

107TH CONGRESS
1ST SESSION

H. R. 1900

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2001

Mr. GREENWOOD (for himself and Mr. SCOTT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency; and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Juvenile Crime Control and Delinquency Prevention Act
6 of 2001”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Purpose.
- Sec. 4. Definitions.
- Sec. 5. Name of office.
- Sec. 6. Concentration of Federal effort.
- Sec. 7. Coordinating Council on Juvenile Justice and Delinquency Prevention.
- Sec. 8. Annual report.
- Sec. 9. Allocation.
- Sec. 10. State plans.
- Sec. 11. Juvenile delinquency prevention block grant program.
- Sec. 12. Research; evaluation; technical assistance; training.
- Sec. 13. Demonstration projects.
- Sec. 14. Authorization of appropriations.
- Sec. 15. Administrative authority.
- Sec. 16. Use of funds.
- Sec. 17. Limitation on use of funds.
- Sec. 18. Rules of construction.
- Sec. 19. Leasing surplus Federal property.
- Sec. 20. Issuance of rules.
- Sec. 21. Content of materials.
- Sec. 22. Technical and conforming amendments.
- Sec. 23. References.
- Sec. 24. Effective date; application of amendments.

1 **SEC. 2. FINDINGS.**

2 Section 101 of the Juvenile Justice and Delinquency
 3 Prevention Act of 1974 (42 U.S.C. 5601) is amended to
 4 read as follows:

5 “FINDINGS

6 “SEC. 101. (a) The Congress finds the following:

7 “(1) There has been a dramatic increase in ju-
 8 venile delinquency, particularly violent crime com-
 9 mitted by juveniles. Weapons offenses and homicides
 10 are 2 of the fastest growing crimes committed by ju-
 11 veniles. More than 1/2 of juvenile victims are killed
 12 with a firearm. Approximately 1/5 of the individuals
 13 arrested for committing violent crime are less than
 14 18 years of age. The increase in both the number of

1 youth below the age of 15 and females arrested for
2 violent crime is cause for concern.

3 “(2) This problem should be addressed through
4 a 2-track common sense approach that addresses the
5 needs of individual juveniles and society at large by
6 promoting—

7 “(A) quality prevention programs that—

8 “(i) work with juveniles, their fami-
9 lies, local public agencies, and community-
10 based organizations, and take into consid-
11 eration such factors as whether or not ju-
12 veniles have been the victims of family vio-
13 lence (including child abuse and neglect);
14 and

15 “(ii) are designed to reduce risks and
16 develop competencies in at-risk juveniles
17 that will prevent, and reduce the rate of,
18 violent delinquent behavior; and

19 “(B) programs that assist in holding juve-
20 niles accountable for their actions, including a
21 system of graduated sanctions to respond to
22 each delinquent act, requiring juveniles to make
23 restitution, or perform community service, for
24 the damage caused by their delinquent acts,
25 and methods for increasing victim satisfaction

1 with respect to the penalties imposed on juve-
2 niles for their acts.

3 “(b) Congress must act now to reform this program
4 by focusing on juvenile delinquency prevention programs,
5 as well as programs that hold juveniles accountable for
6 their acts. Without true reform, the criminal justice sys-
7 tem will not be able to overcome the challenges it will face
8 in the coming years when the number of juveniles is ex-
9 pected to increase by 30 percent.”.

10 **SEC. 3. PURPOSE.**

11 Section 102 of the Juvenile Justice and Delinquency
12 Prevention Act of 1974 (42 U.S.C. 5602) is amended to
13 read as follows:

14 “PURPOSES

15 “SEC. 102. The purposes of this title and title II
16 are—

17 “(1) to support State and local programs that
18 prevent juvenile involvement in delinquent behavior;

19 “(2) to assist State and local governments in
20 promoting public safety by encouraging account-
21 ability for acts of juvenile delinquency; and

22 “(3) to assist State and local governments in
23 addressing juvenile crime through the provision of
24 technical assistance, research, training, evaluation,
25 and the dissemination of information on effective
26 programs for combating juvenile delinquency.”.

1 **SEC. 4. DEFINITIONS.**

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

4 (1) in paragraph (3) by striking “to help pre-
5 vent juvenile delinquency” and inserting “designed
6 to reduce known risk factors for juvenile delinquent
7 behavior, provides activities that build on protective
8 factors for, and develop competencies in, juveniles to
9 prevent, and reduce the rate of, delinquent juvenile
10 behavior”,

11 (2) in paragraph (4) by inserting “title I of”
12 before “the Omnibus” each place it appears,

13 (3) in paragraph (7) by striking “the Trust
14 Territory of the Pacific Islands,”,

15 (4) in paragraph (9) by striking “justice” and
16 inserting “crime control”,

17 (5) in paragraph (12)(B) by striking “, of any
18 nonoffender,”,

19 (6) in paragraph (13)(B) by striking “, any
20 non-offender,”,

21 (7) in paragraph (14) by inserting “drug traf-
22 ficking,” after “assault,”,

23 (8) in paragraph (16)—

24 (A) in subparagraph (A) by adding “and”
25 at the end, and

26 (B) by striking subparagraph (C),

1 (9) by striking paragraph (17),

2 (10) in paragraph (22)—

3 (A) by redesignating subparagraphs (i),
4 (ii), and (iii) as subparagraphs (A), (B), and
5 (C), respectively, and

6 (B) by striking “and” at the end,

7 (11) in paragraph (23) by striking the period at
8 the end and inserting a semicolon,

9 (12) by redesignating paragraphs (18), (19),
10 (20), (21), (22), and (22) as paragraphs (17)
11 through (22), respectively, and

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

13 “(23) the term ‘boot camp’ means a residential
14 facility (excluding a private residence) at which there
15 are provided—

16 “(A) a highly regimented schedule of dis-
17 cipline, physical training, work, drill, and cere-
18 mony characteristic of military basic training.

19 “(B) regular, remedial, special, and voca-
20 tional education; and

21 “(C) counseling and treatment for sub-
22 stance abuse and other health and mental
23 health problems;

24 “(24) the term ‘graduated sanctions’ means an
25 accountability-based, graduated series of sanctions

1 (including incentives and services) applicable to juve-
2 niles within the juvenile justice system to hold such
3 juveniles accountable for their actions and to protect
4 communities from the effects of juvenile delinquency
5 by providing appropriate sanctions for every act for
6 which a juvenile is adjudicated delinquent, by induc-
7 ing their law-abiding behavior, and by preventing
8 their subsequent involvement with the juvenile jus-
9 tice system;

10 “(25) the term ‘prohibited physical contact’
11 means—

12 “(i) any physical contact between a
13 juvenile and an adult inmate; and

14 “(ii) proximity that provides an op-
15 portunity for physical contact between a
16 juvenile and an adult inmate;

17 “(26) the term ‘violent crime’ means—

18 “(A) murder or nonnegligent man-
19 slaughter, forcible rape, or robbery, or

20 “(B) aggravated assault committed with
21 the use of a firearm;

22 “(27) the term ‘co-located facilities’ means fa-
23 cilities that are located in the same building, or are
24 part of a related complex of buildings located on the
25 same grounds; and

1 **SEC. 6. CONCENTRATION OF FEDERAL EFFORT.**

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

4 (1) in subsection (a)(1) by striking the last sen-
5 tence,

6 (2) in subsection (b)—

7 (A) in paragraph (3) by striking “and of
8 the prospective” and all that follows through
9 “administered”,

10 (B) by striking paragraph (5), and

11 (C) by redesignating paragraphs (6) and
12 (7) as paragraphs (5) and (6), respectively,

13 (3) in subsection (c) by striking “and reports”
14 and all that follows through “this part”, and insert-
15 ing “as may be appropriate to prevent the duplica-
16 tion of efforts, and to coordinate activities, related to
17 the prevention of juvenile delinquency”,

18 (4) by striking subsection (i), and

19 (5) by redesignating subsection (h) as sub-
20 section (f).

