

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1501
OFFERED BY MR. CONYERS OF MICHIGAN**

Strike all after the enacting clause and insert the following:

1 **TITLE I—GRANTS TO ENSURE IN-**
2 **CREASED ACCOUNTABILITY**
3 **FOR JUVENILE OFFENDERS**

4 **SEC. 101. SHORT TITLE.**

5 This title may be cited as the “Consequences for Ju-
6 venile Offenders Act of 1999”.

7 **SEC. 102. GRANT PROGRAM.**

8 (a) IN GENERAL.—Part R of title I of the Omnibus
9 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
10 3796 et seq.) is amended to read as follows:

11 **“PART R—JUVENILE ACCOUNTABILITY BLOCK**
12 **GRANTS**

13 **“SEC. 1801. PROGRAM AUTHORIZED.**

14 “(a) IN GENERAL.—The Attorney General is author-
15 ized to provide grants to States, for use by States and
16 units of local government, and in certain cases directly to
17 specially qualified units.

18 “(b) AUTHORIZED ACTIVITIES.—Amounts paid to a
19 State or a unit of local government under this part shall

1 be used by the State or unit of local government for the
2 purpose of strengthening the juvenile justice system,
3 which includes—

4 “(1) developing, implementing, and administer-
5 ing graduated sanctions for juvenile offenders;

6 “(2) building, expanding, renovating, or operat-
7 ing temporary or permanent juvenile correction, de-
8 tention, or community corrections facilities;

9 “(3) hiring juvenile court judges, probation offi-
10 cers, and court-appointed defenders and special ad-
11 vocates, and funding pretrial services for juvenile of-
12 fenders, to promote the effective and expeditious ad-
13 ministration of the juvenile justice system;

14 “(4) hiring additional prosecutors, so that more
15 cases involving violent juvenile offenders can be
16 prosecuted and case backlogs reduced;

17 “(5) providing funding to enable prosecutors to
18 address drug, gang, and youth violence problems
19 more effectively and for technology, equipment, and
20 training to assist prosecutors in identifying and ex-
21 pediting the prosecution of violent juvenile offenders;

22 “(6) establishing and maintaining training pro-
23 grams for law enforcement and other court person-
24 nel with respect to preventing and controlling juve-
25 nile crime;

1 “(7) establishing juvenile gun courts for the
2 prosecution and adjudication of juvenile firearms of-
3 fenders;

4 “(8) establishing drug court programs for juve-
5 nile offenders that provide continuing judicial super-
6 vision over juvenile offenders with substance abuse
7 problems and the integrated administration of other
8 sanctions and services for such offenders;

9 “(9) establishing and maintaining a system of
10 juvenile records designed to promote public safety;

11 “(10) establishing and maintaining interagency
12 information-sharing programs that enable the juve-
13 nile and criminal justice system, schools, and social
14 services agencies to make more informed decisions
15 regarding the early identification, control, super-
16 vision, and treatment of juveniles who repeatedly
17 commit serious delinquent or criminal acts;

18 “(11) establishing and maintaining accountabil-
19 ity-based programs designed to reduce recidivism
20 among juveniles who are referred by law enforce-
21 ment personnel or agencies;

22 “(12) establishing and maintaining programs to
23 conduct risk and need assessments of juvenile of-
24 fenders that facilitate the effective early intervention
25 and the provision of comprehensive services, includ-

1 ing mental health screening and treatment and sub-
2 stance abuse testing and treatment to such offend-
3 ers; and

4 “(13) establishing and maintaining accountabil-
5 ity-based programs that are designed to enhance
6 school safety.

7 **“SEC. 1802. GRANT ELIGIBILITY.**

8 “(a) STATE ELIGIBILITY.—To be eligible to receive
9 a grant under this section, a State shall submit to the
10 Attorney General an application at such time, in such
11 form, and containing such assurances and information as
12 the Attorney General may require by rule, including assur-
13 ances that the State and any unit of local government to
14 which the State provides funding under section 1803(b),
15 has in effect (or shall have in effect, not later than 1 year
16 after the date that the State submits such application)
17 laws, or has implemented (or shall implement, not later
18 than 1 year after the date that the State submits such
19 application) policies and programs, that provide for a sys-
20 tem of graduated sanctions described in subsection (c).

21 “(b) LOCAL ELIGIBILITY.—

22 “(1) SUBGRANT ELIGIBILITY.—To be eligible to
23 receive a subgrant, a unit of local government, other
24 than a specially qualified unit, shall provide such as-
25 surances to the State as the State shall require,

1 that, to the maximum extent applicable, the unit of
2 local government has in effect (or shall have in ef-
3 fect, not later than 1 year after the date that the
4 unit submits such application) laws, or has imple-
5 mented (or shall implement, not later than 1 year
6 after the date that the unit submits such applica-
7 tion) policies and programs, that provide for a sys-
8 tem of graduated sanctions described in subsection
9 (c).

10 “(2) SPECIAL RULE.—The requirements of
11 paragraph (1) shall apply to a specially qualified
12 unit that receives funds from the Attorney General
13 under section 1803(e), except that information that
14 is otherwise required to be submitted to the State
15 shall be submitted to the Attorney General.

16 “(c) GRADUATED SANCTIONS.—A system of grad-
17 uated sanctions, which may be discretionary as provided
18 in subsection (d), shall ensure, at a minimum, that—

19 “(1) sanctions are imposed on juvenile offend-
20 ers for each delinquent offense;

21 “(2) sanctions escalate in intensity with each
22 subsequent, more serious delinquent offense;

23 “(3) there is sufficient flexibility to allow for in-
24 dividualized sanctions and services suited to the indi-
25 vidual juvenile offender; and

1 “(4) appropriate consideration is given to public
2 safety and victims of crime.

3 “(d) DISCRETIONARY USE OF SANCTIONS.—

4 “(1) VOLUNTARY PARTICIPATION.—A State or
5 unit of local government may be eligible to receive
6 a grant under this part if—

7 “(A) its system of graduated sanctions is
8 discretionary; and

9 “(B) it demonstrates that it has promoted
10 the use of a system of graduated sanctions by
11 taking steps to encourage implementation of
12 such a system by juvenile courts.

13 “(2) REPORTING REQUIREMENT IF GRADUATED
14 SANCTIONS NOT USED.—

15 “(A) JUVENILE COURTS.—A State or unit
16 of local government in which the imposition of
17 graduated sanctions is discretionary shall re-
18 quire each juvenile court within its
19 jurisdiction—

20 “(i) which has not implemented a sys-
21 tem of graduated sanctions, to submit an
22 annual report that explains why such court
23 did not implement graduated sanctions;
24 and

1 “(ii) which has implemented a system
2 of graduated sanctions but has not im-
3 posed graduated sanctions in 1 or more
4 specific cases, to submit an annual report
5 that explains why such court did not im-
6 pose graduated sanctions in each such
7 case.

8 “(B) UNITS OF LOCAL GOVERNMENT.—
9 Each unit of local government, other than a
10 specially qualified unit, that has 1 or more juve-
11 nile courts that use a discretionary system of
12 graduated sanctions shall collect the informa-
13 tion reported under subparagraph (A) for sub-
14 mission to the State each year.

15 “(C) STATES.—Each State and specially
16 qualified unit that has 1 or more juvenile courts
17 that use a discretionary system of graduated
18 sanctions shall collect the information reported
19 under subparagraph (A) for submission to the
20 Attorney General each year. A State shall also
21 collect and submit to the Attorney General the
22 information collected under subparagraph (B).

23 “(e) DEFINITIONS.—For purposes of this section:

24 “(1) The term ‘discretionary’ means that a sys-
25 tem of graduated sanctions is not required to be im-

1 posed by each and every juvenile court in a State or
2 unit of local government.

3 “(2) The term ‘sanctions’ means tangible, pro-
4 portional consequences that hold the juvenile of-
5 fender accountable for the offense committed. A
6 sanction may include counseling, restitution, commu-
7 nity service, a fine, supervised probation, or confine-
8 ment.

9 **“SEC. 1803. ALLOCATION AND DISTRIBUTION OF FUNDS.**

10 “(a) STATE ALLOCATION.—

11 “(1) IN GENERAL.—In accordance with regula-
12 tions promulgated pursuant to this part and except
13 as provided in paragraph (3), the Attorney General
14 shall allocate—

15 “(A) 0.25 percent for each State; and

16 “(B) of the total funds remaining after the
17 allocation under subparagraph (A), to each
18 State, an amount which bears the same ratio to
19 the amount of remaining funds described in this
20 subparagraph as the population of people under
21 the age of 18 living in such State for the most
22 recent calendar year in which such data is
23 available bears to the population of people
24 under the age of 18 of all the States for such
25 fiscal year.

1 “(2) PROHIBITION.—No funds allocated to a
2 State under this subsection or received by a State
3 for distribution under subsection (b) may be distrib-
4 uted by the Attorney General or by the State in-
5 volved for any program other than a program con-
6 tained in an approved application.

7 “(3) INCREASE FOR STATE RESERVE.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graph (B), if a State demonstrates and certifies
10 to the Attorney General that the State’s law en-
11 forcement expenditures in the fiscal year pre-
12 ceding the date in which an application is sub-
13 mitted under this part is more than 25 percent
14 of the aggregate amount of law enforcement ex-
15 penditures by the State and its eligible units of
16 local government, the percentage referred to in
17 paragraph (1)(A) shall equal the percentage de-
18 termined by dividing the State’s law enforce-
19 ment expenditures by such aggregate.

20 “(B) LAW ENFORCEMENT EXPENDITURES
21 OVER 50 PERCENT.—If the law enforcement ex-
22 penditures of a State exceed 50 percent of the
23 aggregate amount described in subparagraph
24 (A), the Attorney General shall consult with as
25 many units of local government in such State

1 as practicable regarding the State's proposed
2 uses of funds.

3 “(b) LOCAL DISTRIBUTION.—

4 “(1) IN GENERAL.—Except as provided in sub-
5 section (a)(3), each State which receives funds under
6 subsection (a)(1) in a fiscal year shall distribute not
7 less than 75 percent of such amounts received
8 among units of local government, for the purposes
9 specified in section 1801. In making such distribu-
10 tion the State shall allocate to such units of local
11 government an amount which bears the same ratio
12 to the aggregate amount of such funds as—

13 “(A) the sum of—

14 “(i) the product of—

15 “(I) three-quarters; multiplied by

16 “(II) the average law enforce-
17 ment expenditure for such unit of
18 local government for the 3 most re-
19 cent calendar years for which such
20 data is available; plus

21 “(ii) the product of—

22 “(I) one-quarter; multiplied by

23 “(II) the average annual number
24 of part 1 violent crimes in such unit
25 of local government for the 3 most re-

1 cent calendar years for which such
2 data is available, bears to—

3 “(B) the sum of the products determined
4 under subparagraph (A) for all such units of
5 local government in the State.

6 “(2) EXPENDITURES.—The allocation any unit
7 of local government shall receive under paragraph
8 (1) for a payment period shall not exceed 100 per-
9 cent of law enforcement expenditures of the unit for
10 such payment period.

11 “(3) REALLOCATION.—The amount of any unit
12 of local government’s allocation that is not available
13 to such unit by operation of paragraph (2) shall be
14 available to other units of local government that are
15 not affected by such operation in accordance with
16 this subsection.

17 “(c) UNAVAILABILITY OF DATA FOR UNITS OF
18 LOCAL GOVERNMENT.—If the State has reason to believe
19 that the reported rate of part 1 violent crimes or law en-
20 forcement expenditures for a unit of local government is
21 insufficient or inaccurate, the State shall—

22 “(1) investigate the methodology used by the
23 unit to determine the accuracy of the submitted
24 data; and

1 “(2) if necessary, use the best available com-
2 parable data regarding the number of violent crimes
3 or law enforcement expenditures for the relevant
4 years for the unit of local government.

5 “(d) LOCAL GOVERNMENT WITH ALLOCATIONS LESS
6 THAN \$5,000.—If under this section a unit of local gov-
7 ernment is allocated less than \$5,000 for a payment pe-
8 riod, the amount allotted shall be expended by the State
9 on services to units of local government whose allotment
10 is less than such amount in a manner consistent with this
11 part.

12 “(e) DIRECT GRANTS TO SPECIALLY QUALIFIED
13 UNITS.—

14 “(1) IN GENERAL.—If a State does not qualify
15 or apply for funds reserved for allocation under sub-
16 section (a) by the application deadline established by
17 the Attorney General, the Attorney General shall re-
18 serve not more than 75 percent of the allocation that
19 the State would have received under subsection (a)
20 for such fiscal year to provide grants to specially
21 qualified units which meet the requirements for
22 funding under section 1802.

23 “(2) AWARD BASIS.—In addition to the quali-
24 fication requirements for direct grants for specially
25 qualified units the Attorney General may use the av-

1 erage amount allocated by the States to units of
2 local government as a basis for awarding grants
3 under this section.

4 **“SEC. 1804. REGULATIONS.**

5 “(a) IN GENERAL.—The Attorney General shall issue
6 regulations establishing procedures under which a State
7 or unit of local government that receives funds under sec-
8 tion 1803 is required to provide notice to the Attorney
9 General regarding the proposed use of funds made avail-
10 able under this part.

11 “(b) ADVISORY BOARD.—The regulations referred to
12 in subsection (a) shall include a requirement that such eli-
13 gible State or unit of local government establish and con-
14 vene an advisory board to review the proposed uses of such
15 funds. The board shall include representation from, if
16 appropriate—

17 “(1) the State or local police department;

18 “(2) the local sheriff’s department;

19 “(3) the State or local prosecutor’s office;

20 “(4) the State or local juvenile court;

21 “(5) the State or local probation officer;

22 “(6) the State or local educational agency;

23 “(7) a State or local social service agency; and

24 “(8) a nonprofit, religious, or community group.

1 **“SEC. 1805. PAYMENT REQUIREMENTS.**

2 “(a) TIMING OF PAYMENTS.—The Attorney General
3 shall pay to each State or unit of local government that
4 receives funds under section 1803 that has submitted an
5 application under this part not later than—

6 “(1) 90 days after the date that the amount is
7 available, or

8 “(2) the first day of the payment period if the
9 State has provided the Attorney General with the as-
10 surances required by subsection (c),
11 whichever is later.

12 “(b) REPAYMENT OF UNEXPENDED AMOUNTS.—

13 “(1) REPAYMENT REQUIRED.—From amounts
14 awarded under this part, a State or specially quali-
15 fied unit shall repay to the Attorney General, or a
16 unit of local government shall repay to the State by
17 not later than 27 months after receipt of funds from
18 the Attorney General, any amount that is not ex-
19 pended by the State within 2 years after receipt of
20 such funds from the Attorney General.

21 “(2) PENALTY FOR FAILURE TO REPAY.—If the
22 amount required to be repaid is not repaid, the At-
23 torney General shall reduce payment in future pay-
24 ment periods accordingly.

25 “(3) DEPOSIT OF AMOUNTS REPAID.—Amounts
26 received by the Attorney General as repayments

1 under this subsection shall be deposited in a des-
2 ignated fund for future payments to States and spe-
3 cially qualified units.

