and identify” and inserting “annually
29 publish a plan to identify”; and

30 (iii) in subparagraph (B)—

31 (I) by striking clause (iii) and inserting the following:

32 “(iii) successful efforts to prevent status offenders and first-time minor
33 offenders from subsequent involvement with the **juvenile justice and** criminal
34 justice ~~system~~ **systems**”;

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

36 “(vii) the prevalence and duration of behavioral health needs (including mental

1 health, substance abuse, and co-occurring disorders) among juveniles
2 pre-placement and post-placement when held in the custody of secure detention
3 and corrections facilities, including an examination of the effects of
4 confinement;”;

5 (III) by redesignating clauses (ix), (x), and (xi) as clauses ~~(xi)~~, ~~(xii)~~, **(xv)**,
6 **(xvi)**, and ~~(xiii)~~ **(xvii)**, respectively; and

7 (IV) by inserting after clause (viii) the following:

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

10 “(x) methods to improve the recruitment, selection, training, and retention of
11 professional personnel ~~in the fields of medicine, law enforcement, the judiciary,~~
12 ~~juvenile justice, social work and child protection, education, and other relevant~~
13 ~~fields who are engaged in, or intend to work in, the field of~~ **who are focused on**
14 **the prevention, identification, and treatment of delinquency;**

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

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

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

24 **“(xiv) successful and cost-effective efforts by States and units of local**
25 **government to reduce recidivism through policies that provide for**
26 **consideration of appropriate alternative sanctions to incarceration of youth**
27 **facing nonviolent charges, while ensuring that public safety is preserved;”;**
28 and

29 (B) in paragraph (4)—

30 (i) in the matter preceding subparagraph (A), by striking “date of enactment of
31 this paragraph, the” and inserting “date of enactment of the Juvenile Justice and
32 Delinquency Prevention Reauthorization Act of 2015, the”;

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

34 (iii) in subparagraph (G), by striking the period at the end and inserting a
35 semicolon; and

36 (iv) by adding at the end the following:

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

38 “(I) an assessment of living arrangements for juveniles who, **upon release from**
39 **confinement in a State correctional facility, cannot return to the homes of the**
40 **juveniles.”; residence they occupied prior to such confinement.”;**

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

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

4 “(f) National Recidivism Measure.—The Administrator, in consultation with experts in the
5 field of juvenile justice research, recidivism, and data collection, shall—

6 “(1) establish a uniform method of data collection and technology that States may use to
7 evaluate data on juvenile recidivism on an annual basis;

8 “(2) establish a common national juvenile recidivism measurement system; and

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

11 SEC. 211. TRAINING AND TECHNICAL ASSISTANCE.

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

14 (1) in subsection (a)—

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

16 (B) in paragraph ~~(1)~~,**(1)**—

17 (i) by inserting “shall” before “develop and carry out projects”; and

18 (ii) **by striking “and” after the semicolon;**

19 (C) in paragraph ~~(2)~~,**(2)**—

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

21 (ii) **by striking the period and inserting “; and”;** and

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

23 **“(3) shall provide periodic training for States regarding implementation of the core**
24 **requirements, current protocols and best practices for achieving and monitoring**
25 **compliance, and information sharing regarding relevant Office resources on**
26 **evidence-based and promising programs or practices that promote the purposes of this**
27 **Act.”;**

28 (2) in subsection (b)—

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

30 (B) in paragraph (1)—

31 (i) by inserting “shall” before “develop and implement projects”;

32 (ii) by inserting “, including compliance with the core requirements” after “this
33 title”; and

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

35 (C) in paragraph (2)—

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

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

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

4 “(3) shall, ~~upon request,~~ provide technical assistance to States and units of local
5 government on achieving compliance with the amendments **to the core requirements and**
6 **State Plans** made by the Juvenile Justice and Delinquency Prevention Reauthorization Act
7 of 2015, **including training and technical assistance and, when appropriate, pilot or**
8 **demonstration projects intended to develop and replicate best practices for achieving**
9 **sight and sound separation in facilities or portions of facilities that are open and**
10 **available to the general public and that may or may not contain a jail or a lock-up;** and

