

Section 5667g, Pub. L. 93-415, title II, §291, as added Pub. L. 102-586, §2(i)(1)(C), Nov. 4, 1992, 106 Stat. 5013, authorized the President to call and conduct a National White House Conference on Juvenile Justice.

Section 5667g-1, Pub. L. 93-415, title II, §291A, as added Pub. L. 102-586, §2(i)(1)(C), Nov. 4, 1992, 106 Stat. 5014, related to Conference participants.

Section 5667g-2, Pub. L. 93-415, title II, §291B, as added Pub. L. 102-586, §2(i)(1)(C), Nov. 4, 1992, 106 Stat. 5015, related to appointment and compensation of directors and detailees.

Section 5667g-3, Pub. L. 93-415, title II, §291C, as added Pub. L. 102-586, §2(i)(1)(C), Nov. 4, 1992, 106 Stat. 5015, related to planning and administration of Conference.

Section 5667g-4, Pub. L. 93-415, title II, §291D, as added Pub. L. 102-586, §2(i)(1)(C), Nov. 4, 1992, 106 Stat. 5015, related to reports.

Section 5667g-5, Pub. L. 93-415, title II, §291E, as added Pub. L. 102-586, §2(i)(1)(C), Nov. 4, 1992, 106 Stat. 5015, related to congressional oversight.

§ 5668. 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 out the projects for which such grants are made.

(Pub. L. 93-415, title II, §264, as added Pub. L. 107-273, div. C, title II, §12212, Nov. 2, 2002, 116 Stat. 1891.)

PART F—GENERAL AND ADMINISTRATIVE PROVISIONS

PRIOR PROVISIONS

A prior part F, consisting of sections 5667d to 5667d-3, related to treatment for juvenile offenders who are victims of child abuse or neglect, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

A prior part G, consisting of sections 5667e to 5667e-8, related to mentoring, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

A prior part H, consisting of sections 5667f to 5667f-3, related to boot camps, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

A prior part I, consisting of sections 5667g to 5667g-5, authorized the president to call a National White House Conference on Juvenile Justice, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(2), Nov. 2, 2002, 116 Stat. 1880.

Part J, consisting of sections 5671 to 5676, was redesignated part F by Pub. L. 107-273, div. C, title II, §12210(3), Nov. 2, 2002, 116 Stat. 1880.

AMENDMENTS

2002—Pub. L. 107-273, div. C, title II, §12210(3), Nov. 2, 2002, 116 Stat. 1880, redesignated part I, which had been redesignated as J for purposes of codification, as F.

1992—Pub. L. 102-586, §2(i)(1)(A), Nov. 4, 1992, 106 Stat. 5006, redesignated part E as I, which was redesignated as J for purposes of codification.

1988—Pub. L. 100-690, title VII, §7266(1), Nov. 18, 1988, 102 Stat. 4449, redesignated part D as E and substituted “GENERAL AND ADMINISTRATIVE PROVISIONS” for “ADMINISTRATIVE PROVISIONS”.

§ 5671. Authorization of appropriations

(a) Authorization of appropriations for this subchapter (excluding parts C and E)

(1) There are authorized to be appropriated to carry out this subchapter such sums as may be appropriate for fiscal years 2003, 2004, 2005, 2006, and 2007.

(2) Of such sums as are appropriated for a fiscal year to carry out this subchapter (other than parts C and E)—

(A) not more than 5 percent shall be available to carry out part A of this subchapter;

(B) not less than 80 percent shall be available to carry out part B of this subchapter; and

(C) not more than 15 percent shall be available to carry out part D of this subchapter.

(b) Authorization of appropriations for part C

There are authorized to be appropriated to carry out part C of this subchapter such sums as may be necessary for fiscal years 2003, 2004, 2005, 2006, and 2007.

(c) Authorization of appropriations for part E

There are authorized to be appropriated to carry out part E of this subchapter, and authorized to remain available until expended, such sums as may be necessary for fiscal years 2003, 2004, 2005, 2006, and 2007.