21 **SEC. 7. COORDINATING COUNCIL ON JUVENILE JUSTICE**
22 **AND DELINQUENCY PREVENTION.**

23 Section 206 of the Juvenile Justice and Delinquency
24 Prevention Act of 1974 (42 U.S.C. 5616) is repealed.

1 **SEC. 8. ANNUAL REPORT.**

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

4 (1) in paragraph (2)—

5 (A) by inserting “and” after “priorities,”,

6 and

7 (B) by striking “, and recommendations of
8 the Council”,

9 (2) by striking paragraphs (4) and (5), and in-
10 sserting the following:

11 “(4) An evaluation of the programs funded
12 under this title and their effectiveness in reducing
13 the incidence of juvenile delinquency, particularly
14 violent crime, committed by juveniles.”, and

15 (3) by redesignating such section as section
16 206.

17 **SEC. 9. ALLOCATION.**

18 Section 222 of the Juvenile Justice and Delinquency
19 Prevention Act of 1974 (42 U.S.C. 5632) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (2)—

22 (i) in subparagraph (A)—

23 (I) by striking “amount, up to
24 \$400,000,” and inserting “amount up
25 to \$400,000”,

1 (II) by inserting a comma after
2 “1992” the 1st place it appears,

3 (III) by striking “the Trust Ter-
4 ritory of the Pacific Islands,” and

5 (IV) by striking “amount, up to
6 \$100,000,” and inserting “amount up
7 to \$100,000”,

8 (ii) in subparagraph (B)—

9 (I) by striking “(other than part
10 D)”,

11 (II) by striking “or such greater
12 amount, up to \$600,000” and all that
13 follows through “section 299(a) (1)
14 and (3)”,

15 (III) by striking “the Trust Ter-
16 ritory of the Pacific Islands,”,

17 (IV) by striking “amount, up to
18 \$100,000,” and inserting “amount up
19 to \$100,000”, and

20 (V) by inserting a comma after
21 “1992”,

22 (B) in paragraph (3) by striking “allot”
23 and inserting “allocate”, and

24 (2) in subsection (b) by striking “the Trust
25 Territory of the Pacific Islands,”.

1 **SEC. 10. STATE PLANS.**

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

4 (1) in subsection (a)—

5 (A) in the 2nd sentence by striking “chal-
6 lenge” and all that follows through “part E”,
7 and inserting “, projects, and activities”,

8 (B) in paragraph (3)—

9 (i) by striking “, which—” and insert-
10 ing “that—”,

11 (ii) in subparagraph (A)—

12 (I) by striking “not less” and all
13 that follows through “33”, and insert-
14 ing “the attorney general of the State
15 or such other State official who has
16 primary responsibility for overseeing
17 the enforcement of State criminal
18 laws, and”,

19 (II) by inserting “, in consulta-
20 tion with the attorney general of the
21 State or such other State official who
22 has primary responsibility for over-
23 seeing the enforcement of State crimi-
24 nal laws” after “State”,

25 (III) in clause (i) by striking “or
26 the administration of juvenile justice”

1 and inserting “, the administration of
2 juvenile justice, or the reduction of ju-
3 venile delinquency”,

4 (IV) in clause (ii) by striking “in-
5 clude—” and all that follows through
6 the semicolon at the end of subclause
7 (VIII), and inserting the following:

8 “represent a multidisciplinary approach to
9 addressing juvenile delinquency and may
10 include—

11 “(I) individuals who represent
12 units of general local government, law
13 enforcement and juvenile justice agen-
14 cies, public agencies concerned with
15 the prevention and treatment of juve-
16 nile delinquency and with the adju-
17 dication of juveniles, representatives
18 of juveniles, or nonprofit private orga-
19 nizations, particularly such organiza-
20 tions that serve juveniles; and

21 “(II) such other individuals as
22 the chief executive officer considers to
23 be appropriate; and”, and

24 (V) by striking clauses (iv) and
25 (v),

1 (iii) in subparagraph (C) by striking
2 “justice” and inserting “crime control”,

3 (iv) in subparagraph (D)—

4 (I) in clause (i) by inserting
5 “and” at the end,

6 (II) in clause (ii) by striking
7 “paragraphs” and all that follows
8 through “part E”, and inserting
9 “paragraphs (11), (12), and (13)”,
10 and

11 (III) by striking clause (iii), and
12 (v) in subparagraph (E) by striking
13 “title—” and all that follows through
14 “(ii)” and inserting “title,”,

15 (C) in paragraph (5)—

16 (i) in the matter preceding subpara-
17 graph (A) by striking “, other than” and
18 inserting “reduced by the percentage (if
19 any) specified by the State under the au-
20 thority of paragraph (25) and excluding”
21 after “section 222”, and

22 “(ii) in subparagraph (C) by striking
23 “paragraphs (12)(A), (13), and (14)” and
24 inserting “paragraphs (11), (12), and
25 (13)”,

1 (D) by striking paragraph (6),

2 (E) in paragraph (7) by inserting “, in-
3 cluding in rural areas” before the semicolon at
4 the end,

5 (F) in paragraph (8)—

6 (i) in subparagraph (A)—

7 (I) by striking “for (i)” and all
8 that follows through “relevant juris-
9 diction”, and inserting “for an anal-
10 ysis of juvenile delinquency problems
11 in, and the juvenile delinquency con-
12 trol and delinquency prevention needs
13 (including educational needs) of, the
14 State”,

15 (II) by striking “justice” the sec-
16 ond place it appears and inserting
17 “crime control”, and

18 (III) by striking “of the jurisdic-
19 tion; (ii)” and all that follows through
20 the semicolon at the end, and insert-
21 ing “of the State; and”,

22 (ii) by amending subparagraph (B) to
23 read as follows:

24 “(B) contain—

1 “(i) a plan for providing needed gen-
2 der-specific services for the prevention and
3 treatment of juvenile delinquency;

4 “(ii) a plan for providing needed serv-
5 ices for the prevention and treatment of ju-
6 venile delinquency in rural areas; and

7 “(iii) a plan for providing needed
8 mental health services to juveniles in the
9 juvenile justice system, including informa-
10 tion on how such plan is being imple-
11 mented and how such services will be tar-
12 geted to those juveniles in such system who
13 are in greatest need of such services serv-
14 ices;”, and

15 (iii) by striking subparagraphs (C)
16 and (D),

17 (G) by amending paragraph (9) to read as
18 follows:

19 “(9) provide for the coordination and maximum
20 utilization of existing juvenile delinquency programs,
21 programs operated by public and private agencies
22 and organizations, and other related programs (such
23 as education, special education, recreation, health,
24 and welfare programs) in the State;”,

25 (H) in paragraph (10)—

1 (i) in subparagraph (A)—

2 (I) by striking “, specifically”

3 and inserting “including”,

4 (II) by striking clause (i), and

5 (III) redesignating clauses (ii)

6 and (iii) as clauses (i) and (ii), respec-

7 tively,

8 (ii) in subparagraph (C) by striking

9 “juvenile justice” and inserting “juvenile

10 crime control”,

11 (iii) by amending subparagraph (D) to

12 read as follows:

13 “(D) programs that provide treatment to

14 juvenile offenders who are victims of child

15 abuse or neglect, and to their families, in order

16 to reduce the likelihood that such juvenile of-

17 fenders will commit subsequent violations of

18 law;”,

19 (iv) in subparagraph (E)—

20 (I) by redesignating clause (ii) as

21 clause (iii), and

22 (II) by striking “juveniles, pro-

23 vided” and all that follows through

24 “provides; and”, and inserting the fol-

25 lowing:

1 “juveniles—

2 “(i) to encourage juveniles to remain
3 in elementary and secondary schools or in
4 alternative learning situations;

5 “(ii) to provide services to assist juve-
6 niles in making the transition to the world
7 of work and self-sufficiency; and”,

8 (v) by amending subparagraph (F) to
9 read as follows:

10 “(F) expanding the use of probation
11 officers—

12 “(i) particularly for the purpose of permit-
13 ting nonviolent juvenile offenders (including
14 status offenders) to remain at home with their
15 families as an alternative to incarceration or in-
16 stitutionalization; and

17 “(ii) to ensure that juveniles follow the
18 terms of their probation;”,

19 (vi) by amending subparagraph (G) to
20 read as follows:

21 “(G) one-on-one mentoring programs that
22 are designed to link at-risk juveniles and juve-
23 nile offenders, particularly juveniles residing in
24 high-crime areas and juveniles experiencing
25 educational failure, with responsible adults

1 (such as law enforcement officers, adults work-
2 ing with local businesses, and adults working
3 with community-based organizations and agen-
4 cies) who are properly screened and trained;”,

5 (vii) in subparagraph (H) by striking
6 “handicapped youth” and inserting “juve-
7 niles with disabilities”,

8 (viii) by amending subparagraph (K)
9 to read as follows:

10 “(K) boot camps for juvenile offenders;”,

11 (ix) by amending subparagraph (L) to
12 read as follows:

13 “(L) community-based programs and serv-
14 ices to work with juveniles, their parents, and
15 other family members during and after incar-
16 ceration in order to strengthen families so that
17 such juveniles may be retained in their homes;”,

18 (x) by amending subparagraph (N) to
19 read as follows:

20 “(N) establishing policies and systems to
21 incorporate relevant child protective services
22 records into juvenile justice records for pur-
23 poses of establishing treatment plans for juve-
24 nile offenders;”,

25 (xi) in subparagraph (O)—

1 (I) in striking “cultural” and in-
2 sserting “other”, and

3 (II) by striking the period at the
4 end and inserting a semicolon, and

5 (xii) by adding at the end the fol-
6 lowing:

7 “(P) programs designed to prevent and to
8 reduce hate crimes committed by juveniles; and

9 “(Q) after-school programs that provide
10 at-risk juveniles and juveniles in the juvenile
11 justice system with a range of age-appropriate
12 activities, including tutoring, mentoring, and
13 other educational and enrichment activities.”,

14 (I) by amending paragraph (12) to read as
15 follows:

16 “(12) shall, in accordance with rules issued by
17 the Administrator, provide that—

18 “(A) juveniles who are charged with or
19 who have committed an offense that would not
20 be criminal if committed by an adult,
21 excluding—

22 “(i) juveniles who are charged with or
23 who have committed a violation of section
24 922(x)(2) of title 18, United States Code,
25 or of a similar State law;

1 “(ii) juveniles who are charged with or
2 who have committed a violation of a valid
3 court order; and

4 “(iii) juveniles who are held in accord-
5 ance with the Interstate Compact on Juve-
6 niles as enacted by the State;

7 shall not be placed in secure detention facilities
8 or secure correctional facilities; and

9 “(B) juveniles—

10 “(i) who are not charged with any of-
11 fense; and

12 “(ii) who are—

13 “(I) aliens; or

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

16 shall not be placed in secure detention facilities
17 or secure correctional facilities;”

18 (J) by amending paragraph (13) to read as
19 follows:

20 “(13) provide that—

21 “(A) juveniles alleged to be or found to be
22 delinquent or juveniles within the purview of
23 paragraph (11) will not be detained or confined
24 in any institution in which they have prohibited

1 physical contact or sustained oral communica-
2 tion with adult inmates; and

3 “(B) there is in effect in the State a policy
4 that requires individuals who work with both
5 such juveniles and such adult inmates, includ-
6 ing in collocated facilities, have been trained
7 and certified to work with juveniles;

8 (K) by amending paragraph (14) to read
9 as follows:

10 “(14) provide that no juvenile will be detained
11 or confined in any jail or lockup for adults except—

12 “(A) juveniles who are accused of non-
13 status offenses and who are detained in such
14 jail or lockup for a period not to exceed 6
15 hours—

16 “(i) for processing or release;

17 “(ii) while awaiting transfer to a juve-
18 nile facility; or

19 “(iii) in which period such juveniles
20 make a court appearance;

21 “(B) juveniles who are accused of non-
22 status offenses, who are awaiting an initial
23 court appearance that will occur within 48
24 hours after being taken into custody (excluding

1 Saturdays, Sundays, and legal holidays), and
2 who are detained in a jail or lockup—

3 “(i) in which—

4 “(I) such juveniles do not have
5 prohibited physical contact or sus-
6 tained oral communication, with
7 adults incarcerated because such
8 adults have been convicted of a crime
9 or are awaiting trial on criminal
10 charges; and

11 “(II) there is in effect in the
12 State a policy that requires individ-
13 uals who work with both such juve-
14 niles and such adults in co-located fa-
15 cilities have been trained and certified
16 to work with juveniles; and

17 “(ii) that—

18 “(I) is located outside a metro-
19 politan statistical area (as defined by
20 the Office of Management and Budg-
21 et) and has no existing acceptable al-
22 ternative placement available;

23 “(II) is located where conditions
24 of distance to be traveled or the lack
25 of highway, road, or transportation do

1 not allow for court appearances within
2 48 hours (excluding Saturdays, Sun-
3 days, and legal holidays) so that a
4 brief (not to exceed an additional 48
5 hours) delay is excusable; or

6 “(III) is located where conditions
7 of safety exist (such as severe adverse,
8 life-threatening weather conditions
9 that do not allow for reasonably safe
10 travel), in which case the time for an
11 appearance may be delayed until 24
12 hours after the time that such condi-
13 tions allow for reasonable safe travel;

14 “(C) juveniles who are accused of non-
15 status offenses and who are detained in a jail
16 or lockup that satisfies the requirements of sub-
17 paragraph (B)(i) if—

18 “(i) such jail or lockup—

19 “(I) is located outside a metro-
20 politan statistical area (as defined by
21 the Office of Management and Budg-
22 et); and

23 “(II) has no existing acceptable
24 alternative placement available;

1 “(ii) a parent or other legal guardian
2 (or guardian ad litem) of the juvenile in-
3 volved, in consultation with the counsel
4 representing the juvenile, consents to de-
5 taining such juvenile in accordance with
6 this subparagraph and has the right to re-
7 voke such consent at any time;

8 “(iii) the juvenile has counsel, and the
9 counsel representing such juvenile—

10 “(I) consults with the parents of
11 the juvenile to determine the appro-
12 priate placement of the juvenile; and

13 “(II) has an opportunity to
14 present the juvenile’s position regard-
15 ing the detention involved to the court
16 before the court approves such deten-
17 tion;;

18 “(iv) the court has an opportunity to
19 hear from the juvenile before court ap-
20 proval of such placement; and

21 “(v) detaining such juvenile in accord-
22 ance with this subparagraph is—

23 “(I) approved in advance by a
24 court with competent jurisdiction that

1 has determined that such placement is
2 in the best interest of such juvenile;

3 “(II) required to be reviewed pe-
4 riodically and in the presence of the
5 juvenile, at intervals of not more than
6 5 days (excluding Saturdays, Sun-
7 days, and legal holidays), by such
8 court for the duration of detention;
9 and

10 “(III) for a period preceding the
11 sentencing (if any) of such juvenile,
12 but not to exceed a 20-day period;”,

13 (L) in paragraph (15)—

14 (i) by striking “paragraph (12)(A),
15 paragraph (13), and paragraph (14)” and
16 inserting “paragraphs (11), (12), and
17 (13)”, and

18 (ii) by striking “paragraph (12)(A)
19 and paragraph (13)” and inserting “para-
20 graphs (11) and (12)”,

21 (M) in paragraph (16) by striking “men-
22 tally, emotionally, or physically handicapping
23 conditions” and inserting “disability”,

24 (N) by amending paragraph (19) to read
25 as follows:

1 “(19) provide assurances that—

2 “(A) any assistance provided under this
3 Act will not cause the displacement (including
4 a partial displacement, such as a reduction in
5 the hours of nonovertime work, wages, or em-
6 ployment benefits) of any currently employed
7 employee;

