

the first fiscal year commencing on or after October 28, 2000, and not later than 180 days after the last day of each fiscal year thereafter,” in introductory provisions.

Subsec. (e). Pub. L. 109-162, §306(3), added subsec. (e) and struck out former subsec. (e). Text read as follows: “There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2001 and 2002.”

Subsec. (e)(2). Pub. L. 109-271, §7(d)(2)(A), redesignated subpars. (B) and (C) as (A) and (B), respectively, and struck out former subpar. (A) which read as follows: “set aside not less than 7 percent for grants to Indian tribal governments or tribal organizations;”

Subsec. (f). Pub. L. 109-271, §7(d)(2)(B), added subsec. (f) and struck out former subsec. (f) which read as follows: “Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized in section 3796gg-10 of this title. The requirements of this subsection shall not apply to funds allocated for such program.”

Pub. L. 109-162, §906(d), formerly §906(e), as renumbered by Pub. L. 109-271, §7(b)(2)(B), added subsec. (f) and struck out former subsec. (f). Text read as follows: “Not less than 5 percent of the total amount made available for each fiscal year to carry out this section shall be available for grants to Indian tribal governments.”

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by sections 306 and 906(d) of Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 3793 of this title.

DEFINITIONS

For definitions of terms used in this section, see section 1002 of Pub. L. 106-386, as amended, set out as a note under section 3796gg-2 of this title.

§ 10421. Omitted

CODIFICATION

Section, Pub. L. 98-457, title III, §320, formerly §309, Oct. 9, 1984, 98 Stat. 1762; Pub. L. 102-295, title III, §311(b), May 28, 1992, 106 Stat. 203; Pub. L. 103-322, title IV, §40272(a), Sept. 13, 1994, 108 Stat. 1937; renumbered §320 and amended Pub. L. 108-36, title IV, §§405, 415(5), June 25, 2003, 117 Stat. 826, 830, which defined terms as used in this chapter, was omitted in the general amendment of this chapter by Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3484. See section 10402 of this title.

CHAPTER 111—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE

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§ 10501. Application for assistance

(a) State as applicant

In the event that a law enforcement emergency exists throughout a State or a part of a State, a State (on behalf of itself or another appropriate unit of government) may submit an

application under this section for Federal law enforcement assistance.

(b) Execution of application; period for action of Attorney General on application

An application for assistance under this section shall be submitted in writing by the chief executive officer of a State to the Attorney General, in a form prescribed by rules issued by the Attorney General. The Attorney General shall, after consultation with the Assistant Attorney General for the Office of Justice Programs and appropriate members of the Federal law enforcement community, approve or disapprove such application not later than 10 days after receiving such application.

(c) Criteria

Federal law enforcement assistance may be provided if such assistance is necessary to provide an adequate response to a law enforcement emergency. In determining whether to approve or disapprove an application for assistance under this section, the Attorney General shall consider—

- (1) the nature and extent of such emergency throughout a State or in any part of a State,
- (2) the situation or extraordinary circumstances which produced such emergency,
- (3) the availability of State and local criminal justice resources to resolve the problem,
- (4) the cost associated with the increased Federal presence,
- (5) the need to avoid unnecessary Federal involvement and intervention in matters primarily of State and local concern, and
- (6) any assistance which the State or other appropriate unit of government has received, or could receive, under any provision of title I of the Omnibus Crime Control and Safe Streets Act of 1968 [42 U.S.C. 3701 et seq.].

(Pub. L. 98-473, title II, §609M, Oct. 12, 1984, 98 Stat. 2103; Pub. L. 109-162, title XI, §1113, Jan. 5, 2006, 119 Stat. 3103.)

REFERENCES IN TEXT

The Omnibus Crime Control and Safe Streets Act of 1968, referred to in subsec. (c)(6), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197, as amended, title I of which is classified principally to chapter 46 (§3701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of this title and Tables.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-162 substituted “the Assistant Attorney General for the Office of Justice Programs” for “the Director of the Office of Justice Assistance”.

EFFECTIVE DATE

Chapter effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as a note under section 3711 of this title.

§ 10502. Definitions

For purposes of this chapter—

- (1) the term “Federal law enforcement assistance” means funds, equipment, training, intelligence information, and personnel,
- (2) the term “Federal law enforcement community” means the heads of the following departments or agencies: