

(2) by engaging in similar activities.

## **(b) Limitations**

### **(1) Priority**

An Inspector General may not permit staff to engage in activities described in subsection (a) if such activities will interfere with the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).

### **(2) Funding**

No additional funds are authorized to be appropriated to carry out this section.

(Pub. L. 101-647, title XXXVII, §3703, as added Pub. L. 110-344, §9, Oct. 7, 2008, 122 Stat. 3936.)

#### REFERENCES IN TEXT

The Inspector General Act of 1978, referred to in text, is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, which is set out in the Appendix to Title 5, Government Organization and Employees.

#### CODIFICATION

Section was enacted as part of the Crime Control Act of 1990, and not as part of the Missing Children's Assistance Act which comprises this subchapter, nor as part of the Juvenile Justice and Delinquency Prevention Act of 1974 which comprises this chapter.

## **SUBCHAPTER V—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS**

#### CODIFICATION

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974, comprising this subchapter, was originally added to Pub. L. 93-415 by Pub. L. 102-586, §5(a), Nov. 4, 1992, 106 Stat. 5027, and amended by Pub. L. 105-277, Oct. 21, 1998, 112 Stat. 2681. Title V is shown herein, however, as having been added by Pub. L. 107-273, div. C, title II, §12222(a), Nov. 2, 2002, 116 Stat. 1894, without reference to the intervening amendments because of the extensive revision of the title's provisions by Pub. L. 107-273.

Another title V of the Juvenile Justice and Delinquency Prevention Act of 1974, Pub. L. 93-415, title V, Sept. 7, 1974, 88 Stat. 1133, enacted chapter 319 and sections 5038 to 5042 of Title 18, Crimes and Criminal Procedure, and sections 3772 to 3774 of this title, and amended sections 5031 to 5038 of Title 18 and sections 3701, 3723, 3733, 3768 of this title. For complete classification of that title V to the Code, see Tables.

### **§ 5781. Definition**

In this subchapter, the term “State advisory group” means the advisory group appointed by the chief executive officer of a State under a plan described in section 5633(a) of this title.

(Pub. L. 93-415, title V, §502, as added Pub. L. 107-273, div. C, title II, §12222(a), Nov. 2, 2002, 116 Stat. 1894.)

#### CODIFICATION

Another section 502 of Pub. L. 93-415, title V, Sept. 7, 1974, 88 Stat. 1134, amended section 5032 of Title 18, Crimes and Criminal Procedure.

#### PRIOR PROVISIONS

A prior section 5781, Pub. L. 93-415, title V, §502, as added Pub. L. 102-586, §5(a), Nov. 4, 1992, 106 Stat. 5027, related to findings, prior to the general amendment of this subchapter by Pub. L. 107-273.

#### EFFECTIVE DATE

Pub. L. 107-273, div. C, title II, §12222(b), Nov. 2, 2002, 116 Stat. 1896, as amended by Pub. L. 108-7, div. B, title

I, §110(1), Feb. 20, 2003, 117 Stat. 67, provided that: “The amendment made by subsection (a) [enacting sections 5781 to 5784 of this title and provisions set out as a note under section 5601 of this title] shall take effect on the effective date provided in section 12102(b) [set out as a note under section 3796ee of this title], and shall not apply with respect to grants made before such date.”

#### SHORT TITLE

For short title of title V of Pub. L. 93-415, which enacted this subchapter, as the “Incentive Grants for Local Delinquency Prevention Programs Act of 2002”, see section 501 of Pub. L. 93-415, as added by Pub. L. 107-273, set out as a note under section 5601 of this title.

#### GAO STUDIES AND REPORTS

Pub. L. 102-586, §5(b), Nov. 4, 1992, 106 Stat. 5029, as amended by Pub. L. 104-316, title I, §122(n), Oct. 19, 1996, 110 Stat. 3838; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814, provided that: “Under such conditions as the Comptroller General of the United States determines appropriate, the Government Accountability Office may conduct studies and report to Congress on the effects of the program established by subsection (a) [enacting former subchapter V of this chapter] in encouraging States and units of general local government to comply with the requirements of part B of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5631-5633).”

### **§ 5782. Duties and functions of the Administrator**

The Administrator shall—

(1) issue such rules as are necessary or appropriate to carry out this subchapter;

(2) make such arrangements as are necessary and appropriate to facilitate coordination and policy development among all activities funded through the Department of Justice relating to delinquency prevention (including the preparation of an annual comprehensive plan for facilitating such coordination and policy development);

(3) provide adequate staff and resources necessary to properly carry out this subchapter; and

(4) not later than 180 days after the end of each fiscal year, submit a report to the chairman of the Committee on Education and the Workforce of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate—

(A) describing activities and accomplishments of grant activities funded under this subchapter;

(B) describing procedures followed to disseminate grant activity products and research findings;

(C) describing activities conducted to develop policy and to coordinate Federal agency and interagency efforts related to delinquency prevention; and

(D) identifying successful approaches and making recommendations for future activities to be conducted under this subchapter.

