

cal years 1989 through 1992 for provisions authorizing appropriations for fiscal years 1984 through 1988.

1986—Subsec. (a)(3). Pub. L. 99-570, §1552(c)(1)(A), inserted reference to subchapter XII-A of this chapter.

Subsec. (a)(6), (7). Pub. L. 99-570, §1552(c)(1)(B), (C), added par. (6) and redesignated former par. (6) as (7).

Subsec. (b). Pub. L. 99-570, §1552(c)(2), inserted reference to subchapter XII-A of this chapter.

1984—Pub. L. 98-473, in amending section generally, designated existing provisions as subsec. (a), substituted appropriations authorization of necessary sums for fiscal years 1984 through 1988 for authorizations for fiscal years ending Sept. 30, 1980, through 1983, struck out provisions authorizing appropriations for subchapter VIII and for carrying out remaining functions of the Law Enforcement Assistance Administration, and added subsec. (b).

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-162, §4, as added by Pub. L. 109-271, §1(b), Aug. 12, 2006, 120 Stat. 750, provided that: “Notwithstanding any other provision of this Act or any other law, sections 101, 102 (except the amendment to section 2101(d) of the Omnibus Crime Control and Safe Streets Act of 1968 [42 U.S.C. 3796hh(d)] included in that section), 103, 121, 203, 204, 205, 304, 306, 602, 906, and 907 of this Act [enacting sections 3796gg-8, 3796gg-10, 3796gg-11, 3796hh-5, 14045a, and 14045b of this title, amending this section and sections 3796gg, 3796gg-1, 3796gg-4, 3796gg-6, 3796gg-7, 3796hh, 3796hh-1, 10420, 13971, 13975, 14041a, and 14041b, of this title, and repealing section 1152 of Title 20, Education] shall not take effect until the beginning of fiscal year 2007.”

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 210302(c)(3) of Pub. L. 103-322 effective 60 days after Sept. 13, 1994, see section 210302(c)(4) of Pub. L. 103-322, set out as an Effective Date note under section 3796kk of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 3711 of this title.

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 17504 of this title.

DISSEMINATION OF INFORMATION

Pub. L. 106-386, div. B, title III, §1302(d), Oct. 28, 2000, 114 Stat. 1511, provided that: “The Attorney General shall—

“(1) annually compile and disseminate information (including through electronic publication) about the use of amounts expended and the projects funded under section 218(a) [now 219(a)] of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13014(a)), section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)), and section 1007(a)(7) [1001(a)(7)] of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(7)), including any evaluations of the projects and information to enable replication and adoption of the strategies identified in the projects; and

“(2) focus dissemination of the information described in paragraph (1) toward community-based programs, including domestic violence and sexual assault programs.”

[For definitions of terms used in section 1302(d)(2) of Pub. L. 106-386, set out above, see section 1002 of Pub. L. 106-386, set out as a note under section 3796gg-2 of this title.]

USE OF FUNDS AVAILABLE UNDER FORMER SUBSECTION (a)(20)

Section 101[(a)] [title I, §114(b)(1)(B)(ii)] of Pub. L. 104-134 provided that: “Notwithstanding the provisions

of subparagraph (A) [repealing sections 3796ii to 3796ii-8 of this title], any funds that remain available to an applicant under paragraph (20) of [section 1001(a) of] title I of the Omnibus Crime Control and Safe Streets Act of 1968 [former 42 U.S.C. 3793(a)(20)] shall be used in accordance with part V of [title I of] such Act [former 42 U.S.C. 3796ii to 3796ii-8] as if [sic] such Act [part] was in effect on the day preceding the date of enactment of this Act [Apr. 26, 1996].”

FINANCIAL SUPPORT FOR PROGRAMS, ETC., DEVOTED TO INTERNATIONAL ASPECTS OF CRIME PREVENTION AND CRIMINAL JUSTICE

Pub. L. 96-132, §20(a), Nov. 30, 1979, 93 Stat. 1049, provided that: “The National Institute of Justice, the Bureau of Justice Statistics, and the Law Enforcement Assistance Administration are authorized to use funds, and to authorize States to use funds, for programs, projects or events devoted to the international aspects of crime prevention and criminal justice.”

§§ 3793a, 3793b. Repealed. Pub. L. 98-473, title II, § 609D(b), Oct. 12, 1984, 98 Stat. 2097

Section 3793a, Pub. L. 90-351, title I, §1002, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1218, required maintenance of a fund for juvenile delinquency programs consisting of minimum of 19.15 per centum of the appropriations each fiscal year for this chapter.

A prior section 1002 of Pub. L. 90-351, title V, June 19, 1968, 82 Stat. 235, was classified as a note under section 7313 of Title 5, Government Organization and Employees.

Section 3793b, Pub. L. 90-351, title I, §1003, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1219, authorized annual appropriations of \$25,000,000 for fiscal years ending Sept. 30, 1980, through 1983, for Office of Community Anti-Crime Programs.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 3711 of this title.

