

This year we will witness two events which deserve our recognition and support. On June 7, 1999 the White House will hold a White House Conference on Mental Health and later this year the Surgeon General will issue his report on mental health. The time has come when we must recognize that mental disorders are illnesses that can be treated effectively. We know that 90 percent of suicide victims have suffered from a mental disorder. Therefore, we must send a clear and unmistakable message that those who suffer should be encouraged to seek assistance and restore themselves to a healthy state of being. The Mental Health Parity legislation introduced by my good friends Senator PETE DOMENICI and Senator PAUL WELLSTONE is a step in the right direction. Their leadership on this issue has my full support and respect. There should be no barrier for individuals to obtaining help for whatever illness, including mental illness, if there is effective treatment available to assist them. We must remove the stigma and have the courage to show acceptance.

As you can see Mr. President, there is much that has been done but still much we in Congress can do to advance this agenda. Today, it is my intent to recognize the 8,000,000 survivors who all are at various stages of healing in addressing the loss of their loved one to suicide. I ask you to support me in turning their grief into hope, a hope that with acceptance and understanding, can lead our nation effectively addressing this very preventable public health challenge.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

AMERICAN FOUNDATION FOR  
SUICIDE PREVENTION,  
May 5, 1999.

Senator HARRY REID,  
*Hart Senate Office Building,*  
*Washington, DC.*

DEAR SENATOR REID: The American Foundation for Suicide Prevention supports the proposed Senate Resolution calling for a National Survivors for Prevention of Suicide Day. We believe this resolution will build on the momentum started by the 105th Congress in Senate Resolution 84 and House Resolution 212, and will further the suicide prevention goals articulated in these earlier resolutions.

Specifically, the proposed Survivors for Prevention Resolution will be instrumental in recognizing the involvement of people who have lost a loved one to suicide in prevention activities. It will also encourage them to come forward, break the silence and join with other survivors as a way to promote their healing.

As you know, our Foundation is dedicated to seeing that conferences for family members and friends who have lost someone to suicide are held in many more communities. Working together with other private organizations and public agencies, we will use this resolution to help develop local survivor conferences in cities across the country.

Please know AFSP deeply appreciates the leadership you are providing in Congress on

this major public health problem and is grateful for your sponsorship of Senate Resolution 84 in the 105th Congress. We are equally grateful for your willingness to sponsor this Survivors for Prevention Resolution.

On behalf of millions of survivors who want to prevent others from experiencing a similar loss, as well as people throughout our country concerned about the risk of suicide, thank you.

Sincerely,

ROBERT GEBBIA,  
*Executive Director.*

AAS, AMERICAN ASSOCIATION  
OF SUICIDOLGY,  
May 6, 1999.

Senator HARRY REID,  
*Hart Senate Office Building, Washington, DC.*

DEAR SENATOR REID: With great enthusiasm the American Association of Suicidology (AAS) supports the proposed Senate Resolution designating November 20, 1999 as "National Survivors for Prevention of Suicide Day." We, furthermore, applaud your continuing commitment to both suicide prevention and the needs of survivors.

Your proposal extends the success initiated by you in passage of Senate Resolution 84 in making suicide prevention a national priority. The subsequent passage of HR 212 and the Surgeon General's affirmation of suicide prevention as a public health goal are direct sequelae of your earlier efforts; and the consequence of these efforts will, undoubtedly promote the welfare of all our citizens.

The AAS has embraced suicide prevention as part of our mission and survivors as integral to accomplishing that mission. Our annual Healing After Suicide Conference has provided opportunities for thousands of survivors to learn from and assuage each other's often unbearable pain, to educate care givers to better understand the suicidal person, and to create new models to help the healing process. Our Directory of Survivors of Suicide Support Groups has been accessed by thousands of new survivors needing to find help. Our Survivor Division and newsletter Surviving Suicide continue to network and service the needs of survivors.

With the advocacy of our survivor members and your continued leadership, we are increasingly hopeful that we can significantly impact the incidence of suicide in this country and ensure the health of generations to come.

Sincerely,

LANNY BERMAN, PH.D.,  
*Executive Director.*  
KAREN DUNE-MAXIM, M.S.,  
R.N.,  
*President.*

SUICIDE PREVENTION  
ADVOCACY NETWORK,  
May 10, 1999.

Hon. HARRY REID,  
*U.S. Senate,*  
*Washington, DC.*

DEAR SENATOR REID: SPAN supports the Senate Resolution designating November 20, 1999 as "National Survivors for Prevention of Suicide Day" that you have prepared. Further, SPAN salutes you for this contribution to the well being, growth and involvement of survivors of suicide in the national effort to reduce the incidence of suicide!

It is just over two years since you introduced to the Senate of the 105th Congress, Senate Resolution 84 that recognized suicide as a national problem and suicide prevention as a national priority. The Proposed Senate Resolution is therefore particularly timely now as it brings before the Senate a reminder of their past action. It spotlights the need for continuing Senate support and identifies a powerful and potentially huge na-

tional resource for the collaborative effort to reduce the incidence of suicide.

The last paragraph of the resolution will be most helpful to all survivors of suicide. It identifies the part that each individual survivor can play in the national effort to reduce the incidence of suicide and confirms that, together we can make a big difference.

Thanks Senator Reid for your ongoing national leadership for efforts to develop, implement and evaluate a proven, effective national suicide prevention strategy. The proposed resolution is another example of your dedication to this effort. Thank you!

Sincerely,

GERALD H. (JERRY) WEYRAUCH.

NAMI,  
May 11, 1999.

Hon. HARRY REID,  
*U.S. Senate,*

*Hart Office Building, Washington, DC*

DEAR SENATOR REID: On behalf of the 208,000 members and 1,200 affiliates of the National Alliance for the Mentally Ill (NAMI), I am writing to express NAMI's strong support for your resolution to designate November 20, 1999 as "National Survivors for Prevention of Suicide Day", and to thank you for recognizing suicide as a national problem and suicide prevention as a national priority. More than 30,000 Americans commit suicide annually, and while we do not always understand why some choose suicide, we do know that it is all too often associated with severe mental illnesses, particularly major depression. Death by suicide is unfortunately one of the most dire risks of untreated mental illness.

Sadly, more than 10 percent of individuals with schizophrenia and more than 15 percent of those with major mood disorders kill themselves. These are preventable and senseless deaths that could have been avoided with the right medical intervention and prevention programs. Your resolution would recognize suicide survivors as playing a key role as advocates and educators in prevention efforts, as well as their place in eliminating stigma and reducing the incidence of suicide.

NAMI commends your past and present leadership and advocacy in suicide prevention and education. Your continued commitment and support has been vital in bringing national recognition to the high incidence of suicide in our country. NAMI strongly supports your resolution to designate November 20, 1999 as "National Survivors for Prevention of Suicide Day", in recognition of the contributions suicide survivors can make in suicide prevention strategies.

Sincerely,

LAURIE FLYNN,  
*Executive Director.*

#### AMENDMENTS SUBMITTED

#### VIOLENT AND REPEAT JUVENILE OFFENDER ACCOUNTABILITY AND REHABILITATION ACT OF 1999

#### BOXER AMENDMENT NO. 319

(Ordered to lie on the table.)

Mrs. BOXER submitted an amendment intended to be proposed by her to the bill (S. 254) to reduce violent juvenile crime, promote accountability by rehabilitation of juvenile criminals, punish and deter violent gang crime, and for other purposes; as follows:

At the appropriate place, insert the following:

# **TITLE \_\_\_\_ . AFTER SCHOOL EDUCATION AND ANTI-CRIME ACT.**

## **SECTION 1. SHORT TITLE.**

This title may be cited as the "After School Education and Anti-Crime Act of 1999".

## **SEC. 2. PURPOSE.**

The purpose of this Act is to improve academic and social outcomes for students and reduce both juvenile crime and the risk that youth will become victims of crime by providing productive activities during after school hours.

## **SEC. 3. FINDINGS.**

Congress makes the following findings:

(1) Today's youth face far greater social risks than did their parents and grandparents.

(2) Students spend more of their waking hours alone, without supervision, companionship, or activity, than the students spend in school.

(3) Law enforcement statistics show that youth who are ages 12 through 17 are most at risk of committing violent acts and being victims of violent acts between 3 p.m. and 6 p.m.

(4) The consequences of academic failure are more dire in 1999 than ever before.

(5) After school programs have been shown in many States to help address social problems facing our Nation's youth, such as drugs, alcohol, tobacco, and gang involvement.

(6) Many of our Nation's governors endorse increasing the number of after school programs through a Federal/State partnership.

(7) Over 450 of the Nation's leading police chiefs, sheriffs, and prosecutors, along with presidents of the Fraternal Order of Police and the International Union of Police Associations, which together represent 360,000 police officers, have called upon public officials to provide after school programs that offer recreation, academic support, and community service experience, for school-age children and teens in the United States.

(8) One of the most important investments that we can make in our children is to ensure that they have safe and positive learning environments in the after school hours.

## **SEC. 4. GOALS.**

The goals of this Act are as follows:

(1) To increase the academic success of students.

(2) To promote safe and productive environments for students in the after school hours.

(3) To provide alternatives to drug, alcohol, tobacco, and gang activity.

(4) To reduce juvenile crime and the risk that youth will become victims of crime during after school hours.

## **SEC. 5. PROGRAM AUTHORIZATION.**

Section 10903 of the 21st Century Community Learning Centers Act (20 U.S.C. 8243) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting "TO LOCAL EDUCATIONAL AGENCIES FOR SCHOOLS" after "SECRETARY"; and

(B) by striking "rural and inner-city public" and all that follows through "or to" and inserting "local educational agencies for the support of public elementary schools or secondary schools, including middle schools, that serve communities with substantial needs for expanded learning opportunities for children and youth in the communities, to enable the schools to establish or"; and

(C) by striking "a rural or inner-city community" and inserting "the communities";

(2) in subsection (b)—

(A) by striking "States, among" and inserting "States and among"; and

(B) by striking "United States," and all that follows through "a State" and inserting "United States"; and

(3) in subsection (c), by striking "3" and inserting "5".

## **SEC. 6. APPLICATIONS.**

Section 10904 of the 21st Century Community Learning Centers Act (20 U.S.C. 8244) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—  
(i) in the first sentence, by striking "an elementary or secondary school or consortium" and inserting "a local educational agency"; and

(ii) in the second sentence, by striking "Each such" and inserting the following:  
"(b) CONTENTS.—Each such"; and

(3) in subsection (b) (as so redesignated)—

(A) in paragraph (1), by striking "or consortium";

(B) in paragraph (2), by striking "and" after the semicolon; and

(C) in paragraph (3)—

(i) in subparagraph (B), by inserting "including programs under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.)" after "maximized";

(ii) in subparagraph (C), by inserting "students, parents, teachers, school administrators, local government, including law enforcement organizations such as Police Athletic and Activity Leagues," after "agencies";

(iii) in subparagraph (D), by striking "or consortium"; and

(iv) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking "or consortium"; and

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

(E) by adding at the end the following:

"(4) information demonstrating that the local educational agency will—

"(A) provide not less than 35 percent of the annual cost of the activities assisted under the project from sources other than funds provided under this part, which contribution may be provided in cash or in kind, fairly evaluated; and

"(B) provide not more than 25 percent of the annual cost of the activities assisted under the project from funds provided by the Secretary under other Federal programs that permit the use of those other funds for activities assisted under the project; and

"(5) an assurance that the local educational agency, in each year of the project, will maintain the agency's fiscal effort, from non-Federal sources, from the preceding fiscal year for the activities the local educational agency provides with funds provided under this part."

## **SEC. 7. USES OF FUNDS.**

Section 10905 of the 21st Century Community Learning Centers Act (20 U.S.C. 8245) is amended—

(1) by striking the matter preceding paragraph (1) and inserting:

"(a) IN GENERAL.—Grants awarded under this part may be used to establish or expand community learning centers. The centers may provide 1 or more of the following activities:"

(2) in subsection (a)(11) (as redesignated by paragraph (1)), by inserting "and job skills preparation" after "placement"; and

(3) by adding at the end the following:

"(14) After school programs, that—  
"(A) shall include at least 2 of the following—

"(i) mentoring programs;

"(ii) academic assistance;

"(iii) recreational activities; or

"(iv) technology training; and

"(B) may include—

"(i) drug, alcohol, and gang prevention activities;

"(ii) health and nutrition counseling; and

"(iii) job skills preparation activities.

"(b) LIMITATION.—Not less than 2/3 of the amount appropriated under section 10907 for each fiscal year shall be used for after school programs, as described in paragraph (14). Such programs may also include activities described in paragraphs (1) through (13) that offer expanded opportunities for children or youth."

## **SEC. 8. ADMINISTRATION.**

Section 10905 of the 21st Century Community Learning Centers Act (20 U.S.C. 8245) is amended by adding at the end the following:

"(c) ADMINISTRATION.—In carrying out the activities described in subsection (a), a local educational agency or school shall, to the greatest extent practicable—

"(1) request volunteers from business and academic communities, and law enforcement organizations, such as Police Athletic and Activity Leagues, to serve as mentors or to assist in other ways;

"(2) ensure that youth in the local community participate in designing the after school activities;

"(3) develop creative methods of conducting outreach to youth in the community;

"(4) request donations of computer equipment and other materials and equipment; and

"(5) work with State and local park and recreation agencies so that activities carried out by the agencies prior to the date of enactment of this subsection are not duplicated by activities assisted under this part.

## **SEC. 9. COMMUNITY LEARNING CENTER DEFINED.**

Section 10906 of the 21st Century Community Learning Centers Act (20 U.S.C. 8246) is amended in paragraph (2) by inserting "including law enforcement organizations such as the Police Athletic and Activity League" after "governmental agencies".

## **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

Section 10907 of the 21st Century Community Learning Centers Act (20 U.S.C. 8247) is amended by striking "\$20,000,000 for fiscal year 1995" and all that follows and inserting "\$600,000,000 for each of fiscal years 2000 through 2004, to carry out this part."

## **SEC. 11. EFFECTIVE DATE.**

This Act, and the amendments made by this Act, take effect on October 1, 1999.

## **MCCAIN AMENDMENTS NOS. 320–321**

(Ordered to lie on the table.)

Mr. MCCAIN submitted two amendments intended to be proposed by him to the bill, S. 254, supra; as follows:

### **AMENDMENT NO. 320**

At the end, add the following:

### **TITLE \_\_\_\_ . GENERAL FIREARM PROVISIONS**

#### **SEC. \_\_\_\_ 01. STRAW PURCHASE PENALTIES.**

(a) STRAW PURCHASE PENALTIES.—Section 924(a) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

"(2) a person who knowingly—

"(A) violates subsection (d), (g), (h), (i), (j) or (o) of section 922 shall be fined under this title, imprisoned not more than 10 years, or both; or

"(B) violates section 922(a)(6)—

"(i) shall be fined under this title, imprisoned not more than 10 years, or both; or

"(ii) if the person violates subsection (a)(6) for the purpose of selling, delivering, or otherwise transferring a firearm knowing or

having reasonable cause to know that or with the intent that another person will carry or otherwise possess or discharge or otherwise use the firearm in the commission of a violent felony (as defined in subsection (e)(2)(B))—

“(I) shall be fined under this title, imprisoned not more than 15 years, or both; or

“(II) if the procurement is for a juvenile (as defined in section 922(x)), shall be fined under this title, imprisoned not more than 20 years.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect 180 days after the date of enactment of this Act.

#### AMENDMENT NO. 321

On page 265, after line 20, add the following:

#### SEC. 4 . . . PENALTIES FOR FIREARM VIOLATIONS INVOLVING JUVENILES.

(a) PENALTIES FOR FIREARM VIOLATIONS BY JUVENILES.—Section 924(a) of title 18 United States Code, is amended—

(1) in paragraph (4), by striking “Whoever” and inserting “Except as provided in paragraph (6), whoever”; and

(2) by striking paragraph (6) and inserting the following:

“(6) TRANSFER TO OR POSSESSION BY A JUVENILE.—

“(A) DEFINITION OF VIOLENT FELONY.—In this paragraph, the term ‘violent felony’ has the meaning given the term in subsection (e)(2)(B).

“(B) POSSESSION BY A JUVENILE.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii), a juvenile who violates section 922(x) shall be fined under this title, imprisoned not more than 1 year, or both.

“(ii) PROBATION.—Unless clause (iii) applies and unless a juvenile fails to comply with a condition of probation, the juvenile shall be sentenced to probation on appropriate conditions and shall not be incarcerated if—

“(I) the offense with which the juvenile is charged is possession of a handgun or ammunition in violation of section 922(x)(2); and

“(II) the juvenile has not been convicted in any court of an offense (including an offense under section 922(x) or a similar State law, but not including any other offense consisting of conduct that if engaged in by an adult would not constitute an offense) or adjudicated as a juvenile delinquent for conduct that if engaged in by an adult would constitute an offense.

“(iii) SCHOOL ZONES.—A juvenile shall be fined under this title, imprisoned not more than 20 years, or both, if—

“(I) the offense of which the juvenile is charged is possession of a handgun or ammunition in violation of section 922(x)(2); and

“(II) during the same course of conduct in violating section 922(x)(2), the juvenile violated section 922(q), with the intent to carry or otherwise possess or discharge or otherwise use the handgun or ammunition in the commission of a violent felony.

“(C) TRANSFER TO A JUVENILE.—A person other than a juvenile who knowingly violates section 922(x)—

“(i) shall be fined under this title, imprisoned not more than 1 year, or both; or

“(ii) if the person sold, delivered, or otherwise transferred a handgun or ammunition to a juvenile knowing or having reasonable cause to know that the juvenile intended to carry or otherwise possess or discharge or otherwise use the handgun or ammunition in the commission of a violent felony, shall be fined under this title, imprisoned not more than 20 years, or both.

“(D) CASES IN UNITED STATES DISTRICT COURT.—Except as otherwise provided in this chapter, in any case in which a juvenile is prosecuted in a district court of the United

States, and the juvenile is subject to the penalties under subparagraph (B)(iii), the juvenile shall be subject to the same laws, rules, and proceedings regarding sentencing (including the availability of probation, restitution, fines, forfeiture, imprisonment, and supervised release) that would be applicable in the case of an adult.

“(E) NO RELEASE AT AGE 18.—No juvenile sentenced to a term of imprisonment shall be released from custody solely for the reason that the juvenile has reached the age of 18 years.”.

(b) UNLAWFUL WEAPONS TRANSFERS TO JUVENILES.—Section 922 of title 18, United States Code, is amended by striking subsection (x) and inserting the following:

“(x) JUVENILES.—

“(1) DEFINITION OF JUVENILE.—In this subsection, the term ‘juvenile’ means a person who is less than 18 years of age.

“(2) TRANSFER TO JUVENILES.—It shall be unlawful for a person to sell, deliver, or otherwise transfer to a person who the transferor knows or has reasonable cause to believe is a juvenile—

“(A) a handgun; or

“(B) ammunition that is suitable for use only in a handgun.

“(3) POSSESSION BY A JUVENILE.—It shall be unlawful for any person who is a juvenile to knowingly possess—

“(A) a handgun; or

“(B) ammunition that is suitable for use only in a handgun.

“(4) APPLICABILITY.—

“(A) IN GENERAL.—This subsection does not apply to—

“(i) if the conditions stated in subparagraph (B) are met, a temporary transfer of a handgun or ammunition to a juvenile or to the possession or use of a handgun or ammunition by a juvenile if the handgun or ammunition is possessed and used by the juvenile—

“(I) in the course of employment;

“(II) in the course of ranching or farming related to activities at the residence of the juvenile (or on property used for ranching or farming at which the juvenile, with the permission of the property owner or lessee, is performing activities related to the operation of the farm or ranch);

“(III) for target practice;

“(IV) for hunting; or

“(V) for a course of instruction in the safe and lawful use of a handgun;

“(ii) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun or ammunition in the line of duty;

“(iii) a transfer by inheritance of title (but not possession) of handgun or ammunition to a juvenile; or

“(iv) the possession of a handgun or ammunition taken in defense of the juvenile or other persons against an intruder into the residence of the juvenile or a residence in which the juvenile is an invited guest.

“(B) TEMPORARY TRANSFERS.—Clause (i) shall apply if—

“(i) the juvenile’s possession and use of a handgun or ammunition under this paragraph are in accordance with State and local law; and

“(ii)(I)(aa) except when a parent or guardian of the juvenile is in the immediate and supervisory presence of the juvenile, the juvenile, at all times when a handgun or ammunition is in the possession of the juvenile, has in the juvenile’s possession the prior written consent of the juvenile’s parent or guardian who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

“(bb) during transportation by the juvenile directly from the place of transfer to a place at which an activity described in item (aa) is

to take place, the handgun is unloaded and in a locked container or case, and during the transportation by the juvenile of the firearm, directly from the place at which such an activity took place to the transferor, the handgun is unloaded and in a locked container or case; or

“(II) with respect to ranching or farming activities as described in subparagraph (A)(i)(II)—

“(aa) a juvenile possesses and uses a handgun or ammunition with the prior written approval of the juvenile’s parent or legal guardian;

“(bb) the approval is on file with an adult who is not prohibited by Federal, State, or local law from possessing a firearm or ammunition; and

“(cc) the adult is directing the ranching or farming activities of the juvenile.

“(5) INNOCENT TRANSFERORS.—A handgun or ammunition, the possession of which is transferred to a juvenile in circumstances in which the transferor is not in violation under this subsection, shall not be subject to permanent confiscation by the Government if its possession by the juvenile subsequently becomes unlawful because of the conduct of the juvenile, but shall be returned to the lawful owner when the handgun or ammunition is no longer required by the Government for the purposes of investigation or prosecution.

“(6) ATTENDANCE BY PARENT OR LEGAL GUARDIAN AS CRIMINAL PROCEEDINGS.—In a prosecution of a violation of this subsection, the court—

“(A) shall require the presence of a juvenile defendant’s parent or legal guardian at all proceedings;

“(B) may use the contempt power to enforce subparagraph (A); and

“(C) may excuse attendance of a parent or legal guardian of a juvenile defendant for good cause.”.

(c) EFFECTIVE DATE.—The amendment made by this section takes effect 180 days after the date of enactment of this Act.

#### HATCH (AND OTHERS) AMENDMENT NO. 322

Mr. HATCH (for himself, Mr. BIDEN, Mr. SESSIONS, Mr. DEWINE, Mr. ALLARD, and Mrs. FEINSTEIN) proposed and amendment to the bill, S. 254, supra; as follows:

On page 54, after line 16, add the following:

#### SEC. 207. AUTHORITY TO MAKE GRANTS TO PROSECUTOR’S OFFICES TO COMBAT GANG CRIME AND YOUTH VIOLENCE.

(a) IN GENERAL.—Section 31702 of subtitle Q of title III of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

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

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) to allow the hiring of additional prosecutors, so that more cases can be prosecuted and backlogs reduced;

“(6) to provide funding to enable prosecutors to address drug, gang, and youth violence problems more effectively;

“(7) to provide funding to assist prosecutors with funding for technology, equipment, and training to assist prosecutors in reducing the incidence of, and increase the successful identification and speed of prosecution of young violent offenders; and

“(8) to provide funding to assist prosecutors in their efforts to engage in community prosecution, problem solving, and conflict resolution techniques through collaborative

efforts with police, school officials, probation officers, social service agencies, and community organizations.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 31707 of subtitle Q of title III of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13867) is amended to read as follows:

**“SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this subtitle, \$50,000,000 for 2000 through 2004.”.

On page 225, line 3, strike “juvenile prosecutors.”.

On page 225, line 7, insert “and violence” after “crime”.

On page 227, line 11, strike “and”.

On page 227, line 19, strike the period and insert a semicolon.

On page 227, between lines 19 and 20, insert the following:

“(12) for juvenile prevention programs (including curfews, youth organizations, anti-drug, and anti-alcohol programs, anti-gang programs, and after school programs and activities);

“(13) for juvenile drug and alcohol treatment programs; and

“(14) for school counseling and other school-base prevention programs.

On page 229, line 11, strike “paragraph (1) not less” and insert the following: “paragraph (1)—

“(A) not less”.

On page 229, line 13, strike “(A)” and insert “(i)”.

On page 230, line 4, strike “(B)” and insert “(ii)”.

On page 230, line 8, strike the period and insert “; and”.

On page 230, between lines 8 and 9, insert the following:

“(B) not less than 25 percent shall be used for the purposes set forth in paragraph (12), (13), or (14) of subsection (b).

On page 234, line 25, strike “amounts” and insert “the total amount”.

On page 235, line 1, strike “government,” and insert “government for a fiscal year, not less than 25 percent shall be used for the purposes set forth in paragraph (12), (13), or (14) of subsection (b), and”.

On page 251, strike line 17 and all that follows through page 252, line 2, and insert the following:

**SEC. 324. EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.**

(a) **IN GENERAL.**—Section 31001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211) is amended by striking paragraphs (1) through (5) and inserting the following:

“(1) for fiscal year 2001, \$6,025,000,000;

“(2) for fiscal year 2002, \$6,169,000,000;

“(3) for fiscal year 2003, \$6,316,000,000;

“(4) for fiscal year 2004, \$6,458,000,000; and

“(5) for fiscal year 2005, \$6,616,000,000.”.

(b) **DISCRETIONARY LIMITS.**—Title XXXI of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211 et seq.) is amended by inserting after section 31001 the following:

**“SEC. 310002. DISCRETIONARY LIMITS.**

“(a) **DISCRETIONARY LIMITS.**—For the purposes of allocations made for the discretionary category pursuant to section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)), the term ‘discretionary spending limit’ means—

“(1) with respect to fiscal year 2001—

“(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Budget Committee; and

“(B) for the violent crime reduction category: \$6,025,000,000 in new budget authority and \$5,718,000,000 in outlays;

“(2) with respect to fiscal year 2002—

“(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Budget Committee; and

“(B) for the violent crime reduction category: \$6,169,000,000 in new budget authority and \$6,020,000,000 in outlays; and

“(3) with respect to fiscal year 2003—

“(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Budget Committee; and

“(B) for the violent crime reduction category: \$6,316,000,000 in new budget authority and \$6,161,000,000 in outlays;

“(4) with respect to fiscal year 2004—

“(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Budget Committee; and

“(B) for the violent crime reduction category: \$6,458,000 in new budget authority and \$6,303,000,000 in outlays; and

“(5) with respect to fiscal year 2005—

“(A) for the discretionary category, amounts of budget authority and outlays necessary to adjust the discretionary spending limits to reflect the changes in subparagraph (B) as determined by the Chairman of the Budget Committee; and

“(B) for the violent crime reduction category: \$6,616,000 in new budget authority and \$6,452,000,000 in outlays;

as adjusted in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)) and section 314 of the Congressional Budget Act of 1974.

“(b) **POINT OF ORDER IN THE SENATE.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), it shall not be in order in the Senate to consider—

“(A) any concurrent resolution on the budget for any of the fiscal years 2001 through 2005 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending in excess of the discretionary spending limit or limits for such fiscal year; or

“(B) any bill or resolution (or amendment, motion, or conference report on such bill or resolution) for any of the fiscal years 2001 through 2005 that would cause any of the limits in this section (or suballocations of the discretionary limits made under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b))) to be exceeded.

“(2) **EXCEPTION.**—This section shall not apply if a declaration of war by Congress is in effect or if a joint resolution under section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907a) has been enacted.

“(c) **WAIVER.**—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the members of the Senate, duly chosen and sworn.

“(d) **APPEALS.**—

“(1) **TIME.**—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be.

“(2) **VOTE TO SUSTAIN APPEAL.**—An affirmative vote of three-fifths of the members of

the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

“(e) **DETERMINATION OF BUDGET LEVELS.**—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, revenues, and deficits for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.”.

**ROBB (AND KENNEDY)  
AMENDMENT NO. 323**

Mr. LEAHY (for Mr. ROBB for himself and Mr. KENNEDY) proposed an amendment to amendment No. 322 proposed by Mr. HATCH to the bill, S. 254, supra; as follows:

At the end, add the following:

**TITLE . . . RESOURCES AND SERVICES  
FOR COMMUNITIES TO PREVENT YOUTH  
VIOLENCE**

**SEC. . . 01. SHORT TITLE.**

This title may be cited as the “National Resource Center for School Safety and Youth Violence Prevention Act of 1999”.

**SEC. . . 02. FINDINGS.**

Congress makes the following findings:

(1) While our Nation’s schools are still relatively safe, it is imperative that schools be provided with adequate resources to prevent incidents of violence.

(2) Approximately 10 percent of all public schools reported at least 1 serious violent crime to a law enforcement agency over the course of the 1996-1997 school year.

(3) In 1996, approximately 225,000 students between the ages of 12 and 18 were victims of nonfatal violent crime in schools in the United States.

(4) From 1992 through 1994, 76 students and 29 non-students were victims of murders or suicides that were committed in schools in the United States.

(5) The school violence incidents in several States across the Nation in 1998 and 1999 caused enormous damage to schools, families, and whole communities.

(6) The children of the United States are increasingly afraid that they will be attacked or harmed at school.

(7) A report issued by the Department of Education in August, 1998, entitled “Early Warning, Early Response” concluded that the reduction and prevention of school violence is best achieved through safety plans which involve the entire community, policies which emphasize both prevention and intervention, training school personnel, parents, students, and community members to recognize the early warning signs of potentially violent behavior and to share their concerns or observations with trained personnel, establishing procedures which allow rapid response and intervention when early warning signs of violent behavior are identified, and providing adequate support and access to services for troubled students.

**SEC. . . 03. NATIONAL RESOURCE CENTER FOR  
SCHOOL SAFETY AND YOUTH VIOLENCE PREVENTION.**

(a) **ESTABLISHMENT.**—The Secretary of Education and the Attorney General shall jointly award a grant for the support of a National Resource Center for School Safety and Youth Violence Prevention (in this section referred to as the “Center”). The Secretary of Education, the Secretary of Health and Human Services, and the Attorney General may award a grant for the support of the Center at an existing facility, if the facility has a history of performing any of the duties described in subsection (b). The Secretary of Education, the Secretary of Health and

Human Services, and the Attorney General shall jointly appoint a Director of the Center to oversee the operation of the Center.

(b) DUTIES.—The Center shall develop and carry out emergency response, anonymous student hotline tipline, training and technical assistance, research and evaluation, and consultation, activities with respect to elementary and secondary school safety, as follows:

(1) EMERGENCY RESPONSE.—The Center shall provide support to the School Emergency Response to Violence Fund (SERV)—

(A) to provide rapid response and emergency assistance to schools affected by violent shootings or other violent episodes; and

(B) to help communities meet urgent needs such as emergency mental health crisis counseling, additional school security personnel, and long term counseling for students, faculty, and families.

(2) ANONYMOUS STUDENT HOTLINE TIPLINE.—The Center shall establish a toll-free telephone number for students and others to report criminal activity, threats of criminal activity, and other high-risk behaviors such as substance abuse, gang or cult affiliation, or other warning signs of potentially violent behavior. The Center shall relay the reports, without attribution, to local law enforcement or appropriate school hotlines. The Director of the Center shall work with the Attorney General to establish guidelines for Center staff to work with law enforcement around the Nation to relay information reported through the hotline.

