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§ 13701. Definitions

Unless otherwise provided, for purposes of this part—

(1) the term “indeterminate sentencing” means a system by which—

(A) the court may impose a sentence of a range defined by statute; and

(B) an administrative agency, generally the parole board, or the court, controls release within the statutory range;

(2) the term “part 1 violent crime” means murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports; and

(3) the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(Pub. L. 103-322, title II, §20101, as added Pub. L. 104-134, title I, §101(a)) [title I, §114(a)], Apr. 26, 1996, 110 Stat. 1321, 1321-15; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.)

PRIOR PROVISIONS

A prior section 13701, Pub. L. 103-322, title II, §20101, Sept. 13, 1994, 108 Stat. 1815, related to grants for correctional facilities prior to the general amendment of this part by Pub. L. 104-134.

SHORT TITLE OF 2014 AMENDMENT

Pub. L. 113-242, §1, Dec. 18, 2014, 128 Stat. 2860, provided that: “This Act [enacting sections 13727 and 13727a of this title] may be cited as the ‘Death in Custody Reporting Act of 2013’.”

Pub. L. 113-182, §1, Sept. 29, 2014, 128 Stat. 1918, provided that: “This Act [amending sections 14135, 14136, and 14136a of this title] may be cited as the ‘Debbie Smith Reauthorization Act of 2014’.”

SHORT TITLE OF 2013 AMENDMENT

Pub. L. 113-4, §1, Mar. 7, 2013, 127 Stat. 54, provided that: “This Act [see Tables for classification] may be cited as the ‘Violence Against Women Reauthorization Act of 2013’.”

Pub. L. 113-4, title X, §1001, Mar. 7, 2013, 127 Stat. 127, provided that: “This title [amending section 14135 of this title and enacting provisions set out as notes under section 14135 of this title] may be cited as the ‘Sexual Assault Forensic Evidence Reporting Act of 2013’ or the ‘SAFER Act of 2013’.”

Pub. L. 112-253, §1, Jan. 10, 2013, 126 Stat. 2407, provided that: “This Act [enacting sections 14137 to 14137c

of this title and amending section 14135 of this title] may be cited as the ‘Katie Sepich Enhanced DNA Collection Act of 2012.’”

SHORT TITLE OF 2008 AMENDMENT

Pub. L. 110-360, §1, Oct. 8, 2008, 122 Stat. 4008, provided that: “This Act [amending sections 14135, 14136, and 14136a of this title] may be cited as the ‘Debbie Smith Reauthorization Act of 2008.’”

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-248, title VI, §611, July 27, 2006, 120 Stat. 632, provided that: “This subtitle [subtitle B (§§611-617) of title VI of Pub. L. 109-248, amending provisions set out as a note under section 13751 of this title] may be cited as the ‘National Police Athletic League Youth Enrichment Reauthorization Act of 2006.’”

Pub. L. 109-162, §1, Jan. 5, 2006, 119 Stat. 2960, as amended Pub. L. 109-271, §1(a), Aug. 12, 2006, 120 Stat. 750, provided that:

“(a) IN GENERAL.—This Act [see Tables for classification] may be cited as the ‘Violence Against Women and Department of Justice Reauthorization Act of 2005’.

“(b) SEPARATE SHORT TITLES.—Section 3 and titles I through IX of this Act [see Tables for classification] may be cited as the ‘Violence Against Women Reauthorization Act of 2005’. Title XI of this Act [see Tables for classification] may be cited as the ‘Department of Justice Appropriations Authorization Act of 2005’.”

Pub. L. 109-162, title X, §1001, Jan. 5, 2006, 119 Stat. 3084, provided that: “This title [amending sections 14132, 14135, and 14135a of this title and sections 3142 and 3297 of Title 18, Crimes and Criminal Procedure] may be cited as the ‘DNA Fingerprint Act of 2005’.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-405, §1(a), Oct. 30, 2004, 118 Stat. 2260, provided that: “This Act [enacting sections 10603d, 10603e, 14136 to 14136e, and 14163 to 14163e of this title and chapters 228A and 237 and section 3297 of Title 18, Crimes and Criminal Procedure, amending sections 3793, 3796gg to 3796gg-6, 3797k, 3797m, 14132, 14133, 14135, 14135a, and 14135e of this title, section 1565 of Title 10, Armed Forces, and section 2513 of Title 28, Judiciary and Judicial Procedure, repealing section 10606 of this title, and enacting provisions set out as notes under this section and sections 3796gg-1 and 14136 of this title, sections 3297, 3600, and 3771 of Title 18, and section 531 of Title 28] may be cited as the ‘Justice for All Act of 2004’.”

Pub. L. 108-405, title II, §201, Oct. 30, 2004, 118 Stat. 2266, provided that: “This title [enacting section 3297 of Title 18, Crimes and Criminal Procedure, amending sections 3796gg-6, 14132, 14133, 14135, 14135a, and 14135e of this title and section 1565 of Title 10, Armed Forces, and enacting provisions set out as notes under section 3297 of Title 18 and section 531 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘Debbie Smith Act of 2004’.”

Pub. L. 108-405, title III, §301, Oct. 30, 2004, 118 Stat. 2272, provided that: “This title [enacting sections 14136 to 14136d of this title, amending sections 3793, 3796gg to 3796gg-5, 3797k, 3797m, 14132, and 14135e of this title, and enacting provisions set out as a note under section 3796gg-1 of this title] may be cited as the ‘DNA Sexual Assault Justice Act of 2004’.”

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-560, §1, Dec. 21, 2000, 114 Stat. 2784, provided that: “This Act [enacting sections 13726 to 13726c of this title] may be cited as the ‘Interstate Transportation of Dangerous Criminals Act of 2000’ or ‘Jeanna’s Act’.”

Pub. L. 106-546, §1, Dec. 19, 2000, 114 Stat. 2726, provided that: “This Act [enacting sections 14135 to 14135e of this title and section 1565 of Title 10, Armed Forces, amending sections 3753, 3796kk-2, 14132, and 14133 of this title and sections 3563, 3583, and 4209 of Title 18, Crimes and Criminal Procedure, enacting provisions set out as notes under section 14135 of this title and section 1565

of Title 10, and amending provisions set out as a note under section 531 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘DNA Analysis Backlog Elimination Act of 2000’.”

Pub. L. 106-386, div. B, §1001, Oct. 28, 2000, 114 Stat. 1491, provided that: “This division [see Tables for classification] may be cited as the ‘Violence Against Women Act of 2000’.”

Pub. L. 106-297, §1, Oct. 13, 2000, 114 Stat. 1045, provided that: “This Act [amending section 13704 of this title] may be cited as the ‘Death in Custody Reporting Act of 2000’.”

SHORT TITLE OF 1996 AMENDMENTS

Pub. L. 104-236, §1, Oct. 3, 1996, 110 Stat. 3093, provided that: “This Act [enacting sections 14072 and 14073 of this title, amending section 14071 of this title, and enacting provisions set out as notes under section 14071 of this title] may be cited as the ‘Pam Lychner Sexual Offender Tracking and Identification Act of 1996’.”

Pub. L. 104-145, §1, May 17, 1996, 110 Stat. 1345, provided that: “This Act [amending section 14071 of this title] may be cited as ‘Megan’s Law’.”

SHORT TITLE

Pub. L. 103-322, §1, Sept. 13, 1994, 108 Stat. 1796, provided that: “This Act [see Tables for classification] may be cited as the ‘Violent Crime Control and Law Enforcement Act of 1994’.”

Pub. L. 103-322, title III, §31101, Sept. 13, 1994, 108 Stat. 1882, provided that: “This subtitle [subtitle K (§§31101-31133) of title III of Pub. L. 103-322, enacting part G (§13821 et seq.) of subchapter II of this chapter] may be cited as the ‘National Community Economic Partnership Act of 1994’.”

Pub. L. 103-322, title III, §31901, Sept. 13, 1994, 108 Stat. 1892, provided that: “This subtitle [subtitle S (§§31901-31922) of title III of Pub. L. 103-322, enacting part I (§13881 et seq.) of subchapter II of this chapter] may be cited as the ‘Family Unity Demonstration Project Act’.”

Pub. L. 103-322, title IV, §40001, Sept. 13, 1994, 108 Stat. 1902, provided that: “This title [see Tables for classification] may be cited as the ‘Violence Against Women Act of 1994’.”

Pub. L. 103-322, title IV, §40101, Sept. 13, 1994, 108 Stat. 1903, provided that: “This subtitle [subtitle A (§§40101-40156) of title IV of Pub. L. 103-322, enacting part A (§13931 et seq.) of subchapter III of this chapter, sections 300w-10, 3796gg to 3796gg-5, and 5712d of this title, section 1a-7a of Title 16, Conservation, and sections 2247, 2248, and 2259 of Title 18, Crimes and Criminal Procedure, amending sections 3793, 3796aa-1 to 3796aa-3, 3796aa-5, 3796aa-6, 3797, 13012, 13014, 13021, and 13024 of this title, section 460/-8 of Title 16, and Rule 412 of the Federal Rules of Evidence, repealing sections 3796aa-4 and 3796aa-7 of this title, and enacting provisions set out as notes under sections 994 and 2074 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘Safe Streets for Women Act of 1994’.”

Pub. L. 103-322, title IV, §40201, Sept. 13, 1994, 108 Stat. 1925, provided that: “This title [probably should be “subtitle”, meaning subtitle B (§§40201-40295) of title IV of Pub. L. 103-322, enacting part B (§13951 et seq.) of subchapter III of this chapter, sections 3796hh to 3796hh-4 and 10416 to 10418 of this title, and sections 2261 to 2266 of Title 18, Crimes and Criminal Procedure, and amending sections 3782, 3783, 3793, 3797, 10402, and 10407 to 10410 of this title] may be cited as the ‘Safe Homes for Women Act of 1994’.”

Pub. L. 103-322, title IV, §40301, Sept. 13, 1994, 108 Stat. 1941, provided that: “This subtitle [subtitle C (§§40301-40304) of title IV of Pub. L. 103-322, enacting part C (§13981) of subchapter III of this chapter and amending section 1988 of this title and section 1445 of Title 28, Judiciary and Judicial Procedure] may be cited as the ‘Civil Rights Remedies for Gender-Motivated Violence Act’.”

Pub. L. 103-322, title IV, §40401, Sept. 13, 1994, 108 Stat. 1942, provided that: “This subtitle [subtitle D

(§§ 40401–40422) of title IV of Pub. L. 103–322, enacting part D (§13991 et seq.) of subchapter III of this chapter] may be cited as the ‘Equal Justice for Women in the Courts Act of 1994.’”

Pub. L. 103–322, title IV, §41001, as added by Pub. L. 109–162, title I, §105(a), Jan. 5, 2006, 119 Stat. 2979, provided that subtitle J of title IV of Pub. L. 103–322, enacting part I (§14043 et seq.) of subchapter III of this chapter, could be cited as the “Violence Against Women Act Court Training and Improvements Act of 2005”, prior to repeal by Pub. L. 113–4, title I, §104(b), Mar. 7, 2013, 127 Stat. 76.

Pub. L. 103–322, title XX, §200101, Sept. 13, 1994, 108 Stat. 2049, provided that: “This subtitle [subtitle A (§§ 200101–200113) of title XX of Pub. L. 103–322, enacting part A (§14091 et seq.) of subchapter VIII of this chapter] may be cited as the ‘Police Corps Act’.”

Pub. L. 103–322, title XX, §200201, Sept. 13, 1994, 108 Stat. 2057, provided that: “This subtitle [subtitle B (§§ 200201–200210) of title XX of Pub. L. 103–322, enacting part B (§14111 et seq.) of subchapter VIII of this chapter] may be cited as the ‘Law Enforcement Scholarships and Recruitment Act’.”

Pub. L. 103–322, title XXI, §210301, Sept. 13, 1994, 108 Stat. 2065, provided that: “This subtitle [subtitle C (§§ 210301–210306) of title XXI of Pub. L. 103–322, enacting part A (§14131 et seq.) of subchapter IX of this chapter and sections 3796kk–6 of this title, amending sections 3751, 3753, 3793, and 3797 of this title, and enacting provisions set out as a note under section 3751 of this title] may be cited as the ‘DNA Identification Act of 1994.’”

Pub. L. 103–322, title XXII, §220001, Sept. 13, 1994, 108 Stat. 2074, provided that: “This title [enacting subchapter X (§14171) of this chapter and section 511A of Title 18, Crimes and Criminal Procedure, and amending section 511 of Title 18] may be cited as the ‘Motor Vehicle Theft Prevention Act’.”

§ 13702. Authorization of grants

(a) In general

The Attorney General shall provide Violent Offender Incarceration grants under section 13703 of this title and Truth-in-Sentencing Incentive grants under section 13704 of this title to eligible States—

(1) to build or expand correctional facilities to increase the bed capacity for the confinement of persons convicted of a part 1 violent crime or adjudicated delinquent for an act which if committed by an adult, would be a part 1 violent crime;

(2) to build or expand temporary or permanent correctional facilities, including facilities on military bases, prison barges, and boot camps, for the confinement of convicted non-violent offenders and criminal aliens, for the purpose of freeing suitable existing prison space for the confinement of persons convicted of a part 1 violent crime;

(3) to build or expand jails; and

(4) to carry out any activity referred to in section 3797w(b) of this title.

(b) Regional compacts

(1) In general

Subject to paragraph (2), States may enter into regional compacts to carry out this part. Such compacts shall be treated as States under this part.

(2) Requirement

To be recognized as a regional compact for eligibility for a grant under section 13703 or 13704 of this title, each member State must be eligible individually.

(3) Limitation on receipt of funds

No State may receive a grant under this part both individually and as part of a compact.

(c) Applicability

Notwithstanding the eligibility requirements of section 13704 of this title, a State that certifies to the Attorney General that, as of April 26, 1996, such State has enacted legislation in reliance on this part, as enacted on September 13, 1994, and would in fact qualify under those provisions, shall be eligible to receive a grant for fiscal year 1996 as though such State qualifies under section 13704 of this title.

(Pub. L. 103–322, title II, §20102, as added Pub. L. 104–134, title I, §101[(a)] [title I, §114(a)], Apr. 26, 1996, 110 Stat. 1321, 1321–15; renumbered title I, Pub. L. 104–140, §1(a), May 2, 1996, 110 Stat. 1327; amended Pub. L. 110–199, title I, §104(a), Apr. 9, 2008, 122 Stat. 669.)

PRIOR PROVISIONS

A prior section 13702, Pub. L. 103–322, title II, §20102, Sept. 13, 1994, 108 Stat. 1816, related to Truth in Sentencing Incentive Grants prior to the general amendment of this part by Pub. L. 104–134.

AMENDMENTS

2008—Subsec. (a)(4). Pub. L. 110–199 added par. (4).

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.

§ 13703. Violent offender incarceration grants

(a) Eligibility for minimum grant

To be eligible to receive a minimum grant under this section, a State shall submit an application to the Attorney General that provides assurances that the State has implemented, or will implement, correctional policies and programs, including truth-in-sentencing laws that ensure that violent offenders serve a substantial portion of the sentences imposed, that are designed to provide sufficiently severe punishment for violent offenders, including violent juvenile offenders, and that the prison time served is appropriately related to the determination that the inmate is a violent offender and for a period of time deemed necessary to protect the public.

(b) Additional amount for increased percentage of persons sentenced and time served

A State that received a grant under subsection (a) of this section is eligible to receive additional grant amounts if such State demonstrates that the State has, since 1993—

(1) increased the percentage of persons arrested for a part 1 violent crime sentenced to prison; or

(2) increased the average prison time actually served or the average percent of sentence served by persons convicted of a part 1 violent crime.

Receipt of grant amounts under this subsection does not preclude eligibility for a grant under subsection (c) of this section.

(c) Additional amount for increased rate of incarceration and percentage of sentence served

A State that received a grant under subsection (a) of this section is eligible to receive addi-