

ity-based programs that are designed to enhance school safety;”.

Subsec. (b)(17). Pub. L. 109-162, §1165, added par. (17).

#### EFFECTIVE DATE

Pub. L. 107-273, div. C, title II, §12102(b), Nov. 2, 2002, 116 Stat. 1869, provided that: “The amendments made by subsection (a) [enacting this subchapter] shall take effect on the first day of the first fiscal year that begins after the date of enactment of this Act [Nov. 2, 2002].”

### § 3796ee-1. Tribal grant program authorized

#### (a) In general

From the amount reserved under section 3796ee-10(b) of this title, the Attorney General shall make grants to Indian tribes for programs to strengthen tribal juvenile justice systems and to hold tribal youth accountable.

#### (b) Eligibility

Indian tribes, as defined by section 479a of title 25, or a consortia of such tribes, shall submit to the Attorney General an application in such form and containing such information as the Attorney General may require. Only tribes that carry out tribal juvenile justice functions shall be eligible to receive a grant under this section.

#### (c) Awards

The Attorney General shall award grants under this section on a competitive basis.

#### (d) Guidelines

The Attorney General shall issue guidelines establishing application, use, and award criteria and processes consistent with the purposes and requirements of this Act.

(Pub. L. 90-351, title I, §1801A, as added Pub. L. 107-273, div. C, title II, §12102(a), Nov. 2, 2002, 116 Stat. 1861.)

#### REFERENCES IN TEXT

This Act, referred to in subsec. (d), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197, as amended, known as the Omnibus Crime Control and Safe Streets Act of 1968. For complete classification of this Act to the Code, see Short Title note set out under section 3711 of this title and Tables.

#### PRIOR PROVISIONS

A prior section 3796ee-1, Pub. L. 90-351, title I, §1802, as added Pub. L. 103-322, title II, §20201(a)(3), Sept. 13, 1994, 108 Stat. 1820, related to State applications for grants, prior to the general amendment of this subchapter by Pub. L. 107-273.

### § 3796ee-2. Grant eligibility

#### (a) State eligibility

To be eligible to receive a grant under this subchapter, a State shall submit to the Attorney General an application at such time, in such form, and containing such assurances and information as the Attorney General may require by guidelines, including—

(1) information about—

(A) the activities proposed to be carried out with such grant; and

(B) the criteria by which the State proposes to assess the effectiveness of such activities on achieving the purposes of this

subchapter, including the extent to which evidence-based approaches are utilized; and

(2) assurances that the State and any unit of local government to which the State provides funding under section 3796ee-3(b) of this title, has in effect (or shall have in effect, not later than 1 year after the date that the State submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the State submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (d) of this section.

#### (b) Local eligibility

##### (1) Subgrant eligibility

To be eligible to receive a subgrant, a unit of local government, other than a specially qualified unit, shall provide to the State—

(A) information about—

(i) the activities proposed to be carried out with such subgrant; and

(ii) the criteria by which the unit proposes to assess the effectiveness of such activities on achieving the purposes of this subchapter, including the extent to which evidence-based approaches are utilized; and

(B) such assurances as the State shall require, that, to the maximum extent applicable, the unit of local government has in effect (or shall have in effect, not later than 1 year after the date that the unit submits such application) laws, or has implemented (or shall implement, not later than 1 year after the date that the unit submits such application) policies and programs, that provide for a system of graduated sanctions described in subsection (d) of this section.

##### (2) Special rule

The requirements of paragraph (1) shall apply to a specially qualified unit that receives funds from the Attorney General under section 3796ee-3(e) of this title, except that information that is otherwise required to be submitted to the State shall be submitted to the Attorney General.

#### (c) Role of courts

In the development of the grant application, the States and units of local governments shall take into consideration the needs of the judicial branch in strengthening the juvenile justice system and specifically seek the advice of the chief of the highest court of the State and where appropriate, the chief judge of the local court, with respect to the application.

#### (d) Graduated sanctions

A system of graduated sanctions, which may be discretionary as provided in subsection (e) of this section, shall ensure, at a minimum, that—

(1) sanctions are imposed on a juvenile offender for each delinquent offense;

(2) sanctions escalate in intensity with each subsequent, more serious delinquent offense;

(3) there is sufficient flexibility to allow for individualized sanctions and services suited to the individual juvenile offender; and

(4) appropriate consideration is given to public safety and victims of crime.