

fect on the day before December 27, 1979, which are necessary to carry out the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 [34 U.S.C. 11101 et seq.], remain in effect for the sole purpose of carrying out the Juvenile Justice and Delinquency Prevention Act of 1974, and the State criminal justice council established under this chapter shall serve as the State planning agency for the purposes of the Juvenile Justice and Delinquency Prevention Act of 1974.

**(j) Construction project funding for additional two years**

Notwithstanding the provisions of section 404(c)(3),<sup>1</sup> any construction projects which were funded under this chapter, as in effect before December 27, 1979, and which were budgeted in anticipation of receiving additional Federal funding for such construction may continue for two years to be funded under this chapter.

(Pub. L. 90-351, title I, §2601, formerly §1301, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1221; amended Pub. L. 98-473, title II, §609G, Oct. 12, 1984, 98 Stat. 2100; renumbered §1401, Pub. L. 99-570, title I, §1552(a)(2), Oct. 27, 1986, 100 Stat. 3207-41; renumbered §1501, renumbered §1601, Pub. L. 101-647, title II, §241(a)(1)(B), title VIII, §801(a)(2), Nov. 29, 1990, 104 Stat. 4810, 4825; renumbered §1701, Pub. L. 102-521, §4(a)(2), Oct. 25, 1992, 106 Stat. 3404; renumbered §1801, renumbered §1901, renumbered §2001, renumbered §2101, renumbered §2201, renumbered §2301, renumbered §2401, renumbered §2501, Pub. L. 103-322, title I, §10003(a)(2), title II, §20201(a)(2), title III, §32101(a)(2), title IV, §§40121(a)(2), 40231(a)(2), title V, §50001(a)(2), title XXI, §§210201(a)(2), 210302(c)(1)(B), Sept. 13, 1994, 108 Stat. 1808, 1819, 1898, 1910, 1932, 1955, 2062, 2066, renumbered §2601, Pub. L. 105-181, §3(a)(2), June 16, 1998, 112 Stat. 512.)

REFERENCES IN TEXT

The Justice System Improvement Act of 1979, referred to in subsec. (e), is Pub. L. 96-157, Dec. 27, 1979, 93 Stat. 1167, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 1979 Act note under section 10101 of this title and Tables.

Subchapter V of this chapter, referred to in subsec. (h), was repealed and former subchapter VI was redesignated as V by Pub. L. 98-473, title II, §§607, 608(e), Oct. 12, 1984, 98 Stat. 2086, 2087, which was also repealed and a new subchapter V enacted by Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4328.

The Juvenile Justice and Delinquency Prevention Act of 1974, referred to in subsec. (i), is Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, which is classified principally to chapter 111 (§11101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title of 1974 Act note under section 10101 of this title and Tables.

Section 404(c)(3), referred to in subsec. (j), is a reference to section 404(c)(3) of title I of Pub. L. 90-351, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1188, as in effect prior to the general amendment of section 404 by Pub. L. 98-473, and subsequent repeal by Pub. L. 100-690, title VI, §6091(a), Nov. 18, 1988, 102 Stat. 4328.

CODIFICATION

Section was formerly classified to section 3797 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1984—Subsec. (a). Pub. L. 98-473, §609G(1), designated existing provisions as par. (1) and added par. (2).

Subsecs. (j), (k). Pub. L. 98-473, §609G(2), (3), redesignated subsec. (k) as (j) and struck out former subsec. (j) relating to State planning agency meeting representation requirement as competent to carry out functions, powers, and duties of State criminal justice council.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 10101 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 10142(3) through (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 10141 of this title.

LAW ENFORCEMENT ASSISTANCE ADMINISTRATION; CLOSURE OF OPERATIONS AND TRANSFER OF REMAINING FUNCTIONS

The operations of the Law Enforcement Assistance Administration were closed out by the Justice Department due to lack of appropriations, and the remaining programs and staff transferred to the Office of Justice Assistance, Research, and Statistics, effective Apr. 15, 1982, see Notice of Department of Justice, Office of Justice Assistance, Research, and Statistics, Apr. 19, 1982, 47 F.R. 16694.

SUBCHAPTER XXVI—MATCHING GRANT PROGRAM FOR SCHOOL SECURITY

**§ 10551. Program authorized**

**(a) In general**

**(1) COPS grants**

The Director of the Office of Community Oriented Policing Services (referred to in this subchapter as the “COPS Director”) is authorized to make grants to States, units of local government, and Indian tribes for the purposes described in paragraphs (5) through (9) of subsection (b).

**(2) BJA grants**

The Director of the Bureau of Justice Assistance (referred to in this subchapter as the “BJA Director”) is authorized to make grants to States, units of local government, and Indian tribes for the purposes described in paragraphs (1) through (4) of subsection (b).

**(b) Uses of funds**

Grants awarded under this section shall be distributed directly to the State, unit of local government, or Indian tribe, and shall be used to improve security at schools and on school grounds in the jurisdiction of the grantee through evidence-based school safety programs that may include one or more of the following:

(1) Training school personnel and students to prevent student violence against others and self.

