

Pub. L. 112-239, div. A, title X, §1086(b)(1)(K), Jan. 2, 2013, 126 Stat. 1968.)

REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in par. (3)(B), is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219. Title IV of the Act is classified generally to subchapter IV (§1070 et seq.) of chapter 28 of Title 20, Education, and part C (§2751 et seq.) of subchapter I of chapter 34 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

AMENDMENTS

2013—Par. (3)(A). Pub. L. 112-239 substituted “an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and” for “described in section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088), as in effect on October 3, 1996; and”.

1998—Pars. (2) to (4). Pub. L. 105-390 redesignated pars. (3) and (4) as (2) and (3), respectively, and struck out former par. (2) which read as follows: “The term ‘Federal law enforcement officer’ has the same meaning as under part A of this subchapter.”

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 112-239 effective Jan. 2, 2013, and applicable to matters pending on Jan. 2, 2013, or filed or accruing after that date, with certain exceptions, see section 1086(d) of Pub. L. 112-239, set out as a note under section 3791 of this title.

§ 3796d-7. Authorization of appropriations

There are authorized to be appropriated to carry out this part such sums as may be necessary.

(Pub. L. 90-351, title I, §1218, as added Pub. L. 104-238, §2(2), Oct. 3, 1996, 110 Stat. 3117.)

SUBCHAPTER XII-A—REGIONAL INFORMATION SHARING SYSTEMS

PRIOR PROVISIONS

A prior subchapter XII-A, consisted of sections 3796h to 3796s, related to grants for law enforcement programs, prior to repeal by Pub. L. 100-690, title VI, §6101(a), Nov. 18, 1988, 102 Stat. 4340. For similar provisions, see subchapter V of this chapter.

Section 3796h, Pub. L. 90-351, title I, §1301, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-41, authorized Director to provide grants for drug law enforcement programs to eligible States and units of local government.

A prior section 1301 of Pub. L. 90-351 was renumbered section 2501 and is classified to section 3797 of this title.

Section 3796i, Pub. L. 90-351, title I, §1302, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-41, provided for a description of the drug law enforcement grant program.

Section 3796j, Pub. L. 90-351, title I, §1303, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-42, related to applications to receive drug law enforcement program grants.

Section 3796k, Pub. L. 90-351, title I, §1304, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-43, related to review of applications to receive drug law enforcement program grants.

Section 3796l, Pub. L. 90-351, title I, §1305, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-43, related to allocation and distribution of funds under formula drug law enforcement grants.

Section 3796m, Pub. L. 90-351, title I, §1306, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-44, required each State and unit of local government receiving drug law enforcement grants to report each year to the Director and required Director to report annually to Congress.

Section 3796n, Pub. L. 90-351, title I, §1307, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-44, related to limitations on expenditures of funds, payment of the non-Federal portion in cash, and maintenance of records by States and units of local government.

Section 3796o, Pub. L. 90-351, title I, §1308, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-45, provided for designation of a State office for program administration.

Section 3796p, Pub. L. 90-351, title I, §1309, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-45, provided for discretionary grants for drug law enforcement programs.

Section 3796q, Pub. L. 90-351, title I, §1310, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-45, provided application requirements for discretionary grants.

Section 3796r, Pub. L. 90-351, title I, §1311, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-45, related to allocation of funds for discretionary grants.

Section 3796s, Pub. L. 90-351, title I, §1312, as added Pub. L. 99-570, title I, §1552(a)(3), Oct. 27, 1986, 100 Stat. 3207-46, provided for a limitation on use of discretionary grant funds.

§ 3796h. Regional information sharing systems grants

(a) Authority of Director

The Director of the Bureau of Justice Assistance is authorized to make grants and enter into contracts with State, tribal, and local criminal justice agencies and nonprofit organizations for the purposes of identifying, targeting, and removing criminal conspiracies and activities and terrorist conspiracies and activities spanning jurisdictional boundaries.

(b) Purposes

Grants and contracts awarded under this subchapter shall be made for—

(1) maintaining and operating regional information sharing systems that are responsive to the needs of participating enforcement agencies in addressing multijurisdictional offenses and conspiracies, and that are capable of providing controlling input, dissemination, rapid retrieval, and systematized updating of information to authorized agencies;

(2) establishing and operating an analytical component to assist participating agencies and projects in the compilation, interpretation, and presentation of information provided to a project;

(3) establishing and maintaining a secure telecommunications system for regional information sharing between Federal, State, tribal, and local law enforcement agencies;

(4) establishing and operating secure information sharing systems to enhance the investigation and prosecution abilities of participating enforcement agencies in addressing multi-jurisdictional terrorist conspiracies and activities; and

(5) other programs designated by the Director that are designed to further the purposes of this subchapter.

(c) Rules and regulations

The Director is authorized to promulgate such rules and regulations as are necessary to carry out the purposes of this section, including rules and regulations for submitting and reviewing applications.

(d) Authorization of appropriation to the Bureau of Justice Assistance

There are authorized to be appropriated to the Bureau of Justice Assistance to carry out this section \$50,000,000 for fiscal year 2002 and \$100,000,000 for fiscal year 2003.