(3) TRAINING AND TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—The Center shall support training and technical assistance for all local educational agencies developing a school safety plan that includes—

(i) pairing regional training sessions with hands-on technical assistance to assist sites in implementing effective programs and strategies;

(ii) support for effective use of tiplines by schools and others;

(iii) threat assessment;

(iv) information sharing between schools, police, and agencies serving troubled and delinquent youth;

(v) police, school, parent, and social service partnerships;

(vi) media and police protocols to better manage live broadcast of emergency situations;

(vii) surveillance of school property;

(viii) early recognition of the signs of danger in the most troubled children and youth by schools, police, and service agencies;

(ix) development of a community case management process to deal with troubled youth;

(x) establishing mentoring, conflict resolution, family life education, and substance abuse prevention programs; or

(xi) developing effective school counseling services, including services for elementary schools.

(B) EARLY WARNING.—The Center shall support a joint training program that involves the Department of Education, the Department of Justice, and the Department of Health and Human Services, and uses the document entitled "Early Warning: Timely Response, A Guide to Safe Schools" as a guide for the program. The program shall provide training to teachers and school officials to enable the teachers and school officials to learn to identify youth experiencing mental health problems. The training shall consist of—

(i) immediate field training to be initiated on a regional or State-by-State basis; and

(ii) a teacher curriculum program that modifies graduate and undergraduate teacher curriculum programs to incorporate train-

ing on the early warning signs of mental health problems in youth.

(4) RESEARCH AND EVALUATION; NATIONAL CLEARINGHOUSE.—

(A) IN GENERAL.—The Center shall compile information about the best practices in school violence prevention, intervention, and crisis management, and shall serve as a clearinghouse for model school safety program information. The information shall be available for use by the public through the Internet, printed materials, and conferences. The staff of the Center shall work to ensure local governments, school officials, parents, students, and law enforcement officials and agencies are aware of the resources, grants, and expertise available to enhance school safety and prevent school crime. The staff of the Center shall give special attention to providing outreach to rural and impoverished communities.

(B) STUDY.—The Center shall conduct a comprehensive factual study of the incidence of youth violence to determine the root cause of youth violence, and shall make recommendations to the President and Congress regarding such violence.

(C) RESEARCH AND EVALUATION.—The Center shall support research and evaluation activities to measure effective school safety strategies and programs, and shall disseminate the results of such research and evaluation, including the development of research and evaluation activities regarding strategies for creating smaller learning communities, for elementary school counseling programs, and for mentoring programs.

(5) CONSULTATION.—The Center shall establish a toll-free number for the public and school administrators to contact staff of the Center for consultation and reporting regarding school safety. The Director of the Center shall hire administrative staff and individuals with expertise in enhancing school safety, including individuals with backgrounds in counseling and psychology, education, law enforcement and criminal justice, and community development, to assist in the consultation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$100,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004.

#### TITLE —SAFE COMMUNITIES, SAFE SCHOOLS, AND HEALTHY STUDENTS

##### SEC. 01. PROGRAM AUTHORIZED.

(a) IN GENERAL.—The Secretary of Education, the Attorney General, and the Secretary of Health and Human Services are authorized to carry out a jointly administered program under which support is provided to local educational agencies working in partnership with mental health and law enforcement agencies to enable the local educational agencies to carry out the following activities:

(1) SCHOOL SAFETY.—Establishing a safe school environment, redesigning school facilities, and enhancing school security measures.

(2) EDUCATIONAL REFORM.—Educational reform, including high standards for all students, reductions in class size, use of technology in the classroom, talented, trained and dedicated teachers, expanded after school learning opportunities, character education, mentoring programs, and alternative disciplinary intervention.

(3) CONFLICT RESOLUTION TRAINING AND PEER MEDIATION.—Conflict resolution training and peer mediation.

(4) SAFE SCHOOL POLICIES.—Safe school policies.

(5) SCHOOL RESOURCE OFFICERS.—Providing for school resource officers who—

(A) provide schools with on-site security and a direct link to local law enforcement agencies; and

(B) perform a variety of functions aimed at combating school violence, including teaching crime prevention and substance abuse classes, monitoring troubled students, and building respect for law enforcement among students.

(b) DEFINITION OF LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$460,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004. Funds appropriated under this subsection shall remain available until expended.

#### TITLE —PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS

##### SEC. 01. CHILDREN AND VIOLENCE.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

##### "PART G—PROJECTS FOR CHILDREN AND VIOLENCE

##### "SEC. 581. CHILDREN AND VIOLENCE.

"(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Education and the Attorney General, shall carry out directly or through grants, contracts or cooperative agreements with public entities a program to assist local communities in developing ways to assist children in dealing with violence.

"(b) ACTIVITIES.—Under the program under subsection (a), the Secretary may—

"(1) provide financial support to enable local communities to implement programs to foster the health and development of children;

"(2) provide technical assistance to local communities with respect to the development of programs described in paragraph (1);

"(3) provide assistance to local communities in the development of policies to address violence when and if it occurs; and

"(4) assist in the creation of community partnerships among law enforcement, education systems, community-based youth programs, and mental health and substance abuse service systems.

"(c) REQUIREMENTS.—An application for a grant, contract or cooperative agreement under subsection (a) shall demonstrate that—

"(1) the applicant will use amounts received to create a partnership described in subsection (b)(4) to address issues of youth violence;

"(2) the activities carried out by the applicant will provide a comprehensive method for addressing violence, that will include—

"(A) security;

"(B) educational reform;

"(C) the review and updating of school policies;

"(D) alcohol and drug abuse prevention and early intervention services;

"(E) mental health prevention and treatment services, including additional counselors, elementary school counselors, psychologists, and nurses in schools; and

"(F) early childhood development and psychosocial services; and

"(3) the applicant will use amounts received only for the services described in subparagraphs (D), (E), and (F) of paragraph (2).

"(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) will be distributed equitably among the

regions of the country and among urban and rural areas.

“(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years.

“(f) EVALUATION.—The Secretary shall conduct an evaluation of each project carried out under this section and shall disseminate the results of such evaluations to appropriate public and private entities.

“(g) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application under this section to the general public and to health care professionals.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$100,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 and 2002.”

**SEC. 502. MENTAL HEALTH SERVICES FOR VIOLENCE RELATED STRESS.**

Part G of title V of the Public Health Service Act (as added by section 501) is amended by adding at the end the following:

**“SEC. 582. GRANTS TO ADDRESS THE PROBLEMS OF VIOLENCE RELATED STRESS.**

“(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to public and non-profit private entities, as well as to Indian tribes and tribal organizations, for the purpose of establishing a national and regional centers of excellence on psychological trauma response and for developing knowledge with regard to best practices for treating psychiatric disorders resulting from witnessing or experiencing such stress.

“(b) PRIORITIES.—In awarding grants, contracts or cooperative agreements under subsection (a) related to the development of knowledge on best practices for treating disorders associated with psychological trauma, the Secretary shall give priority to programs that work with children, adolescents, adults, and families who are survivors and witnesses of child abuse, domestic, school and community violence, disasters and terrorism.

“(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) with respect to centers of excellence are distributed equitably among the regions of the country and among urban and rural areas.

“(d) EVALUATION.—The Secretary, as part of the application process, shall require that each applicant for a grant, contract or cooperative agreement under subsection (a) submit a plan for the rigorous evaluation of the activities funded under the grant, contract or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

“(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not be less than 3 years nor more than 5 years. Such grants, contracts or agreements may be renewed.

“(f) REPORT.—Not later than 1 year after the date of enactment of this section, the General Accounting Office shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives a report concerning whether individuals are covered for post-traumatic stress disorders under public and private health plans, and the course of treatment, if any, that is covered.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$50,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 and 2002.”

**SEC. 503. TREATMENT FOR YOUTH.**

(a) WRAP AROUND GRANT PROGRAM FOR DETAINED OR INCARCERATED YOUTH.—

(1) FINDINGS.—Congress makes the following findings:

(A) Four million underage youth are arrested in the United States every year and 30 percent of those arrested are likely to relapse and commit a crime within 1 year of the arrest.

(B) According to a Federal study, 60 percent of youth offenders in the juvenile justice system who are in detention programs have behavioral, mental, or emotional problems.

(C) Academic studies repeatedly find that there is a higher percentage of youth offenders in the juvenile justice system who have mental disorders than in the youth population at large.

(D) Less than 13 percent of youth offenders in the juvenile justice system who have been identified as in need of treatment receive such treatment.

(2) WRAP AROUND GRANTS FOR YOUTH.—Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb-31 et seq.) is amended by adding at the end the following:

**“SEC. 520C. WRAP AROUND GRANTS FOR YOUTH.**

“(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, and in consultation with the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice and the Director of the Special Education Programs of the Department of Education, shall award grants on a competitive basis to State or local juvenile justice agencies to enable such agencies to provide aftercare services for youth offenders who have been discharged from the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances.

“(b) PURPOSE.—The purposes of this section are—

“(1) to address the needs of youth offenders who have been discharged from the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances;

“(2) to provide a community-based system of care for such youth offenders to prevent the youth from committing additional or more serious criminal offenses;

“(3) to provide services for youth offenders after such youth have had contact with the juvenile or criminal justice system in order to decrease the likelihood that the individuals will reoffend;

“(4) to enable State and local agencies that provide services for youth to work together with juvenile justice agencies to establish an individual treatment plan and a case management plan for each youth offender to reduce the likelihood of recidivism; and

“(5) to encourage involvement of the youth offender's family members, significant persons in the youth offender's life, and community agencies in the process of helping youth offenders resist criminal activity and remain in the community.

“(c) USE OF FUNDS.—A State or local juvenile justice agency receiving a grant under subsection (a) shall use the amounts provided under the grant—

“(1) to develop a plan describing the manner in which the agency will provide services for each youth offender who has a serious emotional disturbance and has come in contact with the juvenile or criminal justice system;

“(2) to provide a network of core services or access to such services for each youth offender, including diagnostic and evaluation services, substance abuse treatment services, outpatient mental health care services, medication management services, intensive home-based therapy, intensive day treatment services, respite care, and therapeutic foster care;

“(3) to establish a program that coordinates with other State and local agencies providing recreational, social, educational, vocational, or operational services for youth, to enable the agency receiving a grant under this section to provide community-based system of care services for each youth offender that addresses the special needs of the youth and helps the youth access all of the aforementioned services; and

“(4) using not more than 20 percent of funds received, to provide planning and transition services as described in paragraph (3) for youth offenders while such youth are incarcerated or detained.

“(d) APPLICATION.—A State or local juvenile justice agency that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(e) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, a State or local juvenile justice agency receiving a grant under subsection (a) shall submit to the Secretary a report describing the programs carried out pursuant to this section.

“(f) DEFINITIONS.—In this section:

“(1) SERIOUS EMOTIONAL DISTURBANCE.—The term ‘serious emotional disturbance’ with respect to a youth offender means an offender who currently, or at any time within the 1-year period ending on the day on which services are sought under this section, has a diagnosable mental, behavioral, or emotional disorder that functionally impairs the offender's life by substantially limiting the offender's role in family, school, or community activities, and interfering with the offender's ability to achieve or maintain 1 or more developmentally-appropriate social, behavior, cognitive, communicative, or adaptive skills.

“(2) COMMUNITY-BASED SYSTEM OF CARE.—The term ‘community-based system of care’ means the provision of services for the youth offender by various State or local agencies that in an interagency fashion or operating as a network addresses the recreational, social, educational, vocational, and operational needs of the youth offender.

“(3) YOUTH OFFENDER.—The term ‘youth offender’ means an individual who is 21 years of age or younger who has been discharged from a State or local juvenile or criminal justice system, except that if the individual is between the ages of 18 and 21 years, such individual has had contact with the State or local juvenile or criminal justice system prior to attaining 18 years of age and is under the jurisdiction of such a system at the time services are sought.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$40,000,000 for each of the fiscal years 2000 through 2004.”

(b) COMPETITIVE GRANT PROGRAMS FOR YOUTH SUBSTANCE ABUSE PREVENTION AND TREATMENT.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 501, is further amended by adding at the end the following:



# **"PART H—COMPETITIVE GRANT PROGRAMS FOR YOUTH SUBSTANCE ABUSE PREVENTION AND TREATMENT"**

## **"SEC. 591. GRANTS TO CONSORTIA."**

"(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible consortia to enable such consortia to establish the programs described in subsection (c).

"(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from eligible consortia that provide services in rural areas or for Native Americans.

"(c) USE OF FUNDS.—An eligible consortium receiving amounts under subsection (a) shall use such amounts to establish school-based substance abuse prevention and student assistance programs for youth, including after school programs and elementary school counselor programs, to provide services that address youth substance abuse, including services that—

"(1) identify youth at risk for substance abuse;

"(2) refer any youth at risk for substance abuse for substance abuse treatment;

"(3) provide effective primary prevention programming;

"(4) target underserved areas, such as rural areas; and

"(5) target populations, such as Native Americans, that are underserved.

"(d) APPLICATION.—An eligible consortium that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(e) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, an eligible consortium receiving a grant under subsection (a) shall submit to the Secretary a report describing the programs carried out pursuant to this section.

"(f) DEFINITIONS.—In this section:

"(1) ELIGIBLE CONSORTIUM.—The term 'eligible consortium' means an entity composed of a local educational agency and community-based substance abuse prevention providers and student assistance providers in which the agency and providers maintain equal responsibility in providing the services described in subsection (c).

"(2) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2000 through 2004.

## **"SEC. 592. GRANTS TO TREATMENT FACILITIES."**

"(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to inpatient and outpatient treatment facilities that provide the substance abuse treatment services described in subsection (d).

"(b) ELIGIBLE APPLICANT.—To be eligible to receive a grant under subsection (a), a treatment facility must provide or propose to provide alcohol or drug treatment services for individuals under the age of 22 years.

"(c) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from treatment facilities that provide treatment services in rural areas, for Native Americans, or for underserved populations.

"(d) USE OF FUNDS.—A treatment facility receiving amounts under subsection (a) shall use such amounts to provide substance abuse treatment services for youth, including community-based aftercare services that provide treatment for the period of time following an

individual's discharge from a drug treatment center.

"(e) APPLICATION.—A treatment facility that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(f) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, a treatment facility receiving a grant under subsection (a) shall submit to the Secretary a report describing the services provided pursuant to this section.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of the fiscal years 2000 through 2004.

## **"SEC. 593. GRANTS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROVIDERS."**

"(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to State and local substance abuse prevention and treatment providers to enable such providers to offer training to provide prevention and treatment services for youth.

"(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from areas in which—

"(1) there is a demonstrated high rate of substance abuse by youth; and

"(2) the population is identified as underserved or the prevention and treatment providers in the area use distance learning.

"(c) APPLICATION.—A treatment provider that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, a treatment provider receiving a grant under subsection (a) shall submit to the Secretary a report describing the services provided pursuant to this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$2,000,000 for each of the fiscal years 2000 through 2004."

## **(c) GRANT PROGRAM FOR YOUTH PREVENTION AND TREATMENT.—**

### **SEC. 594. GRANTS TO PRIVATE ENTITIES.**

Part G of title V of the Public Health Service Act (as amended by section 02) is further amended by adding at the end the following:

### **"SEC. 583. GRANTS TO PRIVATE ENTITIES."**

"(a) IN GENERAL.—The Secretary may award grants to, and enter into contracts and cooperative agreements with, public and private nonprofit entities for the purpose of providing substance abuse treatment services for youth.

"(b) USE OF FUNDS.—Amounts provided under a grant, contract, or cooperative agreement under this section shall be used to promote the development of knowledge of youth substance abuse through projects that will—

"(1) provide a continuum of integrated treatment services, including case management, for young individuals who have substance abuse problems and their family members;

"(2) offer individualized treatment services for young individuals who have substance abuse problems that take into account that individual's particular problems and his or her chronological and developmental age;

"(3) address the relationship between youth substance abuse and anti-social, aggressive, and violent behavior in youth;

"(4) address the relationship between youth substance abuse and psychiatric dis-

orders, including depression, attention deficit disorder, attention deficit hyperactivity disorder, affective disorder, and conduct disorder;

"(5) promote projects that incorporate transitional support services for families of young substance abusers who have come in contact with the juvenile justice system;

"(6) address the barriers involved in providing substance abuse treatment, retention, and followup care;

"(7) address the special needs of young individuals who have substance abuse problems and who have been involved with juvenile justice or the child welfare system, have physical or cognitive disabilities, live in displaced conditions, or have parents who have substance abuse problems; and

"(8) apply the most successful, research-based and cost-effective methods for the treatment of substance abuse by youth.

"(c) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall, to the extent practicable, distribute amounts in each major geographic region in the United States, in both urban and rural areas, and give priority to applications that propose to—

"(1) coordinate services with other social agencies in the community, including educational, juvenile justice, child welfare, and mental health; and

"(2) provide individualized treatment, taking the gender and culture of the individual seeking treatment into account.

"(d) DURATION OF GRANTS.—The Secretary shall not award grants, contracts, or cooperative agreements to an entity for a period of more than 5 fiscal years.

"(e) APPLICATION.—A public or private nonprofit entity that desires a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

"(1) a statement detailing the manner in which the entity will evaluate projects assisted under this section; and

"(2) a statement ensuring that the entity will submit an annual report described in subsection (f).

"(f) ANNUAL REPORT.—A public or private nonprofit entity that receives a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit an annual report to the Secretary that describes the projects carried out pursuant to this section.

"(g) MATCHING REQUIREMENT.—The Secretary may not award a grant, contract, or cooperative agreement to an entity under this section unless such entity agrees that, with respect to the costs to be incurred by the entity in carrying out the services for which the grant, contract, or cooperative agreement was awarded, the entity will make available non-Federal contributions toward such costs in an amount equal to—

"(1) for the first and second fiscal years for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$3 of Federal funds so provided;

"(2) for the third fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$2 of Federal funds so provided;

"(3) for the fourth fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$1 of Federal funds so provided; and

"(4) for the fifth fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less

than \$2 for each \$1 of Federal funds so provided.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$40,000,000 for fiscal year 2000, and such sums as may be necessary for each of the fiscal years 2001 and 2002.”.

**GREGG (AND OTHERS)  
AMENDMENT NO. 324**

Mr. HATCH (for Mr. GREGG for himself, Mrs. BOXER, Mr. LEAHY, Mr. ALLARD, and Mr. ROBB) proposed an amendment to amendment No. 322 proposed by Mr. HATCH to the bill, S. 254, supra; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . SAFE STUDENTS.**

(a) **SHORT TITLE.**—This section may be cited as the “Safe Students Act.”

(b) **PURPOSE.**—It is the purpose of this section to maximize local flexibility in responding to the threat of juvenile violence through the implementation of effective school violence prevention and safety programs.

(c) **PROGRAM AUTHORIZED.**—The Attorney General shall, subject to the availability of appropriations, award grants to local education agencies and to law enforcement agencies to assist in the planning, establishing, operating, coordinating and evaluating of school violence prevention and school safety programs.

(d) **APPLICATION REQUIREMENTS.**—

(1) **IN GENERAL.**—To be eligible to receive a grant under subsection (c), an entity shall—

(A) be a local education agency or a law enforcement agency; and

(B) prepare and submit to the Attorney General an application at such time, in such manner and containing such information as the Attorney General may require, including—

(i) a detailed explanation of the intended uses of funds provided under the grant; and

(ii) a written assurance that the schools to be served under the grant will have a zero tolerance policy in effect for drugs, alcohol, weapons, truancy and juvenile crime on school campuses.

(2) **PRIORITY.**—The Attorney General shall give priority in awarding grants under this section to applications that have been submitted jointly by a local education agency and a law enforcement agency.

(e) **ALLOWABLE USES OF FUNDS.**—Amounts received under a grant under this section shall be used for innovative, local responses, consistent with the purposes of this Act, which may include—

(1) training, including in-service training, for school personnel, custodians and bus drivers in—

(A) the identification of potential threats (such as illegal weapons and explosive devices);

(B) crisis preparedness and intervention procedures; and

(C) emergency response;

(2) training of interested parents, teachers and other school and law enforcement personnel in the identification and responses to early warning signs of troubled and violent youth;

(3) innovative research-based delinquency and violence prevention programs, including mentoring programs;

(4) comprehensive school security assessments;

(5) the purchase of school security equipment and technologies such as metal detectors, electronic locks, surveillance cameras;

(6) collaborative efforts with law enforcement agencies, community-based organiza-

tions (including faith-based organizations) that have demonstrated expertise in providing effective, research-based violence prevention and intervention programs to school age children;

(7) providing assistance to families in need for the purpose of purchasing required school uniforms;

(8) school resource officers, including community police officers; and

(9) community policing in and around schools.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$200,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 through 2004.

(g) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Attorney General shall prepare and submit to the appropriate committees of Congress a report concerning the manner in which grantees have used amounts received under a grant under this section.

**ROBB (AND OTHERS) AMENDMENT  
NO. 325**

Mr. LEAHY (for Mr. ROBB for himself, Mr. KENNEDY, and Mr. BINGAMAN) proposed an amendment to amendment No. 322 proposed by him to the bill, S. 254, supra; as follows:

At the end, add the following:

**TITLE \_\_\_\_ —RESOURCES AND SERVICES  
FOR COMMUNITIES TO PREVENT YOUTH  
VIOLENCE**

**SEC. \_\_\_\_ 01. SHORT TITLE.**

This title may be cited as the “National Resource Center for School Safety and Youth Violence Prevention Act of 1999”.

**SEC. \_\_\_\_ 02. FINDINGS.**

Congress makes the following findings:

(1) While our Nation’s schools are still relatively safe, it is imperative that schools be provided with adequate resources to prevent incidents of violence.

(2) Approximately 10 percent of all public schools reported at least 1 serious violent crime to a law enforcement agency over the course of the 1996-1997 school year.

(3) In 1996, approximately 225,000 students between the ages of 12 and 18 were victims of nonfatal violent crime in schools in the United States.

(4) From 1992 through 1994, 76 students and 29 non-students were victims of murders or suicides that were committed in schools in the United States.

(5) The school violence incidents in several States across the Nation in 1998 and 1999 caused enormous damage to schools, families, and whole communities.

(6) The children of the United States are increasingly afraid that they will be attacked or harmed at school.

(7) A report issued by the Department of Education in August, 1998, entitled “Early Warning, Early Response” concluded that the reduction and prevention of school violence is best achieved through safety plans which involve the entire community, policies which emphasize both prevention and intervention, training school personnel, parents, students, and community members to recognize the early warning signs of potentially violent behavior and to share their concerns or observations with trained personnel, establishing procedures which allow rapid response and intervention when early warning signs of violent behavior are identified, and providing adequate support and access to services for troubled students.

**SEC. \_\_\_\_ 03. NATIONAL RESOURCE CENTER FOR  
SCHOOL SAFETY AND YOUTH  
VIOLENCE PREVENTION.**

(a) **ESTABLISHMENT.**—The Secretary of Education and the Attorney General shall jointly award a grant for the support of a National Resource Center for School Safety and Youth Violence Prevention (in this section referred to as the “Center”). The Secretary of Education, the Secretary of Health and Human Services, and the Attorney General may award a grant for the support of the Center at an existing facility, if the facility has a history of performing any of the duties described in subsection (b). The Secretary of Education, the Secretary of Health and Human Services, and the Attorney General shall jointly appoint a Director of the Center to oversee the operation of the Center.

(b) **DUTIES.**—The Center shall develop and carry out emergency response, anonymous student hotline tipline, training and technical assistance, research and evaluation, and consultation, activities with respect to elementary and secondary school safety, as follows:

(1) **EMERGENCY RESPONSE.**—The Center shall provide support to the School Emergency Response to Violence Fund (SERV)—

(A) to provide rapid response and emergency assistance to schools affected by violent shootings or other violent episodes; and

(B) to help communities meet urgent needs such as emergency mental health crisis counseling, additional school security personnel, and long term counseling for students, faculty, and families.

(2) **ANONYMOUS STUDENT HOTLINE TIPLINE.**—The Center shall establish a toll-free telephone number for students and others to report criminal activity, threats of criminal activity, and other high-risk behaviors such as substance abuse, gang or cult affiliation, or other warning signs of potentially violent behavior. The Center shall relay the reports, without attribution, to local law enforcement or appropriate school hotlines. The Director of the Center shall work with the Attorney General to establish guidelines for Center staff to work with law enforcement around the Nation to relay information reported through the hotline.

(3) **TRAINING AND TECHNICAL ASSISTANCE.**—

(A) **IN GENERAL.**—The Center shall support training and technical assistance for all local educational agencies developing a school safety plan that includes—

(i) pairing regional training sessions with hands-on technical assistance to assist sites in implementing effective programs and strategies;

(ii) support for effective use of tiplines by schools and others;

(iii) threat assessment;

(iv) information sharing between schools, police, and agencies serving troubled and delinquent youth;

(v) police, school, parent, and social service partnerships;

(vi) media and police protocols to better manage live broadcast of emergency situations;

(vii) surveillance of school property;

(viii) early recognition of the signs of danger in the most troubled children and youth by schools, police, and service agencies;

(ix) development of a community case management process to deal with troubled youth;

(x) establishing mentoring, conflict resolution, family life education, and substance abuse prevention programs; or

(xi) developing effective school counseling services, including services for elementary schools.

(B) **EARLY WARNING.**—The Center shall support a joint training program that involves the Department of Education, the Department of Justice, and the Department of



Health and Human Services, and uses the document entitled "Early Warning: Timely Response, A Guide to Safe Schools" as a guide for the program. The program shall provide training to teachers and school officials to enable the teachers and school officials to learn to identify youth experiencing mental health problems. The training shall consist of—

(i) immediate field training to be initiated on a regional or State-by-State basis; and

(ii) a teacher curriculum program that modifies graduate and undergraduate teacher curriculum programs to incorporate training on the early warning signs of mental health problems in youth.

(4) RESEARCH AND EVALUATION; NATIONAL CLEARINGHOUSE.—

(A) IN GENERAL.—The Center shall compile information about the best practices in school violence prevention, intervention, and crisis management, and shall serve as a clearinghouse for model school safety program information. The information shall be available for use by the public through the Internet, printed materials, and conferences. The staff of the Center shall work to ensure local governments, school officials, parents, students, and law enforcement officials and agencies are aware of the resources, grants, and expertise available to enhance school safety and prevent school crime. The staff of the Center shall give special attention to providing outreach to rural and impoverished communities.

(B) STUDY.—The Center shall conduct a comprehensive factual study of the incidence of youth violence to determine the root cause of youth violence, and shall make recommendations to the President and Congress regarding such violence.

(C) RESEARCH AND EVALUATION.—The Center shall support research and evaluation activities to measure effective school safety strategies and programs, and shall disseminate the results of such research and evaluation, including the development of research and evaluation activities regarding strategies for creating smaller learning communities, for elementary school counseling programs, and for mentoring programs.

(5) CONSULTATION.—The Center shall establish a toll-free number for the public and school administrators to contact staff of the Center for consultation and reporting regarding school safety. The Director of the Center shall hire administrative staff and individuals with expertise in enhancing school safety, including individuals with backgrounds in counseling and psychology, education, law enforcement and criminal justice, and community development, to assist in the consultation.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$100,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004.

#### **TITLE —SAFE COMMUNITIES, SAFE SCHOOLS, AND HEALTHY STUDENTS**

##### **SEC. 01. PROGRAM AUTHORIZED.**

(a) IN GENERAL.—The Secretary of Education, the Attorney General, and the Secretary of Health and Human Services are authorized to carry out a jointly administered program under which support is provided to local educational agencies working in partnership with mental health and law enforcement agencies to enable the local educational agencies to carry out the following activities:

(1) SCHOOL SAFETY.—Establishing a safe school environment, redesigning school facilities, and enhancing school security measures.

(2) EDUCATIONAL REFORM.—Educational reform, including high standards for all stu-

dents, reductions in class size, use of technology in the classroom, talented, trained and dedicated teachers, expanded after school learning opportunities, character education, mentoring programs, and alternative disciplinary intervention.

(3) CONFLICT RESOLUTION TRAINING AND PEER MEDIATION.—Conflict resolution training and peer mediation.

(4) SAFE SCHOOL POLICIES.—Safe school policies.

(5) SCHOOL RESOURCE OFFICERS.—Providing for school resource officers who—

(A) provide schools with on-site security and a direct link to local law enforcement agencies; and

(B) perform a variety of functions aimed at combating school violence, including teaching crime prevention and substance abuse classes, monitoring troubled students, and building respect for law enforcement among students.

(b) DEFINITION OF LOCAL EDUCATIONAL AGENCY.—The term "local educational agency" has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$460,000,000 for fiscal year 2000 and such sums as may be necessary for each of the fiscal years 2001 through 2004. Funds appropriated under this subsection shall remain available until expended.

#### **TITLE —PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS**

##### **SEC. 01. CHILDREN AND VIOLENCE.**

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

"PART G—PROJECTS FOR CHILDREN AND VIOLENCE

##### **"SEC. 581. CHILDREN AND VIOLENCE.**

"(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Education and the Attorney General, shall carry out directly or through grants, contracts or cooperative agreements with public entities a program to assist local communities in developing ways to assist children in dealing with violence.

"(b) ACTIVITIES.—Under the program under subsection (a), the Secretary may—

"(1) provide financial support to enable local communities to implement programs to foster the health and development of children;

"(2) provide technical assistance to local communities with respect to the development of programs described in paragraph (1);

"(3) provide assistance to local communities in the development of policies to address violence when and if it occurs; and

"(4) assist in the creation of community partnerships among law enforcement, education systems, community-based youth programs, and mental health and substance abuse service systems.

"(c) REQUIREMENTS.—An application for a grant, contract or cooperative agreement under subsection (a) shall demonstrate that—

"(1) the applicant will use amounts received to create a partnership described in subsection (b)(4) to address issues of youth violence;

"(2) the activities carried out by the applicant will provide a comprehensive method for addressing violence, that will include—

"(A) security;

"(B) educational reform;

"(C) the review and updating of school policies;

"(D) alcohol and drug abuse prevention and early intervention services;

"(E) mental health prevention and treatment services, including additional counselors, elementary school counselors, psychologists, and nurses in schools; and

"(F) early childhood development and psychosocial services; and

"(3) the applicant will use amounts received only for the services described in subparagraphs (D), (E), and (F) of paragraph (2).

"(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) will be distributed equitably among the regions of the country and among urban and rural areas.

"(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years.

"(f) EVALUATION.—The Secretary shall conduct an evaluation of each project carried out under this section and shall disseminate the results of such evaluations to appropriate public and private entities.

"(g) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application under this section to the general public and to health care professionals.

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$100,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 and 2002."

##### **SEC. 02. MENTAL HEALTH SERVICES FOR VIOLENCE RELATED STRESS.**

Part G of title V of the Public Health Service Act (as added by section 01) is amended by adding at the end the following:

##### **"SEC. 582. GRANTS TO ADDRESS THE PROBLEMS OF VIOLENCE RELATED STRESS.**

"(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to public and non-profit private entities, as well as to Indian tribes and tribal organizations, for the purpose of establishing a national and regional centers of excellence on psychological trauma response and for developing knowledge with regard to best practices for treating psychiatric disorders resulting from witnessing or experiencing such stress.

