

make grants to States, units of local government, territories, Indian Tribes, and other public and private entities to—

(1) evaluate methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities;

(2) identify, and make recommendations to the Attorney General regarding, best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities, based on the evaluation under paragraph (1); and

(3) improve the academic and vocational education programs (including technology career training) available to offenders in prisons, jails, and juvenile facilities.

(b) Application

To be eligible for a grant under this subchapter, a State or other entity described in subsection (a) shall submit to the Attorney General an application in such form and manner, at such time, and accompanied by such information as the Attorney General specifies.

(c) Report

Not later than 90 days after the last day of the final fiscal year of a grant under this subchapter, each entity described in subsection (a) receiving such a grant shall submit to the Attorney General a detailed report of the progress made by the entity using such grant, to permit the Attorney General to evaluate and improve academic and vocational education methods carried out with grants under this subchapter.

(Pub. L. 90-351, title I, §3001, as added Pub. L. 110-199, title I, §114(2), Apr. 9, 2008, 122 Stat. 677.)

CODIFICATION

Another section 3001 of Pub. L. 90-351 is classified to section 3797cc-21 of this title.

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 17504 of this title.

§ 3797dd-1. Authorization of appropriations

There are authorized to be appropriated \$5,000,000 to carry out this subchapter for each of fiscal years 2009 and 2010.

(Pub. L. 90-351, title I, §3002, as added Pub. L. 110-199, title I, §114(2), Apr. 9, 2008, 122 Stat. 677.)

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 17504 of this title.

SUBCHAPTER XXI—SEX OFFENDER APPREHENSION GRANTS; JUVENILE SEX OFFENDER TREATMENT GRANTS

CODIFICATION

This subchapter is comprised of part KK, formerly part X, of title I of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, as added by Pub. L. 109-248, title VI, §623, July 27, 2006, 120 Stat. 635, and redesignated part KK by Pub. L. 110-199, title I, §114(1), Apr. 9, 2008, 122 Stat. 677. Another part X of title I of Pub. L. 90-351, as added by Pub. L. 103-322, title XXI, §210302(c)(1)(C), Sept. 13, 1994, 108 Stat. 2066, is

classified to subchapter XII-L (§3796kk et seq.) of this chapter.

Pub. L. 110-199, title I, §114(1), Apr. 9, 2008, 122 Stat. 677, which directed amendment of title I of the Omnibus Crime Control and Safe Streets Act of 1968 by redesignating part X as part KK, was executed by redesignating part X of title I of Pub. L. 90-351, as added by Pub. L. 109-248, as part KK to reflect the probable intent of Congress.

§ 3797ee. Sex offender apprehension grants

(a) Authority to make sex offender apprehension grants

(1) In general

From amounts made available to carry out this subchapter, the Attorney General may make grants to States, units of local government, Indian tribal governments, other public and private entities, and multi-jurisdictional or regional consortia thereof for activities specified in paragraph (2).

(2) Covered activities

An activity referred to in paragraph (1) is any program, project, or other activity to assist a State in enforcing sex offender registration requirements.

(b) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary for fiscal years 2007 through 2009 to carry out this subchapter.

(Pub. L. 90-351, title I, §3011, as added Pub. L. 109-248, title VI, §623, July 27, 2006, 120 Stat. 635.)

§ 3797ee-1. Juvenile sex offender treatment grants

(a) Authority to make juvenile sex offender treatment grants

(1) In general

From amounts made available to carry out this subchapter, the Attorney General may make grants to units of local government, Indian tribal governments, correctional facilities, other public and private entities, and multijurisdictional or regional consortia thereof for activities specified in paragraph (2).

(2) Covered activities

An activity referred to in paragraph (1) is any program, project, or other activity to assist in the treatment of juvenile sex offenders.

(b) Juvenile sex offender defined

For purposes of this section, the term “juvenile sex offender” is a sex offender who had not attained the age of 18 years at the time of his or her offense.

(c) Authorization of appropriations

There are authorized to be appropriated \$10,000,000 for each of fiscal years 2007 through 2009 to carry out this subchapter.

