

veniles 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 (3) the amount of resources (in cash or in kind) such entities will provide to carry out such projects and activities.

(Pub. L. 93-415, title II, §244, as added Pub. L. 107-273, div. C, title II, §12210(4), Nov. 2, 2002, 116 Stat. 1885.)

PRIOR PROVISIONS

A prior section 5654, Pub. L. 93-415, title II, §244, Sept. 7, 1974, 88 Stat. 1127; Pub. L. 95-115, §5(f), Oct. 3, 1977, 91 Stat. 1057; Pub. L. 96-509, §19(k), Dec. 8, 1980, 94 Stat. 2765; Pub. L. 98-473, title II, §633, Oct. 12, 1984, 98 Stat. 2119; Pub. L. 100-690, title VII, §7262, Nov. 18, 1988, 102 Stat. 4442; Pub. L. 102-586, §2(g)(3), Nov. 4, 1992, 106 Stat. 4996; Pub. L. 105-277, div. A, §101(b) [title I, §129(a)(2)(D)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-76, related to technical assistance and training functions, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

§ 5655. Eligibility of entities

(a) Eligibility

Except as provided in subsection (b) of this section, to be eligible to receive a grant under section 5654 of this title, a unit of general purpose local government, acting jointly with not fewer than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles, shall submit to the State 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 one or more of paragraphs (1) through (25) of section 5651(a) of this title 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) Limitation

If an eligible entity that receives a grant under section 5654 of this title 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.

(Pub. L. 93-415, title II, §245, as added Pub. L. 107-273, div. C, title II, §12210(4), Nov. 2, 2002, 116 Stat. 1885.)

PRIOR PROVISIONS

A prior section 5655, Pub. L. 93-415, title II, §245, Sept. 7, 1974, 88 Stat. 1127; Pub. L. 95-115, §5(c), Oct. 3, 1977, 91 Stat. 1057; Pub. L. 96-509, §19(l), Dec. 8, 1980, 94 Stat. 2765, provided for the functions of the Advisory Committee, prior to repeal by Pub. L. 98-473, title II, §§634, 670(a), Oct. 12, 1984, 98 Stat. 2119, 2129, effective Oct. 12, 1984.

A prior section 245 of Pub. L. 93-415 was classified to section 5659 of this title prior to repeal by Pub. L. 107-273.

Another prior section 245 of Pub. L. 93-415 was classified to section 5656 of this title prior to repeal by Pub. L. 100-690.

§ 5656. Grants to Indian tribes

(a) Eligibility

(1) Application

To be eligible to receive a grant under section 5651(b) of this title, an Indian tribe shall submit to the Administrator an application in accordance with this section, in such form and containing such information as the Administrator may require by rule.

(2) Plans

Such application shall include a plan for conducting programs, projects, and activities described in section 5651(a) of this title, which plan shall—

(A) provide evidence that the applicant Indian tribe performs law enforcement functions (as determined by the Secretary of the Interior);

(B) identify the juvenile justice and delinquency problems and juvenile delinquency prevention needs to be addressed by activities conducted with funds provided by the grant for which such application is submitted, by the Indian tribe in the geographical area under the jurisdiction of the Indian tribe;

(C) provide for fiscal control and accounting procedures that—

(i) are necessary to ensure the prudent use, proper disbursement, and accounting of grants received by applicants under this section; and

(ii) are consistent with the requirement specified in subparagraph (B); and

(D) comply with the requirements specified in section 5633(a) of this title (excluding any requirement relating to consultation with a State advisory group) and with the requirements specified in section 5632(c) of this title; and

(E) contain such other information, and be subject to such additional requirements, as the Administrator may reasonably require by rule to ensure the effectiveness of the projects for which grants are made under section 5651(b) of this title.

(b) Factors for consideration

For the purpose of selecting eligible applicants to receive grants under section 5651(b) of this title, the Administrator shall consider—

(1) the resources that are available to each applicant Indian tribe that will assist, and be coordinated with, the overall juvenile justice system of the Indian tribe; and

(2) with respect to each such applicant—

- (A) the juvenile population; and
- (B) the population and the entities that will be served by projects proposed to be carried out with the grant for which the application is submitted.

(c) Grant process

(1) Selection of grant recipients

(A) Selection requirements

Except as provided in paragraph (2), the Administrator shall—

- (i) make grants under this section on a competitive basis; and
- (ii) specify in writing to each applicant selected to receive a grant under this section, the terms and conditions on which such grant is made to such applicant.

(B) Period of grant

A grant made under this section shall be available for expenditure during a 2-year period.

(2) Exception

If—

- (A) in the 2-year period for which a grant made under this section shall be expended, the recipient of such grant applies to receive a subsequent grant under this section; and
- (B) the Administrator determines that such recipient performed during the year preceding the 2-year period for which such recipient applies to receive such subsequent grant satisfactorily and in accordance with the terms and conditions applicable to the grant received;

then the Administrator may waive the application of the competition-based requirement specified in paragraph (1)(A)(i) and may allow the applicant to incorporate by reference in the current application the text of the plan contained in the recipient's most recent application previously approved under this section.

