

Another section 803 of Pub. L. 90-351, title III, June 19, 1968, 82 Stat. 223, amended section 605 of Title 47, Telecommunications.

#### PRIOR PROVISIONS

A prior section 803 of Pub. L. 90-351 was renumbered section 802 and is classified to section 10222 of this title.

#### AMENDMENTS

2006—Pub. L. 109-162 struck out “, after reasonable notice and opportunity for a hearing,” after “conclusions shall” and “, except as otherwise provided herein” before period at end.

1984—Pub. L. 98-473, § 609B(c), substituted “Bureau of Justice Assistance” for “Law Enforcement Assistance Administration”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1984 AMENDMENT

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

#### § 10224. Delegation of functions

The Attorney General, the Assistant Attorney General, the Director of the National Institute of Justice, the Director of the Bureau of Justice Statistics, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, and the Director of the Bureau of Justice Assistance may delegate to any of their respective officers or employees such functions under this chapter as they deem appropriate.

(Pub. L. 90-351, title I, § 805, as added Pub. L. 98-473, title II, § 609B(g), Oct. 12, 1984, 98 Stat. 2093.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 3786 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### PRIOR PROVISIONS

A prior section 805 of Pub. L. 90-351 was renumbered section 804 and was classified to section 3785 of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 109-162.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

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

##### TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 10142(3) 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.

#### § 10225. Subpoena power; employment of hearing officers; authority to hold hearings

The Assistant Attorney General, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics may appoint (to be assigned or employed on an

interim or as-needed basis) such hearing examiners (who shall, if so designated, be understood to be comprised within the meaning of “special government employee” under section 202 of title 18 (without regard to the days limitation prescribed therein), but shall, in no event, be understood to be (or to have the authority of) officers of the United States) or administrative law judges or request the use of such administrative law judges selected by the Office of Personnel Management pursuant to section 3344 of title 5, as shall be necessary or convenient to assist them in carrying out their respective powers and duties under any law administered by or under the Office. The Assistant Attorney General, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics or upon authorization, any member thereof, or (subject to such limitations as the appointing authority may, in its sole discretion, impose from time to time) any hearing examiner or administrative law judge assigned to or employed thereby, shall have the power to hold hearings and issue subpoenas, administer oaths, examine witnesses, conduct examinations, and receive evidence at any place in the United States they respectively may designate.

(Pub. L. 90-351, title I, § 806, as added Pub. L. 98-473, title II, § 609B(g), Oct. 12, 1984, 98 Stat. 2094; amended Pub. L. 117-61, § 7, Nov. 18, 2021, 135 Stat. 1479; Pub. L. 117-172, § 4(a), Aug. 16, 2022, 136 Stat. 2101.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 3787 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### PRIOR PROVISIONS

A prior section 806 of Pub. L. 90-351 was classified to section 3786 of Title 42, The Public Health and Welfare, prior to repeal by section 609B(e) of Pub. L. 98-473.

Provisions similar to this section were contained in part in section 3788 of Title 42, The Public Health and Welfare, prior to repeal of such section by section 609B(e) of Pub. L. 98-473.

##### AMENDMENTS

2022—Pub. L. 117-172, § 4(a)(2), in second sentence, substituted “The Assistant Attorney General, the Bureau of Justice Assistance” for “The Attorney General, the Bureau of Justice Assistance” and “, or (subject to such limitations as the appointing authority may, in its sole discretion, impose from time to time) any” for “or any” and inserted comma after “thereby” and after “examinations”.

Pub. L. 117-172, § 4(a)(1)(E), substituted “necessary or convenient to assist them in carrying out their respective powers and duties under any law administered by or under the Office” for “necessary to carry out their respective powers and duties under this title”.

Pub. L. 117-172, § 4(a)(1)(A)–(D), in first sentence, substituted “The Assistant Attorney General, the Bureau of Justice Assistance” for “The Attorney General, the Bureau of Justice Assistance”, “title 18 (without regard to the days limitation prescribed therein), but shall, in no event, be understood to be (or to have the authority of) officers of the United States)” for “title 18)”, and “or administrative law judges” for “such hearing examiners or administrative law judges” and struck out “by the Attorney General” after “if so designated”.

2021—Pub. L. 117-61, §7(3), which directed amendment of par. (3) by substituting “or other law. The Attorney General, the” for “under this chapter. The”, could not be executed because the words “this chapter” did not appear in the original text.

Pub. L. 117-61, §7(1), (2), (4), inserted “Attorney General, the” before “Bureau of Justice Assistance” and “conduct examinations” after “examine witnesses,” and substituted “may appoint (to be assigned or employed on an interim or as-needed basis) such hearing examiners (who shall, if so designated by the Attorney General, be understood to be comprised within the meaning of ‘special government employee’ under section 202 of title 18)” for “may appoint”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

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

##### EFFECTIVE DATE

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

#### § 10226. Personnel and administrative authority

##### (a) Officers and employees of certain Federal agencies; employment; compensation

The Assistant Attorney General, the Director of the Bureau of Justice Assistance, the Director of the Institute, and the Director of the Bureau of Justice Statistics are authorized to select, appoint, employ, and fix compensation of such officers and employees as shall be necessary to carry out the powers and duties of the Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics, respectively, under this chapter.

##### (b) Use of available services; reimbursement

The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of Federal, State, and local agencies to the extent deemed appropriate after giving due consideration to the effectiveness of such existing services, equipment, personnel, and facilities.

##### (c) Other Federal agency performance of functions under this chapter; reimbursement

The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of the functions under this chapter.

##### (d) Experts and consultants; compensation

The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics may procure the services of experts and consultants in accordance with section 3109 of title 5, relating to appointments in the Federal service, at rates of compensation for individuals not to exceed the daily

equivalent of the rate of pay payable from time to time for GS-18 of the General Schedule under section 5332 of title 5.

##### (e) Advisory committees; compensation and travel expenses of committee members

The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized to appoint, without regard to the provisions of title 5, advisory committees to advise them with respect to the administration of this chapter as they deem necessary. Such committees shall be subject to chapter 10 of title 5. Members of such committees not otherwise in the employ of the United States, while engaged in advising or attending meetings of such committees, shall be compensated at rates to be fixed by the Office but not to exceed the daily equivalent of the rate of pay payable from time to time for GS-18 of the General Schedule under section 5332 of title 5, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as authorized by section 5703 of such title 5 for persons in the Government service employed intermittently.

##### (f) Payments; installments; advances or reimbursement; transportation and subsistence expenses for attendance at conferences or other assemblages

Payments under this chapter may be made in installments, and in advance or by way of reimbursement, as may be determined by the Office, the Bureau of Justice Assistance, the National Institute of Justice, or the Bureau of Justice Statistics, and may be used to pay the transportation and subsistence expenses of persons attending conferences or other assemblages notwithstanding section 1345 of title 31.

##### (g) Voluntary services; status as Federal employees; exceptions

The Office, the Bureau of Justice Assistance, the National Institute of Justice, and the Bureau of Justice Statistics are authorized to accept and employ, in carrying out the provisions of this chapter, voluntary and uncompensated services notwithstanding section 1342 of title 31. Such individuals shall not be considered Federal employees except for purposes of chapter 81 of title 5 with respect to job-incurred disability and title 28 with respect to tort claims.

(Pub. L. 90-351, title I, §807, as added Pub. L. 98-473, title II, §609B(g), Oct. 12, 1984, 98 Stat. 2094; amended Pub. L. 117-286, §4(a)(210), Dec. 27, 2022, 136 Stat. 4329.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 3788 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### PRIOR PROVISIONS

A prior section 807 of Pub. L. 90-351 was classified to section 3787 of Title 42, The Public Health and Welfare, prior to repeal by section 609B(e) of Pub. L. 98-473.

Provisions similar to subssecs. (b), (c), (d) to (f), and (g) of this section were contained in sections 3789,