"(b) PRIORITIES.—In awarding grants, contracts or cooperative agreements under subsection (a) related to the development of knowledge on best practices for treating disorders associated with psychological trauma, the Secretary shall give priority to programs that work with children, adolescents, adults, and families who are survivors and witnesses of child abuse, domestic, school and community violence, disasters and terrorism.

"(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) with respect to centers of excellence are distributed equitably among the regions of the country and among urban and rural areas.

"(d) EVALUATION.—The Secretary, as part of the application process, shall require that each applicant for a grant, contract or cooperative agreement under subsection (a) submit a plan for the rigorous evaluation of the activities funded under the grant, contract or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

"(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be

made to the recipient may not be less than 3 years nor more than 5 years. Such grants, contracts or agreements may be renewed.

“(f) REPORT.—Not later than 1 year after the date of enactment of this section, the General Accounting Office shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives a report concerning whether individuals are covered for post-traumatic stress disorders under public and private health plans, and the course of treatment, if any, that is covered.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$50,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 and 2002.”.

#### SEC. 593. TREATMENT FOR YOUTH.

(a) WRAP AROUND GRANT PROGRAM FOR DETAINED OR INCARCERATED YOUTH.—

(1) FINDINGS.—Congress makes the following findings:

(A) Four million underage youth are arrested in the United States every year and 30 percent of those arrested are likely to relapse and commit a crime within 1 year of the arrest.

(B) According to a Federal study, 60 percent of youth offenders in the juvenile justice system who are in detention programs have behavioral, mental, or emotional problems.

(C) Academic studies repeatedly find that there is a higher percentage of youth offenders in the juvenile justice system who have mental disorders than in the youth population at large.

(D) Less than 13 percent of youth offenders in the juvenile justice system who have been identified as in need of treatment receive such treatment.

(2) WRAP AROUND GRANTS FOR YOUTH.—Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb-31 et seq.) is amended by adding at the end the following:

#### “SEC. 520C. WRAP AROUND GRANTS FOR YOUTH.

“(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, and in consultation with the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice and the Director of the Special Education Programs of the Department of Education, shall award grants on a competitive basis to State or local juvenile justice agencies to enable such agencies to provide aftercare services for youth offenders who have been discharged from the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances.

“(b) PURPOSE.—The purposes of this section are—

“(1) to address the needs of youth offenders who have been discharged from the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances;

“(2) to provide a community-based system of care for such youth offenders to prevent the youth from committing additional or more serious criminal offenses;

“(3) to provide services for youth offenders after such youth have had contact with the juvenile or criminal justice system in order to decrease the likelihood that the individuals will reoffend;

“(4) to enable State and local agencies that provide services for youth to work together with juvenile justice agencies to establish an individual treatment plan and a case management plan for each youth offender to reduce the likelihood of recidivism; and

“(5) to encourage involvement of the youth offender's family members, significant per-

sons in the youth offender's life, and community agencies in the process of helping youth offenders resist criminal activity and remain in the community.

“(c) USE OF FUNDS.—A State or local juvenile justice agency receiving a grant under subsection (a) shall use the amounts provided under the grant—

“(1) to develop a plan describing the manner in which the agency will provide services for each youth offender who has a serious emotional disturbance and has come in contact with the juvenile or criminal justice system;

“(2) to provide a network of core services or access to such services for each youth offender, including diagnostic and evaluation services, substance abuse treatment services, outpatient mental health care services, medication management services, intensive home-based therapy, intensive day treatment services, respite care, and therapeutic foster care;

“(3) to establish a program that coordinates with other State and local agencies providing recreational, social, educational, vocational, or operational services for youth, to enable the agency receiving a grant under this section to provide community-based system of care services for each youth offender that addresses the special needs of the youth and helps the youth access all of the aforementioned services; and

“(4) using not more than 20 percent of funds received, to provide planning and transition services as described in paragraph (3) for youth offenders while such youth are incarcerated or detained.

“(d) APPLICATION.—A State or local juvenile justice agency that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(e) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, a State or local juvenile justice agency receiving a grant under subsection (a) shall submit to the Secretary a report describing the programs carried out pursuant to this section.

“(f) DEFINITIONS.—In this section:

“(1) SERIOUS EMOTIONAL DISTURBANCE.—The term ‘serious emotional disturbance’ with respect to a youth offender means an offender who currently, or at any time within the 1-year period ending on the day on which services are sought under this section, has a diagnosable mental, behavioral, or emotional disorder that functionally impairs the offender's life by substantially limiting the offender's role in family, school, or community activities, and interfering with the offender's ability to achieve or maintain 1 or more developmentally-appropriate social, behavior, cognitive, communicative, or adaptive skills.

“(2) COMMUNITY-BASED SYSTEM OF CARE.—The term ‘community-based system of care’ means the provision of services for the youth offender by various State or local agencies that in an interagency fashion or operating as a network addresses the recreational, social, educational, vocational, and operational needs of the youth offender.

“(3) YOUTH OFFENDER.—The term ‘youth offender’ means an individual who is 21 years of age or younger who has been discharged from a State or local juvenile or criminal justice system, except that if the individual is between the ages of 18 and 21 years, such individual has had contact with the State or local juvenile or criminal justice system prior to attaining 18 years of age and is under the jurisdiction of such a system at the time services are sought.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$40,000,000 for each of the fiscal years 2000 through 2004.”.

(b) COMPETITIVE GRANT PROGRAMS FOR YOUTH SUBSTANCE ABUSE PREVENTION AND TREATMENT.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 01, is further amended by adding at the end the following:

#### “PART H—COMPETITIVE GRANT PROGRAMS FOR YOUTH SUBSTANCE ABUSE PREVENTION AND TREATMENT

##### “SEC. 591. GRANTS TO CONSORTIA.

“(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible consortia to enable such consortia to establish the programs described in subsection (c).

“(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from eligible consortia that provide services in rural areas or for Native Americans.

“(c) USE OF FUNDS.—An eligible consortium receiving amounts under subsection (a) shall use such amounts to establish school-based substance abuse prevention and student assistance programs for youth, including after school programs and elementary school counselor programs, to provide services that address youth substance abuse, including services that—

“(1) identify youth at risk for substance abuse;

“(2) refer any youth at risk for substance abuse for substance abuse treatment;

“(3) provide effective primary prevention programming;

“(4) target underserved areas, such as rural areas; and

“(5) target populations, such as Native Americans, that are underserved.

“(d) APPLICATION.—An eligible consortium that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(e) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, an eligible consortium receiving a grant under subsection (a) shall submit to the Secretary a report describing the programs carried out pursuant to this section.

“(f) DEFINITIONS.—In this section:

“(1) ELIGIBLE CONSORTIUM.—The term ‘eligible consortium’ means an entity composed of a local educational agency and community-based substance abuse prevention providers and student assistance providers in which the agency and providers maintain equal responsibility in providing the services described in subsection (c).

“(2) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of fiscal years 2000 through 2004.

##### “SEC. 592. GRANTS TO TREATMENT FACILITIES.

“(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to inpatient and outpatient treatment facilities that provide the substance abuse treatment services described in subsection (d).

“(b) ELIGIBLE APPLICANT.—To be eligible to receive a grant under subsection (a), a treatment facility must provide or propose to provide alcohol or drug treatment services for individuals under the age of 22 years.

“(c) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from treatment facilities that provide treatment services in rural

areas, for Native Americans, or for underserved populations.

“(d) **USE OF FUNDS.**—A treatment facility receiving amounts under subsection (a) shall use such amounts to provide substance abuse treatment services for youth, including community-based aftercare services that provide treatment for the period of time following an individual's discharge from a drug treatment center.

“(e) **APPLICATION.**—A treatment facility that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(f) **REPORT.**—Not later than 1 year after the date of enactment of this section and annually thereafter, a treatment facility receiving a grant under subsection (a) shall submit to the Secretary a report describing the services provided pursuant to this section.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of the fiscal years 2000 through 2004.

**“SEC. 593. GRANTS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROVIDERS.**

“(a) **IN GENERAL.**—The Secretary shall award grants on a competitive basis to State and local substance abuse prevention and treatment providers to enable such providers to offer training to provide prevention and treatment services for youth.

“(b) **PRIORITY.**—In awarding grants under subsection (a), the Secretary shall give priority to applications from areas in which—

“(1) there is a demonstrated high rate of substance abuse by youth; and

“(2) the population is identified as underserved or the prevention and treatment providers in the area use distance learning.

“(c) **APPLICATION.**—A treatment provider that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(d) **REPORT.**—Not later than 1 year after the date of enactment of this section and annually thereafter, a treatment provider receiving a grant under subsection (a) shall submit to the Secretary a report describing the services provided pursuant to this section.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$2,000,000 for each of the fiscal years 2000 through 2004.”

**(C) GRANT PROGRAM FOR YOUTH PREVENTION AND TREATMENT.—**

**SEC. 594. GRANTS TO PRIVATE ENTITIES.**

Part G of title V of the Public Health Service Act (as amended by section 592) is further amended by adding at the end the following:

**“SEC. 583. GRANTS TO PRIVATE ENTITIES.**

“(a) **IN GENERAL.**—The Secretary may award grants to, and enter into contracts and cooperative agreements with, public and private nonprofit entities for the purpose of providing substance abuse treatment services for youth.

“(b) **USE OF FUNDS.**—Amounts provided under a grant, contract, or cooperative agreement under this section shall be used to promote the development of knowledge of youth substance abuse through projects that will—

“(1) provide a continuum of integrated treatment services, including case management, for young individuals who have substance abuse problems and their family members;

“(2) offer individualized treatment services for young individuals who have substance

abuse problems that take into account that individual's particular problems and his or her chronological and developmental age;

“(3) address the relationship between youth substance abuse and anti-social, aggressive, and violent behavior in youth;

“(4) address the relationship between youth substance abuse and psychiatric disorders, including depression, attention deficit disorder, attention deficit hyperactivity disorder, affective disorder, and conduct disorder;

“(5) promote projects that incorporate transitional support services for families of young substance abusers who have come in contact with the juvenile justice system;

“(6) address the barriers involved in providing substance abuse treatment, retention, and followup care;

“(7) address the special needs of young individuals who have substance abuse problems and who have been involved with juvenile justice or the child welfare system, have physical or cognitive disabilities, live in displaced conditions, or have parents who have substance abuse problems; and

“(8) apply the most successful, research-based and cost-effective methods for the treatment of substance abuse by youth.

“(c) **PRIORITY.**—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall, to the extent practicable, distribute amounts in each major geographic region in the United States, in both urban and rural areas, and give priority to applications that propose to—

“(1) coordinate services with other social agencies in the community, including educational, juvenile justice, child welfare, and mental health; and

“(2) provide individualized treatment, taking the gender and culture of the individual seeking treatment into account.

“(d) **DURATION OF GRANTS.**—The Secretary shall not award grants, contracts, or cooperative agreements to an entity for a period of more than 5 fiscal years.

“(e) **APPLICATION.**—A public or private nonprofit entity that desires a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

“(1) a statement detailing the manner in which the entity will evaluate projects assisted under this section; and

“(2) a statement ensuring that the entity will submit an annual report described in subsection (f).

“(f) **ANNUAL REPORT.**—A public or private nonprofit entity that receives a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit an annual report to the Secretary that describes the projects carried out pursuant to this section.

“(g) **MATCHING REQUIREMENT.**—The Secretary may not award a grant, contract, or cooperative agreement to an entity under this section unless such entity agrees that, with respect to the costs to be incurred by the entity in carrying out the services for which the grant, contract, or cooperative agreement was awarded, the entity will make available non-Federal contributions toward such costs in an amount equal to—

“(1) for the first and second fiscal years for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$3 of Federal funds so provided;

“(2) for the third fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$2 of Federal funds so provided;

“(3) for the fourth fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$1 of Federal funds so provided; and

“(4) for the fifth fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$2 for each \$1 of Federal funds so provided.

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$40,000,000 for fiscal year 2000, and such sums as may be necessary for each of the fiscal years 2001 and 2002.”

**TITLE V—PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS**

**SEC. 501. CHILDREN AND VIOLENCE.**

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

**“PART G—PROJECTS FOR CHILDREN AND VIOLENCE**

**“SEC. 581. CHILDREN AND VIOLENCE.**

“(a) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Education and the Attorney General, shall carry out directly or through grants, contracts or cooperative agreements with public entities a program to assist local communities in developing ways to assist children in dealing with violence.

“(b) **ACTIVITIES.**—Under the program under subsection (a), the Secretary may—

“(1) provide financial support to enable local communities to implement programs to foster the health and development of children;

“(2) provide technical assistance to local communities with respect to the development of programs described in paragraph (1);

“(3) provide assistance to local communities in the development of policies to address violence when and if it occurs; and

“(4) assist in the creation of community partnerships among law enforcement, education systems, community-based youth programs, and mental health and substance abuse service systems.

“(c) **REQUIREMENTS.**—An application for a grant, contract or cooperative agreement under subsection (a) shall demonstrate that—

“(1) the applicant will use amounts received to create a partnership described in subsection (b)(4) to address issues of youth violence;

“(2) the activities carried out by the applicant will provide a comprehensive method for addressing violence, that will include—

“(A) security;

“(B) educational reform;

“(C) the review and updating of school policies;

“(D) alcohol and drug abuse prevention and early intervention services;

“(E) mental health prevention and treatment services, including additional counselors, elementary school counselors, psychologists, and nurses in schools; and

“(F) early childhood development and psychosocial services; and

“(3) the applicant will use amounts received only for the services described in subparagraphs (D), (E), and (F) of paragraph (2).

“(d) **GEOGRAPHICAL DISTRIBUTION.**—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) will be distributed equitably among the regions of the country and among urban and rural areas.

“(e) **DURATION OF AWARDS.**—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be

made to the recipient may not exceed 5 years.

“(f) EVALUATION.—The Secretary shall conduct an evaluation of each project carried out under this section and shall disseminate the results of such evaluations to appropriate public and private entities.

“(g) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application under this section to the general public and to health care professionals.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$100,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 and 2002.”.

#### **SEC. 582. MENTAL HEALTH SERVICES FOR VIOLENCE RELATED STRESS.**

Part G of title V of the Public Health Service Act (as added by section 01) is amended by adding at the end the following:

##### **“SEC. 582. GRANTS TO ADDRESS THE PROBLEMS OF VIOLENCE RELATED STRESS.**

“(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to public and non-profit private entities, as well as to Indian tribes and tribal organizations, for the purpose of establishing a national and regional centers of excellence on psychological trauma response and for developing knowledge with regard to best practices for treating psychiatric disorders resulting from witnessing or experiencing such stress.

“(b) PRIORITIES.—In awarding grants, contracts or cooperative agreements under subsection (a) related to the development of knowledge on best practices for treating disorders associated with psychological trauma, the Secretary shall give priority to programs that work with children, adolescents, adults, and families who are survivors and witnesses of child abuse, domestic, school and community violence, disasters and terrorism.

“(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) with respect to centers of excellence are distributed equitably among the regions of the country and among urban and rural areas.

“(d) EVALUATION.—The Secretary, as part of the application process, shall require that each applicant for a grant, contract or cooperative agreement under subsection (a) submit a plan for the rigorous evaluation of the activities funded under the grant, contract or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

“(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not be less than 3 years nor more than 5 years. Such grants, contracts or agreements may be renewed.

“(f) REPORT.—Not later than 1 year after the date of enactment of this section, the General Accounting Office shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives a report concerning whether individuals are covered for post-traumatic stress disorders under public and private health plans, and the course of treatment, if any, that is covered.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$50,000,000 for fiscal year 2000, and such sums as may be necessary for each of fiscal years 2001 and 2002.”.

#### **SEC. 583. TREATMENT FOR YOUTH.**

(a) WRAP AROUND GRANT PROGRAM FOR DETAINED OR INCARCERATED YOUTH.—

(1) FINDINGS.—Congress makes the following findings:

(A) Four million underage youth are arrested in the United States every year and 30 percent of those arrested are likely to re-lapse and commit a crime within 1 year of the arrest.

(B) According to a Federal study, 60 percent of youth offenders in the juvenile justice system who are in detention programs have behavioral, mental, or emotional problems.

(C) Academic studies repeatedly find that there is a higher percentage of youth offenders in the juvenile justice system who have mental disorders than in the youth population at large.

(D) Less than 13 percent of youth offenders in the juvenile justice system who have been identified as in need of treatment receive such treatment.

(2) WRAP AROUND GRANTS FOR YOUTH.—Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb-31 et seq.) is amended by adding at the end the following:

##### **“SEC. 520C. WRAP AROUND GRANTS FOR YOUTH.**

“(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, and in consultation with the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice and the Director of the Special Education Programs of the Department of Education, shall award grants on a competitive basis to State or local juvenile justice agencies to enable such agencies to provide aftercare services for youth offenders who have been discharged from the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances.

“(b) PURPOSE.—The purposes of this section are—

“(1) to address the needs of youth offenders who have been discharged from the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances;

“(2) to provide a community-based system of care for such youth offenders to prevent the youth from committing additional or more serious criminal offenses;

“(3) to provide services for youth offenders after such youth have had contact with the juvenile or criminal justice system in order to decrease the likelihood that the individuals will reoffend;

“(4) to enable State and local agencies that provide services for youth to work together with juvenile justice agencies to establish an individual treatment plan and a case management plan for each youth offender to reduce the likelihood of recidivism; and

“(5) to encourage involvement of the youth offender's family members, significant persons in the youth offender's life, and community agencies in the process of helping youth offenders resist criminal activity and remain in the community.

“(c) USE OF FUNDS.—A State or local juvenile justice agency receiving a grant under subsection (a) shall use the amounts provided under the grant—

“(1) to develop a plan describing the manner in which the agency will provide services for each youth offender who has a serious emotional disturbance and has come in contact with the juvenile or criminal justice system;

“(2) to provide a network of core services or access to such services for each youth offender, including diagnostic and evaluation services, substance abuse treatment services,

outpatient mental health care services, medication management services, intensive home-based therapy, intensive day treatment services, respite care, and therapeutic foster care;

“(3) to establish a program that coordinates with other State and local agencies providing recreational, social, educational, vocational, or operational services for youth, to enable the agency receiving a grant under this section to provide community-based system of care services for each youth offender that addresses the special needs of the youth and helps the youth access all of the aforementioned services; and

“(4) using not more than 20 percent of funds received, to provide planning and transition services as described in paragraph (3) for youth offenders while such youth are incarcerated or detained.

“(d) APPLICATION.—A State or local juvenile justice agency that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

“(e) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, a State or local juvenile justice agency receiving a grant under subsection (a) shall submit to the Secretary a report describing the programs carried out pursuant to this section.

“(f) DEFINITIONS.—In this section:

“(1) SERIOUS EMOTIONAL DISTURBANCE.—The term ‘serious emotional disturbance’ with respect to a youth offender means an offender who currently, or at any time within the 1-year period ending on the day on which services are sought under this section, has a diagnosable mental, behavioral, or emotional disorder that functionally impairs the offender's life by substantially limiting the offender's role in family, school, or community activities, and interfering with the offender's ability to achieve or maintain 1 or more developmentally-appropriate social, behavior, cognitive, communicative, or adaptive skills.

“(2) COMMUNITY-BASED SYSTEM OF CARE.—The term ‘community-based system of care’ means the provision of services for the youth offender by various State or local agencies that in an interagency fashion or operating as a network addresses the recreational, social, educational, vocational, and operational needs of the youth offender.

“(3) YOUTH OFFENDER.—The term ‘youth offender’ means an individual who is 21 years of age or younger who has been discharged from a State or local juvenile or criminal justice system, except that if the individual is between the ages of 18 and 21 years, such individual has had contact with the State or local juvenile or criminal justice system prior to attaining 18 years of age and is under the jurisdiction of such a system at the time services are sought.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$40,000,000 for each of the fiscal years 2000 through 2004.”.

(b) COMPETITIVE GRANT PROGRAMS FOR YOUTH SUBSTANCE ABUSE PREVENTION AND TREATMENT.—Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 01, is further amended by adding at the end the following:

##### **“PART H—COMPETITIVE GRANT PROGRAMS FOR YOUTH SUBSTANCE ABUSE PREVENTION AND TREATMENT**

##### **“SEC. 591. GRANTS TO CONSORTIA.**

“(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible consortia to enable such consortia to establish the programs described in subsection (c).

“(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from eligible consortia that provide services in rural areas or for Native Americans.

“(c) USE OF FUNDS.—An eligible consortium receiving amounts under subsection (a) shall use such amounts to establish school-based substance abuse prevention and student assistance programs for youth, including after school programs and elementary school counselor programs, to provide services that address youth substance abuse, including services that—

“(1) identify youth at risk for substance abuse;

“(2) refer any youth at risk for substance abuse for substance abuse treatment;

“(3) provide effective primary prevention programming;

“(4) target underserved areas, such as rural areas; and

“(5) target populations, such as Native Americans, that are underserved.

“(d) APPLICATION.—An eligible consortium that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(e) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, an eligible consortium receiving a grant under subsection (a) shall submit to the Secretary a report describing the programs carried out pursuant to this section.

“(f) DEFINITIONS.—In this section:

“(1) ELIGIBLE CONSORTIUM.—The term ‘eligible consortium’ means an entity composed of a local educational agency and community-based substance abuse prevention providers and student assistance providers in which the agency and providers maintain equal responsibility in providing the services described in subsection (c).

“(2) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given such term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of the fiscal years 2000 through 2004.”

#### “SEC. 592. GRANTS TO TREATMENT FACILITIES.

“(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to inpatient and outpatient treatment facilities that provide the substance abuse treatment services described in subsection (d).

“(b) ELIGIBLE APPLICANT.—To be eligible to receive a grant under subsection (a), a treatment facility must provide or propose to provide alcohol or drug treatment services for individuals under the age of 22 years.

“(c) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from treatment facilities that provide treatment services in rural areas, for Native Americans, or for underserved populations.

“(d) USE OF FUNDS.—A treatment facility receiving amounts under subsection (a) shall use such amounts to provide substance abuse treatment services for youth, including community-based aftercare services that provide treatment for the period of time following an individual’s discharge from a drug treatment center.

“(e) APPLICATION.—A treatment facility that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(f) REPORT.—Not later than 1 year after the date of enactment of this section and an-

nually thereafter, a treatment facility receiving a grant under subsection (a) shall submit to the Secretary a report describing the services provided pursuant to this section.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$15,000,000 for each of the fiscal years 2000 through 2004.

#### “SEC. 593. GRANTS TO SUBSTANCE ABUSE PREVENTION AND TREATMENT PROVIDERS.

“(a) IN GENERAL.—The Secretary shall award grants on a competitive basis to State and local substance abuse prevention and treatment providers to enable such providers to offer training to provide prevention and treatment services for youth.

“(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applications from areas in which—

“(1) there is a demonstrated high rate of substance abuse by youth; and

“(2) the population is identified as underserved or the prevention and treatment providers in the area use distance learning.

“(c) APPLICATION.—A treatment provider that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(d) REPORT.—Not later than 1 year after the date of enactment of this section and annually thereafter, a treatment provider receiving a grant under subsection (a) shall submit to the Secretary a report describing the services provided pursuant to this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$2,000,000 for each of the fiscal years 2000 through 2004.

#### (c) GRANT PROGRAM FOR YOUTH PREVENTION AND TREATMENT.—

#### SEC. 594. GRANTS TO PRIVATE ENTITIES.

Part G of title V of the Public Health Service Act (as amended by section 502) is further amended by adding at the end the following:

#### “SEC. 593. GRANTS TO PRIVATE ENTITIES.

“(a) IN GENERAL.—The Secretary may award grants to, and enter into contracts and cooperative agreements with, public and private nonprofit entities for the purpose of providing substance abuse treatment services for youth.

“(b) USE OF FUNDS.—Amounts provided under a grant, contract, or cooperative agreement under this section shall be used to promote the development of knowledge of youth substance abuse through projects that will—

“(1) provide a continuum of integrated treatment services, including case management, for young individuals who have substance abuse problems and their family members;

“(2) offer individualized treatment services for young individuals who have substance abuse problems that take into account that individual’s particular problems and his or her chronological and developmental age;

“(3) address the relationship between youth substance abuse and anti-social, aggressive, and violent behavior in youth;

“(4) address the relationship between youth substance abuse and psychiatric disorders, including depression, attention deficit disorder, attention deficit hyperactivity disorder, affective disorder, and conduct disorder;

“(5) promote projects that incorporate transitional support services for families of young substance abusers who have come in contact with the juvenile justice system;

“(6) address the barriers involved in providing substance abuse treatment, retention, and followup care;

“(7) address the special needs of young individuals who have substance abuse problems and who have been involved with juvenile justice or the child welfare system, have physical or cognitive disabilities, live in displaced conditions, or have parents who have substance abuse problems; and

“(8) apply the most successful, research-based and cost-effective methods for the treatment of substance abuse by youth.

“(c) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall, to the extent practicable, distribute amounts in each major geographic region in the United States, in both urban and rural areas, and give priority to applications that propose to—

“(1) coordinate services with other social agencies in the community, including educational, juvenile justice, child welfare, and mental health; and

“(2) provide individualized treatment, taking the gender and culture of the individual seeking treatment into account.

“(d) DURATION OF GRANTS.—The Secretary shall not award grants, contracts, or cooperative agreements to an entity for a period of more than 5 fiscal years.

“(e) APPLICATION.—A public or private nonprofit entity that desires a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

“(1) a statement detailing the manner in which the entity will evaluate projects assisted under this section; and

“(2) a statement ensuring that the entity will submit an annual report described in subsection (f).

“(f) ANNUAL REPORT.—A public or private nonprofit entity that receives a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit an annual report to the Secretary that describes the projects carried out pursuant to this section.

“(g) MATCHING REQUIREMENT.—The Secretary may not award a grant, contract, or cooperative agreement to an entity under this section unless such entity agrees that, with respect to the costs to be incurred by the entity in carrying out the services for which the grant, contract, or cooperative agreement was awarded, the entity will make available non-Federal contributions toward such costs in an amount equal to—

“(1) for the first and second fiscal years for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$3 of Federal funds so provided;

“(2) for the third fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$2 of Federal funds so provided;

“(3) for the fourth fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$1 for each \$1 of Federal funds so provided; and

“(4) for the fifth fiscal year for which the entity receives payments from the grant, contract, or cooperative agreement, not less than \$2 for each \$1 of Federal funds so provided.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$40,000,000 for fiscal year 2000, and such sums as may be necessary for each of the fiscal years 2001 and 2002.”

LEAHY (AND OTHERS)  
AMENDMENT NO. 327

Mr. LEAHY (for himself, Mr. DASCHLE, and Mr. ROBB) proposed an amendment to the bill, S. 254, supra; as follows:

Strike all after subsection (a) of section 1, and insert the following:

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

**TITLE I—MORE POLICE OFFICERS ON THE BEAT**

**Subtitle A—Expansion of COPS Program**

Sec. 111. More police officers in schools.  
Sec. 112. Waiver for local match requirement for cops in schools.  
Sec. 113. Technical amendment.

**Subtitle B—Assistance to Local Law Enforcement**

Sec. 121. Extension of law enforcement family support funding.  
Sec. 122. Extension of rural drug enforcement and training funding.  
Sec. 123. Extension of Byrne grant funding.  
Sec. 124. Extension of grants for State court prosecutors.

**Subtitle C—Extension of Violent Crime Reduction Trust Fund**

Sec. 131. Extension of Violent Crime Reduction Trust Fund.

**TITLE II—PROTECTING CHILDREN FROM DANGEROUS DRUGS**

**Subtitle A—Targeting Serious Drug Crimes**

Sec. 211. Increased penalties for using minors to distribute drugs.  
Sec. 212. Increased penalties for distributing drugs to minors.  
Sec. 213. Increased penalty for drug trafficking in or near a school or other protected location.  
Sec. 214. Increased penalties for using Federal property to grow or manufacture controlled substances.  
Sec. 215. Clarification of length of supervised release terms in controlled substance cases.  
Sec. 216. Supervised release period after conviction for continuing criminal enterprise.

**Subtitle B—Drug Treatment For Juveniles**

Sec. 221. Drug treatment for juveniles.

**Subtitle C—Drug Courts**

Sec. 231. Reauthorization of drug courts program.  
Sec. 232. Juvenile drug courts.

**Subtitle D—Improving Effectiveness of Youth Crime and Drug Prevention Efforts**

Sec. 241. Comprehensive study by National Academy of Sciences.  
Sec. 242. Evaluation of crime prevention programs.  
Sec. 243. Evaluation and research criteria.  
Sec. 244. Compliance with evaluation mandate.  
Sec. 245. Reservation of amounts for evaluation and research.  
Sec. 246. Sense of Senate regarding funding for programs determined to be ineffective.

**TITLE III—PROTECTING CHILDREN FROM GUNS**

**Subtitle A—Gun Offenses**

Sec. 311. Prohibition on transfer to and possession by juveniles of semiautomatic assault weapons and large capacity ammunition feeding devices and enhanced criminal penalties for transfers of handguns, ammunition, semiautomatic assault weapons, and large capacity ammunition feeding devices to juveniles.

Sec. 312. Juvenile handgun safety.

Sec. 313. Serious juvenile drug offenses as armed career criminal predicates.

Sec. 314. Increased penalty for transferring a firearm to a minor for use in crime of violence or drug trafficking crime.

Sec. 315. Increased penalty for firearms conspiracy.

**Subtitle B—Local Gun Violence Prevention Programs**

Sec. 321. Competitive grants for children's firearm safety education.  
Sec. 322. Dissemination of best practices via the Internet.  
Sec. 323. Youth crime gun interdiction initiative (YCGII).  
Sec. 324. Grant priority for tracing of guns used in crimes by juveniles.

**Subtitle C—Juvenile Gun Courts**

Sec. 331. Definitions.  
Sec. 332. Grant program.  
Sec. 333. Applications.  
Sec. 334. Grant awards.  
Sec. 335. Use of grant amounts.  
Sec. 336. Grant limitations.  
Sec. 337. Federal share.  
Sec. 338. Report and evaluation.  
Sec. 339. Authorization of appropriations.

**Subtitle D—Youth Violence Courts**

Sec. 341. Creation of youth violence courts.

**TITLE IV—IMPROVING THE JUVENILE JUSTICE SYSTEM**

**Subtitle A—Reform of Federal Juvenile System**

Sec. 411. Delinquency proceedings or criminal prosecutions in district courts.  
Sec. 412. Applicability of statutory minimums to juveniles 16 years and older and limitation as to younger juveniles.  
Sec. 413. Conforming amendment to definitions section.  
Sec. 414. Custody prior to appearance before judicial officer.  
Sec. 415. Technical and conforming amendments to section 5034.  
Sec. 416. Speedy trial for detained juveniles pending delinquency proceedings; reinstituting dismissed cases.  
Sec. 417. Disposition; availability of increased detention, fines, and supervised release for juvenile offenders.

Sec. 418. Access to juvenile records.

Sec. 419. Technical amendments of section 5034.

Sec. 420. Definitions.

**Subtitle B—Incarceration of Juveniles in the Federal System**

Sec. 421. Detention of juveniles prior to disposition or sentencing.  
Sec. 422. Rules governing the commitment of juveniles.

