

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by section 1111(c)(2)(I) of 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.

§ 10383. Renewal of grants**(a) In general**

Except for grants made for hiring or rehiring additional career law enforcement officers, a grant under this subchapter may be renewed for up to 2 additional years after the first fiscal year during which a recipient receives its initial grant, if the Attorney General determines that the funds made available to the recipient were used in a manner required under an approved application and if the recipient can demonstrate significant progress in achieving the objectives of the initial application.

(b) Grants for hiring

Grants made for hiring or rehiring additional career law enforcement officers may be renewed for up to 5 years, subject to the requirements of subsection (a), but notwithstanding the limitation in that subsection concerning the number of years for which grants may be renewed.

(c) Multiyear grants

A grant for a period exceeding 1 year may be renewed as provided in this section, except that the total duration of such a grant including any renewals may not exceed 3 years, or 5 years if it is a grant made for hiring or rehiring additional career law enforcement officers.

(Pub. L. 90-351, title I, §1703, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1812.)

Editorial Notes

CODIFICATION

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

§ 10384. Limitation on use of funds**(a) Nonsupplanting requirement**

Funds made available under this subchapter to States or units of local government shall not be used to supplant State or local funds, or, in the case of Indian tribal governments, funds supplied by the Bureau of Indian Affairs, but shall be used to increase the amount of funds that would, in the absence of Federal funds received under this subchapter, be made available from State or local sources, or in the case of Indian tribal governments, from funds supplied by the Bureau of Indian Affairs.

(b) Non-Federal costs**(1) In general**

States and units of local government may use assets received through the Assets Forfeiture equitable sharing program to provide the non-Federal share of the cost of programs, projects, and activities funded under this subchapter.

(2) Indian tribal governments

Funds appropriated by the Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of the cost of programs or projects funded under this subchapter.

(c) Hiring costs

Funding provided under this subchapter for hiring or rehiring a career law enforcement officer may not exceed \$75,000, unless the Attorney General grants a waiver from this limitation.

(d) Guidance for understaffed law enforcement agencies**(1) Definitions**

In this subsection:

(A) Covered applicant

The term “covered applicant” means an applicant for a hiring grant under this subchapter seeking funding for a law enforcement agency operating below the budgeted strength of the law enforcement agency.

(B) Budgeted strength

The term “budgeted strength” means the employment of the maximum number of sworn law enforcement officers the budget of a law enforcement agency allows the agency to employ.

(2) Procedures

Not later than 180 days after May 24, 2024, the Attorney General shall establish consistent procedures for covered applicants, including guidance that—

(A) clarifies that covered applicants remain eligible for funding under this subchapter; and

(B) enables covered applicants to attest that the funding from a grant awarded under this subchapter is not being used by the law enforcement agency to supplant State or local funds, as described in subsection (a).

(3) Paperwork reduction

In developing the procedures and guidance under paragraph (2), the Attorney General shall take measures to reduce paperwork requirements for grants to covered applicants.

(Pub. L. 90-351, title I, §1704, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1812; amended Pub. L. 118-64, §5, May 24, 2024, 138 Stat. 1436.)

Editorial Notes

CODIFICATION

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

AMENDMENTS

2024—Subsec. (d). Pub. L. 118-64 added subsec. (d).

§ 10385. Performance evaluation**(a) Monitoring components**

Each program, project, or activity funded under this subchapter shall contain a moni-

toring component, developed pursuant to guidelines established by the Attorney General. The monitoring required by this subsection shall include systematic identification and collection of data about activities, accomplishments, and programs throughout the life of the program, project, or activity and presentation of such data in a usable form.

(b) Evaluation components

Selected grant recipients shall be evaluated on the local level or as part of a national evaluation, pursuant to guidelines established by the Attorney General. Such evaluations may include assessments of individual program implementations. In selected jurisdictions that are able to support outcome evaluations, the effectiveness of funded programs, projects, and activities may be required. Outcome measures may include crime and victimization indicators, quality of life measures, community perceptions, and police perceptions of their own work.

(c) Periodic review and reports

The Attorney General may require a grant recipient to submit to the Attorney General the results of the monitoring and evaluations required under subsections (a) and (b) and such other data and information as the Attorney General deems reasonably necessary.

(Pub. L. 90-351, title I, §1705, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796dd-4 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10386. Revocation or suspension of funding

If the Attorney General determines, as a result of the reviews required by section 10385 of this title, or otherwise, that a grant recipient under this subchapter is not in substantial compliance with the terms and requirements of an approved grant application submitted under section 10382 of this title, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

(Pub. L. 90-351, title I, §1706, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796dd-5 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10387. Access to documents

(a) By Attorney General

The Attorney General shall have access for the purpose of audit and examination to any pertinent books, documents, papers, or records of a grant recipient under this subchapter and to the pertinent books, documents, papers, or records of State and local governments, persons, busi-

nesses, and other entities that are involved in programs, projects, or activities for which assistance is provided under this subchapter.

(b) By Comptroller General

Subsection (a) shall apply with respect to audits and examinations conducted by the Comptroller General of the United States or by an authorized representative of the Comptroller General.

(Pub. L. 90-351, title I, §1707, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796dd-6 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10388. General regulatory authority

The Attorney General may promulgate regulations and guidelines to carry out this subchapter.

(Pub. L. 90-351, title I, §1708, as added Pub. L. 103-322, title I, §10003(a)(3), Sept. 13, 1994, 108 Stat. 1813.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796dd-7 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10389. Definitions

In this subchapter—

(1) “career law enforcement officer” means a person hired on a permanent basis who is authorized by law or by a State or local public agency to engage in or supervise the prevention, detection, or investigation of violations of criminal laws.

(2) “citizens’ police academy” means a program by local law enforcement agencies or private nonprofit organizations in which citizens, especially those who participate in neighborhood watch programs, are trained in ways of facilitating communication between the community and local law enforcement in the prevention of crime.

(3) “Indian tribe” means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(4) “school resource officer” means a career law enforcement officer, with sworn authority, deployed in community-oriented policing, and assigned by the employing police department or agency to work in collaboration with schools and community-based organizations—

(A) to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school;