

H. R. 6111

IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 1977

Mr. ANDREWS of North Carolina (for himself and Mr. PERKINS) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

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

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

3 **SHORT TITLE**

4 **SECTION 1.** This Act may be cited as the "Juvenile
5 Justice and Delinquency Prevention Amendments of 1977".

6 **JUVENILE JUSTICE AND DELINQUENCY PREVENTION**

7 **OFFICE**

8 **SEC. 2. (a)** Section 201 (g) of the Juvenile Justice
9 and Delinquency Prevention Act of 1974 is amended by
10 striking out "first" and inserting in lieu thereof "second".

11 (b) (1) The first sentence of section 204 (b) (5) of

1 the Juvenile Justice and Delinquency Prevention Act of
2 1974 is amended by inserting "and the Coordinating Coun-
3 cil" after "Advisory Committee".

4 (2) Section 204(b) (6) of the Juvenile Justice and
5 Delinquency Prevention Act of 1974 is amended by in-
6 serting "and the Coordinating Council" after "Advisory
7 Committee".

8 (3) Section 204(f) of the Juvenile Justice and De-
9 linquency Prevention Act of 1974 is amended by inserting
10 "Federal" after "appropriate authority,".

11 (4) Section 204(g) of the Juvenile Justice and De-
12 linquency Prevention Act of 1974 is amended by striking
13 out "part" and inserting in lieu thereof "title".

14 (5) Section 204(j) of the Juvenile Justice and De-
15 linquency Prevention Act of 1974 is amended by inserting
16 "organization," after "agency," and by striking out "part"
17 and inserting in lieu thereof "title".

18 (6) Section 204(k) of the Juvenile Justice and De-
19 linquency Prevention Act of 1974 is amended by striking
20 out "part" and inserting in lieu thereof "title", and by
21 striking out "the Juvenile Delinquency Prevention Act (42
22 U.S.C. 3801 et seq.)" and inserting in lieu thereof "title
23 III of this Act".

24 (c) Section 206(d) of the Juvenile Justice and De-

1 delinquency Prevention Act of 1974 is amended by striking
2 out "six" and inserting in lieu thereof "four".

3 (d) Section 208 (e) of the Juvenile Justice and De-
4 linquency Prevention Act of 1974 is amended by striking
5 out "to the Administrator", and by striking out "the Ad-
6 ministration of".

7 FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

8 SEC. 3. (a) Section 221 of the Juvenile Justice and
9 Delinquency Prevention Act of 1974 is amended by strik-
10 ing out "and local governments", and by inserting "grants
11 and" after "through".

12 (b) (1) The third sentence of section 222 (e) of the
13 Juvenile Justice and Delinquency Prevention Act of 1974
14 is amended by striking out "local governments" and insert-
15 ing in lieu thereof "units of general local government or
16 combinations thereof".

17 (2) The second sentence of section 222 (d) of the
18 Juvenile Justice and Delinquency Prevention Act of 1974
19 is amended by striking out "or kind", and by inserting
20 "except that assistance extended to private nonprofit or-
21 ganizations may be up to 100 per centum of the approved
22 costs of any assisted program or activity" after "by section
23 261".

24 (3) Section 222 of the Juvenile Justice and Delin-

1 quency Prevention Act of 1974 is amended by adding at
2 the end thereof the following new subsection:

3 “(c) The requirement of cash match in subsection (d)
4 may be waived by the Administrator, in whole or in part,
5 if the State planning agency makes a formal determination
6 that a demonstrated and determined good faith effort has
7 been made to obtain cash match and cash match is not
8 available.”.

9 (c) (1) Section 223 (a) (4) of the Juvenile Justice
10 and Delinquency Prevention Act of 1974 is amended by
11 striking out “local governments” the first place it appears
12 therein and inserting in lieu thereof “units of general local
13 government or combinations thereof”.

14 (2) Section 223 (a) (5) of the Juvenile Justice and
15 Delinquency Prevention Act of 1974 is amended by insert-
16 ing “or combinations thereof” and after “local government”.

17 (3) Section 223 (a) (6) of the Juvenile Justice and
18 Delinquency Prevention Act of 1974 is amended by striking
19 out “local government” and inserting in lieu thereof “unit
20 of general local government”, and by inserting “or to a
21 regional planning agency” after “local government’s struc-
22 ture”.

