

105TH CONGRESS
1ST SESSION

S. 718

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

IN THE SENATE OF THE UNITED STATES

MAY 8, 1997

Mr. DOMENICI (for himself, Mr. ASHCROFT, Mr. WYDEN, and Mr. CAMPBELL)
introduced the following bill; which was read twice and referred to the
Committee on the Judiciary

A BILL

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

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Juvenile Crime Control and Community Protection Act
6 of 1997”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Severability.

TITLE I—REFORM OF EXISTING PROGRAMS

Sec. 101. Findings and purposes.
 Sec. 102. Definitions.
 Sec. 103. Office of Juvenile Justice and Delinquency Prevention.
 Sec. 104. Annual report.
 Sec. 105. Block grants for State and local programs.
 Sec. 106. State plans.
 Sec. 107. Repeals.

TITLE II—INCENTIVE GRANTS FOR ACCOUNTABILITY-BASED REFORMS

Sec. 201. Incentive grants for accountability-based reforms.

TITLE III—REFORM OF FEDERAL JUVENILE JUSTICE SYSTEM

Sec. 301. Juvenile adjudications considered in sentencing.
 Sec. 302. Access to juvenile records.
 Sec. 303. Referral of children with disabilities to juvenile and criminal authorities.
 Sec. 304. Limited disclosure of Federal Bureau of Investigation records.
 Sec. 305. Amendments to Federal Juvenile Delinquency Act.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Authorization of appropriations.

1 **SEC. 2. SEVERABILITY.**

2 If any provision of this Act, an amendment made by
 3 this Act, or the application of such provision or amend-
 4 ment to any person or circumstance is held to be unconsti-
 5 tutional, the remainder of this Act, the amendments made
 6 by this Act, and the application of the provisions of such
 7 to any person or circumstance shall not be affected there-
 8 by.

9 **TITLE I—REFORM OF EXISTING** 10 **PROGRAMS**

11 **SEC. 101. FINDINGS AND PURPOSES.**

12 (a) FINDINGS.—Section 101 of the Juvenile Justice
 13 and Delinquency Prevention Act of 1974 (42 U.S.C. 5601)
 14 is amended—

1 (1) by striking subsection (a) and inserting the
2 following:

3 “(a) FINDINGS.—Congress finds that—

4 “(1) the Nation’s juvenile justice system is in
5 trouble, including dangerously overcrowded facilities,
6 overworked field staff, and a growing number of
7 children who are breaking the law;

8 “(2) a redesigned juvenile corrections program
9 for the next century should be based on 4 principles,
10 including—

11 “(A) protecting the community;

12 “(B) accountability for offenders and their
13 families;

14 “(C) restitution for victims and the com-
15 munity; and

16 “(D) community-based prevention;

17 “(3) existing programs have not adequately re-
18 sponded to the particular problems of juvenile
19 delinquents in the 1990’s;

20 “(4) State and local communities, which experi-
21 ence directly the devastating failure of the juvenile
22 justice system, do not have sufficient resources to
23 deal comprehensively with the problems of juvenile
24 crime and delinquency;

1 “(5) limited State and local resources are being
2 unnecessarily wasted complying with overly technical
3 Federal requirements for ‘sight and sound’ separation
4 tion currently in effect under the 1974 Act, while
5 prohibiting the commingling of adults and juvenile
6 populations would achieve this important purpose
7 without imposing an undue burden on State and
8 local governments;

9 “(6) limited State and local resources are being
10 unnecessarily wasted complying with the overly re-
11 strictive Federal mandate that no juveniles be de-
12 tained or confined in any jail or lockup for adults,
13 which mandate is particularly burdensome for rural
14 communities;

15 “(7) the juvenile justice system should give ad-
16 ditional attention to the problem of juveniles who
17 commit serious crimes, with particular attention
18 given to the area of sentencing;

19 “(8) local school districts lack information nec-
20 essary to track serious violent juvenile offenders, in-
21 formation that is essential to promoting safety in
22 public schools;

23 “(9) the term ‘prevention’ should mean both en-
24 suring that families have a greater chance to raise
25 their children so that those children do not engage

1 in criminal or delinquent activities, and preventing
2 children who have engaged in such activities from
3 becoming permanently entrenched in the juvenile
4 justice system;

5 “(10) in 1994, there were more than 330,000
6 juvenile arrests for violent crimes, and between 1985
7 and 1994, the number of juvenile criminal homicide
8 cases increased by 144 percent, and the number of
9 juvenile weapons cases increased by 156 percent;

10 “(11) in 1994, males age 14 through 24 con-
11 stituted only 8 percent of the population, but ac-
12 counted for more than 25 percent of all homicide
13 victims and nearly half of all convicted murderers;

14 “(12) in a survey of 250 judges, 93 percent of
15 those judges stated that juvenile offenders should be
16 fingerprinted, 85 percent stated that juvenile crimi-
17 nal records should be made available to adult au-
18 thorities, and 40 percent stated that the minimum
19 age for facing murder charges should be 14 or 15;

20 “(13) studies indicate that good parenting
21 skills, including normative development, monitoring,
22 and discipline, clearly affect whether children will
23 become delinquent, and adequate supervision of free-
24 time activities, whereabouts, and peer interaction is

1 critical to ensure that children do not drift into
2 delinquency;

3 “(14) school officials lack the information nec-
4 essary to ensure that school environments are safe
5 and conducive to learning;

6 “(15) in the 1970’s, less than half of our Na-
7 tion’s cities reported gang activity, while 2 decades
8 later, a nationwide survey reported a total of 23,388
9 gangs and 664,906 gang members on the streets of
10 United States cities in 1995;

11 “(16) the high incidence of delinquency in the
12 United States results in an enormous annual cost
13 and an immeasurable loss of human life, personal se-
14 curity, and wasted human resources; and

15 “(17) juvenile delinquency constitutes a grow-
16 ing threat to the national welfare, requiring imme-
17 diate and comprehensive action by the Federal Gov-
18 ernment to reduce and eliminate the threat.”; and

19 (2) in subsection (b)—

20 (A) by striking “further”; and

21 (B) by striking “Federal Government” and
22 inserting “Federal, State, and local
23 governments”.

1 (b) PURPOSES.—Section 102 of the Juvenile Justice
2 and Delinquency Prevention Act of 1974 (42 U.S.C. 5602)
3 is amended to read as follows:

4 **“SEC. 102. PURPOSES.**

5 “The purposes of this title and title II are—

6 “(1) to assist State and local governments in
7 promoting public safety by supporting juvenile delin-
8 quency prevention and control activities;

9 “(2) to give greater flexibility to schools to de-
10 sign academic programs and educational services for
11 juvenile delinquents expelled or suspended for dis-
12 ciplinary reasons;

13 “(3) to assist State and local governments in
14 promoting public safety by encouraging accountabil-
15 ity through the imposition of meaningful sanctions
16 for acts of juvenile delinquency;

17 “(4) to assist State and local governments in
18 promoting public safety by improving the extent, ac-
19 curacy, availability, and usefulness of juvenile court
20 and law enforcement records and the openness of
21 the juvenile justice system to the public;

22 “(5) to assist teachers and school officials in
23 ensuring school safety by improving their access to
24 information concerning juvenile offenders attending

1 or intending to enroll in their schools or school-relat-
 2 ed activities;

3 “(6) to assist State and local governments in
 4 promoting public safety by encouraging the identi-
 5 fication of violent and hardcore juveniles and in
 6 transferring such juveniles out of the jurisdiction of
 7 the juvenile justice system and into the jurisdiction
 8 of adult criminal court;

9 “(7) to provide for the evaluation of federally
 10 assisted juvenile crime control programs, and train-
 11 ing necessary for the establishment and operation of
 12 such programs;

13 “(8) to ensure the dissemination of information
 14 regarding juvenile crime control programs by provid-
 15 ing a national clearinghouse; and

16 “(9) to provide technical assistance to public
 17 and private nonprofit juvenile justice and delin-
 18 quency prevention programs.”.

19 **SEC. 102. DEFINITIONS.**

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

22 (1) in paragraph (3), by inserting “punish-
 23 ment,” after “control,”;

24 (2) in paragraph (22)(iii), by striking “and” at
 25 the end;

1 (3) in paragraph (23), by striking the period at
2 the end and inserting a semicolon; and

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

4 “(24) the term ‘serious violent crime’ means—

5 “(A) murder or nonnegligent man-
6 slaughter, or robbery;

7 “(B) aggravated assault committed with
8 the use of a dangerous or deadly weapon, forc-
9 ible rape, kidnaping, felony aggravated battery,
10 assault with intent to commit a serious violent
11 crime, and vehicular homicide committed while
12 under the influence of an intoxicating liquor or
13 controlled substance; or

14 “(C) a serious drug offense;

15 “(25) the term ‘serious drug offense’ means an
16 act or acts which, if committed by an adult subject
17 to Federal criminal jurisdiction, would be punishable
18 under section 401(b)(1)(A) or 408 of the Controlled
19 Substances Act (21 U.S.C. 841(b)(1)(A), 848) or
20 section 1010(b)(1)(A) of the Controlled Substances
21 Import and Export Act (21 U.S.C. 960(b)(1)(A));
22 and

23 “(26) the term ‘serious habitual offender’
24 means a juvenile who—

“(A) has been adjudicated delinquent and subsequently arrested for a capital offense, life offense, first degree aggravated sexual offense, or serious drug offense;

“(B) has had not fewer than 5 arrests, with 3 arrests chargeable as felonies if committed by an adult and not fewer than 3 arrests occurring within the most recent 12-month period;

“(C) has had not fewer than 10 arrests, with 2 arrests chargeable as felonies if committed by an adult and not fewer than 3 arrests occurring within the most recent 12-month period; or

“(D) has had not fewer than 10 arrests, with 8 or more arrests for misdemeanor crimes involving theft, assault, battery, narcotics possession or distribution, or possession of weapons, and not fewer than 3 arrests occurring within the most recent 12-month period.”.

SEC. 103. OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

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

(1) in subsection (a)(1)—

1 (A) by striking “shall develop” and insert-
2 ing the following: “shall—

3 “(A) develop”;

4 (B) by inserting “punishment,” before “di-
5 version”; and

6 (C) in the first sentence, by striking
7 “States” and all that follows through the end of
8 the paragraph and inserting the following:
9 “States; and

10 “(B) annually submit the plan required by
11 subparagraph (A) to the Congress.”;

12 (2) in subsection (b)—

13 (A) in paragraph (1), by adding “and” at
14 the end; and

15 (B) by striking paragraphs (2) through (7)
16 and inserting the following:

17 “(2) reduce duplication among Federal juvenile
18 delinquency programs and activities conducted by
19 Federal departments and agencies.”;

20 (3) by redesignating subsection (h) as sub-
21 section (f); and

22 (4) by striking subsection (i).

1 **SEC. 104. ANNUAL REPORT.**

2 Section 207 of the Juvenile Justice and Delinquency
3 Prevention Act of 1974 (42 U.S.C. 5617) is amended to
4 read as follows:

5 **“SEC. 207. ANNUAL REPORT.**

6 “Not later than 180 days after the end of a fiscal
7 year, the Administrator shall submit to the President, the
8 Speaker of the House of Representatives, the President
9 pro tempore of the Senate, and the Governor of each
10 State, a report that contains the following with respect
11 to such fiscal year:

12 “(1) SUMMARY AND ANALYSIS.—A detailed
13 summary and analysis of the most recent data avail-
14 able regarding the number of juveniles taken into
15 custody, the rate at which juveniles are taken into
16 custody, the number of repeat juvenile offenders, the
17 number of juveniles using weapons, the number of
18 juvenile and adult victims of juvenile crime and the
19 trends demonstrated by the data required by sub-
20 paragraphs (A), (B), and (C). Such summary and
21 analysis shall set out the information required by
22 subparagraphs (A), (B), (C), and (D) separately for
23 juvenile nonoffenders, juvenile status offenders, and
24 other juvenile offenders. Such summary and analysis
25 shall separately address with respect to each cat-

1 egory of juveniles specified in the preceding
2 sentence—

3 “(A) the types of offenses with which the
4 juveniles are charged, data on serious violent
5 crimes committed by juveniles, and data on se-
6 rious habitual offenders;

7 “(B) the race and gender of the juveniles
8 and their victims;

9 “(C) the ages of the juveniles and their
10 victims;

11 “(D) the types of facilities used to hold the
12 juveniles (including juveniles treated as adults
13 for purposes of prosecution) in custody, includ-
14 ing secure detention facilities, secure correc-
15 tional facilities, jails, and lockups;

16 “(E) the number of juveniles who died
17 while in custody and the circumstances under
18 which they died;

19 “(F) the educational status of juveniles, in-
20 cluding information relating to learning disabil-
21 ities, failing performance, grade retention, and
22 dropping out of school;

23 “(G) the number of juveniles who are sub-
24 stance abusers; and

1 “(H) information on juveniles fathering or
2 giving birth to children out of wedlock, and
3 whether such juveniles have assumed financial
4 responsibility for their children.