(Pub. L. 90-351, title I, §3012, as added Pub. L. 109-248, title VI, §623, July 27, 2006, 120 Stat. 635.)

SUBCHAPTER XXII—COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM

§ 3797ff. Description

(a) Grants authorized

From amounts made available to carry out this subchapter, the Attorney General may

make grants to States, units of local government, and Indian tribes, for use by the State, unit of local government, or Indian tribe to provide services primarily relating to opioid abuse, including for any one or more of the following:

(1) Developing, implementing, or expanding a treatment alternative to incarceration program, which may include—

(A) prebooking or postbooking components, which may include the activities described in subchapter XV-B or XIX of this chapter;

(B) training for criminal justice agency personnel on substance use disorders and co-occurring mental illness and substance use disorders;

(C) a mental health court, including the activities described in subchapter XII-J of this chapter;

(D) a drug court, including the activities described in subchapter XVI of this chapter;

(E) a veterans treatment court program, including the activities described in subsection (i) of section 3797aa of this title;

(F) a focus on parents whose incarceration could result in their children entering the child welfare system; and

(G) a community-based substance use diversion program sponsored by a law enforcement agency.

(2) In the case of a State, facilitating or enhancing planning and collaboration between State criminal justice agencies and State substance abuse agencies in order to more efficiently and effectively carry out activities or services described in any paragraph of this subsection that address problems related to opioid abuse.

(3) Providing training and resources for first responders on carrying and administering an opioid overdose reversal drug or device approved or cleared by the Food and Drug Administration, and purchasing such a drug or device for first responders who have received such training to so carry and administer.

(4) Locating or investigating illicit activities related to the unlawful distribution of opioids.

(5) Developing, implementing, or expanding a medication-assisted treatment program used or operated by a criminal justice agency, which may include training criminal justice agency personnel on medication-assisted treatment, and carrying out the activities described in subchapter XII-G of this chapter.

(6) In the case of a State, developing, implementing, or expanding a prescription drug monitoring program to collect and analyze data related to the prescribing of schedules II, III, and IV controlled substances through a centralized database administered by an authorized State agency, which includes tracking the dispensation of such substances, and providing for interoperability and data sharing with each other such program in each other State, and with any interstate entity that shares information between such programs.

(7) Developing, implementing, or expanding a program to prevent and address opioid abuse by juveniles.

(8) Developing, implementing, or expanding a program (which may include demonstration projects) to utilize technology that provides a secure container for prescription drugs that would prevent or deter individuals, particularly adolescents, from gaining access to opioid medications that are lawfully prescribed for other individuals.

(9) Developing, implementing, or expanding a prescription drug take-back program.

(10) Developing, implementing, or expanding an integrated and comprehensive opioid abuse response program.

(b) Contracts and subawards

A State, unit of local government, or Indian tribe may, in using a grant under this subchapter for purposes authorized by subsection (a), use all or a portion of that grant to contract with, or make one or more subawards to, one or more—

(1) local or regional organizations that are private and nonprofit, including faith-based organizations;

(2) units of local government; or

(3) tribal organizations.

(c) Program assessment component; waiver

(1) Program assessment component

Each program funded under this subchapter shall contain a program assessment component, developed pursuant to guidelines established by the Attorney General, in coordination with the National Institute of Justice.

(2) Waiver

The Attorney General may waive the requirement of paragraph (1) with respect to a program if, in the opinion of the Attorney General, the program is not of sufficient size to justify a full program assessment.

(d) Administrative costs

Not more than 10 percent of a grant made under this subchapter may be used for costs incurred to administer such grant.

(e) Period

The period of a grant made under this subchapter may not be longer than 4 years, except that renewals and extensions beyond that period may be granted at the discretion of the Attorney General.

(Pub. L. 90-351, title I, §3021, as added Pub. L. 114-198, title II, §201(a)(1), July 22, 2016, 130 Stat. 711.)