23 (4) Section 223 (a) (8) of the Juvenile Justice and De-
24 linquency Prevention Act of 1974 is amended by inserting
25 before the semicolon at the end thereof a period and the

1 following: "Programs and projects developed from the study
2 may be funded under paragraph (10) provided that they
3 meet the criteria for advanced technique programs as speci-
4 fied therein".

5 (5) The first sentence of section 223 (a) (10) of the
6 Juvenile Justice and Delinquency Prevention Act of 1974
7 is amended by striking out "or by the local government", and
8 by inserting "grants and" after "or through".

9 (6) Section 223 (a) (10) of the Juvenile Justice and
10 Delinquency Prevention Act of 1974 is amended by striking
11 out subparagraph (D) and by redesignating subparagraphs
12 (E), (F), (G), and (H) as subparagraphs (D), (E),
13 (F), and (G), respectively.

14 (7) Section 223 (a) (12) of the Juvenile Justice and
15 Delinquency Prevention Act of 1974 is amended by striking
16 out "must" and inserting in lieu thereof "may".

17 (8) Section 223 (c) of the Juvenile Justice and De-
18 linquency Prevention Act of 1974 is amended by inserting
19 at the end thereof the following new sentence: "Failure to
20 achieve compliance with the subsection (a) (12) require-
21 ment within the two-year time limitation shall terminate any
22 State's eligibility for funding under this subpart unless the
23 Administrator determines that the State is in substantial com-
24 pliance with the requirement and has made, through ap-
25 propriate executive or legislative action, an unequivocal

1 commitment to achieving full compliance within a reason-
2 able time.”.

3 (d) (1) Section 224 (a) (5) of the Juvenile Justice and
4 Delinquency Prevention Act of 1974 is amended by striking
5 out “and” at the end thereof.

6 (2) Section 224 (a) (6) of the Juvenile Justice and
7 Delinquency Prevention Act of 1974 is amended by inserting
8 after “develop and implement” the following: “, in coordi-
9 nation with the United States Office of Education, Depart-
10 ment of Health, Education, and Welfare,” and by striking
11 out the period at the end thereof and inserting in lieu thereof
12 a semicolon and “and”.

13 (3) Section 224 (a) of the Juvenile Justice and Delin-
14 quency Prevention Act of 1974 is amended by adding at the
15 end thereof the following new paragraph:

16 “(7) develop and support programs stressing ad-
17 vocacy activities aimed at improving services to youth
18 impacted by the juvenile justice system.”.

19 (e) (1) Section 227 (a) of the Juvenile Justice and
20 Delinquency Prevention Act of 1974 is amended by striking
21 out “State, public or private agency, institution, or individual
22 (whether directly or through a State or local agency)”
23 and inserting in lieu thereof “public or private agency,
24 organization, institution, or individual (whether directly or
25 through a State planning agency)”.

1 (2) Section 227 (b) of the Juvenile Justice and De-
2 linquency Prevention Act of 1974 is amended by striking
3 out "institution, or individual under this part (whether
4 directly or through a State agency or local agency)" and
5 inserting in lieu thereof "organization, institution, or in-
6 dividual under this title (whether directly or through a
7 State planning agency)".

8 (f) (1) Section 228 (b) of the Juvenile Justice and
9 Delinquency Prevention Act of 1974 is amended by striking
10 out "under this part" and inserting in lieu thereof "by the
11 Law Enforcement Assistance Administration", and by strik-
12 ing out "25 per centum of".

13 (2) Section 228 (c) of the Juvenile Justice and Delin-
14 quency Prevention Act of 1974 is amended by striking out
15 "part" and inserting in lieu thereof "title".

16 (3) Section 228 of the Juvenile Justice and Delin-
17 quency Prevention Act of 1974 is amended by adding at
18 the end thereof the following new subsections:

19 “(e) In the case of a grant under this part to an Indian
20 tribe or other aboriginal group, if the Administrator deter-
21 mines that the tribe or group does not have sufficient
22 funds available to meet the local share of the cost of any
23 program or project to be funded under the grant, the Ad-
24 ministrator may increase the Federal share of the cost
25 thereof to the extent he deems necessary. Where a State

1 does not have an adequate forum to enforce grant provi-
2 sions imposing liability on Indian tribes, the Administrator
3 is authorized to waive State liability and may pursue such
4 legal remedies as are necessary.