(2) The development and operation of anonymous reporting systems for threats of school violence, including mobile telephone applications, hotlines, and Internet websites.

(3) The development and operation of—

(A) school threat assessment and intervention teams that may include coordination

with law enforcement agencies and school personnel; and

(B) specialized training for school officials in responding to mental health crises.

(4) Any other measure that, in the determination of the BJA Director, may provide a significant improvement in training, threat assessments and reporting, and violence prevention.

(5) Coordination with local law enforcement.

(6) Training for local law enforcement officers to prevent student violence against others and self.

(7) Placement and use of metal detectors, locks, lighting, and other deterrent measures.

(8) Acquisition and installation of technology for expedited notification of local law enforcement during an emergency.

(9) Any other measure that, in the determination of the COPS Director, may provide a significant improvement in security.

**(c) Contracts and subawards**

A State, unit of local government, or Indian tribe may, in using a grant under this subchapter for purposes authorized under subsection (b), use the grant to contract with or make 1 or more subawards to 1 or more—

- (1) local educational agencies;
- (2) nonprofit organizations, excluding schools; or
- (3) units of local government or tribal organizations.

**(d) Services and benefits for schools**

An entity that receives a subaward or contract under subsection (c) may use such funds to provide services or benefits described under subsection (b) to 1 or more schools.

**(e) Preferential consideration**

In awarding grants under this subchapter, the COPS Director and the BJA Director shall give preferential consideration, if feasible, to an application from a jurisdiction that has a demonstrated need for improved security, has a demonstrated need for financial assistance, has evidenced the ability to make the improvements for which the grant amounts are sought, and will use evidence-based strategies and programs, such as those identified by the Comprehensive School Safety Initiative of the Department of Justice.

**(f) Matching funds**

(1) The portion of the costs of a program provided by a grant under subsection (a) may not exceed 75 percent.

(2) Any funds appropriated by Congress for the activities of any agency of an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of a matching requirement funded under this subsection.

(3) The COPS Director and the BJA Director may each provide, in the guidelines implementing this section, for the requirement of paragraph (1) to be waived or altered in the case of a recipient with a financial need for such a waiver or alteration.

**(g) Equitable distribution**

In awarding grants under this subchapter, the COPS Director and the BJA shall each ensure,

to the extent practicable, an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural areas.

**(h) Administrative costs**

The COPS Director and the BJA Director may each reserve not more than 2 percent from amounts appropriated to carry out this subchapter for administrative costs.

(Pub. L. 90-351, title I, §2701, as added Pub. L. 106-386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1501; amended Pub. L. 109-162, title XI, §1169(b), Jan. 5, 2006, 119 Stat. 3122; Pub. L. 109-271, §8(j), Aug. 12, 2006, 120 Stat. 767; Pub. L. 114-255, div. B, title XIV, §14010, Dec. 13, 2016, 130 Stat. 1297; Pub. L. 115-141, div. S, title V, §502(1), Mar. 23, 2018, 132 Stat. 1128.)

CODIFICATION

Section was formerly classified to section 3797a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115-141, §502(1)(A), added subsec. (a) and struck out former subsec. (a). Prior to amendment, text read as follows: “The Director of the Office of Community Oriented Policing Services (in this section referred to as the ‘Director’) is authorized to make grants to States, units of local government, and Indian tribes to provide improved security, including the placement and use of metal detectors and other deterrent measures, at schools and on school grounds.”

Subsec. (b). Pub. L. 115-141, §502(1)(B), inserted “evidence-based school safety programs that may include” after “through” in introductory provisions, added pars. (1) to (9), and struck out former pars. (1) to (6) which read as follows:

“(1) Placement and use of metal detectors, locks, lighting, and other deterrent measures.

“(2) Security assessments.

“(3) Security training of personnel and students.

“(4) The development and operation of crisis intervention teams that may include coordination with law enforcement agencies and specialized training for school officials in responding to mental health crises.

“(5) Coordination with local law enforcement.

“(6) Any other measure that, in the determination of the Director, may provide a significant improvement in security.”

Subsecs. (c), (d). Pub. L. 115-141, §502(1)(D), added subsecs. (c) and (d). Former subsecs. (c) and (d) redesignated (e) and (f), respectively.

Subsec. (e). Pub. L. 115-141, §502(1)(C), (E), redesignated subsec. (c) as (e), substituted “COPS Director and the BJA Director” for “Director” and “has evidenced” for “and has evidenced”, and inserted before period at end “, and will use evidence-based strategies and programs, such as those identified by the Comprehensive School Safety Initiative of the Department of Justice”. Former subsec. (e) redesignated (g).

Subsec. (f). Pub. L. 115-141, §502(1)(C), redesignated subsec. (d) as (f). Former subsec. (f) redesignated (h).

Subsec. (f)(1). Pub. L. 115-141, §502(1)(F)(i), substituted “75 percent” for “50 percent”.

Subsec. (f)(3). Pub. L. 115-141, §502(1)(F)(ii), substituted “COPS Director and the BJA Director may each” for “Director may”.