SUBCHAPTER XI—CRIMINAL PENALTIES

§ 3795. Misuse of Federal assistance

Whoever embezzles, willfully misapplies, steals, or obtains by fraud or endeavors to embezzle, willfully misapply, steal, or obtain by fraud any funds, assets, or property which are the subject of a grant or contract or other form of assistance pursuant to this chapter, whether received directly or indirectly from the Office of Justice Programs, Bureau of Justice Assistance, the National Institute of Justice, the Bureau of Justice Statistics, or whoever receives, conceals, or retains such funds, assets or property with intent to convert such funds, assets or property to his use or gain, knowing such funds, assets, or property has been embezzled, willfully misapplied, stolen or obtained by fraud, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

(Pub. L. 90-351, title I, §1101, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1219; amended Pub. L. 98-473, title II, §609E(a), Oct. 12, 1984, 98 Stat. 2097.)

CODIFICATION

Another section 1101 of Pub. L. 90-351, title VI, June 19, 1968, 82 Stat. 236, is classified as a note under section 532 of Title 28, Judiciary and Judicial Procedure.

PRIOR PROVISIONS

A prior section 3795, Pub. L. 90-351, title I, §670, as added Pub. L. 91-644, title I, §12, Jan. 2, 1971, 84 Stat.

1889; amended Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 218, related to reports to Congress and President, prior to the general amendment of this chapter by Pub. L. 96-157. See section 3789e of this title.

AMENDMENTS

1984—Pub. L. 98-473 substituted “Office of Justice Programs, Bureau of Justice Assistance” for “Law Enforcement Assistance Administration”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 3711 of this title.

§ 3795a. Falsification or concealment of facts

Whoever knowingly and willfully falsifies, conceals, or covers up by trick, scheme, or device, any material fact in any application for assistance submitted pursuant to this chapter or in any records required to be maintained pursuant to this chapter shall be subject to prosecution under the provisions of section 1001 of title 18.

(Pub. L. 90-351, title I, §1102, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1219.)

PRIOR PROVISIONS

Provisions similar to this section were contained in former section 3792 of this title prior to the general amendment of this chapter by Pub. L. 96-157.

§ 3795b. Conspiracy to commit offense against United States

Any law enforcement or criminal justice program or project underwritten, in whole or in part, by any grant, or contract or other form of assistance pursuant to this chapter, whether received directly or indirectly from the Office of Justice Programs, Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics shall be subject to the provisions of section 371 of title 18.

(Pub. L. 90-351, title I, §1103, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1219; amended Pub. L. 98-473, title II, §609E(b), Oct. 12, 1984, 98 Stat. 2098.)

PRIOR PROVISIONS

Provisions similar to this section were contained in former section 3793 of this title prior to the general amendment of this chapter by Pub. L. 96-157.

AMENDMENTS

1984—Pub. L. 98-473 substituted “Office of Justice Programs, Bureau of Justice Assistance” for “Law Enforcement Assistance Administration”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 3711 of this title.

SUBCHAPTER XII—PUBLIC SAFETY OFFICERS’ DEATH BENEFITS

PART A—DEATH BENEFITS

§ 3796. Payment of death benefits

(a) Amount; recipients

In any case in which the Bureau of Justice Assistance (hereinafter in this subchapter referred

to as the “Bureau”) determines, under regulations issued pursuant to this subchapter, that a public safety officer has died as the direct and proximate result of a personal injury sustained in the line of duty, the Bureau shall pay a benefit of \$250,000, adjusted in accordance with subsection (h) of this section, as follows:

(1) if there is no surviving child of such officer, to the surviving spouse of such officer;

(2) if there is a surviving child or children and a surviving spouse, one-half to the surviving child or children of such officer in equal shares and one-half to the surviving spouse;

(3) if there is no surviving spouse, to the child or children of such officer in equal shares;

(4) if there is no surviving spouse or surviving child—

(A) in the case of a claim made on or after the date that is 90 days after January 5, 2006, to the individual designated by such officer as beneficiary under this section in such officer’s most recently executed designation of beneficiary on file at the time of death with such officer’s public safety agency, organization, or unit, provided that such individual survived such officer; or

(B) if there is no individual qualifying under subparagraph (A), to the individual designated by such officer as beneficiary under such officer’s most recently executed life insurance policy on file at the time of death with such officer’s public safety agency, organization, or unit, provided that such individual survived such officer; or

(5) if none of the above, to the parent or parents of such officer in equal shares.

(6) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or recently executed life insurance policy pursuant to paragraph (4) shall maintain the confidentiality of such designation or policy in the same manner as it maintains personnel or other similar records of the officer.

(b) Benefits for permanent and total disability

In accordance with regulations issued pursuant to this subchapter, in any case in which the Bureau determines that a public safety officer has become permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty, the Bureau shall pay, to the extent that appropriations are provided, the same benefit in any year that is payable under subsection (a) of this section in such year, adjusted in accordance with subsection (h) of this section, to such officer: *Provided*, That the total annual benefits paid under this subsection may not exceed \$5,000,000. For the purposes of making these benefit payments, there are authorized to be appropriated for each fiscal year such sums as may be necessary: *Provided further*, That these benefit payments are subject to the availability of appropriations and that each beneficiary’s payment shall be reduced by a proportionate share to the extent that sufficient funds are not appropriated.

(c) Interim benefit payment

Whenever the Bureau determines upon showing of need and prior to final action that the