

tion, the Comptroller General of the United States shall review the grant program under this section and submit to Congress a report assessing the grant program, including—

(A) the process for developing and identifying curricula under section 10381(n)(1)<sup>1</sup> of this title, including the effectiveness of the consultation by the Attorney General with the agencies, associations, and organizations identified under section 10381(n)(1)(C)<sup>1</sup> of this title;

(B) the certification of training programs and courses under section 10381(n)(2)<sup>1</sup> of this title, including the development of the process for certification and its implementation;

(C) the training of law enforcement personnel under section 10381(n)(3)<sup>1</sup> of this title, including the geographic distribution of the agencies that employ the personnel receiving the training and the sizes of those agencies;

(D) the allocation of funds under subsection (c), including the geographic distribution of the agencies that receive funds and the degree to which both large and small agencies receive funds; and

(E) the amount of funding distributed to agencies compared with the amount appropriated under this section, the amount spent for training, and whether plans have been put in place by the recipient agencies to use unspent available funds.

## (2) GAO access to portal

For the purposes of preparing the report under paragraph (1), the Comptroller General of the United States shall have direct access to the portal developed under subsection (d)(3).

## (h) Authorization of appropriations

There is authorized to be appropriated to carry out this section—

- (1) \$40,000,000 for fiscal year 2025; and
- (2) \$50,000,000 for fiscal year 2026.

(Pub. L. 90–351, title I, §508, as added Pub. L. 117–325, §2(c)(2), Dec. 27, 2022, 136 Stat. 4444.)

### Editorial Notes

#### REFERENCES IN TEXT

Section 10381(n) of this title, referred to in text, was redesignated section 10381(o) of this title by Pub. L. 118–64, §3, May 24, 2024, 138 Stat. 1435.

#### PRIOR PROVISIONS

A prior section 508 of Pub. L. 90–351 was renumbered section 509 and had been classified to section 3758 of Title 42, The Public Health and Welfare, prior to being omitted from the Code.

Another prior section 508 of Pub. L. 90–351, as added Pub. L. 100–690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4335, related to distribution of grants to local government, prior to repeal by Pub. L. 109–162, title XI, §1111(a)(1), (d), Jan. 5, 2006, 119 Stat. 3094, 3102, applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter.

## PART B—DISCRETIONARY GRANTS

### SUBPART 1—GRANTS TO PUBLIC AGENCIES

#### § 10171. Correctional options grants

##### (a) Authority to make grants

The Director, in consultation with the Director of the National Institute of Corrections, may make—

(1) 4 grants in each fiscal year, in various geographical areas throughout the United States, to public agencies for correctional options (including the cost of construction) that provide alternatives to traditional modes of incarceration and offender release programs—

(A) to provide more appropriate intervention for youthful offenders who are not career criminals, but who, without such intervention, are likely to become career criminals or more serious offenders;

(B) to provide a degree of security and discipline appropriate for the offender involved;

(C) to provide diagnosis, and treatment and services (including counseling, substance abuse treatment, education, job training and placement assistance while under correctional supervision, and linkage to similar outside services), to increase the success rate of offenders who decide to pursue a course of lawful and productive conduct after release from legal restraint;

(D) to reduce criminal recidivism by offenders who receive punishment through such alternatives;

(E) to reduce the cost of correctional services and facilities by reducing criminal recidivism; and

(F) to provide work that promotes development of industrial and service skills in connection with a correctional option;

(2) grants to private nonprofit organizations—

(A) for any of the purposes specified in subparagraphs (A) through (F) of paragraph (1);

(B) to undertake educational and training programs for criminal justice personnel;

(C) to provide technical assistance to States and local units of government; and

(D) to carry out demonstration projects which, in view of previous research or experience, are likely to be a success in more than one jurisdiction;

in connection with a correctional option (excluding the cost of construction);

(3) grants to public agencies to establish, operate, and support boot camp prisons; and

(4) grants to State courts to improve security for State and local court systems.

##### (b) Selection of grantees

The selection of applicants to receive grants under paragraphs (1) and (2) of subsection (a) shall be based on their potential for developing or testing various innovative alternatives to traditional modes of incarceration and offender release programs. In selecting the applicants to receive grants under subsection (a)(3), the Director shall—

(1) consider the overall quality of an applicant's shock incarceration program, including

the existence of substance abuse treatment, drug testing, counseling literacy education, vocational education, and job training programs during incarceration or after release; and

(2) give priority to public agencies that clearly demonstrate that the capacity of their correctional facilities is inadequate to accommodate the number of individuals who are convicted of offenses punishable by a term of imprisonment exceeding 1 year.