REFERENCES IN TEXT

Schedules II, III, and IV controlled substances, referred to in subsec. (a)(6), are set out in section 812(c) of Title 21, Food and Drugs.

§ 3797ff-1. Applications

To request a grant under this subchapter, the chief executive officer of a State, unit of local government, or Indian tribe shall submit an application to the Attorney General at such time and in such form as the Attorney General may require. Such application shall include the following:

(1) A certification that Federal funds made available under this subchapter will not be

used to supplant State, local, or tribal funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for the activities described in section 3797ff(a) of this title.

(2) An assurance that, for each fiscal year covered by an application, the applicant shall maintain and report such data, records, and information (programmatic and financial) as the Attorney General may reasonably require.

(3) A certification, made in a form acceptable to the Attorney General and executed by the chief executive officer of the applicant (or by another officer of the applicant, if qualified under regulations promulgated by the Attorney General), that—

(A) the activities or services to be funded by the grant meet all the requirements of this subchapter;

(B) all the information contained in the application is correct;

(C) there has been appropriate coordination with affected agencies; and

(D) the applicant will comply with all provisions of this subchapter and all other applicable Federal laws.

(4) An assurance that the applicant will work with the Drug Enforcement Administration to develop an integrated and comprehensive strategy to address opioid abuse.

(Pub. L. 90-351, title I, §3022, as added Pub. L. 114-198, title II, §201(a)(1), July 22, 2016, 130 Stat. 712.)

§ 3797ff-2. Review of applications

The Attorney General shall not finally disapprove any application (or any amendment to that application) submitted under this subchapter without first affording the applicant reasonable notice of any deficiencies in the application and an opportunity for correction of any such deficiencies and reconsideration.

(Pub. L. 90-351, title I, §3023, as added Pub. L. 114-198, title II, §201(a)(1), July 22, 2016, 130 Stat. 713.)

§ 3797ff-3. Equitable distribution of funds

In awarding grants under this subchapter, the Attorney General shall distribute funds in a manner that—

(1) equitably addresses the needs of underserved populations, including rural and tribal communities; and

(2) focuses on communities that have been disproportionately impacted by opioid abuse as evidenced in part by—

(A) high rates of primary treatment admissions for heroin and other opioids;

(B) high rates of drug poisoning deaths from heroin and other opioids; and

(C) a lack of accessibility to treatment providers and facilities and to emergency medical services.

(Pub. L. 90-351, title I, §3024, as added Pub. L. 114-198, title II, §201(a)(1), July 22, 2016, 130 Stat. 713.)

§ 3797ff-4. Definitions

In this subchapter:

(1) The term “first responder” includes a firefighter, law enforcement officer, paramedic, emergency medical technician, or other individual (including an employee of a legally organized and recognized volunteer organization, whether compensated or not), who, in the course of his or her professional duties, responds to fire, medical, hazardous material, or other similar emergencies.

(2) The term “medication-assisted treatment” means the use of medications approved by the Food and Drug Administration for the treatment of opioid abuse.

(3) The term “opioid” means any drug, including heroin, having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability.

(4) The term “schedule II, III, or IV controlled substance” means a controlled substance that is listed on schedule II, schedule III, or schedule IV of section 812(c) of title 21.

(5) The terms “drug” and “device” have the meanings given those terms in section 321 of title 21.

(6) The term “criminal justice agency” means a State, local, or tribal—

(A) court;

(B) prison;

(C) jail;

(D) law enforcement agency; or

(E) other agency that performs the administration of criminal justice, including prosecution, pretrial services, and community supervision.

(7) The term “tribal organization” has the meaning given that term in section 5304 of title 25.

(8) The term “State substance abuse agency” has the meaning given that term in section 290bb-1(r)(6) of this title.

(Pub. L. 90-351, title I, §3025, as added Pub. L. 114-198, title II, §201(a)(1), July 22, 2016, 130 Stat. 713.)

§ 3797ff-5. Grant accountability

(a) Definition of applicable committees

In this section, the term “applicable committees” means—

(1) the Committee on the Judiciary of the Senate; and

(2) the Committee on the Judiciary of the House of Representatives.