11 “(4) shall provide technical assistance to States in support of efforts to establish
12 partnerships between a State and a university, institution of higher education, or research
13 center designed to improve the recruitment, selection, training, and retention of professional
14 personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, social
15 work and child protection, education, and other relevant fields who are engaged in, or
16 intend to work in, the field of prevention, identification, and treatment of delinquency.”;

17 ~~and~~ **(3) in subsection (c)—**

18 ~~(3)~~ **(A) by inserting “prosecutors,” after “public defenders,”; and**

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

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

21 “(d) Technical Assistance to States Regarding Legal Representation of Children.—In
22 consultation with ~~the American Bar Association (commonly known as the ‘ABA’)~~ and experts in
23 the field of juvenile defense, the Administrator shall—

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

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

26 “(e) Training and Technical Assistance for Local and State Juvenile Detention and Corrections
27 Personnel.—The Administrator shall coordinate training and technical assistance programs with
28 juvenile detention and corrections personnel of States and units of local government to—

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

32 “(2) encourage alternative behavior management techniques based on positive youth
33 development approaches.

34 “(f) Training and Technical Assistance To Support Mental Health or Substance Abuse
35 Treatment Including Home-Based or Community-Based Care.—The Administrator shall provide
36 training and technical assistance, in conjunction with the appropriate public agencies, to
37 individuals involved in making decisions regarding the disposition and management of cases for
38 youth who enter the juvenile justice system about the appropriate services and placement for
39 youth with mental health or substance abuse needs, including—

40 “(1) juvenile justice intake personnel;

- 1 “(2) probation officers;
2 “(3) juvenile court judges and court services personnel;
3 “(4) prosecutors and court-appointed counsel; and
4 “(5) family members of juveniles and family advocates.

5 “(g) Grants for Juvenile Court Judges and Personnel.—The Attorney General, acting through
6 the Office of Juvenile Justice and Delinquency Prevention and the Office of Justice Programs,
7 shall make grants to improve training, education, technical assistance, evaluation, and research to
8 enhance the capacity of State and local courts, judges, and related judicial personnel to—

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

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

12 “(h) Free and Reduced Price School Lunches for Incarcerated Juveniles.—The Attorney
13 General, in consultation with the Secretary of Agriculture, shall provide guidance to States
14 relating to **existing** options for school food authorities in the States to apply for reimbursement
15 for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42
16 U.S.C. 1751 et seq.) for juveniles who are incarcerated and would, if not incarcerated, be eligible
17 for free or reduced price lunches under that Act.”.

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

19 Section 299A(e) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C.
20 5672(e)) ~~is amended~~ **is amended**—

21 **(1) in subsection (d)—**

22 **(A) by striking “, after appropriate consultation with representatives of States**
23 **and units of local government,”;**

24 **(B) by inserting “guidance,” after “regulations,”; and**

25 **(C) by adding at the end the following: “In developing guidance and**
26 **procedures, the Administrator shall consult with representatives of States and**
27 **units of local government, including those individuals responsible for**
28 **administration of this Act and compliance with the core requirements.”; and**

29 **(2) in subsection (e), by striking “requirements described in paragraphs (11), (12), and**
30 **(13) of section 223(a)” and inserting “core requirements”.**

31

32 ~~SEC. 213. TECHNICAL AND CONFORMING~~ 33 ~~AMENDMENTS.~~

34 ~~The Juvenile Justice and Delinquency Prevention Act of 1974~~
35 ~~(42 U.S.C. 5601 et seq.) is amended—~~

1 ~~(1) in section 204(b)(6) (42 U.S.C. 5614(b)(6)), by striking~~
2 ~~“section 223(a)(15)” and inserting “section 223(a)(14)”;~~
3 ~~(2) in subparagraph (C) of section 246(a)(2) (42 U.S.C.~~
4 ~~5656(a)(2)), as redesignated by section 208, by striking “section~~
5 ~~222(c)” and inserting “section 222(d)”;~~ and
6 ~~(3) in section 299D(b) (42 U.S.C. 5675(b)), by striking “section~~
7 ~~222(c)” and inserting “section 222(d)”.~~