4 “(c) ADMINISTRATIVE COSTS.—A State or unit of
5 local government that receives funds under this part may
6 use not more than 5 percent of such funds to pay for ad-
7 ministrative costs.

8 “(d) NONSUPPLANTING REQUIREMENT.—Funds
9 made available under this part to States and units of local
10 government shall not be used to supplant State or local
11 funds as the case may be, but shall be used to increase
12 the amount of funds that would, in the absence of funds
13 made available under this part, be made available from
14 State or local sources, as the case may be.

15 “(e) MATCHING FUNDS.—The Federal share of a
16 grant received under this part may not exceed 90 percent
17 of the costs of a program or proposal funded under this
18 part.

19 **“SEC. 1806. UTILIZATION OF PRIVATE SECTOR.**

20 “Funds or a portion of funds allocated under this
21 part may be used to contract with private, nonprofit enti-
22 ties, or community-based organizations to carry out the
23 purposes specified under section 1801(a)(2).

1 **“SEC. 1807. ADMINISTRATIVE PROVISIONS.**

2 “(a) IN GENERAL.—A State or specially qualified
3 unit that receives funds under this part shall—

4 “(1) establish a trust fund in which the govern-
5 ment will deposit all payments received under this
6 part;

7 “(2) use amounts in the trust fund (including
8 interest) during a period not to exceed 2 years from
9 the date the first grant payment is made to the
10 State or specially qualified unit;

11 “(3) designate an official of the State or spe-
12 cially qualified unit to submit reports as the Attor-
13 ney General reasonably requires, in addition to the
14 annual reports required under this part; and

15 “(4) spend the funds only for the purposes
16 under section 1801(b).

17 “(b) TITLE I PROVISIONS.—Except as otherwise pro-
18 vided, the administrative provisions of part H shall apply
19 to this part and for purposes of this section any reference
20 in such provisions to title I shall be deemed to include
21 a reference to this part.

22 **“SEC. 1808. DEFINITIONS.**

23 “For purposes of this part:

24 “(1) The term ‘unit of local government’
25 means—

1 “(A) a county, township, city, or political
2 subdivision of a county, township, or city, that
3 is a unit of local government as determined by
4 the Secretary of Commerce for general statis-
5 tical purposes; and

6 “(B) the District of Columbia and the rec-
7 ognized governing body of an Indian tribe or
8 Alaskan Native village that carries out substan-
9 tial governmental duties and powers.

10 “(2) The term ‘specially qualified unit’ means a
11 unit of local government which may receive funds
12 under this part only in accordance with section
13 1803(e).

14 “(3) The term ‘State’ means any State of the
15 United States, the District of Columbia, the Com-
16 monwealth of Puerto Rico, the Virgin Islands, Amer-
17 ican Samoa, Guam, and the Northern Mariana Is-
18 lands, except that American Samoa, Guam, and the
19 Northern Mariana Islands shall be considered as 1
20 State and that, for purposes of section 1803(a), 33
21 percent of the amounts allocated shall be allocated
22 to American Samoa, 50 percent to Guam, and 17
23 percent to the Northern Mariana Islands.

24 “(4) The term ‘juvenile’ means an individual
25 who is 17 years of age or younger.

1 “(5) The term ‘law enforcement expenditures’
2 means the expenditures associated with prosecu-
3 torial, legal, and judicial services, and corrections as
4 reported to the Bureau of the Census for the fiscal
5 year preceding the fiscal year for which a determina-
6 tion is made under this part.

7 “(6) The term ‘part 1 violent crimes’ means
8 murder and nonnegligent manslaughter, forcible
9 rape, robbery, and aggravated assault as reported to
10 the Federal Bureau of Investigation for purposes of
11 the Uniform Crime Reports.

12 **“SEC. 1809. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out this part—

15 “(1) \$500,000,000 for fiscal year 2000;

16 “(2) \$500,000,000 for fiscal year 2001; and

17 “(3) \$500,000,000 for fiscal year 2002.

18 “(b) OVERSIGHT ACCOUNTABILITY AND ADMINIS-
19 TRATION.—Not more than 3 percent of the amount au-
20 thorized to be appropriated under subsection (a), with
21 such amounts to remain available until expended, for each
22 of the fiscal years 2000 through 2002 shall be available
23 to the Attorney General for evaluation and research re-
24 garding the overall effectiveness and efficiency of the pro-
25 visions of this part, assuring compliance with the provi-

1 sions of this part, and for administrative costs to carry
2 out the purposes of this part. The Attorney General shall
3 establish and execute an oversight plan for monitoring the
4 activities of grant recipients.

5 “(c) FUNDING SOURCE.—Appropriations for activi-
6 ties authorized in this part may be made from the Violent
7 Crime Reduction Trust Fund.”.

8 (b) CLERICAL AMENDMENTS.—The table of contents
9 of title I of the Omnibus Crime Control and Safe Streets
10 Act of 1968 is amended by striking the item relating to
11 part R and inserting the following:

“PART R—JUVENILE ACCOUNTABILITY BLOCK GRANTS

“Sec. 1801. Program authorized.

“Sec. 1802. Grant eligibility.

“Sec. 1803. Allocation and distribution of funds.

“Sec. 1804. Regulations.

“Sec. 1805. Payment requirements.

“Sec. 1806. Utilization of private sector.

“Sec. 1807. Administrative provisions.

“Sec. 1808. Definitions.

“Sec. 1809. Authorization of appropriations.”.

12 **TITLE II—JUVENILE CRIME CON-**
13 **TROL AND DELINQUENCY**
14 **PREVENTION**

15 **SEC. 200. SHORT TITLE; TABLE OF CONTENTS.**

16 (a) SHORT TITLE.—This title may be cited as the
17 “Juvenile Crime Control and Delinquency Prevention Act
18 of 1999”.

19 (b) TABLE OF CONTENTS.—The table of contents of
20 this title is as follows:

20

TITLE II—JUVENILE CRIME CONTROL AND DELINQUENCY
PREVENTION

Sec. 200. Short title; table of contents.

Subtitle A—Amendments to Juvenile Justice and Delinquency Prevention Act
of 1974

- Sec. 201. Findings.
- Sec. 202. Purpose.
- Sec. 203. Definitions.
- Sec. 204. Name of office.
- Sec. 205. Concentration of Federal effort.
- Sec. 206. Coordinating council on juvenile justice and delinquency prevention.
- Sec. 207. Annual report.
- Sec. 208. Allocation.
- Sec. 209. State plans.
- Sec. 210. Juvenile delinquency prevention block grant program.
- Sec. 211. Research; evaluation; technical assistance; training.
- Sec. 212. Demonstration projects.
- Sec. 213. Authorization of appropriations.
- Sec. 214. Administrative authority.
- Sec. 215. Use of funds.
- Sec. 216. Limitation on use of funds.
- Sec. 217. Rules of construction.
- Sec. 218. Leasing surplus Federal property.
- Sec. 219. Issuance of rules.
- Sec. 220. Technical and conforming amendments.
- Sec. 221. References.

Subtitle B—Amendments to the Runaway and Homeless Youth Act

- Sec. 231. Findings.
- Sec. 232. Authority to make grants for centers and services.
- Sec. 233. Eligibility.
- Sec. 234. Approval of applications.
- Sec. 235. Authority for transitional living grant program.
- Sec. 236. Eligibility.
- Sec. 237. Authority to make grants for research, evaluation, demonstration,
and service projects.
- Sec. 238. Temporary demonstration projects to provide services to youth in
rural areas.
- Sec. 239. Sexual abuse prevention program.
- Sec. 240. Assistance to potential grantees.
- Sec. 241. Reports.
- Sec. 242. Evaluation.
- Sec. 243. Authorization of appropriations.
- Sec. 244. Consolidated review of applications.
- Sec. 245. Definitions.
- Sec. 246. Redesignation of sections.
- Sec. 247. Technical amendment.

Subtitle C—Repeal of Title V Relating to Incentive Grants for Local
Delinquency Prevention Programs

- Sec. 261. Repealer.

Subtitle D—General provisions

Sec. 271. Effective date; application of amendments.

Subtitle E—Miscellaneous Amendments

Sec. 281. National resource center and clearinghouse for missing children.

1 **Subtitle A—Amendments to Juve-**
2 **nile Justice and Delinquency**
3 **Prevention Act of 1974**

4 **SEC. 201. FINDINGS.**

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

8 “FINDINGS

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

10 “(1) There has been a dramatic increase in ju-
11 venile delinquency, particularly violent crime com-
12 mitted by juveniles. Weapons offenses and homicides
13 are 2 of the fastest growing crimes committed by ju-
14 veniles. More than 1/2 of juvenile victims are killed
15 with a firearm. Approximately 1/5 of the individuals
16 arrested for committing violent crime are less than
17 18 years of age. The increase in both the number of
18 youth below the age of 15 and females arrested for
19 violent crime is cause for concern.

20 “(2) This problem should be addressed through
21 a 2-track common sense approach that addresses the

1 needs of individual juveniles and society at large by
2 promoting—

3 “(A) quality prevention programs that—

4 “(i) work with juveniles, their fami-
5 lies, local public agencies, and community-
6 based organizations, and take into consid-
7 eration such factors as whether or not
8 juveniles have been the victims of family
9 violence (including child abuse and ne-
10 glect); and

11 “(ii) are designed to reduce risks and
12 develop competencies in at-risk juveniles
13 that will prevent, and reduce the rate of,
14 violent delinquent behavior; and

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

24 “(b) Congress must act now to reform this program
25 by focusing on juvenile delinquency prevention programs,

1 as well as programs that hold juveniles accountable for
2 their acts. Without true reform, the criminal justice sys-
3 tem will not be able to overcome the challenges it will face
4 in the coming years when the number of juveniles is ex-
5 pected to increase by 30 percent.”.

6 **SEC. 202. PURPOSE.**

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

10 “PURPOSES

11 “SEC. 102. The purposes of this title and title II
12 are—

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

15 “(2) to assist State and local governments in
16 promoting public safety by encouraging accountabil-
17 ity for acts of juvenile delinquency; and

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

23 **SEC. 203. DEFINITIONS.**

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

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

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

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

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

14 (5) in paragraph (12)(B) by striking “, of any
15 nonoffender,”,

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

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

20 (8) in paragraph (16)—

21 (A) in subparagraph (A) by adding “and”
22 at the end, and

23 (B) by striking subparagraph (C),

24 (9) by striking paragraph (17),

25 (10) in paragraph (22)—

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

4 (B) by striking “and” at the end,
5 (11) in paragraph (23) by striking the period at
6 the end and inserting a semicolon,

7 (12) by redesignating paragraphs (18), (19),
8 (20), (21), (22), and (23) as paragraphs (17)
9 through (22), respectively, and

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

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

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

17 “(B) regular, remedial, special, and voca-
18 tional education; and

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

22 “(24) the term ‘graduated sanctions’ means an
23 accountability-based, graduated series of sanctions
24 (including incentives and services) applicable to juve-
25 niles within the juvenile justice system to hold such

1 juveniles accountable for their actions and to protect
2 communities from the effects of juvenile delinquency
3 by providing appropriate sanctions for every act for
4 which a juvenile is adjudicated delinquent, by induc-
5 ing their law-abiding behavior, and by preventing
6 their subsequent involvement with the juvenile jus-
7 tice system;

8 “(25) the term ‘violent crime’ means—

9 “(A) murder or nonnegligent man-
10 slaughter, forcible rape, or robbery, or

11 “(B) aggravated assault committed with
12 the use of a firearm;

13 “(26) the term ‘co-located facilities’ means fa-
14 cilities that are located in the same building, or are
15 part of a related complex of buildings located on the
16 same grounds; and

17 “(27) the term ‘related complex of buildings’
18 means 2 or more buildings that share—

19 “(A) physical features, such as walls and
20 fences, or services beyond mechanical services
21 (heating, air conditioning, water and sewer); or

22 “(B) the specialized services that are al-
23 lowable under section 31.303(e)(3)(i)(C)(3) of
24 title 28 of the Code of Federal Regulations, as
25 in effect on December 10, 1996.”.

1 **SEC. 204. NAME OF OFFICE.**

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

5 (1) by amending the heading of part A to read
6 as follows:

7 “PART A—OFFICE OF JUVENILE CRIME CONTROL AND
8 DELINQUENCY PREVENTION”,

9 (2) in section 201(a) by striking “Justice and
10 Delinquency Prevention” and inserting “Crime Con-
11 trol and Delinquency Prevention”, and

12 (3) in subsections section 299A(c)(2) by strik-
13 ing “Justice and Delinquency Prevention” and in-
14 serting “Crime Control and Delinquency Preven-
15 tion”.

16 **SEC. 205. CONCENTRATION OF FEDERAL EFFORT.**

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

19 (1) in subsection (a)(1) by striking the last sen-
20 tence,

21 (2) in subsection (b)—

22 (A) in paragraph (3) by striking “and of
23 the prospective” and all that follows through
24 “administered”,

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

1 (C) by redesignating paragraphs (6) and
2 (7) as paragraphs (5) and (6), respectively,
3 (3) in subsection (c) by striking “and reports”
4 and all that follows through “this part”, and insert-
5 ing “as may be appropriate to prevent the duplica-
6 tion of efforts, and to coordinate activities, related to
7 the prevention of juvenile delinquency”,
8 (4) by striking subsection (i), and
9 (5) by redesignating subsection (h) as sub-
10 section (f).

11 **SEC. 206. COORDINATING COUNCIL ON JUVENILE JUSTICE**
12 **AND DELINQUENCY PREVENTION.**

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

15 **SEC. 207. ANNUAL REPORT.**

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

18 (1) in paragraph (2)—

19 (A) by inserting “and” after “priorities,”,
20 and

21 (B) by striking “, and recommendations of
22 the Council”,

23 (2) by striking paragraphs (4) and (5), and in-
24 serting the following:

1 “(4) An evaluation of the programs funded
2 under this title and their effectiveness in reducing
3 the incidence of juvenile delinquency, particularly
4 violent crime, committed by juveniles.”, and
5 (3) by redesignating such section as section
6 206.

