

SUBCHAPTER VII—FBI TRAINING OF
STATE AND LOCAL CRIMINAL JUSTICE
PERSONNEL

§ 3771. Training and manpower development

(a) Functions, powers, and duties of Director of
Federal Bureau of Investigation

The Director of the Federal Bureau of Investigation is authorized to—

(1) establish and conduct training programs at the Federal Bureau of Investigation National Academy at Quantico, Virginia, to provide, at the request of a State, unit of local government, or rail carrier, training for State and local criminal justice personnel, including railroad police officers;

(2) develop new or improved approaches, techniques, systems, equipment, and devices to improve and strengthen criminal justice; and

(3) assist in conducting, at the request of a State, unit of local government, or rail carrier, local and regional training programs for the training of State and local criminal justice personnel engaged in the investigation of crime and the apprehension of criminals. Training for rural criminal justice personnel shall include, when appropriate, effective use of regional resources and methods to improve coordination among criminal justice personnel in different areas and in different levels of government. Such training shall be provided only for persons actually employed as State police or highway patrol, police of a unit of local government, sheriffs, and their deputies, railroad police officer,¹ and other persons as the State, unit of local government, or rail carrier may nominate for police training while such persons are actually employed as officers of such State, unit of local government, or rail carrier.

(b) General authority of Attorney General over
Director

In the exercise of the functions, powers, and duties established under this section the Director of the Federal Bureau of Investigation shall be under the general authority of the Attorney General.

(c) Training programs for State and local personnel
at Federal Training Center

Notwithstanding the provisions of subsection (a) of this section, the Secretary of the Treasury is authorized to establish, develop, and conduct training programs at the Federal Law Enforcement Training Center at Glynco, Georgia, to provide, at the request of a State or unit of local government, training for State and local criminal justice personnel provided that such training does not interfere with the Center's mission to train Federal law enforcement personnel.

(d) Rail carrier costs

No Federal funds may be used for any travel, transportation, or subsistence expenses incurred in connection with the participation of a railroad police officer in a training program conducted under subsection (a) of this section.

(e) Definitions

In this section—

(1) the terms “rail carrier” and “railroad” have the meanings given such terms in section 20102 of title 49; and

(2) the term “railroad police officer” means a peace officer who is commissioned in his or her State of legal residence or State of primary employment and employed by a rail carrier to enforce State laws for the protection of railroad property, personnel, passengers, or cargo.

(Pub. L. 90-351, title I, §701, as added Pub. L. 98-473, title II, §609A(a), Oct. 12, 1984, 98 Stat. 2090; amended Pub. L. 106-110, §1, Nov. 24, 1999, 113 Stat. 1497.)

CODIFICATION

Another section 701 of Pub. L. 90-351, title II, June 19, 1968, 82 Stat. 210, enacted sections 3501 and 3502 of Title 18, Crimes and Criminal Procedure.

PRIOR PROVISIONS

A prior section 3771, Pub. L. 90-351, title I, §701, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1198, contained Congressional statement of purpose for training and manpower development, prior to the general amendment of this subchapter by Pub. L. 98-473.

For another prior section 3771, see note set out preceding section 3750 of this title.

A prior section 701 of Pub. L. 90-351, title I, as added Pub. L. 94-430, §2, Sept. 29, 1976, 90 Stat. 1346, provided for payments of Public safety officers' death benefits and was classified to former section 3796 of this title, prior to the general amendment of this chapter by Pub. L. 96-157.

Prior sections 3772 to 3775 were omitted in the general revision of this subchapter by Pub. L. 98-473, title II, §609A(a), Oct. 12, 1984, 98 Stat. 2090.

Section 3772, Pub. L. 90-351, title I, §702, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1198, provided for a program to train prosecuting attorneys.

A prior section 702 of Pub. L. 90-351, title I, as added Pub. L. 94-430, §2, Sept. 29, 1976, 90 Stat. 1347, provided limits on the payment of public safety officers' death benefits and was classified to former section 3796a of this title, prior to the general amendment of this chapter by Pub. L. 96-157.