5 “(2) ACTIVITIES FUNDED.—A description of
6 the activities for which funds are expended under
7 this part.

8 “(3) STATE COMPLIANCE.—A description based
9 on the most recent data available of the extent to
10 which each State complies with section 223 and with
11 the plan submitted under that section by the State
12 for that fiscal year.

13 “(4) SUMMARY AND EXPLANATION.—A sum-
14 mary of each program or activity for which assist-
15 ance is provided under part C or D, an evaluation
16 of the results of such program or activity, and a de-
17 termination of the feasibility and advisability of re-
18 placing such program or activity in other locations.

19 “(5) EXEMPLARY PROGRAMS AND PRAC-
20 TICES.—A description of selected exemplary delin-
21 quency prevention programs and accountability-
22 based youth violence reduction practices.”.

1 **SEC. 105. BLOCK GRANTS FOR STATE AND LOCAL**
 2 **PROGRAMS.**

3 (a) SECTION 221.—Section 221 of the Juvenile Jus-
 4 tice and Delinquency Prevention Act of 1974 (42 U.S.C.
 5 5631) is amended—

6 (1) in subsection (a)—

7 (A) by inserting “(1)” before “The
 8 Administrator”;

9 (B) by inserting “, including charitable
 10 and religious organizations,” after “and private
 11 agencies”;

12 (C) by inserting before the period at the
 13 end the following: “, including—

14 “(A) initiatives for holding juveniles account-
 15 able for any act for which they are adjudicated de-
 16 linquent;

17 “(B) increasing public awareness of juvenile
 18 proceedings;

19 “(C) improving the content, accuracy, availabil-
 20 ity, and usefulness of juvenile court and law enforce-
 21 ment records (including fingerprints and photo-
 22 graphs); and

23 “(D) education programs such as funding for
 24 extended hours for libraries and recreational pro-
 25 grams which benefit all juveniles”; and

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

1 “(2)(A) State and local governments receiving grants
2 under paragraph (1) may contract with religious organiza-
3 tions or allow religious organizations to accept grants
4 under any program described in this title, on the same
5 basis as any other nongovernmental provider without im-
6 pairing the religious character of such organizations, and
7 without diminishing the religious freedom of beneficiaries
8 of assistance funded under such program.

9 “(B) A State or local government exercising its au-
10 thority to contract with private agencies or to allow private
11 agencies to accept grants under paragraph (1) shall en-
12 sure that religious organizations are eligible, on the same
13 basis as any other private organization, as contractors to
14 provide assistance, or to accept grants under any program
15 described in this title so long as the programs are imple-
16 mented consistent with the Establishment Clause of the
17 United States Constitution. Neither the Federal Govern-
18 ment nor a State or local government receiving funds
19 under such programs shall discriminate against an organi-
20 zation which is or applies to be a contractor to provide
21 assistance, or which accepts grants, on the basis that the
22 organization has a religious character.

23 “(C)(i) A religious organization that participates in
24 a program authorized by this title shall retain its inde-
25 pendence from Federal, State, and local governments, in-

1 cluding such organization’s control over the definition, de-
2 velopment, practice, and expression of its religious beliefs.

3 “(ii) Neither the Federal Government nor a State or
4 local government shall require a religious organization—

5 “(I) to alter its form of internal governance; or

6 “(II) to remove religious art, icons, scripture, or
7 other symbols,

8 in order to be eligible to contract to provide assistance,
9 or to accept grants funded under a program described in
10 this title.

11 “(D) A religious organization’s exemption provided
12 under section 702 of the Civil Rights Act of 1964 (42
13 U.S.C. 2000e–1a) regarding employment practices shall
14 not be affected by its participation in, or receipt of funds
15 from, programs described in this title.

16 “(E) If a juvenile has an objection to the religious
17 character of the organization or institution from which the
18 juvenile receives, or would receive, assistance funded under
19 any program described in this title, the State in which the
20 juvenile resides shall provide such juvenile (if otherwise
21 eligible for such assistance) within a reasonable period of
22 time after the date of such objection with assistance from
23 an alternative provider that is accessible to the juvenile
24 and the value of which is not less than the value of assist-

1 ance which the juvenile would have received from such
2 organization.

3 “(F) Except as otherwise provided in law, a religious
4 organization shall not discriminate against an individual
5 in regard to rendering assistance funded under any pro-
6 gram described in this title on the basis of religion, a reli-
7 gious belief, or refusal to actively participate in a religious
8 practice.

9 “(G)(i) Except as provided in clause (ii), any religious
10 organization contracting to provide assistance funded
11 under any program described in this title shall be subject
12 to the same regulations as other contractors to account
13 in accord with generally accepted accounting principles for
14 the use of such funds provided under such programs.

15 “(ii) If such organization segregates Federal funds
16 provided under such programs into separate accounts,
17 then only the financial assistance provided with such funds
18 shall be subject to audit.

19 “(H) Any party that seeks to enforce its rights under
20 this section may assert a civil action for injunctive relief
21 exclusively in an appropriate Federal district court against
22 the official or government agency that allegedly commits
23 such violation.

24 “(I) No State or local government may use funds pro-
25 vided under this title to fund sectarian worship, pros-

1 elytization, or prayer, or for any purpose other than the
 2 provision of social services under this title.”; and

3 (2) in subsection (b), by striking paragraph (1)
 4 and inserting the following:

5 “(1) Of amounts made available to carry out this part
 6 in any fiscal year, \$10,000,000 or 1 percent (whichever
 7 is greater) may be used by the Administrator—

8 “(A) to establish and maintain a clearinghouse
 9 to disseminate to the States information on juvenile
 10 delinquency prevention, treatment, and control; and

11 “(B) to provide training and technical assist-
 12 ance to States to improve the administration of the
 13 juvenile justice system.”.

