

serves notice of the final determination: *Provided further*, That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after January 2, 2013, shall apply to any matter pending on, or filed or accruing after, the effective date specified in the regulations.

(Pub. L. 110-161, div. B, title II, Dec. 26, 2007, 121 Stat. 1912; Pub. L. 112-239, div. A, title X, §1086(c), Jan. 2, 2013, 126 Stat. 1968.)

Editorial Notes

REFERENCES IN TEXT

The 1968 Act, referred to in text, is the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, June 19, 1968, 82 Stat. 197. Section 1205(c) of the Act is classified to section 10285(c) of this title. Subparts 1 and 2 of such part L means subparts 1 and 2 of part L of title I of the Act which are classified generally to this part and part B (§10301 et seq.) of this subchapter. Sections 1001(a)(4) and 1202 of such title I mean sections 1001(a)(4) and 1202 of title I of the Act, which are classified to sections 10261(a)(4) and 10282, respectively, of this title. Paragraphs (2) and (3) of such section 1202 mean pars. (2) and (3) of section 10282 of this title, which were redesignated subsec. (a)(2) and (3), respectively, of that section by Pub. L. 115-36, §5(1), June 2, 2017, 131 Stat. 852. For complete classification of this Act to the Code, see Short Title of 1968 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was enacted as part of the Department of Justice Appropriations Act, 2008, and also as part of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2008, and the Consolidated Appropriations Act, 2008, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

Section was formerly classified to section 3796c-2 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2013—Pub. L. 112-239 substituted “final determinations” for “final decisions”, struck out “(including those, and any related matters, pending)” after “exclusive jurisdiction thereof”, and inserted three provisos at end.

Statutory Notes and Related Subsidiaries

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 10251 of this title.

§ 10288. Due diligence in paying benefit claims

(a) In general

The Bureau, with all due diligence, shall expeditiously attempt to obtain the information and documentation necessary to adjudicate a benefit claim filed under this subchapter, including a claim for financial assistance under part B.

(b) Sufficient information unavailable

If a benefit claim filed under this subchapter, including a claim for financial assistance under part B, is unable to be adjudicated by the Bureau because of a lack of information or documentation from a third party, such as a public

agency, and such information is not readily available to the claimant, the Bureau—

(1) may use available investigative tools, including subpoenas, to—

(A) adjudicate or to expedite the processing of the benefit claim, if the Bureau deems such use to be necessary to adjudicate or conducive to expediting the adjudication of such claim; and

(B) obtain information or documentation from third parties, including public agencies, if the Bureau deems such use to be necessary to adjudicate or conducive to expediting the adjudication of a claim; and

(2) may not abandon the benefit claim unless the Bureau has used investigative tools, including subpoenas, to obtain the information or documentation deemed necessary to adjudicate such claim by the Bureau under subparagraph (1)(B).

(Pub. L. 90-351, title I, §1206, as added Pub. L. 115-36, §4, June 2, 2017, 131 Stat. 852; amended Pub. L. 117-61, §4, Nov. 18, 2021, 135 Stat. 1478.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796c-3 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2021—Subsec. (b). Pub. L. 117-61 substituted “the Bureau—” and pars. (1) and (2) for “the Bureau may not abandon the benefit claim unless the Bureau has utilized the investigative tools available to the Bureau to obtain the necessary information or documentation, including subpoenas.”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-61 effective Nov. 18, 2021, and applicable to any matter pending, before the Bureau or otherwise, on Nov. 18, 2021, or filed (consistent with pre-existing effective dates) or accruing after that date, see section 8(a) and (b)(2) of Pub. L. 117-61, set out in a note under section 10281 of this title.

EFFECTIVE DATE

Section effective June 2, 2017, and applicable to any benefit claim or application under this subchapter pending before the Bureau of Justice Assistance on such date or received by the Bureau on or after such date, see section 6 of Pub. L. 115-36, set out as an Effective Date of 2017 Amendment note under section 10282 of this title.

PART B—EDUCATIONAL ASSISTANCE TO DEPENDENTS OF CIVILIAN FEDERAL LAW ENFORCEMENT OFFICERS KILLED OR DISABLED IN LINE OF DUTY

§ 10301. Purposes

The purposes of this part are—

(1) to enhance the appeal of service in public safety agencies;

(2) to extend the benefits of higher education to qualified and deserving persons who, by virtue of the death of or total disability of an eligible officer, may not be able to afford it otherwise; and