7 **SEC. 208. ALLOCATION.**

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

10 (1) in subsection (a)—

11 (A) in paragraph (2)—

12 (i) in subparagraph (A)—

13 (I) by striking “amount, up to
14 \$400,000,” and inserting “amount up
15 to \$400,000”,

16 (II) by inserting a comma after
17 “1992” the 1st place it appears,

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

20 (IV) by striking “amount, up to
21 \$100,000,” and inserting “amount up
22 to \$100,000”,

23 (ii) in subparagraph (B)—

24 (I) by striking “(other than part
25 D)”,

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

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

7 (IV) by striking “amount, up to
8 \$100,000,” and inserting “amount up
9 to \$100,000”, and

10 (V) by inserting a comma after
11 “1992”,

12 (B) in paragraph (3) by striking “allot”
13 and inserting “allocate”, and

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

16 **SEC. 209. STATE PLANS.**

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

19 (1) in subsection (a)—

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

23 (B) in paragraph (3)—

24 (i) by striking “, which—” and insert-
25 ing “that—”,

1 (ii) in subparagraph (A)—

2 (I) by striking “not less” and all
3 that follows through “33”, and insert-
4 ing “the attorney general of the State
5 or such other State official who has
6 primary responsibility for overseeing
7 the enforcement of State criminal
8 laws, and”,

9 (II) by inserting “, in consulta-
10 tion with the attorney general of the
11 State or such other State official who
12 has primary responsibility for over-
13 seeing the enforcement of State crimi-
14 nal laws” after “State”,

15 (III) in clause (i) by striking “or
16 the administration of juvenile justice”
17 and inserting “, the administration of
18 juvenile justice, or the reduction of ju-
19 venile delinquency”,

20 (IV) in clause (ii) by striking “in-
21 clude—” and all that follows through
22 the semicolon at the end of subclause
23 (VIII), and inserting the following:

1 “represent a multidisciplinary approach to
2 addressing juvenile delinquency and may
3 include—

4 “(I) individuals who represent
5 units of general local government, law
6 enforcement and juvenile justice agen-
7 cies, public agencies concerned with
8 the prevention and treatment of juve-
9 nile delinquency and with the adju-
10 dication of juveniles, representatives
11 of juveniles, or nonprofit private orga-
12 nizations, particularly such organiza-
13 tions that serve juveniles; and

14 “(II) such other individuals as
15 the chief executive officer considers to
16 be appropriate; and”, and

17 (V) by striking clauses (iv) and
18 (v),

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

21 (iv) in subparagraph (D)—

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

24 (II) in clause (ii) by striking
25 “paragraphs” and all that follows

1 through “part E”, and inserting
2 “paragraphs (11), (12), and (13)”,
3 and

4 (III) by striking clause (iii), and
5 (v) in subparagraph (E) by striking
6 “title—” and all that follows through
7 “(ii)” and inserting “title,”,
8 (C) in paragraph (5)—

9 (i) in the matter preceding subpara-
10 graph (A) by striking “, other than” and
11 inserting “reduced by the percentage (if
12 any) specified by the State under the au-
13 thority of paragraph (25) and excluding”
14 after “section 222”, and

15 “(ii) in subparagraph (C) by striking
16 “paragraphs (12)(A), (13), and (14)” and
17 inserting “paragraphs (11), (12), and
18 (13)”,

19 (D) by striking paragraph (6),

20 (E) in paragraph (7) by inserting “, in-
21 cluding in rural areas” before the semicolon at
22 the end,

23 (F) in paragraph (8)—

24 (i) in subparagraph (A)—

1 (I) by striking “for (i)” and all
2 that follows through “relevant juris-
3 diction”, and inserting “for an analy-
4 sis of juvenile delinquency problems
5 in, and the juvenile delinquency con-
6 trol and delinquency prevention needs
7 (including educational needs) of, the
8 State”,

9 (II) by striking “justice” the sec-
10 ond place it appears and inserting
11 “crime control”, and

12 (III) by striking “of the jurisdic-
13 tion; (ii)” and all that follows through
14 the semicolon at the end, and insert-
15 ing “of the State; and”,

16 (ii) by amending subparagraph (B) to
17 read as follows:

18 “(B) contain—

19 “(i) a plan for providing needed gen-
20 der-specific services for the prevention and
21 treatment of juvenile delinquency;

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

1 “(iii) a plan for providing needed
2 mental health services to juveniles in the
3 juvenile justice system;”, and

4 (iii) by striking subparagraphs (C)
5 and (D),

6 (G) by amending paragraph (9) to read as
7 follows:

8 “(9) provide for the coordination and maximum
9 utilization of existing juvenile delinquency programs,
10 programs operated by public and private agencies
11 and organizations, and other related programs (such
12 as education, special education, recreation, health,
13 and welfare programs) in the State;”,

14 (H) in paragraph (10)—

15 (i) in subparagraph (A)—

16 (I) by striking “, specifically”
17 and inserting “including”,

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

19 (III) redesignating clauses (ii)
20 and (iii) as clauses (i) and (ii), respec-
21 tively,

22 (ii) in subparagraph (C) by striking
23 “juvenile justice” and inserting “juvenile
24 crime control”,

1 (iii) by amending subparagraph (D) to
2 read as follows:

3 “(D) programs that provide treatment to
4 juvenile offenders who are victims of child
5 abuse or neglect, and to their families, in order
6 to reduce the likelihood that such juvenile of-
7 fenders will commit subsequent violations of
8 law;”,

9 (iv) in subparagraph (E)—

10 (I) by redesignating clause (ii) as
11 clause (iii), and

12 (II) by striking “juveniles, pro-
13 vided” and all that follows through
14 “provides; and”, and inserting the fol-
15 lowing:

16 “juveniles—

17 “(i) to encourage juveniles to remain
18 in elementary and secondary schools or in
19 alternative learning situations;

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

23 (v) by amending subparagraph (F) to
24 read as follows:

1 “(F) expanding the use of probation
2 officers—

3 “(i) particularly for the purpose of permit-
4 ting nonviolent juvenile offenders (including
5 status offenders) to remain at home with their
6 families as an alternative to incarceration or in-
7 stitutionalization; and

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

10 (vi) by amending subparagraph (G) to
11 read as follows:

12 “(G) one-on-one mentoring programs that
13 are designed to link at-risk juveniles and juve-
14 nile offenders, particularly juveniles residing in
15 high-crime areas and juveniles experiencing
16 educational failure, with responsible adults
17 (such as law enforcement officers, adults work-
18 ing with local businesses, and adults working
19 with community-based organizations and agen-
20 cies) who are properly screened and trained;”,

21 (vii) in subparagraph (H) by striking
22 “handicapped youth” and inserting “juve-
23 niles with disabilities”,

24 (viii) by amending subparagraph (K)
25 to read as follows:

1 “(K) boot camps for juvenile offenders;”,
2 (ix) by amending subparagraph (L) to
3 read as follows:

4 “(L) community-based programs and serv-
5 ices to work with juveniles, their parents, and
6 other family members during and after incar-
7 ceration in order to strengthen families so that
8 such juveniles may be retained in their homes;”,

9 (x) by amending subparagraph (M) to
10 read as follows:

11 “(M) other activities (such as court-ap-
12 pointed advocates) that the State determines
13 will hold juveniles accountable for their acts
14 and decrease juvenile involvement in delinquent
15 activities;”,

16 (xi) by amending subparagraph (N) to
17 read as follows:

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

23 (xii) in subparagraph (O)—

24 (I) in striking “cultural” and in-
25 serting “other”, and

1 (II) by striking the period at the
2 end and inserting a semicolon, and
3 (xiii) by adding at the end the follow-
4 ing:

5 “(P) programs that utilize multidisci-
6 plinary interagency case management and infor-
7 mation sharing, that enable the juvenile justice
8 and law enforcement agencies, schools, and so-
9 cial service agencies to make more informed de-
10 cisions regarding early identification, control,
11 supervision, and treatment of juveniles who re-
12 peatedly commit violent or serious delinquent
13 acts; and

14 “(Q) programs designed to prevent and re-
15 duce hate crimes committed by juveniles.”,

16 (I) by amending paragraph (12) to read as
17 follows:

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

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

24 “(i) juveniles who are charged with or
25 who have committed a violation of section

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

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

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

9 shall not be placed in secure detention facilities
10 or secure correctional facilities; and

11 “(B) juveniles—

12 “(i) who are not charged with any of-
13 fense; and

14 “(ii) who are—

15 “(I) aliens; or

16 “(II) alleged to be dependent, ne-
17 glected, or abused;

18 shall not be placed in secure detention facilities
19 or secure correctional facilities;”,

20 (J) by amending paragraph (13) to read as
21 follows:

22 “(13) provide that—

23 “(A) juveniles alleged to be or found to be
24 delinquent, and juveniles within the purview of
25 paragraph (11), will not be detained or confined

1 in any institution in which they have contact
2 with adults incarcerated because such adults
3 have been convicted of a crime or are awaiting
4 trial on criminal charges; and

5 “(B) there is in effect in the State a policy
6 that requires individuals who work with both
7 such juveniles and such adults in co-located fa-
8 cilities have been trained and certified to work
9 with juveniles;”,

10 (K) by amending paragraph (14) to read
11 as follows:

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

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

17 “(i) for processing or release;

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

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

22 “(B) juveniles who are accused of nonsta-
23 tus offenses, who are awaiting an initial court
24 appearance that will occur within 24 hours
25 after being taken into custody (excluding Satur-

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

3 “(i) in which—

4 “(I) such juveniles do not have
5 contact with adults incarcerated be-
6 cause such adults have been convicted
7 of a crime or are awaiting trial on
8 criminal charges; and

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

15 “(ii) that—

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

20 “(II) has no existing acceptable
21 alternative placement available;

22 “(III) is located where conditions
23 of distance to be traveled or the lack
24 of highway, road, or transportation do
25 not allow for court appearances within

1 24 hours (excluding Saturdays, Sun-
2 days, and legal holidays) so that a
3 brief (not to exceed an additional 24
4 hours) delay is excusable; or

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

14 (L) in paragraph (15)—

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

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

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

1 (N) by amending paragraph (19) to read
2 as follows:

3 “(19) provide assurances that—

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

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

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

19 (O) by amending paragraph (23) to read
20 as follows:

21 “(23) address juvenile delinquency prevention
22 efforts and system improvement efforts designed to
23 reduce, without establishing or requiring numerical
24 standards or quotas, the disproportionate number of

1 juvenile members of minority groups, who come into
2 contact with the juvenile justice system;”,

3 (P) by amending paragraph (24) to read
4 as follows:

5 “(24) provide that if a juvenile is taken into
6 custody for violating a valid court order issued for
7 committing a status offense—

8 “(A) an appropriate public agency shall be
9 promptly notified that such juvenile is held in
10 custody for violating such order;

11 “(B) not later than 24 hours during which
12 such juvenile is so held, an authorized rep-
13 resentative of such agency shall interview, in
14 person, such juvenile; and

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

17 “(i) such representative shall submit
18 an assessment to the court that issued
19 such order, regarding the immediate needs
20 of such juvenile; and

21 “(ii) such court shall conduct a hear-
22 ing to determine—

23 “(I) whether there is reasonable
24 cause to believe that such juvenile vio-
25 lated such order; and

1 “(II) the appropriate placement
2 of such juvenile pending disposition of
3 the violation alleged;”,

4 (Q) in paragraph (25) by striking the pe-
5 riod at the end and inserting “; and”,

6 (R) by redesignating paragraphs (7)
7 through (25) as paragraphs (6) through (24),
8 respectively, and

9 (S) by adding at the end the following:

10 “(25) provide that the State, to the maximum
11 extent practicable, will implement a system to ensure
12 that if a juvenile is before a court in the juvenile jus-
13 tice system, public child welfare records (including
14 child protective services records) relating to such ju-
15 venile that are on file in the geographical area under
16 the jurisdiction of such court will be made known to
17 such court.”, and

18 (2) by amending subsection (c) to read as fol-
19 lows:

20 “(c) If a State fails to comply with any of the applica-
21 ble requirements of paragraphs (11), (12), (13), and (23)
22 of subsection (a) in any fiscal year beginning after Sep-
23 tember 30, 1999, then the amount allocated to such State
24 for the subsequent fiscal year shall be reduced by not to
25 exceed 12.5 percent for each such paragraph with respect

1 to which the failure occurs, unless the Administrator de-
2 termines that the State—

3 “(1) has achieved substantial compliance with
4 such applicable requirements with respect to which
5 the State was not in compliance; and

6 “(2) has made, through appropriate executive
7 or legislative action, an unequivocal commitment to
8 achieving full compliance with such applicable re-
9 quirements within a reasonable time.”, and

10 (3) in subsection (d)—

11 (A) by striking “allotment” and inserting
12 “allocation”, and

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

17 **SEC. 210. JUVENILE DELINQUENCY PREVENTION BLOCK**
18 **GRANT PROGRAM.**

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

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

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

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

25 and

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

2 **“PART C—JUVENILE DELINQUENCY PREVENTION**

3 **BLOCK GRANT PROGRAM**

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

5 “The Administrator may make grants to eligible
6 States, from funds allocated under section 242, for the
7 purpose of providing financial assistance to eligible entities
8 to carry out projects designed to prevent juvenile delin-
9 quency, including—

10 “(1) projects that provide treatment (including
11 treatment for mental health problems) to juvenile of-
12 fenders (and juveniles who are at-risk of becoming
13 juvenile offenders) who are victims of child abuse or
14 neglect or who have experienced violence in their
15 homes, at school, or in the community, and to their
16 families, in order to reduce the likelihood that such
17 juvenile offenders will commit violations of law;

18 “(2) educational projects or supportive services
19 for delinquent or other juveniles—

20 “(A) to encourage juveniles to remain in
21 elementary and secondary schools or in alter-
22 native learning situations in educational set-
23 tings;

1 “(B) to provide services to assist juveniles
2 in making the transition to the world of work
3 and self-sufficiency;

4 “(C) to assist in identifying learning dif-
5 ficulties (including learning disabilities);

6 “(D) to prevent unwarranted and arbitrary
7 suspensions and expulsions;

8 “(E) to encourage new approaches and
9 techniques with respect to the prevention of
10 school violence and vandalism;

11 “(F) which assist law enforcement person-
12 nel and juvenile justice personnel to more effec-
13 tively recognize and provide for learning-dis-
14 abled and other handicapped juveniles; or

15 “(G) which develop locally coordinated
16 policies and programs among education, juve-
17 nile justice, and social service agencies;

18 “(3) projects which expand the use of probation
19 officers—

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

1 “(B) to ensure that juveniles follow the
2 terms of their probation;

3 “(4) one-on-one mentoring projects that are de-
4 signed to link at-risk juveniles and juvenile offenders
5 who did not commit serious crime, particularly juve-
6 niles residing in high-crime areas and juveniles expe-
7 riencing educational failure, with responsible adults
8 (such as law enforcement officers, adults working
9 with local businesses, and adults working for com-
10 munity-based organizations and agencies) who are
11 properly screened and trained;

12 “(5) community-based projects and services (in-
13 cluding literacy and social service programs) which
14 work with juvenile offenders, including those from
15 families with limited English-speaking proficiency,
16 their parents, their siblings, and other family mem-
17 bers during and after incarceration of the juvenile
18 offenders, in order to strengthen families, to allow
19 juvenile offenders to be retained in their homes, and
20 to prevent the involvement of other juvenile family
21 members in delinquent activities;

22 “(6) projects designed to provide for the treat-
23 ment of juveniles for dependence on or abuse of al-
24 cohol, drugs, or other harmful substances;

1 “(7) projects which leverage funds to provide
2 scholarships for postsecondary education and train-
3 ing for low-income juveniles who reside in neighbor-
4 hoods with high rates of poverty, violence, and drug-
5 related crimes;

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

16 “(9) comprehensive juvenile justice and delin-
17 quency prevention projects that meet the needs of
18 juveniles through the collaboration of the many local
19 service systems juveniles encounter, including
20 schools, courts, law enforcement agencies, child pro-
21 tection agencies, mental health agencies, welfare
22 services, health care agencies, and private nonprofit
23 agencies offering services to juveniles;

24 “(10) to develop, implement, and support, in
25 conjunction with public and private agencies, organi-

1 zations, and businesses, projects for the employment
2 of juveniles and referral to job training programs
3 (including referral to Federal job training pro-
4 grams);

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

13 “(12) family strengthening activities, such as
14 mutual support groups for parents and their chil-
15 dren;

16 “(13) programs that encourage social com-
17 petencies, problem-solving skills, and communication
18 skills, youth leadership, and civic involvement;

19 “(14) programs that focus on the needs of
20 young girls at-risk of delinquency or status offenses;
21 and

22 “(15) other activities that are likely to prevent
23 juvenile delinquency.

