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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The Family Violence Prevention and Services Act, comprising this chapter, was originally enacted by Pub.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 12291(a) of this title.

(3) Domestic violence

The term “domestic violence” has the meaning given such term in section 12291(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 12291(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,