Section 3773, Pub. L. 90-351, title I, §703, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1198, provided for a program to train State and local criminal justice personnel.

A prior section 703 of Pub. L. 90-351, as added Pub. L. 94-430, §2, Sept. 29, 1976, 90 Stat. 1347, defined the terms used in the provisions for public safety officers' death benefits and was classified to former section 3796b of this title, prior to the general amendment of this chapter by Pub. L. 96-157.

Section 3774, Pub. L. 90-351, title I, §704, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1199, related to the training of State and local criminal justice personnel by the Federal Bureau of Investigation.

A prior section 704 of Pub. L. 90-351, title I, as added Pub. L. 94-430, §2, Sept. 29, 1976, 90 Stat. 1347, provided for the administration of the program of public safety officers' death benefits and was classified to former section 3796c of this title, prior to the general amendment of this chapter by Pub. L. 96-157.

Section 3775, Pub. L. 90-351, title I, §705, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1199; amended Pub. L. 96-88, title III, §§301(a)(1), 305, title V, §507, Oct. 17, 1979, 93 Stat. 677, 680, 692, authorized a criminal justice education program.

For other prior sections 3772 to 3774, see note set out preceding section 3750 of this title.

AMENDMENTS

1999—Subsec. (a)(1). Pub. L. 106-110, §1(a)(1), substituted “State, unit of local government, or rail car-

¹ So in original. Probably should be “officers.”

rier” for “State or unit of local government” and inserted “, including railroad police officers” before semicolon at end.

Subsec. (a)(3). Pub. L. 106-110, §1(a)(2), substituted “State, unit of local government, or rail carrier” for “State or unit of local government”, “State or such unit”, and “State or unit” and inserted “railroad police officer,” after “deputies.”.

Subsecs. (d), (e). Pub. L. 106-110, §1(b), (c), added subsecs. (d) and (e).

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

For transfer of functions, personnel, assets, and liabilities of the Federal Law Enforcement Training Center of the Department of the Treasury to the Secretary of Homeland Security, and for treatment of related references, see sections 203(4), 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.

EMPLOYMENT OF ANNUITANTS BY FEDERAL LAW ENFORCEMENT TRAINING CENTER

Pub. L. 107-206, title I, §1202, Aug. 2, 2002, 116 Stat. 887, as amended by Pub. L. 109-295, title IV, Oct. 4, 2006, 120 Stat. 1374; Pub. L. 110-161, div. E, title IV, Dec. 26, 2007, 121 Stat. 2068; Pub. L. 110-329, div. D, title IV, Sept. 30, 2008, 122 Stat. 3677; Pub. L. 111-83, title IV, Oct. 28, 2009, 123 Stat. 2166; Pub. L. 112-74, div. D, title IV, Dec. 23, 2011, 125 Stat. 966; Pub. L. 113-6, div. D, title IV, Mar. 26, 2013, 127 Stat. 364; Pub. L. 113-76, div. F, title IV, Jan. 17, 2014, 128 Stat. 266; Pub. L. 114-4, title IV, Mar. 4, 2015, 129 Stat. 59; Pub. L. 114-113, div. F, title IV, Dec. 18, 2015, 129 Stat. 2509, provided that:

“(a) The Federal Law Enforcement Training Center may, for a period ending not later than December 31, 2018, appoint and maintain a cadre of up to 350 Federal annuitants: (1) without regard to any provision of title 5, United States Code, which might otherwise require the application of competitive hiring procedures; and (2) who shall not be subject to any reduction in pay (for annuity allocable to the period of actual employment) under the provisions of section 8344 or 8468 of such title 5 or similar provision of any other retirement system for employees. A reemployed Federal annuitant as to whom a waiver of reduction under paragraph (2) applies shall not, for any period during which such waiver is in effect, be considered an employee for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or such other retirement system (referred to in paragraph (2)) as may apply.

