

CODIFICATION

Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2010—Subsec. (a)(8). Pub. L. 111-211, § 251(a)(1)(A), (B), added par. (8) and redesignated former par. (8) as (9).

Subsec. (a)(9). Pub. L. 111-211, § 251(a)(1)(A), (C), redesignated par. (8) as (9) and substituted “tribal, State,” for “State”. Former par. (9) redesignated (10).

Subsec. (a)(10) to (12). Pub. L. 111-211, § 251(a)(1)(A), (D), redesignated pars. (9) to (11) as (10) to (12), respectively, and inserted “tribal,” before “State,” wherever appearing. Former par. (12) redesignated (13).

Subsec. (a)(13). Pub. L. 111-211, § 251(a)(1)(A), redesignated par. (12) as (13).

Subsec. (b). Pub. L. 111-211, § 251(a)(2), inserted “tribal,” before “State,” wherever appearing.

§ 41508. Grants to States for threat assessment databases

(a) In general

The Attorney General, through the Office of Justice Programs, shall make grants under this section to the highest State courts in States participating in the program, for the purpose of enabling such courts to establish and maintain a threat assessment database described in subsection (b).

(b) Database

For purposes of subsection (a), a threat assessment database is a database through which a State can—

- (1) analyze trends and patterns in domestic terrorism and crime;
- (2) project the probabilities that specific acts of domestic terrorism or crime will occur; and
- (3) develop measures and procedures that can effectively reduce the probabilities that those acts will occur.

(c) Core elements

The Attorney General shall define a core set of data elements to be used by each database funded by this section so that the information in the database can be effectively shared with other States and with the Department of Justice.

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2008 through 2011.

(Pub. L. 110-177, title III, § 303, Jan. 7, 2008, 121 Stat. 2540.)

CODIFICATION

Section was formerly classified to section 3714a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Subtitle V—Law Enforcement and Criminal Justice Personnel

SUPPORT FOR MENTAL HEALTH PROVIDERS

Pub. L. 115-113, § 3, Jan. 10, 2018, 131 Stat. 2276, provided that: “The Attorney General, in coordination with the Secretary of Health and Human Services, shall develop resources to educate mental health providers about the culture of Federal, State, tribal, and local

law enforcement agencies and evidence-based therapies for mental health issues common to Federal, State, local, and tribal law enforcement officers.”

SUPPORT FOR OFFICERS

Pub. L. 115-113, § 4, Jan. 10, 2018, 131 Stat. 2277, provided that: “The Attorney General shall—

“(1) in consultation with Federal, State, local, and tribal law enforcement agencies—

“(A) identify and review the effectiveness of any existing crisis hotlines for law enforcement officers;

“(B) provide recommendations to Congress on whether Federal support for existing crisis hotlines or the creation of an alternative hotline would improve the effectiveness or use of the hotline; and

“(C) conduct research into the efficacy of an annual mental health check for law enforcement officers;

“(2) in consultation with the Secretary of Homeland Security and the head of other Federal agencies that employ law enforcement officers, examine the mental health and wellness needs of Federal law enforcement officers, including the efficacy of expanding peer mentoring programs for law enforcement officers at each Federal agency;

“(3) ensure that any recommendations, resources, or programs provided under this Act [see Short Title of 2018 Amendment note set out under section 10101 of this title] protect the privacy of participating law enforcement officers; and

“(4) not later than 1 year after the date of enactment of this Act [Jan. 10, 2018], submit a report to Congress containing findings from the review and research under paragraphs (1) and (2), and final recommendations based upon those findings.”

EX. ORD. NO. 13774. PREVENTING VIOLENCE AGAINST FEDERAL, STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT OFFICERS

Ex. Ord. No. 13774, Feb. 9, 2017, 82 F.R. 10695, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Policy.* It shall be the policy of the executive branch to:

(a) enforce all Federal laws in order to enhance the protection and safety of Federal, State, tribal, and local law enforcement officers, and thereby all Americans;

(b) develop strategies, in a process led by the Department of Justice (Department) and within the boundaries of the Constitution and existing Federal laws, to further enhance the protection and safety of Federal, State, tribal, and local law enforcement officers; and

(c) pursue appropriate legislation, consistent with the Constitution’s regime of limited and enumerated Federal powers, that will define new Federal crimes, and increase penalties for existing Federal crimes, in order to prevent violence against Federal, State, tribal, and local law enforcement officers.

SEC. 2. *Implementation.* In furtherance of the policy set forth in section 1 of this order, the Attorney General shall:

(a) develop a strategy for the Department’s use of existing Federal laws to prosecute individuals who commit or attempt to commit crimes of violence against Federal, State, tribal, and local law enforcement officers;

(b) coordinate with State, tribal, and local governments, and with law enforcement agencies at all levels, including other Federal agencies, in prosecuting crimes of violence against Federal, State, tribal, and local law enforcement officers in order to advance adequate multi-jurisdiction prosecution efforts;

(c) review existing Federal laws to determine whether those laws are adequate to address the protection and safety of Federal, State, tribal, and local law enforcement officers;

(d) following that review, and in coordination with other Federal agencies, as appropriate, make recommendations to the President for legislation to address the protection and safety of Federal, State, tribal, and local law enforcement officers, including, if warranted, legislation defining new crimes of violence and establishing new mandatory minimum sentences for existing crimes of violence against Federal, State, tribal, and local law enforcement officers, as well as for related crimes;

(e) coordinate with other Federal agencies to develop an executive branch strategy to prevent violence against Federal, State, tribal, and local law enforcement officers;

(f) thoroughly evaluate all grant funding programs currently administered by the Department to determine the extent to which its grant funding supports and protects Federal, State, tribal, and local law enforcement officers; and

(g) recommend to the President any changes to grant funding, based on the evaluation required by subsection (f) of this section, including recommendations for legislation, as appropriate, to adequately support and protect Federal, State, tribal, and local law enforcement officers.

SEC. 3. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

CHAPTER 501—EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE

Sec.	
50101.	Application for assistance.
50102.	Definitions.
50103.	Limitation on authority.
50104.	Prohibition of discrimination.
50105.	Confidentiality of information.
50106.	Prohibition of land acquisition.
50107.	Repayment.
50108.	Recordkeeping requirement.
50109.	Bureau of Justice Assistance.
50110.	Limitation on civil justice matters.
50111.	Issuance of rules.
50112.	Authorization of appropriations.

§ 50101. Application for assistance

(a) State as applicant

In the event that a law enforcement emergency exists throughout a State or a part of a State, a State (on behalf of itself or another appropriate unit of government) may submit an application under this section for Federal law enforcement assistance.

(b) Execution of application; period for action of Attorney General on application

An application for assistance under this section shall be submitted in writing by the chief executive officer of a State to the Attorney General, in a form prescribed by rules issued by the Attorney General. The Attorney General shall, after consultation with the Assistant Attorney General for the Office of Justice Programs and

appropriate members of the Federal law enforcement community, approve or disapprove such application not later than 10 days after receiving such application.

(c) Criteria

Federal law enforcement assistance may be provided if such assistance is necessary to provide an adequate response to a law enforcement emergency. In determining whether to approve or disapprove an application for assistance under this section, the Attorney General shall consider—

(1) the nature and extent of such emergency throughout a State or in any part of a State,

(2) the situation or extraordinary circumstances which produced such emergency,

(3) the availability of State and local criminal justice resources to resolve the problem,

(4) the cost associated with the increased Federal presence,

(5) the need to avoid unnecessary Federal involvement and intervention in matters primarily of State and local concern, and

(6) any assistance which the State or other appropriate unit of government has received, or could receive, under any provision of title I of the Omnibus Crime Control and Safe Streets Act of 1968 [34 U.S.C. 10101 et seq.].

(Pub. L. 98-473, title II, §609M, Oct. 12, 1984, 98 Stat. 2103; Pub. L. 109-162, title XI, §1113, Jan. 5, 2006, 119 Stat. 3103.)

REFERENCES IN TEXT

The Omnibus Crime Control and Safe Streets Act of 1968, referred to in subsec. (c)(6), is Pub. L. 90-351, June 19, 1968, 82 Stat. 197. Title I of the Act is classified principally to chapter 101 (§10101 et seq.) of this title. 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 formerly classified to section 10501 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-162 substituted “the Assistant Attorney General for the Office of Justice Programs” for “the Director of the Office of Justice Assistance”.

EFFECTIVE DATE

Chapter effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as a note under section 10101 of this title.

§ 50102. 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 Internal Revenue Service,

(E) the Customs Service,

- (F) the Immigration and Naturalization 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.

(Pub. L. 98-473, title II, §609N, Oct. 12, 1984, 98 Stat. 2104; Pub. L. 107-296, title XI, §1112(o), Nov. 25, 2002, 116 Stat. 2278; Pub. L. 109-177, title V, §506(a)(11), Mar. 9, 2006, 120 Stat. 248.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subdivision” probably meaning subtitle B (which 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.

CODIFICATION

Section was formerly classified to section 10502 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

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

2002—Par. (2)(L). Pub. L. 107-296 substituted “Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice” for “Bureau of Alcohol, Tobacco, and Firearms”.

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 203(1), 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 establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 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 authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 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.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 50103. 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—

- (1) to condition the availability or amount of Federal law enforcement assistance upon the adoption by an applicant for such assistance of, or

- (2) to deny or discontinue such assistance upon the failure of such applicant to adopt,

a percentage ratio, quota system, or other program to achieve racial balance in any criminal justice agency of such applicant.

(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.

(Pub. L. 98-473, title II, §609O, Oct. 12, 1984, 98 Stat. 2105.)

CODIFICATION

Section was formerly classified to section 10503 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50104. 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 10228(c)(3) and (4) of this title applicable to violations

Paragraph (3) and paragraph (4) of section 10228(c) of this title shall apply with respect to a violation of subsection (a), except that the terms “this section” 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.

(Pub. L. 98-473, title II, §609P, Oct. 12, 1984, 98 Stat. 2105.)

CODIFICATION

Section was formerly classified to section 10504 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50105. Confidentiality of information

Section 10231 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 10231 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 10231 shall be deemed to be a reference to the Attorney General.

(Pub. L. 98-473, title II, §609Q, Oct. 12, 1984, 98 Stat. 2105.)

CODIFICATION

Section was formerly classified to section 10505 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50106. Prohibition of land acquisition

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

(Pub. L. 98-473, title II, §609R, Oct. 12, 1984, 98 Stat. 2106.)

CODIFICATION

Section was formerly classified to section 10506 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50107. 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 50104¹ 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).

(Pub. L. 98-473, title II, §609S, Oct. 12, 1984, 98 Stat. 2106.)

REFERENCES IN TEXT

Section 50104 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 50104 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.

CODIFICATION

Section was formerly classified to section 10507 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50108. 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.

(Pub. L. 98-473, title II, §609T, Oct. 12, 1984, 98 Stat. 2106.)

CODIFICATION

Section was formerly classified to section 10508 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50109. Bureau of Justice Assistance

The Director of the Bureau of Justice Assistance may assist the Attorney General in providing Federal law enforcement assistance under

¹ See References in Text note below.

this chapter and in coordinating the activities authorized under this chapter.

(Pub. L. 98-473, title II, § 609V, Oct. 12, 1984, 98 Stat. 2106.)

CODIFICATION

Section was formerly classified to section 10510 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 10142(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 10141 of this title.

§ 50110. 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.

(Pub. L. 98-473, title II, § 609W, Oct. 12, 1984, 98 Stat. 2106.)

CODIFICATION

Section was formerly classified to section 10511 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50111. 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.

(Pub. L. 98-473, title II, § 609X, Oct. 12, 1984, 98 Stat. 2107.)

CODIFICATION

Section was formerly classified to section 10512 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50112. 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, 2021, 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.

(Pub. L. 98-473, title II, § 609Y, Oct. 12, 1984, 98 Stat. 2107; Pub. L. 114-198, title II, § 201(b), July 22, 2016, 130 Stat. 714.)

CODIFICATION

Section was formerly classified to section 10513 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2016—Subsec. (a). Pub. L. 114-198 substituted “September 30, 2021” for “September 30, 1984”.

CHAPTER 503—LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY

Sec.

50301. Definitions.

SUBCHAPTER I—FEDERAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY

50311. Authorization of a Badge.

50312. Nominations.

50313. Federal Law Enforcement Congressional Badge of Bravery Board.

50314. Presentation of Federal Law Enforcement Badges.

SUBCHAPTER II—STATE AND LOCAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY

50321. Authorization of a Badge.

50322. Nominations.

50323. State and Local Law Enforcement Congressional Badge of Bravery Board.

50324. Presentation of State and Local Law Enforcement Badges.

SUBCHAPTER III—CONGRESSIONAL BADGE OF BRAVERY OFFICE

50331. Congressional Badge of Bravery Office.

§ 50301. Definitions

In this chapter:

(1) Federal agency head

The term “Federal agency head” means the head of any executive, legislative, or judicial branch Government entity that employs Federal law enforcement officers.

(2) Federal Board

The term “Federal Board” means the Federal Law Enforcement Congressional Badge of Bravery Board established under section 50313(a) of this title.

(3) Federal Board members

The term “Federal Board members” means the members of the Federal Board appointed under section 50313(c) of this title.

(4) Federal Law Enforcement Badge

The term “Federal Law Enforcement Badge” means the Federal Law Enforcement Congressional Badge of Bravery described in section 50311 of this title.

(5) Federal law enforcement officer

The term “Federal law enforcement officer”—

(A) means a Federal employee—

(i) who has statutory authority to make arrests or apprehensions;

(ii) who is authorized by the agency of the employee to carry firearms; and

(iii) whose duties are primarily—

(I) engagement in or supervision of the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law; or

(II) the protection of Federal, State, local, or foreign government officials against threats to personal safety; and

(B) includes a law enforcement officer employed by the Amtrak Police Department or Federal Reserve.

(6) Office

The term “Office” means the Congressional Badge of Bravery Office established under section 50331(a) of this title.

(7) State and Local Board

The term “State and Local Board” means the State and Local Law Enforcement Congressional Badge of Bravery Board established under section 50323(a) of this title.

(8) State and Local Board members

The term “State and Local Board members” means the members of the State and Local Board appointed under section 50323(c) of this title.

(9) State and Local Law Enforcement Badge

The term “State and Local Law Enforcement Badge” means the State and Local Law Enforcement Congressional Badge of Bravery described in section 50321 of this title.

(10) State or local agency head

The term “State or local agency head” means the head of any executive, legislative, or judicial branch entity of a State or local government that employs State or local law enforcement officers.

(11) State or local law enforcement officer

The term “State or local law enforcement officer” means an employee of a State or local government—

- (A) who has statutory authority to make arrests or apprehensions;
- (B) who is authorized by the agency of the employee to carry firearms; and
- (C) whose duties are primarily—
 - (i) engagement in or supervision of the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law; or
 - (ii) the protection of Federal, State, local, or foreign government officials against threats to personal safety.

(Pub. L. 110–298, §2, July 31, 2008, 122 Stat. 2985.)

CODIFICATION

Section was formerly classified to section 15231 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER I—FEDERAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY

§ 50311. Authorization of a Badge

The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a Federal Law Enforcement Congressional Badge of Bravery to a Federal law enforcement officer who is cited by the Attorney General, upon the recommendation of the Federal Board, for performing an act of bravery while in the line of duty.

(Pub. L. 110–298, title I, §101, July 31, 2008, 122 Stat. 2986.)

CODIFICATION

Section was formerly classified to section 15241 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50312. Nominations**(a) In general**

A Federal agency head may nominate for a Federal Law Enforcement Badge an individual—

- (1) who is a Federal law enforcement officer working within the agency of the Federal agency head making the nomination; and
- (2) who—
 - (A)(i) sustained a physical injury while—
 - (I) engaged in the lawful duties of the individual; and
 - (II) performing an act characterized as bravery by the Federal agency head making the nomination; and
 - (ii) put the individual at personal risk when the injury described in clause (i) occurred; or
 - (B) while not injured, performed an act characterized as bravery by the Federal agency head making the nomination that placed the individual at risk of serious physical injury or death.

(b) Contents

A nomination under subsection (a) shall include—

- (1) a written narrative, of not more than 2 pages, describing the circumstances under which the nominee performed the act of bravery described in subsection (a) and how the circumstances meet the criteria described in such subsection;
- (2) the full name of the nominee;
- (3) the home mailing address of the nominee;
- (4) the agency in which the nominee served on the date when such nominee performed the act of bravery described in subsection (a);
- (5) the occupational title and grade or rank of the nominee;
- (6) the field office address of the nominee on the date when such nominee performed the act of bravery described in subsection (a); and
- (7) the number of years of Government service by the nominee as of the date when such nominee performed the act of bravery described in subsection (a).

(c) Submission deadline

A Federal agency head shall submit each nomination under subsection (a) to the Office not later than February 15 of the year following the date on which the nominee performed the act of bravery described in subsection (a).

(Pub. L. 110–298, title I, §102, July 31, 2008, 122 Stat. 2986.)

CODIFICATION

Section was formerly classified to section 15242 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50313. Federal Law Enforcement Congressional Badge of Bravery Board**(a) Establishment**

There is established within the Department of Justice a Federal Law Enforcement Congressional Badge of Bravery Board.

(b) Duties

The Federal Board shall do the following:

(1) Design the Federal Law Enforcement Badge with appropriate ribbons and appurtenances.

(2) Select an engraver to produce each Federal Law Enforcement Badge.

(3) Recommend recipients of the Federal Law Enforcement Badge from among those nominations timely submitted to the Office.

(4) Annually present to the Attorney General the names of Federal law enforcement officers who the Federal Board recommends as Federal Law Enforcement Badge recipients in accordance with the criteria described in section 50312(a) of this title.

(5) After approval by the Attorney General—

(A) procure the Federal Law Enforcement Badges from the engraver selected under paragraph (2);

(B) send a letter announcing the award of each Federal Law Enforcement Badge to the Federal agency head who nominated the recipient of such Federal Law Enforcement Badge;

(C) send a letter to each Member of Congress representing the congressional district where the recipient of each Federal Law Enforcement Badge resides to offer such Member an opportunity to present such Federal Law Enforcement Badge; and

(D) make or facilitate arrangements for presenting each Federal Law Enforcement Badge in accordance with section 50314 of this title.

(6) Set an annual timetable for fulfilling the duties described in this subsection.

(c) Membership

(1) Number and appointment

The Federal Board shall be composed of 7 members appointed as follows:

(A) One member jointly appointed by the majority leader and minority leader of the Senate.

(B) One member jointly appointed by the Speaker and minority leader of the House of Representatives.

(C) One member from the Department of Justice appointed by the Attorney General.

(D) Two members of the Federal Law Enforcement Officers Association appointed by the Executive Board of the Federal Law Enforcement Officers Association.

(E) Two members of the Fraternal Order of Police appointed by the Executive Board of the Fraternal Order of Police.

(2) Limitation

Not more than—

(A) 2 Federal Board members may be members of the Federal Law Enforcement Officers Association; and

(B) 2 Federal Board members may be members of the Fraternal Order of Police.

(3) Qualifications

Federal Board members shall be individuals with knowledge or expertise, whether by experience or training, in the field of Federal law enforcement.

(4) Terms and vacancies

Each Federal Board member shall be appointed for 2 years and may be reappointed. A

vacancy in the Federal Board shall not affect the powers of the Federal Board and shall be filled in the same manner as the original appointment.

(d) Operations

(1) Chairperson

The Chairperson of the Federal Board shall be a Federal Board member elected by a majority of the Federal Board.

(2) Meetings

The Federal Board shall conduct its first meeting not later than 90 days after the appointment of a majority of Federal Board members. Thereafter, the Federal Board shall meet at the call of the Chairperson, or in the case of a vacancy of the position of Chairperson, at the call of the Attorney General.

(3) Voting and rules

A majority of Federal Board members shall constitute a quorum to conduct business, but the Federal Board may establish a lesser quorum for conducting hearings scheduled by the Federal Board. The Federal Board may establish by majority vote any other rules for the conduct of the business of the Federal Board, if such rules are not inconsistent with this subchapter or other applicable law.

(e) Powers

(1) Hearings

(A) In general

The Federal Board may hold hearings, sit and act at times and places, take testimony, and receive evidence as the Federal Board considers appropriate to carry out the duties of the Federal Board under this subchapter. The Federal Board may administer oaths or affirmations to witnesses appearing before it.

(B) Witness expenses

Witnesses requested to appear before the Federal Board may be paid the same fees as are paid to witnesses under section 1821 of title 28. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Federal Board.

(2) Information from Federal agencies

Subject to sections 552, 552a, and 552b of title 5—

(A) the Federal Board may secure directly from any Federal department or agency information necessary to enable it to carry out this subchapter; and

(B) upon request of the Federal Board, the head of that department or agency shall furnish the information to the Federal Board.

(3) Information to be kept confidential

The Federal Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

(f) Compensation

(1) In general

Except as provided in paragraph (2), each Federal Board member shall be compensated

at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which such Federal Board member is engaged in the performance of the duties of the Federal Board.

(2) Prohibition of compensation for government employees

Federal Board members who serve as officers or employees of the Federal Government or a State or a local government may not receive additional pay, allowances, or benefits by reason of their service on the Federal Board.

(3) Travel expenses

Each Federal Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5.

(Pub. L. 110-298, title I, §103, July 31, 2008, 122 Stat. 2987.)

CODIFICATION

Section was formerly classified to section 15243 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50314. Presentation of Federal Law Enforcement Badges

(a) Presentation by Member of Congress

A Member of Congress may present a Federal Law Enforcement Badge to any Federal Law Enforcement Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a Federal Law Enforcement Badge, such Senator and Representative shall make a joint presentation.

(b) Presentation by Attorney General

If no Member of Congress chooses to present the Federal Law Enforcement Badge as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such Federal Law Enforcement Badge.

(c) Presentation arrangements

The office of the Member of Congress presenting each Federal Law Enforcement Badge may make arrangements for the presentation of such Federal Law Enforcement Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Members shall make joint arrangements. The Federal Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the Federal Law Enforcement Badge and shall make arrangements in cases not undertaken by Members of Congress.

(Pub. L. 110-298, title I, §104, July 31, 2008, 122 Stat. 2989.)

CODIFICATION

Section was formerly classified to section 15244 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER II—STATE AND LOCAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY

§ 50321. Authorization of a Badge

The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a State and Local Law Enforcement Congressional Badge of Bravery to a State or local law enforcement officer who is cited by the Attorney General, upon the recommendation of the State and Local Board, for performing an act of bravery while in the line of duty.

(Pub. L. 110-298, title II, §201, July 31, 2008, 122 Stat. 2990.)

CODIFICATION

Section was formerly classified to section 15251 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50322. Nominations

(a) In general

A State or local agency head may nominate for a State and Local Law Enforcement Badge an individual—

(1) who is a State or local law enforcement officer working within the agency of the State or local agency head making the nomination; and

(2) who—

(A)(i) sustained a physical injury while—

(I) engaged in the lawful duties of the individual; and

(II) performing an act characterized as bravery by the State or local agency head making the nomination; and

(ii) put the individual at personal risk when the injury described in clause (i) occurred; or

(B) while not injured, performed an act characterized as bravery by the State or local agency head making the nomination that placed the individual at risk of serious physical injury or death.

(b) Contents

A nomination under subsection (a) shall include—

(1) a written narrative, of not more than 2 pages, describing the circumstances under which the nominee performed the act of bravery described in subsection (a) and how the circumstances meet the criteria described in such subsection;

(2) the full name of the nominee;

(3) the home mailing address of the nominee;

(4) the agency in which the nominee served on the date when such nominee performed the act of bravery described in subsection (a);

(5) the occupational title and grade or rank of the nominee;

(6) the field office address of the nominee on the date when such nominee performed the act of bravery described in subsection (a); and

(7) the number of years of government service by the nominee as of the date when such nominee performed the act of bravery described in subsection (a).

(c) Submission deadline

A State or local agency head shall submit each nomination under subsection (a) to the Office not later than February 15 of the year following the date on which the nominee performed the act of bravery described in subsection (a).

(Pub. L. 110-298, title II, §202, July 31, 2008, 122 Stat. 2990.)

CODIFICATION

Section was formerly classified to section 15252 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50323. State and Local Law Enforcement Congressional Badge of Bravery Board**(a) Establishment**

There is established within the Department of Justice a State and Local Law Enforcement Congressional Badge of Bravery Board.

(b) Duties

The State and Local Board shall do the following:

- (1) Design the State and Local Law Enforcement Badge with appropriate ribbons and appurtenances.
- (2) Select an engraver to produce each State and Local Law Enforcement Badge.
- (3) Recommend recipients of the State and Local Law Enforcement Badge from among those nominations timely submitted to the Office.
- (4) Annually present to the Attorney General the names of State or local law enforcement officers who the State and Local Board recommends as State and Local Law Enforcement Badge recipients in accordance with the criteria described in section 50322(a) of this title.
- (5) After approval by the Attorney General—
 - (A) procure the State and Local Law Enforcement Badges from the engraver selected under paragraph (2);
 - (B) send a letter announcing the award of each State and Local Law Enforcement Badge to the State or local agency head who nominated the recipient of such State and Local Law Enforcement Badge;
 - (C) send a letter to each Member of Congress representing the congressional district where the recipient of each State and Local Law Enforcement Badge resides to offer such Member an opportunity to present such State and Local Law Enforcement Badge; and
 - (D) make or facilitate arrangements for presenting each State and Local Law Enforcement Badge in accordance with section 50324 of this title.
- (6) Set an annual timetable for fulfilling the duties described in this subsection.

(c) Membership**(1) Number and appointment**

The State and Local Board shall be composed of 9 members appointed as follows:

- (A) One member jointly appointed by the majority leader and minority leader of the Senate.

(B) One member jointly appointed by the Speaker and minority leader of the House of Representatives.

(C) One member from the Department of Justice appointed by the Attorney General.

(D) Two members of the Fraternal Order of Police appointed by the Executive Board of the Fraternal Order of Police.

(E) One member of the National Association of Police Organizations appointed by the Executive Board of the National Association of Police Organizations.

(F) One member of the National Organization of Black Law Enforcement Executives appointed by the Executive Board of the National Organization of Black Law Enforcement Executives.

(G) One member of the International Association of Chiefs of Police appointed by the Board of Officers of the International Association of Chiefs of Police.

(H) One member of the National Sheriffs' Association appointed by the Executive Committee of the National Sheriffs' Association.

(2) Limitation

Not more than 5 State and Local Board members may be members of the Fraternal Order of Police.

(3) Qualifications

State and Local Board members shall be individuals with knowledge or expertise, whether by experience or training, in the field of State and local law enforcement.

(4) Terms and vacancies

Each State and Local Board member shall be appointed for 2 years and may be reappointed. A vacancy in the State and Local Board shall not affect the powers of the State and Local Board and shall be filled in the same manner as the original appointment.

(d) Operations**(1) Chairperson**

The Chairperson of the State and Local Board shall be a State and Local Board member elected by a majority of the State and Local Board.

(2) Meetings

The State and Local Board shall conduct its first meeting not later than 90 days after the appointment of a majority of State and Local Board members. Thereafter, the State and Local Board shall meet at the call of the Chairperson, or in the case of a vacancy of the position of Chairperson, at the call of the Attorney General.

(3) Voting and rules

A majority of State and Local Board members shall constitute a quorum to conduct business, but the State and Local Board may establish a lesser quorum for conducting hearings scheduled by the State and Local Board. The State and Local Board may establish by majority vote any other rules for the conduct of the business of the State and Local Board, if such rules are not inconsistent with this subchapter or other applicable law.

(e) Powers**(1) Hearings****(A) In general**

The State and Local Board may hold hearings, sit and act at times and places, take testimony, and receive evidence as the State and Local Board considers appropriate to carry out the duties of the State and Local Board under this subchapter. The State and Local Board may administer oaths or affirmations to witnesses appearing before it.

(B) Witness expenses

Witnesses requested to appear before the State and Local Board may be paid the same fees as are paid to witnesses under section 1821 of title 28. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the State and Local Board.

(2) Information from Federal agencies

Subject to sections 552, 552a, and 552b of title 5—

(A) the State and Local Board may secure directly from any Federal department or agency information necessary to enable it to carry out this subchapter; and

(B) upon request of the State and Local Board, the head of that department or agency shall furnish the information to the State and Local Board.

(3) Information to be kept confidential

The State and Local Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

(f) Compensation**(1) In general**

Except as provided in paragraph (2), each State and Local Board member shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which such State and Local Board member is engaged in the performance of the duties of the State and Local Board.

(2) Prohibition of compensation for government employees

State and Local Board members who serve as officers or employees of the Federal Government or a State or a local government may not receive additional pay, allowances, or benefits by reason of their service on the State and Local Board.

(3) Travel expenses

Each State and Local Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5.

(Pub. L. 110-298, title II, §203, July 31, 2008, 122 Stat. 2991.)

CODIFICATION

Section was formerly classified to section 15253 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50324. Presentation of State and Local Law Enforcement Badges**(a) Presentation by Member of Congress**

A Member of Congress may present a State and Local Law Enforcement Badge to any State and Local Law Enforcement Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a State and Local Law Enforcement Badge, such Senator and Representative shall make a joint presentation.

(b) Presentation by Attorney General

If no Member of Congress chooses to present the State and Local Law Enforcement Badge as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such State and Local Law Enforcement Badge.

(c) Presentation arrangements

The office of the Member of Congress presenting each State and Local Law Enforcement Badge may make arrangements for the presentation of such State and Local Law Enforcement Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Members shall make joint arrangements. The State and Local Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the State and Local Law Enforcement Badge and shall make arrangements in cases not undertaken by Members of Congress.

(Pub. L. 110-298, title II, §204, July 31, 2008, 122 Stat. 2993.)

CODIFICATION

Section was formerly classified to section 15254 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER III—CONGRESSIONAL BADGE OF BRAVERY OFFICE**§ 50331. Congressional Badge of Bravery Office****(a) Establishment**

There is established within the Department of Justice a Congressional Badge of Bravery Office.

(b) Duties

The Office shall—

(1) receive nominations from Federal agency heads on behalf of the Federal Board and deliver such nominations to the Federal Board at Federal Board meetings described in section 50313(d)(2) of this title;

(2) receive nominations from State or local agency heads on behalf of the State and Local Board and deliver such nominations to the State and Local Board at State and Local Board meetings described in section 50323(d)(2) of this title; and

(3) provide staff support to the Federal Board and the State and Local Board to carry out the duties described in section 50313(b) and section 50323(b) of this title, respectively.

(Pub. L. 110-298, title III, §301, July 31, 2008, 122 Stat. 2994.)

CODIFICATION

Section was formerly classified to section 15261 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

CHAPTER 505—NATIONAL BLUE ALERT

Sec.	
50501.	Definitions.
50502.	Blue Alert communications network.
50503.	Blue Alert Coordinator; guidelines.

§ 50501. Definitions

In this chapter:

(1) Coordinator

The term “Coordinator” means the Blue Alert Coordinator of the Department of Justice designated under section 50503(a) of this title.

(2) Blue Alert

The term “Blue Alert” means information sent through the network relating to—

- (A) the serious injury or death of a law enforcement officer in the line of duty;
- (B) an officer who is missing in connection with the officer’s official duties; or
- (C) an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer.

(3) Blue Alert plan

The term “Blue Alert plan” means the plan of a State, unit of local government, or Federal agency participating in the network for the dissemination of information received as a Blue Alert.

(4) Law enforcement officer

The term “law enforcement officer” shall have the same meaning as in section 10284 of this title.

(5) Network

The term “network” means the Blue Alert communications network established by the Attorney General under section 50502 of this title.

(6) State

The term “State” means each of the 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 114-12, §2, May 19, 2015, 129 Stat. 192.)

CODIFICATION

Section was formerly classified to section 14165 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50502. Blue Alert communications network

The Attorney General shall establish a national Blue Alert communications network within the Department of Justice to issue Blue Alerts through the initiation, facilitation, and promotion of Blue Alert plans, in coordination with States, units of local government, law enforcement agencies, and other appropriate entities.

(Pub. L. 114-12, §3, May 19, 2015, 129 Stat. 193.)

CODIFICATION

Section was formerly classified to section 14165a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 50503. Blue Alert Coordinator; guidelines

(a) Coordination within Department of Justice

The Attorney General shall assign an existing officer of the Department of Justice to act as the national coordinator of the Blue Alert communications network.

(b) Duties of the Coordinator

The Coordinator shall—

(1) provide assistance to States and units of local government that are using Blue Alert plans;

(2) establish voluntary guidelines for States and units of local government to use in developing Blue Alert plans that will promote compatible and integrated Blue Alert plans throughout the United States, including—

- (A) a list of the resources necessary to establish a Blue Alert plan;
- (B) criteria for evaluating whether a situation warrants issuing a Blue Alert;
- (C) guidelines to protect the privacy, dignity, independence, and autonomy of any law enforcement officer who may be the subject of a Blue Alert and the family of the law enforcement officer;
- (D) guidelines that a Blue Alert should only be issued with respect to a law enforcement officer if—

(i) the law enforcement agency involved—

(I) confirms—

(aa) the death or serious injury of the law enforcement officer; or

(bb) the attack on the law enforcement officer and that there is an indication of the death or serious injury of the officer; or

(II) concludes that the law enforcement officer is missing in connection with the officer’s official duties;

(ii) there is an indication of serious injury to or death of the law enforcement officer;

(iii) the suspect involved has not been apprehended; and

(iv) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(E) guidelines that a Blue Alert should only be issued with respect to a threat to cause death or serious injury to a law enforcement officer if—

(i) a law enforcement agency involved confirms that the threat is imminent and credible;

(ii) at the time of receipt of the threat, the suspect is wanted by a law enforcement agency;

(iii) the suspect involved has not been apprehended; and

(iv) there is sufficient descriptive information of the suspect involved and any relevant vehicle and tag numbers;

(F) guidelines—

(i) that information should be provided to the National Crime Information Center database operated by the Federal Bureau of Investigation under section 534 of title 28, and any relevant crime information repository of the State involved, relating to—

(I) a law enforcement officer who is seriously injured or killed in the line of duty; or

(II) an imminent and credible threat to cause the serious injury or death of a law enforcement officer;

(ii) that a Blue Alert should, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local governments), be limited to the geographic areas most likely to facilitate the apprehension of the suspect involved or which the suspect could reasonably reach, which should not be limited to State lines;

(iii) for law enforcement agencies of States or units of local government to develop plans to communicate information to neighboring States to provide for seamless communication of a Blue Alert; and

(iv) providing that a Blue Alert should be suspended when the suspect involved is apprehended or when the law enforcement agency involved determines that the Blue Alert is no longer effective; and

(G) guidelines for—

(i) the issuance of Blue Alerts through the network; and

(ii) the extent of the dissemination of alerts issued through the network;

(3) develop protocols for efforts to apprehend suspects that address activities during the period beginning at the time of the initial notification of a law enforcement agency that a suspect has not been apprehended and ending at the time of apprehension of a suspect or when the law enforcement agency involved determines that the Blue Alert is no longer effective, including protocols regulating—

(A) the use of public safety communications;

(B) command center operations; and

(C) incident review, evaluation, debriefing, and public information procedures;

(4) work with States to ensure appropriate regional coordination of various elements of the network;

(5) establish an advisory group to assist States, units of local government, law enforcement agencies, and other entities involved in the network with initiating, facilitating, and promoting Blue Alert plans, which shall include—

(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

(B) members who are—

(i) representatives of a law enforcement organization representing rank-and-file officers;

(ii) representatives of other law enforcement agencies and public safety communications;

(iii) broadcasters, first responders, dispatchers, and radio station personnel; and

(iv) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the network;

(6) act as the nationwide point of contact for—

(A) the development of the network; and

(B) regional coordination of Blue Alerts through the network; and

(7) determine—

(A) what procedures and practices are in use for notifying law enforcement and the public when—

(i) a law enforcement officer is killed or seriously injured in the line of duty;

(ii) a law enforcement officer is missing in connection with the officer's official duties; and

(iii) an imminent and credible threat to kill or seriously injure a law enforcement officer is received; and

(B) which of the procedures and practices are effective and that do not require the expenditure of additional resources to implement.

(c) Limitations**(1) Voluntary participation**

The guidelines established under subsection (b)(2), protocols developed under subsection (b)(3), and other programs established under subsection (b), shall not be mandatory.

(2) Dissemination of information

The guidelines established under subsection (b)(2) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with law enforcement agencies of States and units of local government), provide that appropriate information relating to a Blue Alert is disseminated to the appropriate officials of law enforcement agencies, public health agencies, and other agencies.

(3) Privacy and civil liberties protections

The guidelines established under subsection (b) shall—

(A) provide mechanisms that ensure that Blue Alerts comply with all applicable Federal, State, and local privacy laws and regulations; and

(B) include standards that specifically provide for the protection of the civil liberties, including the privacy, of law enforcement officers who are seriously injured or killed in the line of duty, is missing in connection with the officer's official duties, or who are threatened with death or serious injury, and the families of the officers.

(d) Cooperation with other agencies

The Coordinator shall cooperate with the Secretary of Homeland Security, the Secretary of Transportation, the Chairman of the Federal Communications Commission, and appropriate offices of the Department of Justice in carrying out activities under this chapter.

(e) Restrictions on Coordinator

The Coordinator may not—

(1) perform any official travel for the sole purpose of carrying out the duties of the Coordinator;

(2) lobby any officer of a State regarding the funding or implementation of a Blue Alert plan; or

(3) host a conference focused solely on the Blue Alert program that requires the expenditure of Federal funds.

(f) Reports

Not later than 1 year after May 19, 2015, and annually thereafter, the Coordinator shall submit to Congress a report on the activities of the Coordinator and the effectiveness and status of the Blue Alert plans that are in effect or being developed.

(Pub. L. 114–12, § 4, May 19, 2015, 129 Stat. 193.)

CODIFICATION

Section was formerly classified to section 14165b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Subtitle VI—Other Crime Control and Law Enforcement Matters

EX. ORD. NO. 13776. TASK FORCE ON CRIME REDUCTION AND PUBLIC SAFETY

Ex. Ord. No. 13776, Feb. 9, 2017, 82 F.R. 10699, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to reduce crime and restore public safety to communities across the Nation, it is hereby ordered as follows:

SECTION 1. Policy. It shall be the policy of the executive branch to reduce crime in America. Many communities across the Nation are suffering from high rates of violent crime. A focus on law and order and the safety and security of the American people requires a commitment to enforcing the law and developing policies that comprehensively address illegal immigration, drug trafficking, and violent crime. The Department of Justice shall take the lead on Federal actions to support law enforcement efforts nationwide and to collaborate with State, tribal, and local jurisdictions to restore public safety to all of our communities.

SEC. 2. Task Force. (a) In furtherance of the policy described in section 1 of this order, I hereby direct the Attorney General to establish, and to appoint or designate an individual or individuals to chair, a Task Force on Crime Reduction and Public Safety (Task Force). The Attorney General shall, to the extent permitted by law, provide administrative support and funding for the Task Force.

(b) The Attorney General shall determine the characteristics of the Task Force, which shall be composed of individuals appointed or designated by him.

(c) The Task Force shall:

(i) exchange information and ideas among its members that will be useful in developing strategies to reduce crime, including, in particular, illegal immigration, drug trafficking, and violent crime;

(ii) based on that exchange of information and ideas, develop strategies to reduce crime;

(iii) identify deficiencies in existing laws that have made them less effective in reducing crime and propose new legislation that could be enacted to improve public safety and reduce crime;

(iv) evaluate the availability and adequacy of crime-related data and identify measures that could improve data collection in a manner that will aid in the understanding of crime trends and in the reduction of crime; and

(v) conduct any other studies and develop any other recommendations as directed by the Attorney General.

(d) The Task Force shall meet as required by the Attorney General and shall be dissolved once it has accomplished the objectives set forth in subsection (c) of this section, as determined by the Attorney General.

(e) The Task Force shall submit at least one report to the President within 1 year from the date of this order, and a subsequent report at least once per year thereafter while the Task Force remains in existence. The structure of the report is left to the discretion of the Attorney General. In its first report to the President and in any subsequent reports, the Task Force shall summarize its findings and recommendations under subsections (c)(ii) through (c)(v) of this section.

SEC. 3. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

CHAPTER 601—PRISONS

Sec.

60101.	Findings.
60102.	Definitions.
60103.	Federal regulation of prisoner transport companies.
60104.	Enforcement.
60105.	State information regarding individuals who die in the custody of law enforcement.

§ 60101. Findings

Congress finds the following:

(1) Increasingly, States are turning to private prisoner transport companies as an alternative to their own personnel or the United States Marshals Service when transporting violent prisoners.

(2) The transport process can last for days if not weeks, as violent prisoners are dropped off and picked up at a network of hubs across the country.

(3) Escapes by violent prisoners during transport by private prisoner transport companies have occurred.

(4) Oversight by the Attorney General is required to address these problems.

(5) While most governmental entities may prefer to use, and will continue to use, fully trained and sworn law enforcement officers when transporting violent prisoners, fiscal or logistical concerns may make the use of highly specialized private prisoner transport companies an option. Nothing in sections 60101 to 60104 of this title should be construed to mean that governmental entities should contract with private prisoner transport companies to move violent prisoners; however when a government entity opts to use a private prisoner transport company to move violent prisoners, then the company should be subject to regulation in order to enhance public safety.

(Pub. L. 106–560, § 2, Dec. 21, 2000, 114 Stat. 2784.)