

§ 3797b. Applications**(a) In general**

To request a grant under this subchapter, the chief executive of a State, unit of local government, or Indian tribe shall submit an application to the Director at such time, in such manner, and accompanied by such information as the Director may require. Each application shall—

- (1) include a detailed explanation of—
 - (A) the intended uses of funds provided under the grant; and
 - (B) how the activities funded under the grant will meet the purpose of this subchapter; and
- (2) be accompanied by an assurance that the application was prepared after consultation with individuals not limited to law enforcement officers (such as school violence researchers, child psychologists, social workers, teachers, principals, and other school personnel) to ensure that the improvements to be funded under the grant are—
 - (A) consistent with a comprehensive approach to preventing school violence; and
 - (B) individualized to the needs of each school at which those improvements are to be made.

(b) Guidelines

Not later than 90 days after October 28, 2000, the Director shall promulgate guidelines to implement this section (including the information that must be included and the requirements that the States, units of local government, and Indian tribes must meet) in submitting the applications required under this section.

(Pub. L. 90–351, title I, §2702, as added Pub. L. 106–386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502; amended Pub. L. 109–271, §8(j)(2), Aug. 12, 2006, 120 Stat. 767.)

AMENDMENTS

2006—Pub. L. 109–271 substituted “Director” for “Attorney General” wherever appearing.

§ 3797c. Annual report to Congress

Not later than November 30th of each year, the Director shall submit a report to the Congress regarding the activities carried out under this subchapter. Each such report shall include, for the preceding fiscal year, the number of grants funded under this subchapter, the amount of funds provided under those grants, and the activities for which those funds were used.

(Pub. L. 90–351, title I, §2703, as added Pub. L. 106–386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502; amended Pub. L. 109–271, §8(j)(2), Aug. 12, 2006, 120 Stat. 767.)

AMENDMENTS

2006—Pub. L. 109–271 substituted “Director” for “Attorney General”.

§ 3797d. Definitions

For purposes of this subchapter—

- (1) the term “school” means a public elementary or secondary school;

(2) the term “unit of local government” means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level; and

(3) the term “Indian tribe” has the same meaning as in section 5304(e) of title 25.

(Pub. L. 90–351, title I, §2704, as added Pub. L. 106–386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502.)

§ 3797e. Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter \$30,000,000 for each of fiscal years 2001 through 2009.

(Pub. L. 90–351, title I, §2705, as added Pub. L. 106–386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502; amended Pub. L. 109–162, title XI, §1169(a), Jan. 5, 2006, 119 Stat. 3122.)

AMENDMENTS

2006—Pub. L. 109–162 substituted “2009” for “2003”.

SUBCHAPTER XV—PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS**§ 3797j. Grant authorization**

The Attorney General shall award grants to States and units of local government in accordance with this subchapter.

(Pub. L. 90–351, title I, §2801, as added Pub. L. 106–561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2788; amended Pub. L. 107–273, div. B, title V, §5001(b)(1), Nov. 2, 2002, 116 Stat. 1813.)

AMENDMENTS

2002—Pub. L. 107–273 inserted “and units of local government” after “States”.

§ 3797k. Applications

To request a grant under this subchapter, a State or unit of local government shall submit to the Attorney General—

- (1) a certification that the State or unit of local government has developed a plan for forensic science laboratories under a program described in section 3797m(a) of this title, and a specific description of the manner in which the grant will be used to carry out that plan;
- (2) a certification that any forensic science laboratory system, medical examiner’s office, or coroner’s office in the State, including any laboratory operated by a unit of local government within the State, that will receive any portion of the grant amount uses generally accepted laboratory practices and procedures, established by accrediting organizations or appropriate certifying bodies and, except with regard to any medical examiner’s office, or coroner’s office in the State, is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, or attests, in a manner that is legally binding and enforceable, to use a portion of the grant amount to prepare and apply for such accredi-

tation not more than 2 years after the date on which a grant is awarded under section 3797j of this title;

(3) a specific description of any new facility to be constructed as part of the program for a State or local plan described in paragraph (1), and the estimated costs of that facility, and a certification that the amount of the grant used for the costs of the facility will not exceed the limitations set forth in section 3797m(c) of this title; and

(4) a certification that a government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.

(Pub. L. 90-351, title I, § 2802, as added Pub. L. 106-561, § 2(c)(1), Dec. 21, 2000, 114 Stat. 2788; amended Pub. L. 107-273, div. B, title V, § 5001(b)(2), Nov. 2, 2002, 116 Stat. 1813; Pub. L. 108-405, title III, § 311(b), Oct. 30, 2004, 118 Stat. 2277; Pub. L. 114-324, § 9(a)(1), Dec. 16, 2016, 130 Stat. 1954.)

AMENDMENTS

2016—Par. (2). Pub. L. 114-324 inserted “and, except with regard to any medical examiner's office, or coroner's office in the State, is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, or attests, in a manner that is legally binding and enforceable, to use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under section 3797j of this title” after “bodies”.

2004—Par. (4). Pub. L. 108-405 added par. (4).

2002—Pub. L. 107-273, § 5001(b)(2)(A), inserted “or unit of local government” after “State” in introductory provisions.

Par. (1). Pub. L. 107-273, § 5001(b)(2)(B), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “a certification that the State has developed a consolidated State plan for forensic science laboratories operated by the State or by other units of local government within the State under a program described in section 3797m(a) of this title, and a specific description of the manner in which the grant will be used to carry out that plan;”.

Par. (2). Pub. L. 107-273, § 5001(b)(2)(C), inserted “or appropriate certifying bodies” after “accrediting organizations”.

Par. (3). Pub. L. 107-273, § 5001(b)(2)(D), inserted “for a State or local plan” after “program”.

§ 3797I. Allocation

(a) In general

(1) Population allocation

Eighty-five percent of the amount made available to carry out this subchapter in each fiscal year shall be allocated to each State that meets the requirements of section 3797k of this title so that each State shall receive an amount that bears the same ratio to the 85 percent of the total amount made available to

carry out this subchapter for that fiscal year as the population of the State bears to the population of all States.

(2) Discretionary allocation

Fifteen percent of the amount made available to carry out this subchapter in each fiscal year shall be allocated pursuant to the Attorney General's discretion for competitive awards to States and units of local government. In making awards under this subchapter, the Attorney General shall consider the average annual number of part 1 violent crimes reported by each State to the Federal Bureau of Investigation for the 3 most recent calendar years for which data is available and consider the existing resources and current needs of the potential grant recipient.

(3) Minimum requirement

Each State shall receive not less than 1 percent of the amount made available to carry out this subchapter in each fiscal year.

(4) Proportional reduction

If the amounts available to carry out this subchapter in each fiscal year are insufficient to pay in full the total payment that any State is otherwise eligible to receive under paragraph (3), then the Attorney General shall reduce payments under paragraph (1) for such payment period to the extent of such insufficiency. Reductions under the preceding sentence shall be allocated among the States (other than States whose payment is determined under paragraph (3)) in the same proportions as amounts would be allocated under paragraph (1) without regard to paragraph (3).

(b) State defined

In this section, the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands, except that—

(1) for purposes of the allocation under this section, American Samoa and the Commonwealth of the Northern Mariana Islands shall be considered as 1 State; and

(2) for purposes of paragraph (1), 67 percent of the amount allocated shall be allocated to American Samoa, and 33 percent shall be allocated to the Commonwealth of the Northern Mariana Islands.

(Pub. L. 90-351, title I, § 2803, as added Pub. L. 106-561, § 2(c)(1), Dec. 21, 2000, 114 Stat. 2788; amended Pub. L. 107-273, div. B, title V, § 5001(b)(3), Nov. 2, 2002, 116 Stat. 1814; Pub. L. 114-324, § 9(a)(2), Dec. 16, 2016, 130 Stat. 1955.)

AMENDMENTS

2016—Subsec. (a)(1). Pub. L. 114-324, § 9(a)(2)(A), substituted “Eighty-five percent” for “Seventy-five percent” and “85 percent” for “75 percent”.

Subsec. (a)(2). Pub. L. 114-324, § 9(a)(2)(B), substituted “Fifteen percent” for “Twenty-five percent”.

Subsec. (a)(3). Pub. L. 114-324, § 9(a)(2)(C), substituted “1 percent” for “0.6 percent”.

2002—Subsec. (a)(2). Pub. L. 107-273 substituted “for competitive awards to States and units of local government. In making awards under this subchapter, the Attorney General shall consider the average annual num-