

Stat. 1888; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 214; Pub. L. 94-273, §5(5), Apr. 21, 1976, 90 Stat. 377; Pub. L. 94-503, title I, §125, Oct. 15, 1976, 90 Stat. 2422; Pub. L. 95-115, §9(a), Oct. 3, 1977, 91 Stat. 1060, related to annual reports to President and Congress.

Section 3768, Pub. L. 90-351, title I, §520, June 19, 1968, 82 Stat. 208; Pub. L. 90-462, §1, Aug. 8, 1968, 82 Stat. 638; Pub. L. 91-644, title I, §7(8), Jan. 2, 1971, 84 Stat. 1888; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 214; Pub. L. 93-415, title V, §544, Sept. 7, 1974, 88 Stat. 1142; Pub. L. 94-430, §3, Sept. 29, 1976, 90 Stat. 1348; Pub. L. 94-503, title I, §126, Oct. 15, 1976, 90 Stat. 2423, related to authorization of appropriations.

Section 3769, Pub. L. 90-351, title I, §521, June 19, 1968, 82 Stat. 208; Pub. L. 91-644, title I, §7(9), Jan. 2, 1971, 84 Stat. 1888; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 215; Pub. L. 94-503, title I, §§127, 128(a), Oct. 15, 1976, 90 Stat. 2424, related to recordkeeping requirements.

Section 3770, Pub. L. 90-351, title I, §523, as added Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 215, provided for use of unobligated Federal funds for 90 percent of costs.

Section 3771 of this title, Pub. L. 90-351, title I, §524, as added Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 215, related to availability of information for prescribed purposes.

Section 3772 of this title, Pub. L. 90-351, title I, §526, as added Pub. L. 93-415, title V, §545, Sept. 7, 1974, 88 Stat. 1143, related to acceptance of volunteer services.

Section 3773 of this title, Pub. L. 90-351, title I, §527, as added Pub. L. 93-415, title V, §545, Sept. 7, 1974, 88 Stat. 1143, related to administration of juvenile delinquency programs by Office of Juvenile Justice and Delinquency Prevention.

Section 3774 of this title, Pub. L. 90-351, title I, §528, as added Pub. L. 93-415, title V, §545, Sept. 7, 1974, 88 Stat. 1143, authorized employment of personnel by Law Enforcement Assistance Administration.

PART A—EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

PRIOR PROVISIONS

A prior part A, consisting of sections 3751 to 3759, related to the drug control and system improvement grant program, prior to repeal by Pub. L. 109-162, title XI, §1111(a)(1), (d), Jan. 5, 2006, 119 Stat. 3094, 3102, applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter.

Section 3751, Pub. L. 90-351, title I, §501, as added and amended Pub. L. 100-690, title V, §5104, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4301, 4329; Pub. L. 101-647, title VI, §601(b), Nov. 29, 1990, 104 Stat. 4823; Pub. L. 103-322, title X, §100003, title XIV, §140004, title XV, §150003, title XXI, §210302(a), Sept. 13, 1994, 108 Stat. 1996, 2032, 2035, 2065; Pub. L. 104-132, title VIII, §822(a), Apr. 24, 1996, 110 Stat. 1317; Pub. L. 106-177, title I, §103, Mar. 10, 2000, 114 Stat. 35; Pub. L. 106-310, div. B, title XXXVI, §3621(b), Oct. 17, 2000, 114 Stat. 1231; Pub. L. 106-561, §2(a), Dec. 21, 2000, 114 Stat. 2787, related to description of drug control and system improvement grant program.

Section 3752, Pub. L. 90-351, title I, §502, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4331, related to eligibility of a State for financial assistance.

Section 3753, Pub. L. 90-351, title I, §503, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4331; amended Pub. L. 101-649, title V, §507(a), Nov. 29, 1990, 104 Stat. 5050; Pub. L. 102-232, title III, §306(a)(6), Dec. 12, 1991, 105 Stat. 1751; Pub. L. 103-322, title XXI, §210302(b), Sept. 13, 1994, 108 Stat. 2065; Pub. L. 106-546, §8(a), Dec. 19, 2000, 114 Stat. 2734; Pub. L. 106-561, §2(b), Dec. 21, 2000, 114 Stat. 2787; Pub. L. 107-273, div. B, title V, §5001(a), Nov. 2, 2002, 116 Stat. 1813, related to State applications. See section 3752 of this title.

Section 3754, Pub. L. 90-351, title I, §504, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4333; amended Pub. L. 101-162, title II, §211, Nov. 21, 1989, 103 Stat. 1006; Pub. L. 101-515, title II, §207, Nov. 5,

1990, 104 Stat. 2119; Pub. L. 101-647, title VI, §601(a), Nov. 29, 1990, 104 Stat. 4823; Pub. L. 102-140, title I, §§108, 109, Oct. 28, 1991, 105 Stat. 794; Pub. L. 103-322, title XV, §150009, Sept. 13, 1994, 108 Stat. 2036; Pub. L. 107-273, div. A, title II, §203(a)(1), Nov. 2, 2002, 116 Stat. 1775, related to grant limitations.

Section 3755, Pub. L. 90-351, title I, §505, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4333, related to review of State applications.

Section 3756, Pub. L. 90-351, title I, §506, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4334; amended Pub. L. 101-162, title II, §212, Nov. 21, 1989, 103 Stat. 998, 1006; Pub. L. 101-302, title III, §320(c)(1), May 25, 1990, 104 Stat. 248; Pub. L. 101-647, title XVIII, §1804, Nov. 29, 1990, 104 Stat. 4851; Pub. L. 103-322, title XXXIII, §330001(a), Sept. 13, 1994, 108 Stat. 2138; Pub. L. 107-273, div. A, title II, §203(a)(2), Nov. 2, 2002, 116 Stat. 1775, related to allocation and distribution of funds under formula grants. See section 3755(a) of this title.

Section 3757, Pub. L. 90-351, title I, §507, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4335, related to designation and purposes of a State office.

Section 3758, Pub. L. 90-351, title I, §508, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4335, related to distribution of grants to local government.

Section 3759, Pub. L. 90-351, title I, §509, as added Pub. L. 101-647, title XVIII, §1803(a), Nov. 29, 1990, 104 Stat. 4850; amended Pub. L. 103-159, title I, §106(a), Nov. 30, 1993, 107 Stat. 1543; Pub. L. 103-209, §4(a), Dec. 20, 1993, 107 Stat. 2493, related to improvement of criminal justice records.

§ 3750. Name of program

(a) In general

The grant program established under this part shall be known as the “Edward Byrne Memorial Justice Assistance Grant Program”.

(b) References to former programs

(1) Any reference in a law, regulation, document, paper, or other record of the United States to the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, or to the Local Government Law Enforcement Block Grants program, shall be deemed to be a reference to the grant program referred to in subsection (a) of this section.

(2) Any reference in a law, regulation, document, paper, or other record of the United States to section 3756 of this title as such section was in effect on the date of the enactment of the Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009,¹ shall be deemed to be a reference to section 3755(a) of this title as amended by the Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009.¹

(Pub. L. 90-351, title I, §500, as added Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4329; amended Pub. L. 109-162, title XI, §1111(a)(2)(B), Jan. 5, 2006, 119 Stat. 3094.)

REFERENCES IN TEXT

The Department of Justice Appropriations Authorization Act, Fiscal Years 2006 through 2009, referred to in subsec. (b)(2), probably means the Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. 109-162, Jan. 5, 2006, 119 Stat. 2960, which repealed section 3756 of this title and enacted section 3755 of this title.

¹ See References in Text note below.

PRIOR PROVISIONS

Prior sections 3750a to 3750d were repealed by Pub. L. 109-162, title XI, §1111(b)(2), (d), Jan. 5, 2006, 119 Stat. 3101, 3102, applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter.

Section 3750a, Pub. L. 102-519, title I, §130, Oct. 25, 1992, 106 Stat. 3386, related to the purpose of former sections 3750a to 3750d, to supplement the provisions of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to help States to curb motor vehicle thefts and related violence, and authorization of grants to Anti Car Theft Committees.

Section 3750b, Pub. L. 102-519, title I, §131, Oct. 25, 1992, 106 Stat. 3386, related to application for grants.

Section 3750c, Pub. L. 102-519, title I, §132, Oct. 25, 1992, 106 Stat. 3387, related to award of grants.

Section 3750d, Pub. L. 102-519, title I, §133, Oct. 25, 1992, 106 Stat. 3387, related to authorization of appropriations.

For other prior sections 3750 to 3750d of this title, see note set out preceding section 3741 of this title.

AMENDMENTS

2006—Pub. L. 109-162 substituted “Name of program” for “Name of programs” in section catchline and amended text generally. Prior to amendment, text read as follows: “The grant programs established under this subchapter shall be known as the ‘Edward Byrne Memorial State and Local Law Enforcement Assistance Programs’.”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-162, title XI, §1111(d), Jan. 5, 2006, 119 Stat. 3102, provided that: “The amendments made by this section [enacting sections 3751 to 3758 of this title, amending this section and sections 3763, 3766, 3766b, 3782, 3789, 3791, 3796bb-1, 3796cc-1, 3796dd-1, 3796ff-1, and 14601 of this title, and repealing sections 3750a to 3750d, former sections 3751 to 3759, and sections 3760 to 3762 of this title] shall apply with respect to the first fiscal year beginning after the date of the enactment of this Act [Jan. 5, 2006] and each fiscal year thereafter.”

§ 3751. Description

(a) Grants authorized

(1) In general

From amounts made available to carry out this part, the Attorney General may, in accordance with the formula established under section 3755 of this title, make grants to States and units of local government, for use by the State or unit of local government to provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice, including for any one or more of the following programs:

- (A) Law enforcement programs.
- (B) Prosecution and court programs.
- (C) Prevention and education programs.
- (D) Corrections and community corrections programs.
- (E) Drug treatment and enforcement programs.
- (F) Planning, evaluation, and technology improvement programs.
- (G) Crime victim and witness programs (other than compensation).

(2) Rule of construction

Paragraph (1) shall be construed to ensure that a grant under that paragraph may be used for any purpose for which a grant was au-

thorized to be used under either or both of the programs specified in section 3750(b) of this title, as those programs were in effect immediately before January 5, 2006.

(b) Contracts and subawards

A State or unit of local government may, in using a grant under this part for purposes authorized by subsection (a) of this section, use all or a portion of that grant to contract with or make one or more subawards to one or more—

- (1) neighborhood or community-based organizations that are private and nonprofit; or
- (2) units of local government.

(c) Program assessment component; waiver

(1) Each program funded under this part shall contain a program assessment component, developed pursuant to guidelines established by the Attorney General, in coordination with the National Institute of Justice.

(2) The Attorney General may waive the requirement of paragraph (1) with respect to a program if, in the opinion of the Attorney General, the program is not of sufficient size to justify a full program assessment.

(d) Prohibited uses

Notwithstanding any other provision of this Act, no funds provided under this part may be used, directly or indirectly, to provide any of the following matters:

(1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.

(2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order—

- (A) vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters);
- (B) luxury items;
- (C) real estate;
- (D) construction projects (other than penal or correctional institutions); or
- (E) any similar matters.

(e) Administrative costs

Not more than 10 percent of a grant made under this part may be used for costs incurred to administer such grant.

(f) Period

The period of a grant made under this part shall be four years, except that renewals and extensions beyond that period may be granted at the discretion of the Attorney General.

(g) Rule of construction

Subparagraph (d)(1) shall not be construed to prohibit the use, directly or indirectly, of funds provided under this part to provide security at a public event, such as a political convention or major sports event, so long as such security is provided under applicable laws and procedures.

(Pub. L. 90-351, title I, §501, as added Pub. L. 109-162, title XI, §1111(a)(2)(C), Jan. 5, 2006, 119 Stat. 3095; amended Pub. L. 109-271, §8(h), Aug. 12, 2006, 120 Stat. 767.)

REFERENCES IN TEXT

This Act, referred to in subsec. (d), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197, as amended, known as the