(3) Authority to modify application process for subsequent grants

The Administrator may modify by rule the operation of subsection (a) of this section with respect to the submission and contents of applications for subsequent grants described in paragraph (2).

(d) Reporting requirement

Each Indian tribe that receives a grant under this section shall be subject to the fiscal accountability provisions of section 450c(f)(1) of title 25, relating to the submission of a single-agency audit report required by chapter 75 of title 31.

(e) Matching requirement

(1) Funds appropriated for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of any program or project with a matching requirement funded under this section.

(2) Paragraph (1) shall not apply with respect to funds appropriated before November 2, 2002.

(3) If the Administrator determines that an Indian tribe does not have sufficient funds avail-

able to meet the non-Federal share of the cost of any program or activity to be funded under the grant, the Administrator may increase the Federal share of the cost thereof to the extent the Administrator deems necessary.

(Pub. L. 93-415, title II, §246, as added Pub. L. 107-273, div. C, title II, §12210(4), Nov. 2, 2002, 116 Stat. 1886.)

PRIOR PROVISIONS

A prior section 5656, Pub. L. 93-415, title II, §245, formerly §246, Sept. 7, 1974, 88 Stat. 1127; Pub. L. 94-273, §2(27), Apr. 21, 1976, 90 Stat. 376; Pub. L. 95-115, §3(a)(3), (5), Oct. 3, 1977, 91 Stat. 1048, 1049; Pub. L. 96-509, §19(m), Dec. 8, 1980, 94 Stat. 2765; renumbered §245, Pub. L. 98-473, title II, §635, Oct. 12, 1984, 98 Stat. 2120, related to annual report by Deputy Administrator on programs funded under this subchapter, prior to repeal by Pub. L. 100-690, title VII, §§7263(a)(2)(C), 7296(a), Nov. 18, 1988, 102 Stat. 4443, 4463, effective Oct. 1, 1988.

A prior section 5657, Pub. L. 93-415, title II, §246, formerly §247, Sept. 7, 1974, 88 Stat. 1127; Pub. L. 95-115, §5(d), Oct. 3, 1977, 91 Stat. 1057; renumbered §246 and amended Pub. L. 98-473, title II, §636, Oct. 12, 1984, 98 Stat. 2120, set forth additional functions of the Institute for Juvenile Justice and Delinquency Prevention, prior to repeal by Pub. L. 100-690, title VII, §§7263(a)(2)(C), 7296(a), Nov. 18, 1988, 102 Stat. 4443, 4463, effective Oct. 1, 1988.

A prior section 5658, Pub. L. 93-415, title II, §248, Sept. 7, 1974, 88 Stat. 1128, set forth provisions relating to restrictions on disclosure and transfer of juvenile records, prior to repeal by Pub. L. 95-115, §5(e)(1), Oct. 3, 1977, 91 Stat. 1057, effective Oct. 1, 1977.

A prior section 5659, Pub. L. 93-415, title II, §245, formerly §249, Sept. 7, 1974, 88 Stat. 1128; renumbered §248 and amended Pub. L. 95-115, §§3(a)(3)(B), 5(e)(1), (f), Oct. 3, 1977, 91 Stat. 1048, 1057; Pub. L. 96-509, §19(n), Dec. 8, 1980, 94 Stat. 2765; renumbered §247 and amended Pub. L. 98-473, title II, §637, Oct. 12, 1984, 98 Stat. 2120; renumbered §245, Pub. L. 100-690, title VII, §7263(a)(2)(E), Nov. 18, 1988, 102 Stat. 4443; Pub. L. 102-586, §2(g)(4), Nov. 4, 1992, 106 Stat. 4996, established a training program of methods and techniques for the prevention and treatment of juvenile delinquency, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

A prior section 5660, Pub. L. 93-415, title II, §246, formerly §250, Sept. 7, 1974, 88 Stat. 1128; renumbered §249 and amended Pub. L. 95-115, §§3(a)(3)(B), 5(e)(1), (2)(A), Oct. 3, 1977, 91 Stat. 1048, 1057; Pub. L. 96-509, §19(o), Dec. 8, 1980, 94 Stat. 2765; renumbered §248 Pub. L. 98-473, title II, §638, Oct. 12, 1984, 98 Stat. 2120; renumbered §246 and amended Pub. L. 100-690, title VII, §7263(a)(2)(E), (b)(2), Nov. 18, 1988, 102 Stat. 4443, 4447; Pub. L. 102-586, §2(g)(5), Nov. 4, 1992, 106 Stat. 4996, related to the curriculum for training program, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

PART D—RESEARCH; EVALUATION; TECHNICAL ASSISTANCE; TRAINING

PRIOR PROVISIONS

A prior part D, consisting of sections 5667 to 5667b, related to gang-free schools and communities and gang intervention, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

§ 5661. Research and evaluation; statistical analyses; information dissemination

(a) Research and evaluation

(1) The Administrator may—

- (A) plan and identify the purposes and goals of all agreements carried out with funds provided under this subsection; and