1 **“SEC. 242. ALLOCATION.**

2 “Funds appropriated to carry out this part shall be
3 allocated among eligible States as follows:

4 “(1) Fifty percent of such amount shall be allo-
5 cated proportionately based on the population that is
6 less than 18 years of age in the eligible States.

7 “(2) Fifty percent of such amount shall be allo-
8 cated proportionately based on the annual average
9 number of arrests for serious crimes committed in
10 the eligible States by juveniles during the then most
11 recently completed period of 3 consecutive calendar
12 years for which sufficient information is available to
13 the Administrator.

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

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

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

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

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

23 “(ii) to evaluate, and provide technical
24 assistance relating to, projects and activi-
25 ties carried out with funds provided under
26 this part; and

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

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

7 “(3) An assurance that such application was
8 prepared after consultation with and participation by
9 community-based organizations, and organizations in
10 the local juvenile justice system, that carry out pro-
11 grams, projects, or activities to prevent juvenile de-
12 linquency.

13 “(4) An assurance that each eligible entity de-
14 scribed in section 244(a) that receives an initial
15 grant under section 244 to carry out a project or ac-
16 tivity shall also receive an assurance from the State
17 that such entity will receive from the State, for the
18 subsequent fiscal year to carry out such project or
19 activity, a grant under such section in an amount
20 that is proportional, based on such initial grant and
21 on the amount of the grant received under section
22 241 by the State for such subsequent fiscal year, but
23 that does not exceed the amount specified for such
24 subsequent fiscal year in such application as ap-
25 proved by the State.

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

3 “(b) APPROVAL OF APPLICATIONS.—

4 “(1) APPROVAL REQUIRED.—Subject to para-
5 graph (2), the Administrator shall approve an appli-
6 cation, and amendments to such application submit-
7 ted in subsequent fiscal years, that satisfy the re-
8 quirements of subsection (a).

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

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

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

16 “(B) the Administrator waives the applica-
17 tion of subparagraph (A) to such State for such
18 fiscal year, after finding good cause for such a
19 waiver.

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

21 “(a) SELECTION FROM AMONG APPLICATIONS.—(1)
22 Using a grant received under section 241, a State may
23 make grants to eligible entities whose applications are re-
24 ceived by the State in accordance with subsection (b) to
25 carry out projects and activities described in section 241.

1 “(2) For purposes of making such grants, the State
2 shall give special consideration to eligible entities that—

3 “(A) propose to carry out such projects in geo-
4 graphical areas in which there is—

5 “(i) a disproportionately high level of seri-
6 ous crime committed by juveniles; or

7 “(ii) a recent rapid increase in the number
8 of nonstatus offenses committed by juveniles;

9 “(B)(i) agreed to carry out such projects or ac-
10 tivities that are multidisciplinary and involve 2 or
11 more eligible entities; or

12 “(ii) represent communities that have a com-
13 prehensive plan designed to identify at-risk juveniles
14 and to prevent or reduce the rate of juvenile delin-
15 quency, and that involve other entities operated by
16 individuals who have a demonstrated history of in-
17 volvement in activities designed to prevent juvenile
18 delinquency; and

19 “(C) the amount of resources (in cash or in
20 kind) such entities will provide to carry out such
21 projects and activities.

22 “(b) RECEIPT OF APPLICATIONS.—(1) Subject to
23 paragraph (2), a unit of general local government shall
24 submit to the State simultaneously all applications that
25 are—

1 “(A) timely received by such unit from eligible
2 entities; and

3 “(B) determined by such unit to be consistent
4 with a current plan formulated by such unit for the
5 purpose of preventing, and reducing the rate of, ju-
6 venile delinquency in the geographical area under
7 the jurisdiction of such unit.

8 “(2) If an application submitted to such unit by an
9 eligible entity satisfies the requirements specified in sub-
10 paragraphs (A) and (B) of paragraph (1), such entity may
11 submit such application directly to the State.

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

13 “(a) ELIGIBILITY.—Subject to subsection (b) and ex-
14 cept as provided in subsection (c), to be eligible to receive
15 a grant under section 244, a community-based organiza-
16 tion, local juvenile justice system officials (including pros-
17 ecutors, police officers, judges, probation officers, parole
18 officers, and public defenders), local education authority
19 (as defined in section 14101 of the Elementary and Sec-
20 ondary Education Act of 1965 and including a school
21 within such authority), nonprofit private organization,
22 unit of general local government, or social service provider,
23 and or other entity with a demonstrated history of involve-
24 ment in the prevention of juvenile delinquency, shall sub-

1 mit to a unit of general local government an application
2 that contains the following:

3 “(1) An assurance that such applicant will use
4 such grant, and each such grant received for the
5 subsequent fiscal year, to carry out throughout a 2-
6 year period a project or activity described in reason-
7 able detail, and of a kind described in one or more
8 of paragraphs (1) through (14) of section 241 as
9 specified in, such application.

10 “(2) A statement of the particular goals such
11 project or activity is designed to achieve, and the
12 methods such entity will use to achieve, and assess
13 the achievement of, each of such goals.

14 “(3) A statement identifying the research (if
15 any) such entity relied on in preparing such applica-
16 tion.

17 “(b) REVIEW AND SUBMISSION OF APPLICATIONS.—
18 Except as provided in subsection (c), an entity shall not
19 be eligible to receive a grant under section 244 unless—

20 “(1) such entity submits to a unit of general
21 local government an application that—

22 “(A) satisfies the requirements specified in
23 subsection (a); and

1 **“PART D—RESEARCH; EVALUATION; TECHNICAL**
2 **ASSISTANCE; TRAINING**

3 **“SEC. 251. RESEARCH AND EVALUATION; STATISTICAL**
4 **ANALYSES; INFORMATION DISSEMINATION**

5 “(a) RESEARCH AND EVALUATION.—(1) The Admin-
6 istrator may—

7 “(A) plan and identify, after consultation with
8 the Director of the National Institute of Justice, the
9 purposes and goals of all agreements carried out
10 with funds provided under this subsection; and

11 “(B) make agreements with the National Insti-
12 tute of Justice or, subject to the approval of the As-
13 sistant Attorney General for the Office of Justice
14 Programs, with another Federal agency authorized
15 by law to conduct research or evaluation in juvenile
16 justice matters, for the purpose of providing re-
17 search and evaluation relating to—

18 “(i) the prevention, reduction, and control
19 of juvenile delinquency and serious crime com-
20 mitted by juveniles;

21 “(ii) the link between juvenile delinquency
22 and the incarceration of members of the fami-
23 lies of juveniles;

24 “(iii) successful efforts to prevent first-
25 time minor offenders from committing subse-
26 quent involvement in serious crime;

1 “(iv) successful efforts to prevent recidi-
2 vism;

3 “(v) the juvenile justice system;

4 “(vi) juvenile violence; and

5 “(vii) other purposes consistent with the
6 purposes of this title and title I.

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

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

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

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

1 venile justice system, to juvenile violence, and to
2 other purposes consist with the purposes of this title
3 and title I.

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

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

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

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

23 “(2) establish and operate, directly or by con-
24 tract, a clearinghouse and information center for the
25 preparation, publication, and dissemination of infor-

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

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

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

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

17 “(1) develop and carry out projects for the pur-
18 pose of training representatives and personnel of
19 public and private agencies, including practitioners
20 in juvenile justice, law enforcement, courts, correc-
21 tions, schools, and related services, to carry out the
22 purposes specified in section 102; and

23 “(2) make grants to and contracts with public
24 and private agencies, institutions, and organizations
25 for the purpose of training representatives and per-

1 sonnel of public and private agencies, including prac-
2 titioners in juvenile justice, law enforcement, courts,
3 corrections, schools, and related services, to carry
4 out the purposes specified in section 102.

5 “(b) TECHNICAL ASSISTANCE.—The Administrator
6 may—

7 “(1) develop and implement projects for the
8 purpose of providing technical assistance to rep-
9 resentatives and personnel of public and private
10 agencies and organizations, including practitioners
11 in juvenile justice, law enforcement, courts, correc-
12 tions, schools, and related services, in the establish-
13 ment, implementation, and operation of programs,
14 projects, and activities for which financial assistance
15 is provided under this title; and

16 “(2) make grants to and contracts with public
17 and private agencies, institutions, and organizations,
18 for the purpose of providing technical assistance to
19 representatives and personnel of public and private
20 agencies, including practitioners in juvenile justice,
21 law enforcement, courts, corrections, schools, and re-
22 lated services, in the establishment, implementation,
23 and operation of programs, projects, and activities
24 for which financial assistance is provided under this
25 title.”.

1 **SEC. 212. DEMONSTRATION PROJECTS.**

2 Title II of the Juvenile Justice and Delinquency Pre-
3 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended
4 by inserting after part D, as added by section 111, the
5 following:

6 **“PART E—DEVELOPING, TESTING, AND DEM-**
7 **ONSTRATING PROMISING NEW INITIATIVES**
8 **AND PROGRAMS**

9 **“SEC. 261. GRANTS AND PROJECTS.**

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

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

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

2 “The Administrator may make grants to and con-
3 tracts with public and private agencies, organizations, and
4 individuals to provide technical assistance to States, units
5 of general local government, Indian tribal governments,
6 local private entities or agencies, or any combination
7 thereof, to carry out the projects for which grants are
8 made under section 261.

9 **“SEC. 263. ELIGIBILITY.**

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

16 **“SEC. 264. REPORTS.**

17 “Recipients of grants made under this part shall sub-
18 mit to the Administrator such reports as may be reason-
19 ably requested by the Administrator to describe progress
20 achieved in carrying the projects for which such grants
21 are made.”.

22 **SEC. 213. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 299 of the Juvenile Justice and Delinquency
24 Prevention Act of 1974 (42 U.S.C. 5671) is amended—
25 (1) by striking subsection (e), and

1 (2) by striking subsections (a), (b), and (c), and
2 inserting the following:

3 “(a) AUTHORIZATION OF APPROPRIATIONS FOR
4 TITLE II (EXCLUDING PARTS C AND E).—(1) There are
5 authorized to be appropriated to carry out this title such
6 sums as may be appropriate for fiscal years 2000, 2001,
7 2002, and 2003.

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

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

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

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

16 “(b) AUTHORIZATION OF APPROPRIATIONS FOR
17 PART C.—There are authorized to be appropriated to
18 carry out part C such sums as may be necessary for fiscal
19 years 2000, 2001, 2002, and 2003.

20 “(c) AUTHORIZATION OF APPROPRIATIONS FOR PART
21 E.—There are authorized to be appropriated to carry out
22 part E, and authorized to remain available until expended,
23 such sums as may be necessary for fiscal years 2000,
24 2001, 2002, and 2003.”.

1 **SEC. 214. ADMINISTRATIVE AUTHORITY.**

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

5 (1) in subsection (d) by striking “as are con-
6 sistent with the purpose of this Act” and inserting
7 “only to the extent necessary to ensure that there is
8 compliance with the specific requirements of this
9 title or to respond to requests for clarification and
10 guidance relating to such compliance”, and

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

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

17 **SEC. 215. USE OF FUNDS.**

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

21 (1) in subsection (a)—

22 (A) by striking “may be used for”,

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

25 (C) by amending paragraph (2) to read as
26 follows:

1 “(2) may not be used for the cost of construc-
2 tion of any facility, except not more than 15 percent
3 of the funds received under this title by a State for
4 a fiscal year may be used for the purpose of renovat-
5 ing or replacing juvenile facilities.”,

6 (2) by striking subsection (b), and

7 (3) by redesignating subsection (c) as sub-
8 section (b).

9 **SEC. 216. LIMITATION ON USE OF FUNDS.**

10 Part F of title II of the Juvenile Justice and Delin-
11 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
12 as so redesignated by section 210, is amended adding at
13 the end the following:

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

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

19 **SEC. 217. RULES OF CONSTRUCTION.**

20 Part F of title II of the Juvenile Justice and Delin-
21 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
22 as so redesignated by section 210 and amended by section
23 216, is amended adding at the end the following:

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

25 “Nothing in this title or title I shall be construed—

1 “(1) to prevent financial assistance from being
2 awarded through grants under this title to any oth-
3 erwise eligible organization; or

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

7 **SEC. 218. LEASING SURPLUS FEDERAL PROPERTY.**

8 Part F of title II of the Juvenile Justice and Delin-
9 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
10 as so redesignated by section 210 and amended by sections
11 216 and 217, is amended adding at the end the following:

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

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

19 **SEC. 219. ISSUANCE OF RULES.**

20 Part F of title II of the Juvenile Justice and Delin-
21 quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),
22 as so redesignated by section 210 and amended by sections
23 216, 217, and 218, is amended adding at the end the fol-
24 lowing:

1 **“SEC. 299I. ISSUANCE OF RULES.**

2 “The Administrator shall issue rules to carry out this
3 title, including rules that establish procedures and meth-
4 ods for making grants and contracts, and distributing
5 funds available, to carry out this title.”.

6 **SEC. 220. TECHNICAL AND CONFORMING AMENDMENTS.**

7 (a) TECHNICAL AMENDMENTS.—The Juvenile Jus-
8 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
9 5601 et seq.) is amended—

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

13 (2) in section 221(b)(2) by striking the last
14 sentence,

15 (3) in section 299D by striking subsection (d),
16 and

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

19 (b) CONFORMING AMENDMENTS.—(1) Section 5315
20 of title 5 of the United States Code is amended by striking
21 “Office of Juvenile Justice and Delinquency Prevention”
22 and inserting “Office of Juvenile Crime Control and De-
23 linquency Prevention”.

24 (2) Section 4351(b) of title 18 of the United States
25 Code is amended by striking “Office of Juvenile Justice

1 and Delinquency Prevention” and inserting “Office of Ju-
2 venile Crime Control and Delinquency Prevention”.

3 (3) Subsections (a)(1) and (c) of section 3220 of title
4 39 of the United States Code is amended by striking “Of-
5 fice of Juvenile Justice and Delinquency Prevention” each
6 place it appears and inserting “Office of Juvenile Crime
7 Control and Delinquency Prevention”.

8 (4) Section 463(f) of the Social Security Act (42
9 U.S.C. 663(f)) is amended by striking “Office of Juvenile
10 Justice and Delinquency Prevention” and inserting “Of-
11 fice of Juvenile Crime Control and Delinquency Preven-
12 tion”.

13 (5) Sections 801(a), 804, 805, and 813 of title I of
14 the Omnibus Crime Control and Safe Streets Act of 1968
15 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amend-
16 ed by striking “Office of Juvenile Justice and Delinquency
17 Prevention” each place it appears and inserting “Office
18 of Juvenile Crime Control and Delinquency Prevention”.

