and struck out former subpar. (A) which read as follows: “set aside not less than 7 percent for grants to Indian tribal governments or tribal organizations.”

Subsec. (f) Pub. L. 109–271, §7(d)(2)(B), added subsec. (f) and struck out former subsec. (f) which read as follows: “Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized in section 3796gg–10 of this title. The requirements of this subsection shall not apply to funds allocated for such program.”

Pub. L. 109–162, §906(d), formerly §906(e), as renumbered by Pub. L. 109–271, §7(b)(2)(B), added subsec. (f) and struck out former subsec. (f). Text read as follows: “Not less than 5 percent of the total amount made available for each fiscal year to carry out this section shall be available for grants to Indian tribal governments.”

**Effective Date of 2006 Amendment**

Amendment by sections 306 and 906(d) of Pub. L. 109–162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109–162, set out as a note under section 3793 of this title.

**Definitions**

For definitions of terms used in this section, see section 1002 of Pub. L. 106–386, as amended, set out as a note under section 3796gg–2 of this title.

**§ 10421. Omitted**

**Codification**

Section, Pub. L. 98–457, set out as a note under section 3711 of this title.

**References in Text**


For complete classification of this Act to the Code, see Short Title note set out under section 3701 of this title and Tables.

**Chapter 111—Emergency Federal Law Enforcement Assistance**

Sec. 10501. Application for assistance.

10502. Definitions.

10503. Limitation on authority.

10504. Prohibition of discrimination.

10505. Confidentiality of information.

10506. Prohibition of land acquisition.

10507. Repayment.

10508. Recordkeeping requirement.

10509. Repealed.

10510. Bureau of Justice Assistance.

10511. Limitation on civil justice matters.

10512. Issuance of rules.

10513. Authorization of appropriations.

**§ 10502. Definitions**

For purposes of this chapter—

(1) the term “Federal law enforcement assistance” means funds, equipment, training, intelligence information, and personnel;

(2) the term “Federal law enforcement community” means the heads of the following departments or agencies:

(A) the Federal Bureau of Investigation,

(B) the Drug Enforcement Administration,

(C) the Criminal Division of the Department of Justice,

(D) the Immigration and Naturalization Service,

(E) the Customs Service,
(G) the United States Marshals Service, 
(H) the National Park Service, 
(I) the United States Postal Service, 
(J) the Secret Service, 
(K) the Coast Guard, 
(L) the National Security Division of the Department of Justice, 
(M) the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, and 
(N) other Federal agencies with specific statutory authority to investigate violations of Federal criminal laws,

(3) the term ‘‘law enforcement emergency’’ means an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens or to enforce the criminal law, except that such term does not include—
(A) the perceived need for planning or other activities related to crowd control for general public safety projects, or 
(B) a situation requiring the enforcement of laws associated with scheduled public events, including political conventions and sports events, and

(4) the term ‘‘State’’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, or the Commonwealth of the Northern Mariana Islands. 


REFERENCES IN TEXT
This chapter, referred to in text, was in the original ‘‘this subdivision’’ probably meaning subtitle B (that probably should have been designated ‘‘subdivision’’ B) of division I of chapter VI of title II of Pub. L. 98–473, which enacted this chapter.

AMENDMENTS
2006—Par. (2)(L) to (N). Pub. L. 109–177 added subpars. (L) and redesignated former subpars. (L) and (M) as (M) and (N), respectively.


EFFECTIVE DATE OF 2002 AMENDMENT
Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

TRANSFER OF FUNCTIONS
For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 391, 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.

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, includ-

§ 10503. Limitation on authority

(a) Federal investigations
Nothing in this chapter authorizes the use of Federal law enforcement personnel to investigate violations of criminal law other than violations with respect to which investigation is authorized by other provisions of law.

(b) Federal supervision
Nothing in this chapter shall be construed to authorize the Attorney General or the Federal law enforcement community to exercise any direction, supervision, or control over any police force or other criminal justice agency of an applicant for Federal law enforcement assistance.

(c) Racial balance in criminal justice agencies
Nothing in this chapter shall be construed to authorize the Attorney General or the Federal law enforcement community to pay for the training of any police officer who is not a Federal officer or employee.

(d) Federal supplantation of State funds
No funds provided under this chapter may be used to supplant State or local funds that would otherwise be made available for such purposes.

(e) Other authorities unaffected
Nothing in this chapter shall be construed to limit any authority to provide emergency assistance otherwise provided by law.
§ 10504. Prohibition of discrimination
(a) Federally assisted emergency assistance activities

No person in any State shall, on the ground of race, color, religion, national origin, or sex, be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any activity for which Federal law enforcement assistance is provided under this chapter.

(b) Provisions of section 3789d(c)(3) and (4) of this title applicable to violations

Paragraph (3) and paragraph (4) of section 3789d(c) of this title shall apply with respect to a violation of subsection (a) of this section, except that the terms “this chapter” and “paragraph (1)”, as such terms appear in such paragraphs, shall be deemed to be references to subsection (a) of this section, and a reference to the Office of Justice Programs in such paragraphs shall be deemed to be a reference to the Attorney General.


§ 10505. Confidentiality of information

Section 3789g of this title shall apply with respect to—

(1) information furnished under this chapter,

(2) criminal history information collected, stored, or disseminated with the support of Federal law enforcement assistance provided under this chapter, and

(3) criminal intelligence systems operating with the support of Federal law enforcement assistance provided under this chapter, except that the terms “this chapter” and “this section”, as such terms appear in such section 3789g of this title, shall be deemed to be references to this chapter and this section, respectively, and a reference to the Office of Justice Programs in such section 3789g shall be deemed to be a reference to the Attorney General.


§ 10506. Prohibition of land acquisition

No funds provided under this chapter shall be used for land acquisition.


§ 10507. Repayment

(a) Violation of conditions; amount

If Federal law enforcement assistance provided under this chapter is used by the recipient of such assistance in violation of section 10504 of this title or for any purpose other than the purpose for which it is provided, then such recipient shall promptly repay to the Attorney General an amount equal to the value of such assistance.

(b) Civil action

The Attorney General may bring a civil action in an appropriate United States district court to recover any amount required to be repaid under subsection (a) of this section.


REFERENCES IN TEXT

Section 10504 of this title, referred to in subsec. (a), was in the original a reference to “section 554”, and was translated as if it had been a reference to section 609P of Pub. L. 98–473, which is classified to section 10504 of this title to reflect the probable intent of Congress as manifested in earlier versions of Emergency Federal Law Enforcement Assistance provisions introduced in the Congress. Pub. L. 98–473 does not contain a section 554.

§ 10508. Recordkeeping requirement

(a) Each recipient of Federal law enforcement assistance provided under this chapter shall keep such records as the Attorney General may prescribe to facilitate an effective audit.

(b) The Attorney General and the Comptroller General of the United States shall have access, for the purpose of audit and examination, to any books, documents, and records of recipients of Federal law enforcement assistance provided under this chapter which, in the opinion of the Attorney General or the Comptroller General, are related to the receipt or use of such assistance.


§ 10510. Bureau of Justice Assistance

The Director of the Bureau of Justice Assistance may assist the Attorney General in providing Federal law enforcement assistance under this chapter and in coordinating the activities authorized under this chapter.


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 1001(a)(1) [title I, § 108(b)] of Pub. L. 106–113, set out as a note under section 3741 of this title.

§ 10511. Limitation on civil justice matters

Federal law enforcement assistance provided under this chapter may not be used with respect to civil justice matters except to the extent that such civil justice matters bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters.


§ 10512. Issuance of rules

The Attorney General, after consultation with appropriate members of the law enforcement
community and with State and local officials, shall issue rules to carry out this chapter.


§ 10513. Authorization of appropriations

(a) Assistance in form of funds

There is authorized to be appropriated $20,000,000 for each fiscal year ending after September 30, 1984, to provide under this chapter Federal law enforcement assistance in the form of funds.

(b) Assistance other than funds

There are authorized to be appropriated for each fiscal year ending after September 30, 1984, such sums as may be necessary to provide under this chapter Federal law enforcement assistance other than funds.


CHAPTER 112—VICTIM COMPENSATION AND ASSISTANCE

§ 10601. Crime Victims Fund

(a) Establishment

There is created in the Treasury a separate account to be known as the Crime Victims Fund (hereinafter in this chapter referred to as the "Fund").

(b) Fines deposited in Fund; penalties; forfeited appearance bonds

Except as limited by subsection (c) of this section, there shall be deposited in the Fund—

(1) all fines that are collected from persons convicted of offenses against the United States except—

(A) fines available for use by the Secretary of the Treasury pursuant to—

(i) section 11(d) of the Endangered Species Act (16 U.S.C. 1540(d)); and

(ii) section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)); and

(B) fines to be paid into—

(i) the railroad unemployment insurance account pursuant to the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.); and

(ii) the Postal Service Fund pursuant to sections 2601(a)(2) and 2003 of title 39 and for the purposes set forth in section 404(a)(7) of title 39;

(iii) the navigable waters revolving fund pursuant to section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

(iv) county public school funds pursuant to section 3013 of title 18;

(2) penalty assessments collected under section 3013 of title 18;

(3) the proceeds of forfeited appearance bonds, bail bonds, and collateral collected under section 3146 of title 18;

(4) any money ordered to be paid into the Fund under section 2671(c)(2) of title 18; and

(5) any gifts, bequests, or donations to the Fund from private entities or individuals, which the Director is hereby authorized to accept for deposit into the Fund, except that the Director is not thereby authorized to accept any such gift, bequest, or donation that—

(A) attaches conditions inconsistent with applicable laws or regulations; or

(B) is conditioned upon or would require the expenditure of appropriated funds that are not available to the Office for Victims of Crime.

(c) Retention of sums in Fund; availability for expenditure without fiscal year limitation

Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this chapter for grants under this chapter without fiscal year limitation. Notwithstanding subsection (d)(5) of this section, all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation.

(d) Availability for judicial branch administrative costs; grant program percentages

The Fund shall be available as follows:


(2)(A) Except as provided in subparagraph (B), the first $10,000,000 deposited in the Fund shall be available for grants under section 10603a of this title.

(B)(i) Of any fiscal year for which the amount deposited in the Fund in excess of the amount deposited in the Fund for fiscal year 1998, the $10,000,000 referred to in subparagraph (A) plus an amount equal to 50 percent of the increase in the amount from fiscal year 1998 shall be available for grants under section 10603a of this title.

(ii) Amounts available under this subparagraph for any fiscal year shall not exceed $20,000,000.

(3) Of the sums remaining in the Fund in any particular fiscal year after compliance with paragraph (2), such sums as may be necessary shall be available for the United States Attorneys Offices and the Federal Bureau of Investigation to improve services for the benefit of crime victims in the Federal criminal justice system, and for a Victim Notification System.

(4) Of the remaining amount to be distributed from the Fund in a particular fiscal year—

1 See References in Text note below.