

(Pub. L. 111–11, title IX, §9508, Mar. 30, 2009, 123 Stat. 1343.)

§ 10369. Research agreement authority

The Secretary may enter into contracts, grants, or cooperative agreements, for periods not to exceed 5 years, to carry out research within the Bureau of Reclamation.

(Pub. L. 111–11, title IX, §9509, Mar. 30, 2009, 123 Stat. 1346.)

§ 10370. Effect

(a) In general

Nothing in this chapter supersedes or limits any existing authority provided, or responsibility conferred, by any provision of law.

(b) Effect on State water law

(1) In general

Nothing in this chapter preempts or affects any—

- (A) State water law; or
- (B) interstate compact governing water.

(2) Compliance required

The Secretary shall comply with applicable State water laws in carrying out this chapter.

(Pub. L. 111–11, title IX, §9510, Mar. 30, 2009, 123 Stat. 1346.)

CHAPTER 110—FAMILY VIOLENCE PREVENTION AND SERVICES

Sec.	
10401.	Short title; purpose.
10402.	Definitions.
10403.	Authorization of appropriations.
10404.	Authority of Secretary.
10405.	Allotment of funds.
10406.	Formula grants to States.
10407.	State application.
10408.	Subgrants and uses of funds.
10409.	Grants for Indian tribes.
10410.	National resource centers and training and technical assistance centers.
10411.	Grants to State Domestic Violence Coalitions.
10412.	Specialized services for abused parents and their children.
10413.	National domestic violence hotline grant.
10414.	Domestic Violence Prevention Enhancement and Leadership Through Alliances (DELTA).
10415 to 10419.	Repealed or Omitted.
10420.	Grants to support families in the justice system.
10421.	Omitted.

CODIFICATION

The Family Violence Prevention and Services Act, comprising this chapter, was originally enacted by Pub. L. 98–457, title III, Oct. 9, 1984, 98 Stat. 1757, and amended by Pub. L. 100–294, title III, Apr. 25, 1988, 102 Stat. 124; Pub. L. 102–295, title III, §§302–309(a), 310–321, May 28, 1992, 106 Stat. 201–210; Pub. L. 103–322, title IV, §§40211, 40241, 40251, 40261, 40271, 40272, Sept. 13, 1994, 108 Stat. 1925, 1934–1937; Pub. L. 104–208, div. A, title I, §101(e) [title II, §213], Sept. 30, 1996, 110 Stat. 3009–233, 3009–254; Pub. L. 104–235, title II, §§201–203, Oct. 3, 1996, 110 Stat. 3089; Pub. L. 105–392, title IV, §407(a), Nov. 13, 1998, 112 Stat. 3589; Pub. L. 106–386, div. B, title II, §§1202–1204, title IV, §1403, Oct. 28, 2000, 114 Stat. 1505–1507, 1514; Pub. L. 108–36, title IV, §§401–415, June 25, 2003, 117 Stat. 825–830; Pub. L. 109–162, title II, §206,

Jan. 5, 2006, 119 Stat. 3002. Such Act is shown herein, however, as having been added by Pub. L. 111–320, title II, §201, Dec. 20, 2010, 124 Stat. 3484, without reference to such intervening amendments because of the extensive revision of the Act’s provisions by Pub. L. 111–320.

§ 10401. Short title; purpose

(a) Short title

This chapter may be cited as the “Family Violence Prevention and Services Act”.

(b) Purpose

It is the purpose of this chapter to—

(1) assist States and Indian tribes in efforts to increase public awareness about, and primary and secondary prevention of, family violence, domestic violence, and dating violence;

(2) assist States and Indian tribes in efforts to provide immediate shelter and supportive services for victims of family violence, domestic violence, or dating violence, and their dependents;

(3) provide for a national domestic violence hotline;

(4) provide for technical assistance and training relating to family violence, domestic violence, and dating violence programs to States and Indian tribes, local public agencies (including law enforcement agencies, courts, and legal, social service, and health care professionals in public agencies), nonprofit private organizations (including faith-based and charitable organizations, community-based organizations, and voluntary associations), tribal organizations, and other persons seeking such assistance and training.

(Pub. L. 98–457, title III, §301, as added Pub. L. 111–320, title II, §201, Dec. 20, 2010, 124 Stat. 3484.)

PRIOR PROVISIONS

A prior section 10401, Pub. L. 98–457, title III, §302, Oct. 9, 1984, 98 Stat. 1757; Pub. L. 102–295, title III, §302, May 28, 1992, 106 Stat. 201; Pub. L. 108–36, title IV, §415(1), June 25, 2003, 117 Stat. 830, related to declaration of purpose, prior to the general amendment of this chapter by Pub. L. 111–320. See subsec. (b) of this section.

A prior section 301 of Pub. L. 98–457, title III, Oct. 9, 1984, 98 Stat. 1757, provided a short title for title III of Pub. L. 98–457 and was set out as a note under former section 10401 of this title, prior to the general amendment of this chapter by Pub. L. 111–320.

STUDY OF TRAINING NEEDS OF HEALTH PROFESSIONALS

Pub. L. 105–392, title IV, §407(b), Nov. 13, 1998, 112 Stat. 3589, related to study by the Institute of Medicine concerning the training needs of health professionals with respect to the detection and referral of victims of family or acquaintance violence and required the Institute to submit a report to Congress concerning such study not later than 2 years after Nov. 13, 1998.

§ 10402. Definitions

In this chapter:

(1) Alaska Native

The term “Alaska Native” has the meaning given the term “Native” in section 1602 of title 43.

(2) Dating violence

The term “dating violence” has the meaning given such term in section 13925(a) of this title.

(3) Domestic violence

The term “domestic violence” has the meaning given such term in section 13925(a) of this title.

(4) Family violence

The term “family violence” means any act or threatened act of violence, including any forceful detention of an individual, that—

- (A) results or threatens to result in physical injury; and
- (B) is committed by a person against another individual (including an elderly individual) to or with whom such person—
 - (i) is related by blood;
 - (ii) is or was related by marriage or is or was otherwise legally related; or
 - (iii) is or was lawfully residing.

(5) Indian; Indian tribe; tribal organization

The terms “Indian”, “Indian tribe”, and “tribal organization” have the meanings given such terms in section 5304 of title 25.

(6) Native Hawaiian

The term “Native Hawaiian” has the meaning given the term in section 7517 of title 20.

(7) Personally identifying information

The term “personally identifying information” has the meaning given the term in section 13925(a) of this title.

(8) Secretary

The term “Secretary” means the Secretary of Health and Human Services.

(9) Shelter

The term “shelter” means the provision of temporary refuge and supportive services in compliance with applicable State law (including regulation) governing the provision, on a regular basis, of shelter, safe homes, meals, and supportive services to victims of family violence, domestic violence, or dating violence, and their dependents.

(10) State

The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and, except as otherwise provided, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(11) State Domestic Violence Coalition

The term “State Domestic Violence Coalition” means a statewide nongovernmental nonprofit private domestic violence organization that—

- (A) has a membership that includes a majority of the primary-purpose domestic violence service providers in the State;
- (B) has board membership that is representative of primary-purpose domestic violence service providers, and which may include representatives of the communities in which the services are being provided in the State;
- (C) has as its purpose to provide education, support, and technical assistance to such service providers to enable the providers to establish and maintain shelter and support-

ive services for victims of domestic violence and their dependents; and

(D) serves as an information clearinghouse, primary point of contact, and resource center on domestic violence for the State and supports the development of policies, protocols, and procedures to enhance domestic violence intervention and prevention in the State.

(12) Supportive services

The term “supportive services” means services for adult and youth victims of family violence, domestic violence, or dating violence, and dependents exposed to family violence, domestic violence, or dating violence, that are designed to—

(A) meet the needs of such victims of family violence, domestic violence, or dating violence, and their dependents, for short-term, transitional, or long-term safety; and

(B) provide counseling, advocacy, or assistance for victims of family violence, domestic violence, or dating violence, and their dependents.

(13) Tribally designated official

The term “tribally designated official” means an individual designated by an Indian tribe, tribal organization, or nonprofit private organization authorized by an Indian tribe, to administer a grant under section 10409 of this title.

(14) Underserved populations

The term “underserved populations” has the meaning given the term in section 13925(a) of this title. For the purposes of this chapter, the Secretary has the same authority to determine whether a population is an underserved population as the Attorney General has under that section 13925(a)¹ of this title.

(Pub. L. 98-457, title III, §302, as added Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3484; amended Pub. L. 114-95, title IX, §9215(ii), Dec. 10, 2015, 129 Stat. 2175.)

PRIOR PROVISIONS

A prior section 10402, Pub. L. 98-457, title III, §303, Oct. 9, 1984, 98 Stat. 1757; Pub. L. 100-294, title III, §302, Apr. 25, 1988, 102 Stat. 124; Pub. L. 102-295, title III, §§303-309(a), 310, 311(a), May 28, 1992, 106 Stat. 201-203; Pub. L. 103-322, title IV, §40271, Sept. 13, 1994, 108 Stat. 1937; Pub. L. 104-235, title II, §201, Oct. 3, 1996, 110 Stat. 3089; Pub. L. 108-36, title IV, §§401, 415(2), (3), June 25, 2003, 117 Stat. 825, 830, related to authorization of State grants, prior to the general amendment of this chapter by Pub. L. 111-320. See section 10406 of this title.

A prior section 302 of Pub. L. 98-457 was classified to section 10401 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

AMENDMENTS

2015—Par. (6). Pub. L. 114-95 made technical amendment to reference in original act which appears in text as reference to 7517 of title 20.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

¹ So in original.

§ 10403. Authorization of appropriations**(a) Formula grants to States****(1) In general**

There is authorized to be appropriated to carry out sections 10401 through 10412 of this title, \$175,000,000 for each of fiscal years 2011 through 2015.

(2) Allocations**(A) Formula grants to States****(i) Reservation of funds**

For any fiscal year for which the amounts appropriated under paragraph (1) exceed \$130,000,000, not less than 25 percent of such excess funds shall be made available to carry out section 10412 of this title.

(ii) Formula grants

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under clause (i), not less than 70 percent shall be used for making grants under section 10406(a) of this title.

(B) Grants to tribes

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 10 percent shall be used to carry out section 10409 of this title.

(C) Technical assistance and training centers

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 6 percent shall be used by the Secretary for making grants under section 10410 of this title.

(D) Grants for State Domestic Violence Coalitions

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 10 percent of such amounts shall be used by the Secretary for making grants under section 10411 of this title.

(E) Administration, evaluation and monitoring

Of the amount appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not more than 2.5 percent shall be used by the Secretary for evaluation, monitoring, and other administrative costs under this chapter.

(b) National domestic violence hotline

There is authorized to be appropriated to carry out section 10413 of this title \$3,500,000 for each of fiscal years 2011 through 2015.

(c) Domestic Violence Prevention Enhancement and Leadership Through Alliances

There is authorized to be appropriated to carry out section 10414 of this title \$6,000,000 for each of fiscal years 2011 through 2015.

(Pub. L. 98-457, title III, §303, as added Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3486.)

PRIOR PROVISIONS

A prior section 10403, Pub. L. 98-457, title III, §304, Oct. 9, 1984, 98 Stat. 1759; Pub. L. 102-295, title III, §312,

May 28, 1992, 106 Stat. 204; Pub. L. 104-208, div. A, title I, §101(e) [title II, §213], Sept. 30, 1996, 110 Stat. 3009-233, 3009-254; Pub. L. 104-235, title II, §202, Oct. 3, 1996, 110 Stat. 3089; Pub. L. 106-386, div. B, title II, §1202(b), Oct. 28, 2000, 114 Stat. 1505, related to allotment of funds, prior to the general amendment of this chapter by Pub. L. 111-320. See section 10405 of this title.

A prior section 303 of Pub. L. 98-457 was classified to section 10402 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

§ 10404. Authority of Secretary**(a) Authorities**

In order to carry out the provisions of this chapter, the Secretary is authorized to—

(1) appoint and fix the compensation of such personnel as are necessary;

(2) procure, to the extent authorized by section 3109 of title 5, such temporary and intermittent services of experts and consultants as are necessary;

(3) make grants to eligible entities or enter into contracts with for-profit or nonprofit nongovernmental entities and establish reporting requirements for such grantees and contractors;

(4) prescribe such regulations and guidance as are reasonably necessary in order to carry out the objectives and provisions of this chapter, including regulations and guidance on implementing new grant conditions established or provisions modified by amendments made to this chapter by the CAPTA Reauthorization Act of 2010, to ensure accountability and transparency of the actions of grantees and contractors, or as determined by the Secretary to be reasonably necessary to carry out this chapter; and

(5) coordinate programs within the Department of Health and Human Services, and seek to coordinate those programs with programs administered by other Federal agencies, that involve or affect efforts to prevent family violence, domestic violence, and dating violence or the provision of assistance for adult and youth victims of family violence, domestic violence, or dating violence.

(b) Administration

The Secretary shall—

(1) assign 1 or more employees of the Department of Health and Human Services to carry out the provisions of this chapter, including carrying out evaluation and monitoring under this chapter, which employees shall, prior to such appointment, have expertise in the field of family violence and domestic violence prevention and services and, to the extent practicable, have expertise in the field of dating violence;

(2) provide technical assistance in the conduct of programs for the prevention and treatment of family violence, domestic violence, and dating violence;

(3) provide for and coordinate research into the most effective approaches to the intervention in and prevention of family violence, domestic violence, and dating violence, by—

(A) consulting with experts and program providers within the family violence, domestic violence, and dating violence field to identify gaps in research and knowledge, es-