

## § 65.1

65.2 State Government.

### Subpart B—Allocation of Funds and Other Assistance

- 65.10 Fund availability.
- 65.11 Limitations on fund and other assistance use.
- 65.12 Other assistance.

### Subpart C—Purpose of Emergency Federal Law Enforcement Assistance

- 65.20 General.
- 65.21 Purpose of assistance.
- 65.22 Exclusions.

### Subpart D—Application for Assistance

- 65.30 General.
- 65.31 Application content.

### Subpart E—Submission and Review of Applications

- 65.40 General.
- 65.41 Review of State applications.

### Subpart F—Additional Requirements

- 65.50 General.
- 65.51 Recordkeeping.
- 65.52 Civil rights.
- 65.53 Confidentiality of information.

### Subpart G—Repayment of Funds

- 65.60 Repayment of funds.

### Subpart H—Definitions

- 65.70 Definitions.

### Subpart I—Immigration Emergency Fund

- 65.80 General.
- 65.81 General definitions.
- 65.82 Procedure for requesting a Presidential determination of an immigration emergency.
- 65.83 Assistance required by the Attorney General.
- 65.84 Procedures for the Attorney General when seeking State or local assistance.
- 65.85 Procedures for State or local governments applying for funding.

AUTHORITY: The Comprehensive Crime Control Act of 1984, Title II, Chap. VI, Div. I, Subdiv. B, Emergency Federal Law Enforcement Assistance, Pub. L. 98-473, 98 Stat. 1837, Oct. 12, 1984 (42 U.S.C. 10501 *et seq.*); 8 U.S.C. 1101 note; Sec. 610, Pub. L. 102-140, 105 Stat. 832.

SOURCE: 50 FR 51340, Dec. 16, 1985, unless otherwise noted.

## 28 CFR Ch. I (7-1-05 Edition)

### Subpart A—Eligible Applicants

#### § 65.1 General.

This subject describes who may apply for emergency Federal law enforcement assistance under the Justice Assistance Act of 1984.

#### § 65.2 State Government.

In the event that a law enforcement emergency exists throughout a state or part of a state, a state (on behalf of itself or a local unit of government) may submit an application to the Attorney General, for emergency Federal law enforcement assistance. This application is to be submitted by the chief executive officer of the state, in writing, on Standard Form 424, and in accordance with these regulations.

### Subpart B—Allocation of Funds and Other Assistance

#### § 65.10 Fund availability.

For the previous fiscal year (FY '85), \$800,000 was appropriated for emergency Federal law enforcement assistance for the entire country. In FY '86, \$1.5 million has been requested. The FY '86 request has not yet been appropriated and is not currently available. The form and extent of assistance provided will be determined by the nature and scope of the emergency presented; but, in any event, no fund award may exceed the amount ultimately appropriated.

#### § 65.11 Limitations on fund and other assistance use.

(a) *Land acquisition.* No funds shall be used for the purpose of land acquisition.

(b) *Non-supplantation.* No funds shall be used to supplant state or local funds that would otherwise be made available for such purposes.

(c) *Civil justice.* No funds or other assistance shall be used with respect to civil justice matters except to the extent that such civil justice matters bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters.