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TITLE 42--THE PUBLIC HEALTH AND WELFARE

CHAPTER 46--JUSTICE SYSTEM IMPROVEMENT

SUBCHAPTER II--NATIONAL INSTITUTE OF JUSTICE

Sec. 3721. Statement of purpose

It is the purpose of this subchapter to establish a National Institute of Justice, which shall provide for and encourage research and demonstration efforts for the purpose of--

- (1) improving Federal, State, and local criminal justice systems and related aspects of the civil justice system;
- (2) preventing and reducing crimes;
- (3) insuring citizen access to appropriate dispute-resolution forums; and
- (4) identifying programs of proven effectiveness, programs having a record of proven success, or programs which offer a high probability of improving the functioning of the criminal justice system.

The Institute shall have authority to engage in and encourage research and development to improve and strengthen the criminal justice system and related aspects of the civil justice system and to disseminate the results of such efforts to Federal, State, and local governments, to evaluate the effectiveness of programs funded under this chapter, to develop and demonstrate new or improved approaches and techniques, to improve and strengthen the administration of justice, and to identify programs or projects carried out under this chapter which have demonstrated success in improving the quality of justice systems and which offer the likelihood of success if continued or repeated. In carrying out the provisions of this subchapter, the Institute shall give primary emphasis to the problems of State and local justice systems and shall insure that there is a balance between basic and applied research.

(Pub. L. 90-351, title I, Sec. 201, as added Pub. L. 96-157, Sec. 2, Dec. 27, 1979, 93 Stat. 1172; amended Pub. L. 98-473, title II, Sec. 604(a), Oct. 12, 1984, 98 Stat. 2078.)

Prior Provisions

A prior section 3721, Pub. L. 90-351, title I, Sec. 201, June 19, 1968, 82 Stat. 198; Pub. L. 93-83, Sec. 2, Aug. 6, 1973, 87 Stat. 197; Pub. L. 94-503, title I, Sec. 104, Oct. 15, 1976, 90 Stat. 2408, set out Congressional statement of purpose in providing for a program of planning grants, prior to the general amendment of this chapter by Pub. L. 96-157.

Amendments

1984--Pub. L. 98-473 redesignated par. (5) as (4), struck out former par. (4) relating to improvement of efforts to detect, investigate, prosecute, and otherwise combat and prevent white-collar crime and public corruption, and in closing provisions struck out ``to develop alternatives to judicial resolution of disputes,'' after ``local governments,'' and inserted ``and demonstrate'' after ``to develop''.

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 3711 of this title.

Assessing and Reducing Threat to Law Enforcement Officers From Criminal Use of Firearms and Ammunition

Pub. L. 104-132, title VIII, Sec. 809, Apr. 24, 1996, 110 Stat. 1311, provided that:

``(a) The Secretary of the Treasury, in conjunction with the Attorney General, shall conduct a study and make recommendations concerning--

``(1) the extent and nature of the deaths and serious injuries, in the line of duty during the last decade, for law enforcement officers, including--

``(A) those officers who were feloniously killed or seriously injured and those that died or were seriously injured as a result of accidents or other non-felonious causes;

``(B) those officers feloniously killed or seriously injured with firearms, those killed or seriously injured with, separately, handguns firing handgun caliber ammunition, handguns firing rifle caliber ammunition, rifles firing rifle caliber ammunition, rifles firing handgun caliber ammunition and shotguns;

``(C) those officers feloniously killed or seriously injured with firearms, and killings or serious injuries committed with firearms taken by officers' assailants from officers, and those committed with other officers' firearms; and

``(D) those killed or seriously injured because shots attributable to projectiles defined as `armor piercing ammunition' under section 921(a)(17)(B)(i) and (ii) of title 18, United States Code, pierced the protective material of bullet resistant vests and bullet resistant headgear;

``(2) whether current passive defensive strategies, such as body armor, are adequate to counter the criminal use of firearms against law officers; and

``(3) the calibers of ammunition that are--

``(A) sold in the greatest quantities;

``(B) their common uses, according to consultations with industry, sporting organizations and law enforcement;

``(C) the calibers commonly used for civilian defensive or sporting uses that would be affected by any prohibition on non-law enforcement sales of such ammunition, if such ammunition is

capable of penetrating minimum level bullet resistant vests; and
``(D) recommendations for increase in body armor capabilities to further protect law enforcement from threat.
``(b) In conducting the study, the Secretary shall consult with other Federal, State and local officials, non-governmental organizations, including all national police organizations, national sporting organizations and national industry associations with expertise in this area and such other individuals as shall be deemed necessary. Such study shall be presented to Congress twelve months after the enactment of this Act [Apr. 24, 1996] and made available to the public, including any data tapes or data used to form such recommendations.
``(c) There are authorized to be appropriated for the study and recommendations such sums as may be necessary.'

National Commission to Support Law Enforcement

Pub. L. 101-647, title XXXIV, Nov. 29, 1990, 104 Stat. 4918, as amended by Pub. L. 103-322, title XXVI, Sec. 260002, Sept. 13, 1994, 108 Stat. 2089, provided that:

``SEC. 3401. CONGRESSIONAL FINDINGS.

``The Congress finds that--

``(1) law enforcement officers risk their lives daily to protect citizens, for modest rewards and too little recognition;

``(2) a significant shift has occurred in the problems that law enforcement officers face without a corresponding change in the support from the Federal Government;

``(3) law enforcement officers are on the front line in the war against drugs and crime;

``(4) the rate of violent crime continues to increase along with the increase in drug use;

``(5) a large percentage of individuals arrested test positive for drug usage;

``(6) the Presidential Commission on Law Enforcement and the Administration of Justice of 1965 focused attention on many issues affecting law enforcement, and a review 25 years later would help to evaluate current problems, including drug-related crime, violence, racial conflict, and decreased funding; and

``(7) a comprehensive study of law enforcement issues, including the role of the Federal Government in supporting law enforcement officers, working conditions, and responsibility for crime control would assist in redefining the relationships between the Federal Government, the public, and law enforcement officials.

``SEC. 3402. ESTABLISHMENT.

``There is hereby established the National Commission to Support Law Enforcement (hereafter in this title referred to as the 'Commission').

``SEC. 3403. DUTIES.

``(a) In General.--The Commission shall study and include in the report made under section 3407 recommendations for changes regarding law enforcement agencies and law enforcement issues on the Federal, State, and local levels, including the following:

``(1) Funding.--The sufficiency of funding, including a review of grant programs at the Federal level.

``(2) Employment.--The conditions of law enforcement employment.

``(3) Information.--The effectiveness of information-sharing systems, intelligence, infrastructure, and procedures among law enforcement agencies of Federal, State, and local governments.

``(4) Research and training.--The status of law enforcement research and education and training.

``(5) Equipment and resources.--The adequacy of equipment, physical resources, and human resources.

``(6) Cooperation.--The cooperation among Federal, State, and local law enforcement agencies.

``(7) Responsibility.--The responsibility of governments and law enforcement agencies in solving the crime problem.

``(8) Impact.--The impact of the criminal justice system, including court schedules and prison overcrowding, on law enforcement.

``(b) Consultation.--The Commission shall conduct surveys and consult with focus groups of law enforcement officers, local officials, and community leaders across the Nation to obtain information and seek advice on important law enforcement issues.

``SEC. 3404. MEMBERSHIP.

``(a) [Repealed. Pub. L. 103-322, title XXVI, Sec. 260002, Sept. 13, 1994, 108 Stat. 2089.]

``(b) Compensation.--

``(1) In general.--Members of the Commission shall receive no additional pay, allowances, or benefits by reason of service on the Commission.

``(2) Travel expenses.--Each member of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

``SEC. 3405. EXPERTS AND CONSULTANTS.

``(a) Experts and Consultants.--The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

``(b) Staff of Federal Agencies.--Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this title.

``(c) Administrative Support.--The Administrator of General Services shall provide to the Commission, on a reimbursable basis, administrative support services as the Commission may request.

``SEC. 3406. POWERS OF COMMISSION.

``(a) Hearings.--The Commission may, for purposes of this title, hold hearings, sit and act at the times and places, take testimony, and receive evidence, as the Commission considers appropriate.

``(b) Delegation of Authority.--Any member or agent of the Commission may, if authorized by the Commission, take any action the Commission is authorized to take by this section.

``(c) Information.--The Commission may secure directly from any Federal agency information necessary to enable it to carry out this title. Upon request of the chairperson of the Commission, the head of an agency shall furnish the information to the Commission to the extent permitted by law.

``(d) Gifts and Donations.--The Commission may accept, use, and dispose of gifts or donations of services or property.

``(e) Mails.--The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

``SEC. 3407. REPORT.

``Not later than the expiration of the 18-month period beginning on the date of the enactment of this title [Nov. 29, 1990], the Commission

shall submit to the Congress a report containing the findings of the Commission and specific proposals for legislation and administrative actions that the Commission has determined to be appropriate.

``SEC. 3408. TERMINATION.

``The Commission shall cease to exist upon the expiration of the 60-day period beginning on the date on which the Commission submits its report under section 3407.''

Pub. L. 101-515, title II, Sec. 211(B), Nov. 5, 1990, 104 Stat. 2122, as amended by Pub. L. 103-322, title XXVI, Sec. 260001, Sept. 13, 1994, 108 Stat. 2088; Pub. L. 104-316, title I, Sec. 122(m), Oct. 19, 1996, 110 Stat. 3838, provided that:

``(B)(a) This subsection may be cited as the `National Commission to Support Law Enforcement Act'.

