

passing the community, the Drug Enforcement Administration's special agent in charge for the jurisdiction encompassing the community, and other Federal law enforcement agencies operating in the vicinity;

(B) a significant community-oriented policing component; and

(C) demonstrated coordination with complementary neighborhood and community-based programs and initiatives; and

(2) a methodology with outcome measures and specific objective indicia of performance to be used to evaluate the effectiveness of the strategy.

**(e) Grants**

**(1) In general**

In implementing a strategy for a community under subsection (a), the Director may make grants to that community.

**(2) Uses**

For each grant under this subsection, the community receiving that grant may not use any of the grant amounts for construction, except that the Assistant Attorney General may authorize use of grant amounts for incidental or minor construction, renovation, or remodeling.

**(3) Limitations**

A community may not receive grants under this subsection (or fall within such a community)—

(A) for a period of more than 10 fiscal years;

(B) for more than 5 separate fiscal years, except that the Assistant Attorney General 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 appli-

cant 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.)

**Editorial Notes**

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.

**Statutory Notes and Related Subsidiaries**

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.)

**Editorial Notes**

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.

**Statutory Notes and Related Subsidiaries**

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 partici-

pants under programs covered by section 10103(b)<sup>1</sup> 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 participants. In a case in which remedial training is appropriate, as recommended by the Director or the head of any element of the Department, such training may be provided on a local basis to a single such participant.

**(d) Best practices**

The Director shall—

(1) identify grants under which clearly beneficial outcomes were obtained, and the characteristics of those grants that were responsible for obtaining those outcomes; and

(2) incorporate those characteristics into the training provided under this section.

**(e) Availability of funds**

not<sup>2</sup> to exceed 3 percent of all funding made available for a fiscal year for the programs covered by section 10103(b)<sup>1</sup> of this title shall be reserved for the Community Capacity Development Office for the activities authorized by this section.

(Pub. L. 90-351, title I, §106, as added Pub. L. 109-162, title XI, §1159(a), Jan. 5, 2006, 119 Stat.

3116; amended Pub. L. 109-271, §8(f), Aug. 12, 2006, 120 Stat. 766.)

**Editorial Notes**

REFERENCES IN TEXT

Section 10103(b) of this title, referred to in subsecs. (a)(2) and (e), probably should be a reference to section 10109(b) of this title because section 10103(b) relates to Director assistance and section 10109(b) specifically sets out covered programs.

January 5, 2006, referred to in subsec. (a)(3), was in the original “the date of the enactment of this Act” and was translated as meaning the date of enactment of Pub. L. 109-162, which enacted this section, to reflect the probable intent of Congress.

CODIFICATION

Section was formerly classified to section 3712e of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

AMENDMENTS

2006—Subsecs. (a)(2), (e). Pub. L. 109-217 substituted “section 3712a(b)” for “section 3712d(b)”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Pub. L. 109-162, title XI, §1159(b), Jan. 5, 2006, 119 Stat. 3117, provided that: “This section [enacting this section] and the amendment made by this section take effect 90 days after the date of the enactment of this Act [Jan. 5, 2006].”

**§ 10107. Division of Applied Law Enforcement Technology**

**(a) Establishment**

There is established within the Office of Science and Technology, the Division of Applied Law Enforcement Technology, headed by an individual appointed by the Attorney General. The purpose of the Division shall be to provide leadership and focus to those grants of the Department of Justice that are made for the purpose of using or improving law enforcement computer systems.

**(b) Duties**

In carrying out the purpose of the Division, the head of the Division shall—

(1) establish clear minimum standards for computer systems that can be purchased using amounts awarded under such grants; and

(2) ensure that recipients of such grants use such systems to participate in crime reporting programs administered by the Department, such as Uniform Crime Reports or the National Incident-Based Reporting System.

(Pub. L. 90-351, title I, §107, as added Pub. L. 109-162, title XI, §1160(a), Jan. 5, 2006, 119 Stat. 3117.)

**Editorial Notes**

CODIFICATION

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

<sup>1</sup> See References in Text Note below.

<sup>2</sup> So in original. Probably should be capitalized.