

related to designation of a State office to prepare applications and administer funds.

Another prior subchapter IV, consisting of sections 3741 to 3745, related to formula grant program, prior to the general amendment of this subchapter by Pub. L. 98-473.

Section 3741, Pub. L. 90-351, title I, §401, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1179, described formula grant program.

Section 3742, Pub. L. 90-351, title I, §402, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1181, related to eligibility provisions for formula grants.

Section 3743, Pub. L. 90-351, title I, §403, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1187, concerned application requirements for formula grants.

Section 3744, Pub. L. 90-351, title I, §404, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1188, provided for review of applications for formula grants.

Section 3745, Pub. L. 90-351, title I, §405, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1189, provided for allocation and distribution of funds for formula grants.

Another prior subchapter IV, consisting of sections 3741 to 3748 and 3750 to 3750d, related to training, education, research, demonstration, and special grants prior to the general amendment of this chapter by Pub. L. 96-157.

Section 3741, Pub. L. 90-351, title I, §401, June 19, 1968, 82 Stat. 203; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 205, set out the Congressional statement of purposes in making provision for training, education, research, demonstration, and special grants.

Section 3742, Pub. L. 90-351, title I, §402, June 19, 1968, 82 Stat. 203; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 205; Pub. L. 94-503, title I, §117, Oct. 15, 1976, 90 Stat. 2416, provided for creation of a National Institute of Law Enforcement and Criminal Justice.

Section 3743, Pub. L. 90-351, title I, §403, June 19, 1968, 82 Stat. 203; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 206, related to limitations on size of grants and contributions requirements for grants.

Section 3744, Pub. L. 90-351, title I, §404, June 19, 1968, 82 Stat. 204; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 207, provided for Federal Bureau of Investigation law enforcement training programs.

Section 3745, Pub. L. 90-351, title I, §405, June 19, 1968, 82 Stat. 204; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 207, repealed Law Enforcement Assistance Act of 1965 and provided for funds to continue projects started thereunder.

Section 3746, Pub. L. 90-351, title I, §406, June 19, 1968, 82 Stat. 204; Pub. L. 91-644, title I, §5(1), Jan. 2, 1971, 84 Stat. 1884; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 207, provided for academic educational assistance.

Section 3747, Pub. L. 90-351, title I, §407, formerly §408, as added Pub. L. 91-644, title I, §5(2), Jan. 2, 1971, 84 Stat. 1885; renumbered §407, Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 209, related to administration of training programs for prosecuting attorneys.

Another prior section 3747, Pub. L. 90-351, title I, §407, as added Pub. L. 91-644, title I, §5(2), Jan. 2, 1971, 84 Stat. 1885, related to Administration law enforcement training program for enforcement personnel, prior to the general amendment of this chapter by section 2 of Pub. L. 93-83.

Section 3748, Pub. L. 90-351, title I, §408, as added Pub. L. 91-644, title I, §5(2), Jan. 2, 1971, 84 Stat. 1885, was renumbered section 407 of Pub. L. 90-351 by Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 209, and was classified to prior section 3747 of this title.

Section 3750, Pub. L. 90-351, title I, §451, as added Pub. L. 91-644, title I, §6(a), Jan. 2, 1971, 84 Stat. 1885; amended Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 209, set out Congressional statement of purpose in providing a system of grants for correctional institutions and facilities.

Section 3750a, Pub. L. 90-351, title I, §452, as added Pub. L. 91-644, title I, §6(a), Jan. 2, 1971, 84 Stat. 1885; amended Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 209, related to applications for grants and their incorporation into comprehensive State plans.

Section 3750b, Pub. L. 90-351, title I, §453, as added Pub. L. 91-644, title I, §6(a), Jan. 2, 1971, 84 Stat. 1886; amended Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 209; Pub. L. 94-503, title I, §118, Oct. 15, 1976, 90 Stat. 2417, set out required contents of an application for a grant for correctional institutions and facilities.

Section 3750c, Pub. L. 90-351, title I, §454, as added Pub. L. 91-644, title I, §6(a), Jan. 2, 1971, 84 Stat. 1886; amended Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 210; Pub. L. 94-237, §4(c)(5)(C), Mar. 19, 1976, 90 Stat. 244, set out guidelines and basic criteria for applicants and grantees.

Section 3750d, Pub. L. 90-351, title I, §455, as added Pub. L. 91-644, title I, §6(a), Jan. 2, 1971, 84 Stat. 1886; amended Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 210; Pub. L. 94-503, title I, §119(a), Oct. 15, 1976, 90 Stat. 2417, related to allocation and reallocation of funds.

§ 3741. Establishment of Bureau of Justice Assistance

(a) There is established within the Department of Justice, under the general authority of the Attorney General, a Bureau of Justice Assistance (hereafter in this subchapter referred to as the "Bureau").

(b) The Bureau shall be headed by a Director (hereafter in this subchapter referred to as the "Director") who shall be appointed by the President. The Director shall report to the Attorney General through the Assistant Attorney General. The Director shall have final authority for all grants, cooperative agreements, and contracts awarded by the Bureau. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Bureau makes any contract or other arrangement under this chapter.

