

may, in single increments and only upon a showing of extraordinary circumstances, authorize grants for not more than 3 additional separate fiscal years; or

(C) in an aggregate amount of more than \$1,000,000, except that the Assistant Attorney General may, upon a showing of extraordinary circumstances, authorize grants for not more than an additional \$500,000.

(4) Distribution

In making grants under this subsection, the Director shall ensure that—

(A) to the extent practicable, the distribution of such grants is geographically equitable and includes both urban and rural areas of varying population and area; and

(B) priority is given to communities that clearly and effectively coordinate crime prevention programs with other Federal programs in a manner that addresses the overall needs of such communities.

(5) Federal share

(A) Subject to subparagraph (B), the Federal share of a grant under this subsection may not exceed 75 percent of the total costs of the projects described in the application for which the grant was made.

(B) The requirement of subparagraph (A)—

- (i) may be satisfied in cash or in kind; and
- (ii) may be waived by the Assistant Attorney General upon a determination that the financial circumstances affecting the applicant warrant a finding that such a waiver is equitable.

(6) Supplement, not supplant

To receive a grant under this subsection, the applicant must provide assurances that the amounts received under the grant shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for programs or services provided in the community.

(Pub. L. 90-351, title I, §104, as added Pub. L. 109-162, title XI, §1121(a), Jan. 5, 2006, 119 Stat. 3104.)

CODIFICATION

Section was formerly classified to section 3712b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Section effective with respect to appropriations for fiscal year 2007 and for each fiscal year thereafter, see section 1121(c) of Pub. L. 109-162, set out as a note under section 10103 of this title.

§ 10105. Inclusion of Indian tribes

For purposes of sections 10103 and 10104 of this title, the term “State” includes an Indian tribal government.

(Pub. L. 90-351, title I, §105, as added Pub. L. 109-162, title XI, §1121(a), Jan. 5, 2006, 119 Stat. 3107.)

CODIFICATION

Section was formerly classified to section 3712c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Another section 105 of Pub. L. 90-351 was renumbered section 109 and is classified to section 10109 of this title.

EFFECTIVE DATE

Section effective with respect to appropriations for fiscal year 2007 and for each fiscal year thereafter, see section 1121(c) of Pub. L. 109-162, set out as a note under section 10103 of this title.

§ 10106. Community Capacity Development Office

(a) Establishment

(1) In general

There is established within the Office a Community Capacity Development Office, headed by a Director appointed by the Attorney General. In carrying out the functions of the Office, the Director shall be subject to the authority, direction, and control of the Attorney General. Such authority, direction, and control may be delegated only to the Assistant Attorney General, without redelegation.

(2) Purpose

The purpose of the Office shall be to provide training to actual and prospective participants under programs covered by section 10103(b)¹ of this title to assist such participants in understanding the substantive and procedural requirements for participating in such programs.

(3) Exclusivity

The Office shall be the exclusive element of the Department of Justice performing functions and activities for the purpose specified in paragraph (2). There are hereby transferred to the Office all functions and activities for such purpose performed immediately before January 5, 2006, by any other element of the Department. This does not preclude a grant-making office from providing specialized training and technical assistance in its area of expertise.

(b) Means

The Director shall, in coordination with the heads of the other elements of the Department, carry out the purpose of the Office through the following means:

(1) Promoting coordination of public and private efforts and resources within or available to States, units of local government, and neighborhood and community-based organizations.

(2) Providing information, training, and technical assistance.

(3) Providing support for inter- and intra-agency task forces and other agreements and for assessment of the effectiveness of programs, projects, approaches, or practices.

(4) Providing in the assessment of the effectiveness of neighborhood and community-based law enforcement and crime prevention strategies and techniques, in coordination with the National Institute of Justice.

(5) Any other similar means.

(c) Locations

Training referred to in subsection (a) shall be provided on a regional basis to groups of such

¹ See References in Text Note below.