(Pub. L. 90-351, title I, §1301, as added Pub. L. 100-690, title VI, §6101(a), Nov. 18, 1988, 102 Stat. 4340; amended Pub. L. 107-56, title VII, §701, Oct. 26, 2001, 115 Stat. 374; Pub. L. 109-162, title XI, §1114, Jan. 5, 2006, 119 Stat. 3103; Pub. L. 111-211, title II, §252(a), July 29, 2010, 124 Stat. 2299.)

CODIFICATION

Another section 1301 of Pub. L. 90-351, title VIII, June 19, 1968, 82 Stat. 237, amended section 3731 of Title 18, Crimes and Criminal Procedure.

PRIOR PROVISIONS

A prior section 1301 of Pub. L. 90-351 was renumbered section 2601 and is classified to section 3797 of this title.

For other prior sections 1301 of Pub. L. 90-351 and prior section 3796h of this title, see note set out preceding this section.

AMENDMENTS

2010—Subsec. (a). Pub. L. 111-211 inserted “, tribal,” after “State”.

2006—Subsec. (b)(1). Pub. L. 109-162, §1114(1), inserted “regional” before “information sharing systems”.

Subsec. (b)(3). Pub. L. 109-162, §1114(2), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “establishing and maintaining a telecommunication of the information sharing and analytical programs in clauses (1) and (2);”.

Subsec. (b)(4). Pub. L. 109-162, §1114(3), struck out “(5)” at end.

2001—Subsec. (a). Pub. L. 107-56, §701(1), inserted “and terrorist conspiracies and activities” after “criminal conspiracies and activities”.

Subsec. (b)(4), (5). Pub. L. 107-56, §701(2), added par. (4) and redesignated former par. (4) as (5).

Subsec. (d). Pub. L. 107-56, §701(3), added subsec. (d).

CONSTRUCTION OF 2010 AMENDMENT

Pub. L. 111-211, title II, §252(b), July 29, 2010, 124 Stat. 2299, provided that: “Nothing in this section [amending this section] or any amendment made by this section—

“(1) allows the grant to be made to, or used by, an entity for law enforcement activities that the entity lacks jurisdiction to perform; or

“(2) has any effect other than to authorize, award, or deny a grant of funds to a federally recognized Indian tribe for the purposes described in the relevant grant program.”

[For definition of “Indian tribe” as used in section 252(b) of Pub. L. 111-211, set out above, see section 203(a) of Pub. L. 111-211, set out as a note under section 2801 of Title 25, Indians.]

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 3742(3) to (6) of this title, transferred to Assistant 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.

SUBCHAPTER XII-B—GRANTS FOR CLOSED-CIRCUIT TELEVISIONING OF TESTIMONY OF CHILDREN WHO ARE VICTIMS OF ABUSE**§ 3796aa. Function of Director**

The Director shall provide funds to eligible States and units of local government pursuant to this subchapter.

(Pub. L. 90-351, title I, §1401, as added Pub. L. 101-647, title II, §241(a)(2), Nov. 29, 1990, 104 Stat. 4810.)

CODIFICATION

Another section 1401 of Pub. L. 90-351, title IX, June 19, 1968, 82 Stat. 238, enacted section 3103a of Title 18, Crimes and Criminal Procedure.

PRIOR PROVISIONS

A prior section 1401 of Pub. L. 90-351 was renumbered section 2601 and is classified to section 3797 of this title.

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 3742(3) to (6) of this title, transferred to Assistant 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.

§ 3796aa-1. Description of grant program

The Director is authorized to make grants to provide equipment and personnel training for the closed-circuit televising and video taping of the testimony of children in criminal proceedings for the violation of laws relating to the abuse of children.

(Pub. L. 90-351, title I, §1402, as added Pub. L. 101-647, title II, §241(a)(2), Nov. 29, 1990, 104 Stat. 4810; amended Pub. L. 103-322, title IV, §40156(c)(2), Sept. 13, 1994, 108 Stat. 1923.)

AMENDMENTS

1994—Pub. L. 103-322 struck out “to States, for the use of States and units of local government in the States” after “make grants”.

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 3742(3) to (6) of this title, transferred to Assistant 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.

§ 3796aa-2. Applications to receive grants

To request a grant under section 3796aa-1 of this title, the chief executive officer of a State or unit of local government shall submit to the Director an application at such time and in such form as the Director may require. Such application shall include—

(1) a certification that Federal funds made available under section 3796aa-1 of this title will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of such funds, be made available for criminal proceedings for the violation of laws relating to the abuse of children; and

(2) a certification that funds required to pay the non-Federal portion of the cost of equipment and personnel training for which such grant is made shall be in addition to funds that would otherwise be made available by the recipients of grant funds for criminal proceedings for the violation of laws relating to the abuse of children.

(Pub. L. 90-351, title I, §1403, as added Pub. L. 101-647, title II, §241(a)(2), Nov. 29, 1990, 104 Stat. 4810; amended Pub. L. 103-322, title IV, §40156(c)(3), Sept. 13, 1994, 108 Stat. 1923.)