(Pub. L. 90-351, title I, §401, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4328; amended Pub. L. 112-166, §2(h)(2), Aug. 10, 2012, 126 Stat. 1285.)

PRIOR PROVISIONS

For prior sections 401 of Pub. L. 90-351 and prior sections 3741 of this title, see note set out preceding this section.

AMENDMENTS

2012—Subsec. (b). Pub. L. 112-166 struck out “, by and with the advice and consent of the Senate” before period at end of first sentence.

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of Title 6, Domestic Security.

TRANSFER OF FUNCTIONS

Pub. L. 106-113, div. B, §1000(a)(1) [title I, §108(b)], Nov. 29, 1999, 113 Stat. 1535, 1501A-20, provided that: “Notwithstanding any other provision of law, effective August 1, 2000, all functions of the Director of the Bureau of Justice Assistance, other than those enumerated in the Omnibus Crime Control and Safe Streets Act, as amended, 42 U.S.C. 3742(3) through (6), are transferred to the Assistant Attorney General for the Office of Justice Programs.”

§ 3742. Duties and functions of Director

The Director shall have the following duties:

(1) Providing funds to eligible States, units of local government, and nonprofit organizations pursuant to subchapters V and XII-B of this chapter.

(2) Establishing programs in accordance with part B of subchapter V of this chapter and, following public announcement of such programs, awarding and allocating funds and technical assistance in accordance with the criteria of part B of subchapter V of this chapter, and on terms and conditions determined by the Director to be consistent with part B of subchapter V of this chapter.

(3) Cooperating with and providing technical assistance to States, units of local government, and other public and private organizations or international agencies involved in criminal justice activities.

(4) Providing for the development of technical assistance and training programs for State and local criminal justice agencies and fostering local participation in such activities.

(5) Encouraging the targeting of State and local resources on efforts to reduce the incidence of drug abuse and crime and on programs relating to the apprehension and prosecution of drug offenders.

(6) Establishing and carrying on a specific and continuing program of cooperation with the States and units of local government designed to encourage and promote consultation and coordination concerning decisions made by the Bureau affecting State and local drug control and criminal justice priorities.

(7) Preparing recommendations on the State and local drug enforcement component of the National Drug Control Strategy which shall be submitted to the Associate Director of the Office on National Drug Control Policy. In making such recommendations, the Director shall review the statewide strategies submitted by such States under subchapter V of this chapter, and shall obtain input from State and local drug enforcement officials. The recommendations made under this paragraph shall be provided at such time and in such form as the Director of National Drug Control Policy shall require.

(8) Exercising such other powers and functions as may be vested in the Director pursuant to this chapter or by delegation of the Attorney General or Assistant Attorney General.

(Pub. L. 90-351, title I, §402, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4328; amended Pub. L. 101-647, title II, §241(b)(1), Nov. 29, 1990, 104 Stat. 4813.)

PRIOR PROVISIONS

For prior sections 402 of Pub. L. 90-351 and prior sections 3742 of this title, see note set out preceding section 3741 of this title.

AMENDMENTS

1990—Par. (1). Pub. L. 101-647 substituted “subchapters V and XII-B” for “subchapter V”.

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in pars. (3) to (6) of this section, transferred to As-

sistant Attorney General for Office of Justice Programs, see section 1000(a)(1) [title I, §108(b)] of Pub. L. 106-113, set out as a note under section 3741 of this title.

§ 3743. Grants for young witness assistance

(a) In general

The Director of the Bureau of Justice Assistance of the Office of Justice Programs may make grants to State and local prosecutors and law enforcement agencies in support of juvenile and young adult witness assistance programs.

(b) Use of funds

Grants made available under this section may be used—

(1) to assess the needs of juvenile and young adult witnesses;

(2) to develop appropriate program goals and objectives; and

(3) to develop and administer a variety of witness assistance services, which includes—

(A) counseling services to young witnesses dealing with trauma associated in witnessing a violent crime;

(B) pre- and post-trial assistance for the youth and their family;

(C) providing education services if the child is removed from or changes their school for safety concerns;

(D) protective services for young witnesses and their families when a serious threat of harm from the perpetrators or their associates is made; and

(E) community outreach and school-based initiatives that stimulate and maintain public awareness and support.

(c) Definitions

In this section:

(1) The term “juvenile” means an individual who is age 17 or younger.

(2) The term “young adult” means an individual who is age 21 or younger but not a juvenile.

(3) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2006 through 2009.

(Pub. L. 109-162, title XI, §1136, Jan. 5, 2006, 119 Stat. 3109; Pub. L. 109-271, §8(c), Aug. 12, 2006, 120 Stat. 766.)

CODIFICATION

Section was enacted as part of the Violence Against Women and Department of Justice Reauthorization Act of 2005, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

PRIOR PROVISIONS

For prior sections 3743 of this title, see note set out preceding section 3741 of this title.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-271 substituted “The Director of the Bureau of Justice Assistance of the Office of Justice Programs may” for “The Attorney General, acting through the Bureau of Justice Assistance, may”.