8 “(B) activities assisted under this Act will
9 not impair an existing collective bargaining re-
10 lationship, contract for services, or collective
11 bargaining agreement; and

12 “(C) no such activity that would be incon-
13 sistent with the terms of a collective bargaining
14 agreement shall be undertaken without the
15 written concurrence of the labor organization
16 involved;”

17 (O) in paragraph (22) by inserting before
18 the semicolon, the following:

19 “; and that the State will not expend funds to carry
20 out a program referred to in subparagraph (A), (B),
21 or (C) of paragraph (5) if the recipient of funds who
22 carried out such program during the preceding 2-
23 year period fails to demonstrate, before the expira-
24 tion of such 2-year period, that such program
25 achieved substantial success in achieving the goals

1 specified in the application submitted such recipient
2 to the State agency”,

3 (P) by amending paragraph (23) to read

4 as follows:

5 “(23) address juvenile delinquency prevention
6 efforts and system improvement efforts designed to
7 reduce, without establishing or requiring numerical
8 standards or quotas, the disproportionate number of
9 juvenile members of minority groups, who come into
10 contact with the juvenile justice system;”,

11 (Q) by amending paragraph (24) to read

12 as follows:

13 “(24) provide that if a juvenile is taken into
14 custody for violating a valid court order issued for
15 committing a status offense—

16 “(A) an appropriate public agency shall be
17 promptly notified that such juvenile is held in
18 custody for violating such order;

19 “(B) not later than 24 hours during which
20 such juvenile is so held, an authorized rep-
21 resentative of such agency shall interview, in
22 person, such juvenile; and

23 “(C) not later than 48 hours during which
24 such juvenile is so held—

1 “(i) such representative shall submit
2 an assessment to the court that issued
3 such order, regarding the immediate needs
4 of such juvenile; and

5 “(ii) such court shall conduct a hear-
6 ing to determine—

7 “(I) whether there is reasonable
8 cause to believe that such juvenile vio-
9 lated such order; and

10 “(II) the appropriate placement
11 of such juvenile pending disposition of
12 the violation alleged;”,

13 (R) in paragraph (25) by striking the pe-
14 riod at the end and inserting a semicolon,

15 (S) by redesignating paragraphs (7)
16 through (25) as paragraphs (6) through (24),
17 respectively, and

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

19 “(25) specify a percentage (if any), not to ex-
20 ceed 5 percent, of funds received by the State under
21 section 222 (other than funds made available to the
22 state advisory group under section 222(d)) that the
23 State will reserve for expenditure by the State to
24 provide incentive grants to units of general local gov-

1 ernment that reduce the caseload of probation offi-
2 cers within such units, and

3 “(26) provide that the State, to the maximum
4 extent practicable, will implement a system to ensure
5 that if a juvenile is before a court in the juvenile jus-
6 tice system, public child welfare records (including
7 child protective services records) relating to such ju-
8 venile that are on file in the geographical area under
9 the jurisdiction of such court will be made known to
10 such court.”, and

11 (2) by amending subsection (c) to read as fol-
12 lows:

13 “(c) If a State fails to comply with any of the applica-
14 ble requirements of paragraphs (11), (12), (13), and (23)
15 of subsection (a) in any fiscal year beginning after Sep-
16 tember 30, 2001, then the amount allocated to such State
17 for the subsequent fiscal year shall be reduced by not to
18 exceed 12.5 percent for each such paragraph with respect
19 to which the failure occurs, unless the Administrator de-
20 termines that the State—

21 “(1) has achieved substantial compliance with
22 such applicable requirements with respect to which
23 the State was not in compliance; and

24 “(2) has made, through appropriate executive
25 or legislative action, an unequivocal commitment to

1 achieving full compliance with such applicable re-
 2 quirements within a reasonable time.”, and

3 (3) in subsection (d)—

4 (A) by striking “allotment” and inserting
 5 “allocation”, and

6 (B) by striking “subsection (a) (12)(A),
 7 (13), (14) and (23)” each place it appears and
 8 inserting “paragraphs (11), (12), (13), and
 9 (23) of subsection (a)”.

10 **SEC. 11. JUVENILE DELINQUENCY PREVENTION BLOCK**
 11 **GRANT PROGRAM.**

12 Title II of the Juvenile Justice and Delinquency Pre-
 13 vention Act of 1974 (42 U.S.C. 5611 et seq.) is
 14 amended—

15 (1) by striking parts C, D, E, F, G, and H,

16 (2) by striking the 1st part I,

17 (3) by redesignating the 2nd part I as part F,

18 and

19 (4) by inserting after part B the following:

20 **“PART C—JUVENILE DELINQUENCY PREVENTION**
 21 **BLOCK GRANT PROGRAM**

22 **“SEC. 241. AUTHORITY TO MAKE GRANTS.**

23 “(a) GRANTS TO ELIGIBLE STATES.—The Adminis-
 24 trator may make grants to eligible States, from funds allo-
 25 cated under section 242, for the purpose of providing fi-

1 nancial assistance to eligible entities to carry out projects
2 designed to prevent juvenile delinquency, including—

3 “(1) projects that provide treatment (including
4 treatment for mental health problems) to juvenile of-
5 fenders, and juveniles who are at risk of becoming
6 juvenile offenders, who are victims of child abuse or
7 neglect or who have experienced violence in their
8 homes, at school, or in the community, and to their
9 families, in order to reduce the likelihood that such
10 juveniles will commit violations of law;

11 “(2) educational projects or supportive services
12 for delinquent or other juveniles—

13 “(A) to encourage juveniles to remain in
14 elementary and secondary schools or in alter-
15 native learning situations in educational set-
16 tings;

17 “(B) to provide services to assist juveniles
18 in making the transition to the world of work
19 and self-sufficiency;

20 “(C) to assist in identifying learning dif-
21 ficulties (including learning disabilities);

22 “(D) to prevent unwarranted and arbitrary
23 suspensions and expulsions;

1 “(E) to encourage new approaches and
2 techniques with respect to the prevention of
3 school violence and vandalism;

4 “(F) which assist law enforcement per-
5 sonnel and juvenile justice personnel to more ef-
6 fectively recognize and provide for learning-dis-
7 abled and other juveniles with disabilities;

8 “(G) which develop locally coordinated
9 policies and programs among education, juve-
10 nile justice, and social service agencies; or

11 “(H) to provide services to juveniles with
12 serious mental and emotional disturbances
13 (SED) in need of mental health services;

14 “(3) projects which expand the use of probation
15 officers—

16 “(A) particularly for the purpose of per-
17 mitting nonviolent juvenile offenders (including
18 status offenders) to remain at home with their
19 families as an alternative to incarceration or in-
20 stitutionalization; and

21 “(B) to ensure that juveniles follow the
22 terms of their probation;

23 “(4) one-on-one mentoring projects that are de-
24 signed to link at-risk juveniles and juvenile offenders
25 who did not commit serious crime, particularly juve-

1 niles residing in high-crime areas and juveniles experi-
2 encing educational failure, with responsible adults
3 (such as law enforcement officers, adults working
4 with local businesses, and adults working for com-
5 munity-based organizations and agencies) who are
6 properly screened and trained;

7 “(5) community-based projects and services (in-
8 cluding literacy and social service programs) which
9 work with juvenile offenders and juveniles who are
10 at risk of becoming juvenile offenders, including
11 those from families with limited English-speaking
12 proficiency, their parents, their siblings, and other
13 family members during and after incarceration of
14 the juvenile offenders, in order to strengthen fami-
15 lies, to allow juvenile offenders to be retained in
16 their homes, and to prevent the involvement of other
17 juvenile family members in delinquent activities;

18 “(6) projects designed to provide for the treat-
19 ment (including mental health services) of juveniles
20 for dependence on or abuse of alcohol, drugs, or
21 other harmful substances;

22 “(7) projects which leverage funds to provide
23 scholarships for postsecondary education and train-
24 ing for low-income juveniles who reside in neighbor-

1 hoods with high rates of poverty, violence, and drug-
2 related crimes;

3 “(8) projects which provide for an initial intake
4 screening of each juvenile taken into custody—

5 “(A) to determine the likelihood that such
6 juvenile will commit a subsequent offense; and

7 “(B) to provide appropriate interventions
8 (including mental health services) to prevent
9 such juvenile from committing subsequent of-
10 fenses;

11 “(9) projects (including school- or community-
12 based projects) that are designed to prevent, and re-
13 duce the rate of, the participation of juveniles in
14 gangs that commit crimes (particularly violent
15 crimes), that unlawfully use firearms and other
16 weapons, or that unlawfully traffic in drugs and that
17 involve, to the extent practicable, families and other
18 community members (including law enforcement per-
19 sonnel and members of the business community) in
20 the activities conducted under such projects;

21 “(10) comprehensive juvenile justice and delin-
22 quency prevention projects that meet the needs of
23 juveniles through the collaboration of the many local
24 service systems juveniles encounter, including
25 schools, courts, law enforcement agencies, child pro-

1 tection agencies, mental health agencies, welfare
2 services, health care agencies, private nonprofit
3 agencies, and public recreation agencies offering
4 services to juveniles;

5 “(11) to develop, implement, and support, in
6 conjunction with public and private agencies, organi-
7 zations, and businesses, projects for the employment
8 of juveniles and referral to job training programs
9 (including referral to Federal job training pro-
10 grams);

11 “(12) delinquency prevention activities which
12 involve youth clubs, sports, recreation and parks,
13 peer counseling and teaching, the arts, leadership
14 development, community service, volunteer service,
15 before- and after-school programs, violence preven-
16 tion activities, mediation skills training, camping,
17 environmental education, ethnic or cultural enrich-
18 ment, tutoring, and academic enrichment;

19 “(13) to establish policies and systems to incor-
20 porate relevant child protective services records into
21 juvenile justice records for purposes of establishing
22 treatment plans for juvenile offenders;

23 “(14) programs that encourage social com-
24 petencies, problem-solving skills, and communication
25 skills, youth leadership, and civic involvement;

1 “(15) programs that focus on the needs of
2 young girls at-risk of delinquency or status offenses;

3 “(16) projects which provide for—

4 “(A) an assessment by a qualified mental
5 health professional of incarcerated juveniles
6 who are suspected to be in need of mental
7 health services;

8 “(B) the development of an individualized
9 treatment plan for those incarcerated juveniles
10 determined to be in need of such services;

11 “(C) the inclusion of a discharge plan for
12 incarcerated juveniles receiving mental health
13 services that addresses aftercare services; and

14 “(D) all juveniles receiving psychotropic
15 medications to be under the care of a licensed
16 mental health professional;

17 “(17) after-school programs that provide at-risk
18 juveniles and juveniles in the juvenile justice system
19 with a range of age-appropriate activities, including
20 tutoring, mentoring, and other educational and en-
21 richment activities;

22 “(18) programs related to the establishment
23 and maintenance of a school violence hotline, based
24 on a public-private partnership, that students and
25 parents can use to report suspicious, violent, or

1 threatening behavior to local school and law enforce-
2 ment authorities;

3 “(19) programs (excluding programs to pur-
4 chase guns from juveniles) designed to reduce the
5 unlawful acquisition and illegal use of guns by juve-
6 niles, including partnerships between law enforce-
7 ment agencies, health professionals, school officials,
8 firearms manufacturers, consumer groups, faith-
9 based groups and community organizations; and

10 “(20) other activities that are likely to prevent
11 juvenile delinquency.

12 “(b) GRANTS TO ELIGIBLE INDIAN TRIBES.—The
13 Administrator may make grants to eligible Indian tribes
14 from funds allocated under section 242(b), to carry out
15 projects of the kinds described in subsection (a).

16 **“SEC. 242. ALLOCATION.**

17 “(a) ALLOCATION AMONG ELIGIBLE STATES.—Sub-
18 ject to subsection (b), funds appropriated to carry out this
19 part shall be allocated among eligible States proportion-
20 ately based on the population that is less than 18 years
21 of age in the eligible States.

22 “(b) ALLOCATION AMONG INDIAN TRIBES COLLEC-
23 TIVELY.—Before allocating funds under subsection (a)
24 among eligible States, the Administrator shall allocate
25 among eligible Indian tribes as determined under section

1 246(a), an aggregate amount equal to the amount such
2 tribes would be allocated under subsection (a), and with-
3 out regard to this subsection, if such tribes were treated
4 collectively as an eligible State.

5 **“SEC. 243. ELIGIBILITY OF STATES.**

6 “(a) APPLICATION.—To be eligible to receive a grant
7 under section 241, a State shall submit to the Adminis-
8 trator an application that contains the following:

9 “(1) An assurance that the State will use—

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

12 “(i) the costs incurred by the State to
13 carry out this part; and

14 “(ii) to evaluate, and provide technical
15 assistance relating to, projects and activi-
16 ties carried out with funds provided under
17 this part; and

18 “(B) the remainder of such grant to make
19 grants under section 244.

20 “(2) An assurance that, and a detailed descrip-
21 tion of how, such grant will support, and not sup-
22 plant State and local efforts to prevent juvenile de-
23 linquency.

24 “(3) An assurance that such application was
25 prepared after consultation with and participation by

1 community-based organizations, and organizations in
2 the local juvenile justice system, that carry out pro-
3 grams, projects, or activities to prevent juvenile de-
4 linquency.

5 “(4) An assurance that each eligible entity de-
6 scribed in section 244 that receives an initial grant
7 under section 244 to carry out a project or activity
8 shall also receive an assurance from the State that
9 such entity will receive from the State, for the subse-
10 quent fiscal year to carry out such project or activ-
11 ity, a grant under such section in an amount that
12 is proportional, based on such initial grant and on
13 the amount of the grant received under section 241
14 by the State for such subsequent fiscal year, but
15 that does not exceed the amount specified for such
16 subsequent fiscal year in such application as ap-
17 proved by the State.

18 “(5) Such other information and assurances as
19 the Administrator may reasonably require by rule.

20 “(b) APPROVAL OF APPLICATIONS.—

21 “(1) APPROVAL REQUIRED.—Subject to para-
22 graph (2), the Administrator shall approve an appli-
23 cation, and amendments to such application sub-
24 mitted in subsequent fiscal years, that satisfy the re-
25 quirements of subsection (a).

1 “(2) LIMITATION.—The Administrator may not
2 approve such application (including amendments to
3 such application) for a fiscal year unless—

4 “(A)(i) the State submitted a plan under
5 section 223 for such fiscal year; and

6 “(ii) such plan is approved by the Adminis-
7 trator for such fiscal year; or

8 “(B) the Administrator waives the applica-
9 tion of subparagraph (A) to such State for such
10 fiscal year, after finding good cause for such a
11 waiver.

12 **“SEC. 244. GRANTS FOR LOCAL PROJECTS.**

13 “(a) GRANTS BY STATES.—Using a grant received
14 under section 241, a State may make grants to eligible
15 entities whose applications are received by the State to
16 carry out projects and activities described in section 241.

17 “(b) SPECIAL CONSIDERATION.—For purposes of
18 making grants under subsection (a), the State shall give
19 special consideration to eligible entities that—

20 “(1) propose to carry out such projects in geo-
21 graphical areas in which there is—

22 “(A) a disproportionately high level of seri-
23 ous crime committed by juveniles; or

24 “(B) a recent rapid increase in the number
25 of nonstatus offenses committed by juveniles;

1 “(2)(A) agreed to carry out such projects or ac-
2 tivities that are multidisciplinary and involve more
3 than 2 private nonprofit agencies, organizations, and
4 institutions that have experience dealing with juve-
5 niles; or

6 “(B) represent communities that have a com-
7 prehensive plan designed to identify at-risk juveniles
8 and to prevent or reduce the rate of juvenile delin-
9 quency, and that involve other entities operated by
10 individuals who have a demonstrated history of in-
11 volvement in activities designed to prevent juvenile
12 delinquency; and

13 “(3) the amount of resources (in cash or in
14 kind) such entities will provide to carry out such
15 projects and activities.