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

21 (A) in section 214(b(1) by striking “262, 293,
22 and 296 of subpart II of title II” and inserting
23 “299B and 299E”,

1 (B) in section 214A(c)(1) by striking “262,
2 293, and 296 of subpart II of title II” and inserting
3 “299B and 299E”,

4 (C) in sections 217 and 222 by striking “Office
5 of Juvenile Justice and Delinquency Prevention”
6 each place it appears and inserting “Office of Juve-
7 nile Crime Control and Delinquency Prevention”,
8 and

9 (D) in section 223(c) by striking “section 262,
10 293, and 296” and inserting “sections 262, 299B,
11 and 299E”.

12 (7) The Missing Children’s Assistance Act (42 U.S.C.
13 5771 et seq.) is amended—

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

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

20 (8) The Crime Control Act of 1990 (42 U.S.C. 13001
21 et seq.) is amended—

22 (A) in section 217(c)(1) by striking “sections
23 262, 293, and 296 of subpart II of title II” and in-
24 serting “sections 299B and 299E”, and

1 (B) in section 223(c) by striking “section 262,
2 293, and 296 of title II” and inserting “sections
3 299B and 299E”.

4 **SEC. 221. REFERENCES.**

5 In any Federal law (excluding this title and the Acts
6 amended by this title), Executive order, rule, regulation,
7 order, delegation of authority, grant, contract, suit, or
8 document—

9 (1) a reference to the Office of Juvenile Justice
10 and Delinquency Prevention shall be deemed to
11 include a reference to the Office of Juvenile Crime
12 Control and Delinquency Prevention, and

13 (2) a reference to the National Institute for
14 Juvenile Justice and Delinquency Prevention shall
15 be deemed to include a reference to Office of Juve-
16 nile Crime Control and Delinquency Prevention.

17 **Subtitle B—Amendments to the**
18 **Runaway and Homeless Youth Act**

19 **SEC. 231. FINDINGS.**

20 Section 302 of the Runaway and Homeless Youth Act
21 (42 U.S.C. 5701) is amended—

22 (1) in paragraph (5) by striking “accurate re-
23 porting of the problem nationally” and inserting “an
24 accurate national reporting system to report the
25 problem,”, and

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

3 “(8) services for runaway and homeless youth
4 are needed in urban, suburban and rural areas;”.

5 **SEC. 232. AUTHORITY TO MAKE GRANTS FOR CENTERS AND**
6 **SERVICES.**

7 Section 311 of the Runaway and Homeless Youth Act
8 (42 U.S.C. 5711) is amended—

9 (1) by amending subsection (a) to read as fol-
10 lows:

11 “(a)(1) The Secretary shall make grants to public
12 and nonprofit private entities (and combinations of such
13 entities) to establish and operate (including renovation)
14 local centers to provide services for runaway and homeless
15 youth and for the families of such youth.

16 “(2) Such services—

17 “(A) shall be provided as an alternative to in-
18 volving runaway and homeless youth in the law en-
19 forcement, child welfare, mental health, and juvenile
20 justice systems;

21 “(B) shall include—

22 “(i) safe and appropriate shelter; and

23 “(ii) individual, family, and group counsel-
24 ing, as appropriate; and

25 “(C) may include—

1 “(i) street-based services;

2 “(ii) home-based services for families with
3 youth at risk of separation from the family; and

4 “(iii) drug abuse education and prevention
5 services.”,

6 (2) in subsection (b)—

7 (A) in paragraph (2) by striking “the
8 Trust Territory of the Pacific Islands,” and

9 (B) by striking paragraph (4), and

10 (3) by striking subsections (c) and (d).

11 **SEC. 233. ELIGIBILITY.**

12 Section 312 of the Runaway and Homeless Youth Act
13 (42 U.S.C. 5712) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (8) by striking “para-
16 graph (6)” and inserting “paragraph (7)”,

17 (B) in paragraph (10) by striking “and” at
18 the end,

19 (C) in paragraph (11) by striking the pe-
20 riod at the end and inserting “; and”, and

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

22 “(12) shall submit to the Secretary an annual
23 report that includes—

24 “(A) information regarding the activities
25 carried out under this part;

1 “(B) the achievements of the project under
2 this part carried out by the applicant; and

3 “(C) statistical summaries describing—

4 “(i) the number and the characteris-
5 tics of the runaway and homeless youth,
6 and youth at risk of family separation, who
7 participate in the project; and

8 “(ii) the services provided to such
9 youth by the project;

10 in the year for which the report is submitted.”, and

11 (2) by striking subsections (c) and (d) and in-
12 serting the following:

13 “(c) To be eligible to use assistance under section
14 311(a)(2)(C)(i) to provide street-based services, the appli-
15 cant shall include in the plan required by subsection (b)
16 assurances that in providing such services the applicant
17 will—

18 “(1) provide qualified supervision of staff, in-
19 cluding on-street supervision by appropriately
20 trained staff;

21 “(2) provide backup personnel for on-street
22 staff;

23 “(3) provide initial and periodic training of
24 staff who provide such services; and

1 “(4) conduct outreach activities for runaway
2 and homeless youth, and street youth.

3 “(d) To be eligible to use assistance under section
4 311(a) to provide home-based services described in section
5 311(a)(2)(C)(ii), an applicant shall include in the plan re-
6 quired by subsection (b) assurances that in providing such
7 services the applicant will—

8 “(1) provide counseling and information to
9 youth and the families (including unrelated individ-
10 uals in the family households) of such youth, includ-
11 ing services relating to basic life skills, interpersonal
12 skill building, educational advancement, job attain-
13 ment skills, mental and physical health care, parent-
14 ing skills, financial planning, and referral to sources
15 of other needed services;

16 “(2) provide directly, or through an arrange-
17 ment made by the applicant, 24-hour service to re-
18 spond to family crises (including immediate access to
19 temporary shelter for runaway and homeless youth,
20 and youth at risk of separation from the family);

21 “(3) establish, in partnership with the families
22 of runaway and homeless youth, and youth at risk
23 of separation from the family, objectives and meas-
24 ures of success to be achieved as a result of receiv-
25 ing home-based services;

1 “(4) provide initial and periodic training of
2 staff who provide home-based services; and

3 “(5) ensure that—

4 “(A) caseloads will remain sufficiently low
5 to allow for intensive (5 to 20 hours per week)
6 involvement with each family receiving such
7 services; and

8 “(B) staff providing such services will re-
9 ceive qualified supervision.

10 “(e) To be eligible to use assistance under section
11 311(a)(2)(C)(iii) to provide drug abuse education and pre-
12 vention services, an applicant shall include in the plan re-
13 quired by subsection (b)—

14 “(1) a description of—

15 “(A) the types of such services that the ap-
16 plicant proposes to provide;

17 “(B) the objectives of such services; and

18 “(C) the types of information and training
19 to be provided to individuals providing such
20 services to runaway and homeless youth; and

21 “(2) an assurance that in providing such serv-
22 ices the applicant shall conduct outreach activities
23 for runaway and homeless youth.”.

1 **SEC. 234. APPROVAL OF APPLICATIONS.**

2 Section 313 of the Runaway and Homeless Youth Act
3 (42 U.S.C. 5713) is amended to read as follows:

4 “APPROVAL OF APPLICATIONS

5 “SEC. 313. (a) An application by a public or private
6 entity for a grant under section 311(a) may be approved
7 by the Secretary after taking into consideration, with re-
8 spect to the State in which such entity proposes to provide
9 services under this part—

10 “(1) the geographical distribution in such State
11 of the proposed services under this part for which all
12 grant applicants request approval; and

13 “(2) which areas of such State have the great-
14 est need for such services.

15 “(b) The Secretary shall, in considering applications
16 for grants under section 311(a), give priority to—

17 “(1) eligible applicants who have demonstrated
18 experience in providing services to runaway and
19 homeless youth; and

20 “(2) eligible applicants that request grants of
21 less than \$200,000.”.

22 **SEC. 235. AUTHORITY FOR TRANSITIONAL LIVING GRANT**
23 **PROGRAM.**

24 Section 321 of the Runaway and Homeless Youth Act
25 (42 U.S.C. 5714–1) is amended—

26 (1) in the heading by striking “PURPOSE AND”,

1 (2) in subsection (a) by striking “(a)”, and
2 (3) by striking subsection (b).

3 **SEC. 236. ELIGIBILITY.**

4 Section 322(a)(9) of the Runaway and Homeless
5 Youth Act (42 U.S.C. 5714–2(a)(9)) is amended by in-
6 serting “, and the services provided to such youth by such
7 project,” after “such project”.

8 **SEC. 237. AUTHORITY TO MAKE GRANTS FOR RESEARCH,**
9 **EVALUATION, DEMONSTRATION, AND SERV-**
10 **ICE PROJECTS.**

11 Section 343 of the Runaway and Homeless Youth Act
12 (42 U.S.C. 5714–23) is amended—

13 (1) in the heading of such section by inserting
14 “EVALUATION,” after “RESEARCH,”

15 (2) in subsection (a) by inserting “evaluation,”
16 after “research,” and

17 (3) in subsection (b)—

18 (A) by striking paragraph (2), and

19 (B) by redesignating paragraphs (3)
20 through (10) as paragraphs (2) through (9), re-
21 spectively.

1 **SEC. 238. TEMPORARY DEMONSTRATION PROJECTS TO**
2 **PROVIDE SERVICES TO YOUTH IN RURAL**
3 **AREAS.**

4 Section 344 of the Runaway and Homeless Youth Act
5 (42 U.S.C. 5714–24) is repealed.

6 **SEC. 239. SEXUAL ABUSE PREVENTION PROGRAM.**

7 Section 40155 of the Violent Crime Control and Law
8 Enforcement Act of 1994 (Public Law 103–322; 108 Stat.
9 1922) is amended to read as follows:

10 **“SEC. 40155. EDUCATION AND PREVENTION GRANTS TO RE-**
11 **DUCE SEXUAL ABUSE OF RUNAWAY, HOME-**
12 **LESS, AND STREET YOUTH.**

13 “(a) **AUTHORITY FOR PROGRAM.**—The Runaway and
14 Homeless Youth Act (42 U.S.C. 5701 et seq.) is
15 amended—

16 “(1) by striking the heading for part F,

17 “(2) by redesignating part E as part F, and

18 “(3) by inserting after part D the following:

19 **“PART E—SEXUAL ABUSE PREVENTION**
20 **PROGRAM**

21 **“SEC. 351. AUTHORITY TO MAKE GRANTS.**

22 “(a) The Secretary may make grants to nonprofit
23 private agencies for the purpose of providing street-based
24 services to runaway and homeless, and street youth, who
25 have been subjected to, or are at risk of being subjected
26 to, sexual abuse.

1 accomplishments of entities that receive grants under
2 parts A, B, C, D, and E, with particular attention to—

3 “(1) in the case of centers funded under part
4 A, the ability or effectiveness of such centers in—

5 “(A) alleviating the problems of runaway
6 and homeless youth;

7 “(B) if applicable or appropriate, reuniting
8 such youth with their families and encouraging
9 the resolution of intrafamily problems through
10 counseling and other services;

11 “(C) strengthening family relationships
12 and encouraging stable living conditions for
13 such youth; and

14 “(D) assisting such youth to decide upon a
15 future course of action; and

16 “(2) in the case of projects funded under part
17 B—

18 “(A) the number and characteristics of
19 homeless youth served by such projects;

20 “(B) the types of activities carried out by
21 such projects;

22 “(C) the effectiveness of such projects in
23 alleviating the problems of homeless youth;

24 “(D) the effectiveness of such projects in
25 preparing homeless youth for self-sufficiency;

1 “(E) the effectiveness of such projects in
2 assisting homeless youth to decide upon future
3 education, employment, and independent living;

4 “(F) the ability of such projects to encour-
5 age the resolution of intrafamily problems
6 through counseling and development of self-suf-
7 ficient living skills; and

8 “(G) activities and programs planned by
9 such projects for the following fiscal year.

10 “(b) The Secretary shall include in the report
11 required by subsection (a) summaries of—

12 “(1) the evaluations performed by the Secretary
13 under section 386; and

14 “(2) descriptions of the qualifications of, and
15 training provided to, individuals involved in carrying
16 out such evaluations.”.

17 **SEC. 242. EVALUATION.**

18 Section 384 of the Runaway and Homeless Youth Act
19 (42 U.S.C. 5732) is amended to read as follows:

20 “EVALUATION AND INFORMATION

21 “SEC. 384. (a) If a grantee receives grants for 3 con-
22 secutive fiscal years under part A, B, C, D, or E (in the
23 alternative), then the Secretary shall evaluate such grant-
24 ee on-site, not less frequently than once in the period of
25 such 3 consecutive fiscal years, for purposes of—

1 “(1) determining whether such grants are being
2 used for the purposes for which such grants are
3 made by the Secretary;

4 “(2) collecting additional information for the
5 report required by section 383; and

6 “(3) providing such information and assistance
7 to such grantee as will enable such grantee to im-
8 prove the operation of the centers, projects, and
9 activities for which such grants are made.

10 “(b) Recipients of grants under this title shall cooper-
11 ate with the Secretary’s efforts to carry out evaluations,
12 and to collect information, under this title.”.

13 **SEC. 243. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 385 of the Runaway and Homeless Youth Act
15 (42 U.S.C. 5751) is amended to read as follows:

16 “AUTHORIZATION OF APPROPRIATIONS

17 “SEC. 389. (a)(1) There are authorized to be appro-
18 priated to carry out this title (other than part E) such
19 sums as may be necessary for fiscal years 2000, 2001,
20 2002, and 2003.

21 “(2)(A) From the amount appropriated under para-
22 graph (1) for a fiscal year, the Secretary shall reserve not
23 less than 90 percent to carry out parts A and B.

24 “(B) Of the amount reserved under subparagraph
25 (A), not less than 20 percent, and not more than 30 per-
26 cent, shall be reserved to carry out part B.

1 “(3) After reserving the amounts required by para-
2 graph (2), the Secretary shall reserve the remaining
3 amount (if any) to carry out parts C and D.

4 “(b) No funds appropriated to carry out this title
5 may be combined with funds appropriated under any other
6 Act if the purpose of combining such funds is to make
7 a single discretionary grant, or a single discretionary pay-
8 ment, unless such funds are separately identified in all
9 grants and contracts and are used for the purposes speci-
10 fied in this title.”.

11 **SEC. 244. CONSOLIDATED REVIEW OF APPLICATIONS.**

12 The Runaway and Homeless Youth Act (42 U.S.C.
13 5701 et seq.) is amended by inserting after section 384
14 the following:

15 “CONSOLIDATED REVIEW OF APPLICATIONS

16 “SEC. 385. With respect to funds available to carry
17 out parts A, B, C, D, and E, nothing in this title shall
18 be construed to prohibit the Secretary from—

19 “(1) announcing, in a single announcement, the
20 availability of funds for grants under 2 or more of
21 such parts; and

22 “(2) reviewing applications for grants under 2
23 or more of such parts in a single, consolidated appli-
24 cation review process.”.

