

Department of Justice

§ 34.2

Grant (LLEBG), then you will be asked to certify:

(1) Whether LLEBG funds will be used to purchase vests; and, if not,

(2) Whether your jurisdiction considered using LLEBG funds to purchase vests, but has concluded it will not use its LLEBG funds in that manner.

§ 33.102 Preferences.

BJA may give preferential consideration, at its discretion, to an application from a jurisdiction that—

(a) Has the greatest need for armor vests based on the percentage of law enforcement officers who do not have access to an armor vest;

(b) Has, or will institute, a mandatory wear policy that requires on-duty law enforcement officers to wear armor vests whenever feasible; and

(c) Has a violent crime rate at or above the national average as determined by the Federal Bureau of Investigation; or

(d) Has not received a Local Law Enforcement Block Grant.

§ 33.103 How to apply.

BJA will issue Guidelines regarding the process to follow in applying to the program for grants of armor vests.

PART 34—OJJDP COMPETITION AND PEER REVIEW PROCEDURES

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Subpart C—Emergency Expedited Review [Reserved]

AUTHORITY: Juvenile Justice and Delinquency Prevention Act of 1974, as amended, (42 U.S.C. 5601 *et seq.*).

SOURCE: 55 FR 39234, Sept. 25, 1990, unless otherwise noted.

Subpart A—Competition

§ 34.1 Purpose and applicability.

(a) This subpart of the regulation implements section 262(d)(1) (A) and (B) of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5601 *et seq.*). This provision requires that project applications, selected for categorical assistance awards under part C—National Programs shall be selected through a competitive process established by rule by the Administrator, OJJDP. The statute specifies that this process must include announcement in the FEDERAL REGISTER of the availability of funds for assistance programs, the general criteria applicable to the selection of applications for assistance, and a description of the procedures applicable to the submission and review of assistance applications.

(b) This subpart of the regulation applies to all grant, cooperative agreement, and other assistance awards selected by the Administrator, OJJDP, or the Administrator's designee, under part C—National Programs, of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, except as provided in the exceptions to applicability set forth below.

§ 34.2 Exceptions to applicability.

The following are assistance and procurement contract award situations that OJJDP considers to be outside the scope of the section 262(d)(1) competition requirement:

(a) Assistance awards to initially fund or continue projects if the Administrator has made a written determination that the proposed program is not within the scope of any program announcement expected to be issued, is otherwise eligible for an award, and the proposed project is of such outstanding merit, as determined through peer review under subpart B of this part, that an assistance award without competition is justified (section 262(d)(1)(B)(i));