16 **“SEC. 245. ELIGIBILITY OF ENTITIES.**

17 “(a) ELIGIBILITY.—Except as provided in subsection
18 (b), to be eligible to receive a grant under section 244,
19 a unit of general purpose local government, acting jointly
20 with not fewer than 2 private nonprofit agencies, organiza-
21 tions, and institutions that have experience dealing with
22 juveniles, shall submit to the State an application that
23 contains the following:

24 “(1) An assurance that such applicant will use
25 such grant, and each such grant received for the

1 subsequent fiscal year, to carry out throughout a 2-
2 year period a project or activity described in reason-
3 able detail, and of a kind described in one or more
4 of paragraphs (1) through (14) of section 241 as
5 specified in, such application.

6 “(2) A statement of the particular goals such
7 project or activity is designed to achieve, and the
8 methods such entity will use to achieve, and assess
9 the achievement of, each of such goals.

10 “(3) A statement identifying the research (if
11 any) such entity relied on in preparing such applica-
12 tion.

13 “(b) LIMITATION.—If an eligible entity that receives
14 a grant under section 244 to carry out a project or activity
15 for a 2-year period, and receives technical assistance from
16 the State or the Administrator after requesting such tech-
17 nical assistance (if any), fails to demonstrate, before the
18 expiration of such 2-year period, that such project or such
19 activity has achieved substantial success in achieving the
20 goals specified in the application submitted by such entity
21 to receive such grants, then such entity shall not be eligi-
22 ble to receive any subsequent grant under such section to
23 continue to carry out such project or activity.

24 **“SEC. 246. GRANTS TO INDIAN TRIBES.**

25 “(a) ELIGIBILITY.—

1 “(1) APPLICATION.—To be eligible to receive a
2 grant under section 241(b), an Indian tribe shall
3 submit to the Administrator an application in ac-
4 cordance with this section, in such form and con-
5 taining such information as the Administrator may
6 require by rule.

7 “(2) PLANS.—Such application shall include a
8 plan for conducting programs, projects, and activi-
9 ties described in section 241(a), which plan shall—

10 “(A) provide evidence that the applicant
11 Indian tribe performs law enforcement func-
12 tions (as determined by the Secretary of the In-
13 terior);

14 “(B) identify the juvenile justice and delin-
15 quency problems and juvenile delinquency pre-
16 vention needs to be addressed by activities con-
17 ducted with funds provided by the grant for
18 which such application is submitted, by the In-
19 dian tribe in the geographical area under the
20 jurisdiction of the Indian tribe;

21 “(C) provide for fiscal control and account-
22 ing procedures that—

23 “(i) are necessary to ensure the pru-
24 dent use, proper disbursement, and ac-

1 counting of grants received by applicants
2 under this section; and

3 “(ii) are consistent with the require-
4 ment specified in subparagraph (B); and

5 “(D) comply with the requirements speci-
6 fied in section 223(a) (excluding any require-
7 ment relating to consultation with a State advi-
8 sory group) and with the requirements specified
9 in section 222(c); and

10 “(E) contain such other information, and
11 be subject to such additional requirements, as
12 the Administrator may reasonably require by
13 rule to ensure the effectiveness of the projects
14 for which grants are made under section
15 241(b).

16 “(b) FACTORS FOR CONSIDERATION.—For the pur-
17 pose of selecting eligible applicants to receive grants under
18 section 241(b), the Administrator shall consider—

19 “(1) the resources that are available to each ap-
20 plicant Indian tribe that will assist, and be coordi-
21 nated with, the overall juvenile justice system of the
22 Indian tribe; and

23 “(2) with respect to each such applicant—

24 “(A) the juvenile population; and

1 “(B) the population and the entities that
2 will be served by projects proposed to be carried
3 out with the grant for which the application is
4 submitted.

5 “(c) GRANT PROCESS.—

6 “(1) SELECTION OF GRANT RECIPIENTS.—

7 “(A) SELECTION REQUIREMENTS.—Except
8 as provided in paragraph (2), the Administrator
9 shall—

10 “(i) make grants under this section on
11 a competitive basis; and

12 “(ii) specify in writing to each appli-
13 cant selected to receive a grant under this
14 section, the terms and conditions on which
15 such grant is made to such applicant.

16 “(B) PERIOD OF GRANT.—A grant made
17 under this section shall be available for expendi-
18 ture during a 2-year period.

19 “(2) EXCEPTION.—If—

20 “(A) in the 2-year period for which a grant
21 made under this section shall be expended, the
22 recipient of such grant applies to receive a sub-
23 sequent grant under this section; and

24 “(B) the Administrator determines that
25 such recipient performed during the year pre-

1 ceding the 2-year period for which such recipi-
2 ent applies to receive such subsequent grant
3 satisfactorily and in accordance with the terms
4 and conditions applicable to the grant received;
5 then the Administrator may waive the application of
6 the competition-based requirement specified in para-
7 graph (1)(A)(i) and may allow the applicant to in-
8 corporate by reference in the current application the
9 text of the plan contained in the recipient's most re-
10 cent application previously approved under this sec-
11 tion.

12 “(3) AUTHORITY TO MODIFY APPLICATION
13 PROCESS FOR SUBSEQUENT GRANTS.—The Adminis-
14 trator may modify by rule the operation of sub-
15 section (a) with respect to the submission and con-
16 tents of applications for subsequent grants described
17 in paragraph (2).

18 “(d) REPORTING REQUIREMENT.—Each Indian tribe
19 that receives a grant under this section shall be subject
20 to the fiscal accountability provisions of section 5(f)(1) of
21 the Indian Self-Determination and Education Assistance
22 Act (25 U.S.C. 450c(f)(1)), relating to the submission of
23 a single-agency audit report required by chapter 75 of title
24 31, United States Code.

1 purposes and goals of all agreements carried out
2 with funds provided under this subsection; and

3 “(B) make agreements with the National Insti-
4 tute of Justice or, subject to the approval of the As-
5 sistant Attorney General for the Office of Justice
6 Programs, with another Federal agency authorized
7 by law to conduct research or evaluation in juvenile
8 justice matters, for the purpose of providing re-
9 search and evaluation relating to—

10 “(i) the prevention, reduction, and control
11 of juvenile delinquency and serious crime com-
12 mitted by juveniles;

13 “(ii) the link between juvenile delinquency
14 and the incarceration of members of the fami-
15 lies of juveniles;

16 “(iii) successful efforts to prevent first-
17 time minor offenders from committing subse-
18 quent involvement in serious crime;

19 “(iv) successful efforts to prevent recidi-
20 vism;

21 “(v) the juvenile justice system;

22 “(vi) juvenile violence;

23 “(vii) appropriate mental health services
24 for juveniles and youth at risk of participating
25 in delinquent activities;

1 “(viii) reducing the proportion of juveniles
2 detained or confined in secure detention facili-
3 ties, secure correctional facilities, jails, and
4 lockups who are members of minority groups;
5 and

6 “(ix) other purposes consistent with the
7 purposes of this title and title I.

8 “(2) The Administrator shall ensure that an equi-
9 table amount of funds available to carry out paragraph
10 (1)(B) is used for research and evaluation relating to the
11 prevention of juvenile delinquency.

12 “(b) STATISTICAL ANALYSES.—The Administrator
13 may—

14 “(1) plan and identify, after consultation with
15 the Director of the Bureau of Justice Statistics, the
16 purposes and goals of all agreements carried out
17 with funds provided under this subsection; and

18 “(2) make agreements with the Bureau of Jus-
19 tice Statistics, or subject to the approval of the As-
20 sistant Attorney General for the Office of Justice
21 Programs, with another Federal agency authorized
22 by law to undertake statistical work in juvenile jus-
23 tice matters, for the purpose of providing for the col-
24 lection, analysis, and dissemination of statistical
25 data and information relating to juvenile delinquency

1 and serious crimes committed by juveniles, to the ju-
2 venile justice system, to juvenile violence, and to
3 other purposes consistent with the purposes of this
4 title and title I.