14 (b) SECTION 223.—Section 223(a)(10) of the Juve-
 15 nile Justice and Delinquency Prevention Act of 1974 (42
 16 U.S.C. 5633(a)(10)) is amended—

17 (1) by striking “or through” and inserting
 18 “through”; and

19 (2) by inserting “or through grants and con-
 20 tracts with religious organizations in accordance
 21 with section 221(b)(2)(B)” after “agencies,”.

22 **SEC. 106. STATE PLANS.**

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

25 (1) in subsection (a)—

1 (A) by striking the second sentence;

2 (B) by striking paragraph (3) and insert-
3 ing the following:

4 “(3) provide for an advisory group, which—

5 “(A) shall—

6 “(i)(I) consist of such number of
7 members deemed necessary to carry out
8 the responsibilities of the group and ap-
9 pointed by the chief executive officer of the
10 State; and

11 “(II) consist of a majority of members
12 (including the chairperson) who are not
13 full-time employees of the Federal Govern-
14 ment, or a State or local government;

15 “(ii) include members who have train-
16 ing, experience, or special knowledge
17 concerning—

18 “(I) the prevention and treat-
19 ment of juvenile delinquency;

20 “(II) the administration of juve-
21 nile justice, including law enforce-
22 ment; and

23 “(III) the representation of the
24 interests of the victims of violent juve-
25 nile crime and their families; and

1 “(iii) include as members at least 1
2 locally elected official representing general
3 purpose local government;

4 “(B) shall participate in the development
5 and review of the State’s juvenile justice plan
6 prior to submission to the supervisory board for
7 final action;

8 “(C) shall be afforded an opportunity to
9 review and comment, not later than 30 days
10 after the submission to the advisory group, on
11 all juvenile justice and delinquency prevention
12 grants submitted to the State agency des-
13 ignated under paragraph (1);

14 “(D) shall, consistent with this title—

15 “(i) advise the State agency des-
16 ignated under paragraph (1) and its super-
17 visory board; and

18 “(ii) submit to the chief executive offi-
19 cer and the legislature of the State not less
20 frequently than annually recommendations
21 regarding State compliance with this sub-
22 section; and

23 “(E) may, consistent with this title—

1 “(i) advise on State supervisory board
 2 and local criminal justice advisory board
 3 composition;

4 “(ii) review progress and accomplish-
 5 ments of projects funded under the State
 6 plan; and

7 “(iii) contact and seek regular input
 8 from juveniles currently under the jurisdic-
 9 tion of the juvenile justice system;”;

10 (C) in paragraph (10)—

11 (i) in subparagraph (N), by striking
 12 “and” at the end;

13 (ii) in subparagraph (O), by striking
 14 the period at the end and inserting “;
 15 and”; and

16 (iii) by adding at the end the
 17 following:

18 “(P) programs implementing the practices
 19 described in paragraphs (6) through (12) and
 20 (17) and (18) of section 242(b);”;

21 (D) by striking paragraph (13) and insert-
 22 ing the following:

23 “(13) provide assurances that, in each secure
 24 facility located in the State (including any jail or
 25 lockup for adults), there is no commingling in the

1 same cell or community room of, or any other regu-
 2 lar, sustained, physical contact between—

3 “(A) any juvenile detained or confined for
 4 any period of time in that facility; and

5 “(B) any adult offender detained or con-
 6 fined for any period of time in that facility.”;

7 (E) by striking paragraphs (8), (9), (12),
 8 (14), (15), (17), (18), (19), (24), and (25);

9 (F) by redesignating paragraphs (10),
 10 (11), (13), (16), (20), (21), (22), and (23) as
 11 paragraphs (8) through (15), respectively;

12 (G) in paragraph (14), as redesignated, by
 13 adding “and” at the end; and

14 (H) in paragraph (15), as redesignated, by
 15 striking the semicolon at the end and inserting
 16 a period; and

17 (2) by striking subsections (c) and (d).

18 **SEC. 107. REPEALS.**

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

21 (1) in title II—

22 (A) by striking parts C, E, F, G, and H;

23 (B) by striking part I, as added by section
 24 2(i)(1)(C) of Public Law 102–586; and

1 (C) by amending the heading of part I, as
 2 redesignated by section 2(i)(1)(A) of Public
 3 Law 102–586, to read as follows:

4 “PART E—GENERAL AND ADMINISTRATIVE
 5 PROVISIONS”; and

6 (2) by striking title V, as added by section 5(a)
 7 of Public Law 102–586.

8 **TITLE II—INCENTIVE GRANTS**
 9 **FOR ACCOUNTABILITY-BASED**
 10 **REFORMS**

11 **SEC. 201. INCENTIVE GRANTS FOR ACCOUNTABILITY-**
 12 **BASED REFORMS.**

13 Title II of the Juvenile Justice and Delinquency Pre-
 14 vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended
 15 by inserting after part B the following:

16 “PART C—INCENTIVE GRANTS FOR ACCOUNTABILITY-
 17 BASED REFORMS

18 **“SEC. 241. AUTHORIZATION OF GRANTS.**

19 “The Administrator shall provide juvenile delinquent
 20 accountability grants under section 242 to eligible States
 21 to carry out this title.

22 **“SEC. 242. ACCOUNTABILITY-BASED INCENTIVE GRANTS.**

23 “(a) ELIGIBILITY FOR GRANT.—To be eligible to re-
 24 ceive a grant under section 241, a State shall submit to
 25 the Administrator an application at such time, in such

1 form, and containing such assurances and information as
2 the Administrator may require by rule, including assur-
3 ances that the State has in effect (or will have in effect
4 not later than 1 year after the date on which the State
5 submits such application) laws, or has implemented (or
6 will implement not later than 1 year after the date on
7 which the State submits such application)—

8 “(1) policies and programs that ensure that all
9 juveniles who commit an act after attaining 14 years
10 of age that would be a serious violent crime if com-
11 mitted by an adult are treated as adults for pur-
12 poses of prosecution, unless on a case-by-case basis,
13 as a matter of law or prosecutorial discretion, the
14 transfer of such juveniles for disposition in the juve-
15 nile system is determined to be in the interest of jus-
16 tice, except that the age of the juvenile alone shall
17 not be determinative of whether such transfer is in
18 the interest of justice;

19 “(2) graduated sanctions for juvenile offenders,
20 ensuring a sanction for every delinquent or criminal
21 act, ensuring that the sanction is of increasing se-
22 verity based on the nature of the act, and escalating
23 the sanction with each subsequent delinquent or
24 criminal act; and

1 “(3) a system of records relating to any adju-
 2 dication of juveniles less than 15 years of age who
 3 are adjudicated delinquent for conduct that if com-
 4 mitted by an adult would constitute a serious violent
 5 crime, which records are—

6 “(A) equivalent to the records that would
 7 be kept of adults arrested for such conduct, in-
 8 cluding fingerprints and photographs;

9 “(B) submitted to the Federal Bureau of
 10 Investigation in the same manner in which
 11 adult records are submitted;

12 “(C) retained for a period of time that is
 13 equal to the period of time that records are re-
 14 tained for adults; and

15 “(D) available to law enforcement agen-
 16 cies, prosecutors, the courts, and school
 17 officials.

18 “(b) STANDARDS FOR HANDLING AND DISCLOSING
 19 INFORMATION.—School officials referred to in subsection
 20 (a)(3)(D) shall be subject to the same standards and pen-
 21 alties to which law enforcement and juvenile justice system
 22 employees are subject under Federal and State law for
 23 handling and disclosing information referred to in that
 24 paragraph.

1 “(c) ADDITIONAL AMOUNT BASED ON ACCOUNT-
2 ABILITY-BASED YOUTH VIOLENCE REDUCTION PRAC-
3 TICES.—A State that receives a grant under subsection
4 (a) is eligible to receive an additional amount of funds
5 added to such grant if such State demonstrates that the
6 State has in effect, or will have in effect, not later than
7 1 year after the deadline established by the Administrator
8 for the submission of applications under subsection (a) for
9 the fiscal year at issue, not fewer than 5 of the following
10 practices:

11 “(1) VICTIMS’ RIGHTS.—Increased victims’
12 rights, including—

13 “(A) the right to be treated with fairness
14 and with respect for the dignity and privacy of
15 the victim;

16 “(B) the right to be reasonably protected
17 from the accused offender;

18 “(C) the right to be notified of court pro-
19 ceedings; and

20 “(D) the right to information about the
21 conviction, sentencing, imprisonment, and re-
22 lease of the offender.

23 “(2) RESTITUTION.—Mandatory victim and
24 community restitution, including statewide programs

1 to reach restitution collection levels of not less than
2 80 percent.

3 “(3) ACCESS TO PROCEEDINGS.—Public access
4 to juvenile court delinquency proceedings.

5 “(4) PARENTAL RESPONSIBILITY.—Juvenile
6 nighttime curfews and parental civil liability for seri-
7 ous acts committed by juveniles released to the cus-
8 tody of their parents by the court.

9 “(5) ZERO TOLERANCE FOR DEADBEAT JUVE-
10 NILE PARENTS.—A requirement as conditions of pa-
11 role that—

12 “(A) any juvenile offender who is a parent
13 demonstrates parental responsibility by working
14 and paying child support; and

15 “(B) the juvenile attends and successfully
16 completes school or pursues vocational training.

17 “(6) SERIOUS HABITUAL OFFENDERS COM-
18 PREHENSIVE ACTION PROGRAM (SHOCAP).—

19 “(A) IN GENERAL.—Implementation of a
20 serious habitual offender comprehensive action
21 program which is a multidisciplinary inter-
22 agency case management and information shar-
23 ing system that enables the juvenile and crimi-
24 nal justice system, schools, and social service
25 agencies to make more informed decisions re-

1 garding early identification, control, super-
 2 vision, and treatment of juveniles who repeat-
 3 edly commit serious delinquent or criminal acts.

4 “(B) MULTIDISCIPLINARY AGENCIES.—Es-
 5 tablishment by units of local government in the
 6 State under a program referred to in subpara-
 7 graph (A), of a multidisciplinary agency com-
 8 prised of representatives from—

9 “(i) law enforcement organizations;

10 “(ii) school districts;

11 “(iii) State’s attorneys offices;

12 “(iv) court services;

13 “(v) State and county children and
 14 family services; and

15 “(vi) any additional organizations,
 16 groups, or agencies deemed appropriate to
 17 accomplish the purposes described in sub-
 18 paragraph (A), including—

19 “(I) juvenile detention centers;

20 “(II) mental and medical health
 21 agencies; and

22 “(III) the community at large.

23 “(C) IDENTIFICATION OF SERIOUS HABIT-
 24 UAL OFFENDERS.—Each multidisciplinary
 25 agency established under subparagraph (B)

1 shall adopt, by a majority of its members, cri-
 2 teria to identify individuals who are serious ha-
 3 bitual offenders.

4 “(D) INTERAGENCY INFORMATION SHAR-
 5 ING AGREEMENT.—

6 “(i) IN GENERAL.—Each multidisci-
 7 plinary agency established under subpara-
 8 graph (B) shall adopt, by a majority of its
 9 members, an interagency information shar-
 10 ing agreement to be signed by the chief ex-
 11 ecutive officer of each organization and
 12 agency represented in the multidisciplinary
 13 agency.

14 “(ii) DISCLOSURE OF INFORMA-
 15 TION.—The interagency information shar-
 16 ing agreement shall require that—

17 “(I) all records pertaining to se-
 18 rious habitual offenders shall be kept
 19 confidential to the extent required by
 20 State law;

21 “(II) information in the records
 22 may be made available to other staff
 23 from member organizations and agen-
 24 cies as authorized by the multidisci-
 25 plinary agency for the purposes of

1 promoting case management, commu-
2 nity supervision, conduct control, and
3 tracking of the serious habitual of-
4 fender for the application and coordi-
5 nation of appropriate services; and

6 “(III) access to the information
7 in the records shall be limited to indi-
8 viduals who provide direct services to
9 the serious habitual offender or who
10 provide community conduct control
11 and supervision to the serious habit-
12 ual offender.

13 “(7) COMMUNITY-WIDE PARTNERSHIPS.—Com-
14 munity-wide partnerships involving county, municipi-
15 pal government, school districts, appropriate State
16 agencies, and nonprofit organizations to administer
17 a unified approach to juvenile delinquency.

18 “(8) ZERO TOLERANCE FOR TRUANCY.—Imple-
19 mentation by school districts of programs to curb
20 truancy and implement certain and swift punish-
21 ments for truancy, including parental notification of
22 every absence, mandatory Saturday school makeup
23 sessions for truants or weekends in jail for truants
24 and denial of participation or attendance at extra-
25 curricular activities by truants.

1 “(9) ALTERNATIVE SCHOOLING.—A require-
2 ment that, as a condition of receiving any State
3 funding provided to school districts in accordance
4 with a formula allocation based on the number of
5 children enrolled in school in the school district, each
6 school district shall establish one or more alternative
7 schools or classrooms for juvenile offenders or juve-
8 niles who are expelled or suspended for disciplinary
9 reasons and shall require that such juveniles attend
10 the alternative schools or classrooms. Any juvenile
11 who refuses to attend such alternative school or
12 classroom shall be immediately detained pending a
13 hearing. If a student is transferred from a regular
14 school to an alternative school for juvenile offenders
15 or juveniles who are expelled or suspended for dis-
16 ciplinary reasons such State funding shall also be
17 transferred to the alternative school.

18 “(10) JUDICIAL JURISDICTION.—A system
19 under which municipal and magistrate courts have—

20 “(A) jurisdiction over minor delinquency
21 offenses such as truancy, curfew violations, and
22 vandalism; and

23 “(B) short term detention authority for
24 habitual minor delinquent behavior.

1 “(11) ELIMINATION OF CERTAIN INEFFECTIVE
 2 PENALTIES.—Elimination of ‘counsel and release’ or
 3 ‘refer and release’ as a penalty for juveniles with re-
 4 spect to the second or subsequent offense for which
 5 the juvenile is referred to a juvenile probation
 6 officer.

7 “(12) REPORT BACK ORDERS.—A system of ‘re-
 8 port back’ orders when juveniles are placed on pro-
 9 bation, so that after a period of time (not to exceed
 10 2 months) the juvenile appears before and advises
 11 the judge of the progress of the juvenile in meeting
 12 certain goals.

13 “(13) PENALTIES FOR USE OF FIREARM.—
 14 Mandatory penalties for the use of a firearm during
 15 a violent crime or a drug felony.

16 “(14) STREET GANGS.—A prohibition on en-
 17 gaging in criminal conduct as a member of a street
 18 gang and imposition of severe penalties for terrorism
 19 by criminal street gangs.

20 “(15) CHARACTER COUNTS.—Establishment of
 21 character education and training for juvenile
 22 offenders.

23 “(16) MENTORING.—Establishment of
 24 mentoring programs for at-risk youth.

1 “(17) DRUG COURTS AND COMMUNITY-ORI-
 2 ENTED POLICING STRATEGIES.—Establishment of
 3 courts for juveniles charged with drug offenses and
 4 community-oriented policing strategies.

5 “(18) RECORDKEEPING AND FINGER-
 6 PRINTING.—Programs that provide that, whenever a
 7 juvenile who has not achieved his or her 14th birth-
 8 day is adjudicated delinquent (as defined by Federal
 9 or State law in a juvenile delinquency proceeding)
 10 for conduct that, if committed by an adult, would
 11 constitute a felony under Federal or State law, the
 12 State shall ensure that a record is kept relating to
 13 the adjudication that is—

14 “(A) equivalent to the record that would be
 15 kept of an adult conviction for such an offense;

16 “(B) retained for a period of time that is
 17 equal to the period of time that records are
 18 kept for adult convictions;

19 “(C) made available to prosecutors, courts,
 20 and law enforcement agencies of any jurisdic-
 21 tion upon request; and

22 “(D) made available to officials of a school,
 23 school district, or postsecondary school where
 24 the individual who is the subject of the juvenile
 25 record seeks, intends, or is instructed to enroll,

1 and that such officials are held liable to the
 2 same standards and penalties that law enforce-
 3 ment and juvenile justice system employees are
 4 held liable to, for handling and disclosing such
 5 information.

6 “(19) EVALUATION.—Establishment of a com-
 7 prehensive process for monitoring and evaluating the
 8 effectiveness of State juvenile justice and delin-
 9 quency prevention programs in reducing juvenile
 10 crime and recidivism.

11 “(20) BOOT CAMPS.—Establishment of State
 12 boot camps with an intensive restitution or work and
 13 community service requirement as part of a system
 14 of graduated sanctions.

15 **“SEC. 243. GRANT AMOUNTS.**

16 “(a) ALLOCATION AND DISTRIBUTION OF FUNDS.—

17 “(1) ELIGIBILITY.—Of the total amount made
 18 available to carry out Part C of this title for each
 19 fiscal year, subject to subsection (b), each State
 20 shall be eligible to receive the sum of—

21 “(A) an amount that bears the same rela-
 22 tion to one-third of such total as the number of
 23 juveniles in the State bears to the number of
 24 juveniles in all States;

1 “(B) an amount that bears the same rela-
2 tion to one-third of such total as the number of
3 juveniles from families with incomes below the
4 poverty line in the State bears to the number
5 of such juveniles in all States; and

6 “(C) an amount that bears the same rela-
7 tion to one-third of such total as the average
8 annual number of part 1 violent crimes re-
9 ported by the State to the Federal Bureau of
10 Investigation for the 3 most recent calendar
11 years for which such data are available, bears
12 to the number of part 1 violent crimes reported
13 by all States to the Federal Bureau of Inves-
14 tigation for such years.

15 “(2) MINIMUM REQUIREMENT.—Each State
16 shall be eligible to receive not less than 3.5 percent
17 of one-third of the total amount appropriated to
18 carry out Part C for each fiscal year, except that the
19 amount for which the Virgin Islands of the United
20 States, Guam, American Samoa, and the Common-
21 wealth of the Northern Mariana Islands is eligible
22 shall be not less than \$100,000 and the amount for
23 which Palau is eligible shall be not less than
24 \$15,000.