8 TITLE III—INCENTIVE GRANTS FOR LOCAL 9 DELINQUENCY PREVENTION PROGRAMS

10 SEC. 301. DEFINITIONS.

11 Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002
12 (42 U.S.C. 5781) is amended—

13 (1) in the section heading, by striking “Definition” and inserting “Definitions”; and

14 (2) by striking “this title, the term” and inserting the following: “this title—

15 “(1) the term ‘mentoring’ means matching 1 adult with 1 or more youths ~~(not to exceed 4~~
16 ~~youths)~~ for the purpose of providing guidance, support, and encouragement ~~aimed at~~
17 ~~developing the character of the youths, where the adult and youths meet regularly for not~~
18 ~~less than 4 hours each month for not less than a 9-month period~~ **through regularly**
19 **scheduled meetings for not less than 9 months;** and

20 “(2) the term”.

21 SEC. 302. GRANTS FOR DELINQUENCY PREVENTION 22 PROGRAMS.

23 Section 504(a) of the Incentive Grants for Local Delinquency Prevention Programs Act of
24 2002 (42 U.S.C. 5783(a)) is amended—

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

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

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

28 “(9) mentoring ~~programs.~~”, **parent training and support, or in-home family services**
29 **programs, if such programs are evidence-based or promising.”.**

30 SEC. 303. TECHNICAL AND CONFORMING 31 AMENDMENT.

32 The Juvenile Justice and Delinquency Prevention Act of 1974 is amended by striking title V,

1 as added by the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93–415;
2 88 Stat. 1133) (relating to miscellaneous and conforming amendments).

3 TITLE IV—MISCELLANEOUS PROVISIONS

4 SEC. 401. EVALUATION BY GOVERNMENT 5 ACCOUNTABILITY OFFICE.

6 (a) Evaluation.—Not later than ~~October 1, 2015~~ **1 year after the date of enactment of this**
7 **Act, and not less often than once every 3 years thereafter**, the Comptroller General of the
8 United States shall—

9 (1) conduct a comprehensive analysis and evaluation regarding the performance of the
10 Office of Juvenile Justice Delinquency and Prevention (referred to in this section as “the
11 agency”), its functions, its programs, and its grants;

12 (2) conduct a comprehensive audit and evaluation of a selected, statistically significant
13 sample of grantees (as determined by the Comptroller General) that receive Federal funds
14 under grant programs administered by the Office of Juvenile Justice Delinquency and
15 Prevention including a review of internal controls (**as defined in section 103 of the**
16 **Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603), as amended**
17 **by this Act**) to prevent fraud, waste, and abuse of funds by grantees; and

18 (3) submit a report in accordance with subsection (d).

19 (b) Considerations for Evaluation.—In conducting the analysis and evaluation under
20 subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile
21 Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the
22 Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s
23 Assistance Act (42 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

24 (1) **the outcome and results of the programs carried out by the agency and those**
25 **programs administered through grants by the agency;**

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

28 (3) the extent to which the jurisdiction of, and the programs administered by, the agency
29 duplicate or conflict with the jurisdiction and programs of other agencies;

30 ~~(2)~~(4) the potential benefits of consolidating programs administered by the agency with
31 similar or duplicative programs of other agencies, and the potential for consolidating those
32 programs;

33 ~~(3) whether present~~(5) **whether less restrictive or alternative methods exist to carry**
34 **out the functions of the agency and whether current** functions or operations are impeded
35 or enhanced by existing statutes, rules, and procedures;

36 ~~(4)~~(6) the number and types of beneficiaries or persons served by programs carried out by
37 the agency;

38 ~~(5)~~(7) the manner with which the agency seeks public input and input from State and
39 local governments on the performance of the functions of the agency;

1 ~~(6)~~**(8)** the extent to which the agency complies with section 552 of title 5, United States
2 Code (commonly known as the Freedom of Information Act);

3 ~~(7)~~**(9)** whether greater oversight is needed of programs developed with grants made by
4 the agency; and

5 ~~(8)~~**(10)** the extent to which changes are necessary in the authorizing statutes of the agency
6 in order for the functions of the agency to be performed in a more efficient and effective
7 manner.

