

cated among eligible States proportionately based on the population that is less than 18 years of age in the eligible States.

**(b) Allocation among Indian tribes collectively**

Before allocating funds under subsection (a) of this section among eligible States, the Administrator shall allocate among eligible Indian tribes as determined under section 5656(a) of this title, an aggregate amount equal to the amount such tribes would be allocated under subsection (a) of this section, and without regard to this subsection, if such tribes were treated collectively as an eligible State.

(Pub. L. 93-415, title II, §242, as added Pub. L. 107-273, div. C, title II, §12210(4), Nov. 2, 2002, 116 Stat. 1884.)

PRIOR PROVISIONS

A prior section 5652, Pub. L. 93-415, title II, §242, Sept. 7, 1974, 88 Stat. 1126; Pub. L. 100-690, title VII, §7260, Nov. 18, 1988, 102 Stat. 4441; Pub. L. 102-586, §2(g)(2), Nov. 4, 1992, 106 Stat. 4995, related to the information function of the Institute, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

**§ 5653. Eligibility of States**

**(a) Application**

To be eligible to receive a grant under section 5651 of this title, a State shall submit to the Administrator an application that contains the following:

(1) An assurance that the State will use—

(A) not more than 5 percent of such grant, in the aggregate, for—

(i) the costs incurred by the State to carry out this part; and

(ii) to evaluate, and provide technical assistance relating to, projects and activities carried out with funds provided under this part; and

(B) the remainder of such grant to make grants under section 5654 of this title.

(2) An assurance that, and a detailed description of how, such grant will supplement, and not supplant State and local efforts to prevent juvenile delinquency.

(3) An assurance that such application was prepared after consultation with and participation by the State advisory group, community-based organizations, and organizations in the local juvenile justice system, that carry out programs, projects, or activities to prevent juvenile delinquency.

(4) An assurance that the State advisory group will be afforded the opportunity to review and comment on all grant applications submitted to the State agency.

(5) An assurance that each eligible entity described in section 5654 of this title that receives an initial grant under section 5654 of this title to carry out a project or activity shall also receive an assurance from the State that such entity will receive from the State, for the subsequent fiscal year to carry out such project or activity, a grant under such section in an amount that is proportional, based on such initial grant and on the amount of the grant received under section 5651 of this

title by the State for such subsequent fiscal year, but that does not exceed the amount specified for such subsequent fiscal year in such application as approved by the State.

(6) Such other information and assurances as the Administrator may reasonably require by rule.

**(b) Approval of applications**

**(1) Approval required**

Subject to paragraph (2), the Administrator shall approve an application, and amendments to such application submitted in subsequent fiscal years, that satisfy the requirements of subsection (a) of this section.

**(2) Limitation**

The Administrator may not approve such application (including amendments to such application) for a fiscal year unless—

(A)(i) the State submitted a plan under section 5633 of this title for such fiscal year; and

(ii) such plan is approved by the Administrator for such fiscal year; or

(B) the Administrator waives the application of subparagraph (A) to such State for such fiscal year, after finding good cause for such a waiver.

(Pub. L. 93-415, title II, §243, as added Pub. L. 107-273, div. C, title II, §12210(4), Nov. 2, 2002, 116 Stat. 1884.)

PRIOR PROVISIONS

A prior section 5653, Pub. L. 93-415, title II, §243, Sept. 7, 1974, 88 Stat. 1126; Pub. L. 95-115, §§3(a)(3)(B), 5(b), Oct. 3, 1977, 91 Stat. 1048, 1057; Pub. L. 98-473, title II, §632, Oct. 12, 1984, 98 Stat. 2118; Pub. L. 100-690, title VII, §7261, Nov. 18, 1988, 102 Stat. 4442; Pub. L. 102-586, §2(g)(3), Nov. 4, 1992, 106 Stat. 4995, related to research, demonstration, and evaluation, prior to repeal by Pub. L. 107-273, div. C, title II, §12210(1), Nov. 2, 2002, 116 Stat. 1880.

**§ 5654. Grants for local projects**

**(a) Grants by States**

Using a grant received under section 5651 of this title, a State may make grants to eligible entities whose applications are received by the State, and reviewed by the State advisory group, to carry out projects and activities described in section 5651 of this title.

**(b) Special consideration**

For purposes of making grants under subsection (a) of this section, the State shall give special consideration to eligible entities that—

(1) propose to carry out such projects in geographical areas in which there is—

(A) a disproportionately high level of serious crime committed by juveniles; or

(B) a recent rapid increase in the number of nonstatus offenses committed by juveniles;

(2)(A) agreed to carry out such projects or activities that are multidisciplinary and involve more than 2 private nonprofit agencies, organizations, and institutions that have experience dealing with juveniles; or

(B) represent communities that have a comprehensive plan designed to identify at-risk ju-