1 **SEC. 245. DEFINITIONS.**

2 The Runaway and Homeless Youth Act (42 U.S.C.
3 5701 et seq.) is amended by inserting after section 385,
4 as added by section 214, the following:

5 “DEFINITIONS

6 “SEC. 386. For the purposes of this title:

7 “(1) The term ‘drug abuse education and pre-
8 vention services’—

9 “(A) means services to runaway and home-
10 less youth to prevent or reduce the illicit use of
11 drugs by such youth; and

12 “(B) may include—

13 “(i) individual, family, group, and
14 peer counseling;

15 “(ii) drop-in services;

16 “(iii) assistance to runaway and
17 homeless youth in rural areas (including
18 the development of community support
19 groups);

20 “(iv) information and training relating
21 to the illicit use of drugs by runaway and
22 homeless youth, to individuals involved in
23 providing services to such youth; and

24 “(v) activities to improve the availabil-
25 ity of local drug abuse prevention services
26 to runaway and homeless youth.

1 “(2) The term ‘home-based services’—

2 “(A) means services provided to youth and
3 their families for the purpose of—

4 “(i) preventing such youth from run-
5 ning away, or otherwise becoming sepa-
6 rated, from their families; and

7 “(ii) assisting runaway youth to re-
8 turn to their families; and

9 “(B) includes services that are provided in
10 the residences of families (to the extent prac-
11 ticable), including—

12 “(i) intensive individual and family
13 counseling; and

14 “(ii) training relating to life skills and
15 parenting.

16 “(3) The term ‘homeless youth’ means an
17 individual—

18 “(A) who is—

19 “(i) not more than 21 years of age;
20 and

21 “(ii) for the purposes of part B, not
22 less than 16 years of age;

23 “(B) for whom it is not possible to live in
24 a safe environment with a relative; and

1 “(C) who has no other safe alternative liv-
2 ing arrangement.

3 “(4) The term ‘street-based services’—

4 “(A) means services provided to runaway
5 and homeless youth, and street youth, in areas
6 where they congregate, designed to assist such
7 youth in making healthy personal choices re-
8 garding where they live and how they behave;
9 and

10 “(B) may include—

11 “(i) identification of and outreach to
12 runaway and homeless youth, and street
13 youth;

14 “(ii) crisis intervention and counsel-
15 ing;

16 “(iii) information and referral for
17 housing;

18 “(iv) information and referral for
19 transitional living and health care services;

20 v) advocacy, education, and prevention
21 services related to—

22 “(I) alcohol and drug abuse;

23 “(II) sexually transmitted dis-
24 eases, including human immuno-
25 deficiency virus (HIV); and

1 “(III) physical and sexual as-
2 sault.

3 “(5) The term ‘street youth’ means an individ-
4 ual who—

5 “(A) is—

6 “(i) a runaway youth; or

7 “(ii) indefinitely or intermittently a
8 homeless youth; and

9 “(B) spends a significant amount of time
10 on the street or in other areas which increase
11 the exposure of such youth to sexual abuse.

12 “(6) The term ‘transitional living youth project’
13 means a project that provides shelter and services
14 designed to promote a transition to self-sufficient
15 living and to prevent long-term dependency on social
16 services.

17 “(7) The term ‘youth at risk of separation from
18 the family’ means an individual—

19 “(A) who is less than 18 years of age; and

20 “(B)(i) who has a history of running away
21 from the family of such individual;

22 “(ii) whose parent, guardian, or custodian
23 is not willing to provide for the basic needs of
24 such individual; or

1 “(iii) who is at risk of entering the child
2 welfare system or juvenile justice system as a
3 result of the lack of services available to the
4 family to meet such needs.”.

5 **SEC. 246. REDESIGNATION OF SECTIONS.**

6 Sections 371, 372, 381, 382, 383, 384, 385, and 386
7 of the Runaway and Homeless Youth Act (42 U.S.C.
8 5714b–5851 et seq.), as amended by this title, are redesi-
9 gnated as sections 381, 382, 383, 384, 385, 386, 387, and
10 388, respectively.

11 **SEC. 247. TECHNICAL AMENDMENT.**

12 Section 331 of the Runaway and Homeless Youth Act
13 (42 U.S.C. 5701 et seq.) is amended in the 1st sentence
14 by striking “With” and all that follows through “the Sec-
15 retary”, and inserting “The Secretary”.

16 **Subtitle C—Repeal of Title V Relat-**
17 **ing to Incentive Grants for**
18 **Local Delinquency Prevention**
19 **Programs**

20 **SEC. 261. REPEALER.**

21 Title V of the Juvenile Justice and Delinquency Pre-
22 vention Act of 1974 (42 U.S.C. 5681 et seq.), as added
23 by Public Law 102–586, is repealed.

1 **Subtitle D—General provisions**

2 **SEC. 271. EFFECTIVE DATE; APPLICATION OF AMEND-**
3 **MENTS.**

4 (a) EFFECTIVE DATE.—Except as provided in sub-
5 section (b), this title and the amendments made by this
6 title shall take effect on the date of the enactment of this
7 Act.

8 (b) APPLICATION OF AMENDMENTS.—The amend-
9 ments made by this title shall apply only with respect to
10 fiscal years beginning after September 30, 1999.

11 **Subtitle E—Miscellaneous**
12 **Amendments**

13 **SEC. 281. NATIONAL RESOURCE CENTER AND CLEARING-**
14 **HOUSE FOR MISSING CHILDREN.**

15 (a) ALTERNATIVE AUTHORIZATION OF APPROPRIA-
16 TIONS.—There is authorized to be appropriated to the Na-
17 tional Center for Missing and Exploited Children, a non-
18 profit corporation organized under the laws of the District
19 of Columbia, \$5,000,000 for each of the fiscal years 2000,
20 2001, 2002, and 2003 to operate a national resource cen-
21 ter and clearinghouse designed—

22 (1) to provide to State and local governments,
23 public and private nonprofit agencies, and individ-
24 uals information regarding—

1 (A) free or low-cost legal, restaurant, lodg-
2 ing, and transportation services that are avail-
3 able for the benefit of missing children and
4 their families, and

5 (B) the existence and nature of programs
6 being carried out by Federal agencies to assist
7 missing children and their families,

8 (2) to coordinate public and private programs
9 which locate, recover, or reunite missing children
10 with their legal custodians,

11 (3) to disseminate nationally information about
12 innovative and model missing children's programs,
13 services, and legislation, and

14 (4) to provide technical assistance and training
15 to law enforcement agencies, State and local govern-
16 ments, elements of the criminal justice system, pub-
17 lic and private nonprofit agencies, and individuals in
18 the prevention, investigation, prosecution, and treat-
19 ment of missing and exploited child cases and in lo-
20 cating and recovering missing children.

21 (b) CONFORMING AMENDMENTS.—Section 404(b) of
22 the Missing Children's Assistance Act (42 U.S.C.
23 5773(b)) is amended—

24 (1) by striking “, shall”,

25 (2) in paragraph (1)—

1 (A) in subparagraph (A) by inserting
2 “shall” after “(A)”, and

3 (B) in subparagraph (B) by striking “co-
4 ordinating” and inserting “shall coordinate”,

5 (3) in paragraph (2) by inserting “for any fiscal
6 year for which no funds are appropriated under sec-
7 tion 2 of the Missing and Exploited Children Act of
8 1997, shall” after “(2)”,

9 (4) in paragraph (3) by inserting “shall” after
10 “(3)”, and

11 (5) in paragraph (4) by inserting “shall” after
12 “(4)”.

13 **TITLE III—REAUTHORIZATION** 14 **OF COPS PROGRAM**

15 **SEC. 301. SHORT TITLE.**

16 This title may be cited as the “Public Safety and
17 Community Policing Grants Reauthorization Act of
18 1999”.

19 **SEC. 302. REAUTHORIZATION OF PUBLIC SAFETY AND COM-** 20 **MUNITY POLICING (COPS ON THE BEAT)** 21 **GRANTS.**

22 Section 1001(a)(11) of title I of the Omnibus Crime
23 Control and Safe Streets Act of 1968 (42 U.S.C. 3793)
24 is amended—

1 (1) in clause (vi) by striking “268,000,000 for
2 fiscal year 2000” and inserting “500,000,000 each
3 of fiscal years 2000 through 2005.”.

4 **SEC. 303. RENEWAL OF GRANTS.**

5 Section 1703 of title I of the Omnibus Crime Control
6 and Safe Streets Act of 1968 (42 U.S.C. 3796dd-2) is
7 amended by amended subsection (b) to read as follows—

8 “(b) GRANTS FOR HIRING.—

9 “(1) IN GENERAL.—Grants made for hiring or
10 re hiring additional career law enforcement officers
11 or to promote redeployment of officers by hiring ci-
12 vilians may be renewed for an additional 3 year pe-
13 riod beginning the fiscal year after the last fiscal
14 year during which a recipient receives its initial
15 grant. The Attorney General may use, at her discre-
16 tion, a portion of the funding for cooperative part-
17 nerships between schools and State and local police
18 departments to provide for the use of police officers
19 in schools.

20 “(2) INITIAL PERIOD EXPIRED.—In a case in
21 which a recipient’s initial grant has expired prior to
22 the date of the enactment of the Public Safety and
23 Community Policing Grants Reauthorization Act of
24 1999, grants made for hiring or rehiring additional
25 career law enforcement officers may be renewed for

1 an additional 3 year period beginning the fiscal year
2 after the date of the enactment of such Act.

3 “(3) AUTHORIZATION FOR APPROPRIATIONS.—

4 There are authorized to be appropriated such sums
5 as may be necessary to carry out the provisions of
6 this subsection. In a case in which a recipient re-
7 ceives a grant for an additional 3 year period, the
8 amount for any additional years shall be increased
9 by 3 percent to reflect a cost of living adjustment.”.

10 **SEC. 304. MATCHING FUNDS.**

11 Section 1701(i) of title I of the Omnibus Crime Con-
12 trol and Safe Streets Act of 1968 (42 U.S.C. 3796dd(i))
13 is amended by striking “up to 5 years” and inserting
14 “each 3 year grant period”.

15 **SEC. 305. HIRING COSTS.**

16 Section 1704 of title I of the Omnibus Crime Control
17 and Safe Streets Act of 1968 (42 U.S.C. 3796dd-3) is
18 amended by repealing subsection (c).

19 **TITLE IV—SCHOOL ANTI-**
20 **VIOLENCE EMPOWERMENT ACT**

21 **SEC. 401. SHORT TITLE.**

22 This title may be cited as the “School Anti-Violence
23 Empowerment Act”.

1 **Subtitle A—School Safety**
2 **Programs**

3 **SEC. 411. PROGRAM AUTHORIZED.**

4 The Secretary of Education is authorized to provide
5 grants to local educational agencies to establish or en-
6 hance crisis intervention programs, including the hiring of
7 school counselors and to enhance school safety programs
8 for students, staff, and school facilities.

9 **SEC. 412. GRANT AWARDS.**

10 (a) LOCAL AWARDS.—The Secretary shall award
11 grants to local educational agencies on a competitive basis.

12 (b) GRANT PROGRAMS.—From the amounts appro-
13 priated under section 416, the Secretary shall reserve—

14 (1) 50 percent of such amount to award grants
15 to local educational agencies to hire school coun-
16 selors; and

17 (2) 50 percent of such amount to award grants
18 to local educational agencies to enhance school safe-
19 ty programs for students, staff, and school facilities.

20 (c) PRIORITY.—Such awards shall be based on one
21 or more of the following factors:

22 (1) Quality of existing or proposed violence pre-
23 vention program.

24 (2) Greatest need for crisis intervention coun-
25 seling services.

1 (3) Documented financial need based on num-
2 ber of students served under part A of title I of the
3 Elementary and Secondary Education Act of 1965.

4 (d) **EQUITABLE DISTRIBUTION.**—In awarding grants
5 under this subtitle, the Secretary shall ensure, to the ex-
6 tent practicable, an equitable geographic distribution
7 among the regions of the United States and among urban,
8 suburban, and rural areas.

9 (e) **ADMINISTRATIVE COSTS.**—The Secretary may re-
10 serve not more than 1 percent from amounts appropriated
11 under section 416 for administrative costs.

12 (f) **ELIGIBILITY.**—A local educational agency that
13 meets the requirements of this subtitle shall be eligible to
14 receive a grant to hire school counselors and a grant to
15 enhance school safety programs for students, staff, and
16 school facilities.

17 **SEC. 413. APPLICATIONS.**

18 (a) **IN GENERAL.**—Each local educational agency de-
19 siring a grant under this subtitle shall submit an applica-
20 tion to the Secretary at such time, in such manner, and
21 accompanied by such information as the Secretary may
22 require.

23 (b) **CONTENTS.**—Such application shall include a
24 plan that contains the following:

1 (1) In the case of a local educational agency ap-
2 plying for a grant to enhance school safety
3 programs—

4 (A) a description of any existing violence
5 prevention, safety, and crisis intervention pro-
6 grams;

7 (B) proposed changes to any such pro-
8 grams and a description of any new programs;
9 and

10 (C) documentation regarding financial need.

11 (2) In the case of a local educational agency ap-
12 plying for a grant to hire school counselors—

13 (A) a description of the need for a crisis
14 intervention counseling program; and

15 (B) documentation regarding financial
16 need.

17 **SEC. 414. REPORTING.**

18 Each local educational agency that receives a grant
19 under this subtitle shall provide an annual report to the
20 Secretary. In the case of a local educational agency that
21 receives a grant to enhance school safety programs, such
22 report shall describe how such agency used funds provided
23 under this subtitle and include a description of new school
24 safety measures and changes implemented to existing vio-
25 lence prevention, safety, and crisis intervention programs.

1 In the case of a local educational agency that receives a
2 grant to hire school counselors, such report shall describe
3 how such agency used funds provided under this subtitle
4 and include the number of school counselors hired with
5 such funds.

6 **SEC. 415. DEFINITIONS.**

7 For purposes of this subtitle:

8 (1) The terms “elementary school”, “local edu-
9 cational agency”, and “secondary school” have the
10 same meanings given the terms in section 14101 of
11 the Elementary and Secondary Education Act of
12 1965 (20 U.S.C. 8801).

13 (2) The term “school counselor” means an indi-
14 vidual who has documented competence in counsel-
15 ing children and adolescents in a school setting and
16 who—

17 (A) possesses State licensure or certifi-
18 cation granted by an independent professional
19 regulatory authority;

20 (B) in the absence of such State licensure
21 or certification, possesses national certification
22 in school counseling or a specialty of counseling
23 granted by an independent professional organi-
24 zation; or

1 (C) holds a minimum of a master's degree
2 in school counseling from a program accredited
3 by the Council for Accreditation of Counseling
4 and Related Educational Programs or the
5 equivalent.

6 (3) The term "Secretary" means the Secretary
7 of Education.

8 (4) the term "school safety" means the safety
9 of students, faculty, and school facilities from acts
10 of violence.

11 **SEC. 416. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to carry out
13 this SUBtitle \$700,000,000 for each of fiscal years 2000
14 through 2004.

