

“(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 section will be used to supplement and not supplant, non-Federal funds that would otherwise be available for activities funded under this section;

“(D) written assurances that all activities funded under this section will be supervised by qualified adults;

“(E) a plan for assuring that program activities will take place in a secure environment that is free of crime and drugs;

“(F) a plan outlining the utilization of content-based programs such as PowerUp, and the provision of trained adult personnel to supervise the after-school technology training; and

“(G) any additional statistical or financial information that the Boys and Girls Clubs of America may reasonably require.

“(e) GRANT AWARDS.—In awarding subgrants under this section, the Boys and Girls Clubs of America shall consider—

“(1) the ability of the applicant to provide the intended services;

“(2) the history and establishment of the applicant in providing youth activities; and

“(3) the extent to which services will be provided in crime-prone areas and technologically underserved populations, and efforts to achieve an equitable geographic distribution of the grant awards.

“(f) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated \$20,000,000 for each of the fiscal years 2001 through 2006 to carry out this section.

“(2) SOURCE OF FUNDS.—Funds to carry out this section may be derived from the Violent Crime Reduction Trust Fund.

“(3) CONTINUED AVAILABILITY.—Amounts made available under this subsection shall remain available until expended.”

§ 11314. Grants for tribal delinquency prevention and response programs

(a) In general

The Administrator shall make grants under this section, on a competitive basis, to eligible Indian Tribes (or consortia of Indian Tribes) as described in subsection (b)—

(1) to support and enhance—

(A) tribal juvenile delinquency prevention services; and

(B) the ability of Indian Tribes to respond to, and care for, at-risk or delinquent youth upon release; and

(2) to encourage accountability of Indian tribal governments with respect to preventing juvenile delinquency, and responding to, and caring for, juvenile offenders.

(b) Eligible Indian Tribes

To be eligible to receive a grant under this section, an Indian Tribe or consortium of Indian Tribes shall submit to the Administrator an application in such form as the Administrator may require.

(c) Considerations

In providing grants under this section, the Administrator shall take into consideration, with respect to the Indian Tribe to be served, the—

(1) juvenile delinquency rates;

(2) school dropout rates; and

(3) number of youth at risk of delinquency.

(d) Availability of funds

Of the amount available for a fiscal year to carry out this subchapter, 11 percent shall be available to carry out this section.

(Pub. L. 93-415, title V, §505, as added Pub. L. 115-385, title III, §305, Dec. 21, 2018, 132 Stat. 5150.)

Editorial Notes

PRIOR PROVISIONS

A prior section 505 of Pub. L. 93-415, as added Pub. L. 107-273, div. C, title II, §12222(a), Nov. 2, 2002, 116 Stat. 1896, which authorized appropriations for fiscal years 2004 to 2008, was renumbered section 506 and was classified to section 5784 of Title 42, The Public Health and Welfare, prior to omission from the Code and its subsequent repeal by Pub. L. 115-385, title IV, §402(c)(2), Dec. 21, 2018, 132 Stat. 5160.

Another prior section 505 of Pub. L. 93-415, as added Pub. L. 102-586, §5(a), Nov. 4, 1992, 106 Stat. 5028; amended Pub. L. 105-277, div. A, §101(b) [title I, §129(a)(2)(F)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-76, related to grants for prevention programs, prior to the general amendment of title V of Pub. L. 93-415 by Pub. L. 107-273.

Another prior section 505 of Pub. L. 93-415, title V, Sept. 7, 1974, 88 Stat. 1135, amended section 5035 of Title 18, Crimes and Criminal Procedure, and was repealed by Pub. L. 115-385, title III, §307, Dec. 21, 2018, 132 Stat. 5152.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section not applicable with respect to funds appropriated for any fiscal year that begins before Dec. 21, 2018, see section 3 of Pub. L. 115-385, set out as an Effective Date of 2018 Amendment note under section 11102 of this title.

SUBCHAPTER VI—AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT

§ 11321. Authorization of appropriations

There are authorized to be appropriated to carry out this chapter, except for subchapters III and IV, \$176,000,000 for each of fiscal years 2019 through 2023, of which not more than \$96,053,401 shall be used to carry out subchapter V for each such fiscal year.

(Pub. L. 93-415, title VI, §601, as added Pub. L. 115-385, title IV, §402(a), Dec. 21, 2018, 132 Stat. 5154.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, known as the Juvenile Justice and Delinquency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 1974 Act note set out under section 10101 of this title and Tables.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section not applicable with respect to funds appropriated for any fiscal year that begins before Dec. 21, 2018, see section 3 of Pub. L. 115-385, set out as an Effective

tive Date of 2018 Amendment note under section 11102 of this title.

§ 11322. Accountability and oversight

(a) Sense of Congress

It is the sense of Congress that, in order to ensure that at-risk youth, and youth who come into contact with the juvenile justice system or the criminal justice system, are treated fairly and that the outcome of that contact is beneficial to the Nation—

(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, must restore meaningful enforcement of the core requirements in subchapter II; and

(2) States, which are entrusted with a fiscal stewardship role if they accept funds under subchapter II¹ must exercise vigilant oversight to ensure full compliance with the core requirements for juveniles provided for in subchapter II.

(b) Accountability

(1) Agency program review

(A) Programmatic and financial assessment

(i) In general

Not later than 60 days after December 21, 2018, the Director of the Office of Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice (referred to in this section as the “Director”) shall—

(I) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the “agency”) to determine if States and Indian Tribes receiving grants are following the requirements of the agency grant programs and what remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

(aa) supporting documentation was not provided for cost reports;

(bb) unauthorized expenditures occurred; and

(cc) subrecipients of grant funds were not in compliance with program requirements;

(II) conduct a comprehensive audit and evaluation of a selected statistically significant sample of States and Indian Tribes (as determined by the Director) that have received Federal funds under subchapter II, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees; and

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

(ii) Considerations for evaluations

In conducting the analysis and evaluation under clause (i)(I), and in order to document the efficiency and public benefit of subchapters II and V, the Director shall

take into consideration the extent to which—

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

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

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

(iii) Considerations for audits

In conducting the audit and evaluation under clause (i)(II), and in order to document the efficiency and public benefit of subchapters II and V, the Director shall take into consideration—

(I) whether grantees timely file Financial Status Reports;

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

(III) whether grantees’ assertions of compliance with the core requirements were accompanied with adequate supporting documentation;

(IV) whether expenditures were authorized;

(V) whether subrecipients of grant funds were complying with program requirements; and

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

(iv) Report

The Director shall—

(I) submit to the Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

(II) shall² make such report available to the public online, not later than 1 year after December 21, 2018.

(B) Analysis of internal controls

(i) In general

Not later than 30 days after December 21, 2018, the Administrator shall initiate a comprehensive analysis and evaluation of the internal controls of the agency to determine whether, and to what extent, States and Indian Tribes that receive grants under subchapters II and V are following the requirements of the grant programs authorized under subchapters II and V.

(ii) Report

Not later than 180 days after December 21, 2018, the Administrator shall submit to Congress a report containing—

¹ So in original. Probably should be followed by a comma.

² So in original. The word “shall” probably should not appear.