

(2) State aftercare services must involve the coordination of the correctional facility treatment program with other human service and rehabilitation programs, such as educational and job training programs, parole supervision programs, half-way house programs, and participation in self-help and peer group programs, that may aid in the rehabilitation of individuals in the substance abuse treatment program.

(3) To qualify as an aftercare program, the head of the substance abuse treatment program, in conjunction with State and local authorities and organizations involved in substance abuse treatment, shall assist in placement of substance abuse treatment program participants with appropriate community substance abuse treatment facilities when such individuals leave the correctional facility at the end of a sentence or on parole.

(4) After care<sup>2</sup> services required by this subsection shall be funded through funds provided for this subchapter.

**(d) Coordination of Federal assistance**

Each application submitted for a grant under this section shall include a description of how the funds made available under this section will be coordinated with Federal assistance for substance abuse treatment and aftercare services currently provided by the Department of Health and Human Services' Substance Abuse and Mental Health Services Administration.

**(e) State office**

The office responsible for the trust fund required by section 3757 of this title—

(1) shall prepare the application as required under this section; and

(2) shall administer grant funds received under this subchapter, including review of spending, processing, progress, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

**(f) Use of grant amounts for nonresidential aftercare services**

A State may use amounts received under this subchapter to provide nonresidential substance abuse treatment aftercare services for inmates or former inmates that meet the requirements of subsection (c) of this section, if the chief executive officer of the State certifies to the Attorney General that the State is providing, and will continue to provide, an adequate level of residential treatment services.

(Pub. L. 90-351, title I, §1902, as added Pub. L. 103-322, title III, §32101(a)(3), Sept. 13, 1994, 108 Stat. 1898; amended Pub. L. 107-273, div. B, title II, §2102(2), Nov. 2, 2002, 116 Stat. 1792; Pub. L. 109-162, title XI, §§1111(c)(2)(J), 1145(a), (b), Jan. 5, 2006, 119 Stat. 3102, 3111; Pub. L. 110-199, title I, §102(a), Apr. 9, 2008, 122 Stat. 668.)

AMENDMENTS

2008—Subsec. (c). Pub. L. 110-199 substituted "Requirement for Aftercare Component" for "Aftercare services requirement" in heading and amended par. (1) generally. Prior to amendment, par. (1) read as follows: "To be eligible for funding under this subchapter, a

State shall ensure that individuals who participate in the substance abuse treatment program established or implemented with assistance provided under this subchapter will be provided with after care services."

2006—Subsec. (b). Pub. L. 109-162, §1145(a), reenacted subsec. heading without change and amended text generally. Prior to amendment, text read as follows: "To be eligible to receive funds under this subchapter, a State must agree to implement or continue to require urinalysis or other proven reliable forms of testing of individuals in correctional residential substance abuse treatment programs. Such testing shall include individuals released from residential substance abuse treatment programs who remain in the custody of the State."

Subsec. (c). Pub. L. 109-162, §1145(b)(1), substituted "Aftercare services requirement" for "Eligibility for preference with after care component" in subsec. heading.

Subsec. (c)(1). Pub. L. 109-162, §1145(b)(2), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "To be eligible for a preference under this subchapter, a State must ensure that individuals who participate in the substance abuse treatment program established or implemented with assistance provided under this subchapter will be provided with aftercare services."

Subsec. (c)(4). Pub. L. 109-162, §1145(b)(3), added par. (4).

Subsec. (e). Pub. L. 109-162, §1111(c)(2)(J), substituted "The office responsible for the trust fund required by section 3757 of this title" for "The Office designated under section 3757 of this title" in introductory provisions.

2002—Subsec. (f). Pub. L. 107-273 added subsec. (f).

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by section 1111(c)(2)(J) of Pub. L. 109-162 applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as a note under section 3750 of this title.

Pub. L. 109-162, title XI, §1147, as added by Pub. L. 109-271, §8(n)(2)(A), Aug. 12, 2006, 120 Stat. 767, provided that: "The amendments made by sections 1144 and 1145 [amending this section and sections 3796ff-2 and 3796ff-3 of this title] shall take effect on October 1, 2006."

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 17504 of this title.

**§ 3796ff-2. Review of State applications**

**(a) In general**

The Attorney General shall make a grant under section 3796ff of this title to carry out the projects described in the application submitted under section 3796ff-1 of this title upon determining that—

(1) the application is consistent with the requirements of this subchapter; and

(2) before the approval of the application the Attorney General has made an affirmative finding in writing that the proposed project has been reviewed in accordance with this subchapter.

**(b) Approval**

Each application submitted under section 3796ff-1 of this title shall be considered approved, in whole or in part, by the Attorney General not later than 90 days after first received unless the Attorney General informs the applicant of specific reasons for disapproval.

<sup>2</sup> So in original. Probably should be "Aftercare".

**(c) Restriction**

Grant funds received under this subchapter shall not be used for land acquisition or construction projects.

**(d) Disapproval notice and reconsideration**

The Attorney General shall not disapprove any application without first affording the applicant reasonable notice and an opportunity for reconsideration.

**(e) Priority for partnerships with community-based drug treatment programs**

In considering an application submitted by a State under section 3796ff-1 of this title, the Attorney General shall give priority to an application that involves a partnership between the State and a community-based drug treatment program within the State.

(Pub. L. 90-351, title I, §1903, as added Pub. L. 103-322, title III, §32101(a)(3), Sept. 13, 1994, 108 Stat. 1899; amended Pub. L. 109-162, title XI, §1145(c), Jan. 5, 2006, 119 Stat. 3112.)

## AMENDMENTS

2006—Subsec. (e). Pub. L. 109-162 added subsec. (e).

## EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 effective Oct. 1, 2006, see section 1147 of Pub. L. 109-162, set out as a note under section 3796ff-1 of this title.

**§ 3796ff-3. Allocation and distribution of funds****(a) Allocation**

Of the total amount appropriated under this subchapter in any fiscal year—

(1) 0.4 percent shall be allocated to each of the participating States; and

(2) of the total funds remaining after the allocation under paragraph (1), there shall be allocated to each of the participating States an amount which bears the same ratio to the amount of remaining funds described in this paragraph as the State prison population of such State bears to the total prison population of all the participating States.

**(b) Federal share**

The Federal share of a grant made under this subchapter may not exceed 75 percent of the total costs of the projects described in the application submitted under section 3796ff-1 of this title for the fiscal year for which the projects receive assistance under this subchapter.

**(c) Local allocation**

At least 10 percent of the total amount made available to a State under subsection (a) of this section for any fiscal year shall be used by the State to make grants to local correctional and detention facilities in the State (provided such facilities exist therein), for the purpose of assisting jail-based substance abuse treatment programs that are effective and science-based established by those local correctional facilities.

**(d) Residential substance abuse treatment program defined**

In this subchapter, the term “residential substance abuse treatment program” means a course of comprehensive individual and group substance abuse treatment services, lasting a

period of at least 6 months, in residential treatment facilities set apart from the general population of a prison or jail (which may include the use of pharmacological treatment, where appropriate, that may extend beyond such period).

(Pub. L. 90-351, title I, §1904, as added Pub. L. 103-322, title III, §32101(a)(3), Sept. 13, 1994, 108 Stat. 1900; amended Pub. L. 107-273, div. B, title II, §2102(3), Nov. 2, 2002, 116 Stat. 1792; Pub. L. 109-162, title XI, §1144, Jan. 5, 2006, 119 Stat. 3111; Pub. L. 110-199, title I, §102(b), Apr. 9, 2008, 122 Stat. 668.)

## AMENDMENTS

2008—Subsec. (d). Pub. L. 110-199 amended subsec. (d) generally. Prior to amendment, subsec. (d) defined “residential substance abuse treatment program”.

2006—Subsec. (d). Pub. L. 109-162 added subsec. (d).

2002—Subsec. (c). Pub. L. 107-273 added subsec. (c).

## EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 effective Oct. 1, 2006, see section 1147 of Pub. L. 109-162, set out as a note under section 3796ff-1 of this title.

## CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 17504 of this title.

**§ 3796ff-4. Evaluation**

Each State that receives a grant under this subchapter shall submit to the Attorney General an evaluation not later than March 1 of each year in such form and containing such information as the Attorney General may reasonably require.

(Pub. L. 90-351, title I, §1905, as added Pub. L. 103-322, title III, §32101(a)(3), Sept. 13, 1994, 108 Stat. 1900.)

## SUBCHAPTER XII-H—GRANTS TO COMBAT VIOLENT CRIMES AGAINST WOMEN

**§ 3796gg. Purpose of program and grants****(a) General program purpose**

The purpose of this subchapter is to assist States, State and local courts (including juvenile courts), Indian tribal governments, tribal courts, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.

**(b) Purposes for which grants may be used**

Grants under this subchapter shall provide personnel, training, technical assistance, data collection and other resources for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women, for the protection and safety of victims, and specifically, for the purposes of—

(1) training law enforcement officers, judges, other court personnel, and prosecutors to more effectively identify and respond to violent crimes against women, including the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under