**Subtitle C—Assistance to States For Prosecuting and Punishing Juvenile Offenders and Reducing Juvenile Crime**

Sec. 431. Juvenile and violent offender incarceration grants.  
Sec. 432. Certain punishment and graduated sanctions for youth offenders.  
Sec. 433. Pilot program to promote replication of recent successful juvenile crime reduction strategies.

**TITLE V—PREVENTING JUVENILE CRIME**

**Subtitle A—Grants To Youth Organizations**

Sec. 511. Grant program.  
Sec. 512. Grants to national organizations.  
Sec. 513. Grants to States.  
Sec. 514. Allocation; grant limitation.  
Sec. 515. Report and evaluation.

Sec. 516. Authorization of appropriations.

Sec. 517. Grants to public and private agencies.

**Subtitle B—"Say No to Drugs" Community Centers**

Sec. 521. Short title; definitions.  
Sec. 522. Grant requirements.  
Sec. 523. Authorization of appropriations.  
**Subtitle C—Reauthorization of Incentive Grants For Local Delinquency Prevention Programs**

Sec. 531. Incentive grants for local delinquency prevention programs.

Sec. 532. Research, evaluation, and training.

**Subtitle D—Authorization of Anti-Drug Abuse Programs**

Sec. 541. Drug education and prevention relating to youth gangs.  
Sec. 542. Drug education and prevention program for runaway and homeless youth.

**Subtitle E—JUMP Ahead**

Sec. 551. Short title.  
Sec. 552. Findings.  
Sec. 553. Juvenile mentoring grants.  
Sec. 554. Implementation and evaluation grants.  
Sec. 555. Evaluations; reports.

**Subtitle F—Reauthorization of Juvenile Crime Control and Delinquency Prevention Programs**

Sec. 561. Short title.  
Sec. 562. Findings.  
Sec. 563. Purpose.  
Sec. 564. Definitions.  
Sec. 565. Name of office.  
Sec. 566. Concentration of Federal effort.  
Sec. 567. Allocation.  
Sec. 568. State plans.  
Sec. 569. Juvenile delinquency prevention block grant program.  
Sec. 570. Research; evaluation; technical assistance; training.  
Sec. 571. Demonstration projects.  
Sec. 572. Authorization of appropriations.  
Sec. 573. Administrative authority.  
Sec. 574. Use of funds.  
Sec. 575. Limitation on use of funds.  
Sec. 576. Rules of construction.  
Sec. 577. Leasing surplus Federal property.  
Sec. 578. Issuance of rules.  
Sec. 579. Technical and conforming amendments.  
Sec. 580. References.  
Sec. 581. Rapid response plan for kids who bring a gun to school.

**TITLE I—MORE POLICE OFFICERS ON THE BEAT**

**Subtitle A—Expansion of COPS Program**

**SEC. 111. MORE POLICE OFFICERS IN SCHOOLS.**

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

(1) in clause (v), by striking "and" at the end;

(2) in clause (vi), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(vii) \$100,000,000 for fiscal year 2001; and

“(viii) \$100,000,000 for fiscal year 2002.”.

**SEC. 112. WAIVER FOR LOCAL MATCH REQUIREMENT FOR COPS IN SCHOOLS.**

Section 1701(i) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(i)) is amended by adding at the end of the first sentence the following: “The Attorney General shall waive the requirement under this subsection of a non-Federal contribution to the costs of a program, project, or activity that hires law enforcement officers for placement in public schools.”.

**SEC. 113. TECHNICAL AMENDMENT.**

Section 1001(a)(11)(B) of the Omnibus Crime Control and Safe Streets Act of 1968



(42 U.S.C. 3793(a)(11)(B)) is amended by striking “150,000” each place it appears and inserting “100,000”.

**Subtitle B—Assistance to Local Law Enforcement**

**SEC. 121. EXTENSION OF LAW ENFORCEMENT FAMILY SUPPORT FUNDING.**

Section 1001(a)(21) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(21)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) in subparagraph (D), as redesignated, by striking “and” at the end;

(3) in subparagraph (E), as redesignated, by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(F) \$7,500,000 for fiscal year 2001; and

“(G) \$7,500,000 for fiscal year 2002.”.

**SEC. 122. EXTENSION OF RURAL DRUG ENFORCEMENT AND TRAINING FUNDING.**

(a) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Section 1001(a)(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(9)) is amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(F) \$66,000,000 for fiscal year 2001; and

“(G) \$66,000,000 for fiscal year 2002.”.

(b) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—Section 18103(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14082(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(6) \$1,000,000 for fiscal year 2001; and

“(7) \$1,000,000 for fiscal year 2002.”.

**SEC. 123. EXTENSION OF BYRNE GRANT FUNDING.**

Section 210101 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322; 108 Stat. 2061) is amended—

(1) by striking “through 2000” and inserting “through 2002”;

(2) in paragraph (5), by striking “and” at the end;

(3) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(7) \$500,000,000 for fiscal year 2001; and

“(8) \$500,000,000 for fiscal year 2002.”.

**SEC. 124. EXTENSION OF GRANTS FOR STATE COURT PROSECUTORS.**

Section 21602 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14161) is amended—

(1) in subsection (a)—

(A) by striking “other criminal justice participants” and inserting “other criminal justice participants, in both the adult and juvenile systems.”;

(B) by striking “this Act” and all that follows before the period at the end of the section and inserting “this Act, Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999, and amendments thereto”;

(2) by redesignating subsection (d) as subsection (e);

(3) by inserting after subsection (c) the following:

“(d) Not less than 20 percent of the total amount appropriated to carry out this subtitle in each of fiscal years 2001 and 2002 shall be made available for providing increased resources to State juvenile courts systems, ju-

venile prosecutors, juvenile public defenders, and other juvenile court system participants.”;

(4) in subsection (e)—

(A) in paragraph (4), by striking “and” at the end;

(B) in paragraph (5), by striking the comma at the end and inserting a semicolon; and

(C) by inserting immediately after paragraph (5) the following:

“(6) \$100,000,000 for fiscal year 2001; and

“(7) \$100,000,000 for fiscal year 2002.”.

**Subtitle C—Extension of Violent Crime Reduction Trust Fund**

**SEC. 131. EXTENSION OF VIOLENT CRIME REDUCTION TRUST FUND.**

(a) VIOLENT CRIME CONTROL AND LAW ENFORCEMENT ACT OF 1994.—Section 310001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14211(b)) is amended—

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

(2) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(7) for fiscal year 2001, \$6,500,000,000; and

“(8) for fiscal year 2002, \$6,500,000,000.”.

(b) REDUCTION IN DISCRETIONARY SPENDING LIMITS.—Beginning on the date of enactment of this Act, the discretionary spending limits set forth in section 601(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 665(a)(2)) (as adjusted in conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, and in the Senate, with section 301 of House Concurrent Resolution 178 (104th Congress)) for fiscal years 2001 through 2002 are reduced as follows:

(1) For fiscal year 2001, for the discretionary category: \$6,500,000,000 in new budget authority and \$6,225,000,000 in outlays.

(2) For fiscal year 2002, for the discretionary category: \$6,500,000,000 in new budget authority and \$6,225,000,000 in outlays.

**TITLE II—PROTECTING CHILDREN FROM DANGEROUS DRUGS**

**Subtitle A—Targeting Serious Drug Crimes**

**SEC. 211. INCREASED PENALTIES FOR USING MINORS TO DISTRIBUTE DRUGS.**

Section 420 of the Controlled Substances Act (21 U.S.C. 861) is amended—

(1) in subsection (b), by striking “one year” and inserting “three years”;

(2) in subsection (c), by striking “one year” and inserting “five years”; and

(3) by striking subsection (e) and inserting the following:

“(e) PROBATION PROHIBITED.—In the case of any sentence imposed under this section, probation shall not be granted.”.

**SEC. 212. INCREASED PENALTIES FOR DISTRIBUTING DRUGS TO MINORS.**

Section 418 of the Controlled Substances Act (21 U.S.C. 859) is amended—

(1) in subsection (a), by striking “one year” and inserting “three years”;

(2) in subsection (b), by striking “one year” and inserting “five years”; and

(3) in subsections (a) and (b), by striking “under twenty-one” each place it appears and inserting “under eighteen”.

**SEC. 213. INCREASED PENALTY FOR DRUG TRAFFICKING IN OR NEAR A SCHOOL OR OTHER PROTECTED LOCATION.**

Section 419 of the Controlled Substances Act (21 U.S.C. 860) is amended—

(1) in subsection (a), by striking “one year” and inserting “3 years”; and

(2) in subsection (b), by striking “three years” each place it appears and inserting “5 years”.

**SEC. 214. INCREASED PENALTIES FOR USING FEDERAL PROPERTY TO GROW OR MANUFACTURE CONTROLLED SUBSTANCES.**

(a) IN GENERAL.—Section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) is amended to read as follows:

“(5) Any person who violates subsection (a) of this section by cultivating or manufacturing a controlled substance on any property in whole or in part owned by or leased to the United States or any department or agency thereof shall be subject to twice the maximum punishment otherwise authorized for the offense.”.

(b) SENTENCING ENHANCEMENT.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines to provide an appropriate sentencing enhancement for any offense under section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) that occurs on Federal property.

(2) CONSISTENCY.—In carrying out this section, the United States Sentencing Commission shall—

(A) ensure that there is reasonable consistency with other Federal sentencing guidelines; and

(B) avoid duplicative punishment for substantially the same offense.

**SEC. 215. CLARIFICATION OF LENGTH OF SUPERVISED RELEASE TERMS IN CONTROLLED SUBSTANCE CASES.**

Subparagraphs (A) through (D) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) are each amended by striking “Any sentence” and inserting “Notwithstanding section 3583 of title 18, any sentence”.

**SEC. 216. SUPERVISED RELEASE PERIOD AFTER CONVICTION FOR CONTINUING CRIMINAL ENTERPRISE.**

Section 848(a) of title 21, United States Code, is amended by adding to the end of the following: “Any sentence under this paragraph shall, in the absence of such a prior conviction, impose a term of supervised release of not less than 10 years in addition to such term of imprisonment and shall, if there was such a prior conviction, impose a term of supervised release of not less than 15 years in addition to such term of imprisonment.”

**Subtitle B—Drug Treatment For Juveniles**

**SEC. 221. DRUG TREATMENT FOR JUVENILES.**

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

**“PART G—RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES**

**“SEC. 575. RESIDENTIAL TREATMENT PROGRAMS FOR JUVENILES.**

“(a) IN GENERAL.—The Director of the Center for Substance Abuse Treatment shall award grants to, or enter into cooperative agreements or contracts, with public and nonprofit private entities for the purpose of providing treatment to juveniles for substance abuse through programs in which, during the course of receiving such treatment the juveniles reside in facilities made available by the programs.

“(b) AVAILABILITY OF SERVICES FOR EACH PARTICIPANT.—A funding agreement for an award under subsection (a) for an applicant is that, in the program operated pursuant to such subsection—

“(1) treatment services will be available through the applicant, either directly or through agreements with other public or nonprofit private entities; and

“(2) the services will be made available to each person admitted to the program.

“(c) INDIVIDUALIZED PLAN OF SERVICES.—A funding agreement for an award under subsection (a) for an applicant is that—

"(1) in providing authorized services for an eligible person pursuant to such subsection, the applicant will, in consultation with the juvenile and, if appropriate the parent or guardian of the juvenile, prepare an individualized plan for the provision to the juvenile or young adult of the services; and

"(2) treatment services under the plan will include—

"(A) individual, group, and family counseling, as appropriate, regarding substance abuse; and

"(B) followup services to assist the juvenile or young adult in preventing a relapse into such abuse.

"(d) ELIGIBLE SUPPLEMENTAL SERVICES.—Grants under subsection (a) may be used to provide an eligible juvenile, the following services:

"(1) HOSPITAL REFERRALS.—Referrals for necessary hospital services.

"(2) HIV AND AIDS COUNSELING.—Counseling on the human immunodeficiency virus and on acquired immune deficiency syndrome.

"(3) DOMESTIC VIOLENCE AND SEXUAL ABUSE COUNSELING.—Counseling on domestic violence and sexual abuse.

"(4) PREPARATION FOR REENTRY INTO SOCIETY.—Planning for and counseling to assist reentry into society, both before and after discharge, including referrals to any public or nonprofit private entities in the community involved that provide services appropriate for the juvenile.

"(e) MINIMUM QUALIFICATIONS FOR RECEIPT OF AWARD.—

"(1) CERTIFICATION BY RELEVANT STATE AGENCY.—With respect to the principal agency of a State or Indian tribe that administers programs relating to substance abuse, the Director may award a grant to, or enter into a cooperative agreement or contract with, an applicant only if the agency or Indian tribe has certified to the Director that—

"(A) the applicant has the capacity to carry out a program described in subsection (a);

"(B) the plans of the applicant for such a program are consistent with the policies of such agency regarding the treatment of substance abuse; and

"(C) the applicant, or any entity through which the applicant will provide authorized services, meets all applicable State licensure or certification requirements regarding the provision of the services involved.

"(2) STATUS AS MEDICAID PROVIDER.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the Director may make a grant, or enter into a cooperative agreement or contract, under subsection (a) only if, in the case of any authorized service that is available pursuant to the State plan approved under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) for the State involved—

"(i) the applicant for the grant, cooperative agreement, or contract will provide the service directly, and the applicant has entered into a participation agreement under the State plan and is qualified to receive payments under such plan; or

"(ii) the applicant will enter into an agreement with a public or nonprofit private entity under which the entity will provide the service, and the entity has entered into such a participation agreement plan and is qualified to receive such payments.

"(B) SERVICES.—

"(i) IN GENERAL.—In the case of an entity making an agreement pursuant to subparagraph (A)(ii) regarding the provision of services, the requirement established in such subparagraph regarding a participation agreement shall be waived by the Director if the entity does not, in providing health care services, impose a charge or accept reim-

bursement available from any third party payor, including reimbursement under any insurance policy or under any Federal or State health benefits plan.

"(ii) VOLUNTARY DONATIONS.—A determination by the Director of whether an entity referred to in clause (i) meets the criteria for a waiver under such clause shall be made without regard to whether the entity accepts voluntary donations regarding the provision of services to the public.

"(C) MENTAL DISEASES.—

"(i) IN GENERAL.—With respect to any authorized service that is available pursuant to the State plan described in subparagraph (A), the requirements established in such subparagraph shall not apply to the provision of any such service by an institution for mental diseases to an individual who has attained 21 years of age and who has not attained 65 years of age.

"(ii) DEFINITION OF INSTITUTION FOR MENTAL DISEASES.—In this subparagraph, the term 'institution for mental diseases' has the same meaning as in section 1905(i) of the Social Security Act (42 U.S.C. 1396d(i)).

"(f) REQUIREMENTS FOR MATCHING FUNDS.—

"(1) IN GENERAL.—With respect to the costs of the program to be carried out by an applicant pursuant to subsection (a), a funding agreement for an award under such subsection is that the applicant will make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that—

"(A) for the first fiscal year for which the applicant receives payments under an award under such subsection, is not less than \$1 for each \$9 of Federal funds provided in the award;

"(B) for any second such fiscal year, is not less than \$1 for each \$9 of Federal funds provided in the award; and

"(C) for any subsequent such fiscal year, is not less than \$1 for each \$3 of Federal funds provided in the award.

"(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

"(g) OUTREACH.—A funding agreement for an award under subsection (a) for an applicant is that the applicant will provide outreach services in the community involved to identify juveniles who are engaging in substance abuse and to encourage the juveniles to undergo treatment for such abuse.

"(h) ACCESSIBILITY OF PROGRAM.—A funding agreement for an award under subsection (a) for an applicant is that the program operated pursuant to such subsection will be operated at a location that is accessible to low income juveniles.

"(i) CONTINUING EDUCATION.—A funding agreement for an award under subsection (a) is that the applicant involved will provide for continuing education in treatment services for the individuals who will provide treatment in the program to be operated by the applicant pursuant to such subsection.

"(j) IMPOSITION OF CHARGES.—A funding agreement for an award under subsection (a) for an applicant is that, if a charge is imposed for the provision of authorized services to or on behalf of an eligible juvenile, such charge—

"(1) will be made according to a schedule of charges that is made available to the public;

"(2) will be adjusted to reflect the economic condition of the juvenile involved; and

"(3) will not be imposed on any such juvenile whose family has an income of less than 185 percent of the official poverty line, as established by the Director of the Office for Management and Budget and revised by the Secretary in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2)).

"(k) REPORTS TO DIRECTOR.—A funding agreement for an award under subsection (a) is that the applicant involved will submit to the Director a report—

"(1) describing the utilization and costs of services provided under the award;

"(2) specifying the number of juveniles served, and the type and costs of services provided; and

"(3) providing such other information as the Director determines to be appropriate.

"(l) REQUIREMENT OF APPLICATION.—The Director may make an award under subsection (a) only if an application for the award is submitted to the Director containing such agreements, and the application is in such form, is made in such manner, and contains such other agreements and such assurances and information as the Director determines to be necessary to carry out this section.

"(m) EQUITABLE ALLOCATION OF AWARDS.—In making awards under subsection (a), the Director shall ensure that the awards are equitably allocated among the principal geographic regions of the United States, as well as among Indian tribes, subject to the availability of qualified applicants for the awards.

"(n) DURATION OF AWARD.—

"(1) IN GENERAL.—The period during which payments are made to an entity from an award under this section may not exceed 5 years.

"(2) APPROVAL OF DIRECTOR.—The provision of payments described in paragraph (1) shall be subject to—

"(A) annual approval by the Director of the payments; and

"(B) the availability of appropriations for the fiscal year at issue to make the payments.

"(3) NO LIMITATION.—This subsection may not be construed to establish a limitation on the number of awards that may be made to an entity under this section.

"(o) EVALUATIONS; DISSEMINATION OF FINDINGS.—The Director shall, directly or through contract, provide for the conduct of evaluations of programs carried out pursuant to subsection (a). The Director shall disseminate to the States the findings made as a result of the evaluations.

"(p) REPORTS TO CONGRESS.—

"(1) INITIAL REPORT.—Not later than October 1, 2000, the Director shall submit to the Committee on the Judiciary of the House of Representatives, and to the Committee on the Judiciary of the Senate, a report describing programs carried out pursuant to this section.

"(2) PERIODIC REPORTS.—

"(A) IN GENERAL.—Not less than biennially after the date described in paragraph (1), the Director shall prepare a report describing programs carried out pursuant to this section during the preceding 2-year period, and shall submit the report to the Administrator for inclusion in the biennial report under section 501(k).

"(B) SUMMARY.—Each report under this subsection shall include a summary of any evaluations conducted under subsection (m) during the period with respect to which the report is prepared.

"(q) DEFINITIONS.—In this section:

"(1) AUTHORIZED SERVICES.—The term 'authorized services' means treatment services and supplemental services.

"(2) JUVENILE.—The term 'juvenile' means anyone 18 years of age or younger at the

time that of admission to a program operated pursuant to subsection (a).

“(3) **ELIGIBLE JUVENILE.**—The term ‘eligible juvenile’ means a juvenile who has been admitted to a program operated pursuant to subsection (a).

“(4) **FUNDING AGREEMENT UNDER SUBSECTION (A).**—The term ‘funding agreement under subsection (a)’, with respect to an award under subsection (a), means that the Director may make the award only if the applicant makes the agreement involved.

“(5) **TREATMENT SERVICES.**—The term ‘treatment services’ means treatment for substance abuse, including the counseling and services described in subsection (c)(2).

“(6) **SUPPLEMENTAL SERVICES.**—The term ‘supplemental services’ means the services described in subsection (d).

“(r) **AUTHORIZATION OF APPROPRIATIONS.**—“(1) **IN GENERAL.**—For the purpose of carrying out this section and section 576 there is authorized to be appropriated from the Violent Crime Reduction Trust Fund—

“(A) \$100,000 for fiscal year 2000; \$200,000 for fiscal year 2001; and

“(B) such sums as may be necessary for fiscal year 2002.

“(2) **TRANSFER.**—For the purpose described in paragraph (1), in addition to the amounts authorized in such paragraph to be appropriated for a fiscal year, there is authorized to be appropriated for the fiscal year from the special forfeiture fund of the Director of the Office of National Drug Control Policy such sums as may be necessary.

“(3) **RULE OF CONSTRUCTION.**—The amounts authorized in this subsection to be appropriated are in addition to any other amounts that are authorized to be appropriated and are available for the purpose described in paragraph (1).

#### **“SEC. 576. OUTPATIENT TREATMENT PROGRAMS FOR JUVENILES.**

“(a) **GRANTS.**—The Secretary of Health and Human Services, acting through the Director of the Center for Substance Abuse Treatment, shall make grants to establish projects for the outpatient treatment of substance abuse among juveniles.

“(b) **PREVENTION.**—Entities receiving grants under this section shall engage in activities to prevent substance abuse among juveniles.

“(c) **EVALUATION.**—The Secretary of Health and Human Services shall evaluate projects carried out under subsection (a) and shall disseminate to appropriate public and private entities information on effective projects.”.

#### **Subtitle C—Drug Courts**

#### **SEC. 231. REAUTHORIZATION OF DRUG COURTS PROGRAM.**

(a) Section 114(b)(1)(A) of title I of Public Law 104-134 is repealed.

(b) Section 1001(a)(20) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(20)) is amended—

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

(2) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following: “(G) \$200,000,000 for fiscal year 2001; and “(H) \$200,000,000 for fiscal year 2002.”.

#### **SEC. 232. JUVENILE DRUG COURTS.**

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by redesignating part Z as part AA;

(2) by redesignating section 2601 as 2701; and

(3) by inserting after part Y the following: “**PART Z—JUVENILE DRUG COURTS**

#### **“SEC. 2601. GRANT AUTHORITY.**

“(a) **APPROPRIATE DRUG COURT PRO-**

grams to States, State courts, local courts, units of local government, and Indian tribes to establish programs that—

“(1) involve continuous early judicial supervision over juvenile offenders, other than violent juvenile offenders with substance abuse, or substance abuse-related problems; and

“(2) integrate administration of other sanctions and services, including—

“(A) mandatory periodic testing for the use of controlled substances or other addictive substances during any period of supervised release or probation for each participant;

“(B) substance abuse treatment for each participant;

“(C) diversion, probation, or other supervised release involving the possibility of prosecution, confinement, or incarceration based on noncompliance with program requirements or failure to show satisfactory progress;

“(D) programmatic, offender management, and aftercare services such as relapse prevention, health care, education, vocational training, job placement, housing placement, and child care or other family support service for each participant who requires such services;

“(E) payment by the offender of treatment costs, to the extent practicable, such as costs for urinalysis or counseling; or

“(F) payment by the offender of restitution, to the extent practicable, to either a victim of the offense at issue or to a restitution or similar victim support fund.

“(b) **CONTINUED AVAILABILITY OF GRANT FUNDS.**—Amounts made available under this part shall remain available until expended.

#### **“SEC. 2602. PROHIBITION OF PARTICIPATION BY VIOLENT OFFENDERS.**

“The Attorney General shall issue regulations and guidelines to ensure that the programs authorized in this part do not permit participation by violent offenders.

#### **“SEC. 2603. DEFINITION.**

“In this part, the term ‘violent offender’ means an individual charged with an offense during the course of which—

“(1) the individual carried, possessed, or used a firearm or dangerous weapon;

“(2) the death of or serious bodily injury of another person occurred as a direct result of the commission of such offense; or

“(3) the individual used force against the person of another.

#### **“SEC. 2604. ADMINISTRATION.**

“(a) **REGULATORY AUTHORITY.**—The Attorney General shall issue any regulations and guidelines necessary to carry out this part.

“(b) **APPLICATIONS.**—In addition to any other requirements that may be specified by the Attorney General, an application for a grant under this part shall—

“(1) include a long term strategy and detailed implementation plan;

“(2) explain the inability of the applicant to fund the program adequately without Federal assistance;

“(3) certify that the Federal support provided will be used to supplement, and not supplant, State, tribal, or local sources of funding that would otherwise be available;

“(4) identify related governmental or community initiatives that complement or will be coordinated with the proposal;

“(5) certify that there has been appropriate consultation with all affected agencies and that there will be appropriate coordination with all affected agencies in the implementation of the program;

“(6) certify that participating offenders will be supervised by one or more designated judges with responsibility for the drug court program;

“(7) specify plans for obtaining necessary support and continuing the proposed pro-

gram following the conclusion of Federal support; and

“(8) describe the methodology that will be used in evaluating the program.

#### **“SEC. 2605. APPLICATIONS.**

“To request funds under this part, the chief executive or the chief justice of a State, or the chief executive or chief judge of a unit of local government or Indian tribe shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

#### **“SEC. 2606. FEDERAL SHARE.**

“(a) **IN GENERAL.**—The Federal share of a grant made under this part may not exceed 75 percent of the total costs of the program described in the application submitted under section 2605 for the fiscal year for which the program receives assistance under this part.

“(b) **WAIVER.**—The Attorney General may waive, in whole or in part, the requirement of a matching contribution under subsection (a).

“(c) **IN-KIND CONTRIBUTIONS.**—In-kind contributions may constitute a portion of the non-Federal share of a grant under this part.

#### **“SEC. 2607. DISTRIBUTION OF FUNDS.**

“(a) **GEOGRAPHICAL DISTRIBUTION.**—The Attorney General shall ensure that, to the extent practicable, an equitable geographic distribution of grant awards is made.

“(b) **INDIAN TRIBES.**—The Attorney General shall allocate 0.75 percent of amounts made available under this subtitle for grants to Indian tribes.

#### **“SEC. 2608. REPORT.**

“A State, Indian tribe, or unit of local government that receives funds under this part during a fiscal year shall submit to the Attorney General, in March of the year following receipt of a grant under this part, a report regarding the effectiveness of programs established pursuant to this part.

#### **“SEC. 2609. TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION.**

“(a) **TECHNICAL ASSISTANCE AND TRAINING.**—The Attorney General may provide technical assistance and training in furtherance of the purposes of this part.

“(b) **EVALUATIONS.**—In addition to any evaluation requirements that may be prescribed for grantees, the Attorney General may carry out or make arrangements for evaluations of programs that receive support under this part.

“(c) **ADMINISTRATION.**—The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, in collaboration with the Secretary of Health and Human Services, or through grants, contracts, or other cooperative arrangements with other entities.

#### **“SEC. 2610. UNAWARDED FUNDS.**

“The Attorney General may reallocate any grant funds that are not awarded for juvenile drug courts under this part for use for other juvenile delinquency and crime prevention initiatives.

#### **“SEC. 2611. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part from the Violent Crime Reduction Trust Fund—

“(1) \$50,000,000 for fiscal year 2000; and

“(2) such sums as may be necessary for for fiscal years 2001 and 2002.”.

#### **Subtitle D—Improving Effectiveness of Youth Crime and Drug Prevention Efforts**

#### **SEC. 241. COMPREHENSIVE STUDY BY NATIONAL ACADEMY OF SCIENCES.**

(a) **IN GENERAL.**—The Attorney General shall enter into a contract with a public or nonprofit private entity, subject to subsection (b), for the purpose of conducting a study or studies—

(1) to evaluate the effectiveness of federally funded programs for preventing youth violence and youth substance abuse;

(2) to evaluate the effectiveness of federally funded grant programs for preventing criminal victimization of juveniles;

(3) to identify specific Federal programs and programs that receive Federal funds that contribute to reductions in youth violence, youth substance abuse, and risk factors among youth that lead to violent behavior and substance abuse;

(4) to identify specific programs that have not achieved their intended results; and

(5) to make specific recommendations on programs that—

(A) should receive continued or increased funding because of their proven success; or

(B) should have their funding terminated or reduced because of their lack of effectiveness.

(b) NATIONAL ACADEMY OF SCIENCES.—The Attorney General shall request the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study or studies described in subsection (a). If the Academy declines to conduct the study, the Attorney General shall carry out such subsection through other public or non-profit private entities.

(c) ASSISTANCE.—In conducting the study under subsection (a) the contracting party may obtain analytic assistance, data, and other relevant materials from the Department of Justice and any other appropriate Federal agency.

(d) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Not later than January 1, 2000, the Attorney General shall submit a report describing the findings made as a result of the study required by subsection (a) to the Committee on the Judiciary and the Committee on Economic and Educational Opportunity of the House of Representatives and the Committee on the Judiciary and the Committee on Labor and Human Resources of the Senate.

(2) CONTENTS.—The report required by this subsection shall contain specific recommendations concerning funding levels for the programs evaluated. Reports on the effectiveness of such programs and recommendations on funding shall be provided to the appropriate subcommittees of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

(e) FUNDING.—There are authorized to be appropriated to carry out the study under subsection (a) \$1,000,000.

#### SEC. 242. EVALUATION OF CRIME PREVENTION PROGRAMS.

The Attorney General, with respect to the programs in this title shall provide, directly or through grants and contracts, for the comprehensive and thorough evaluation of the effectiveness of each program established by this Act and the amendments made by this Act.

#### SEC. 243. EVALUATION AND RESEARCH CRITERIA.

(a) INDEPENDENT EVALUATIONS AND RESEARCH.—Evaluations and research studies conducted pursuant to this subtitle shall be independent in nature, and shall employ rigorous and scientifically recognized standards and methodologies.

(b) CONTENT OF EVALUATIONS.—Evaluations conducted pursuant to this title may include comparison between youth participating in the programs and the community at large of rates of—

(1) delinquency, youth crime, youth gang activity, youth substance abuse, and other high risk factors;

(2) risk factors in young people that contribute to juvenile violence, including aca-

demic failure, excessive school absenteeism, and dropping out of school;

(3) risk factors in the community, schools, and family environments that contribute to youth violence; and

(4) criminal victimizations of youth.

#### SEC. 244. COMPLIANCE WITH EVALUATION MAN-DATE.

The Attorney General may require the recipients of Federal assistance for programs under this Act to collect, maintain, and report information considered to be relevant to any evaluation conducted pursuant to section 242, and to conduct and participate in specified evaluation and assessment activities and functions.

#### SEC. 245. RESERVATION OF AMOUNTS FOR EVALUATION AND RESEARCH.

(a) IN GENERAL.—The Attorney General, with respect to this title shall reserve not less than 2 percent, and not more than 4 percent, of the amounts made available pursuant to such titles and the amendments made by such titles in each fiscal year to carry out the evaluation and research required by this title.

(b) ASSISTANCE TO GRANTEEES AND EVALUATED PROGRAMS.—To facilitate the conduct and defray the costs of crime prevention program evaluation and research, the Attorney General shall use amounts reserved under this section to provide compliance assistance to grantees under this Act who are selected to participate in evaluations pursuant to section 242.

#### SEC. 246. SENSE OF SENATE REGARDING FUNDING FOR PROGRAMS DETERMINED TO BE INEFFECTIVE.

It is the sense of the Senate that programs identified in the study performed pursuant to section 241 as being ineffective in addressing juvenile crime and substance abuse should not receive Federal funding in any fiscal year following the issuance of such study.