Subsec. (g). Pub. L. 115-141, §502(1)(C), (G), redesignated subsec. (e) as (g) and substituted “COPS Director and the BJA shall each” for “Director shall”.

Subsec. (h). Pub. L. 115-141, §502(1)(C), (H), redesignated subsec. (f) as (h) and substituted “COPS Director and the BJA Director may each” for “Director may”.

2016—Subsec. (b)(4) to (6). Pub. L. 114-255 added par. (4) and redesignated former pars. (4) and (5) as (5) and (6), respectively.

2006—Subsec. (a). Pub. L. 109-271, §8(j)(1), substituted “The Director of the Office of Community Oriented Policing Services (in this section referred to as the ‘Director’)” for “The Attorney General, acting through the Office of Community Oriented Policing Services.”

Pub. L. 109-162 inserted “, acting through the Office of Community Oriented Policing Services,” after “The Attorney General”.

Subsecs. (b) to (f). Pub. L. 109-271, §8(j)(2), substituted “Director” for “Attorney General” wherever appearing.

## § 10552. Applications

### (a) In general

To request a grant under this subchapter, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the COPS Director or the BJA Director, as the case may be, at such time, in such manner, and accompanied by such information as the COPS Director or the BJA Director may require. Each application shall—

(1) include a detailed explanation of—

(A) the intended uses of funds provided under the grant; and

(B) how the activities funded under the grant will meet the purpose of this subchapter;

(2) be accompanied by an assurance that the application was prepared after consultation with individuals not limited to law enforcement officers (such as school violence researchers, licensed mental health professionals, social workers, teachers, principals, and other school personnel) to ensure that the improvements to be funded under the grant are—

(A) consistent with a comprehensive approach to preventing school violence; and

(B) individualized to the needs of each school at which those improvements are to be made;

(3) include an assurance that the applicant shall maintain and report such data, records, and information (programmatic and financial) as the COPS Director or the BJA Director may reasonably require;

(4) include a certification, made in a form acceptable to the COPS Director or the BJA Director, as the case may be, that—

(A) the programs to be funded by the grant meet all the requirements of this subchapter;

(B) all the information contained in the application is correct; and

(C) the applicant will comply with all provisions of this subchapter and all other applicable Federal laws.

### (b) Guidelines

Not later than 90 days after March 23, 2018, the COPS Director and the BJA Director shall each promulgate guidelines to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

(Pub. L. 90-351, title I, §2702, as added Pub. L. 106-386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502; amended Pub. L. 109-271, §8(j)(2), Aug.

12, 2006, 120 Stat. 767; Pub. L. 115-141, div. S, title V, §502(2), Mar. 23, 2018, 132 Stat. 1130.)

#### CODIFICATION

Section was formerly classified to section 3797b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2018—Subsec. (a). Pub. L. 115-141, §502(2)(A)(i), in introductory provisions, substituted “the COPS Director or the BJA Director, as the case may be,” for “the Director” after “application to” and “the COPS Director or the BJA Director may” for “the Director may”.

Subsec. (a)(2). Pub. L. 115-141, §502(2)(A)(iii)(I), substituted “licensed mental health professionals” for “child psychologists” in introductory provisions.

Subsec. (a)(3), (4). Pub. L. 115-141, §502(2)(A)(ii), (iii)(II), (iv), added pars. (3) and (4).

Subsec. (b). Pub. L. 115-141, §502(2)(B), substituted “March 23, 2018” for “October 28, 2000” and “COPS Director and the BJA Director shall each” for “Director shall”.

2006—Pub. L. 109-271 substituted “Director” for “Attorney General” wherever appearing.

## § 10553. Annual report to Congress; grant accountability

### (a) Annual report

Not later than November 30th of each year, the COPS Director and the BJA Director shall each submit a report to the Congress regarding the activities carried out under this subchapter. Each such report shall include, for the preceding fiscal year, the number of grants funded under this subchapter, the amount of funds provided under those grants, and the activities for which those funds were used.

### (b) Grant accountability

Section 10706 of this title (relating to grant accountability) shall apply to grants awarded by the COPS Director and the BJA Director under this subchapter. For purposes of the preceding sentence, any references in section 10706 of this title to the Attorney General shall be considered references to the COPS Director or the BJA Director, as appropriate, and any references in that section to subchapter XXXVIII shall be considered references to this subchapter.

(Pub. L. 90-351, title I, §2703, as added Pub. L. 106-386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502; amended Pub. L. 109-271, §8(j)(2), Aug. 12, 2006, 120 Stat. 767; Pub. L. 115-141, div. S, title V, §502(3), Mar. 23, 2018, 132 Stat. 1130.)

#### CODIFICATION

Section was formerly classified to section 3797c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

2018—Pub. L. 115-141, §502(3)(A), inserted “; grant accountability” after “Congress” in section catchline.

Pub. L. 115-141, §502(3)(B)-(D), designated existing provisions as subsec. (a), inserted heading, substituted “COPS Director and the BJA Director shall each” for “Director shall”, and added subsec. (b).

2006—Pub. L. 109-271 substituted “Director” for “Attorney General”.

## § 10554. Definitions

For purposes of this subchapter—