8 (c) Considerations for Audits.—In conducting the audit and evaluation under subsection
9 (a)(2), and in order to document the efficiency and public benefit of the Juvenile Justice and
10 Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), excluding the Runaway and
11 Homeless Youth Act (42 U.S.C. 5701 et seq.) and the Missing Children’s Assistance Act (42
12 U.S.C. 5771 et seq.), the Comptroller General shall take into consideration—

13 (1) whether grantees timely file Financial Status Reports;

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

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

18 (4) whether expenditures were authorized;

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

20 (6) whether salaries and fringe benefits of personnel were adequately supported by
21 documentation;

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

23 (8) whether grant funds were spent in accordance with program goals and guidelines.

24 (d) Report.—

25 (1) ~~IN GENERAL.—THE GENERAL.—~~**Not later than 1 year after the date of enactment**
26 **of this Act, the** Comptroller General of the United States ~~shall shall—~~

27 **(A)** submit a report regarding the evaluation conducted under subsection (a) and
28 audit under subsection (b), together with supporting materials, to the Speaker of the
29 House of Representatives and the President pro tempore of the Senate, ~~and be made;~~
30 **and**

31 **(B)** **make the report described in subparagraph (A)** available to the public, ~~not~~
32 ~~later than October 1, 2011.~~

33 (2) CONTENTS.—The report submitted in accordance with paragraph (1) shall include all
34 audit findings determined by the selected, statistically significant sample of grantees as
35 required by subsection (a)(2) and shall include the name and location of any selected
36 grantee as well as any findings required by subsection (a)(2).

37 SEC. 402. AUTHORIZATION OF APPROPRIATIONS.

38 (a) In General.—The Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C.

1 5601 et seq.) is amended by adding at the end the following:

2 “TITLE VI—AUTHORIZATION OF APPROPRIATIONS;
3 ACCOUNTABILITY AND OVERSIGHT

4 “SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

5 “(a) In General.—There are authorized to be appropriated to carry out this Act—

6 “(1) ~~\$159,000,000~~ **\$160,000,000** for fiscal year 2016;

7 “(2) ~~\$162,180,000~~ **\$163,200,000** for fiscal year 2017;

8 “(3) ~~\$165,423,600~~ **\$166,464,000** for fiscal year 2018;

9 “(4) ~~\$168,732,072~~ **\$169,793,000** for fiscal year 2019; and

10 “(5) ~~\$172,106,713~~ **\$173,190,000** for fiscal year 2020.

11 “(b) Mentoring Programs.—Not more than 20 percent of the amount authorized to be
12 appropriated under subsection (a) for a fiscal year may be used for mentoring programs.”.

13 (b) Technical and Conforming Amendments.—The Juvenile Justice and Delinquency
14 Prevention Act of 1974 is amended by striking—

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

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

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

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

19 SEC. 403. ACCOUNTABILITY AND OVERSIGHT.

20 (a) In General.—Title VI of the Juvenile Justice and Delinquency Prevention Act of 1974, as
21 added by this Act, is amended by adding at the end the following:

22 “SEC. 602. ACCOUNTABILITY AND OVERSIGHT.

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

26 “(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency
27 Prevention, must restore meaningful enforcement of the core ~~protections~~ **requirements** in
28 this Act;

29 “(2) the Attorney General should, not later than 90 days after the date of enactment of
30 this Act, issue a proposed rule to update existing Federal regulations used to make State
31 compliance determinations and provide participating States with technical assistance to
32 develop more effective and comprehensive data collection systems; and

33 “(3) States, which are entrusted with a fiscal stewardship role if they accept funds under
34 this Act, must exercise vigilant oversight to ensure full compliance with the core ~~protections~~
35 **requirements** for juveniles provided for in this Act.

1 “(b) Accountability.—

2 “(1) AGENCY PROGRAM REVIEW.—

3 ~~“(A) IN GENERAL.—NOT LESS OFTEN THAN ONCE EVERY 2 YEARS, THE~~
4 ~~ADMINISTRATOR SHALL CONDUCT, FOR EACH STATE AND INDIAN TRIBE RECEIVING A~~
5 ~~GRANT UNDER THIS ACT, A PROGRAMMATIC AND FINANCIAL REVIEW OF ALL GRANTS~~
6 ~~AWARDED TO THE STATE OR INDIAN TRIBE UNDER THIS ACT IN ORDER TO PREVENT~~
7 ~~WASTE, FRAUD, AND ABUSE BY GRANTEES.~~

8 ~~“(B) CONTENTS.—EACH REVIEW UNDER SUBPARAGRAPH (A) SHALL, AT A MINIMUM,~~
9 ~~EXAMINE —~~

10 ~~“(i) WHETHER THE FUNDS AWARDED WERE USED IN ACCORDANCE WITH THE LAW,~~
11 ~~PROGRAM GUIDANCE, AND ANY APPLICABLE PLANS; AND~~

12 ~~“(ii) THE EXTENT TO WHICH FUNDS AWARDED UNDER THIS ACT ENHANCED THE~~
13 ~~ABILITY OF THE GRANTEE TO IMPROVE ITS JUVENILE JUSTICE SYSTEM AND JUVENILE~~
14 ~~JUSTICE DELINQUENCY PREVENTION PROGRAMS.~~

15 ~~“(C) AUTHORIZATION OF APPROPRIATIONS.—IN ADDITION TO ANY OTHER AMOUNTS~~
16 ~~AUTHORIZED TO BE APPROPRIATED TO THE ADMINISTRATOR, THERE ARE AUTHORIZED TO~~
17 ~~BE APPROPRIATED TO THE ADMINISTRATOR FOR REVIEWS UNDER THIS PARAGRAPH SUCH~~
18 ~~SUMS AS ARE NECESSARY FOR FISCAL YEAR 2016 AND EACH FISCAL YEAR THEREAFTER.~~
19 ~~PROGRAMMATIC AND FINANCIAL ASSESSMENT.—~~

20 **“(i) IN GENERAL.—Not later than 60 days after the date of enactment of**
21 **this section, the Director of the Office of Audit, Assessment, and**
22 **Management of the Office of Justice Programs at the Department of Justice**
23 **(referred to in this section as the ‘Director’) shall—**

24 **“(I) conduct a comprehensive analysis and evaluation of the internal**
25 **controls of the Office of Juvenile Justice and Delinquency Prevention**
26 **(referred to in this section as the ‘agency’) to determine if State and**
27 **Indian tribes receiving grants are following the requirements of the**
28 **agency grant programs and what remedial action the agency has taken**
29 **to recover any grant funds that are expended in violation of grant**
30 **programs, including instances where—**

31 **“(aa) supporting documentation was not provided for cost**
32 **reports;**

33 **“(bb) unauthorized expenditures occurred; and**

34 **“(cc) subrecipients of grant funds were not compliance with**
35 **program requirements;**

36 **“(II) conduct a comprehensive audit and evaluation of a selected**
37 **statistically significant sample of States and Indian tribes (as determined**
38 **by the Director) that have received Federal funds under this Act,**
39 **including a review of internal controls to prevent fraud, waste, and**
40 **abuse of funds by grantees;**

41 **“(III) submit a report in accordance with clause (iv).**

1 **“(ii) CONSIDERATIONS FOR EVALUATIONS.—In conducting the analysis and**
2 **evaluation under clause (i)(I), and in order to document the efficiency and**
3 **public benefit of this Act, excluding the Runaway and Homeless Youth Act**
4 **and the Missing Children’s Assistance Act, the Director shall take into**
5 **consideration the extent to which—**