5 “(c) COMPETITIVE SELECTION PROCESS.—The Ad-
6 ministrator shall use a competitive process, established by
7 rule by the Administrator, to carry out subsections (a) and
8 (b).

9 “(d) IMPLEMENTATION OF AGREEMENTS.—A Fed-
10 eral agency that makes an agreement under subsections
11 (a)(1)(B) and (b)(2) with the Administrator may carry out
12 such agreement directly or by making grants to or con-
13 tracts with public and private agencies, institutions, and
14 organizations.

15 “(e) INFORMATION DISSEMINATION.—The Adminis-
16 trator may—

17 “(1) review reports and data relating to the ju-
18 venile justice system in the United States and in for-
19 eign nations (as appropriate), collect data and infor-
20 mation from studies and research into all aspects of
21 juvenile delinquency (including the causes, preven-
22 tion, and treatment of juvenile delinquency) and se-
23 rious crimes committed by juveniles;

24 “(2) establish and operate, directly or by con-
25 tract, a clearinghouse and information center for the

1 preparation, publication, and dissemination of infor-
2 mation relating to juvenile delinquency, including
3 State and local prevention and treatment programs,
4 plans, resources, and training and technical assist-
5 ance programs; and

6 “(3) make grants and contracts with public and
7 private agencies, institutions, and organizations, for
8 the purpose of disseminating information to rep-
9 resentatives and personnel of public and private
10 agencies, including practitioners in juvenile justice,
11 law enforcement, the courts, corrections, schools,
12 and related services, in the establishment, implemen-
13 tation, and operation of projects and activities for
14 which financial assistance is provided under this
15 title.

16 **“SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.**

17 “(a) TRAINING.—The Administrator may—

18 “(1) develop and carry out projects for the pur-
19 pose of training representatives and personnel of
20 public and private agencies, including practitioners
21 in juvenile justice, law enforcement, courts (includ-
22 ing model juvenile and family courts), corrections,
23 schools, and related services, to carry out the pur-
24 poses specified in section 102; and

1 “(2) make grants to and contracts with public
2 and private agencies, institutions, and organizations
3 for the purpose of training representatives and per-
4 sonnel of public and private agencies, including prac-
5 titioners in juvenile justice, law enforcement, courts
6 (including model juvenile and family courts), correc-
7 tions, schools, and related services, to carry out the
8 purposes specified in section 102.

9 “(b) TECHNICAL ASSISTANCE.—The Administrator
10 may—

11 “(1) develop and implement projects for the
12 purpose of providing technical assistance to rep-
13 resentatives and personnel of public and private
14 agencies and organizations, including practitioners
15 in juvenile justice, law enforcement, courts (includ-
16 ing model juvenile and family courts), corrections,
17 schools, and related services, in the establishment,
18 implementation, and operation of programs, projects,
19 and activities for which financial assistance is pro-
20 vided under this title; and

21 “(2) make grants to and contracts with public
22 and private agencies, institutions, and organizations,
23 for the purpose of providing technical assistance to
24 representatives and personnel of public and private
25 agencies, including practitioners in juvenile justice,

1 law enforcement, courts (including model juvenile
2 and family courts), corrections, schools, and related
3 services, in the establishment, implementation, and
4 operation of programs, projects, and activities for
5 which financial assistance is provided under this
6 title.

7 “(c) TRAINING AND TECHNICAL ASSISTANCE TO
8 MENTAL HEALTH PROFESSIONALS AND LAW ENFORCE-
9 MENT PERSONNEL.—The Administrator shall provide
10 training and technical assistance to mental health profes-
11 sionals and law enforcement personnel (including public
12 defenders, police officers, probation officers, judges, parole
13 officials, and correctional officers) to address or to pro-
14 mote the development, testing, or demonstration of prom-
15 ising or innovative models (including model juvenile and
16 family courts), programs, or delivery systems that address
17 the needs of juveniles who are alleged or adjudicated delin-
18 quent and who, as a result of such status, are placed in
19 secure detention or confinement or in nonsecure residen-
20 tial placements.”.

21 **SEC. 13. DEMONSTRATION PROJECTS.**

22 Title II of the Juvenile Justice and Delinquency Pre-
23 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended
24 by inserting after part D, as added by section 12, the fol-
25 lowing:

1 **“PART E—DEVELOPING, TESTING, AND DEM-**
2 **ONSTRATING PROMISING NEW INITIATIVES**
3 **AND PROGRAMS**

4 **“SEC. 261. GRANTS AND PROJECTS.**

5 “(a) **AUTHORITY TO MAKE GRANTS.**—The Adminis-
6 trator may make grants to and contracts with States,
7 units of general local government, Indian tribal govern-
8 ments, public and private agencies, organizations, and in-
9 dividuals, or combinations thereof, to carry out projects
10 for the development, testing, and demonstration of prom-
11 ising initiatives and programs for the prevention, control,
12 or reduction of juvenile delinquency. The Administrator
13 shall ensure that, to the extent reasonable and practicable,
14 such grants are made to achieve an equitable geographical
15 distribution of such projects throughout the United
16 States.

17 “(b) **USE OF GRANTS.**—A grant made under sub-
18 section (a) may be used to pay all or part of the cost of
19 the project for which such grant is made.

20 **“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

21 “The Administrator may make grants to and con-
22 tracts with public and private agencies, organizations, and
23 individuals to provide technical assistance to States, units
24 of general local government, Indian tribal governments,
25 local private entities or agencies, or any combination

1 thereof, to carry out the projects for which grants are
2 made under section 261.

3 **“SEC. 263. ELIGIBILITY.**

4 “To be eligible to receive a grant made under this
5 part, a public or private agency, Indian tribal government,
6 organization, institution, individual, or combination there-
7 of shall submit an application to the Administrator at such
8 time, in such form, and containing such information as
9 the Administrator may reasonably require by rule.

10 **“SEC. 264. REPORTS.**

11 “Recipients of grants made under this part shall sub-
12 mit to the Administrator such reports as may be reason-
13 ably requested by the Administrator to describe progress
14 achieved in carrying the projects for which such grants
15 are made.”.

16 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

17 Section 299 of the Juvenile Justice and Delinquency
18 Prevention Act of 1974 (42 U.S.C. 5671) is amended—

19 (1) by striking subsection (e), and

20 (2) by striking subsections (a), (b), and (c), and

21 inserting the following:

22 “(a) AUTHORIZATION OF APPROPRIATIONS FOR
23 TITLE II (EXCLUDING PARTS C AND E).—(1) There are
24 authorized to be appropriated to carry out this title such

1 sums as may be appropriate for fiscal years 2002, 2003,
2 2004, and 2005.

3 “(2) Of such sums as are appropriated for a fiscal
4 year to carry out this title (other than parts C and E)—

5 “(A) not more than 5 percent shall be available
6 to carry out part A;

7 “(B) not less than 80 percent shall be available
8 to carry out part B; and

9 “(C) not more than 15 percent shall be avail-
10 able to carry out part D.

11 “(b) AUTHORIZATION OF APPROPRIATIONS FOR
12 PART C.—There are authorized to be appropriated to
13 carry out part C such sums as may be necessary for fiscal
14 years 2002, 2003, 2004, and 2005.

15 “(c) AUTHORIZATION OF APPROPRIATIONS FOR PART
16 E.—There are authorized to be appropriated to carry out
17 part E, and authorized to remain available until expended,
18 such sums as may be necessary for fiscal years 2002,
19 2003, 2004, and 2005.”.

20 **SEC. 15. ADMINISTRATIVE AUTHORITY.**

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

24 (1) in subsection (d) by striking “as are con-
25 sistent with the purpose of this Act” and inserting

1 “only to the extent necessary to ensure that there is
2 compliance with the specific requirements of this
3 title or to respond to requests for clarification and
4 guidance relating to such compliance”, and

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

6 “(e) If a State requires by law compliance with the
7 requirements described in paragraphs (11), (12), and (13)
8 of section 223(a), then for the period such law is in effect
9 in such State such State shall be rebuttably presumed to
10 satisfy such requirements.”.