(d) Experimentation on individuals; prohibition; “behavior control” defined

No funds appropriated to carry out the purposes of this subchapter may be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation. For the purpose of this subsection, the term “behavior control” refers to experimentation or research employing methods which involve a substantial risk of physical or psychological harm to the individual subject and which are intended to modify or alter criminal and other anti-social behavior, including aversive conditioning therapy, drug therapy or chemotherapy (except as part of routine clinical care), physical therapy of mental disorders, electroconvulsive therapy, or physical punishment. The term does not apply to a limited class of programs generally recognized as involving no such risk, including methadone maintenance and certain alcohol treatment programs, psychological counseling, parent training, behavior contracting, survival skills training, restitution, or community service, if safeguards are established for the informed consent of subjects (including parents or guardians of minors).

(Pub. L. 93-415, title II, §299, formerly §261, Sept. 7, 1974, 88 Stat. 1129; Pub. L. 94-273, §32(b), Apr. 21, 1976, 90 Stat. 380; Pub. L. 94-503, title I, §130(a), Oct. 15, 1976, 90 Stat. 2425; Pub. L. 95-115, §6(b), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96-509, §§2(a), 15, Dec. 8, 1980, 94 Stat. 2750, 2760; Pub. L. 98-473, title II, §640, Oct. 12, 1984, 98 Stat. 2121; renumbered §291 and amended Pub. L. 100-690, title VII, §§7265, 7266(3), Nov. 18, 1988, 102 Stat. 4448, 4449; Pub. L. 101-204, title X, §§1001(e)(1), 1002, Dec. 7, 1989, 103 Stat. 1827; renumbered §299 and amended Pub. L. 102-586, §2(i)(1)(B), (j), Nov. 4, 1992, 106 Stat. 5006, 5016; Pub. L. 107-273, div. C, title II, §12213, Nov. 2, 2002, 116 Stat. 1891.)

AMENDMENTS

2002—Subsecs. (a) to (c). Pub. L. 107-273, §12213(2), added subsecs. (a) to (c) and struck out former subsecs. (a) to (c) which related, respectively, to amounts and availability of appropriations for fiscal years 1993 to 1996, percentages available for specific programs, and administrative and supervisory board membership requirements for State agencies.

Subsec. (e). Pub. L. 107-273, §12213(1), struck out subsec. (e) which read as follows: "Of such sums as are appropriated to carry out section 5665(a)(6) of this title, not less than 20 percent shall be reserved by the Administrator for each of fiscal years 1993, 1994, 1995, and 1996, for not less than 2 programs that have not received funds under subpart II of part C of this subchapter prior to October 1, 1992, which shall be selected through the application and approval process set forth in section 5665a of this title."

1992—Subsec. (a). Pub. L. 102-586, §2(j)(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows:

"(1) To carry out the purposes of this subchapter (other than part D) there are authorized to be appropriated such sums as may be necessary for fiscal years 1989, 1990, 1991, and 1992. Funds appropriated for any fiscal year may remain available for obligation until expended.

"(2)(A) Subject to subparagraph (B), to carry out part D of this subchapter, there are authorized to be appropriated \$15,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990, 1991, and 1992.

"(B) No funds may be appropriated to carry out part D of this subchapter for a fiscal year unless the aggregate amount appropriated to carry out this subchapter (other than part D) for such fiscal year is not less than the aggregate amount appropriated to carry out this subchapter (other than part D) for the preceding fiscal year."

Subsec. (e). Pub. L. 102-586, §2(j)(2), added subsec. (e). 1989—Subsec. (a). Pub. L. 101-204, §1001(e)(1), amended directory language of Pub. L. 100-690, §7265(a)(4), see 1988 Amendment note below.

Subsec. (a)(1). Pub. L. 101-204, §1002, substituted "are authorized" for "is authorized".

1988—Subsec. (a). Pub. L. 100-690, §7265(a), as amended by Pub. L. 101-204, §1001(e)(1), designated existing provisions as par. (1), inserted "(other than part D)" after "this subchapter", struck out "1985, 1986, 1987, and 1988" after "fiscal years", inserted "1989, 1990, 1991, and 1992", and added par. (2).