6 **“(I) greater oversight is needed of programs developed with grants**
7 **made by the agency;**

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

11 **“(III) the agency has implemented recommendations issued by the**
12 **Comptroller General or Office of Inspector General relating to the grant**
13 **making and grant monitoring responsibilities of the agency.**

14 **“(iii) CONSIDERATIONS FOR AUDITS.—In conducting the audit and**
15 **evaluation under clause (i)(II), and in order to document the efficiency and**
16 **public benefit of this Act, excluding the Runaway and Homeless Youth Act**
17 **and the Missing Children’s Assistance Act, the Director shall take into**
18 **consideration—**

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

20 **“(II) whether grantees have sufficient internal controls to ensure**
21 **adequate oversight of grant funds received;**

22 **“(III) whether grantees’ assertions of compliance with the core**
23 **requirements were accompanied with adequate supporting**
24 **documentation;**

25 **“(IV) whether expenditures were authorized;**

26 **“(V) whether subrecipients of grant funds were complying with**
27 **program requirements; and**

28 **“(VI) whether grant funds were spent in accordance with the program**
29 **goals and guidelines.**

30 **“(iv) REPORT.—The Director shall submit to Congress a report outlining**
31 **the results of the analysis, evaluation, and audit conducted under clause (i),**
32 **including supporting materials, to the Speaker of the House of**
33 **Representatives and the President pro tempore of the Senate and shall make**
34 **such report available to the public online, not later than 1 year after the date**
35 **of enactment of this section.**

36 **“(B) ANALYSIS OF INTERNAL CONTROLS.—**

37 **“(i) IN GENERAL.—Not later than 30 days after the date of enactment of**
38 **this section, the Administrator shall initiate a comprehensive analysis and**
39 **evaluation of the internal controls of the Office of Juvenile Justice and**
40 **Delinquency Prevention to determine whether, and to what extent, States and**
41 **Indian tribes that receive grants under this Act are following the**

1 requirements of the grant programs authorized under this Act.

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

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

6 “(II) a description of remedial actions, if any, that will be taken by the
7 Administrator to enhance the internal controls of the Office of Juvenile
8 Justice and Delinquency Prevention and recoup funds that may have
9 been expended in violation of law, regulations, or program requirements
10 issued under this Act; and

11 “(III) a description of—

12 “(aa) the analysis conducted under clause (i);

13 ** 1 “(H)“(bb) whether the funds awarded under this Act were have
14 been used in accordance with law, regulations, program guidance, and
15 applicable plans; and

16 “(cc) the extent to which funds awarded to States and Indian
17 tribes under this Act enhanced the ability of grantees to fulfill the
18 core requirements.

19 “(C) REPORT BY THE ATTORNEY GENERAL.—Not later than 180 days after the
20 date of enactment of this section, the Attorney General shall submit to the
21 appropriate committees of Congress a report on the estimated amount of grant
22 funds disbursed by the Office of Juvenile Justice and Delinquency Prevention
23 since fiscal year 2010 that did not meet the requirements for awards of formula
24 grants to States under this Act.

25 “(2) OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.—

26 “(A) IN GENERAL.—In order to ensure the effective and appropriate use of grants
27 administered under this Act **and to prevent waste, fraud, and abuse of funds by**
28 **grantees**, the Inspector General of the Department of Justice each year shall
29 **periodically** conduct audits of a sample of States and Indian tribes that receive grants
30 under this Act.

31 “(B) DETERMINING SAMPLES.—The sample selected for audits under subparagraph
32 (A) shall be—

33 “(i) of an appropriate size to—

34 “(I) assess the ~~overall integrity of the grant programs described in~~
35 ~~subparagraph (A);~~ **authorized under this Act; and**

36 “(II) act as a deterrent to financial mismanagement; and

37 “(ii) selected based on—

38 “(I) the size of the grants awarded to the recipient;

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

1 “(III) concerns identified by the Administrator, including referrals from
2 the Administrator; and

3 “(IV) such other factors as determined by the Inspector General of the
4 Department of Justice.