11 **SEC. 16. USE OF FUNDS.**

12 Section 299C of the Juvenile Justice and Delin-
13 quency Prevention Act of 1974 (42 U.S.C. 5674) is
14 amended—

15 (1) in subsection (a)—

16 (A) by striking “may be used for”,

17 (B) in paragraph (1) by inserting “may be
18 used for” after “(1)”, and

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

21 “(2) may not be used for the cost of construc-
22 tion of any facility, except not more than 15 percent
23 of the funds received under this title by a State for
24 a fiscal year may be used for the purpose of ren-
25 ovating or replacing juvenile facilities.”,

1 (2) by striking subsection (b), and
2 (3) by redesignating subsection (c) as sub-
3 section (b).

4 **SEC. 17. LIMITATION ON USE OF FUNDS.**

5 Part F of title II of the Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
7 as so redesignated by section 12, is amended adding at
8 the end the following:

9 **“SEC. 299F. LIMITATION ON USE OF FUNDS.**

10 “None of the funds made available to carry out this
11 title may be used to advocate for, or support, the unse-
12 cured release of juveniles who are charged with a violent
13 crime.”.

14 **SEC. 18. RULES OF CONSTRUCTION.**

15 Part F of title II of the Juvenile Justice and Delin-
16 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
17 as so redesignated by section 12 and amended by section
18 17, is amended adding at the end the following:

19 **“SEC. 299G. RULES OF CONSTRUCTION.**

20 “Nothing in this title or title I shall be construed—
21 “(1) to prevent financial assistance from being
22 awarded through grants under this title to any oth-
23 erwise eligible organization; or

1 “(2) to modify or affect any Federal or State
2 law relating to collective bargaining rights of em-
3 ployees.”.

4 **SEC. 19. LEASING SURPLUS FEDERAL PROPERTY.**

5 Part F of title II of the Juvenile Justice and Delin-
6 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
7 as so redesignated by section 12 and amended by sections
8 17 and 18, is amended adding at the end the following:

9 **“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

10 “The Administrator may receive surplus Federal
11 property (including facilities) and may lease such property
12 to States and units of general local government for use
13 in or as facilities for juvenile offenders, or for use in or
14 as facilities for delinquency prevention and treatment ac-
15 tivities.”.

16 **SEC. 20. ISSUANCE OF RULES.**

17 Part F of title II or the Juvenile Justice and Delin-
18 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
19 as so redesignated by section 12 and amended by sections
20 17, 18, and 19, is amended adding at the end the fol-
21 lowing:

22 **“SEC. 299I. ISSUANCE OF RULES.**

23 “The Administrator shall issue rules to carry out this
24 title, including rules that establish procedures and meth-

1 ods for making grants and contracts, and distributing
2 funds available, to carry out this title.”.

3 **SEC. 21. CONTENT OF MATERIALS.**

4 Part F of title II of the Juvenile Justice and Delin-
5 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
6 as so redesignated by section 12 and amended by sections
7 17, 18, 19, and 20, is amended by adding at the end the
8 following:

9 **“SEC. 299J. CONTENT OF MATERIALS.**

10 “Materials produced, procured, or distributed both
11 using funds appropriated to carry out this Act and for
12 the purpose of preventing hate crimes that result in acts
13 of physical violence, shall not recommend or require any
14 action that abridges or infringes upon the constitutionally
15 protected rights of free speech, religion, or equal protec-
16 tion of juveniles or of their parents or legal guardians.”.

17 **SEC. 22. TECHNICAL AND CONFORMING AMENDMENTS.**

18 (a) TECHNICAL AMENDMENTS.—The Juvenile Jus-
19 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
20 5601 et seq.) is amended—

21 (1) in section 202(b) by striking “prescribed for
22 GS–18 of the General Schedule by section 5332”
23 and inserting “payable under section 5376”,

24 (2) in section 221(b)(2) by striking the last
25 sentence,

1 (3) in section 299D by striking subsection (d),
2 and

3 (4) by striking titles IV and V, as originally en-
4 acted by Public Law 93–415 (88 Stat. 1132–1143).

5 (b) CONFORMING AMENDMENTS.—(1) Section 5315
6 of title 5 of the United States Code is amended by striking
7 “Office of Juvenile Justice and Delinquency Prevention”
8 and inserting “Office of Juvenile Crime Control and De-
9 linquency Prevention”.

10 (2) Section 4351(b) of title 18 of the United States
11 Code is amended by striking “Office of Juvenile Justice
12 and Delinquency Prevention” and inserting “Office of Ju-
13 venile Crime Control and Delinquency Prevention”.

14 (3) Subsections (a)(1) and (c) of section 3220 of title
15 39 of the United States Code is amended by striking “Of-
16 fice of Juvenile Justice and Delinquency Prevention” each
17 place it appears and inserting “Office of Juvenile Crime
18 Control and Delinquency Prevention”.

19 (4) Section 463(f) of the Social Security Act (42
20 U.S.C. 663(f)) is amended by striking “Office of Juvenile
21 Justice and Delinquency Prevention” and inserting “Of-
22 fice of Juvenile Crime Control and Delinquency Preven-
23 tion”.

24 (5) Sections 801(a), 804, 805, and 813 of title I of
25 the Omnibus Crime Control and Safe Streets Act of 1968

1 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amend-
2 ed by striking “Office of Juvenile Justice and Delinquency
3 Prevention” each place it appears and inserting “Office
4 of Juvenile Crime Control and Delinquency Prevention”.

5 (6) The Victims of Child Abuse Act of 1990 (42
6 U.S.C. 13001 et seq.) is amended—

7 (A) in section 214(b)(1) by striking “262, 293,
8 and 296 of subpart II of title II” and inserting
9 “299B and 299E”,

10 (B) in section 214A(c)(1) by striking “262,
11 293, and 296 of subpart II of title II” and inserting
12 “299B and 299E”,

13 (C) in section 217(c)(1) by striking “sections
14 262, 293, and 296 of subpart II of title II” and in-
15 serting “sections 299B and 299E”, and

16 (D) in sections 217 and 222 by striking “Office
17 of Juvenile Justice and Delinquency Prevention”
18 each place it appears and inserting “Office of Juve-
19 nile Crime Control and Delinquency Prevention”,
20 and

21 (E) in section 223(c) by striking “section 262,
22 293, and 296” and inserting “sections 262, 299B,
23 and 299E”.

24 (7) The Missing Children’s Assistance Act (42 U.S.C.
25 5771 et seq.) is amended—

1 (A) in section 403(2) by striking “Justice and
2 Delinquency Prevention” and inserting “Crime Con-
3 trol and Delinquency Prevention”, and

4 (B) in subsections (a)(5)(E) and (b)(1)(B) of
5 section 404 by striking “section 313” and inserting
6 “section 331”.

7 **SEC. 23. REFERENCES.**

8 In any Federal law (excluding this Act and the Acts
9 amended by this Act), Executive order, rule, regulation,
10 order, delegation of authority, grant, contract, suit, or
11 document—

12 (1) a reference to the Office of Juvenile Justice
13 and Delinquency Prevention shall be deemed to in-
14 clude a reference to the Office of Juvenile Crime
15 Control and Delinquency Prevention, and

16 (2) a reference to the National Institute for Ju-
17 venile Justice and Delinquency Prevention shall be
18 deemed to include a reference to Office of Juvenile
19 Crime Control and Delinquency Prevention.

20 **SEC. 24. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

21 (a) EFFECTIVE DATE.—Except as provided in sub-
22 section (b), this Act and the amendments made by this
23 Act shall take effect on the date of the enactment of this
24 Act.

1 (b) APPLICATION OF AMENDMENTS.—The amend-
2 ments made by this Act shall apply only with respect to
3 fiscal years beginning after September 30, 2001.

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