

this subsection may be submitted as part of the annual performance report of the Department of Justice, and shall include—

- (1) a review of the policies and efforts of the Bureau related to the prevention and investigation of intellectual property crimes;
- (2) a summary of the overall successes and failures of such policies and efforts;
- (3) a review of the investigative and prosecution activity of the Bureau with respect to intellectual property crimes, including—
  - (A) the number of investigations initiated related to such crimes;
  - (B) the number of arrests related to such crimes; and
  - (C) the number of prosecutions for such crimes, including—
    - (i) the number of defendants involved in such prosecutions;
    - (ii) whether the prosecution resulted in a conviction; and
    - (iii) the sentence and the statutory maximum for such crime, as well as the average sentence imposed for such crime; and
- (4) a Bureau-wide assessment of the staff, financial resources, and other resources (such as time, technology, and training) devoted to the enforcement, investigation, and prosecution of intellectual property crimes, including the number of investigators, prosecutors, and forensic specialists dedicated to investigating and prosecuting intellectual property crimes.

**(d) Initial report of the FBI**

The first report required to be submitted by the Director of the Federal Bureau of Investigation under subsection (c) shall include a summary of the efforts, activities, and resources the Federal Bureau of Investigation has allocated in the 5 years prior to October 13, 2008, as well as the 1-year period following such date to the enforcement, investigation, and prosecution of intellectual property crimes, including—

- (1) a review of the policies and efforts of the Bureau related to the prevention and investigation of intellectual property crimes;
- (2) a summary of the overall successes and failures of such policies and efforts;
- (3) a review of the investigative and prosecution activity of the Bureau with respect to intellectual property crimes, including—
  - (A) the number of investigations initiated related to such crimes;
  - (B) the number of arrests related to such crimes; and
  - (C) the number of prosecutions for such crimes, including—
    - (i) the number of defendants involved in such prosecutions;
    - (ii) whether the prosecution resulted in a conviction; and
    - (iii) the sentence and the statutory maximum for such crime, as well as the average sentence imposed for such crime; and
- (4) a Bureau-wide assessment of the staff, financial resources, and other resources (such as time, technology, and training) devoted to the enforcement, investigation, and prosecution of intellectual property crimes, including the number of investigators, prosecutors, and fo-

rensic specialists dedicated to investigating and prosecuting intellectual property crimes.

(Pub. L. 110-403, title IV, § 404, Oct. 13, 2008, 122 Stat. 4274.)

REFERENCES IN TEXT

Sections 3713a to 3713d of this title, referred to in subs. (a) and (c), was in the original “this title”, meaning title IV of Pub. L. 110-403, Oct. 13, 2008, 122 Stat. 4271, which enacted sections 3713a to 3713d of this title and amended section 3713 of this title. For complete classification of title IV to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Prioritizing Resources and Organization for Intellectual Property Act of 2008, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

**§ 3714. Grant program for State and local domestic preparedness support**

**(a) In general**

The Office for Domestic Preparedness of the Office of Justice Programs shall make a grant to each State, which shall be used by the State, in conjunction with units of local government, to enhance the capability of State and local jurisdictions to prepare for and respond to terrorist acts including events of terrorism involving weapons of mass destruction and biological, nuclear, radiological, incendiary, chemical, and explosive devices.

**(b) Use of grant amounts**

Grants under this section may be used to purchase needed equipment and to provide training and technical assistance to State and local first responders. In addition, grants under this section may be used to construct, develop, expand, modify, operate, or improve facilities to provide training or assistance to State and local first responders.

**(c) Authorization of appropriations**

**(1) In general**

There is authorized to be appropriated to carry out this section such sums as necessary for each of fiscal years 2002 through 2007.

**(2) Limitations**

Of the amount made available to carry out this section in any fiscal year not more than 3 percent may be used by the Attorney General for salaries and administrative expenses.

**(3) Minimum amount**

Each State shall be allocated in each fiscal year under this section not less than 0.75 percent of the total amount appropriated in the fiscal year for grants pursuant to this section, except that the United States Virgin Islands, America Samoa, Guam, and the Northern Mariana Islands each shall be allocated not less than 0.25 percent.

(Pub. L. 107-56, title X, § 1014, Oct. 26, 2001, 115 Stat. 399; Pub. L. 107-273, div. C, title I, § 11003, Nov. 2, 2002, 116 Stat. 1816.)

CODIFICATION

Section was enacted as part of the Uniting and Strengthening America by Providing Appropriate Tools

Required to Intercept and Obstruct Terrorism Act of 2001 or USA PATRIOT Act, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-273, §11003(a)(1), which directed amendment of subsec. (a) by substituting “Office for Domestic Preparedness” for “Office of State and Local Domestic Preparedness Support”, was executed by making the substitution for “Office for State and Local Domestic Preparedness Support” to reflect the probable intent of Congress.

Subsec. (b). Pub. L. 107-273, §11003(b), inserted at end “In addition, grants under this section may be used to construct, develop, expand, modify, operate, or improve facilities to provide training or assistance to State and local first responders.”

Subsec. (c)(3). Pub. L. 107-273, §11003(a)(2), inserted “not less than” before “.025 percent”.

#### TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Office for Domestic Preparedness of the Office of Justice Programs, including the functions of the Attorney General relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(5), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### § 3714a. Grants to States for threat assessment databases

#### (a) In general

The Attorney General, through the Office of Justice Programs, shall make grants under this section to the highest State courts in States participating in the program, for the purpose of enabling such courts to establish and maintain a threat assessment database described in subsection (b).

#### (b) Database

For purposes of subsection (a), a threat assessment database is a database through which a State can—

- (1) analyze trends and patterns in domestic terrorism and crime;
- (2) project the probabilities that specific acts of domestic terrorism or crime will occur; and
- (3) develop measures and procedures that can effectively reduce the probabilities that those acts will occur.

#### (c) Core elements

The Attorney General shall define a core set of data elements to be used by each database funded by this section so that the information in the database can be effectively shared with other States and with the Department of Justice.

#### (d) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2008 through 2011.

(Pub. L. 110-177, title III, §303, Jan. 7, 2008, 121 Stat. 2540.)

#### CODIFICATION

Section was enacted as part of the Court Security Improvement Act of 2007, and not as part of title I of the

### § 3715. Office of Justice Programs grants, cooperative agreements, and contracts

Notwithstanding any other provision of law, during any fiscal year the Attorney General—

(1) may make grants, or enter into cooperative agreements and contracts, for the Office of Justice Programs and the component organizations of that Office (including, notwithstanding any contrary provision of law (unless the same should expressly refer to this section), any organization that administers any program established in title 1 of Public Law 90-351);<sup>1</sup> and

(2) shall have final authority over all functions, including any grants, cooperative agreements, and contracts made, or entered into, for the Office of Justice Programs and the component organizations of that Office (including, notwithstanding any contrary provision of law (unless the same should expressly refer to this section), any organization that administers any program established in title 1 of Public Law 90-351).<sup>1</sup>

(Pub. L. 105-277, div. A, §101(b) [title I, §112], Oct. 21, 1998, 112 Stat. 2681-50, 2681-67; Pub. L. 107-56, title VI, §614, Oct. 26, 2001, 115 Stat. 370; Pub. L. 107-273, div. A, title II, §205(d), Nov. 2, 2002, 116 Stat. 1778.)

#### REFERENCES IN TEXT

Public Law 90-351, referred to in pars. (1) and (2), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197, as amended, known as the Omnibus Crime Control and Safe Streets Act of 1968. Title 1 of Public Law 90-351 probably means title I of the Act which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 3711 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Department of Justice Appropriations Act, 1999, and also as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

Section was formerly classified as a note under section 3712 of this title.

#### AMENDMENTS

2002—Pub. L. 107-273 substituted “any fiscal year the Attorney General—” for “fiscal year 1999, the Assistant Attorney General for the Office of Justice Programs of the Department of Justice—” in introductory provisions.

2001—Par. (1). Pub. L. 107-56, §614(1), inserted “(including, notwithstanding any contrary provision of law (unless the same should expressly refer to this section), any organization that administers any program established in title 1 of Public Law 90-351)” after “that Office”.

Par. (2). Pub. L. 107-56, §614, inserted “functions, including any” after “all” and “(including, notwithstanding any contrary provision of law (unless the same should expressly refer to this section), any organization that administers any program established in title 1 of Public Law 90-351)” after “that Office”.

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