5 “(f) If the Administrator determines, on the basis of
6 information available to him during any fiscal year, that a
7 portion of the funds granted to an applicant under this
8 part for that fiscal year will not be required by the appli-
9 cant or will become available by virtue of the application
10 of the provisions of section 509 of title I of the Omnibus
11 Crime Control and Safe Streets Act of 1968, that portion
12 shall be available for reallocation under section 224 of this
13 title.”

14 NATIONAL INSTITUTE FOR JUVENILE JUSTICE AND
15 DELINQUENCY PREVENTION

16 SEC. 4. (a) (1) Section 241 of the Juvenile Justice
17 and Delinquency Prevention Act of 1974 is amended by
18 striking out subsection (e), and by redesignating subsec-
19 tions (f) and (g) as subsections (e) and (f), respectively.

20 (2) Section 241 (f) of the Juvenile Justice and De-
21 linquency Prevention Act of 1974, as so redesignated by
22 paragraph (1), is amended by inserting “make grants and”
23 after “(4)”.

24 (3) The subsection designated as subsection (b) im-
25 mediately following section 241 (f) of the Juvenile Justice

1 and Delinquency Prevention Act of 1974, as so redesignated
2 by paragraph (1), is redesignated as subsection (g).

3 (4) Section 241 (g) of the Juvenile Justice and Delin-
4 quency Prevention Act of 1974, as so redesignated by para-
5 graph (1), is amended by striking out "subsection (g) (1)"
6 and inserting in lieu thereof "subsection (f) (1)".

7 (5) Title II of the Juvenile Justice and Delinquency
8 Prevention Act of 1974 is amended by striking out section
9 248.

10 ADMINISTRATIVE PROVISIONS

11 SEC. 5. (a) The heading for part D of title II of the
12 Juvenile Justice and Delinquency Prevention Act of 1974 is
13 amended to read as follows:

14 "PART D—ADMINISTRATIVE PROVISIONS".

15 (b) Section 261 (a) of the Juvenile Justice and Delin-
16 quency Prevention Act of 1974 is amended to read as
17 follows:

18 "(a) To carry out the purposes of this title there is
19 authorized to be appropriated \$75,000,000 for the fiscal year
20 ending September 30, 1978, and such sums as are necessary
21 for each of the fiscal years ending September 30, 1979, and
22 September 30, 1980. Funds appropriated for any fiscal year
23 may remain available for obligation until expended."

24 (c) Section 262 of the Juvenile Justice and Delinquency
25 Prevention Act of 1974 is amended to read as follows:

1 "APPLICABILITY OF OTHER ADMINISTRATIVE PROVISIONS

2 "SEC. 262. The Administrative provisions of title I of
3 the Omnibus Crime Control and Safe Streets Act of 1968,
4 designated as sections 501, 504, 507, 509, 510, 511, 516,
5 518 (c), 521, and 524 (a) and (c) of such Act, are incor-
6 porated herein as administrative provisions applicable to this
7 Act."

8 (d) (1) Section 263 (a) of the Juvenile Justice and
9 Delinquency Prevention Act of 1974 is amended by striking
10 out "subsection (b)" and inserting in lieu thereof "subsec-
11 tions (b) and (c)".

12 (2) Section 263 of the Juvenile Justice and Delin-
13 quency Prevention Act of 1974 is amended by adding at the
14 end thereof the following new subsection:

15 "(c) The amendments made by the Juvenile Justice
16 and Delinquency Prevention Amendments of 1977 shall take
17 effect on and after October 1, 1977."

18 AMENDMENT TO OMNIBUS CRIME CONTROL AND SAFE
19 STREETS ACT OF 1968

20 SEC. 6. Section 203 (a) (1) of title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968 is amended by
22 adding at the end thereof the following new sentence: "The
23 chairman and at least two additional members of any ad-
24 visory group established pursuant to section 223 (a) (3) of
25 the Juvenile Justice and Delinquency Prevention Act of

1 1974 shall be appointed to the State planning agency as
2 members thereof. These individuals may be considered in
3 meeting the general representation requirements of this
4 subsection.”.

95TH CONGRESS
1ST SESSION

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By Mr. ANDREWS of North Carolina and Mr.

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