Subsec. (b). Pub. L. 100-690, §7265(b), inserted "(other than part D)" after "this subchapter" in introductory provisions and substituted "5 percent" for "7.5 percent" in par. (1), "70 percent" for "81.5 percent" in par. (2), and "25 percent" for "11 percent" in par. (3).

1984—Subsec. (a). Pub. L. 98-473, amended subsec. (a) generally, substituting provisions relating to authorization of appropriations for fiscal years 1985 to 1988 for former provisions which authorized appropriations for fiscal years 1981 to 1984.

Subsec. (b). Pub. L. 98-473, amended subsec. (b) generally, substituting provisions which set forth specific percentages of appropriations for parts A, B and C for former provisions which also set forth appropriation percentages for juvenile delinquency programs.

Subsec. (c). Pub. L. 98-473, amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "Notwithstanding any other provision of law, if the Administrator determines, in his discretion, that sufficient funds have not been appropriated for any fiscal year for the activities authorized in part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 [42 U.S.C. 3741 et seq.], then the Administrator is authorized to—

"(1) approve any appropriate State agency designated by the Governor of the State involved as the sole agency responsible for supervising the preparation and administration of the State plan submitted under section 5633 of this title; and

"(2) establish appropriate administrative and supervisory board membership requirements for any agency designated in accordance with paragraph (1), and permit the State advisory group appointed under section 5633(a)(2) of this title to operate as the supervisory board for such agency, at the discretion of the Governor."

Subsec. (d). Pub. L. 98-473, in amending section generally, added subsec. (d).

1980—Subsec. (a). Pub. L. 96-509, §2(a), substituted provisions authorizing appropriations of \$200,000,000 for each of fiscal years ending Sept. 30, 1981, Sept. 30, 1982, Sept. 30, 1983, and Sept. 30, 1984, for provisions that had authorized appropriations of \$150,000,000 for fiscal year ending Sept. 30, 1978, \$175,000,000 for fiscal year ending Sept. 30, 1979, and \$200,000,000 for fiscal year ending Sept. 30, 1980.

Subsec. (c). Pub. L. 96-509, §15, added subsec. (c).

1977—Subsec. (a). Pub. L. 95-115 substituted provisions setting forth authorization of appropriations for fiscal year ending Sept. 30, 1978, through fiscal year ending Sept. 30, 1980, and authorization of availability of funds until expended, for provisions setting forth authorization of appropriations for fiscal year ending June 30, 1975, through fiscal year ending Sept. 30, 1977.

1976—Subsec. (a). Pub. L. 94-273 substituted "September 30, 1977" for "June 30, 1977".

Subsec. (b). Pub. L. 94-503 substituted "subsection (a) of this section" for "this section" and "the appropriation for the Law Enforcement Assistance Administration, each fiscal year, at least 19.15 percent of the total appropriations for the Administration, for juvenile delinquency programs" for "other Law Enforcement Assistance Administration appropriations other than the appropriations for administration, at least the same level of financial assistance for juvenile delinquency programs assisted by the Law Enforcement Assistance Administration during fiscal year 1972".

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, as amended, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of this title.

§ 5672. Administrative authority

(a) Authority of Administrator

The Office shall be administered by the Administrator under the general authority of the Attorney General.

(b) Certain crime control provisions applicable

Sections 3789d(c), 3789f(a), 3789f(b), 3789f(c), 3789g(a), 3789g(b), and 3789g(d) of this title, shall apply with respect to the administration of and compliance with this chapter, except that for purposes of this chapter—

(1) any reference to the Office of Justice Programs in such sections shall be deemed to be a reference to the Assistant Attorney General who heads the Office of Justice Programs; and

(2) the term "this chapter" as it appears in such sections shall be deemed to be a reference to this chapter.

(c) Certain other crime control provisions applicable

Sections 3782(a), 3782(c), and 3787 of this title shall apply with respect to the administration of