Priority shall be given to State court applicants under subsection (a)(4) that have the greatest demonstrated need to provide security in order to administer justice.

#### (c) Consultations

The Director shall consult with the Commission on Alternative Utilization of Military Facilities created by Public Law 100-456 in order to identify military facilities that may be used as sites for correctional programs receiving assistance under this subpart.

(Pub. L. 90-351, title I, §515, as added Pub. L. 101-647, title XVIII, §1801(a)(7), Nov. 29, 1990, 104 Stat. 4847; amended Pub. L. 103-322, title XXXIII, §330001(b)(1), Sept. 13, 1994, 108 Stat. 2138; Pub. L. 110-177, title III, §302(a), Jan. 7, 2008, 121 Stat. 2539.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Commission on Alternative Utilization of Military Facilities, referred to in subsec. (c), was created by section 2819 of Pub. L. 100-456, which was set out as a note under section 2391 of Title 10, Armed Forces, prior to repeal by Pub. L. 105-261, div. A, title X, §1031(b), Oct. 17, 1998, 112 Stat. 2123.

##### CODIFICATION

Section was formerly classified to section 3762a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### PRIOR PROVISIONS

A prior section 515 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 207; Pub. L. 91-644, title I, §7(4), Jan. 2, 1971, 84 Stat. 1887; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 213; Pub. L. 94-503, title I, §124, Oct. 15, 1976, 90 Stat. 2421, provided for functions, powers, and duties of Law Enforcement Assistance Administration, prior to the general amendment of title I of Pub. L. 90-351 by Pub. L. 96-157.

##### AMENDMENTS

2008—Subsec. (a)(4). Pub. L. 110-177, §302(a)(1), added par. (4).

Subsec. (b). Pub. L. 110-177, §302(a)(2), inserted concluding provisions.

1994—Subsec. (b). Pub. L. 103-322, in introductory provisions substituted “paragraphs (1) and (2) of subsection (a)” for “subsection (a)(1) and (2)”, and in par. (2) substituted “public agencies” for “States”.

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 10172. Allocation of funds; administrative provisions

##### (a) Allocation of funds

Of the total amount appropriated for this subpart in any fiscal year, 70 percent shall be used to make grants under section 10171(a)(1) of this title, 10 percent shall be used to make grants under section 10171(a)(2) of this title, 10 percent shall be used to make grants under section 10171(a)(3) of this title, and 10 percent for section 10171(a)(4) of this title.

##### (b) Limit on grant share of cost

A grant made under paragraph (1) or (3) of section 10171(a) of this title may be made for an amount up to 75 percent of the cost of the correctional option contained in the approved application.

##### (c) Rules; report; request for applications

The Director shall—

(1) not later than 90 days after funds are first appropriated to carry out this subpart, issue rules to carry out this subpart; and

(2) not later than 180 days after funds are first appropriated to carry out this subpart—

(A) submit to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report describing such rules; and

(B) request applications for grants under this subpart.

(Pub. L. 90-351, title I, §516, as added Pub. L. 101-647, title XVIII, §1801(a)(7), Nov. 29, 1990, 104 Stat. 4848; amended Pub. L. 103-322, title XXXIII, §330001(b)(2), Sept. 13, 1994, 108 Stat. 2138; Pub. L. 110-177, title III, §302(b), Jan. 7, 2008, 121 Stat. 2539.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 3762b 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.

##### PRIOR PROVISIONS

A prior section 516 of Pub. L. 90-351, title I, June 19, 1968, 82 Stat. 207; Pub. L. 91-644, title I, §7(5), Jan. 2, 1971, 84 Stat. 1887; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 213, provided for making of payments under title I of Pub. L. 90-351, prior to the general amendment of title I of Pub. L. 90-351 by Pub. L. 96-157.

##### AMENDMENTS

2008—Subsec. (a). Pub. L. 110-177 substituted “70” for “80” and “3762a(a)(2) of this title, 10” for “3762a(a)(2) of this title, and 10” and inserted “, and 10 percent for section 3762a(a)(4) of this title” before period at end.

1994—Subsec. (a). Pub. L. 103-322, §330001(b)(2)(A), substituted “10 percent shall be used to make grants under section” for “10 percent for section” in two places.

Subsec. (b). Pub. L. 103-322, §330001(b)(2)(B), substituted “paragraph (1) or (3) of section 3762a(a)” for “section 3762a(a)(1) or (a)(3)”.

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumer-