

(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) 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) for such fiscal year to provide grants to specially qualified units which meet the requirements for funding under section 10403 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.)

Editorial Notes

CODIFICATION

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

PRIOR PROVISIONS

A prior section 1803 of title I of Pub. L. 90-351, as added Pub. L. 103-322, title II, §20201(a)(3), Sept. 13, 1994, 108 Stat. 1820, and classified to former section 3796ee-2 of Title 42, The Public Health and Welfare, related to review of State applications, prior to the general amendment of part R of title I of Pub. L. 90-351 by Pub. L. 107-273.

§ 10405. Guidelines**(a) In general**

The Attorney General shall issue guidelines establishing procedures under which a State or specifically¹ qualified unit of local government

¹ So in original. Probably should be "specially".

that receives funds under section 10404 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) 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.)

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§ 10406. Payment requirements**(a) Timing of payments**

The Attorney General shall pay to each State or specifically¹ qualified unit of local government that receives funds under section 10404 of this title that has submitted an application under this subchapter the amount awarded to such State or unit of local government not later than the later of—

(1) the date that is 180 days after the date that the amount is available; or

(2) the first day of the payment period if the State has provided the Attorney General with the assurances required by subsection (c).

(b) Repayment of unexpended amounts**(1) Repayment required**

From amounts awarded under this subchapter, a State or specially qualified unit shall repay to the Attorney General, before the expiration of the 36-month period begin-

¹ So in original. Probably should be "specially".