

(g) Voluntary services; status as Federal employees; exceptions

The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized to accept and employ, in carrying out the provisions of this chapter, voluntary and uncompensated services notwithstanding section 1342 of title 31. Such individuals shall not be considered Federal employees except for purposes of chapter 81 of title 5 with respect to job-incurred disability and title 28 with respect to tort claims.

(Pub. L. 90-351, title I, §807, as added Pub. L. 98-473, title II, §609B(g), Oct. 12, 1984, 98 Stat. 2094.)

REFERENCES IN TEXT

Provisions of title 5 relating to appointments, referred to in subsec. (c), are classified to section 3301 et seq. of Title 5, Government Organization and Employees.

The Federal Advisory Committee Act, referred to in subsec. (e), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5.

PRIOR PROVISIONS

A prior section 3788, Pub. L. 90-351, title I, §810, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1204, contained in part provisions similar to subsec. (a) of this section, prior to repeal by section 609B(e) of Pub. L. 98-473.

A prior section 807 of Pub. L. 90-351 was classified to section 3787 of this title prior to repeal by section 609B(e) of Pub. L. 98-473.

Provisions similar to subsecs. (b), (c), (d) to (f), and (g) of this section were contained in sections 3789, 3789b(a), 3789c(a) to (c), and 3789h of this title, respectively, prior to repeal by section 609B(e) of Pub. L. 98-473.

EFFECTIVE DATE

Section effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as a note under section 3711 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.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 3789. Title to personal property

Notwithstanding any other provision of law, title to all expendable and nonexpendable personal property purchased with funds made available under this chapter, including such property purchased with funds made available under this chapter as in effect before October 12, 1984, shall vest in the criminal justice agency or nonprofit organization that purchased the property if it certifies to the State office responsible for the trust fund required by section 3757 of this title,

or the State office described in section 3796aa-7¹ of this title,² as the case may be, that it will use the property for criminal justice purposes. If such certification is not made, title to the property shall vest in the State office, which shall seek to have the property used for criminal justice purposes elsewhere in the State prior to using it or disposing of it in any other manner.

(Pub. L. 90-351, title I, §808, as added Pub. L. 98-473, title II, §609B(g), Oct. 12, 1984, 98 Stat. 2095; amended Pub. L. 99-570, title I, §1552(b)(4), Oct. 27, 1986, 100 Stat. 3207-46; Pub. L. 101-647, title II, §241(b)(4), Nov. 29, 1990, 104 Stat. 4813; Pub. L. 103-322, title XXXIII, §330001(h)(10), Sept. 13, 1994, 108 Stat. 2139; Pub. L. 109-162, title XI, §1111(c)(2)(E), Jan. 5, 2006, 119 Stat. 3102.)

REFERENCES IN TEXT

Section 3796aa-7 of this title, referred to in text, was repealed by Pub. L. 103-322, title IV, §40156(c)(8), Sept. 13, 1994, 108 Stat. 1924.

PRIOR PROVISIONS

A prior section 3789, Pub. L. 90-351, title I, §811, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1205, authorized use of available services, prior to repeal by section 609B(e) of Pub. L. 98-473. See section 3788(b) of this title.

A prior section 808 of Pub. L. 90-351, title I, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1204, amended section 5314 of Title 5, Government Organization and Employees, prior to repeal by section 609B(e) of Pub. L. 98-473.

AMENDMENTS

2006—Pub. L. 109-162 substituted “the State office responsible for the trust fund required by section 3757 of this title, or the State office described in section 3796aa-7 of this title,” for “the State office described in section 3757 or 3796aa-7 of this title”.

1994—Pub. L. 103-322 substituted “3757” for “3748, 3796o.”.

1990—Pub. L. 101-647 substituted “, 3796o, or 3796aa-7 of this title” for “or 3796o of this title”.

1986—Pub. L. 99-570 inserted reference to section 3796o of this title and “, as the case may be,”.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as a note under section 3750 of this title.

EFFECTIVE DATE

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

§§ 3789a to 3789c. Repealed. Pub. L. 98-473, title II, § 609B(e), Oct. 12, 1984, 98 Stat. 2093

Section 3789a, Pub. L. 90-351, title I, §812, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1205, authorized consultations with other Federal, State, and local officials.

Section 3789b, Pub. L. 90-351, title I, §813, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1205, provided for reimbursement authority and authorized use of grants, contracts, or cooperative agreements under chapter 63 of title 31. See section 3788(c) of this title.

Section 3789c, Pub. L. 90-351, title I, §814, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1205, provided

¹ See References in Text note below.

² So in original.