

“There is authorized to be appropriated to the Administrator to carry out this subsection, \$40,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2013.”

Subsec. (c)(1). Pub. L. 113–38, §2(b)(3), substituted “triennially” for “periodically” and “kidnappings” for “kidnapings”.

Subsec. (c)(2). Pub. L. 113–38, §2(b)(4), inserted “, in compliance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g)” after “birth certificates”.

2008—Subsec. (b)(1). Pub. L. 110–240, §3(1), amended par. (1) generally. Prior to amendment, par. (1) consisted of subpars. (A) to (H) relating to annual grants to Center.

Subsec. (b)(2). Pub. L. 110–240, §3(2), substituted “\$40,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2013” for “\$20,000,000 for each of the fiscal years 2004 through 2008”.

2003—Subsec. (b)(1)(H). Pub. L. 108–21, §323, added subpar. (H).

Subsec. (b)(2). Pub. L. 108–96 substituted “2008” for “2005”.

Pub. L. 108–21, §321(b), substituted “\$20,000,000 for each of the fiscal years 2004 through 2005” for “\$10,000,000 for each of fiscal years 2000, 2001, 2002, and 2003”.

2002—Subsec. (a)(5)(E). Pub. L. 107–273 substituted “section 5714–11” for “section 5712a”.

1999—Subsecs. (b) to (d). Pub. L. 106–71 added subsecs. (b) and (c), redesignated former subsec. (c) as (d), and struck out former subsec. (b) which related to the establishment of toll-free telephone line and national resource center and clearinghouse, conduct of national incidence studies, and use of school records and birth certificates.

1989—Subsec. (a)(5)(C). Pub. L. 101–204, §1004(2)(A), substituted semicolon for comma at end.

Subsec. (b)(2)(A). Pub. L. 101–204, §1004(2)(B), inserted “to” before “provide to State”.

1988—Subsec. (a)(3). Pub. L. 100–690, §7285(a)(1), struck out “law enforcement” before “entities”.

Subsec. (a)(4). Pub. L. 100–690, §7285(a)(2), inserted “and” at end.

Subsec. (a)(5). Pub. L. 100–690, §7285(a)(3), amended par. (5) generally. Prior to amendment, par. (5) read as follows: “analyze, compile, publish, and disseminate an annual summary of recently completed research, research being conducted, and Federal, State, and local demonstration projects relating to missing children with particular emphasis on—

“(A) effective models of local, State, and Federal coordination and cooperation in locating missing children;

“(B) effective programs designed to promote community awareness of the problem of missing children;

“(C) effective programs to prevent the abduction and sexual exploitation of children (including parent, child, and community education); and

“(D) effective program models which provide treatment, counseling, or other aid to parents of missing children or to children who have been the victims of abduction or sexual exploitation; and”.

Subsec. (a)(6). Pub. L. 100–690, §7285(a)(4), struck out par. (6), which read as follows: “prepare, in conjunction with and with the final approval of the Advisory Board on Missing Children, an annual comprehensive plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities related to missing children.”

Subsec. (b)(1). Pub. L. 100–690, §7285(b)(1), designated existing provisions as subpar. (A), inserted “24-hour” after “national” and “and” at end, and added subpar. (B).

Subsec. (b)(2)(A). Pub. L. 100–690, §7285(b)(2)(A), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “to provide technical assistance to local and State governments, public and private nonprofit agencies, and individuals in locating and recovering missing children;”.

Subsec. (b)(2)(D). Pub. L. 100–690, §7285(b)(2)(B), inserted “and training” after “assistance” and “and in locating and recovering missing children” before semicolon.

Subsec. (b)(4). Pub. L. 100–690, §7285(b)(3), (4), added par. (4).

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–273 effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107–273, set out as a note under section 11101 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100–690 effective Oct. 1, 1988, with the report required by subsec. (a)(6) of this section with respect to fiscal year 1988 to be submitted not later than Aug. 1, 1989, notwithstanding the 180-day period provided in subsec. (a)(6) of this section, see section 7296(a), (b)(3) of Pub. L. 100–690, set out as a note under section 11101 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a)(6) of this section relating to submittal of annual report to the Speaker of the House of Representatives and the President pro tempore of the Senate, see section 3003 of Pub. L. 104–66, set out as a note under section 1113 of Title 31, Money and Finance, and the 2nd item on page 122 of House Document No. 103–7.

§ 11294. Grants

(a) Authority of Administrator; description of research, demonstration projects, and service programs

The Administrator is authorized to make grants to and enter into contracts with the Center and with public agencies or nonprofit private organizations, or combinations thereof, for research, demonstration projects, or service programs designed—

(1) to educate parents, children, schools, school leaders, teachers, State and local educational agencies, homeless shelters and service providers, and community agencies and organizations in ways to prevent the abduction and sexual exploitation of children;

(2) to provide information to assist in the locating and return of missing children;

(3) to aid communities and schools in the collection of materials which would be useful to parents in assisting others in the identification of missing children;

(4) to increase knowledge of and develop effective treatment pertaining to the psychological consequences, on both parents and children, of—

(A) the abduction of a child, both during the period of disappearance and after the child is recovered; and

(B) the sexual exploitation of a missing child;

(5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children’s cases;

(6) to address the particular needs of missing children by minimizing the negative impact of judicial and law enforcement procedures on children who are victims of abuse or sexual ex-

ploitation and by promoting the active participation of children and their families in cases involving abuse or sexual exploitation of children;

(7) to address the needs of missing children (as defined in section 11292(1)(A) of this title) and their families following the recovery of such children;

(8) to reduce the likelihood that individuals under 18 years of age will be removed from the control of such individuals' legal custodians without such custodians' consent; and

(9) to establish or operate statewide clearinghouses to assist in locating and recovering missing children.

(b) Priorities of grant applicants

In considering grant applications under this subchapter, the Administrator shall give priority to applicants who—

(1) have demonstrated or demonstrate ability in—

(A) locating missing children or locating and reuniting missing children with their legal custodians;

(B) providing other services to missing children or their families; or

(C) conducting research relating to missing children; and

(2) with respect to subparagraphs (A) and (B) of paragraph (1), substantially utilize volunteer assistance.

The Administrator shall give first priority to applicants qualifying under subparagraphs (A) and (B) of paragraph (1).

(c) Non-Federal fund expenditures requisite for receipt of Federal assistance

In order to receive assistance under this subchapter for a fiscal year, applicants shall give assurance that they will expend, to the greatest extent practicable, for such fiscal year an amount of funds (without regard to any funds received under any Federal law) that is not less than the amount of funds they received in the preceding fiscal year from State, local, and private sources.

(Pub. L. 93-415, title IV, § 405, formerly § 406, as added Pub. L. 98-473, title II, § 660, Oct. 12, 1984, 98 Stat. 2128; renumbered § 405 and amended Pub. L. 100-690, title VII, §§ 7287, 7290(a), Nov. 18, 1988, 102 Stat. 4460, 4461; Pub. L. 101-204, title X, § 1004(3), Dec. 7, 1989, 103 Stat. 1828; Pub. L. 106-71, § 2(d), Oct. 12, 1999, 113 Stat. 1035; Pub. L. 113-38, § 2(c), Sept. 30, 2013, 127 Stat. 528.)

CODIFICATION

Section was formerly classified to section 5775 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 405 of Pub. L. 93-415 was classified to section 5774 of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 100-690, title VII, § 7286, Nov. 18, 1988, 102 Stat. 4460.

AMENDMENTS

2013—Subsec. (a)(1). Pub. L. 113-38, § 2(c)(1), inserted “schools, school leaders, teachers, State and local educational agencies, homeless shelters and service providers,” after “children.”

Subsec. (a)(3). Pub. L. 113-38, § 2(c)(2), inserted “and schools” after “communities”.

1999—Subsec. (a). Pub. L. 106-71 inserted “the Center and with” before “public agencies” in introductory provisions.

1989—Subsec. (a)(9). Pub. L. 101-204 substituted “clearinghouses” for “clearinghouse”.

1988—Subsec. (a)(7) to (9). Pub. L. 100-690, § 7287, added pars. (7) to (9).

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 11101 of this title.

§ 11295. Criteria for grants

(a) Establishment of priorities and criteria; publication in Federal Register

In carrying out the programs authorized by this subchapter, the Administrator shall establish—

(1) annual research, demonstration, and service program priorities for making grants and contracts pursuant to section 11294 of this title; and

(2) criteria based on merit for making such grants and contracts.

Not less than 60 days before establishing such priorities and criteria, the Administrator shall publish in the Federal Register for public comment a statement of such proposed priorities and criteria.

(b) Competitive selection process for grant or contract exceeding \$50,000

No grant or contract exceeding \$50,000 shall be made under this subchapter unless the grantee or contractor has been selected by a competitive process which includes public announcement of the availability of funds for such grant or contract, general criteria for the selection of recipients or contractors, and a description of the application process and application review process.

(c) Multiple grants or contracts to same grantee or contractor

Multiple grants or contracts to the same grantee or contractor within any 1 year to support activities having the same general purpose shall be deemed to be a single grant for the purpose of this subsection, but multiple grants or contracts to the same grantee or contractor to support clearly distinct activities shall be considered separate grants or contractors.¹

(Pub. L. 93-415, title IV, § 406, formerly § 407, as added Pub. L. 98-473, title II, § 660, Oct. 12, 1984, 98 Stat. 2129; renumbered § 406 and amended Pub. L. 100-690, title VII, §§ 7288, 7290, Nov. 18, 1988, 102 Stat. 4461.)

CODIFICATION

Section was formerly classified to section 5776 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

PRIOR PROVISIONS

A prior section 406 of Pub. L. 93-415 was renumbered section 405 and is classified to section 11294 of this title.

¹ So in original. Probably should be “contracts.”