

starting from the application submission date to comment on applications. Applicants should contact their state "Single Point of Contact" as soon as possible to alert them of the prospective application and receive instructions regarding the process.

(b) *Sixty day rule.* The Bureau of Justice Assistance shall approve or disapprove applications or amendments within sixty (60) days of official receipt. The application or amendment shall be considered approved unless the Bureau of Justice Assistance informs the applicant in writing of specific reasons for disapproval prior to the expiration of the 60-day period. Applications that are incomplete, as determined by the Bureau of Justice Assistance, shall not be considered officially received for purposes of the 60-day rule. Section 406(a)(2) of the Act.

(c) *Written notification and reasons for disapproval.* The Bureau of Justice Assistance shall notify the applicant in writing of the specific reasons for the disapproval of the application or amendment, in whole or in part. Section 406(a)(2) of the Act.

(d) *Affirmative finding.* The Bureau of Justice Assistance, prior to approval of the application or amendments, must make an affirmative finding in writing that the program or project has been reviewed in accordance with section 405 of the Act and is likely to contribute effectively to the achievement of the objectives of the Act. Section 406(a)(2) of the Act.

#### REPORTS

##### § 33.70 Annual performance report.

(a) Section 405 of the Justice Assistance Act requires that the state, or a local unit of government in the case of a non-participating state, submit annually to the Bureau of Justice Assistance a performance report (including an assessment of impact) concerning the activities carried out under the grant. These performance reports will provide the basis for the annual report from the Bureau to the President and the Congress as required by section 810 of the Act.

(b) The performance report will describe the activities undertaken and results achieved of each project funded.

It will include the data gathered on the approved performance indicators. The report is due to the Bureau by no later than December 31 and must cover projects for the prior Federal fiscal year that have either been completed or been in operation for 12 months or more. The first performance report shall be due to the Bureau by December 31, 1986.

(c) In order to help states and localities prepare these performance reports, the Bureau will provide data collection forms and instructions that will enable information to be gathered and reported in the most convenient manner possible. These forms and instructions will be developed in consultation with states and localities.

##### § 33.71 Initial project report.

States are required to provide to the Bureau of Justice Assistance within 30 days after the award of a subgrant, an initial project report which provides information on the subgrant recipient (name, address, contact person), the subgrant period, the type of award (new or renewal), the subgrant funding level, and the general target area (geographic area, population group) to be impacted. The Bureau of Justice Assistance will provide a form to assist the states in reporting this information.

#### SUSPENSION OF FUNDING

##### § 33.80 Suspension of funding.

The Bureau of Justice Assistance shall, after reasonable notice and opportunity for a hearing on the record, terminate or suspend funding for a state that implements programs or projects which fail to conform to the requirements or statutory objectives of the Act, or that fails to comply substantially with the Justice Assistance Act, these regulations or the terms and conditions of its grant award. Hearing and appeal procedures are set forth in Department of Justice regulations 28 CFR part 18.