

PRIOR PROVISIONS

A prior section 2004 of Pub. L. 90-351 was renumbered section 2009 and is classified to section 3796gg-3 of this title.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 3796gg-0 of this title.

§ 3796gg-0c. Staff of Violence Against Women Office

The Attorney General shall ensure that the Director has adequate staff to support the Director in carrying out the Director's responsibilities under this subchapter.

(Pub. L. 90-351, title I, §2005, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1791.)

PRIOR PROVISIONS

A prior section 2005 of Pub. L. 90-351 was renumbered section 2010 and is classified to section 3796gg-4 of this title.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 3796gg-0 of this title.

§ 3796gg-0d. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this subchapter for each fiscal year until fiscal year 2005.

(Pub. L. 90-351, title I, §2006, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1791.)

PRIOR PROVISIONS

A prior section 2006 of Pub. L. 90-351 was renumbered section 2011 and is classified to section 3796gg-5 of this title.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 3796gg-0 of this title.

§ 3796gg-1. State grants**(a) General grants**

The Attorney General may make grants to States, for use by States, State and local courts (including juvenile courts), units of local government, nonprofit nongovernmental victim services programs, and Indian tribal governments for the purposes described in section 3796gg(b) of this title.

(b) Amounts

Of the amounts appropriated for the purposes of this subchapter—

(1) 10 percent shall be available for grants under the program authorized by section 3796gg-10 of this title, which shall not otherwise be subject to the requirements of this subchapter (other than section 3796gg-2 of this title);

(2) 2.5 percent shall be available for grants for State domestic violence coalitions under section 3796gg(c) of this title, with the coal-

ition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, the coalition for Guam, the coalition for American Samoa, the coalition for the United States Virgin Islands, and the coalition for the Commonwealth of the Northern Mariana Islands,¹ each receiving an amount equal to $\frac{1}{66}$ of the total amount made available under this paragraph for each fiscal year;

(3) 2.5 percent shall be available for grants for State sexual assault coalitions under section 3796gg(c) of this title, with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, coalitions for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to $\frac{1}{66}$ of the total amount made available under this paragraph for each fiscal year;

(4) $\frac{1}{66}$ shall be available for grants under section 3796gg(d) of this title;

(5) \$600,000 shall be available for grants to applicants in each State; and

(6) the remaining funds shall be available for grants to applicants in each State in an amount that bears the same ratio to the amount of remaining funds as the population of the State bears to the population of all of the States that results from a distribution among the States on the basis of each State's population in relation to the population of all States (not including populations of Indian tribes).

(c) Qualification

Upon satisfying the terms of subsection (d) of this section, any State shall be qualified for funds provided under this subchapter upon certification that—

(1) the funds shall be used for any of the purposes described in section 3796gg(b) of this title;

(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs and describe how the State will address the needs of underserved populations;

(3) of the amount granted—

(A) not less than 25 percent shall be allocated for law enforcement and not less than 25 percent shall be allocated for prosecutors;

(B) not less than 30 percent shall be allocated for victims services of which at least 10 percent shall be distributed to culturally specific community-based organizations; and

(C) not less than 5 percent shall be allocated for State and local courts (including juvenile courts); and

(4) any Federal funds received under this subchapter shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subchapter.²

¹ So in original.

² See References in Text note below.

(d) Application requirements

The application requirements provided in section 3763² of this title shall apply to grants made under this subchapter. In addition, each application shall include the certifications of qualification required by subsection (c) of this section, including documentation from non-profit, nongovernmental victim services programs, describing their participation in developing the plan required by subsection (c)(2) of this section. An application shall include—

(1) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, demonstrating—

- (A) need for the grant funds;
- (B) intended use of the grant funds;
- (C) expected results from the use of grant funds; and

(D) demographic characteristics of the populations to be served, including age, marital status, disability, race, ethnicity and language background;

(2) proof of compliance with the requirements for the payment of forensic medical exams provided in section 3796gg-4 of this title; and³

(3) proof of compliance with the requirements for paying filing and service fees for domestic violence cases provided in section 3796gg-5 of this title; and

(4) documentation showing that tribal, territorial, State or local prosecution, law enforcement, and courts have consulted with tribal, territorial, State, or local victim service programs during the course of developing their grant applications in order to ensure that proposed services, activities and equipment acquisitions are designed to promote the safety, confidentiality, and economic independence of victims of domestic violence, sexual assault, stalking, and dating violence.

(e) Disbursement**(1) In general**

Not later than 60 days after the receipt of an application under this subchapter, the Attorney General shall—

- (A) disburse the appropriate sums provided for under this subchapter; or
- (B) inform the applicant why the application does not conform to the terms of section 3763² of this title or to the requirements of this section.

(2) Regulations

In disbursing monies under this subchapter, the Attorney General shall issue regulations to ensure that States will—

- (A) give priority to areas of varying geographic size with the greatest showing of need based on the availability of existing domestic violence and sexual assault programs in the population and geographic area to be served in relation to the availability of such programs in other such populations and geographic areas;
- (B) determine the amount of subgrants based on the population and geographic area to be served;

(C) equitably distribute monies on a geographic basis including nonurban and rural areas of various geographic sizes; and

(D) recognize and meaningfully respond to the needs of underserved populations and ensure that monies set aside to fund linguistically and culturally specific services and activities for underserved populations are distributed equitably among those populations.

(f) Federal share

The Federal share of a grant made under this subchapter² may not exceed 75 percent of the total costs of the projects described in the application submitted.

(g) Indian tribes

Funds appropriated by the Congress for the activities of any agency of an Indian tribal government or of the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of the cost of programs or projects funded under this subchapter.

(h) Grantee reporting**(1) In general**

Upon completion of the grant period under this subchapter, a State or Indian tribal grantee shall file a performance report with the Attorney General explaining the activities carried out, which report shall include an assessment of the effectiveness of those activities in achieving the purposes of this subchapter.

(2) Certification by grantee and subgrantees

A section of the performance report shall be completed by each grantee and subgrantee that performed the direct services contemplated in the application, certifying performance of direct services under the grant.

(3) Suspension of funding

The Attorney General shall suspend funding for an approved application if—

- (A) an applicant fails to submit an annual performance report;
- (B) funds are expended for purposes other than those described in this subchapter; or
- (C) a report under paragraph (1) or accompanying assessments demonstrate to the Attorney General that the program is ineffective or financially unsound.

(Pub. L. 90-351, title I, §2007, formerly §2002, as added Pub. L. 103-322, title IV, §4012(a)(3), Sept. 13, 1994, 108 Stat. 1911; amended Pub. L. 106-386, div. B, title I, §§1102(a)(2), 1103(b)(2), Oct. 28, 2000, 114 Stat. 1494, 1496; renumbered §2007 and amended Pub. L. 107-273, div. A, title IV, §402(1), (2), Nov. 2, 2002, 116 Stat. 1789; Pub. L. 108-405, title III, §310(b), (c), Oct. 30, 2004, 118 Stat. 2276; Pub. L. 109-162, title I, §101(c)-(e), title IX, §906(b), title XI, §1134(a), Jan. 5, 2006, 119 Stat. 2973, 2974, 3081, 3108; Pub. L. 109-271, §§2(d), (f)(1), (g), (l), 7(a)(2), 8(b), Aug. 12, 2006, 120 Stat. 752, 754, 763, 766.)

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (c)(4), the second place it appears, and (f), was in the original “this subtitle”, and was translated as reading “this part”,

³ So in original. The word “and” probably should not appear.

meaning part T of title I of Pub. L. 90-351, to reflect the probable intent of Congress. Title I of Pub. L. 90-351 does not contain subtitles.

Section 3763 of this title, referred to in subsecs. (d) and (e)(1)(B), was in the original “section 513”, and was translated as reading “section 517”, meaning section 517 of title I of Pub. L. 90-351, to reflect the probable intent of Congress. Pub. L. 90-351 does not contain a section 513, but section 3763 of this title was section 513 of Pub. L. 90-351 prior to renumbering as section 517 by Pub. L. 101-647, title XVIII, §1801(a)(6), Nov. 29, 1990, 104 Stat. 4847.

CODIFICATION

Another section 2007 of Pub. L. 90-351 was renumbered section 2015 and is classified to section 3796gg-10 of this title.

AMENDMENTS

2006—Subsec. (b)(1). Pub. L. 109-271, §7(a)(2), added par. (1) and struck out former par. (1) which read as follows: “Ten percent shall be available for grants under the program authorized in section 3796gg-10 of this title. The requirements of this subchapter shall not apply to funds allocated for such program.”

Pub. L. 109-162, §906(b), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “10 percent shall be available for grants to Indian tribal governments.”

Pub. L. 109-162, §101(d)(1)(A), substituted “10 percent” for “5 percent”.

Subsec. (b)(2). Pub. L. 109-271, §2(g), which directed the substitution of “the coalition for Guam, the coalition for American Samoa, the coalition for the United States Virgin Islands, and the coalition for the Commonwealth of the Northern Mariana Islands.” for “and the coalitions for combined Territories of the United States”, was executed by making the substitution for “and the coalition for the combined Territories of the United States”, to reflect the probable intent of Congress.

Pub. L. 109-162, §101(d)(1)(B), substituted “ $\frac{1}{6}$ ” for “ $\frac{1}{4}$ ”.

Subsec. (b)(3). Pub. L. 109-162, §101(d)(1)(C), substituted “coalitions for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to $\frac{1}{6}$ ” for “and the coalition for the combined Territories of the United States, each receiving an amount equal to $\frac{1}{4}$ ”.

Subsec. (b)(4). Pub. L. 109-162, §101(d)(1)(D), substituted “ $\frac{1}{6}$ ” for “ $\frac{1}{4}$ ”.

Subsec. (c)(2). Pub. L. 109-162, §101(c)(1), inserted “and describe how the State will address the needs of underserved populations” before semicolon at end.

Subsec. (c)(3)(A). Pub. L. 109-271, §2(l), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “not less than 25 percent shall be allocated to police and not less than 25 percent shall be allocated to prosecutors;”

Pub. L. 109-162, §1134(a)(1), which directed substitution of “law enforcement” for “police”, was repealed by Pub. L. 109-271, §§2(d) and 8(b).

Subsec. (c)(3)(B). Pub. L. 109-271, §2(l), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “not less than 30 percent shall be allocated to victim services, of which at least 10 percent shall be distributed to culturally specific community-based organization; and”

Pub. L. 109-162, §101(d)(2), inserted “, of which at least 10 percent shall be distributed to culturally specific community-based organization” after “victim services”.

Subsec. (d). Pub. L. 109-162, §1134(a)(2), which directed insertion of “submitted by a State” after “each application” in second sentence and substitution of “In addition, each application submitted by a State or tribal government” for “An application” in third sentence, was repealed by Pub. L. 109-271, §§2(d) and 8(b).

Subsec. (d)(4). Pub. L. 109-162, §101(d)(3), added par. (4).

Subsec. (e)(2)(D). Pub. L. 109-162, §101(c)(2), added subpar. (D) and struck out former subpar. (D) which read as follows: “recognize and address the needs of underserved populations.”

Subsec. (i). Pub. L. 109-271, §2(f)(1), struck out subsec. (i) which related to training, technical assistance, and data collection.

Pub. L. 109-162, §101(e), added subsec. (i).

2004—Pub. L. 108-405, §310(b), made technical amendment to directory language of Pub. L. 107-273, §402(2), which renumbered this section as section 2007 of Pub. L. 90-351.

Subsec. (b)(4). Pub. L. 108-405, §310(c), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “ $\frac{1}{4}$ shall be available for the development and operation of nonprofit tribal domestic violence and sexual assault coalitions in Indian country;”

2002—Subsec. (d)(2). Pub. L. 107-273, §402(1)(A), made technical amendment to reference in original act which appears in text as reference to section 3796gg-4 of this title.

Subsec. (d)(3). Pub. L. 107-273, §402(1)(B), made technical amendment to reference in original act which appears in text as reference to section 3796gg-5 of this title.

2000—Subsec. (a). Pub. L. 106-386, §1102(a)(2)(A), inserted “State and local courts (including juvenile courts),” after “for use by States,”

Subsec. (b)(1). Pub. L. 106-386, §1103(b)(2)(B), substituted “5 percent” for “4 percent”.

Subsec. (b)(2) to (4). Pub. L. 106-386, §1103(b)(2)(D), added pars. (2) to (4). Former pars. (2) and (3) redesignated (5) and (6), respectively.

Subsec. (b)(5). Pub. L. 106-386, §1103(b)(2)(A), (C), redesignated par. (2) as (5) and substituted “\$600,000” for “\$500,000”.

Subsec. (b)(6). Pub. L. 106-386, §1103(b)(2)(A), redesignated par. (3) as (6).

Subsec. (c)(3). Pub. L. 106-386, §1102(a)(2)(B), added par. (3) and struck out former par. (3) which read as follows: “at least 25 percent of the amount granted shall be allocated, without duplication, to each of the following 3 areas: prosecution, law enforcement, and victim services; and”

Subsec. (d)(1). Pub. L. 106-386, §1102(a)(2)(C), inserted “court,” after “law enforcement,” in introductory provisions.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by sections 101(c)–(e) and 906(b) of Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 3793 of this title.

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-405, title III, §310(b), Oct. 30, 2004, 118 Stat. 2276, provided that amendment by section 310(b) (amending this section and sections 3796gg-2 to 3796gg-5 of this title) is effective as of Nov. 2, 2002, and as if included in Pub. L. 107-273, as enacted.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as an Effective Date note under section 3796gg-0 of this title.

§ 3796gg-2. Definitions and grant conditions

In this subchapter the definitions and grant conditions in section 13925 of this title shall apply.

(Pub. L. 90-351, title I, §2008, as added Pub. L. 109-162, §3(c)(1), Jan. 5, 2006, 119 Stat. 2971.)

CODIFICATION

Another section 2008 of Pub. L. 90-351 was renumbered section 2016 and is classified to section 3796gg-11 of this title.