(b) Accountability

All grants awarded by the Attorney General under this subchapter shall be subject to the following accountability provisions:

(1) Audit requirement

(A) Definition

In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

(B) Audit

Beginning in the first fiscal year beginning after July 22, 2016, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this subchapter to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) Mandatory exclusion

A recipient of grant funds under this subchapter that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this subchapter during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) Priority

In awarding grants under this subchapter, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this subchapter.

(E) Reimbursement

If an entity is awarded grant funds under this subchapter during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

- (i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and
- (ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) Nonprofit organization requirements**(A) Definition**

For purposes of this paragraph and the grant programs under this subchapter, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of title 26 and is exempt from taxation under section 501(a) of such title.

(B) Prohibition

A nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of title 26 may not—

- (i) be party to a contract entered into under section 3797ff(b) of this title; or
- (ii) receive a subaward under section 3797ff(b) of this title.

(C) Disclosure

Each nonprofit organization that receives a subaward or is party to a contract entered into under section 3797ff(b) of this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose, in the application for such contract or subaward, the process for deter-

mining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subparagraph available for public inspection.

(3) Conference expenditures**(A) Limitation**

No amounts made available to the Attorney General under this subchapter may be used by the Attorney General, or by any State, unit of local government, or entity awarded a grant, subaward, or contract under this subchapter, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the Attorney General, unless the head of the relevant agency, bureau, or program office provides prior written authorization that the funds may be expended to host or support the conference.

(B) Written authorization

Written authorization under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) Report

The Deputy Attorney General shall submit to the applicable committees an annual report on all conference expenditures approved by the Attorney General under this paragraph.

(4) Annual certification

Beginning in the first fiscal year beginning after July 22, 2016, the Attorney General shall submit to the applicable committees an annual certification—

(A) indicating whether—

- (i) all audits issued by the Inspector General of the Department of Justice under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;
- (ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and
- (iii) all reimbursements required under paragraph (1)(E) have been made; and

(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

(c) Preventing duplicative grants**(1) In general**

Before the Attorney General awards a grant to an applicant under this subchapter, the Attorney General shall compare potential grant awards with other grants awarded under this subchapter by the Attorney General to determine if duplicate grant awards are awarded for the same purpose.

(2) Report

If the Attorney General awards duplicate grants under this subchapter to the same ap-

plicant for the same purpose, the Attorney General shall submit to the applicable committees a report that includes—

(A) a list of all duplicate grants awarded under this subchapter, including the total dollar amount of any duplicate grants awarded; and

(B) the reason the Attorney General awarded the duplicate grants.

(Pub. L. 90-351, title I, §3026, as added Pub. L. 114-198, title VII, §701(a), July 22, 2016, 130 Stat. 735.)

§ 3797ff-6. Evaluation of performance of Department of Justice programs

(1) Evaluation of Justice Department Comprehensive Opioid Abuse Grant Program

Not later than 5 years after July 22, 2016, the Attorney General shall complete an evaluation of the effectiveness of the Comprehensive Opioid Abuse Grant Program under part LL of title I of the Omnibus Crime Control and Safe Streets Act of 1968 [42 U.S.C. 3797ff et seq.] administered by the Department of Justice based upon the information reported under paragraph (4).

(2) Interim evaluation

Not later than 3 years after July 22, 2016, the Attorney General shall complete an interim evaluation assessing the nature and extent of the incidence of opioid abuse and illegal opioid distribution in the United States.

(3) Metrics and outcomes for evaluation

Not later than 180 days after July 22, 2016, the Attorney General shall identify outcomes that are to be achieved by activities funded by the Comprehensive Opioid Abuse Grant Program and the metrics by which the achievement of such outcomes shall be determined.

(4) Metrics data collection

The Attorney General shall require grantees under the Comprehensive Opioid Abuse Grant Program (and those receiving subawards under section 3021(b) of part LL of title I of the Omnibus Crime Control and Safe Streets Act of 1968 [42 U.S.C. 3797ff(b)]) to collect and annually report to the Department of Justice data based upon the metrics identified under paragraph (3).

