

§ 10362. State applications**(a) In general**

(1) To request a grant under this subchapter, the chief executive of a State shall submit an application to the Director in such form and containing such information as the Director may reasonably require.

(2) An application under paragraph (1) shall include assurances that Federal funds received under this subchapter shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subchapter.

(b) State office

The office responsible for the trust fund required by section 10158 of this title—

(1) shall prepare the application required under this section; and

(2) shall administer grant funds received under this subchapter, including, review of spending, processing, progress, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

(Pub. L. 90-351, title I, §1602, as added Pub. L. 102-521, §4(a)(3), Oct. 25, 1992, 106 Stat. 3404; amended Pub. L. 109-162, title XI, §1111(c)(2)(H), Jan. 5, 2006, 119 Stat. 3102.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796cc-1 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—Subsec. (b). Pub. L. 109-162 substituted “The office responsible for the trust fund required by section 3757 of this title” for “The office designated under section 3757 of this title”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as a note under section 10151 of this title.

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 10142(3) to (6) of this title, transferred to Assistant Attorney General for Office of Justice Programs, see section 1000(a)(1) [title I, §108(b)] of Pub. L. 106-113, set out as a note under section 10141 of this title.

§ 10363. Review of State applications**(a) In general**

The Bureau shall make a grant under section 10361(a) of this title to carry out the projects described in the application submitted by an applicant under section 10362 of this title upon determining that—

(1) the application is consistent with the requirements of this subchapter; and

(2) before the approval of the application, the Bureau has made an affirmative finding in writing that the proposed project has been reviewed in accordance with this subchapter.

(b) Approval

Each application submitted under section 10362 of this title shall be considered approved, in whole or in part, by the Bureau not later than 45 days after first received unless the Bureau informs the applicant of specific reasons for disapproval.

(c) Disapproval notice and reconsideration

The Bureau shall not disapprove any application without first affording the applicant reasonable notice and an opportunity for reconsideration.

(Pub. L. 90-351, title I, §1603, as added Pub. L. 102-521, §4(a)(3), Oct. 25, 1992, 106 Stat. 3405.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796cc-2 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10364. Local applications**(a) In general**

(1) To request funds under this subchapter from a State, the chief executive of a local entity shall submit an application to the office designated under section 10362(b) of this title.

(2) An application under paragraph (1) shall be considered approved, in whole or in part, by the State not later than 45 days after such application is first received unless the State informs the applicant in writing of specific reasons for disapproval.

(3) The State shall not disapprove any application submitted to the State without first affording the applicant reasonable notice and an opportunity for reconsideration.

(4) If an application under paragraph (1) is approved, the local entity is eligible to receive funds under this subchapter.

(b) Distribution to local entities

A State that receives funds under section 10361 of this title in a fiscal year shall make such funds available to a local entity with an approved application within 45 days after the Bureau has approved the application submitted by the State and has made funds available to the State. The Director may waive the 45-day requirement in this section upon a finding that the State is unable to satisfy the requirement of the preceding sentence under State statutes.

(Pub. L. 90-351, title I, §1604, as added Pub. L. 102-521, §4(a)(3), Oct. 25, 1992, 106 Stat. 3405.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796cc-3 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10365. Distribution of funds

The Federal share of a grant made under this subchapter may not exceed 75 percent of the