(Pub. L. 93-415, title V, §503, as added Pub. L. 107-273, div. C, title II, §12222(a), Nov. 2, 2002, 116 Stat. 1894.)

#### CODIFICATION

Another section 503 of Pub. L. 93-415, title V, Sept. 7, 1974, 88 Stat. 1135, amended section 5033 of Title 18, Crimes and Criminal Procedure.

#### PRIOR PROVISIONS

A prior section 5782, Pub. L. 93-415, title V, §503, as added Pub. L. 102-586, §5(a), Nov. 4, 1992, 106 Stat. 5027,

defined “State advisory group”, prior to the general amendment of this subchapter by Pub. L. 107-273.

**§ 5783. Grants for delinquency prevention programs**

**(a) Purposes**

The Administrator may make grants to a State, to be transmitted through the State advisory group to units of local government that meet the requirements of subsection (b), or to federally recognized Indian tribe<sup>1</sup> or consortia of federally recognized Indian tribes under subsection (d), for delinquency prevention programs and activities for juveniles who have had contact with the juvenile justice system or who are likely to have contact with the juvenile justice system, including the provision to juveniles and their families of—

- (1) alcohol and substance abuse prevention services;
- (2) tutoring and remedial education, especially in reading and mathematics;
- (3) child and adolescent health and mental health services;
- (4) recreation services;
- (5) leadership and youth development activities;
- (6) the teaching that people are and should be held accountable for their actions;
- (7) assistance in the development of job training skills; and
- (8) other data-driven evidence based prevention programs.

**(b) Eligibility**

The requirements of this subsection are met with respect to a unit of general local government if—

- (1) the unit is in compliance with the requirements of part B of subchapter II of this chapter;
- (2) the unit has submitted to the State advisory group a minimum 3-year comprehensive plan outlining the unit's local front end plans for investment for delinquency prevention and early intervention activities;
- (3) the unit has included in its application to the Administrator for formula grant funds a summary of the minimum 3-year comprehensive plan described in paragraph (2);
- (4) pursuant to its minimum 3-year comprehensive plan, the unit has appointed a local policy board of not fewer than 15 and not more than 21 members, with balanced representation of public agencies and private nonprofit organizations serving juveniles, their families, and business and industry;
- (5) the unit has, in order to aid in the prevention of delinquency, included in its application a plan for the coordination of services to at-risk juveniles and their families, including such programs as nutrition, energy assistance, and housing;
- (6) the local policy board is empowered to make all recommendations for distribution of funds and evaluation of activities funded under this subchapter; and
- (7) the unit or State has agreed to provide a 50 percent match of the amount of the grant,

including the value of in-kind contributions, to fund the activity.

**(c) Priority**

In considering grant applications under this section, the Administrator shall give priority to applicants that demonstrate ability in—

- (1) plans for service and agency coordination and collaboration including the colocation of services;
- (2) innovative ways to involve the private nonprofit and business sector in delinquency prevention activities;
- (3) developing or enhancing a statewide subsidy program to local governments that is dedicated to early intervention and delinquency prevention;
- (4) coordinating and collaborating with programs established in local communities for delinquency prevention under part C of subchapter II of this chapter;<sup>2</sup> and
- (5) developing data-driven prevention plans, employing evidence-based prevention strategies, and conducting program evaluations to determine impact and effectiveness.

**(d) Grants for tribal delinquency prevention and response programs**

**(1) 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 paragraph (2)—

- (A) to support and enhance—
  - (i) tribal juvenile delinquency prevention services; and
  - (ii) the ability of Indian tribes to respond to, and care for, juvenile offenders; and
- (B) to encourage accountability of Indian tribal governments with respect to preventing juvenile delinquency and responding to, and caring for, juvenile offenders.

**(2) Eligible Indian tribes**

To be eligible to receive a grant under this subsection, an Indian tribe or consortium of Indian tribes shall submit to the Administrator an application in such form and containing such information as the Administrator may require.

**(3) Considerations**

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

- (A) juvenile crime rates;
- (B) dropout rates; and
- (C) number of at-risk youth.

**(4) Authorization of appropriations**

There is authorized to be appropriated \$25,000,000 for each of fiscal years 2011 through 2015.

(Pub. L. 93-415, title V, §504, as added Pub. L. 107-273, div. C, title II, §12222(a), Nov. 2, 2002, 116 Stat. 1895; amended Pub. L. 111-211, title II, §246(a), July 29, 2010, 124 Stat. 2295.)

<sup>1</sup> So in original. Probably should be “tribes”.

<sup>2</sup> See References in Text note below.