15 **Subtitle B—21st Century Learning**

16 **SEC. 421. AFTER-SCHOOL AND LIFE SKILLS PROGRAMS FOR**
17 **AT-RISK YOUTH.**

18 Section 10907 of part I of title X of the Elementary
19 and Secondary Education Act of 1965 (20 U.S.C. 8247)
20 is amended by striking "appropriated" and all that follows
21 before the period and inserting the following: "appro-
22 priated to carry out this part—

23 "(1) such sums as may be necessary for fiscal
24 year 1999; and

1 (1) to 75 the number of city and county law en-
2 forcement agencies that through the Youth Crime
3 Gun Interdiction Initiative (referred to in this sec-
4 tion as “YGCII”) submit identifying information re-
5 lating to all firearms recovered during law enforce-
6 ment investigations, including from individuals
7 under age 25, to the Secretary of the Treasury to
8 identify the types and origins of such firearms; and

9 (2) the resources devoted to law enforcement
10 investigations of illegal youth possessors and users
11 and of illegal firearms traffickers identified through
12 YCGII, including through the hiring of additional
13 agents, inspectors, intelligence analysts and support
14 personnel.

15 (b) SELECTION OF PARTICIPANTS.—The Secretary of
16 the Treasury, in consultation with Federal, State, and
17 local law enforcement officials, shall select cities and coun-
18 ties for participation in the program established under this
19 section.

20 (c) ESTABLISHMENT OF SYSTEM.—The Secretary of
21 the Treasury shall establish a system through which State
22 and local law enforcement agencies, through on-line com-
23 puter technology, can promptly provide firearms-related
24 information to the Secretary of the Treasury and access
25 information derived through YCGII as soon as such capa-

1 bility is available. Not later than 6 months after the date
2 of enactment of this Act, the Secretary shall submit to
3 the Chairman and Ranking Member of the Committees on
4 Appropriations of the House of Representatives and the
5 Senate, a report explaining the capacity to provide such
6 on-line access and the future technical and, if necessary,
7 legal changes required to make such capability available,
8 including cost estimates.

9 (d) REPORT.—Not later than one year after the date
10 of enactment of this section, and annually thereafter, the
11 Secretary of the Treasury shall submit to the Chairman
12 and Ranking Member of the Committees on Appropria-
13 tions of the House of Representatives and the Senate a
14 report regarding the types and sources of firearms recov-
15 ered from individuals, including those under the age of
16 25; regional, State and national firearms trafficking
17 trends; and the number of investigations and arrests re-
18 sulting from YCGII.

19 (e) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to the Department of
21 the Treasury to carry out this section such sums as may
22 be necessary for fiscal years 2001 through 2004.

1 **SEC. 502. RESPONSIBILITY OF ADULTS FOR DEATH AND IN-**
2 **JURY CAUSED BY CHILD ACCESS TO FIRE-**
3 **ARMS.**

4 Section 922 of title 18, United States Code, is further
5 amended by adding at the end the following:

6 “(aa)(1) For purposes of this subsection, the term
7 ‘juvenile’ means an individual who has not attained the
8 age of 18 years.

9 “(2) Except as provided in paragraph (3), any person
10 who—

11 “(A) keeps a loaded firearm, or an unloaded
12 firearm and ammunition for the firearm, any one of
13 which has been shipped or transported in interstate
14 or foreign commerce, within any premises that is
15 under the custody or control of that person;

16 “(B) knows, or recklessly disregards the risk,
17 that a juvenile is capable of gaining access to the
18 firearm; and

19 “(C)(i) knows, or recklessly disregards the risk,
20 that a juvenile will use the firearm to cause death
21 or serious bodily injury (as defined in section 1365)
22 to the juvenile or any other person; or

23 “(ii) knows, or recklessly disregards the risk,
24 that possession of the firearm by the juvenile is un-
25 lawful under Federal or State law,

1 if the juvenile uses the firearm to cause death or serious
2 bodily injury to the juvenile or any other person, shall vio-
3 late this section.

4 “(3) Paragraph (2) shall not apply if—

5 “(A) at the time the juvenile obtained access,
6 the firearm was secured with a secure gun storage
7 or safety device or in a location to which the person
8 reasonably believed the juvenile could not obtain ac-
9 cess;

10 “(B) the person is a peace officer, a member of
11 the Armed Forces, or a member of the National
12 Guard, and the juvenile obtains the firearm during,
13 or incidental to, the performance of the official du-
14 ties of the person in that capacity;

15 “(C) the juvenile uses the firearm in a lawful
16 act of self-defense or defense of 1 or more other per-
17 sons;

18 “(D) the person has no reasonable expectation,
19 based on objective facts and circumstances, that a
20 juvenile is likely to be present on the premises on
21 which the firearm is kept; or

22 “(E) the juvenile obtains the firearm as a result
23 of an illegal entry by any person into the premises.

1 “(4) Any person injured by a violation of this section
2 may bring an action for damages caused by the violation
3 against any person violating this section.

4 “(5) The United States district courts shall
5 have original jurisdiction of all civil actions under
6 this section. Nothing in this section shall be con-
7 strued to waive or affect any defense of sovereign
8 immunity asserted by the United States or by any
9 State under law.”.

10 **SEC. 503. PROHIBITING POSSESSION OF EXPLOSIVES BY**
11 **JUVENILES AND YOUNG ADULTS.**

12 Section 842 of title 18, United States Code, is
13 amended by adding at the end the following:

14 “(r)(1) It shall be unlawful for any person who has
15 not attained 21 years of age to ship or transport any ex-
16 plosive materials in interstate or foreign commerce or to
17 receive or possess any explosive materials or any quantity
18 of black powder which has been shipped or transported
19 in interstate or foreign commerce.

20 “(2) This subsection shall not apply to commercially
21 manufactured black powder in bulk quantities not to ex-
22 ceed five pounds, and if the person is less than 18 years
23 of age, the person has the prior written consent of the
24 person’s parents or guardian who is not prohibited by Fed-
25 eral, State, or local law from possessing explosive mate-

1 rials, and the person has the prior written consent in the
2 person's possession at all times when the black powder is
3 in the possession of the person.”.

4 **SEC. 504. REQUIRING THEFTS FROM COMMON CARRIERS**
5 **TO BE REPORTED.**

6 (a) Section 922(f) of title 18, United States Code,
7 is amended by adding at the end the following:

8 “(3)(A) It shall be unlawful for any common or con-
9 tract carrier to fail to report the theft or loss of a firearm
10 within 48 hours after the theft or loss is discovered. The
11 theft or loss shall be reported to the Secretary and to the
12 appropriate local authorities.

13 “(B) The Secretary may impose a civil fine of not
14 more than \$10,000 on any person who knowingly violates
15 subparagraph (A).”.

16 (b) Section 924(a)(1)(B) of title 18, United States
17 Code, is amended by striking “(f),” and inserting “(f)(1),
18 (f)(2),”.

19 **SEC. 505. VOLUNTARY SUBMISSION OF DEALER'S RECORDS.**

20 Section 923(g)(4) of title 18, United States Code, is
21 amended to read as follows:

22 “(4) Where a firearms or ammunition business is dis-
23 continued and succeeded by a new licensee, the records
24 required to be kept by this chapter shall appropriately re-
25 flect such facts and shall be delivered to the successor.

1 Upon receipt of such records the successor licensee may
2 retain the records of the discontinued business or submit
3 the discontinued business records to the Secretary. Addi-
4 tionally, a licensee while maintaining a firearms business
5 may voluntarily submit the records required to be kept by
6 this chapter to the Secretary if such records are at least
7 20 years old. Where discontinuance of the business is ab-
8 solute, such records shall be delivered within thirty days
9 after the business is discontinued to the Secretary. Where
10 State law or local ordinance requires the delivery of
11 records to another responsible authority, the Secretary
12 may arrange for the delivery of such records to such other
13 responsible authority.”.

14 **SEC. 506. INCREASING PENALTIES ON GUN KINGPINS.**

15 (a) INCREASING THE PENALTY FOR ENGAGING IN AN
16 ILLEGAL FIREARMS BUSINESS.—Section 924(a)(2) of
17 title 18, United States Code, is amended by inserting “,
18 or willfully violates section 922(a)(1),” after “section
19 922”.

20 (b) SENTENCING GUIDELINES INCREASE FOR CER-
21 TAIN VIOLATIONS AND OFFENSES.—Pursuant to its au-
22 thority under section 994(p) of title 28, United States
23 Code, the United States Sentencing Commission shall—

24 (1) review and amend the Federal sentencing
25 guidelines to provide an appropriate enhancement

1 for a violation of section 922(a)(1) of title 18,
2 United States Code; and

3 (2) review and amend the Federal sentencing
4 guidelines to provide additional sentencing increases,
5 as appropriate, for offenses involving more than 50
6 firearms.

7 The Commission shall promulgate the amendments pro-
8 vided for under this subsection as soon as is practicable
9 in accordance with the procedure set forth in section 21(a)
10 of the Sentencing Act of 1987, as though the authority
11 under that Act had not expired.

12 **SEC. 507. SERIOUS RECORDKEEPING OFFENSES THAT AID**
13 **GUN TRAFFICKING.**

14 Section 924(a)(3) of title 18, United States Code, is
15 amended by striking the period and inserting “; but if the
16 violation is in relation to an offense under subsection
17 (a)(6) or (d) of section 922, shall be fined under this title,
18 imprisoned not more than 10 years, or both.”.

19 **SEC. 508. TERMINATION OF FIREARMS DEALER’S LICENSE**
20 **UPON FELONY CONVICTION.**

21 Section 925(b) of title 18, United States Code, is
22 amended by striking “until any conviction pursuant to the
23 indictment becomes final” and inserting “until the date
24 of any conviction pursuant to the indictment”.

1 **SEC. 509. INCREASED PENALTY FOR TRANSACTIONS IN-**
2 **VOLVING FIREARMS WITH OBLITERATED SE-**
3 **RIAL NUMBERS.**

4 Section 924(a) of title 18, United States Code, is
5 amended—

6 (1) in paragraph (1)(B), by striking “(k),”; and
7 (2) in paragraph (2), by inserting “(k),” after
8 “(j),”.

9 **SEC. 510. INCREASED PENALTY FOR FIREARMS CONSPIR-**
10 **ACY.**

11 Section 924 of title 18, United States Code, is further
12 amended by adding at the end the following:

13 “(q) Except as otherwise provided in this section, a
14 person who conspires to commit an offense defined in this
15 chapter shall be subject to the same penalties (other than
16 the penalty of death) as those prescribed for the offense
17 the commission of which is the object of the conspiracy.”.

18 **SEC. 511. SEPARATE LICENSES FOR GUNSMITHS.**

19 (a) Section 921(a)(11) of title 18, United States
20 Code, is amended to read as follows:

21 “(11) The term ‘dealer’ means (A) any person en-
22 gaged in the business as a firearms dealer, (B) any person
23 engaged in the business as a gunsmith, or (C) any person
24 who is a pawnbroker. The term ‘licensed dealer’ means
25 any dealer who is licensed under the provisions of this
26 chapter.”.

1 (b) Section 921(a) of title 18, United States Code,
2 is amended by redesignating paragraphs (12) through
3 (33) as paragraphs (14) through (35), and by inserting
4 after paragraph (11) the following:

5 “(12) The term ‘firearms dealer’ means any
6 person who is engaged in the business of selling fire-
7 arms at wholesale or retail.

8 “(13) The term ‘gunsmith’ means any person,
9 other than a licensed manufacturer, licensed im-
10 porter, or licensed dealer, who is engaged in the
11 business of repairing firearms or of making or fit-
12 ting special barrels, stocks or trigger mechanisms to
13 firearms.”.

14 (c) Section 923(a)(3) of title 18, United States Code
15 is amended to read as follows:

16 “(3) If the applicant is a dealer who is—

17 “(A) a dealer in destructive devices or am-
18 munition for destructive devices, a fee of \$1,000
19 per year;

20 “(B) a dealer in firearms who is not a
21 dealer in destructive devices, a fee of \$200 for
22 3 years, except that the fee for renewal of a
23 valid license shall be \$90 for 3 years; or

1 “(C) a gunsmith, a fee of \$100 for 3
2 years, except that the fee for renewal of a valid
3 license shall be \$50 for 3 years.”.

4 **SEC. 512. PERMITS AND BACKGROUND CHECKS FOR PUR-**
5 **CHASES OF EXPLOSIVES.**

6 (a) PERMITS FOR PURCHASE OF EXPLOSIVES IN
7 GENERAL.—Section 842 of title 18, United States Code,
8 is amended—

9 (1) by amending subparagraphs (A) and (B) of
10 subsection (a)(3) to read as follows:

11 “(A) to transport, ship, cause to be trans-
12 ported, or receive any explosive materials; or

13 “(B) to distribute explosive materials to
14 any person other than a licensee or permittee.”;

15 and

16 (2) in subsection (b)—

17 (A) by adding “or” at the end of para-
18 graph (1);

19 (B) by striking “; or” at the end of para-
20 graph (2) and inserting a period; and

21 (C) by striking paragraph (3).

22 (b) BACKGROUND CHECKS.—Section 842 of title 18,
23 United States Code, is further amended by adding at the
24 end the following:

1 “(q)(1) A licensed importer, licensed manufacturer,
2 or licensed dealer shall not transfer explosive materials to
3 any other person who is not a licensee under section 843
4 of this title unless—

5 “(A) before the completion of the transfer, the
6 licensee contacts the national instant criminal back-
7 ground check system established under section
8 103(d) of the Brady Handgun Violence Prevention
9 Act;

10 “(B)(i) the system provides the licensee with a
11 unique identification number; or

12 “(ii) 5 business days (meaning a day on which
13 State offices are open) have elapsed since the li-
14 censee contacted the system, and the system has not
15 notified the licensee that the receipt of explosive ma-
16 terials by such other person would violate subsection
17 (i) of this section;

18 “(C) the transferor has verified the identity of
19 the transferee by examining a valid identification
20 document (as defined in section 1038(d)(1) of this
21 title) of the transferee containing a photograph of
22 the transferee; and

23 “(D) the transferor has examined the permit
24 issued to the transferee pursuant to section 843 of

1 this title and recorded the permit number on the
2 record of the transfer.

3 “(2) If receipt of explosive materials would not violate
4 section 842(i) of this title or State law, the system shall—

5 “(A) assign a unique identification number to
6 the transfer; and

7 “(B) provide the licensee with the number.

8 “(3) Paragraph (1) shall not apply to the transfer
9 of explosive materials between a licensee and another per-
10 son if on application of the transferor, the Secretary has
11 certified that compliance with paragraph (1)(A) is imprac-
12 ticable because—

13 “(A) the ratio of the number of law enforce-
14 ment officers of the State in which the transfer is
15 to occur to the number of square miles of land area
16 of the State does not exceed 0.0025;

17 “(B) the business premises of the licensee at
18 which the transfer is to occur are extremely remote
19 in relation to the chief law enforcement officer (as
20 defined in section 922(s)(8)); and

21 “(C) there is an absence of telecommunications
22 facilities in the geographical area in which the busi-
23 ness premises are located.

24 “(4) If the national instant criminal background
25 check system notifies the licensee that the information

1 available to the system does not demonstrate that the re-
2 ceipt of explosive materials by such other person would
3 violate subsection (i) or State law, and the licensee trans-
4 fers explosive materials to such other person, the licensee
5 shall include in the record of the transfer the unique iden-
6 tification number provided by the system with respect to
7 the transfer.

8 “(5) If the licensee knowingly transfers explosive ma-
9 terials to such other person and knowingly fails to comply
10 with paragraph (1) of this subsection with respect to the
11 transfer, the Secretary may, after notice and opportunity
12 for a hearing, suspend for not more than 6 months or re-
13 voke any license issued to the licensee under section 843
14 and may impose on the licensee a civil fine of not more
15 than \$5,000.

16 “(6) Neither a local government nor an employee of
17 the Federal Government or of any State or local govern-
18 ment, responsible for providing information to the national
19 instant criminal background check system shall be liable
20 in an action at law for damages—

21 “(A) for failure to prevent the sale or transfer
22 of explosive materials to a person whose receipt or
23 possession of the explosive materials is unlawful
24 under this section; or

1 tion 103 of the Brady Handgun Violence Prevention
2 Act; or

3 “(2) who was not prohibited from receipt of ex-
4 plosive materials pursuant to section 842(i),
5 may bring an action against the State or political subdivi-
6 sion responsible for providing the erroneous information,
7 or responsible for denying the transfer, or against the
8 United States, as the case may be, for an order directing
9 that the erroneous information be corrected or that the
10 transfer be approved, as the case may be. In any action
11 under this section, the court, in its discretion, may allow
12 the prevailing party a reasonable attorney’s fee as part
13 of the costs.”.

14 (2) TECHNICAL AMENDMENT.—The section
15 analysis for chapter 40 of title 18, United States
16 Code, is amended by inserting after the item relating
17 to section 843 the following:

 “843A. Remedy for erroneous denial of explosive materials.”.

18 (e) REGULATIONS.—

19 (1) IN GENERAL.—Not later than 6 months
20 after the date of the enactment of this Act, the Sec-
21 retary of the Treasury shall issue final regulations
22 with respect to the amendments made by subsection
23 (a).

24 (2) NOTICE TO STATES.—On the issuance of
25 regulations pursuant to paragraph (1), the Secretary

1 of the Treasury shall notify the States of the regula-
2 tions so that the States may consider revising their
3 explosives laws.

4 (f) LICENSES AND USER PERMITS.—Section 843(a)
5 of title 18, United States Code, is amended—

6 (1) by inserting “, including fingerprints and a
7 photograph of the applicant” before the period at
8 the end of the first sentence; and

9 (2) by striking the second sentence and insert-
10 ing, “Each applicant for a license shall pay for each
11 license a fee established by the Secretary that shall
12 not exceed \$300. Each applicant for a permit shall
13 pay for each permit a fee established by the Sec-
14 retary that shall not exceed \$100.”.

15 (g) PENALTIES.—Section 844 of title 18, United
16 States Code, is amended—

17 (1) by redesignating subsection (a) as sub-
18 section (a)(1); and

19 (2) by inserting after subsection (a)(1) the fol-
20 lowing new paragraph:

21 “(2) Any person who violates section 842(q) shall be
22 fined under this title, imprisoned for not more than 5
23 years, or both.”.

1 (h) EFFECTIVE DATE.—The amendments made by
2 subsections (a), (b), (c), (d), and (g) shall take effect 18
3 months after the date of enactment of the Act.

4 **SEC. 513. LICENSEE REPORTS OF SECONDHAND FIREARMS.**

5 (a) IN GENERAL.—Section 923(g) of title 18, United
6 States Code, is amended by adding at the end the follow-
7 ing new paragraph:

8 “(8) Licensed importers, licensed manufacturers, and
9 licensed dealers shall submit to the Secretary monthly re-
10 ports of all firearms obtained from non-licensees. Such in-
11 formation shall be reported on a form to be specified by
12 the Secretary by regulation. Such reports shall not include
13 the name of or identifying information about the firearm
14 transferors or subsequent purchasers.”.

15 (b) EFFECTIVE DATE.—This section shall be effec-
16 tive 180 days after the date of the enactment of this Act.

17 **SEC. 514. LIMITATION PERIOD FOR NATIONAL FIREARMS**
18 **ACT PROSECUTIONS.**

19 Section 6531 of the Internal Revenue Code of 1986
20 (26 U.S.C. 6531) is amended by amending the matter pre-
21 ceding paragraph (1) to read as follows:

22 “No person shall be prosecuted, tried, or punished
23 for any of the various offenses arising under the internal
24 revenue laws unless the indictment is found or the infor-

1 mation instituted within 3 years next after the commission
2 of the offense, except that the period of limitation—

3 “(a) shall be 5 years for offenses described in section
4 5861 (relating to firearms); and

5 “(b) shall be 6 years—

6 **SEC. 515. REQUIREMENTS CONCERNING BLACK POWDER**
7 **AND BULK SMOKELESS POWDER.**

8 (a) Section 845 of title 18, United States Code, is
9 further amended—

10 (1) by striking paragraph (4) of subsection (a)
11 and inserting the following:

12 “(4) assembled small arms ammunition and
13 primers not assembled into cartridges (other than
14 bulk smokeless powder); and”;

15 (2) in subsection (a)(5), by striking ‘commer-
16 cially manufactured black powder in quantities not
17 to exceed fifty pounds,’;

18 (3) by redesignating subsections (b), (c) and (d)
19 as subsections (c), (d) and (e), respectively; and

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

21 “(e) The provisions of sections 842(a)(3) and 842(b)
22 of this chapter shall not apply to commercially manufac-
23 tured black powder in quantities not to exceed five pounds
24 which is intended to be used solely for sporting, rec-
25 reational, or cultural purposes in antique firearms as de-

1 fined in section 921(a)(16) of title 18 of the United States
2 Code, or in antique devices as exempted from the term
3 “destructive device” in section 921(a)(4) of title 18 of the
4 United States Code, or to bulk smokeless powder in quan-
5 tities not to exceed ten pounds.

6 “(f) Sections 842(a)(3)(A), 842(a)(3)(B), 842(b) and
7 842(p) shall not apply to transactions between licensees
8 and persons licensed as manufacturers of ammunition
9 under section 923(a)(1)(A) or (C) of this title.”.

10 (b) Section 926 of title 18, United States Code, is
11 amended by striking subsection (e).

12 (c) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect 18 months after the date of
14 enactment of the Act.

15 **SEC. 516. SUSPENSION OF FIREARMS DEALER’S LICENSE**
16 **AND CIVIL PENALTIES FOR VIOLATIONS OF**
17 **THE GUN CONTROL ACT.**

18 Subsections (e) and (f) of section 923 of title 18,
19 United States Code, are amended to read as follows:

20 “(e) The Secretary may, after notice and opportunity
21 for hearing, suspend or revoke any license issued under
22 this section, or may subject the licensee to a civil penalty
23 of not more than \$10,000 per violation, if the holder of
24 such license has willfully violated any provision of this
25 chapter or any rule or regulation prescribed by the Sec-

1 retary under this chapter. The Secretary may, after notice
2 and opportunity for hearing, suspend or revoke the license
3 of, or assess a civil penalty of not more than \$10,000 on,
4 a dealer who willfully transfers armor piercing ammuni-
5 tion. The Secretary may at any time compromise, miti-
6 gate, or remit the liability with respect to any willful viola-
7 tion of this chapter or any rule or regulation prescribed
8 by the Secretary under this chapter. The Secretary's ac-
9 tions under this subsection may be reviewed only as pro-
10 vided in subsection (f) of this section.

11 “(f)(1) Any person whose application for a license is
12 denied and any holder of a license which is suspended or
13 revoked or who is assessed a civil penalty shall receive a
14 written notice from the Secretary stating specifically the
15 grounds upon which the application was denied or upon
16 which the license was suspended or revoked or the civil
17 penalty assessed. Any notice of a suspension or revocation
18 of a license shall be given to the holder of such license
19 before the effective date of the suspension or revocation.

20 “(2) If the Secretary denies an application for a li-
21 cense, or suspends or revokes a license, or assesses a civil
22 penalty, he shall, upon request by the aggrieved party,
23 promptly hold a hearing to review his denial, suspension,
24 revocation, or assessment. In the case of a suspension or
25 revocation of a license, the Secretary shall, upon the re-

1 quest of the holder of the license, stay the effective date
2 of the suspension or revocation. A hearing under this
3 paragraph shall be held at a location convenient to the
4 aggrieved party.

5 “(3) If after a hearing held under paragraph (2) the
6 Secretary decides not to reverse his decision to deny an
7 application or suspend or revoke a license or assess a civil
8 penalty, the Secretary shall give notice of his decision to
9 the aggrieved party. The aggrieved party may at any time
10 within sixty days after the date notice was given under
11 this paragraph file a petition with the United States dis-
12 trict court for the district in which he resides or has his
13 principal place of business for a de novo judicial review
14 of such denial, suspension, revocation, or assessment. In
15 a proceeding conducted under this subsection, the court
16 may consider any evidence submitted by the parties to the
17 proceeding whether or not such evidence was considered
18 at the hearing held under paragraph (2). If the court de-
19 cides that the Secretary was not authorized to deny the
20 application or to suspend or revoke the license or to assess
21 the civil penalty, the court shall order the Secretary to
22 take such action as may be necessary to comply with the
23 judgment of the court.”.

1 **TITLE VI—CHILDREN’S DEFENSE**
2 **ACT OF 1999**

3 **SEC. 601. SHORT TITLE.**

4 This title may be cited as the “Children’s Defense
5 Act of 1999”.

6 **SEC. 602. STUDY OF EFFECTS OF ENTERTAINMENT ON**
7 **CHILDREN.**

8 (a) **REQUIREMENT.**—The National Institutes of
9 Health shall conduct a study of the effects of video games
10 and music on child development and youth violence.

11 (b) **ELEMENTS.**—The study under subsection (a)
12 shall address—

13 (1) whether, and to what extent, video games
14 and music affect the emotional and psychological de-
15 velopment of juveniles; and

16 (2) whether violence in video games and music
17 contributes to juvenile delinquency and youth vio-
18 lence.

19 **SEC. 603. TEMPORARY ANTITRUST IMMUNITY TO PERMIT**
20 **THE ENTERTAINMENT INDUSTRY TO SET**
21 **GUIDELINES TO HELP PROTECT CHILDREN**
22 **FROM HARMFUL MATERIAL.**

23 (b) **PURPOSES; CONSTRUCTION.**—

24 (1) **PURPOSES.**—The purposes of this section
25 are to permit the entertainment industry—

1 (A) to work collaboratively to respond to
2 growing public concern about television pro-
3 gramming, movies, video games, Internet con-
4 tent, and music lyrics, and the harmful influ-
5 ence of such programming, movies, games, con-
6 tent, and lyrics on children;

7 (B) to develop a set of voluntary program-
8 ming guidelines similar to those contained in
9 the Television Code of the National Association
10 of Broadcasters; and

11 (C) to implement the guidelines in a man-
12 ner that alleviates the negative impact of tele-
13 vision programming, movies, video games,
14 Internet content, and music lyrics on the devel-
15 opment of children in the United States and
16 stimulates the development and broadcast of
17 educational and informational programming for
18 such children.

19 (2) CONSTRUCTION.—This section may not be
20 construed as—

21 (A) providing the Federal Government
22 with any authority to restrict television pro-
23 gramming, movies, video games, Internet con-
24 tent, or music lyrics that is in addition to the
25 authority to restrict such programming, movies,

1 games, content, or lyrics under law as of the
2 date of the enactment of this Act; or

3 (B) approving any action of the Federal
4 Government to restrict such programming,
5 movies, games, content, or lyrics that is in addi-
6 tion to any actions undertaken for that purpose
7 by the Federal Government under law as of
8 such date.

9 (c) EXEMPTION OF VOLUNTARY AGREEMENTS ON
10 GUIDELINES FOR CERTAIN ENTERTAINMENT MATERIAL
11 FROM APPLICABILITY OF ANTITRUST LAWS.—

12 (1) EXEMPTION.—Subject to paragraph (2),
13 the antitrust laws shall not apply to any joint dis-
14 cussion, consideration, review, action, or agreement
15 by or among persons in the entertainment industry
16 for the purpose of developing and disseminating vol-
17 untary guidelines designed—

18 (A) to alleviate the negative impact of tele-
19 cast material, movies, video games, Internet
20 content, and music lyrics containing—

21 (i) violence, sexual content, criminal
22 behavior; or

23 (ii) other subjects that are not appro-
24 priate for children; or

1 (B) to promote telecast material, movies,
2 video games, Internet content, or music lyrics
3 that are educational, informational, or other-
4 wise beneficial to the development of children.

5 (2) LIMITATION.—The exemption provided in
6 paragraph (1) shall not apply to any joint discus-
7 sion, consideration, review, action, or agreement
8 that—

9 (A) results in a boycott of any person; or

10 (B) concerns the purchase or sale of adver-
11 tising, including restrictions on the number of
12 products that may be advertised in a commer-
13 cial, the number of times a program may be in-
14 terrupted for commercials, and the number of
15 consecutive commercials permitted within each
16 interruption.

17 (3) DEFINITIONS.—In this subsection:

18 (A) ANTITRUST LAWS.—The term “anti-
19 trust laws”—

20 (i) has the meaning given it in sub-
21 section (a) of the first section of the Clay-
22 ton Act (15 U.S.C. 12(a)), except that
23 such term includes section 5 of the Federal
24 Trade Commission Act (15 U.S.C. 45) to

1 the extent such section 5 applies to unfair
2 methods of competition; and

3 (ii) includes any State law similar to
4 the laws referred to in subparagraph (A).

5 (B) INTERNET.—The term “Internet”
6 means the combination of computer facilities
7 and electromagnetic transmission media, and
8 related equipment and software, comprising the
9 interconnected worldwide network of computer
10 networks that employ the Transmission Control
11 Protocol/Internet Protocol or any successor pro-
12 tocol to transmit information.

13 (C) MOVIES.—The term “movies” means
14 theatrical motion pictures.

15 (D) PERSON IN THE ENTERTAINMENT IN-
16 DUSTRY.—The term “person in the entertain-
17 ment industry” means a television network, any
18 person that produces or distributes television
19 programming (including theatrical motion pic-
20 tures), the National Cable Television Associa-
21 tion, the Association of Independent Television
22 Stations, Incorporated, the National Association
23 of Broadcasters, the Motion Picture Association
24 of America, each of the affiliate organizations
25 of the television networks, the Interactive Digi-

1 tal Software Association, any person that pro-
2 duces or distributes video games, the Recording
3 Industry Association of America, and any per-
4 son that produces or distributes music, and in-
5 cludes any individual acting on behalf of any of
6 the above.

7 (E) TELECAST.—The term “telecast mate-
8 rial” means any program broadcast by a tele-
9 vision broadcast station or transmitted by a
10 cable television system.

11 (d) SUNSET.—Subsection (d) shall apply only with
12 respect to conduct that occurs in the period beginning on
13 the date of the enactment of this Act and ending 3 years
14 after such date.