1 “(3) UNAVAILABILITY OF INFORMATION.—For
 2 purposes of this subsection, if data regarding the
 3 measures governing allocation of funds under para-
 4 graphs (1) and (2) in any State are unavailable or
 5 substantially inaccurate, the Administrator and the
 6 State shall utilize the best available comparable data
 7 for the purposes of allocation of any funds under
 8 this section.

9 “(b) ALLOCATED AMOUNT.—The amount made
 10 available to carry out Part C of this title for any fiscal
 11 year shall be allocated among the States as follows:

12 “(1) 50 percent of the amount for which a
 13 State is eligible under subsection (a) shall be allo-
 14 cated to that State if it meets the requirements of
 15 section 242(a).

16 “(2) 50 percent of the amount for which a
 17 State is eligible under subsection (a) shall be allo-
 18 cated to that State if it meets the requirements of
 19 subsections (a) and (c) of section 242.

20 “(c) AVAILABILITY.—Any amounts made available
 21 under this section to carry out Part C of this title shall
 22 remain available until expended.

23 **“SEC. 244. ACCOUNTABILITY.**

24 “A State that receives a grant under section 241 shall
 25 use accounting, audit, and fiscal procedures that conform

1 to guidelines prescribed by the Administrator, and shall
 2 ensure that any funds used to carry out section 241 shall
 3 represent the best value for the State at the lowest pos-
 4 sible cost and employ the best available technology.

5 **“SEC. 245. LIMITATION ON USE OF FUNDS.**

6 “(a) NONSUPPLANTING REQUIREMENT.—Funds
 7 made available under section 241 shall not be used to sup-
 8 plant State funds, but shall be used to increase the
 9 amount of funds that would, in the absence of Federal
 10 funds, be made available from State sources.

11 “(b) ADMINISTRATIVE AND RELATED COSTS.—Not
 12 more than 2 percent of the funds appropriated under sec-
 13 tion 299(a) for a fiscal year shall be available to the Ad-
 14 ministrator for such fiscal year for purposes of—

15 “(1) research and evaluation, including assess-
 16 ment of the effect on public safety and other effects
 17 of the expansion of correctional capacity and sen-
 18 tencing reforms implemented pursuant to this part;
 19 and

20 “(2) technical assistance relating to the use of
 21 grants made under section 241, and development
 22 and implementation of policies, programs, and prac-
 23 tices described in section 242.

1 “(c) CARRYOVER OF APPROPRIATIONS.—Funds ap-
 2 propriated under section 299(a) shall remain available
 3 until expended.

4 “(d) MATCHING FUNDS.—The Federal share of a
 5 grant received under this part may not exceed 90 percent
 6 of the costs of a proposal, as described in an application
 7 approved under this part.”.

8 **TITLE III—REFORM OF FEDERAL** 9 **JUVENILE JUSTICE SYSTEM**

10 **SEC. 301. JUVENILE ADJUDICATIONS CONSIDERED IN** 11 **SENTENCING.**

12 Pursuant to section 994 of title 28, United States
 13 Code, the United States Sentencing Commission shall pro-
 14 mulgate guidelines or amend existing guidelines to provide
 15 that offenses contained in the juvenile record of an adult
 16 defendant shall be considered as adult offenses in sentenc-
 17 ing determinations if such juvenile offenses would have
 18 constituted a felony had they been committed by the de-
 19 fendant as an adult.

20 **SEC. 302. ACCESS TO JUVENILE RECORDS.**

21 Section 5038(a) of title 18, United States Code, is
 22 amended—

23 (1) in paragraph (5), by striking “and” at the
 24 end;

1 (2) in paragraph (6), by striking the period and
 2 inserting “; and”; and

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

4 “(7) inquiries from officials of a school, school
 5 district, or any postsecondary school where the indi-
 6 vidual who is the subject of the juvenile record
 7 seeks, intends, or is instructed or ordered to enroll.”.

8 **SEC. 303. REFERRAL OF CHILDREN WITH DISABILITIES TO**
 9 **JUVENILE AND CRIMINAL AUTHORITIES.**

10 Section 615 of the Individuals with Disabilities Edu-
 11 cation Act (20 U.S.C. 1415) is amended by adding at the
 12 end the following:

13 “(g) REFERRALS TO JUVENILE AND CRIMINAL
 14 AUTHORITIES.—

15 “(1) REPORTING.—Nothing in this part shall
 16 be construed to prohibit an agency from reporting a
 17 criminal act committed by a child with a disability
 18 to the police or a juvenile authority, or to prohibit
 19 a State juvenile or judicial authority from exercising
 20 the responsibility of the authority with regard to the
 21 application of a juvenile or criminal law to a crimi-
 22 nal activity committed by a child with a disability.

23 “(2) FILING PETITIONS.—Nothing in this part
 24 shall be construed to require a State educational
 25 agency or local educational agency to exhaust the

1 due process procedures under this section or any
 2 other part of this Act prior to filing a petition in a
 3 juvenile or criminal court with regard to a child with
 4 a disability who commits a criminal act at school or
 5 a school-related event under the jurisdiction of the
 6 State educational agency or local educational
 7 agency.”.

8 **SEC. 304. LIMITED DISCLOSURE OF FEDERAL BUREAU OF**
 9 **INVESTIGATION RECORDS.**

10 Section 534(e) of title 28, United States Code, is
 11 amended—

12 (1) by redesignating paragraph (3) as para-
 13 graph (4); and

14 (2) by inserting after paragraph (2) the
 15 following:

16 “(3)(A) The Director of the Federal Bureau of Inves-
 17 tigation, Identification Division, shall provide, upon re-
 18 quest, the information received under paragraph (3) of
 19 section 242(a) of the Juvenile Justice Delinquency and
 20 Prevention Act of 1974, to officials of a school, school dis-
 21 trict, or postsecondary school where the individual who is
 22 the subject of such information seeks, intends, or is in-
 23 structed or ordered to enroll.

24 “(B) School officials receiving information under sub-
 25 paragraph (A) shall be subject to the same standards and

1 penalties to which law enforcement and juvenile justice
 2 system employees are subject under Federal and State law
 3 for handling and disclosing information referred to in sub-
 4 paragraph (A).”.

5 **SEC. 305. AMENDMENTS TO FEDERAL JUVENILE**
 6 **DELINQUENCY ACT.**

7 (a) PROSECUTION OF JUVENILES AS ADULTS.—Sec-
 8 tion 5032 of title 18, United States Code, is amended by
 9 inserting before the first undesignated paragraph the
 10 following:

11 “Notwithstanding any other provision of law, a juve-
 12 nile defendant 14 years of age or older shall be prosecuted
 13 as an adult, and this chapter shall not apply, if such juve-
 14 nile is charged with an offense that constitutes—

15 “(A) murder or attempted murder;

16 “(B) robbery while armed with a dangerous or
 17 deadly weapon;

18 “(C) battery or assault while armed with a dan-
 19 gerous or deadly weapon;

20 “(D) forcible rape;

21 “(E) any serious drug offense which, if commit-
 22 ted by an adult, would be punishable under section
 23 401(b)(1)(A) or 408 of the Controlled Substances
 24 Act (21 U.S.C. 841(b)(1)(A), 848) or section

1 1010(b)(1)(A) of the Controlled Substances Import
2 and Export Act (21 U.S.C. 960(b)(1)(A)); and

3 “(F) the third or subsequent occasion, unre-
4 lated to any previous occasion, on which such juve-
5 nile engages in conduct for which an adult could be
6 imprisoned for a term exceeding 1 year, unless, on
7 a case-by-case basis—

8 “(i) a court determines that trying such a
9 juvenile as an adult is not in the interest of jus-
10 tice, except that the age of the juvenile alone
11 shall not be determinative of whether or not
12 such action is in the interest of justice;

13 “(ii) the court records its reasons for mak-
14 ing such a determination in writing and makes
15 such record available for inspection by the pub-
16 lic; and

17 “(iii) the court makes a record in writing
18 of the disposition of the juvenile in the juvenile
19 justice system available to the public, notwith-
20 standing any other law requiring such informa-
21 tion to be withheld or limited in any way from
22 access by the public.”.

23 (b) AMENDMENTS CONCERNING RECORDS.—Section
24 5038 of title 18, United States Code, is amended—

25 (1) by striking subsections (d) and (f);

1 (2) by redesignating subsection (e) as sub-
2 section (d); and

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

4 “(e)(1) The court shall comply with the requirements
5 of paragraph (2) if—

6 “(A) a juvenile under 14 years of age has been
7 found guilty of committing an act which, if commit-
8 ted by an adult, would be an offense described in the
9 first undesignated paragraph of section 5032; or

10 “(B) a juvenile, age 14 or older, is adjudicated
11 delinquent in a juvenile delinquency proceeding for
12 conduct which, if committed by an adult, would con-
13 stitute a felony.

14 “(2) The requirements of this paragraph are that—

15 “(A) a record shall be kept relating to the adju-
16 dication that is—

17 “(i) equivalent to the record that would be
18 kept of an adult conviction for such an offense;

19 “(ii) retained for a period of time that is
20 equal to the period of time that records are
21 kept for adult convictions;

22 “(iii) made available to law enforcement
23 agencies of any jurisdiction;

24 “(iv) made available to officials of a school,
25 school district, or postsecondary school where

1 the individual who is the subject of the juvenile
2 record seeks, intends, or is instructed to enroll;
3 and

4 “(v) made available, once the juvenile be-
5 comes an adult or is tried as an adult, to any
6 court having criminal jurisdiction over such an
7 individual for the purpose of allowing such
8 court to consider the individual’s prior juvenile
9 history as a relevant factor in determining ap-
10 propriate punishment for the individual at the
11 sentencing hearing;

12 “(B) officials referred to in clause (iv) of sub-
13 paragraph (A) shall be held liable to the same stand-
14 ards and penalties that law enforcement and juvenile
15 justice system employees are held liable to under
16 Federal and State law for handling and disclosing
17 such information;

18 “(C) the juvenile shall be fingerprinted and
19 photographed, and the fingerprints and photograph
20 shall be sent to the Federal Bureau of Investigation,
21 Identification Division, and shall otherwise be made
22 available to the same extent that fingerprints and
23 photographs of adults are made available; and

24 “(D) the court in which the adjudication takes
25 place shall transmit to the Federal Bureau of Inves-

1 tigation, Identification Division, information con-
 2 cerning the adjudication, including the name, date of
 3 adjudication, court, offenses, and disposition, along
 4 with a prominent notation that the matter concerns
 5 a juvenile adjudication.

6 “(3) If a juvenile has been adjudicated to be delin-
 7 quent on 2 or more separate occasions based on conduct
 8 that would be a felony if committed by an adult, the record
 9 of the second and all subsequent adjudications shall be
 10 kept and made available to the public to the same extent
 11 that a record of an adult conviction is open to the public.”.

12 **TITLE IV—GENERAL** 13 **PROVISIONS**

14 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 299 of the Juvenile Justice and Delinquency
 16 Prevention Act of 1974 (42 U.S.C. 5671) is amended by
 17 striking subsections (a) through (e) and inserting the fol-
 18 lowing:

19 “(a) OFFICE OF JUVENILE JUSTICE AND DELIN-
 20 QUENCY PREVENTION.—There are authorized to be ap-
 21 propriated for each of fiscal years 1998, 1999, 2000,
 22 2001, and 2002, such sums as may be necessary to carry
 23 out part A.

24 “(b) BLOCK GRANTS FOR STATE AND LOCAL PRO-
 25 GRAMS.—There is authorized to be appropriated

1 \$200,000,000 for each of fiscal years 1998, 1999, 2000,
2 2001, and 2002, to carry out part B.

3 “(c) INCENTIVE GRANTS FOR ACCOUNTABILITY-
4 BASED REFORMS.—There is authorized to be appro-
5 priated \$300,000,000 for each of fiscal years 1998, 1999,
6 2000, 2001, and 2002, to carry out part C.

7 “(d) SOURCE OF APPROPRIATIONS.—Funds author-
8 ized to be appropriated by this section may be appro-
9 priated from the Violent Crime Reduction Trust Fund.”.

○