

ment for the 3 most recent calendar years for which such data is available; plus

(ii) the product of—

(I) one-quarter; multiplied by

(II) the average annual number of part 1 violent crimes in such unit of local government for the 3 most recent calendar years for which such data is available, bears to—

(B) the sum of the products determined under subparagraph (A) for all such units of local government in the State.

#### (4) Expenditures

The allocation any unit of local government shall receive under paragraph (3) for a payment period shall not exceed 100 percent of juvenile justice expenditures of the unit for such payment period.

#### (5) Reallocation

The amount of any unit of local government's allocation that is not available to such unit by operation of paragraph (4) shall be available to other units of local government that are not affected by such operation in accordance with this subsection.

#### (c) Unavailability of data for units of local government

If the State has reason to believe that the reported rate of part 1 violent crimes or juvenile justice expenditures for a unit of local government is insufficient or inaccurate, the State shall—

(1) investigate the methodology used by the unit to determine the accuracy of the submitted data; and

(2) if necessary, use the best available comparable data regarding the number of violent crimes or juvenile justice expenditures for the relevant years for the unit of local government.

#### (d) Local government with allocations less than \$10,000

If under this section a unit of local government is allocated less than \$10,000 for a payment period, the amount allotted shall be expended by the State on services to units of local government whose allotment is less than such amount in a manner consistent with this subchapter.

#### (e) Direct grants to specially qualified units

##### (1) In general

If a State does not qualify or apply for funds reserved for allocation under subsection (a) of this section by the application deadline established by the Attorney General, the Attorney General shall reserve not more than 75 percent of the allocation that the State would have received under subsection (a) of this section for such fiscal year to provide grants to specially qualified units which meet the requirements for funding under section 3796ee-2 of this title.

##### (2) Award basis

In addition to the qualification requirements for direct grants for specially qualified units the Attorney General may use the average amount allocated by the States to units of

local government as a basis for awarding grants under this section.

(Pub. L. 90-351, title I, §1803, as added Pub. L. 107-273, div. C, title II, §12102(a), Nov. 2, 2002, 116 Stat. 1863.)

#### PRIOR PROVISIONS

A prior section 3796ee-3, Pub. L. 90-351, title I, §1804, as added Pub. L. 103-322, title II, §20201(a)(3), Sept. 13, 1994, 108 Stat. 1820, related to applications by local governments, prior to the general amendment of this subchapter by Pub. L. 107-273.

A prior section 1803 of Pub. L. 90-351 was classified to section 3796ee-2 of this title prior to the general amendment of this subchapter by Pub. L. 107-273.

#### § 3796ee-4. Guidelines

##### (a) In general

The Attorney General shall issue guidelines establishing procedures under which a State or specifically<sup>1</sup> qualified unit of local government that receives funds under section 3796ee-3 of this title is required to provide notice to the Attorney General regarding the proposed use of funds made available under this subchapter.

##### (b) Advisory board

###### (1) In general

The guidelines referred to in subsection (a) of this section shall include a requirement that such eligible State or unit of local government establish and convene an advisory board to recommend a coordinated enforcement plan for the use of such funds.

###### (2) Membership

The board shall include representation from, if appropriate—

(A) the State or local police department;

(B) the local sheriff's department;

(C) the State or local prosecutor's office;

(D) the State or local juvenile court;

(E) the State or local probation office;

(F) the State or local educational agency;

(G) a State or local social service agency;

(H) a nonprofit, nongovernmental victim advocacy organization; and

(I) a nonprofit, religious, or community group.

(Pub. L. 90-351, title I, §1804, as added Pub. L. 107-273, div. C, title II, §12102(a), Nov. 2, 2002, 116 Stat. 1865.)

#### PRIOR PROVISIONS

A prior section 3796ee-4, Pub. L. 90-351, title I, §1805, as added Pub. L. 103-322, title II, §20201(a)(3), Sept. 13, 1994, 108 Stat. 1821, related to allocation and distribution of funds, prior to the general amendment of this subchapter by Pub. L. 107-273.

A prior section 1804 of Pub. L. 90-351 was classified to section 3796ee-3 of this title prior to the general amendment of this subchapter by Pub. L. 107-273.

#### § 3796ee-5. Payment requirements

##### (a) Timing of payments

The Attorney General shall pay to each State or specifically<sup>1</sup> qualified unit of local government that receives funds under section 3796ee-3

<sup>1</sup> So in original. Probably should be "specially".

<sup>1</sup> So in original. Probably should be "specially".