5 ~~“(C) COMPREHENSIVE AUDITING.—DURING THE 5-YEAR PERIOD BEGINNING ON THE~~
6 ~~DATE OF ENACTMENT OF THIS SECTION, THE INSPECTOR GENERAL PUBLIC~~
7 ~~AVAILABILITY ON WEBSITE.—The Attorney General shall make the summary of~~
8 ~~each review conducted under this section available on the website of the~~
9 ~~Department of Justice, subject to redaction as the Attorney General determines~~
10 ~~necessary to protect classified and other sensitive information. shall conduct not-~~
11 ~~fewer than 1 audit of each State or Indian tribe that receives a grant under this Act.~~

12 ~~“(D) Report by the inspector general.—~~

13 ~~“(i) In general.— The Inspector General of the Department of Justice shall submit to~~
14 ~~the appropriate committees of Congress—~~

15 ~~“(I) not later than 90 days after the date of enactment of this section, a report on the~~
16 ~~estimated amount of grant funds disbursed by the Office of Juvenile Justice and~~
17 ~~Delinquency Prevention since fiscal year 1997 that did not meet the requirements for~~
18 ~~awards of formula grants to States under this Act; and~~

19 ~~“(II) an annual report on every audit conducted under this section during the fiscal~~
20 ~~year preceding the report.~~

21 ~~“(ii) Contents.— Each report submitted under clause (i)(II) shall describe, for the~~
22 ~~fiscal year preceding the report—~~

23 ~~“(I) the audits conducted under subparagraph (A);~~

24 ~~“(II) the findings of the Inspector General with respect to the audits conducted under~~
25 ~~subparagraph (A);~~

26
27 ~~* 1 “(III) whether the funds awarded under this Act were used in accordance with~~
28 ~~law, program guidance, and applicable plans; and~~

29 ~~“(IV) the extent to which funds awarded under this Act enhanced the ability of a~~
30 ~~grantee to improve its juvenile justice system and juvenile justice programs.~~

31 ~~“(iii) Deadline.— For each year, the report required under clause (i)(II) shall be~~
32 ~~submitted not later than December 31.~~

33 ~~“(E) Public availability on website.— The Inspector General of the Department of~~
34 ~~Justice shall make each audit conducted under subparagraph (A) available on the~~
35 ~~website of the Inspector General, subject to redaction as the Inspector General~~
36 ~~determines necessary to protect classified and other sensitive information.~~

37 ~~“(F) Provision of information to administrator.— The Inspector General of the~~
38 ~~Department of Justice shall provide to the Administrator any findings and~~
39 ~~recommendations from audits conducted under subparagraph (A).~~

40 ~~“(G) Evaluation of grants management and oversight.— Not later than 1 year after~~

1 ~~the date of enactment of this section, the Inspector General of the Department of~~
2 ~~Justice shall review and evaluate the grants management and oversight practices of the~~
3 ~~Office of Juvenile Justice and Delinquency Prevention, including assessment of and~~
4 ~~recommendations relating to—~~

5 ~~“(i) the skills, resources, and capabilities of the workforce; and~~

6 ~~“(ii) any additional resources and staff necessary to carry out such management and~~
7 ~~oversight.~~

8 ~~“(H) Authorization of appropriations.—In addition to any other amounts authorized~~
9 ~~to be appropriated to the Inspector General of the Department of Justice, there are~~
10 ~~authorized to be appropriated to the Inspector General of the Department of Justice for~~
11 ~~audits under subparagraph (A) such sums as are necessary for fiscal year 2016, and~~
12 ~~each fiscal year thereafter.~~

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

17 ~~“(J)“(E) PRIORITY.—In awarding grants under this Act, the Administrator shall give~~
18 ~~priority to a State or Indian tribe that did not have an unresolved audit finding during~~
19 ~~the 3 fiscal years prior to the date on which the eligible entity submits an application~~
20 ~~for a grant under this Act.~~