(5) Publication of data and findings

(A) Publication of outcomes and metrics

The Attorney General shall, not later than 30 days after completion of the requirement under paragraph (3), publish the outcomes and metrics identified under that paragraph.

(B) Publication of evaluation

In the case of the interim evaluation under paragraph (2), and the final evaluation under paragraph (1), the entity conducting the evaluation shall, not later than 90 days after such an evaluation is completed, publish the results of such evaluation and issue a report on such evaluation to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate. Such report shall also be published along with the data used to make such evaluation.

(6) Independent evaluation

For purposes of paragraphs (1), (2), and (3), the Attorney General shall—

(A) enter into an arrangement with the National Academy of Sciences; or

(B) enter into a contract or cooperative agreement with an entity that is not an agency of the Federal Government, and is qualified to conduct and evaluate research pertaining to opioid use and abuse, and draw conclusions about overall opioid use and abuse on the basis of that research.

(Pub. L. 114-198, title VII, §701(b), July 22, 2016, 130 Stat. 737.)

REFERENCES IN TEXT

The Omnibus Crime Control and Safe Streets Act of 1968, referred to in par. (1), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197. Part LL of title I of the Act is classified generally to this subchapter. For complete classification of this Act to the Code, see Short Title note set out under section 3711 of this title and Tables.

CODIFICATION

Section was enacted as part of the Comprehensive Addiction and Recovery Act of 2016, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

CHAPTER 47—JUVENILE DELINQUENCY PREVENTION AND CONTROL

§ 3801. Omitted

CODIFICATION

Section, Pub. L. 90-445, §2, as added Pub. L. 92-381, §1, Aug. 14, 1972, 86 Stat. 532, which set out the Congressional findings and declaration of purpose for this chapter, was omitted in view of appropriations not being authorized for fiscal years after 1975.

A prior section 3801, Pub. L. 90-445, §2, July 31, 1968, 82 Stat. 462, related to similar subject matter, prior to the general amendment of Pub. L. 90-445 by section 1 of Pub. L. 92-381.

SUBCHAPTER I—PREVENTIVE SERVICES AND DEMONSTRATION PROGRAMS

PART A—COMMUNITY-BASED COORDINATED YOUTH SERVICES

§§ 3811 to 3814. Omitted

CODIFICATION

Appropriations for this part have not been authorized for fiscal years after 1975.

Section 3811, Pub. L. 90-445, title I, §101, as added Pub. L. 92-381, §1, Aug. 14, 1972, 86 Stat. 532; amended Pub. L. 93-415, title IV, §401(3), Sept. 7, 1974, 88 Stat. 1132, set out Congressional statement of purpose for community-based coordinated youth services.

A prior section 3811, Pub. L. 90-445, title I, §101, July 31, 1968, 82 Stat. 463, related to Secretary's authority to make grants for State and local planning, prior to the general amendment of Pub. L. 90-445 by section 1 of Pub. L. 92-381.

Provisions similar to those comprising this section were contained in prior sections 3821 and 3831, Pub. L. 90-445, title I, §§111, 121, July 31, 1968, 82 Stat. 463, 465, prior to the general amendment of Pub. L. 90-445 by section 1 of Pub. L. 92-381.

Title IV of Pub. L. 93-415 was repealed by Pub. L. 95-115, §10, Oct. 3, 1977, 91 Stat. 1061, and Pub. L. 107-273, div. C, title II, §12221(a)(4), Nov. 2, 2002, 116 Stat. 1894.

Section 3812, Pub. L. 90-445, title I, §102, as added Pub. L. 92-381, §1, Aug. 14, 1972, 86 Stat. 532; amended Pub. L. 93-415, title IV, §401(3), Sept. 7, 1974, 88 Stat. 1132, related to grants for planning community-based programs.

A prior section 3812, Pub. L. 90-445, title I, §102, July 31, 1968, 82 Stat. 463, related to grants for planning