

whose board of directors is comprised of business, civic and community leaders, and whose principal purpose includes the provision of low-income housing or community economic development projects that primarily benefit low-income individuals and communities.

**(2) Local and private sector contribution**

The term “local and private sector contribution” means the funds available at the local level (by private financial institutions, State and local governments) or by any private philanthropic organization and private, nonprofit organizations that will be committed and used solely for the purpose of financing private business enterprises in conjunction with amounts provided under this part.

**(3) Population-losing community**

The term “population-losing community” means any county in which the net population loss is at least 7 percent from April 1, 1980 to April 1, 1990, as reported by the Bureau of the Census.

**(4) Private business enterprise**

The term “private business enterprise” means any business enterprise that is engaged in the manufacture of a product, provision of a service, construction or development of a facility, or that is involved in some other commercial, manufacturing or industrial activity, and that agrees to target job opportunities stemming from investments authorized under this part to certain individuals.

**(5) Target area**

The term “target area” means any area defined in an application for assistance under this part that has a population whose income does not exceed the median for the area within which the target area is located.

**(6) Very low-income community**

The term “very low-income community” means a community in which the median income of the residents of such community does not exceed 50 percent of the median income of the area.

(Pub. L. 103-322, title III, §31131, Sept. 13, 1994, 108 Stat. 1887.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 13851 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12212. Prohibition**

None of the funds authorized under this part shall be used to finance the construction of housing.

(Pub. L. 103-322, title III, §31133, Sept. 13, 1994, 108 Stat. 1888.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 13853 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART F—COMMUNITY-BASED JUSTICE GRANTS  
FOR PROSECUTORS

**§ 12221. Grant authorization**

**(a) In general**

The Attorney General may make grants to State, Indian tribal, or local prosecutors for the purpose of supporting the creation or expansion of community-based justice programs.

**(b) Consultation**

The Attorney General may consult with the Ounce of Prevention Council in making grants under subsection (a).

(Pub. L. 103-322, title III, §31701, Sept. 13, 1994, 108 Stat. 1890.)

**Editorial Notes**

CODIFICATION

Section was formerly classified to section 13861 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12222. Use of funds**

Grants made by the Attorney General under this section shall be used—

(1) to fund programs that require the cooperation and coordination of prosecutors, school officials, police, probation officers, youth and social service professionals, and community members in the effort to reduce the incidence of, and increase the successful identification and speed of prosecution of, young violent offenders;

(2) to fund programs in which prosecutors focus on the offender, not simply the specific offense, and impose individualized sanctions, designed to deter that offender from further antisocial conduct, and impose increasingly serious sanctions on a young offender who continues to commit offenses;

(3) to fund programs that coordinate criminal justice resources with educational, social service, and community resources to develop and deliver violence prevention programs, including mediation and other conflict resolution methods, treatment, counseling, educational, and recreational programs that create alternatives to criminal activity;

(4) in rural States (as defined in section 10351(b) of this title), to fund cooperative efforts between State and local prosecutors, victim advocacy and assistance groups, social and community service providers, and law enforcement agencies to investigate and prosecute child abuse cases, treat youthful victims of child abuse, and work in cooperation with the community to develop education and prevention strategies directed toward the issues with which such entities are concerned; and

(5) by a State, unit of local government, or Indian tribe to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.

(Pub. L. 103-322, title III, §31702, Sept. 13, 1994, 108 Stat. 1890; Pub. L. 110-177, title III, §301(a), Jan. 7, 2008, 121 Stat. 2538.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 13862 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2008—Par. (5). Pub. L. 110-177 added par. (5).

**§ 12223. Applications****(a) Eligibility**

In order to be eligible to receive a grant under this part<sup>1</sup> for any fiscal year, a State, Indian tribal, or local prosecutor, in conjunction with the chief executive officer of the jurisdiction in which the program will be placed, shall submit an application to the Attorney General in such form and containing such information as the Attorney General may reasonably require.

**(b) Requirements**

Each applicant shall include—

(1) a request for funds for the purposes described in section 12222 of this title;

(2) a description of the communities to be served by the grant, including the nature of the youth crime, youth violence, and child abuse problems within such communities;

(3) assurances that Federal funds received under this part<sup>1</sup> shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this section; and

(4) statistical information in such form and containing such information that the Attorney General may require.

**(c) Comprehensive plan**

Each applicant shall include a comprehensive plan that shall contain—

(1) a description of the youth violence or child abuse crime problem;

(2) an action plan outlining how the applicant will achieve the purposes as described in section 12222 of this title;

(3) a description of the resources available in the community to implement the plan together with a description of the gaps in the plan that cannot be filled with existing resources; and

(4) a description of how the requested grant will be used to fill gaps.

(Pub. L. 103-322, title III, §31703, Sept. 13, 1994, 108 Stat. 1891.)

**Editorial Notes**

## REFERENCES IN TEXT

This part, referred to in subsecs. (a) and (b)(3), appearing in the original, is unidentifiable because subtitle Q of title III of Pub. L. 103-322 does not contain parts.

## CODIFICATION

Section was formerly classified to section 13863 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.

**§ 12224. Allocation of funds; limitations on grants****(a) Administrative cost limitation**

The Attorney General shall use not more than 5 percent of the funds available under this program for the purposes of administration and technical assistance.

**(b) Renewal of grants**

A grant under this part<sup>1</sup> may be renewed for up to 2 additional years after the first fiscal year during which the recipient receives its initial grant under this part,<sup>1</sup> subject to the availability of funds, if—

(1) the Attorney General determines that the funds made available to the recipient during the previous years were used in a manner required under the approved application; and

(2) the Attorney General determines that an additional grant is necessary to implement the community prosecution program described in the comprehensive plan required by section 12223 of this title.

(Pub. L. 103-322, title III, §31704, Sept. 13, 1994, 108 Stat. 1891.)

**Editorial Notes**

## REFERENCES IN TEXT

This part, referred to in subsec. (b), appearing in the original, is unidentifiable because subtitle Q of title III of Pub. L. 103-322 does not contain parts.

## CODIFICATION

Section was formerly classified to section 13864 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12225. Award of grants**

The Attorney General shall consider the following facts in awarding grants:

(1) Demonstrated need and evidence of the ability to provide the services described in the plan required under section 12223 of this title.

(2) The Attorney General shall attempt, to the extent practicable, to achieve an equitable geographic distribution of grant awards.

(Pub. L. 103-322, title III, §31705, Sept. 13, 1994, 108 Stat. 1891.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 13865 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12226. Reports****(a) Report to Attorney General**

State and local prosecutors that receive funds under this part shall submit to the Attorney General a report not later than March 1 of each year that describes progress achieved in carrying out the plan described under section 12223(c) of this title.

**(b) Report to Congress**

The Attorney General shall submit to the Congress a report by October 1 of each year in which

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