21 ~~“(K)“(F) REIMBURSEMENT.—If a State or Indian tribe is awarded grant funds under~~
22 ~~this Act during the 2-fiscal-year period in which the entity is barred from receiving~~
23 ~~grants under subparagraph (I), the Attorney General shall—~~

24 ~~“(i) deposit an amount equal to the amount of the grant funds that were~~
25 ~~improperly awarded to the grantee into the General Fund of the Treasury; and~~

26 ~~“(ii) seek to recoup the costs of the repayment to the General Fund under clause~~
27 ~~(i) from the grantee that was erroneously awarded grant funds.~~

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

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

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

34 ~~“(3) NONPROFIT ORGANIZATION REQUIREMENTS.—~~

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

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

1 accounts for the purpose of avoiding paying the tax described in section 511(a) of the
2 Internal Revenue Code of 1986.

3 “(C) DISCLOSURE.—

4 “(i) IN GENERAL.—Each nonprofit organization that is awarded a grant under a
5 grant program described in this Act and uses the procedures prescribed in
6 regulations to create a rebuttable presumption of reasonableness for the
7 compensation of its officers, directors, trustees, and key employees, shall disclose
8 to the Administrator, in the application for the grant, the process for determining
9 such compensation, including—

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

12 “(II) the comparability data used; and

13 “(III) contemporaneous substantiation of the deliberation and decision.

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

17 “(4) CONFERENCE EXPENDITURES.—

18 “(A) LIMITATION.—No amounts authorized to be appropriated to the Department of
19 Justice under this Act may be used by the Attorney General, or by any individual or
20 organization awarded discretionary funds through a cooperative agreement under this
21 Act, to host or support any expenditure for conferences that uses more than \$20,000 in
22 funds made available to the Department of Justice, unless the Deputy Attorney General
23 or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy
24 Attorney General may designate, provides prior written authorization that the funds
25 may be expended to host a conference.

26 “(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include
27 a written estimate of all costs associated with the conference, including the cost of all
28 food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

29 “(C) REPORT.—The Deputy Attorney General shall submit an annual report to the
30 Committee on the Judiciary of the Senate and the Committee on the Judiciary of the
31 House of Representatives on all conference expenditures approved under this
32 paragraph.

33 “(5) PROHIBITION ON LOBBYING ACTIVITY.—

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

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

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

40 “(B) PENALTY.—If the Attorney General determines that any recipient of a grant

1 made using amounts authorized to be appropriated under this Act has violated
2 subparagraph (A), the Attorney General shall—

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

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

6 “(6) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date
7 of enactment of this section, the Attorney General shall submit, to the Committee on the
8 Judiciary and the Committee on Appropriations of the Senate and the Committee on the
9 Judiciary and the Committee on Appropriations of the House of Representatives, an annual
10 certification that—

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

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

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

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

18 (b) Technical and Conforming Amendment.—

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

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

23 (3) SAVINGS CLAUSE.—In the case of an entity that is barred from receiving grant funds
24 under paragraph (2) or (7)(B)(ii) of section 407 of the Juvenile Justice and Delinquency
25 Prevention Act of 1974 (42 U.S.C. 5776a), the amendment made by paragraph (1) of this
26 subsection shall not affect the applicability to the entity, or to the Attorney General with
27 respect to the entity, of paragraph (2), (3), or (7) of such section 407, as in effect on the day
28 before the effective date under paragraph (2) of this subsection.

29 TITLE V—JUVENILE ACCOUNTABILITY BLOCK 30 GRANTS

31 SEC. 501. GRANT ELIGIBILITY.

32 Section 1802(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42
33 U.S.C. 3796ee–2(a)) is amended—

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

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

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

37 “(3) assurances that the State agrees to comply with the core requirements, as defined in

- 1 section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C.
- 2 5603), applicable to the detention and confinement of juveniles.”.