### TITLE III—PROTECTING CHILDREN FROM GUNS

#### Subtitle A—Gun Offenses

#### SEC. 311. PROHIBITION ON TRANSFER TO AND POSSESSION BY JUVENILES OF SEMIAUTOMATIC ASSAULT WEAPONS AND LARGE CAPACITY AMMUNITION FEEDING DEVICES AND ENHANCED CRIMINAL PENALTIES FOR TRANSFERS OF HANDGUNS, AMMUNITION, SEMIAUTOMATIC ASSAULT WEAPONS, AND LARGE CAPACITY AMMUNITION FEEDING DEVICES TO JUVENILES.

(a) PROHIBITION.—Section 922(x) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.”;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “or” at the end;

(B) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(C) a semiautomatic assault weapon; or

“(D) a large capacity ammunition feeding device.”; and

(3) in paragraph (3)—

(A) in subparagraph (B), by inserting “, semiautomatic assault weapon, or large capacity ammunition feeding device” after “handgun”; and

(B) in subparagraph (D), by striking “or ammunition” and inserting “, ammunition,

semiautomatic assault weapon, or large capacity ammunition feeding device”.

(b) ENHANCED PENALTIES.—Section 924(a)(6)(B)(i) of title 18, United States Code, is amended by striking “1 year” and inserting “5 years”.

#### SEC. 312. JUVENILE HANDGUN SAFETY.

(a) JUVENILE HANDGUN SAFETY.—Section 924(a)(6) of title 18, United States Code, is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (A); and

(3) in subparagraph (A), as redesignated—

(A) by striking “A person other than a juvenile who knowingly” and inserting “A person who knowingly”; and

(B) in clause (i), by striking “not more than 1 year” and inserting “not more than 5 years”.

#### SEC. 313. SERIOUS JUVENILE DRUG OFFENSES AS ARMED CAREER CRIMINAL PREDICATES.

Section 924(e)(2)(A) of title 18, United States Code, is amended—

(1) in clause (i), by striking “or” at the end;

(2) in clause (ii), by adding “or” at the end; and

(3) by adding at the end the following:

“(iii) any act of juvenile delinquency that, if committed by an adult, would be an offense described in this paragraph.”.

#### SEC. 314. INCREASED PENALTY FOR TRANSFERRING A FIREARM TO A MINOR FOR USE IN CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME.

Section 924(h) of title 18, United States Code, is amended by striking “10 years, fined in accordance with this title, or both” and inserting “10 years, and if the transferee is a person who is under 18 years of age, imprisoned for a term of not more than 15 years, fined in accordance with this title, or both”.

#### SEC. 315. INCREASED PENALTY FOR FIREARMS CONSPIRACY.

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

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

#### Subtitle B—Local Gun Violence Prevention Programs

#### SEC. 321. COMPETITIVE GRANTS FOR CHILDREN'S FIREARM SAFETY EDUCATION.

(a) PURPOSES.—The purposes of this section are—

(1) to award grants to assist local educational agencies, in consultation with community groups and law enforcement agencies, to educate children about preventing gun violence; and

(2) to assist communities in developing partnerships between public schools, community organizations, law enforcement, and parents in educating children about preventing gun violence.

(b) DEFINITIONS.—In this section:

(1) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the same meaning given such term in section 14101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8701).

(2) SECRETARY.—The term “Secretary” means the Secretary of Education.

(3) STATE.—The term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

## (c) ALLOCATION OF COMPETITIVE GRANTS.—

(1) GRANTS BY THE SECRETARY.—For any fiscal year in which the amount appropriated to carry out this section does not equal or exceed \$50,000,000, the Secretary of Education may award competitive grants described under subsection (d).

(2) GRANTS BY THE STATES.—For any fiscal year in which the amount appropriated to carry out this section exceeds \$50,000,000, the Secretary shall make allotments to State educational agencies pursuant to paragraph (3) to award competitive grants described in subsection (d).

(3) FORMULA.—Except as provided in paragraph (4), funds appropriated to carry out this section shall be allocated among the States as follows:

(A) 75 percent of such amount shall be allocated proportionately based upon the population that is less than 18 years of age in the State.

(B) 25 percent of such amount shall be allocated proportionately based upon the population that is less than 18 years of age in the State that is incarcerated.

(4) MINIMUM ALLOTMENT.—Of the amounts appropriated to carry out this section, 0.50 percent shall be allocated to each State.

(d) AUTHORIZATION OF COMPETITIVE GRANTS.—The Secretary or the State educational agency, as the case may be, may award grants to eligible local educational agencies for the purposes of educating children about preventing gun violence, in accordance with the following:

## (1) ASSURANCES.—

(A) The Secretary or the State educational agency, as the case may be, shall ensure that not less than 90 percent of the funds allotted under this section are distributed to local educational agencies.

(B) In awarding the grants, the Secretary or the State educational agency, as the case may be, shall ensure, to the maximum extent practicable—

(i) an equitable geographic distribution of grant awards;

(ii) an equitable distribution of grant awards among programs that serve public elementary school students, public secondary school students, and a combination of both; and

(iii) that urban, rural and suburban areas are represented within the grants that are awarded.

(2) PRIORITY.—In awarding grants under this section, the Secretary or the State educational agency, as the case may be, shall give priority to a local educational agency that—

(A) coordinates with other Federal, State, and local programs that educate children about personal health, safety, and responsibility, including programs carried out under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.);

(B) serves a population with a high incidence of students found in possession of a weapon on school property or students suspended or expelled for bringing a weapon onto school grounds or engaging in violent behavior on school grounds; and

(C) forms a partnership that includes not less than 1 local educational agency working in consultation with not less than 1 public or private nonprofit agency or organization with experience in violence prevention or 1 local law enforcement agency.

## (3) PEER REVIEW; CONSULTATION.—

## (A) IN GENERAL.—

(i) PEER REVIEW BY PANEL.—Before grants are awarded, the Secretary shall submit grant applications to a peer review panel for evaluation.

(ii) COMPOSITION OF PANEL.—The panel shall be composed of not less than 1 representative from a local educational agency,

State educational agency, a local law enforcement agency, and a public or private nonprofit organization with experience in violence prevention.

(B) CONSULTATION.—The Secretary shall submit grant applications to the Attorney General for consultation.

## (e) ELIGIBLE GRANT RECIPIENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), an eligible grant recipient is a local educational agency that may work in partnership with 1 or more of the following:

(A) A public or private nonprofit agency or organization with experience in violence prevention.

(B) A local law enforcement agency.

(C) An institution of higher education.

(2) EXCEPTION.—A State educational agency, with the approval of a local educational agency, submit an application on behalf of such local educational agency or a consortium of such agencies.

## (f) LOCAL APPLICATIONS; REPORTS.—

(1) APPLICATIONS.—Each local educational agency that wishes to receive a grant under this section shall submit an application to the Secretary and the State educational agency that includes—

(A) a description of the proposed activities to be funded by the grant and how each activity will further the goal of educating children about preventing gun violence;

(B) how the program will be coordinated with other programs that educate children about personal health, safety, and responsibility, including programs carried out under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.); and

(C) the age and number of children that the programs will serve.

(2) REPORTS.—Each local educational agency that receives a grant under this section shall submit a report to the Secretary and to the State educational agency not later than 18 months after the grant is awarded and submit an additional report to the Secretary and to the State not later than 36 months after the grant is awarded. Each report shall include information regarding—

(A) the activities conducted to educate children about gun violence;

(B) how the program will continue to educate children about gun violence in the future; and

(C) how the grant is being coordinated with other Federal, State, and local programs that educate children about personal health, safety, and responsibility, including programs carried out under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.).

## (g) AUTHORIZED ACTIVITIES.—

(1) REQUIRED ACTIVITIES.—Grants authorized under subsection (d) shall be used for the following activities:

(A) Supporting existing programs that educate children about personal health, safety, and responsibility, including programs carried out under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.).

(B) Educating children about the effects of gun violence.

(C) Educating children to identify dangerous situations in which guns are involved and how to avoid and prevent such situations.

(D) Educating children how to identify threats and other indications that their peers are in possession of a gun and may use a gun, and what steps they can take in such situations.

(E) Developing programs to give children access to adults to whom they can report, in a confidential manner, any problems relating to guns.

(2) PERMISSIBLE ACTIVITIES.—Grants authorized under subsection (d) may be used for the following:

(A) Encouraging schoolwide programs and partnerships that involve teachers, students, parents, administrators, other staff, and members of the community in reducing gun incidents in public elementary and secondary schools.

(B) Establishing programs that assist parents in helping educate their children about firearm safety and the prevention of gun violence.

(C) Providing ongoing professional development for public school staff and administrators to identify the causes and effects of gun violence and risk factors and student behavior that may result in gun violence, including training sessions to review and update school crisis response plans and school policies for preventing the presence of guns on school grounds and facilities.

(D) Providing technical assistance for school psychologists and counselors to provide timely counseling and evaluations, in accordance with State and local laws, of students who possess a weapon on school grounds.

(E) Improving security on public elementary and secondary school campuses to prevent outside persons from entering school grounds with firearms.

(F) Assisting public schools and communities in developing crisis response plans when firearms are found on school campuses and when gun-related incidents occur.

## (h) STATE APPLICATIONS; ACTIVITIES AND REPORTS.—

## (1) STATE APPLICATIONS.—

(A) Each State desiring to receive funds under this section shall, through its State educational agency, submit an application to the Secretary of Education at such time and in such manner as the Secretary shall require. Such application shall describe—

(i) the manner in which funds under this section for State activities and competitive grants will be used to fulfill the purposes of this section;

(ii) the manner in which the activities and projects supported by this section will be coordinated with other State and Federal education, law enforcement, and juvenile justice programs, including the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.);

(iii) the manner in which States will ensure an equitable geographic distribution of grant awards; and

(iv) the criteria which will be used to determine the impact and effectiveness of the funds used pursuant to this section.

(B) A State educational agency may submit an application to receive a grant under this section under paragraph (1) or as an amendment to the application the State educational agency submits under the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.).

(2) STATE ACTIVITIES.—Of appropriated amounts allocated to the States under subsection (c)(2), the State educational agency may reserve not more than 10 percent for activities to further the goals of this section, including—

(A) providing technical assistance to eligible grant recipients in the State;

(B) performing ongoing research into the causes of gun violence among children and methods to prevent gun violence among children; and

(C) providing ongoing professional development for public school staff and administrators to identify the causes and indications of gun violence.

(3) STATE REPORTS.—Each State receiving an allotment under this section shall submit

a report to the Secretary and to the Committees on Labor and Human Resources and the Judiciary of the Senate and the Committees on Education and the Workforce and the Judiciary of the House of Representatives, not later than 12 months after receipt of the grant award and shall submit an additional report to those committees not later than 36 months after receipt of the grant award. Each report shall include information regarding—

(A) the progress of local educational agencies that received a grant award under this section in the State in educating children about firearms;

(B) the progress of State activities under paragraph (1) to advance the goals of this section; and

(C) how the State is coordinating funds allocated under this section with other State and Federal education, law enforcement, and juvenile justice programs, including the Safe and Drug-Free Schools and Communities Act of 1994 (20 U.S.C. 7101 et seq.).

(i) **SUPPLEMENT NOT SUPPLANT.**—A State or local educational agency shall use funds received under this section only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for reducing gun violence among children and educating children about firearms, and not to supplant such funds.

(j) **DISPLACEMENT.**—A local educational agency that receives a grant award under this section shall ensure that persons hired to carry out the activities under this section do not displace persons already employed.

(k) **HOME SCHOOLS.**—Nothing in this section shall be construed to affect home schools.

(l) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

(1) such sums as may be necessary for each of fiscal years 2000 and 2001; and

(2) \$60,000,000 for fiscal year 2002.

#### **SEC. 322. DISSEMINATION OF BEST PRACTICES VIA THE INTERNET.**

(a) **MODEL DISSEMINATION.**—The Secretary of Education shall include on the Internet site of the Department of Education a description of programs that receive grants under section 1421.

(b) **GRANT PROGRAM NOTIFICATION.**—The Secretary shall publicize the competitive grant program through its Internet site, publications, and public service announcements.

#### **SEC. 323. YOUTH CRIME GUN INTERDICTION INITIATIVE (YCGII).**

(a) **IN GENERAL.**—The Secretary of the Treasury shall expand—

(1) the number of city and county law enforcement agencies that through the Youth Crime Gun Interdiction Initiative (referred to in this section as “YCGII”) submit identifying information relating to all firearms recovered during law enforcement investigations, including from individuals under age 25, to the Secretary of the Treasury to identify the types and origins of such firearms to 75 cities or counties by October 1, 2000, to 150 cities or counties by October 1, 2002, and to 250 cities or counties by October 1, 2003; and

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

(b) **SELECTION OF PARTICIPANTS.**—The Secretary of the Treasury, in consultation with Federal, State, and local law enforcement officials, shall select cities and counties for participation in the program established under this section.

(c) **ESTABLISHMENT OF SYSTEM.**—The Secretary of the Treasury shall establish a system through which State and local law enforcement agencies, through on-line computer technology, can promptly provide firearms-related information to the Secretary of the Treasury and access information derived through YCGII as soon as such capability is available. Not later than 6 months after the date of enactment of this Act, the Secretary shall submit to the Chairman and Ranking Member of the Committees on Appropriations of the House of Representatives and the Senate, a report explaining the capacity to provide such on-line access and the future technical and, if necessary, legal changes required to make such capability available, including cost estimates.

(d) **REPORT.**—Not later than one year after the date of enactment of this section, and annually thereafter, the Secretary of the Treasury shall submit to the Chairman and Ranking Member of the Committees on Appropriations of the House of Representatives and the Senate a report regarding the types and sources of firearms recovered from individuals, including those under the age of 25, regional, State and national firearms trafficking trends, and the number of investigations and arrests resulting from YCGII.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Department of the Treasury to carry out this section \$50,000,000 for each of fiscal years 2001 through 2002.

#### **SEC. 324. GRANT PRIORITY FOR TRACING OF GUNS USED IN CRIMES BY JUVENILES.**

Section 517 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3763) is amended by adding at the end the following:

“(c) **PRIORITY.**—In awarding discretionary grants under section 511 to public agencies to undertake law enforcement initiatives relating to gangs, or relating to juveniles who are involved or at risk of involvement in gangs, the Director shall give priority to a public agency that includes in its application a description of strategies or programs of that public agency (either in effect or proposed) that provide cooperation between Federal, State, and local law enforcement authorities, through the use of firearms and ballistics identification systems, to disrupt illegal sale or transfer of firearms to or between juveniles through tracing the sources of guns used in crime that were provided to juveniles.”

#### **Subtitle C—Juvenile Gun Courts**

##### **SEC. 331. DEFINITIONS.**

In this subtitle:

(1) **FIREARM.**—The term “firearm” has the same meaning as in section 921 of title 18, United States Code.

(2) **FIREARM OFFENDER.**—The term “firearm offender” means any individual charged with an offense involving the illegal possession, use, transfer, or threatened use of a firearm.

(3) **JUVENILE GUN COURT.**—The term “juvenile gun court” means a specialized division within a State or local juvenile court system, or a specialized docket within a State or local court that considers exclusively cases involving juvenile firearm offenders.

(4) **LOCAL COURT.**—The term “local court” means any section or division of a State or municipal juvenile court system.

##### **SEC. 332. GRANT PROGRAM.**

The Attorney General may make grants in accordance with this subtitle to States, State courts, local courts, units of local government, and Indian tribes for court-based juvenile justice programs that target juvenile firearm offenders through the establishment of juvenile gun courts.

##### **SEC. 333. APPLICATIONS.**

(a) **ELIGIBILITY.**—In order to be eligible to receive a grant under this subtitle, the chief

executive of a State, unit of local government, or Indian tribe, or the chief judge of a local court, shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

(b) **REQUIREMENTS.**—Each application submitted in accordance with subsection (a) shall include—

(1) a request for a grant to be used for the purposes described in this subtitle;

(2) a description of the communities to be served by the grant, including the extent of juvenile crime, juvenile violence, and juvenile firearm use and possession in such communities;

(3) written assurances that Federal funds received under this subtitle will be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subsection;

(4) a comprehensive plan described in subsection (c) (referred to in this subtitle as the “comprehensive plan”); and

(5) any additional information in such form and containing such information as the Attorney General may reasonably require.

(c) **COMPREHENSIVE PLAN.**—For purposes of subsection (b), a comprehensive plan as described in this subsection includes—

(1) a description of the juvenile crime and violence problems in the jurisdiction of the applicant, including gang crime and juvenile firearm use and possession;

(2) an action plan outlining the manner in which the applicant would use the grant amounts in accordance with this subtitle;

(3) a description of any resources available in the jurisdiction of the applicant to implement the action plan described in paragraph (2); and

(4) a description of the plan of the applicant for evaluating the performance of the juvenile gun court.

##### **SEC. 334. GRANT AWARDS.**

(a) **CONSIDERATIONS.**—In awarding grants under this subtitle, the Attorney General shall consider—

(1) the ability of the applicant to provide the stated services;

(2) the level of juvenile crime, violence, and drug use in the community; and

(3) to the extent practicable, achievement of an equitable geographic distribution of the grant awards.

(b) **DIVERSITY.**—The Attorney General shall allot not less than 0.75 percent of the total amount made available each fiscal year to carry out this subtitle to applicants in each State from which applicants have applied for grants under this subtitle.

(c) **INDIAN TRIBES.**—The Attorney General shall allocate 0.75 percent of amounts made available under this subtitle for grants to Indian tribes.

##### **SEC. 335. USE OF GRANT AMOUNTS.**

Each grant made under this subtitle shall be used to—

(1) establish juvenile gun courts for adjudication of juvenile firearm offenders;

(2) grant prosecutorial discretion to try, in a gun court, cases involving the illegal possession, use, transfer, or threatened use of a firearm by a juvenile;

(3) require prosecutors to transfer such cases to the gun court calendar not later than 30 days after arraignment;

(4) require that gun court trials commence not later than 60 days after transfer to the gun court;

(5) facilitate innovative and individualized sentencing (such as incarceration, house arrest, victim impact classes, electronic monitoring, restitution, and gang prevention programs);

(6) provide services in furtherance of paragraph (5);



(7) limit grounds for continuances and grant continuances only for the shortest practicable time;

(8) ensure that any term of probation or supervised release imposed on a firearm offender in a juvenile gun court, in addition to, or in lieu of, a term of incarceration, shall include a prohibition on firearm possession during such probation or supervised release and that violation of that prohibition shall result in, to the maximum extent permitted under State law, a term of incarceration; and

(9) allow transfer of a case or an offender out of the gun court by agreement of the parties, subject to court approval.

#### SEC. 336. GRANT LIMITATIONS.

Not more than 5 percent of the amounts made available to the Attorney General or a grant recipient under this subtitle may be used for administrative purposes.

#### SEC. 337. FEDERAL SHARE.

(a) IN GENERAL.—Subject to subsections (b) and (c), the Federal share of a grant made under this subtitle may not exceed 90 percent of the total cost of the program or programs of the grant recipient that are funded by that grant for the fiscal year for which the program receives assistance under this subtitle.

(b) WAIVER.—The Attorney General may waive, in whole or in part, the requirements of subsection (a).

(c) IN-KIND CONTRIBUTIONS.—For purposes of subsection (a), in-kind contributions may constitute any portion of the non-Federal share of a grant under this subtitle.

(d) CONTINUED AVAILABILITY OF GRANT AMOUNTS.—Any amount provided to a grant recipient under this subtitle shall remain available until expended.

#### SEC. 338. REPORT AND EVALUATION.

(a) REPORT TO THE ATTORNEY GENERAL.—Not later than March 1, 2000, and March 1 of each year thereafter, each grant recipient under this subtitle shall submit to the Attorney General a report that describes, for the year to which the report relates, any progress achieved in carrying out the comprehensive plan of the grant recipient.

(b) EVALUATION AND REPORT TO CONGRESS.—Not later than October 1, 2000 and October 1 of each year thereafter, the Attorney General shall submit to Congress an evaluation and report that contains a detailed statement regarding grant awards, activities of grant recipients, a compilation of statistical information submitted by grant recipients under this subtitle, and an evaluation of programs established by grant recipients under this subtitle.

(c) CRITERIA.—In assessing the effectiveness of the programs established and operated by grant recipients pursuant to this subtitle, the Attorney General shall consider—

(1) the number of juveniles tried in gun court sessions in the jurisdiction of the grant recipient;

(2) a comparison of the amount of time between the filing of charges and ultimate disposition in gun court and nongun court cases;

(3) the recidivism rates of juvenile offenders tried in gun court sessions in the jurisdiction of the grant recipient in comparison to those tried outside of drug courts;

(4) changes in the amount of gun-related and gang-related crime in the jurisdiction of the grant recipient; and

(5) the quantity of firearms and ammunition recovered in gun court cases in the jurisdiction of the grant recipient.

(d) DOCUMENTS AND INFORMATION.—Each grant recipient under this subtitle shall provide the Attorney General with all documents and information that the Attorney General determines to be necessary to con-

duct an evaluation of the effectiveness of programs funded under this subtitle.

#### SEC. 339. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this subtitle from the Violent Crime Reduction Trust Fund—

(1) \$50,000,000 for each of fiscal years 2000 and 2001; and

(2) such sums as may be necessary for fiscal year 2002.

#### Subtitle D—Youth Violence Courts

#### SEC. 341. CREATION OF YOUTH VIOLENCE COURTS.

Section 210602 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14161) is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as paragraphs (1), (2), (3), and (4), respectively;

(2) by redesignating paragraphs (1), (2), (3), (4), and (5) as subparagraphs (A), (B), (C), (D), and (E), respectively;

(3) by inserting before paragraph (1), as so designated, the following:

“(a) STATE AND LOCAL COURT ASSISTANCE.—”;

(4) by adding after subsection (a), as so designated, the following:

“(b) YOUTH VIOLENCE COURTS.—”

“(1) AUTHORITY TO MAKE GRANTS AND ENTER INTO CONTRACTS.—

“(A) IN GENERAL.—The Attorney General may award grants and enter into cooperative agreements and contracts with States, State courts, local courts, units of local government, Indian tribes, and tribal courts to plan, develop, implement, and administer programs to adjudicate and better manage juvenile and youthful violent offenders within State, tribal, and local court systems.

“(B) INITIATIVES.—Initiatives funded under this paragraph may include—

“(i) the establishment of court based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders;

“(ii) the establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services as enumerated under the provisions of section 50001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 3796ii), as in effect on the day before the date of enactment of Public Law 104-134;

“(iii) the establishment of courts of specialized or joint jurisdiction as deemed appropriate by a jurisdiction's chief judicial officer; and

“(iv) the establishment of programs aimed at the enhanced and improved adjudication of juvenile offenders, including innovative programs involving the courts, prosecutors, public defenders, probation offices, and corrections agencies.

“(2) APPLICATION.—The Attorney General shall establish guidelines governing the administration of this program. Such guidelines shall include the manner and content of applications for funding under this program, as well as procedures and methods for the distribution of funds distributed under this program.

“(3) FEDERAL SHARE.—The Federal share of any individual grant made under this program may not exceed 75 percent. Further, in-kind contributions, pursuant to the discretion of the Attorney General may constitute a portion, or all, of the non-Federal share of a grant made under this program. With regard to grants to Indian tribes, the Attorney General may allow other Federal funds to constitute all or a portion of the non-Federal share.

“(4) GEOGRAPHIC DISTRIBUTION.—The Attorney General shall ensure that, to the extent reasonable and practicable, an equitable geographic distribution of grant awards is made.

“(5) TRAINING AND TECHNICAL ASSISTANCE.—Two percent of all funds appropriated for this subtitle shall be set aside for use by the Attorney General for training and technical assistance consistent with this program.”

#### TITLE IV—IMPROVING THE JUVENILE JUSTICE SYSTEM

##### Subtitle A—Reform of Federal Juvenile System

#### SEC. 411. DELINQUENCY PROCEEDINGS OR CRIMINAL PROSECUTIONS IN DISTRICT COURTS.

(a) IN GENERAL.—Section 5032 of title 18, United States Code, is amended to read as follows:

##### “§ 5032. Delinquency proceedings or criminal prosecutions in district courts

“(a) JUVENILE DELINQUENCY PROCEEDINGS.—

“(1) IN GENERAL.—A juvenile alleged to have committed an offense against the United States or an act of juvenile delinquency may be—

“(A) surrendered to State authorities;

“(B) proceeded against as a juvenile under this subsection; or

“(C) tried as an adult in the circumstances described in subsections (b) and (c).

“(2) SURRENDER TO STATE ABSENT CERTIFICATION.—

“(A) IN GENERAL.—A juvenile referred to in paragraph (1) may be proceeded against as a juvenile in a court of the United States under this subsection—

“(i) for offenses committed within the special maritime and territorial jurisdiction of the United States for which the maximum authorized term of imprisonment does not exceed 6 months; or

“(ii) if the Attorney General, after investigation, certifies to the appropriate United States district court that—

“(I)(aa) the juvenile court or other appropriate court of a State does not have jurisdiction or declines to assume jurisdiction over the juvenile with respect to such act of alleged juvenile delinquency; or

“(bb) the offense charged is described in subsection (b) (2) or (3) or subsection (e); and

“(II) there is a substantial Federal interest in the case or the offense to warrant the exercise of Federal jurisdiction.

“(B) SURRENDER TO LEGAL AUTHORITIES.—If, where required, the Attorney General does not so certify, such juvenile shall be surrendered to the appropriate legal authorities of such State.

“(3) PUBLIC PROCEEDINGS; ATTENDANCE BY VICTIMS.—

“(A) IN GENERAL.—If a juvenile alleged to have committed an act of juvenile delinquency is not surrendered to the authorities of a State pursuant to this section, any proceedings against the juvenile shall be in an appropriate district court of the United States.

“(B) CONVENING OF COURT.—For the purposes specified in subparagraph (A), the court—

“(i) may be convened at any time and place within the district; and

“(ii) shall be open to the public, except that the court may exclude all or some members of the public from the proceedings if—

“(I) required by the interests of justice; or

“(II) other good cause is shown.

“(C) COURT OPEN TO VICTIMS AND RELATIVES.—Even if all or some of the members of the public are excluded from the proceedings, the proceedings shall be open to victims of the alleged offense and their relatives and legal guardians unless—

“(i) required by the interests of justice; or

"(ii) otherwise good cause is shown.

"(D) **PROCEDURAL REQUIREMENTS.**—The Attorney General shall proceed by information or as authorized by section 3401(g) of this title, and no criminal prosecution shall be instituted except as provided in this chapter.

"(b) **JUVENILES 16 YEARS AND OLDER PROSECUTED AS ADULTS.**—A juvenile alleged to have committed an act on or after the day the juvenile attains the age of 16 years may be prosecuted as an adult—

"(1) if the juvenile has requested in writing upon advice of counsel to be prosecuted as an adult;

"(2) if the act committed by an adult would be a serious violent felony or a serious drug offense as described in section 3559(c) (2) and (3) or a conspiracy or attempt under section 406 of the Controlled Substances Act (21 U.S.C. 846) or under section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963) to commit an offense described in section 3559(c)(2); or

"(3) if the act the juvenile is alleged to have committed is not described in paragraph (2), and if committed by an adult would be—

"(A) a crime of violence (as defined in section 3156(a)(4)) that is a felony;

"(B) an offense described in section 844 (d), (k), or (l), or paragraph (a)(6) or subsection (b), (g), (h), (j), (k), or (l), of section 924;

"(C) a violation of section 922(o) that is an offense under section 924(a)(2);

"(D) a violation of section 5861 of the Internal Revenue Code of 1986 that is an offense under section 5871 of the Internal Revenue Code of 1986;

"(E) a conspiracy to commit an offense described in any of subparagraphs (A) through (D); or

"(F) an offense described in section 401 or 408 of the Controlled Substances Act (21 U.S.C. 841, 848) or a conspiracy or attempt to commit that offense which is punishable under section 406 of the Controlled Substances Act (21 U.S.C. 846), an offense punishable under section 409 or 419 of the Controlled Substances Act (21 U.S.C. 849, 860), an offense described in section 1002, 1003, 1005, or 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 952, 953, 955, or 959) or a conspiracy or attempt to commit that offense which is punishable under section 1013 of the Controlled Substances Import and Export Act (21 U.S.C. 963).

"(c) **JUVENILES UNDER 16 YEARS PROSECUTED AS ADULTS.**—

"(1) **IN GENERAL.**—A juvenile, alleged to have committed an act on or after the day on which the juvenile has attained the age of 13 years but before the juvenile has attained the age of 16 years, may be prosecuted as an adult if the act, if committed by an adult, would be an offense described in paragraph (2) or (3) of subsection (b), upon approval of the Attorney General or the designee of the Attorney General, who shall not be at a level lower than a Deputy Assistant Attorney General.

"(2) **LIMITATION.**—

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), approval shall not be granted under paragraph (1), with respect to a juvenile described in that paragraph who is subject to the criminal jurisdiction of an Indian tribal government and who is alleged to have committed an act over which, if committed by an adult, there would be Federal jurisdiction based solely on the commission of that act in Indian country (as defined in section 1151).

"(B) **EXCEPTION.**—Subparagraph (A) shall not apply if, before that alleged act was committed, the governing body of the Indian tribe having jurisdiction over the place in which the alleged act was committed notified the Attorney General in writing of its

election that prosecution may take place under this subsection.

"(d) **LIMITATIONS ON JUDICIAL REVIEW.**—

"(1) **IN GENERAL.**—Except as provided in this subsection, a determination to approve or not to approve, or to institute or not to institute, a prosecution under subsection (b) or (c) shall not be reviewable in any court.

"(2) **DETERMINATION BY COURT.**—In any prosecution of a juvenile under subsection (b)(3) or (c)(1), upon motion of the defendant and after a hearing, the court in which criminal charges have been filed shall determine whether to issue an order to provide for the transfer of the defendant to juvenile status for the purposes of proceeding against the defendant under subsection (a).

"(3) **TIME REQUIREMENTS.**—A motion by a defendant under paragraph (2) shall not be considered unless that motion is filed not later than 20 days after the date on which the defendant—

"(A) initially appears through counsel; or

"(B) expressly waives the right to counsel and elects to proceed pro se.

"(4) **PROHIBITION.**—The court shall not order the transfer of a defendant to juvenile status under this paragraph unless the defendant establishes by clear and convincing evidence or information that removal to juvenile status would be in the interest of justice. In making a determination under paragraph (2), the court shall consider—

"(A) the nature of the alleged offense, including the extent to which the juvenile played a leadership role in an organization, or otherwise influenced other persons to take part in criminal activities, involving the use or distribution of controlled substances or firearms;

"(B) whether prosecution of the juvenile as an adult is necessary to protect public safety;

"(C) the age and social background of the juvenile;

"(D) the extent and nature of the prior delinquency record of the juvenile;

"(E) the intellectual development and psychological maturity of the juvenile;

"(F) the nature of any treatment efforts and the response of the juvenile to those efforts; and

"(G) the availability of programs designed to treat the behavioral problems of the juvenile.

"(5) **STATUS OF ORDERS.**—

"(A) **IN GENERAL.**—An order of the court made in ruling on a motion by a defendant to transfer a defendant to juvenile status under this subsection shall not be a final order for the purpose of enabling an appeal, except that an appeal by the United States shall lie to a court of appeals pursuant to section 3731 from an order of a district court removing a defendant to juvenile status.

"(B) **APPEALS.**—Upon receipt of a notice of appeal of an order under this paragraph, a court of appeals shall hear and determine the appeal on an expedited basis.

"(6) **INADMISSIBILITY OF EVIDENCE.**—

"(A) **IN GENERAL.**—Except as provided in subparagraph (B), no statement made by a defendant during or in connection with a hearing under this subsection shall be admissible against the defendant in any criminal prosecution.

"(B) **EXCEPTIONS.**—The prohibition under subparagraph (A) shall not apply, except—

"(i) for impeachment purposes; or

"(ii) in a prosecution for perjury or giving a false statement.

"(7) **RULES.**—The rules concerning the receipt and admissibility of evidence shall be the same as prescribed in subsection 3142(f) of this title.

"(e) **JOINDER; LESSER INCLUDED OFFENSES.**—In a prosecution under subsection (b) or (c) the juvenile may be prosecuted and

convicted as an adult for any other offense which is properly joined under the Federal Rules of Criminal Procedure, and may also be convicted of a lesser included offense."

#### **SEC. 412. APPLICABILITY OF STATUTORY MINIMUMS TO JUVENILES 16 YEARS AND OLDER AND LIMITATION AS TO YOUNGER JUVENILES.**

Section 3553 of title 18, United States Code, is amended by adding at the end the following:

"(g) **LIMITATION ON APPLICABILITY OF STATUTORY MINIMUMS IN CERTAIN PROSECUTIONS OF PERSONS UNDER THE AGE OF 16.**—Notwithstanding any other provision of law, in the case of a juvenile alleged to have committed an act on or after the day on which the juvenile has attained the age of 13 years but before the juvenile has attained the age of 16 years, which if committed by an adult would be an offense described in section 5032 (b)(3) or (e), the court shall impose a sentence pursuant to guidelines promulgated by the United States Sentencing Commission under section 994 of title 28 without regard to any statutory minimum sentence, if the court finds at sentencing, after the Government has been afforded the opportunity to make a recommendation, that the juvenile has not been previously adjudicated delinquent for or convicted of an offense described in section 5032(b)(2)."

#### **SEC. 413. CONFORMING AMENDMENT TO DEFINITIONS SECTION.**

Section 5031 of title 18, United States Code, is amended by adding at the end the following: "As used in this chapter, the term 'State' includes a State of the United States, the District of Columbia, any commonwealth, territory, or possession of the United States and, with regard to an act of juvenile delinquency that would have been a misdemeanor if committed by an adult, a federally recognized Indian tribe."

#### **SEC. 414. CUSTODY PRIOR TO APPEARANCE BEFORE JUDICIAL OFFICER.**

Section 5033 of title 18, United States Code, is amended to read as follows:

##### **"§ 5033. Custody prior to appearance before judicial officer**

"(a) **IN GENERAL.**—Whenever a juvenile is taken into custody, the arresting officer shall immediately advise such juvenile of the juvenile's rights, in language comprehensible to a juvenile. The arresting officer shall promptly take reasonable steps to notify the juvenile's parents, guardian, or custodian of such custody, of the rights of the juvenile, and of the nature of the alleged offense.

"(b) **TIMELY ACTION.**—The juvenile shall be taken before a judicial officer without unreasonable delay."

#### **SEC. 415. TECHNICAL AND CONFORMING AMENDMENTS TO SECTION 5034.**

Section 5034 of title 18, United States Code, is amended—

(1) by striking "The" each place it appears at the beginning of a paragraph and inserting "the";

(2) by striking "If" at the beginning of the third paragraph and inserting "if";

(3) by designating the 3 paragraphs as paragraphs (1), (2), and (3), respectively; and

(4) by inserting at the beginning of such section before those paragraphs the following: "In a proceeding under section 5032(a)—"

#### **SEC. 416. SPEEDY TRIAL FOR DETAINED JUVENILES PENDING DELINQUENCY PROCEEDINGS; REINSTITUTING DISMISSED CASES.**

Section 5036 of title 18, United States Code, is amended—

(1) by striking "If an alleged delinquent" and inserting "If a juvenile proceeded against under section 5032(a)";

(2) by striking "thirty" and inserting "45"; and

(3) by striking "the court," and all that follows through the end of the section and inserting "the court. In determining whether an information should be dismissed with or without prejudice, the court shall consider the seriousness of the offense, the facts and circumstances of the case that led to the dismissal, and the impact of a reprosecution on the administration of justice. The periods of exclusion under section 3161(h) of this title shall apply to this section."

**SEC. 417. DISPOSITION; AVAILABILITY OF INCREASED DETENTION, FINES, AND SUPERVISED RELEASE FOR JUVENILE OFFENDERS.**

Section 5037 of title 18, United States Code, is amended to read as follows:

**"§ 5037. Disposition**

"(a) IN GENERAL.—

"(1) HEARING.—In a proceeding under section 5032(a), if the court finds a juvenile to be a juvenile delinquent, the court shall hold a hearing concerning the appropriate disposition of the juvenile not later than 40 court days after the finding of juvenile delinquency, unless the court has ordered further study pursuant to subsection (e).

"(2) REPORT.—A predisposition report shall be prepared by the probation officer who shall promptly provide a copy to the juvenile, the juvenile's counsel, and the attorney for the Government.

"(3) VICTIM IMPACT INFORMATION.—Victim impact information shall be included in the report, and victims, or in appropriate cases, their official representatives, shall be provided the opportunity to make a statement to the court in person or present any information in relation to the disposition.

"(4) ORDER OF RESTITUTION.—After the dispositional hearing, and after considering any pertinent policy statements promulgated by the Sentencing Commission pursuant to section 994 of title 28, the court shall enter an order of restitution pursuant to section 3556 of this title, and place the juvenile on probation, commit the juvenile to official detention (including the possibility of a term of supervised release), and impose any fine that would be authorized if the juvenile had been tried and convicted as an adult.

"(5) RELEASE OR DETENTION.—With respect to release or detention pending an appeal or a petition for a writ of certiorari after disposition, the court shall proceed pursuant to the provisions of chapter 207.

"(b) TERM OF PROBATION.—The term for which probation may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the maximum term that would be authorized by section 3561(c) if the juvenile had been tried and convicted as an adult. Sections 3563, 3564, and 3565 are applicable to an order placing a juvenile on probation.

"(c) TERM OF OFFICIAL DETENTION.—

"(1) MAXIMUM TERM.—The term for which official detention (other than supervised release) may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond the lesser of—

"(A) the maximum term of imprisonment that would be authorized if the juvenile had been tried and convicted as an adult;

"(B) 10 years; or

"(C) the date on which the juvenile attains the age of 26 years.

"(2) APPLICABILITY OF OTHER PROVISIONS.—Section 3624 of this title shall apply to an order placing a juvenile in detention.

"(d) TERM OF SUPERVISED RELEASE.—The term for which supervised release may be ordered for a juvenile found to be a juvenile delinquent may not extend beyond 5 years. Subsections (c) through (i) of section 3583 shall apply to an order placing a juvenile on supervised release.

"(e) CUSTODY OF THE ATTORNEY GENERAL.—

"(1) IN GENERAL.—If the court desires more detailed information concerning a juvenile alleged to have committed an act of juvenile delinquency or a juvenile adjudicated delinquent, the court may commit the juvenile, after notice and hearing at which the juvenile is represented by counsel, to the custody of the Attorney General for observation and study by an appropriate agency or entity.

"(2) OUTPATIENT BASIS.—Any observation and study pursuant to a commission under paragraph (1) shall be conducted on an outpatient basis, unless the court determines that inpatient observation and study are necessary to obtain the desired information, except in the case of an alleged juvenile delinquent, inpatient study may be ordered only with the consent of the juvenile and the juvenile's attorney.

"(3) CONTENTS OF STUDY.—The agency or entity conducting an observation or study under this subsection shall make a complete study of the alleged or adjudicated delinquent to ascertain the juvenile's personal traits, capabilities, background, previous delinquency or criminal experience, mental or physical defect, and any other relevant factors pertaining to the juvenile.

"(4) SUBMISSION OF RESULTS.—The Attorney General shall submit to the court and the attorneys for the juvenile and the Government the results of the study not later than 30 days after the commitment of the juvenile, unless the court grants additional time. If the juvenile has not been committed for the study, the probation office shall obtain the report under sections 3154 and 3672 and submit the results of the study in like manner and within the same time period.

"(5) EXCLUSION OF TIME.—Time spent in custody under this subsection shall be excluded for purposes of section 5036.

"(f) CONVICTION AS ADULT OF JUVENILES 13, 14, AND 15 YEARS OLD.—With respect to any juvenile prosecuted and convicted as an adult under section 5032(c), the court may, pursuant to guidelines promulgated by the United States Sentencing Commission under section 994 of title 28, determine to treat the conviction as an adjudication of delinquency and impose any disposition authorized under this section. The United States Sentencing Commission shall promulgate such guidelines as soon as practicable and not later than 1 year after the date of enactment of the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999."

**SEC. 418. ACCESS TO JUVENILE RECORDS.**

Section 5038 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the matter preceding the colon and inserting the following: "Throughout and upon completion of the juvenile delinquency proceeding, the court records of the original proceeding shall be safeguarded from disclosure to unauthorized persons. The records shall be released to the extent necessary to meet the following circumstances"; and

(B) by striking paragraph (6) and inserting the following:

"(6) inquiries from any victim of such juvenile delinquency, or in appropriate cases with the official representative of the victim, or, if the victim is deceased, from the immediate family of such victim in order to—

"(A) apprise such victim or representative of the status or disposition of the proceeding;

"(B) effectuate any other provision of law; or

"(C) assist in a victim's or the victim's official representative's, allocution at disposition";

(2) by striking subsections (d) and (f) and redesignating subsection (e) as subsection (d); and

(3) by adding at the end the following:

"(e) RECORDS AND INFORMATION.—

"(1) JUVENILE DELINQUENCY RECORDS.—If a juvenile has been adjudicated delinquent for an act that, if committed by an adult, would be a felony or for a violation of section 922(x)—

"(A) the juvenile shall be fingerprinted and photographed, and the fingerprints and photograph shall be sent to the Federal Bureau of Investigation;

"(B) the court shall transmit to the Federal Bureau of Investigation the information concerning the adjudication, including the name, date of adjudication, court, offenses, and sentence of the juvenile, along with the notation that the matter was a juvenile adjudication; and

"(C) access to the fingerprints, photograph, and other records and information relating to a juvenile described in this subsection, shall be restricted as prescribed by subsection (a).

"(2) JUVENILES TRIED AS ADULTS.—Fingerprints and photographs of a juvenile who is prosecuted as an adult shall be made available in the manner applicable to adult defendants.

"(f) ADDITIONAL AUTHORIZATION.—In addition to any other authorization under this section for the reporting, retention, disclosure, or availability of records or information, if the law of the State in which a Federal juvenile delinquency proceeding takes place permits or requires the reporting, retention, disclosure, or availability of records or information relating to a juvenile or to a juvenile delinquency proceeding or adjudication in certain circumstances, then such reporting, retention, disclosure, or availability is permitted under this section in any case in which the same circumstances exist."

**SEC. 419. TECHNICAL AMENDMENTS OF SECTION 5034.**

Section 5034 of title 18, United States Code, is amended—

(1) by striking "his" each place it appears and inserting "the juvenile's"; and

(2) by striking "magistrate" each place it appears and inserting "judicial officer".

**SEC. 420. DEFINITIONS.**

Section 5031 of title 18, United States Code, is amended to read as follows:

**"§ 5031. Definitions**

"In this chapter:

"(1) ADULT JAIL OR CORRECTIONAL FACILITY.—The term 'adult jail or correctional facility' means a locked facility that is used by a State, unit of local government, or any law enforcement authority to detain or confine adults—

"(A) pending the filing of a charge of violating a criminal law;

"(B) awaiting trial on a criminal charge; or

"(C) convicted of violating a criminal law.

"(2) COMMUNITY-BASED FACILITY, PROGRAM, OR SERVICE.—The term 'community-based facility, program, or service' means, with respect to a juvenile, a small, open group home or other suitable place located near the juvenile's home or family and programs of community supervision and service that maintain community and consumer participation in the planning, operation, and evaluation of those programs (which may include medical, educational, vocational, social and psychological guidance, training, special education, counseling, alcoholism treatment, drug treatment, and other rehabilitative services).

"(3) INDIAN TRIBE.—The term 'Indian tribe' means an Indian or Alaskan native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to

section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a-1).

“(4) INDIAN TRIBAL GOVERNMENT.—The term ‘Indian tribal government’ means the legally recognized leadership of an Indian tribe, band, nation, pueblo, village, or community.

“(5) JUVENILE.—The term ‘juvenile’ means—

“(A) a person who has not attained his or her 18th birthday; or

“(B) for the purpose of proceedings and disposition under this chapter for an alleged act of juvenile delinquency, a person who has not attained his or her 21st birthday.

“(6) JUVENILE DELINQUENCY.—The term ‘juvenile delinquency’ means the violation of a law of the United States committed by a person prior to the 18th birthday of that person, if the violation—

“(A) would have been a crime if committed by an adult; or

“(B) is a violation of section 922(x).

“(7) PROHIBITED PHYSICAL CONTACT.—

“(A) IN GENERAL.—The term ‘prohibited physical contact’ means—

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

“(ii) proximity that provides an opportunity for physical contact between a juvenile and an adult inmate.

“(B) EXCLUSION.—The term does not include supervised proximity between a juvenile and an adult inmate that is brief and incidental or accidental.

“(8) SUSTAINED ORAL COMMUNICATION.—

“(A) IN GENERAL.—The term ‘sustained oral communication’ means the imparting or interchange of speech by or between an adult inmate and a juvenile.

“(B) EXCEPTION.—The term does not include—

“(i) communication that is accidental or incidental; or

“(ii) sounds or noises that cannot reasonably be considered to be speech.

“(9) STATE.—The term ‘State’ includes a State of the United States, the District of Columbia, any commonwealth, territory, or possession of the United States and, with regard to an act of juvenile delinquency that would have been a misdemeanor if committed by an adult, an Indian tribe (as that term is defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 4506(e))).

“(10) VIOLENT JUVENILE.—The term ‘violent juvenile’ means any juvenile who is alleged to have committed, has been adjudicated delinquent for, or has been convicted of an offense that, if committed by an adult, would be a crime of violence (as that term is defined in section 16).”.

#### **Subtitle B—Incarceration of Juveniles in the Federal System**

#### **SEC. 421. DETENTION OF JUVENILES PRIOR TO DISPOSITION OR SENTENCING.**

Section 5035 of title 18, United States Code, is amended to read as follows:

#### **“§ 5035. Detention prior to disposition or sentencing**

“(a) IN GENERAL.—

“(1) JUVENILES 16 YEARS OF AGE OR OLDER.—

“(A) A juvenile 16 years of age or older prosecuted pursuant to paragraph (2) or (3) of section 5032(b), if detained at any time prior to sentencing, shall be detained in a suitable juvenile facility as the Attorney General may designate. Preference shall be given to a place located within, or within a reasonable distance of, the district in which the juvenile is being prosecuted.

“(B)(i) A juvenile 16 years of age or older prosecuted pursuant to section 5032(a), if detained at any time prior to sentencing, shall be detained in a suitable juvenile facility located within, or within a reasonable distance

of, the district in which the juvenile is being prosecuted.

“(ii) If a facility described in clause (i) is not available, such a juvenile may be detained in any other suitable juvenile facility that the Attorney General may designate. To the extent practicable, violent juveniles shall be kept separate from nonviolent juveniles.

“(2) JUVENILES LESS THAN 16 YEARS OF AGE.—

“(A) IN GENERAL.—A juvenile less than 16 years of age prosecuted pursuant to this section, if detained at any time prior to sentencing, shall be detained in a suitable juvenile facility located within, or within a reasonable distance of, the district in which the juvenile is being prosecuted.

“(B) UNAVAILABILITY OF CERTAIN FACILITIES.—If a facility described in subparagraph (A) is not available, such a juvenile may be detained in any other suitable juvenile facility that the Attorney General may designate. To the extent practicable, violent juveniles shall be kept separate from nonviolent juveniles.

“(b) PROHIBITION.—A juvenile less than 16 years of age prosecuted pursuant to this section shall not be detained prior to disposition or sentencing in any facility in which the juvenile has prohibited physical contact or sustained oral communication with adult persons convicted of a crime or awaiting trial on criminal charges.

“(c) PROVISION OF SAFETY, SECURITY, AND OTHER AMENITIES.—Every juvenile who is detained prior to disposition or sentencing shall be provided with reasonable safety and security and with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, education, and medical care, including necessary psychiatric, psychological, or other care and treatment.”.

#### **SEC. 422. RULES GOVERNING THE COMMITMENT OF JUVENILES.**

Section 5039 of title 18, United States Code, is amended to read as follows:

#### **“§ 5039. Commitment**

“(a) IN GENERAL.—

“(1) PROHIBITION.—The Attorney General shall not cause any person less than 18 years of age adjudicated delinquent under section 5032(a), or any person less than 16 years of age convicted of an offense to be placed or retained in an adult jail or correctional facility in which the person has prohibited physical contact or sustained oral communication with adults incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.

“(2) FACILITIES NEAR HOME.—Whenever possible, the Attorney General shall commit a juvenile described in paragraph (1) to a foster home or community-based facility located in or near the home community of that juvenile. To the extent practicable, violent juveniles shall be kept separate from nonviolent juveniles.

“(b) PROVISION OF AMENITIES.—Each juvenile who has been committed under subsection (a) shall be provided with reasonable safety and security and with adequate food, heat, light, sanitary facilities, bedding, clothing, recreation, counseling, education, training, and medical care including necessary psychiatric, psychological, or other care and treatment.”.

#### **Subtitle C—Assistance to States For Prosecuting and Punishing Juvenile Offenders and Reducing Juvenile Crime**

#### **SEC. 431. JUVENILE AND VIOLENT OFFENDER INCARCERATION GRANTS.**

(a) GRANTS FOR VIOLENT AND CHRONIC JUVENILE FACILITIES.—

(1) DEFINITIONS.—In this subsection:

(A) COLOCATED FACILITY.—The term “co-located facility” means the location of adult

and juvenile facilities on the same property in a manner consistent with regulations issued by the Attorney General to ensure that adults and juveniles are substantially segregated.

(B) SUBSTANTIALLY SEGREGATED.—The term “substantially segregated” means—

(i) complete sight and sound separation in residential confinement;

(ii) use of shared direct care and management staff, properly trained and certified by the State to interact with juvenile offenders, if the staff does not interact with adult and juvenile offenders during the same shift; and

(iii) incidental contact during transportation to court proceedings and other activities in accordance with regulations issued by the Attorney General to ensure reasonable efforts are made to segregate adults and juveniles.

(C) VIOLENT JUVENILE OFFENDER.—The term “violent juvenile offender” means a person under the age of majority pursuant to State law that has been adjudicated delinquent or convicted in adult court of a violent felony as defined in section 924(e)(2)(B) of title 18, United States Code.

(D) QUALIFYING STATE.—The term “qualifying State” means a State that has submitted, or a State in which an eligible unit of local government has submitted, a grant application that meets the requirements of paragraphs (3) and (5).

(2) AUTHORITY.—

(A) IN GENERAL.—The Attorney General may make grants in accordance with this subsection to States, units of local government, or any combination thereof, to assist them in planning, establishing, and operating secure facilities, staff-secure facilities, detention centers, and other correctional programs for violent juvenile offenders.

(B) USE OF AMOUNTS.—Grants under this subsection may be used—

(i) for colocated facilities for adult prisoners and violent juvenile offenders; and

(ii) only for the construction or operation of facilities in which violent juvenile offenders are substantially segregated from nonviolent juvenile offenders.

(3) APPLICATIONS.—

(A) IN GENERAL.—The chief executive officer of a State or unit of local government that seeks to receive a grant under this subsection shall submit to the Attorney General an application, in such form and in such manner as the Attorney General may prescribe.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall provide written assurances that each facility or program funded with a grant under this subsection—

(i) will provide appropriate educational and vocational training, appropriate mental health services, a program of substance abuse testing, and substance abuse treatment for appropriate juvenile offenders; and

(ii) will afford juvenile offenders intensive post-release supervision and services.

(4) MINIMUM AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each qualifying State, together with units of local government within the State, shall be allocated for each fiscal year not less than 1.0 percent of the total amount made available in each fiscal year for grants under this subsection.

(B) EXCEPTION.—The United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands shall each be allocated 0.2 percent of the total amount made available in each fiscal year for grants under this subsection.

(5) PERFORMANCE EVALUATION.—

(A) EVALUATION COMPONENTS.—

(i) IN GENERAL.—Each facility or program funded under this subsection shall contain

an evaluation component developed pursuant to guidelines established by the Attorney General.

(ii) **OUTCOME MEASURES.**—The evaluations required by this subsection shall include outcome measures that can be used to determine the effectiveness of the funded programs, including the effectiveness of such programs in comparison with other correctional programs or dispositions in reducing the incidence of recidivism, and other outcome measures.

(b) **PERIODIC REVIEW AND REPORTS.**—

(i) **REVIEW.**—The Attorney General shall review the performance of each grant recipient under this subsection.

(ii) **REPORTS.**—The Attorney General may require a grant recipient to submit to the Office of Justice Programs, Corrections Programs Office the results of the evaluations required under subparagraph (A) and such other data and information as are reasonably necessary to carry out the responsibilities of the Attorney General under this subsection.

(6) **TECHNICAL ASSISTANCE AND TRAINING.**—The Attorney General shall provide technical assistance and training to grant recipients under this subsection to achieve the purposes of this subsection.

(b) **JUVENILE FACILITIES ON TRIBAL LANDS.**—

(1) **RESERVATION OF FUNDS.**—Of amounts made available to carry out this section under section 20108(a)(2)(A) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13708(a)(2)(A)), the Attorney General shall reserve, to carry out this subsection, 0.75 percent for each of fiscal years 2000 through 2003.

(2) **GRANTS TO INDIAN TRIBES.**—Of amounts reserved under paragraph (1), the Attorney General may make grants to Indian tribes or to regional groups of Indian tribes for the purpose of constructing secure facilities, staff-secure facilities, detention centers, and other correctional programs for incarceration of juvenile offenders subject to tribal jurisdiction.

(3) **APPLICATIONS.**—To be eligible to receive a grant under this section, an Indian tribe shall submit to the Attorney General an application in such form and containing such information as the Attorney General may by regulation require.

(4) **REGIONAL GROUPS.**—Individual Indian tribes from a geographic region may apply for grants under paragraph (2) jointly for the purpose of building regional facilities.

(c) **REPORT ON ACCOUNTABILITY AND PERFORMANCE MEASURES IN JUVENILE CORRECTIONS PROGRAMS.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Attorney General shall, after consultation with the National Institute of Justice and other appropriate governmental and non-governmental organizations, submit to Congress a report regarding the possible use of performance-based criteria in evaluating and improving the effectiveness of juvenile corrections facilities and programs.

(2) **CONTENTS.**—The report required under this subsection shall include an analysis of—

(A) the range of performance-based measures that might be utilized as evaluation criteria, including measures of recidivism among juveniles who have been incarcerated in facilities or have participated in correctional programs;

(B) the feasibility of linking Federal juvenile corrections funding to the satisfaction of performance-based criteria by grantees (including the use of a Federal matching mechanism under which the share of Federal funding would vary in relation to the performance of a program or facility);

(C) whether, and to what extent, the data necessary for the Attorney General to utilize

performance-based criteria in the Attorney General's administration of juvenile corrections programs are collected and reported nationally; and

(D) the estimated cost and feasibility of establishing minimal, uniform data collection and reporting standards nationwide that would allow for the use of performance-based criteria in evaluating juvenile corrections programs and facilities and administering Federal juvenile corrections funds.

#### **SEC. 432. CERTAIN PUNISHMENT AND GRADUATED SANCTIONS FOR YOUTH OFFENDERS.**

(a) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress finds that—

(A) youth violence constitutes a growing threat to the national welfare requiring immediate and comprehensive action by the Federal Government to reduce and prevent youth violence;

(B) the behavior of youth who become violent offenders often follow a progression, beginning with aggressive behavior in school, truancy, and vandalism, leading to property crimes and then serious violent offenses;

(C) the juvenile justice systems in most States are ill-equipped to provide meaningful sanctions to minor, nonviolent offenders because most of their resources are dedicated to dealing with more serious offenders;

(D) in most States, some youth commit multiple, nonviolent offenses without facing any significant criminal sanction;

(E) the failure to provide meaningful criminal sanctions for first time, nonviolent offenders sends the false message to youth that they can engage in antisocial behavior without suffering any negative consequences and that society is unwilling or unable to restrain that behavior;

(F) studies demonstrate that interventions during the early stages of a criminal career can halt the progression to more serious, violent behavior; and

(G) juvenile courts need access to a range of sentencing options so that at least some level of sanction is imposed on all youth offenders, including status offenders, and the severity of the sanctions increase along with the seriousness of the offense.

(2) **PURPOSES.**—The purposes of this section are to provide—

(A) assistance to State and local juvenile courts to expand the range of sentencing options for first time, nonviolent offenders; and

(B) a selection of graduated sanctions for more serious offenses.

(b) **DEFINITIONS.**—In this section:

(1) **FIRST TIME OFFENDER.**—The term “first time offender” means a juvenile against whom formal charges have not previously been filed in any Federal or State judicial proceeding.

(2) **NONVIOLENT OFFENDER.**—The term “non-violent offender” means a juvenile who is charged with an offense that does not involve the use of force against the person of another.

(3) **STATUS OFFENDER.**—The term “status offender” means a juvenile who is charged with an offense that would not be criminal if committed by an adult (other than an offense that constitutes a violation of a valid court order or a violation of section 922(x) of title 18, United States Code (or similar State law)).

(c) **GRANT AUTHORIZATION.**—The Attorney General may make grants in accordance with this section to States, State courts, local courts, units of local government, and Indian tribes, for the purposes of—

(1) providing juvenile courts with a range of sentencing options such that first time juvenile offenders, including status offenders such as truants, vandals, and juveniles in violation of State or local curfew laws, face at least some level of punishment as a result

of their initial contact with the juvenile justice system; and

(2) increasing the sentencing options available to juvenile court judges so that juvenile offenders receive increasingly severe sanctions—

(A) as the seriousness of their unlawful conduct increases; and

(B) for each additional offense.

(d) **APPLICATIONS.**—

(1) **ELIGIBILITY.**—In order to be eligible to receive a grant under this section, the chief executive of a State, unit of local government, or Indian tribe, or the chief judge of a local court, shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

(2) **REQUIREMENTS.**—Each application submitted in accordance with paragraph (1) shall include—

(A) a request for a grant to be used for the purposes described in this section;

(B) a description of the communities to be served by the grant, including the extent of youth crime and violence in those communities;

(C) written assurances that Federal funds received under this subtitle will be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subsection;

(D) a comprehensive plan described in paragraph (3) (in this section referred to as the “comprehensive plan”); and

(E) any additional information in such form and containing such information as the Attorney General may reasonably require.

(3) **IMPLEMENTATION PLAN.**—For purposes of paragraph (2), a comprehensive plan shall include—

(A) an action plan outlining the manner in which the applicant will achieve the purposes described in subsection (c)(1);

(B) a description of any resources available in the jurisdiction of the applicant to implement the action plan described in subparagraph (A);

(C) an estimate of the costs of full implementation of the plan; and

(D) a plan for evaluating the impact of the grant on the jurisdiction's juvenile justice system.

(e) **GRANT AWARDS.**—

(1) **CONSIDERATIONS.**—In awarding grants under this section, the Attorney General shall consider—

(A) the ability of the applicant to provide the stated services;

(B) the level of youth crime, violence, and drug use in the community; and

(C) to the extent practicable, achievement of an equitable geographic distribution of the grant awards.

(2) **ALLOCATIONS.**—

(A) **IN GENERAL.**—The Attorney General shall allot not less than 0.75 percent of the total amount made available to carry out this section in each fiscal year to applicants in each State from which applicants have applied for grants under this section.

(B) **INDIAN TRIBES.**—The Attorney General shall allocate not less than 0.75 percent of the total amount made available to carry out this section in each fiscal year to Indian tribes.

(f) **USE OF GRANT AMOUNTS.**—

(1) **IN GENERAL.**—Each grant made under this section shall be used to establish programs that—

(A) expand the number of judges, prosecutors, and public defenders for the purpose of imposing sanctions on first time juvenile offenders and status offenders and for establishing restorative justice boards involving members of the community;

(B) provide expanded sentencing options, such as restitution, community service, drug

testing and treatment, mandatory job training, curfews, house arrest, mandatory work projects, and boot camps, for status offenders and nonviolent offenders;

(C) increase staffing for probation officers to supervise status offenders and nonviolent offenders to ensure that sanctions are enforced;

(D) provide aftercare and supervision for status and nonviolent offenders, such as drug education and drug treatment, vocational training, job placement, and family counseling;

(E) encourage private sector employees to provide training and work opportunities for status offenders and nonviolent offenders; and

(F) provide services and interventions for status and nonviolent offenders designed, in tandem with criminal sanctions, to reduce the likelihood of further criminal behavior.

(2) PROHIBITION ON USE OF AMOUNTS.—

(A) DEFINITIONS.—In this paragraph:

(i) ALIEN.—The term “alien” has the same meaning as in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(ii) SECURE DETENTION FACILITY; SECURE CORRECTIONAL FACILITY.—The terms “secure detention facility” and “secure correctional facility” have the same meanings as in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603).

(B) PROHIBITION.—No amounts made available under this subtitle may be used for any program that permits the placement of status offenders, alien juveniles in custody, or nonoffender juveniles (such as dependent, abused, or neglected children) in secure detention facilities or secure correctional facilities.

(g) GRANT LIMITATIONS.—Not more than 3 percent of the amounts made available to the Attorney General or a grant recipient under this section may be used for administrative purposes.

(h) FEDERAL SHARE.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Federal share of a grant made under this section may not exceed 90 percent of the total estimated costs of the program described in the comprehensive plan submitted under subsection (d)(3) for the fiscal year for which the program receives assistance under this section.

(2) WAIVER.—The Attorney General may waive, in whole or in part, the requirements of paragraph (1).

(3) IN-KIND CONTRIBUTIONS.—For purposes of paragraph (1), in-kind contributions may constitute any portion of the non-Federal share of a grant under this section.

(i) REPORT AND EVALUATION.—

(1) REPORT TO THE ATTORNEY GENERAL.—Not later than October 1, 1999, and October 1 of each year thereafter, each grant recipient under this section shall submit to the Attorney General a report that describes, for the year to which the report relates, any progress achieved in carrying out the comprehensive plan of the grant recipient.

(2) EVALUATION AND REPORT TO CONGRESS.—Not later than March 1, 2000, and March 1 of each year thereafter, the Attorney General shall submit to Congress an evaluation and report that contains a detailed statement regarding grant awards, activities of grant recipients, a compilation of statistical information submitted by grant recipients under this section, and an evaluation of programs established by grant recipients under this section.

(3) CRITERIA.—In assessing the effectiveness of the programs established and operated by grant recipients pursuant to this section, the Attorney General shall consider—

(A) a comparison between the number of first time offenders who received a sanction

for criminal behavior in the jurisdiction of the grant recipient before and after initiation of the program;

(B) changes in the recidivism rate for first time offenders in the jurisdiction of the grant recipient;

(C) a comparison of the recidivism rates and the seriousness of future offenses of first time offenders in the jurisdiction of the grant recipient that receive a sanction and those who do not;

(D) changes in truancy rates of the public schools in the jurisdiction of the grant recipient; and

(E) changes in the arrest rates for vandalism and other property crimes in the jurisdiction of the grant recipient.

(4) DOCUMENTS AND INFORMATION.—Each grant recipient under this section shall provide the Attorney General with all documents and information that the Attorney General determines to be necessary to conduct an evaluation of the effectiveness of programs funded under this section.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section from the Violent Crime Reduction Trust Fund—

(1) \$150,000,000 for fiscal year 2000; and

(2) such sums as may be necessary for each of fiscal years 2000 and 2001.

(2) \$175,000,000 for fiscal year 2002.

**SEC. 433. PILOT PROGRAM TO PROMOTE REPLICATION OF RECENT SUCCESSFUL JUVENILE CRIME REDUCTION STRATEGIES.**

(a) PILOT PROGRAM TO PROMOTE REPLICATION OF RECENT SUCCESSFUL JUVENILE CRIME REDUCTION STRATEGIES.—

(1) ESTABLISHMENT.—The Attorney General (or a designee of the Attorney General), in conjunction with the Secretary of the Treasury (or the designee of the Secretary), shall establish a pilot program (in this section referred to as the “program”) to encourage and support communities that adopt a comprehensive approach to suppressing and preventing violent juvenile crime patterned after successful State juvenile crime reduction strategies.

(2) PROGRAM.—In carrying out the program, the Attorney General shall—

(A) make and track grants to grant recipients (in this section referred to as “coalitions”);

(B) in conjunction with the Secretary of the Treasury, provide for technical assistance and training, data collection, and dissemination of relevant information; and

(C) provide for the general administration of the program.

(3) ADMINISTRATION.—Not later than 30 days after the date of enactment of this Act, the Attorney General shall appoint an Administrator (in this section referred to as the “Administrator”) to carry out the program.

(4) PROGRAM AUTHORIZATION.—To be eligible to receive an initial grant or a renewal grant under this section, a coalition shall meet each of the following criteria:

(A) COMPOSITION.—The coalition shall consist of 1 or more representatives of—

(i) the local police department or sheriff's department;

(ii) the local prosecutors' office;

(iii) the United States Attorney's office;

(iv) the Federal Bureau of Investigation;

(v) the Bureau of Alcohol, Tobacco and Firearms;

(vi) State or local probation officers;

(vii) religious affiliated or fraternal organizations involved in crime prevention;

(viii) schools;

(ix) parents or local grass roots organizations such as neighborhood watch groups; and

(x) social service agencies involved in crime prevention.

(B) OTHER PARTICIPANTS.—If possible, in addition to the representatives from the categories listed in subparagraph (A), the coalition shall include—

(i) representatives from the business community; and

(ii) researchers who have studied criminal justice and can offer technical or other assistance.

(C) COORDINATED STRATEGY.—A coalition shall submit to the Attorney General, or the Attorney General's designee, a comprehensive plan for reducing violent juvenile crime. To be eligible for consideration, a plan shall—

(i) ensure close collaboration among all members of the coalition in suppressing and preventing juvenile crime;

(ii) place heavy emphasis on coordinated enforcement initiatives, such as Federal and State programs that coordinate local police departments, prosecutors, and local community leaders to focus on the suppression of violent juvenile crime involving gangs;

(iii) ensure that there is close collaboration between police and probation officers in the supervision of juvenile offenders, such as initiatives that coordinate the efforts of parents, school officials, and police and probation officers to patrol the streets and make home visits to ensure that offenders comply with the terms of their probation;

(iv) ensure that a program is in place to trace all firearms seized from crime scenes or offenders in an effort to identify illegal gun traffickers; and

(v) ensure that effective crime prevention programs are in place, such as programs that provide after-school safe havens and other opportunities for at-risk youth to escape or avoid gang or other criminal activity, and to reduce recidivism.

(D) ACCOUNTABILITY.—A coalition shall—

(i) establish a system to measure and report outcomes consistent with common indicators and evaluation protocols established by the Administrator and which receives the approval of the Administrator; and

(ii) devise a detailed model for measuring and evaluating the success of the plan of the coalition in reducing violent juvenile crime, and provide assurances that the plan will be evaluated on a regular basis to assess progress in reducing violent juvenile crime.

(5) GRANT AMOUNTS.—

(A) IN GENERAL.—The Administrator may grant to an eligible coalition under this paragraph, an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions, for that fiscal year.

(B) NONSUPPLANTING REQUIREMENT.—A coalition seeking funds shall provide reasonable assurances that funds made available under this program to States or units of local government shall be so used as to supplement and increase (but not supplant) the level of the State, local, and other non-Federal funds that would in the absence of such Federal funds be made available for programs described in this section, and shall in no event replace such State, local, or other non-Federal funds.

(C) SUSPENSION OF GRANTS.—If a coalition fails to continue to meet the criteria set forth in this section, the Administrator may suspend the grant, after providing written notice to the grant recipient and an opportunity to appeal.

(D) RENEWAL GRANTS.—Subject to subparagraph (D), the Administrator may award a renewal grant to grant recipient under this subparagraph for each fiscal year following the fiscal year for which an initial grant is awarded, in an amount not to exceed the amount of non-Federal funds raised by the coalition, including in-kind contributions,



for that fiscal year, during the 4-year period following the period of the initial grant.

(E) **LIMITATION.**—The amount of a grant award under this section may not exceed \$300,000 for a fiscal year.

(6) **PERMITTED USE OF FUNDS.**—A coalition receiving funds under this section may expend such Federal funds on any use or program that is contained in the plan submitted to the Administrator.

(7) **CONGRESSIONAL CONSULTATION.**—Two years after the date of implementation of the program established in this section, the General Accounting Office shall submit a report to Congress reviewing the effectiveness of the program in suppressing and reducing violent juvenile crime in the participating communities. The report shall contain an analysis of each community participating in the program, along with information regarding the plan undertaken in the community, and the effectiveness of the plan in reducing violent juvenile crime. The report shall contain recommendations regarding the efficacy of continuing the program.

(b) **INFORMATION COLLECTION AND DISSEMINATION WITH RESPECT TO COALITIONS.**—

(1) **COALITION INFORMATION.**—For the purpose of audit and examination, the Administrator—

(A) shall have access to any books, documents, papers, and records that are pertinent to any grant or grant renewal request under this section; and

(B) may periodically request information from a coalition to ensure that the coalition meets the applicable criteria.

(2) **REPORTING.**—The Administrator shall, to the maximum extent practicable and in a manner consistent with applicable law, minimize reporting requirements by a coalition and expedite any application for a renewal grant made under this section.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated from the Violent Crime Reduction Trust Fund to carry out this section—

(1) \$3,000,000 for fiscal years 2000 and 2001; and

(2) such sums as may be necessary for fiscal year 2002.

## **TITLE V—PREVENTING JUVENILE CRIME**

### **Subtitle A—Grants To Youth Organizations**

#### **SEC. 511. GRANT PROGRAM.**

The Attorney General may make grants to States, Indian tribes, and national or statewide nonprofit organizations in crime prone areas, such as Boys and Girls Clubs, Police Athletic Leagues, 4-H Clubs, YMCA Big Brothers and Big Sisters, and Kids 'N Kops programs, for the purpose of—

(1) providing constructive activities to youth during after school hours, weekends, and school vacations;

(2) providing supervised activities in safe environments to youth in crime prone areas;

(3) providing antidrug education to prevent drug abuse among youth;

(4) supporting police officer training and salaries and educational materials to expand D.A.R.E. America's middle school campaign; or

(5) providing constructive activities to youth in a safe environment through parks and other public recreation areas.

#### **SEC. 512. GRANTS TO NATIONAL ORGANIZATIONS.**

(a) **APPLICATIONS.**—

(1) **ELIGIBILITY.**—In order to be eligible to receive a grant under this section, the chief operating officer of a national or statewide community-based organization shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

(2) **APPLICATION REQUIREMENTS.**—Each application submitted in accordance with paragraph (1) shall include—

(A) a request for a grant to be used for the purposes described in this subtitle;

(B) a description of the communities to be served by the grant, including the nature of juvenile crime, violence, and drug use in the communities;

(C) written assurances that Federal funds received under this subtitle will be used to supplement and not supplant, non-Federal funds that would otherwise be available for activities funded under this subtitle;

(D) written assurances that all activities will be supervised by an appropriate number of responsible adults;

(E) a plan for assuring that program activities will take place in a secure environment that is free of crime and drugs; and

(F) any additional statistical or financial information that the Attorney General may reasonably require.

(b) **GRANT AWARDS.**—In awarding grants under this section, the Attorney General shall consider—

(1) the ability of the applicant to provide the stated services;

(2) the history and establishment of the applicant in providing youth activities on a national or statewide basis; and

(3) the extent to which the organizations shall achieve an equitable geographic distribution of the grant awards.

#### **SEC. 513. GRANTS TO STATES.**

(a) **APPLICATIONS.**—

(1) **IN GENERAL.**—The Attorney General may make grants under this section to States for distribution to units of local government and community-based organizations for the purposes set forth in section 511.

(2) **GRANTS.**—To request a grant under this section, the chief executive of a State shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

(3) **APPLICATION REQUIREMENTS.**—Each application submitted in accordance with paragraph (2) shall include—

(A) a request for a grant to be used for the purposes described in this subtitle;

(B) a description of the communities to be served by the grant, including the nature of juvenile crime, violence, and drug use in the community;

(C) written assurances that Federal funds received under this subtitle will be used to supplement and not supplant, non-Federal funds that would otherwise be available for activities funded under this subtitle;

(D) written assurances that all activities will be supervised by an appropriate number of responsible adults; and

(E) a plan for assuring that program activities will take place in a secure environment that is free of crime and drugs.

(b) **GRANT AWARDS.**—In awarding grants under this section, the State shall consider—

(1) the ability of the applicant to provide the stated services;

(2) the history and establishment of the applicant in the community to be served;

(3) the level of juvenile crime, violence, and drug use in the community;

(4) the extent to which structured extracurricular activities for youth are otherwise unavailable in the community;

(5) the need in the community for secure environments for youth to avoid criminal victimization and exposure to crime and illegal drugs;

(6) to the extent practicable, achievement of an equitable geographic distribution of the grant awards; and

(7) whether the applicant has an established record of providing extracurricular activities that are generally not otherwise available to youth in the community.

(c) **ALLOCATION.**—

(1) **STATE ALLOCATIONS.**—The Attorney General shall allot not less than 0.75 percent of the total amount made available each fiscal year to carry out this section to each State that has applied for a grant under this section.

(2) **INDIAN TRIBES.**—The Attorney General shall allot not less than 0.75 percent of the total amount made available each fiscal year to carry out this section to Indian tribes, in accordance with the criteria set forth in subsections (a) and (b).

(3) **REMAINING AMOUNTS.**—Of the amount remaining after the allocations under paragraphs (1) and (2), the Attorney General shall allocate to each State an amount that bears the same ratio to the total amount of remaining funds as the population of the State bears to the total population of all States.

#### **SEC. 514. ALLOCATION; GRANT LIMITATION.**

(a) **ALLOCATION.**—Of amounts made available to carry out this subtitle—

(1) 20 percent shall be for grants to national or statewide organizations under section 512; and

(2) 80 percent shall be for grants to States under section 513.

(b) **GRANT LIMITATION.**—Not more than 3 percent of the funds made available to the Attorney General or a grant recipient under this subtitle may be used for administrative purposes.

#### **SEC. 515. REPORT AND EVALUATION.**

(a) **REPORT TO THE ATTORNEY GENERAL.**—Not later than October 1, 2000 and October 1 of each year thereafter, each grant recipient under this subtitle shall submit to the Attorney General a report that describes, for the year to which the report relates—

(1) the activities provided;

(2) the number of youth participating;

(3) the extent to which the grant enabled the provision of activities to youth that would not otherwise be available; and

(4) any other information that the Attorney General requires for evaluating the effectiveness of the program.

(b) **EVALUATION AND REPORT TO CONGRESS.**—Not later than March 1, 2001, and March 1 of each year thereafter, the Attorney General shall submit to Congress an evaluation and report that contains a detailed statement regarding grant awards, activities of grant recipients, a compilation of statistical information submitted by grant recipients under this subtitle, and an evaluation of programs established by grant recipients under this subtitle.

(c) **CRITERIA.**—In assessing the effectiveness of the programs established and operated by grant recipients pursuant to this subtitle, the Attorney General shall consider—

(1) the number of youth served by the grant recipient;

(2) the percentage of youth participating in the program charged with acts of delinquency or crime compared to youth in the community at large;

(3) the percentage of youth participating in the program that uses drugs compared to youth in the community at large;

(4) the percentage of youth participating in the program that are victimized by acts of crime or delinquency compared to youth in the community at large; and

(5) the truancy rates of youth participating in the program compared to youth in the community at large.

(d) **DOCUMENTS AND INFORMATION.**—Each grant recipient under this subtitle shall provide the Attorney General with all documents and information that the Attorney General determines to be necessary to conduct an evaluation of the effectiveness of programs funded under this subtitle.

**SEC. 516. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle from the Violent Crime Reduction Trust Fund—

(1) \$125,000,000 for each of fiscal years 2000 and 2001; and

(2) such sums as may be necessary for fiscal year 2002.

(b) CONTINUED AVAILABILITY.—Amounts made available under this subtitle shall remain available until expended.

**SEC. 517. GRANTS TO PUBLIC AND PRIVATE AGENCIES.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) by striking the first part designated as part I;

(2) by redesignating the second part designated as part I as part M; and

(3) by inserting after part H the following:

**“PART I—AFTER SCHOOL CRIME PREVENTION**

**“SEC. 291. GRANTS TO PUBLIC AND PRIVATE AGENCIES FOR EFFECTIVE AFTER SCHOOL CRIME PREVENTION PROGRAMS.**

“(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator shall make grants in accordance with this section to public and private agencies to fund effective after school juvenile crime prevention programs.

“(b) MATCHING REQUIREMENT.—The Administrator may not make a grant to a public or private agency under this section unless that agency agrees that, with respect to the costs to be incurred by the agency in carrying out the program for which the grant is to be awarded, the agency will make available non-Federal contributions in an amount that is not less than a specific percentage of Federal funds provided under the grant, as determined by the Administrator.

“(c) PRIORITY.—In making grants under this section, the Administrator shall give priority to funding programs that—

“(1) are targeted to high crime neighborhoods or at-risk juveniles;

“(2) operate during the period immediately following normal school hours;

“(3) provide educational or recreational activities designed to encourage law-abiding conduct, reduce the incidence of criminal activity, and teach juveniles alternatives to crime; and

“(4) coordinate with State or local juvenile crime control and juvenile offender accountability programs.

“(d) FUNDING.—There are authorized to be appropriated for grants under this section—

“(1) \$200,000,000 for each of fiscal years 2000 and 2001; and

“(2) such sums as may be necessary for fiscal year 2002.”

**Subtitle B—“Say No to Drugs” Community Centers**

**SEC. 521. SHORT TITLE; DEFINITIONS.**

(a) SHORT TITLE.—This subtitle may be cited as the “Say No to Drugs Community Centers Act of 1999”.

(b) DEFINITIONS.—In this subtitle—

(1) COMMUNITY-BASED ORGANIZATION.—The term “community-based organization” means a private, locally initiated organization that—

(A) is a nonprofit organization, as that term is defined in section 103(23) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5603(23)); and

(B) involves the participation, as appropriate, of members of the community and community institutions, including—

(i) business and civic leaders actively involved in providing employment and business development opportunities in the community;

(ii) educators;

(iii) religious organizations (which shall not provide any sectarian instruction or sectarian worship in connection with program activities funded under this subtitle);

(iv) law enforcement agencies; and

(v) other interested parties.

(2) ELIGIBLE COMMUNITY.—The term “eligible community” means a community—

(A) identified by an eligible recipient for assistance under this subtitle; and

(B) an area that meets such criteria as the Attorney General may, by regulation, establish, including criteria relating to poverty, juvenile delinquency, and crime.

(3) ELIGIBLE RECIPIENT.—The term “eligible recipient” means a community-based organization or public school that has—

(A) been approved for eligibility by the Attorney General, upon application submitted to the Attorney General in accordance with section 412(b); and

(B) demonstrated that the projects and activities it seeks to support in an eligible community involve the participation, when feasible and appropriate, of—

(i) parents, family members, and other members of the eligible community;

(ii) civic and religious organizations serving the eligible community;

(iii) school officials and teachers employed at schools located in the eligible community;

(iv) public housing resident organizations in the eligible community; and

(v) public and private nonprofit organizations and organizations serving youth that provide education, child protective services, or other human services to low income, at-risk youth and their families.

(4) POVERTY LINE.—The term “poverty line” means the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(5) PUBLIC SCHOOL.—The term “public school” means a public elementary school, as defined in section 1201(i) of the Higher Education Act of 1965 (20 U.S.C. 1141(i)), and a public secondary school, as defined in section 1201(d) of that Act (42 U.S.C. 1141(d)).

**SEC. 522. GRANT REQUIREMENTS.**

(a) IN GENERAL.—The Attorney General may make grants to eligible recipients, which grants may be used to provide to youth living in eligible communities during after school hours or summer vacations, the following services:

(1) Rigorous drug prevention education.

(2) Drug counseling and treatment.

(3) Academic tutoring and mentoring.

(4) Activities promoting interaction between youth and law enforcement officials.

(5) Vaccinations and other basic preventive health care.

(6) Sexual abstinence education.

(7) Other activities and instruction to reduce youth violence and substance abuse.

(b) LOCATION AND USE OF AMOUNTS.—An eligible recipient that receives a grant under this subtitle—

(1) shall ensure that the stated program is carried out—

(A) when appropriate, in the facilities of a public school during nonschool hours; or

(B) in another appropriate local facility that is—

(i) in a location easily accessible to youth in the community; and

(ii) in compliance with all applicable State and local ordinances;

(2) shall use the grant amounts to provide to youth in the eligible community services and activities that include extracurricular and academic programs that are offered—

(A) after school and on weekends and holidays, during the school year; and

(B) as daily full day programs (to the extent available resources permit) or as part day programs, during the summer months;

(3) shall use not more than 5 percent of the amounts to pay for the administrative costs of the program;

(4) shall not use such amounts to provide sectarian worship or sectarian instruction; and

(5) may not use the amounts for the general operating costs of public schools.

(c) APPLICATIONS.—

(1) IN GENERAL.—Each application to become an eligible recipient shall be submitted to the Attorney General at such time, in such manner, and accompanied by such information, as the Attorney General may reasonably require.

(2) CONTENTS OF APPLICATION.—Each application submitted pursuant to paragraph (1) shall—

(A) describe the activities and services to be provided through the program for which the grant is sought;

(B) contain a comprehensive plan for the program that is designed to achieve identifiable goals for youth in the eligible community;

(C) describe in detail the drug education and drug prevention programs that will be implemented;

(D) specify measurable goals and outcomes for the program that will include—

(i) reducing the percentage of youth in the eligible community that enter the juvenile justice system or become addicted to drugs;

(ii) increasing the graduation rates, school attendance, and academic success of youth in the eligible community; and

(iii) improving the skills of program participants;

(E) contain an assurance that the applicant will use grant amounts received under this subtitle to provide youth in the eligible community with activities and services consistent with subsection (g);

(F) demonstrate the manner in which the applicant will make use of the resources, expertise, and commitment of private entities in carrying out the program for which the grant is sought;

(G) include an estimate of the number of youth in the eligible community expected to be served under the program;

(H) include a description of charitable private resources, and all other resources, that will be made available to achieve the goals of the program;

(I) contain an assurance that the applicant will comply with any evaluation under section 522, any research effort authorized under Federal law, and any investigation by the Attorney General;

(J) contain an assurance that the applicant will prepare and submit to the Attorney General an annual report regarding any program conducted under this subtitle;

(K) contain an assurance that the program for which the grant is sought will, to the maximum extent practicable, incorporate services that are provided solely through non-Federal private or nonprofit sources; and

(L) contain an assurance that the applicant will maintain separate accounting records for the program for which the grant is sought.

(3) PRIORITY.—In determining eligibility under this section, the Attorney General shall give priority to applicants that submit applications that demonstrate the greatest local support for the programs they seek to support.

(d) PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.—

(1) PAYMENTS.—The Attorney General shall, subject to the availability of appropriations, provide to each eligible recipient

the Federal share of the costs of developing and carrying out programs described in this section.

(2) **FEDERAL SHARE.**—The Federal share of the cost of a program under this subtitle shall be not more than—

(A) 75 percent of the total cost of the program for each of the first 2 years of the duration of a grant;

(B) 70 percent of the total cost of the program for the third year of the duration of a grant; and

(C) 60 percent of the total cost of the program for each year thereafter.

(3) **NON-FEDERAL SHARE.**—

(A) **IN GENERAL.**—The non-Federal share of the cost of a program under this subtitle may be in cash or in kind, fairly evaluated, including plant, equipment, and services. Federal funds made available for the activity of any agency of an Indian tribal government or the Bureau of Indian Affairs on any Indian lands may be used to provide the non-Federal share of the costs of programs or projects funded under this subtitle.

(B) **SPECIAL RULE.**—Not less than 15 percent of the non-Federal share of the costs of a program under this subtitle shall be provided from private or nonprofit sources.

(c) **PROGRAM AUTHORITY.**—

(1) **IN GENERAL.**—

(A) **ALLOCATIONS FOR STATES AND INDIAN TRIBES.**—

(i) **IN GENERAL.**—In any fiscal year in which the total amount made available to carry out this subtitle is equal to or greater than \$20,000,000, from the amount made available to carry out this subtitle, the Attorney General shall allocate not less than 0.75 percent for grants under subparagraph (B) to eligible recipients in each State.

(ii) **INDIAN TRIBES.**—The Attorney General shall allocate 0.75 percent of amounts made available under this subtitle for grants to Indian tribes.

(B) **GRANTS TO COMMUNITY-BASED ORGANIZATIONS AND PUBLIC SCHOOLS FROM ALLOCATIONS.**—For each fiscal year described in subparagraph (A), the Attorney General may award grants from the appropriate State or Indian tribe allocation determined under subparagraph (A) on a competitive basis to eligible recipients to pay for the Federal share of assisting eligible communities to develop and carry out programs in accordance with this subtitle.

(C) **REALLOCATION.**—If, at the end of a fiscal year described in subparagraph (A), the Attorney General determines that amounts allocated for a particular State or Indian tribe under subparagraph (B) remain unobligated, the Attorney General shall use such amounts to award grants to eligible recipients in another State or Indian tribe to pay for the Federal share of assisting eligible communities to develop and carry out programs in accordance with this subtitle. In awarding such grants, the Attorney General shall consider the need to maintain geographic diversity among eligible recipients.

(D) **AVAILABILITY OF AMOUNTS.**—Amounts made available under this paragraph shall remain available until expended.

(2) **OTHER FISCAL YEARS.**—In any fiscal year in which the amount made available to carry out this subtitle is equal to or less than \$20,000,000, the Attorney General may award grants on a competitive basis to eligible recipients to pay for the Federal share of assisting eligible communities to develop and carry out programs in accordance with this subtitle.

(3) **ADMINISTRATIVE COSTS.**—The Attorney General may use not more than 3 percent of the amounts made available to carry out this subtitle in any fiscal year for administrative costs, including training and technical assistance.

## **SEC. 523. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to carry out this subtitle from the Violent Crime Reduction Trust Fund

(1) \$100,000,000 for fiscal year 2000; and  
(2) such sums as may be necessary for each of fiscal years 2001 and 2002.

## **Subtitle C—Reauthorization of Incentive Grants For Local Delinquency Prevention Programs**

### **SEC. 531. INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS.**

Section 506 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5785) is amended to read as follows:

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

“There is authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 2000, 2001, and 2002.”.

### **SEC. 532. RESEARCH, EVALUATION, AND TRAINING.**

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5781 et seq.) is amended by adding at the end the following:

### **“SEC. 507. RESEARCH, EVALUATION, AND TRAINING.**

“Of the amounts made available by appropriations pursuant to section 506—

“(1) 2 percent shall be used by the Administrator for providing training and technical assistance under this title; and

“(2) 10 percent shall be used by the Administrator for research, statistics, and evaluation activities carried out in conjunction with the grant programs under this title.”.

## **Subtitle D—Authorization of Anti-Drug Abuse Programs**

### **SEC. 541. DRUG EDUCATION AND PREVENTION RELATING TO YOUTH GANGS.**

Section 3505 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11805) is amended to read as follows:

### **“SEC. 3505. AUTHORIZATION OF APPROPRIATIONS.**

“There is authorized to be appropriated to carry out this chapter such sums as may be necessary for each of fiscal years 2000, 2001, and 2002.”.

### **SEC. 542. DRUG EDUCATION AND PREVENTION PROGRAM FOR RUNAWAY AND HOMELESS YOUTH.**

Section 3513 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11823) is amended to read as follows:

### **“SEC. 3513. AUTHORIZATION OF APPROPRIATIONS.**

“There is authorized to be appropriated to carry out this chapter such sums as may be necessary for each of fiscal years 2000, 2001, and 2002.”.

## **Subtitle E—JUMP Ahead**

### **SEC. 551. SHORT TITLE.**

This subtitle may be cited as the “JUMP Ahead Act of 1999”.

### **SEC. 552. FINDINGS.**

Congress finds that—

(1) millions of young people in America live in areas in which drug use and violent and property crimes are pervasive;

(2) unfortunately, many of these same young people come from single parent homes, or from environments in which there is no responsible, caring adult supervision;

(3) all children and adolescents need caring adults in their lives, and mentoring is an effective way to fill this special need for at-risk children;

(4) the special bond of commitment fostered by the mutual respect inherent in effective mentoring can be the tie that binds a young person to a better future;

(5) through a mentoring relationship, adult volunteers and participating youth make a

significant commitment of time and energy to develop relationships devoted to personal, academic, or career development and social, artistic, or athletic growth;

(6) rigorous independent studies have confirmed that effective mentoring programs can significantly reduce and prevent the use of alcohol and drugs by young people, improve school attendance and performance, improve peer and family and peer relationships, and reduce violent behavior;

(7) since the inception of the Federal JUMP program, dozens of innovative, effective mentoring programs have received funding grants;

(8) unfortunately, despite the recent growth in public and private mentoring initiatives, it is reported that between 5,000,000 and 15,000,000 additional children in the United States could benefit from being matched with a mentor; and

(9) although great strides have been made in reaching at-risk youth since the inception of the JUMP program, millions of vulnerable American children are not being reached, and without an increased commitment to connect these young people to responsible adult role models, our country risks losing an entire generation to drugs, crime, and unproductive lives.

### **SEC. 553. JUVENILE MENTORING GRANTS.**

(a) **IN GENERAL.**—Section 288B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) is amended—

(1) by inserting “(a) **IN GENERAL.**—” before “The Administrator shall”; and

(2) by striking paragraph (2) and inserting the following:

“(2) are intended to achieve 1 or more of the following goals:

“(A) Discourage at-risk youth from—

“(i) using illegal drugs and alcohol;

“(ii) engaging in violence;

“(iii) using guns and other dangerous weapons;

“(iv) engaging in other criminal and anti-social behavior; and

“(v) becoming involved in gangs.

“(B) Promote personal and social responsibility among at-risk youth.

“(C) Increase at-risk youth's participation in, and enhance the ability of those youth to benefit from, elementary and secondary education.

“(D) Encourage at-risk youth participation in community service and community activities.

“(E) Provide general guidance to at-risk youth.”; and

(3) by adding at the end the following:

“(b) **AMOUNT AND DURATION.**—Each grant under this part shall be awarded in an amount not to exceed a total of \$200,000 over a period of not more than 3 years.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this part—

“(1) \$50,000,000 for fiscal year 2000; and

“(2) such sums as may be necessary for each of fiscal years 2001 and 2002.”.

### **SEC. 554. IMPLEMENTATION AND EVALUATION GRANTS.**

(a) **IN GENERAL.**—The Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice may make grants to national organizations or agencies serving youth, in order to enable those organizations or agencies—

(1) to conduct a multisite demonstration project, involving between 5 and 10 project sites, that—

(A) provides an opportunity to compare various mentoring models for the purpose of evaluating the effectiveness and efficiency of those models;

(B) allows for innovative programs designed under the oversight of a national organization or agency serving youth, which programs may include—

- (i) technical assistance;
- (ii) training; and
- (iii) research and evaluation; and

(C) disseminates the results of such demonstration project to allow for the determination of the best practices for various mentoring programs;

(2) to develop and evaluate screening standards for mentoring programs; and

(3) to develop and evaluate volunteer recruitment techniques and activities for mentoring programs.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section—

- (1) such sums as may be necessary for each of fiscal years 2000 and 2001; and
- (2) \$5,000,000 for fiscal year 2002.

#### **SEC. 555. EVALUATIONS; REPORTS.**

(a) **EVALUATIONS.**—

(1) **IN GENERAL.**—The Attorney General shall enter into a contract with an evaluating organization that has demonstrated experience in conducting evaluations, for the conduct of an ongoing rigorous evaluation of the programs and activities assisted under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this title).

(2) **CRITERIA.**—The Attorney General shall establish a minimum criteria for evaluating the programs and activities assisted under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this title), which shall provide for a description of the implementation of the program or activity, and the effect of the program or activity on participants, schools, communities, and youth served by the program or activity.

(3) **MENTORING PROGRAM OF THE YEAR.**—The Attorney General shall, on an annual basis, based on the most recent evaluation under this subsection and such other criteria as the Attorney General shall establish by regulation—

(A) designate 1 program or activity assisted under this Act as the “Juvenile Mentoring Program of the Year”; and

(B) publish notice of such designation in the Federal Register.

(b) **REPORTS.**—

(1) **GRANT RECIPIENTS.**—Each entity receiving a grant under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this title) shall submit to the evaluating organization entering into the contract under subsection (a)(1), an annual report regarding any program or activity assisted under this Act or under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this title). Each report under this paragraph shall be submitted at such time, in such a manner, and shall be accompanied by such information, as the evaluating organization may reasonably require.

(2) **COMPTROLLER GENERAL.**—Not later than 4 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report evaluating the effectiveness of grants awarded under this Act and under section 228B of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5667e-2) (as amended by this title), in—

- (A) reducing juvenile delinquency and gang participation;
- (B) reducing the school dropout rate; and
- (C) improving academic performance of juveniles.

### **Subtitle F—Reauthorization of Juvenile Crime Control and Delinquency Prevention Programs**

#### **SEC. 561. SHORT TITLE.**

This subtitle may be cited as the “Juvenile Crime Control and Delinquency Prevention Act of 1999”.

#### **SEC. 562. FINDINGS.**

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

#### **“SEC. 101. FINDINGS.**

“(a) Congress finds that the juvenile crime problem should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

“(1) quality prevention programs that—

“(A) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether juveniles have ever been the victims of family violence (including child abuse and neglect); and

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

“(2) programs that assist in holding juveniles accountable for their actions, including a system of graduated sanctions to respond to each delinquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts, and methods for increasing victim satisfaction with respect to the penalties imposed on juveniles for their acts.

“(b) Congress must act now to reform this program by focusing on juvenile delinquency prevention programs, as well as programs that hold juveniles accountable for their acts.”.

#### **SEC. 563. PURPOSE.**

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

#### **“SEC. 102. PURPOSES.**

“The purposes of this title are—

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

“(2) to assist State and local governments in promoting public safety by encouraging accountability for acts of juvenile delinquency; and

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

#### **SEC. 564. DEFINITIONS.**

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

(1) in paragraph (3), by striking “to help prevent juvenile delinquency” and inserting “designed to reduce known risk factors for juvenile delinquent behavior, provide activities that build on protective factors for, and develop competencies in, juveniles to prevent, and reduce the rate of, delinquent juvenile behavior”;

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

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

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

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

(6) in paragraph (13)(B), by striking “, any nonoffender,”,

(7) in paragraph (14), by inserting “drug trafficking,” after “assault,”,

(8) in paragraph (16)—

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

(B) by striking subparagraph (C),

(9) by striking paragraph (17),

(10) in paragraph (22)—

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

(B) by striking “and” at the end,

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

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

(13) by adding at the end the following:

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

“(A) a highly regimented schedule of discipline, physical training, work, drill, and ceremony characteristic of military basic training.

“(B) regular, remedial, special, and vocational education; and

“(C) counseling and treatment for substance abuse and other health and mental health problems;

“(24) the term ‘graduated sanctions’ means an accountability-based, graduated series of sanctions (including incentives and services) applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions and to protect communities from the effects of juvenile delinquency by providing appropriate sanctions for every act for which a juvenile is adjudicated delinquent, by inducing their law-abiding behavior, and by preventing their subsequent involvement with the juvenile justice system;

“(25) the term ‘violent crime’ means—

“(A) murder or nonnegligent manslaughter, forcible rape, or robbery, or

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

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

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

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

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

#### **SEC. 565. NAME OF OFFICE.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—

(1) in part A, by striking the part heading and inserting the following:

“PART A—OFFICE OF JUVENILE CRIME CONTROL AND DELINQUENCY PREVENTION”;

(2) in section 201(a), by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”; and

(3) in section 299A(c)(2) by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”.

#### **SEC. 566. CONCENTRATION OF FEDERAL EFFORT.**

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

(1) in subsection (a)(1), by striking the last sentence;

(2) in subsection (b)—

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

(B) by striking paragraph (5); and

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

(3) in subsection (c), by striking "and reports" and all that follows through "this part", and inserting "as may be appropriate to prevent the duplication of efforts, and to coordinate activities, related to the prevention of juvenile delinquency";

(4) by striking subsection (i); and

(5) by redesignating subsection (h) as subsection (f).

#### SEC. 567. ALLOCATION.

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

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "amount, up to \$400,000," and inserting "amount up to \$400,000";

(II) by inserting a comma after "1992" the first place it appears;

(III) by striking "the Trust Territory of the Pacific Islands,"; and

(IV) by striking "amount, up to \$100,000," and inserting "amount up to \$100,000";

(ii) in subparagraph (B)—

(I) by striking "(other than part D)";

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

(III) by striking "the Trust Territory of the Pacific Islands,";

(IV) by striking "amount, up to \$100,000," and inserting "amount up to \$100,000"; and

(V) by inserting a comma after "1992";

(B) in paragraph (3) by striking "allot" and inserting "allocate"; and

(2) in subsection (b) by striking "the Trust Territory of the Pacific Islands,".

#### SEC. 568. STATE PLANS.

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

(1) in subsection (a)—

(A) in the second sentence, by striking "challenge" and all that follows through "part E", and inserting ", projects, and activities";

(B) in paragraph (3)—

(i) by striking ", which—" and inserting "that—";

(ii) in subparagraph (A)—

(I) by striking "not less" and all that follows through "33", and inserting "the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws, and";

(II) by inserting ", in consultation with the attorney general of the State or such other State official who has primary responsibility for overseeing the enforcement of State criminal laws" after "State";

(III) in clause (i), by striking "or the administration of juvenile justice" and inserting ", the administration of juvenile justice, or the reduction of juvenile delinquency";

(IV) in clause (ii), by striking "include—" and all that follows through the semicolon at the end of subclause (VIII), and inserting the following:

"represent a multidisciplinary approach to addressing juvenile delinquency and may include—

"(I) individuals who represent units of general local government, law enforcement and juvenile justice agencies, public agencies concerned with the prevention and treatment of juvenile delinquency and with the adjudication of juveniles, representatives of juveniles, or nonprofit private organizations, particularly such organizations that serve juveniles; and

"(II) such other individuals as the chief executive officer considers to be appropriate; and"; and

(V) by striking clauses (iv) and (v);

(iii) in subparagraph (C), by striking "justice" and inserting "crime control";

(iv) in subparagraph (D)—

(I) in clause (i), by inserting "and" at the end; and

(II) in clause (ii), by striking "paragraphs" and all that follows through "part E", and inserting "paragraphs (11), (12), and (13)"; and

(v) in subparagraph (E), by striking "title—" and all that follows through "(ii)" and inserting "title,";

(C) in paragraph (5)—

(i) in the matter preceding subparagraph (A), by striking ", other than" and inserting "reduced by the percentage (if any) specified by the State under the authority of paragraph (25) and excluding" after "section 222"; and

(ii) in subparagraph (C), by striking "paragraphs (12)(A), (13), and (14)" and inserting "paragraphs (11), (12), and (13)";

(D) by striking paragraph (6);

(E) in paragraph (7), by inserting ", including in rural areas" before the semicolon at the end;

(F) in paragraph (8)—

(i) in subparagraph (A)—

(I) by striking "for (i)" and all that follows through "relevant jurisdiction", and inserting "for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State";

(II) by striking "justice" the second place it appears and inserting "crime control"; and

(III) by striking "of the jurisdiction; (ii)" and all that follows through the semicolon at the end, and inserting "of the State; and";

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

"(B) contain—

"(i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

"(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

"(iii) a plan for providing needed mental health services to juveniles in the juvenile justice system"; and

(iii) by striking subparagraphs (C) and (D);

(G) by striking paragraph (9) and inserting the following:

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

(H) in paragraph (10)—

(i) in subparagraph (A), by striking ", specifically" and inserting "including"; and

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

"(B) programs that assist in holding juveniles accountable for their actions, including the use of graduated sanctions and of neighborhood courts or panels that increase victim satisfaction and require juveniles to make restitution for the damage caused by their delinquent behavior";

(iii) in subparagraph (C), by striking "juvenile justice" and inserting "juvenile crime control";

(iv) by striking subparagraph (D) and inserting the following:

"(D) programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law";

(v) in subparagraph (E)—

(I) by redesignating clause (ii) as clause (iii); and

(II) by striking "juveniles, provided" and all that follows through "provides; and", and inserting the following:

"juveniles—

"(i) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;

"(ii) to provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and";

(vi) by striking subparagraph (F) and inserting the following:

"(F) expanding the use of probation officers—

"(i) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

"(ii) to ensure that juveniles follow the terms of their probation;";

(vii) by striking subparagraph (G) and inserting the following:

"(G) one-on-one mentoring programs that are designed to link at-risk juveniles and juvenile offenders, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working with community-based organizations and agencies) who are properly screened and trained;";

(viii) in subparagraph (H) by striking "handicapped youth" and inserting "juveniles with disabilities";

(ix) by striking subparagraph (K) and inserting the following:

"(K) boot camps for juvenile offenders;";

(x) by striking subparagraph (L) and inserting the following:

"(L) community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;";

(xi) by striking subparagraph (M) and inserting the following:

"(M) other activities (such as court-appointed advocates) that the State determines will hold juveniles accountable for their acts and decrease juvenile involvement in delinquent activities;";

(xii) in subparagraph (O)—

(I) in striking "cultural" and inserting "other"; and

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

(xiii) by adding at the end the following:

"(P) programs that utilize multidisciplinary interagency case management and information sharing, that enable the juvenile justice and law enforcement agencies, schools, and social service agencies to make more informed decisions regarding early identification, control, supervision, and treatment of juveniles who repeatedly commit violent or serious delinquent acts; and

"(Q) programs designed to prevent and reduce hate crimes committed by juveniles;";

(I) by striking paragraph (12) and inserting the following:

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

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

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

"(ii) juveniles who are charged with or who have committed a violation of a valid court order; and

“(iii) juveniles who are held in accordance with the Interstate Compact on Juveniles, as enacted by the State;

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

“(B) juveniles—

“(i) who are not charged with any offense; and

“(ii) who are—

“(I) aliens; or

“(II) alleged to be dependent, neglected, or abused;

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

(J) by striking paragraph (13) and inserting the following:

“(13) provide that—

“(A) juveniles alleged to be or found to be delinquent, and juveniles within the purview of paragraph (11), will not be detained or confined in any institution in which they have prohibited physical contact or sustained oral communication (as defined in subparagraphs (D) and (E)) with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges;

“(B) to the extent practicable, violent juveniles shall be kept separate from non-violent juveniles;

“(C) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adults in collocated facilities have been trained and certified to work with juveniles;

“(D) the term ‘prohibited physical contact’—

“(i) means—

“(I) any physical contact between a juvenile and an adult inmate; and

“(II) proximity that provides an opportunity for physical contact between a juvenile and an adult inmate; and

“(ii) does not include supervised proximity between a juvenile and an adult inmate that is brief and incidental or accidental; and

“(E) the term ‘sustained oral communication’ means the imparting or interchange of speech by or between an adult inmate and a juvenile; and

“(ii) does not include—

“(I) communication that is accidental or incidental; or

“(II) sounds or noises that cannot reasonably be considered to be speech;”;

(K) by striking paragraph (14) and inserting the following:

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

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

“(i) for processing or release;

“(ii) while awaiting transfer to a juvenile facility; or

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

“(B) juveniles who are accused of non-status offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained or confined in a jail or lockup—

“(i) in which—

“(I) such juveniles do not have prohibited physical contact or sustained oral communication (as defined in subparagraphs (D) and (E) of paragraph (13)) with adults incarcerated because such adults have been convicted of a crime or are awaiting trial on criminal charges;

“(II) to the extent practicable, violent juveniles shall be kept separate from non-violent juveniles; and

“(III) there is in effect in the State a policy that requires individuals who work with

both such juveniles and such adults in collocated facilities have been trained and certified to work with juveniles; and

“(ii) that—

“(I) is located outside a metropolitan statistical area (as defined by the Director of the Office of Management and Budget) and has no existing acceptable alternative placement available; or

“(II) is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

“(IV) is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel;”;

(L) in paragraph (15)—

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

(ii) by striking “paragraph (12)(A) and paragraph (13)” and inserting “paragraphs (11) and (12);”

(M) in paragraph (16) by striking “mentally, emotionally, or physically handicapping conditions” and inserting “disability”;;

(N) by striking paragraph (19) and inserting the following:

“(19) provide assurances that—

“(A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

“(B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and

“(C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved;”;

(O) by striking paragraph (23) and inserting the following:

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

(P) by striking paragraph (24) and inserting the following:

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

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

“(B) not later than 24 hours after the juvenile is taken into custody and during which the juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and

“(C) not later than 48 hours after the juvenile is taken into custody and during which the juvenile is so held—

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

“(ii) such court shall conduct a hearing to determine—

“(I) whether there is reasonable cause to believe that such juvenile violated such order; and

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

(Q) in paragraph (25) by striking the period at the end and inserting a semicolon;

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

(S) by adding at the end the following:

“(25) specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the state advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units.”; and

(2) by striking subsection (c) and inserting the following:

“(c) If a State fails to comply with any applicable requirement of paragraph (11), (12), (13), or (22) of subsection (a) in any fiscal year beginning after September 30, 1999, then the amount allocated to such State for the subsequent fiscal year shall be reduced by not to exceed 12.5 percent for each such paragraph with respect to which the failure occurs, unless the Administrator determines that the State—

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

“(2) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.”; and

(3) in subsection (d)—

(A) by striking “allotment” and inserting “allocation”; and

(B) by striking “subsection (a) (12)(A), (13), (14) and (23)” each place it appears and inserting “paragraphs (11), (12), (13), and (22) of subsection (a)”.

#### **SEC. 569. JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part I the following:

#### **“PART J—JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM**

##### **“SEC. 292. AUTHORITY TO MAKE GRANTS.**

“The Administrator may make grants to eligible States, from funds allocated under section 292A, for the purpose of providing financial assistance to eligible entities to carry out projects designed to prevent juvenile delinquency, including—

“(1) projects that assist in holding juveniles accountable for their actions, including the use of neighborhood courts or panels that increase victim satisfaction and require juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts;

“(2) projects that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;

“(3) educational projects or supportive services for delinquent or other juveniles—

“(A) to encourage juveniles to remain in elementary and secondary schools or in alternative learning situations in educational settings;

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

“(C) to assist in identifying learning difficulties (including learning disabilities);

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



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

“(F) which assist law enforcement personnel and juvenile justice personnel to more effectively recognize and provide for learning-disabled and other disabled juveniles; or

“(G) which develop locally coordinated policies and programs among education, juvenile justice, and social service agencies;

“(4) projects which expand the use of probation officers—

“(A) particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and

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

“(5) one-on-one mentoring projects that are designed to link at-risk juveniles and juvenile offenders who did not commit serious crime, particularly juveniles residing in high-crime areas and juveniles experiencing educational failure, with responsible adults (such as law enforcement officers, adults working with local businesses, and adults working for community-based organizations and agencies) who are properly screened and trained;

“(6) community-based projects and services (including literacy and social service programs) which work with juvenile offenders, including those from families with limited English-speaking proficiency, their parents, their siblings, and other family members during and after incarceration of the juvenile offenders, in order to strengthen families, to allow juvenile offenders to be retained in their homes, and to prevent the involvement of other juvenile family members in delinquent activities;

“(7) projects designed to provide for the treatment of juveniles for dependence on or abuse of alcohol, drugs, or other harmful substances;

“(8) projects which leverage funds to provide scholarships for postsecondary education and training for low-income juveniles who reside in neighborhoods with high rates of poverty, violence, and drug-related crimes;

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

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

“(B) to provide appropriate interventions, including mental health services and substance abuse treatment, to prevent such juvenile from committing subsequent offenses;

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

“(11) comprehensive juvenile justice and delinquency prevention projects that meet the needs of juveniles through the collaboration of the many local service systems juveniles encounter, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering services to juveniles;

“(12) to develop, implement, and support, in conjunction with public and private agencies, organizations, and businesses, projects

for the employment of juveniles and referral to job training programs (including referral to Federal job training programs);

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

“(14) family strengthening activities, such as mutual support groups for parents and their children;

“(15) programs that encourage social competencies, problem-solving skills, and communication skills, youth leadership, and civic involvement;

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

“(17) other activities that are likely to prevent juvenile delinquency.

#### “SEC. 292A. ALLOCATION.

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

“(1) 0.75 percent shall be allocated to each State.

“(2) Of the total amount remaining after the allocation under paragraph (1), there shall be allocated to each State as follows:

“(A) 50 percent of such amount shall be allocated proportionately based on the population that is less than 18 years of age in the eligible States.

“(B) 50 percent of such amount shall be allocated proportionately based on the annual average number of arrests for serious crimes committed in the eligible States by juveniles during the then most recently completed period of 3 consecutive calendar years for which sufficient information is available to the Administrator.

#### “SEC. 292B. ELIGIBILITY OF STATES.

“(a) APPLICATION.—To be eligible to receive a grant under section 292, a State shall submit to the Administrator an application that contains the following:

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

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

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

“(ii) to evaluate, and provide technical assistance relating to, projects and activities carried out with funds provided under this part; and

“(B) the remainder of such grant to make grants under section 292C.

“(2) An assurance that, and a detailed description of how, such grant will support, and not supplant State and local efforts to prevent juvenile delinquency.

“(3) An assurance that such application was prepared after consultation with and participation by community-based organizations, and organizations in the local juvenile justice system, that carry out programs, projects, or activities to prevent juvenile delinquency.

“(4) An assurance that each eligible entity described in section 292C(a) that receives an initial grant under section 292 to carry out a project or activity shall also receive an assurance from the State that such entity will receive from the State, for the subsequent fiscal year to carry out such project or activity, a grant under such section in an amount that is proportional, based on such initial grant and on the amount of the grant received under section 292 by the State for such subsequent fiscal year, but that does not exceed the amount specified for such subsequent fiscal year in such application as approved by the State.

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

#### “(b) APPROVAL OF APPLICATIONS.—

“(1) APPROVAL REQUIRED.—Subject to paragraph (2), the Administrator shall approve an application, and amendments to such application submitted in subsequent fiscal years, that satisfy the requirements of subsection (a).

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

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

“(ii) such plan is approved by the Administrator for such fiscal year; or

“(B) the Administrator waives the application of subparagraph (A) to such State for such fiscal year, after finding good cause for such a waiver.

#### “SEC. 292C. GRANTS FOR LOCAL PROJECTS.

“(a) SELECTION FROM AMONG APPLICATIONS.—

“(1) IN GENERAL.—Using a grant received under section 292, a State may make grants to eligible entities whose applications are received by the State in accordance with subsection (b) to carry out projects and activities described in section 292.

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

“(A) propose to carry out such projects in geographical areas in which there is—

“(i) a disproportionately high level of serious crime committed by juveniles; or

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

“(B)(i) agreed to carry out such projects or activities that are multidisciplinary and involve 2 or more eligible entities; or

“(ii) represent communities that have a comprehensive plan designed to identify at-risk juveniles and to prevent or reduce the rate of juvenile delinquency, and that involve other entities operated by individuals who have a demonstrated history of involvement in activities designed to prevent juvenile delinquency; and

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

#### “(b) RECEIPT OF APPLICATIONS.—

“(1) IN GENERAL.—Subject to paragraph (2), a unit of general local government shall submit to the State simultaneously all applications that are—

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

“(B) determined by such unit to be consistent with a current plan formulated by such unit for the purpose of preventing, and reducing the rate of, juvenile delinquency in the geographical area under the jurisdiction of such unit.

“(2) DIRECT SUBMISSION TO STATE.—If an application submitted to such unit by an eligible entity satisfies the requirements specified in subparagraphs (A) and (B) of paragraph (1), such entity may submit such application directly to the State.

#### “SEC. 292D. ELIGIBILITY OF ENTITIES.

“(a) ELIGIBILITY.—Subject to subsections (b) and except as provided in subsection (c), to be eligible to receive a grant under section 292C, a community-based organization, local juvenile justice system officials (including prosecutors, police officers, judges, probation officers, parole officers, and public defenders), local education authority (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 and including a school within such authority), nonprofit private organization, unit of general

local government, or social service provider, and or other entity with a demonstrated history of involvement in the prevention of juvenile delinquency, shall submit to a unit of general local government an application that contains the following:

“(1) An assurance that such applicant will use such grant, and each such grant received for the subsequent fiscal year, to carry out throughout a 2-year period a project or activity described in reasonable detail, and of a kind described in 1 or more of paragraphs (1) through (14) of section 292 as specified in, such application.

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

“(3) A statement identifying the research (if any) such entity relied on in preparing such application.

“(b) REVIEW AND SUBMISSION OF APPLICATIONS.—Except as provided in subsection (c), an entity shall not be eligible to receive a grant under section 292C unless—

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

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

“(B) describes a project or activity to be carried out in the geographical area under the jurisdiction of such unit; and

“(2) such unit determines that such project or activity is consistent with a current plan formulated by such unit for the purpose of preventing, and reducing the rate of, juvenile delinquency in the geographical area under the jurisdiction of such unit.

“(c) LIMITATION.—If an entity that receives a grant under section 292C to carry out a project or activity for a 2-year period, and receives technical assistance from the State or the Administrator after requesting such technical assistance (if any), fails to demonstrate, before the expiration of such 2-year period, that such project or such activity has achieved substantial success in achieving the goals specified in the application submitted by such entity to receive such grants, then such entity shall not be eligible to receive any subsequent grant under such section to continue to carry out such project or activity.”.

#### **SEC. 570. RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part J the following:

##### **“PART K—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING**

#### **“SEC. 293. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.**

“(a) RESEARCH AND EVALUATION.—(1) The Administrator may—

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

“(B) make agreements with the National Institute of Justice or, subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to conduct research or evaluation in juvenile justice matters, for the purpose of providing research and evaluation relating to—

“(i) the prevention, reduction, and control of juvenile delinquency and serious crime committed by juveniles;

“(ii) the link between juvenile delinquency and the incarceration of members of the families of juveniles;

“(iii) successful efforts to prevent first-time minor offenders from committing subsequent involvement in serious crime;

“(iv) successful efforts to prevent recidivism;

“(v) the juvenile justice system;

“(vi) juvenile violence; and

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

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

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

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

“(2) make agreements with the Bureau of Justice Statistics, or subject to the approval of the Assistant Attorney General for the Office of Justice Programs, with another Federal agency authorized by law to undertake statistical work in juvenile justice matters, for the purpose of providing for the collection, analysis, and dissemination of statistical data and information relating to juvenile delinquency and serious crimes committed by juveniles, to the juvenile justice system, to juvenile violence, and to other purposes consistent with the purposes of this title and title I.

“(c) COMPETITIVE SELECTION PROCESS.—The Administrator shall use a competitive process, established by rule by the Administrator, to carry out subsections (a) and (b).

“(d) IMPLEMENTATION OF AGREEMENTS.—A Federal agency that makes an agreement under subsections (a)(1)(B) and (b)(2) with the Administrator may carry out such agreement directly or by making grants to or contracts with public and private agencies, institutions, and organizations.

“(e) INFORMATION DISSEMINATION.—The Administrator may—

“(1) review reports and data relating to the juvenile justice system in the United States and in foreign nations (as appropriate), collect data and information from studies and research into all aspects of juvenile delinquency (including the causes, prevention, and treatment of juvenile delinquency) and serious crimes committed by juveniles;

“(2) establish and operate, directly or by contract, a clearinghouse and information center for the preparation, publication, and dissemination of information relating to juvenile delinquency, including State and local prevention and treatment programs, plans, resources, and training and technical assistance programs; and

“(3) make grants and contracts with public and private agencies, institutions, and organizations, for the purpose of disseminating information to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, the courts, corrections, schools, and related services, in the establishment, implementation, and operation of projects and activities for which financial assistance is provided under this title.

#### **“SEC. 293A. TRAINING AND TECHNICAL ASSISTANCE.**

“(a) TRAINING.—The Administrator may—

“(1) develop and carry out projects for the purpose of training representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations for the purpose of training rep-

resentatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, to carry out the purposes specified in section 102.

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

“(1) develop and implement projects for the purpose of providing technical assistance to representatives and personnel of public and private agencies and organizations, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title; and

“(2) make grants to and contracts with public and private agencies, institutions, and organizations, for the purpose of providing technical assistance to representatives and personnel of public and private agencies, including practitioners in juvenile justice, law enforcement, courts, corrections, schools, and related services, in the establishment, implementation, and operation of programs, projects, and activities for which financial assistance is provided under this title.”.

#### **SEC. 571. DEMONSTRATION PROJECTS.**

Title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5611 et seq.) is amended by inserting after part K the following:

##### **“PART L—DEVELOPING, TESTING, AND DEMONSTRATING PROMISING NEW INITIATIVES AND PROGRAMS**

#### **“SEC. 294. GRANTS AND PROJECTS.**

“(a) AUTHORITY TO MAKE GRANTS.—The Administrator may make grants to and contracts with States, units of general local government, Indian tribal governments, public and private agencies, organizations, and individuals, or combinations thereof, to carry out projects for the development, testing, and demonstration of promising initiatives and programs for the prevention, control, or reduction of juvenile delinquency. The Administrator shall ensure that, to the extent reasonable and practicable, such grants are made to achieve an equitable geographical distribution of such projects throughout the United States.

“(b) USE OF GRANTS.—A grant made under subsection (a) may be used to pay all or part of the cost of the project for which such grant is made.

#### **“SEC. 294A. GRANTS FOR TECHNICAL ASSISTANCE.**

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

#### **“SEC. 294B. ELIGIBILITY.**

“To be eligible to receive a grant made under this part, a public or private agency, Indian tribal government, organization, institution, individual, or combination thereof shall submit an application to the Administrator at such time, in such form, and containing such information as the Administrator may reasonable require by rule.

#### **“SEC. 294C. REPORTS.**

“Recipients of grants made under this part shall submit to the Administrator such reports as may be reasonably requested by the Administrator to describe progress achieved in carrying the projects for which such grants are made.”.

#### **SEC. 572. AUTHORIZATION OF APPROPRIATIONS.**

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

(1) by striking subsection (e); and  
(2) by striking subsections (a) and (b), and inserting the following:

“(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE II.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this title such sums as may be appropriate for fiscal years 2000, 2001, and 2002.

“(2) ALLOCATION.—Of the amount made available for each fiscal year to carry out this title not more than 5 percent shall be available to carry out part A.

#### SEC. 573. ADMINISTRATIVE AUTHORITY.

Section 299A(d) of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5672) is amended by striking “as are consistent with the purpose of this Act” and inserting “only to the extent necessary to ensure that there is compliance with the specific requirements of this title or to respond to requests for clarification and guidance relating to such compliance”.

#### SEC. 574. USE OF FUNDS.

Section 299C of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5674) is amended—

(1) in subsection (a)—  
(A) by striking “may be used for”;  
(B) in paragraph (1), by inserting “may be used for” after “(1)”; and  
(C) by striking paragraph (2) and inserting the following:

“(2) may not be used for the cost of construction of any short- or long-term facilities for adult or juvenile offenders, except not more than 15 percent of the funds received under this title by a State for a fiscal year may be used for the purpose of renovating or replacing juvenile facilities.”;

(2) by striking subsection (b); and  
(3) by redesignating subsection (c) as subsection (b).

#### SEC. 575. LIMITATION ON USE OF FUNDS.

Part M of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.) is amended by adding at the end the following:

#### “SEC. 299F. LIMITATION ON USE OF FUNDS.

“None of the funds made available to carry out this title may be used to advocate for, or support, the unsecured release of juveniles who are charged with a violent crime.”.

#### SEC. 576. RULES OF CONSTRUCTION.

Part M of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.) is amended by adding at the end the following:

#### “SEC. 299G. RULES OF CONSTRUCTION.

“Nothing in this title or title I may be construed—

“(1) to prevent financial assistance from being awarded through grants under this title to any otherwise eligible organization; or

“(2) to modify or affect any Federal or State law relating to collective bargaining rights of employees.”.

#### SEC. 577. LEASING SURPLUS FEDERAL PROPERTY.

Part M of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671 et seq.) is amended by adding at the end the following:

#### “SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.

“The Administrator may receive surplus Federal property (including facilities) and may lease such property to States and units of general local government for use in or as facilities for juvenile offenders, or for use in or as facilities for delinquency prevention and treatment activities.”.

#### SEC. 578. ISSUANCE OF RULES.

Part M of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42

U.S.C. 5671 et seq.) is amended by adding at the end the following:

#### “SEC. 299I. ISSUANCE OF RULES.

“The Administrator shall issue rules to carry out this title, including rules that establish procedures and methods for making grants and contracts, and distributing funds available, to carry out this title.”.

#### SEC. 579. TECHNICAL AND CONFORMING AMENDMENTS.

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

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

(2) in section 221(b)(2), by striking the last sentence; and

(3) in section 299D, by striking subsection (d).

(b) CONFORMING AMENDMENTS.—

(1) TITLE 5.—Section 5315 of title 5, United States Code, is amended by striking “Office of Juvenile Justice and Delinquency Prevention” and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(2) TITLE 18.—Section 4351(b) of title 18, United States Code, is amended by striking “Office of Juvenile Justice and Delinquency Prevention” and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(3) TITLE 39.—Subsections (a)(1) and (c) of section 3220 of title 39, United States Code, is amended by striking “Office of Juvenile Justice and Delinquency Prevention” each place it appears and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(4) SOCIAL SECURITY ACT.—Section 463(f) of the Social Security Act (42 U.S.C. 663(f)) is amended by striking “Office of Juvenile Justice and Delinquency Prevention” and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(5) OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968.—Sections 801(a), 804, 805, and 813 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are each amended by striking “Office of Juvenile Justice and Delinquency Prevention” each place it appears and inserting “Office of Juvenile Crime Control and Delinquency Prevention”.

(6) VICTIMS OF CHILD ABUSE ACT OF 1990.—The Victims of Child Abuse Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

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

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

(C) in sections 217 and 222, by striking “Office of Juvenile Justice and Delinquency Prevention” each place it appears and inserting “Office of Juvenile Crime Control and Delinquency Prevention”;

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

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

(A) in section 403(2), by striking “Justice and Delinquency Prevention” and inserting “Crime Control and Delinquency Prevention”;

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

(8) CRIME CONTROL ACT OF 1990.—The Crime Control Act of 1990 (42 U.S.C. 13001 et seq.) is amended—

(A) in section 217(c)(1), by striking “sections 262, 293, and 296 of subpart II of title II” and inserting “sections 299B and 299E”;

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

#### SEC. 580. REFERENCES.

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

(1) a reference to the Office of Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to the Office of Juvenile Crime Control and Delinquency Prevention; and

(2) a reference to the National Institute for Juvenile Justice and Delinquency Prevention shall be deemed to include a reference to Office of Juvenile Crime Control and Delinquency Prevention.

#### SEC. 581. RAPID RESPONSE PLAN FOR KIDS WHO BRING A GUN TO SCHOOL.

Section 505 of the Incentive Grants for Local Delinquency Prevention Programs Act (42 U.S.C. 5784) is amended—

(1) in subsection (a)

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

(B) in paragraph (7), by striking the period at the end and inserting “, and”; and

(C) by adding at the end the following:

“(8) court supervised initiatives that address the illegal possession of firearms by juveniles.”; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “demonstrate ability in”;

(B) in paragraph (1), by inserting “have in effect” after “(1)”; and

(C) in paragraph (2)—

(i) by inserting “have developed” after “(2)”; and

(ii) by striking “and” at the end;

(D) in paragraph (3)—

(i) by inserting “are actively” after “(3)”; and

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

(E) by adding at the end the following:

“(4) have in effect a policy or practice that requires State and local law enforcement agencies to detain in an appropriate juvenile facility or secure community-based placement for not less than 24 hours any juvenile who unlawfully possesses a firearm in a school, upon a finding by a judicial officer that the juvenile may be a danger to himself or herself, or to the community.”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 2:30 p.m. on Tuesday, May 11, 1999, in executive session, to mark up the fiscal year 2000 Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. HATCH. Mr. President, I ask unanimous consent that the full Committee on Environment and Public Works be granted permission to conduct a business meeting to consider pending business Thursday, May 11, 9:00 a.m., Hearing Room (SD-406).

The PRESIDING OFFICER. Without objection, it is so ordered.