“(b) No appointment under this section may be made which would result in the displacement of any employee.

“(c) For purposes of this section—

“(1) the term ‘Federal annuitant’ means an employee who has retired under the Civil Service Retirement System, the Federal Employees’ Retirement System, or any other retirement system for employees;

“(2) the term ‘employee’ has the meaning given such term by section 2105 of such title 5; and

“(3) the counting of Federal annuitants shall be done on a full time equivalent basis.”

ANNUAL OUTSTANDING STUDENT AWARD

Pub. L. 107-67, title I, Nov. 12, 2001, 115 Stat. 516, and similar provisions authorizing the Federal Law Enforcement Training Center to use gifts of property for authorized purposes, including funding of an annual gift to the outstanding student who graduated from a basic training program at the Center during the pre-

vious fiscal year, were transferred to a note set out under section 464 of Title 6, Domestic Security.

TRAVEL AND SUBSISTENCE EXPENSES OF STATE AND LOCAL LAW ENFORCEMENT OFFICERS ATTENDING MEETINGS, COURSES, ETC., AT FBI NATIONAL ACADEMY

Pub. L. 99-500, §101(b) [title II], Oct. 18, 1986, 100 Stat. 1783-39, 1783-48, and Pub. L. 99-591, §101(b) [title II], Oct. 30, 1986, 100 Stat. 3341-39, 3341-48, provided that: “Notwithstanding section 1345 of title 31, United States Code, funds made available to the Drug Enforcement Administration in any fiscal year may be used for travel, transportation, and subsistence expenses of State, county, and local law enforcement officers attending conferences, meetings, and training courses at the FBI Academy, Quantico, Virginia.”

FEES TO PROVIDE TRAINING FOR STATE AND LOCAL LAW ENFORCEMENT OFFICERS AT FBI NATIONAL ACADEMY; PROHIBITION; REIMBURSEMENT

Pub. L. 99-500, §101(b) [title II, §210], Oct. 18, 1986, 100 Stat. 1783-39, 1783-56, and Pub. L. 99-591, §101(b) [title II, §210], Oct. 30, 1986, 100 Stat. 3341-39, 3341-56, provided that: “The Director of the Federal Bureau of Investigation and the Administrator of the Drug Enforcement Administration shall not establish and collect fees to provide training to State and local law enforcement officers at the FBI National Academy. Any fees collected for training of State and local law enforcement officers, which occurred at the National Academy on or after October 1, 1986, shall be reimbursed to the appropriate official or agency. In addition, the Director of the National Institute of Corrections shall not establish and collect fees to provide training to State and local officers which was not provided on a reimbursable basis prior to October 1, 1986.”

SUBCHAPTER VIII—ADMINISTRATIVE PROVISIONS

§ 3781. Repealed. Pub. L. 98-473, title II, § 609B(a), Oct. 12, 1984, 98 Stat. 2091

Section, Pub. L. 90-351, title I, §801, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1201, related to establishment of Office of Justice Assistance, Research, and Statistics.

A prior section 3781, Pub. L. 90-351, title I, §601, June 19, 1968, 82 Stat. 209; 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085; Pub. L. 91-644, title I, §§6(b), 9, Jan. 2, 1971, 84 Stat. 1887, 1888; Pub. L. 93-83, §2, Aug. 6, 1973, 87 Stat. 216; Pub. L. 94-503, title I, §129, Oct. 15, 1976, 90 Stat. 2424, defined the terms used in this subchapter, prior to the general amendment of this chapter by Pub. L. 96-157. See section 3791 of this title.

EFFECTIVE DATE OF REPEAL

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

§ 3782. Rules, regulations, and procedures; consultations and establishment

(a) General authorization of certain Federal agencies

The Office of Justice Programs, the Bureau of Justice Assistance, the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Statistics, and the National Institute of Justice are authorized, after appropriate consultation with representatives of States and units of local government, to establish such rules, regulations, and procedures as are necessary to the exercise of their functions, and as are consistent with the stated purposes of this chapter.