``(b) The Congress finds that--

``(1) law enforcement officers risk their lives daily to protect citizens, for modest rewards and too little recognition;

``(2) a significant shift has occurred in the problems that law enforcement officers face without a corresponding change in the support from the Federal Government;

``(3) law enforcement officers are on the front line in the war against drugs and crime;

``(4) the rate of violent crime continues to increase along with the increase in drug use;

``(5) a large percentage of individuals arrested test positive for drug usage;

``(6) the Presidential Commission on Law Enforcement and the Administration of Justice of 1965 focused attention on many issues affecting law enforcement, and a review twenty-five years later would help to evaluate current problems, including drug-related crime, violence, racial conflict, and decrease[d] funding; and

``(7) a comprehensive study of law enforcement issues, including the role of the Federal Government in supporting law enforcement officers, working conditions, and responsibility for crime control would assist in redefining the relationships between the Federal Government, the public, and law enforcement officials.

``(c) There is established a national commission to be known as the `National Commission to Support Law Enforcement' (referred to in this section as the `Commission').

``(d) The Commission shall study and recommend changes regarding law enforcement agencies and law enforcement issues on the Federal, State, and local levels, including the following:

``(1) The sufficiency of funding, including a review of grant programs at the Federal level.

``(2) The conditions of law enforcement employment.

``(3) The effectiveness of information-sharing systems, intelligence, infrastructure, and procedures among law enforcement agencies of Federal, State, and local governments.

``(4) The status of law enforcement research and education and training.

``(5) The adequacy of equipment, physical resources, and human resources.

``(6) The cooperation among Federal, State, and local law enforcement agencies.

``(7) The responsibility of governments and law enforcement agencies in solving the crime problem.

``(8) The impact of the criminal justice system, including court schedules and prison overcrowding, on law enforcement.

((e) The Commission shall conduct surveys and consult with focus groups of law enforcement officers, local officials, and community leaders across the Nation to obtain information and seek advice on important law enforcement issues.

((f) Number and Appointment.--

((1) In general.--The Commission shall be composed of 29 members as follows:

((A) Nine individuals appointed from national law enforcement organizations representing law enforcement officers, of whom--

((i) two shall be appointed by the Speaker of the House of Representatives;

((ii) two shall be appointed by the majority leader of the Senate;

((iii) two shall be appointed by the minority leader of the House of Representatives;

((iv) two shall be appointed by the minority leader of the Senate; and

((v) one shall be appointed by the President.

((B) Nine individuals appointed from national law enforcement organizations representing law enforcement management, of whom--

((i) two shall be appointed by the Speaker of the House of Representatives;

((ii) two shall be appointed by the majority leader of the Senate;

((iii) two shall be appointed by the minority leader of the House of Representatives;

((iv) two shall be appointed by the minority leader of the Senate; and

((v) one shall be appointed by the President.

((C) Two individuals appointed with academic expertise regarding law enforcement issues, of whom--

((i) one shall be appointed by the Speaker of the House of Representatives and the majority leader of the Senate; and

((ii) one shall be appointed by the minority leader of the Senate and the minority leader of the House of Representatives.

((D) Two Members of the House of Representatives, appointed by the Speaker and the minority leader of the House of Representatives.

((E) Two Members of the Senate, appointed by the majority leader and the minority leader of the Senate.

((F) One individual from the Department of Justice, appointed by the President.

((G) Two individuals representing a State or local governmental entity, such as a Governor, mayor, or State attorney general, to be appointed jointly by the majority leader and the minority leader of the Senate.

((H) Two individuals representing a State or local governmental entity, such as a Governor, mayor, or State attorney general, to be appointed jointly by the Speaker and the minority leader of the House of Representatives.

((2) Comptroller general.--The Comptroller General may serve in an advisory capacity, may oversee the methodology, and may approve of the Commission study.

``(3) Chairperson.--Upon their appointment the members of the Commission shall select one of their number to act as chairperson.

``(4) Appointment date.--Members of the Commission shall be appointed no later than 90 days after the enactment of this Act [probably means enactment of Pub. L. 103-322, which was approved Sept. 13, 1994].

``(g)(1) Members of the Commission shall receive no additional pay, allowance, or benefit by reason of service on the Commission.

``(2) Each member of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

``(h) The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

``(i) Upon request of the Commission, the head of any Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Commission to assist the Commission in carrying out its duties under this section.

``(j) The Administrator of General Services shall provide to the Commission, on a reimbursable basis, administrative support services as the Commission may request.

``(k) The Commission may, for purposes of this section, hold hearings, sit and act at the times and places, take testimony, and receive evidence, as the Commission considers appropriate.

``(l) Any member or agent of the Commission may, if authorized by the Commission, take any action the Commission is authorized to take by this section.

``(m) The Commission may secure directly from any Federal agency information necessary to enable it to carry out this section. Upon request of the chairperson of the Commission, the head of an agency shall furnish the information to the Commission to the extent permitted by law.

``(n) The Commission may accept, use, and dispose of gifts or donations of services or property.

``(o) The Commission may use the United States mails in the same manner and under the same conditions as other Federal agencies.

``(p) Not later than March 31, 1996, the Commission shall submit to the Congress a report containing the findings of the Commission and specific proposals for legislation and administrative actions that the Commission has determined to be appropriate.

``(q) The Commission shall cease to exist upon the expiration of the sixty-day period beginning on the date on which the Commission submits its report under subsection (p).''