

May 28, 1992, 106 Stat. 204; Pub. L. 108-36, title IV, §§ 402, 415(4), June 25, 2003, 117 Stat. 825, 830, related to Secretarial responsibilities, prior to the general amendment of this chapter by Pub. L. 111-320.

A prior section 304 of Pub. L. 98-457 was classified to section 10403 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

#### CHANGE OF NAME

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

### § 10405. Allotment of funds

#### (a) In general

From the sums appropriated under section 10403 of this title and available for grants to States under section 10406(a) of this title for any fiscal year—

(1) Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands shall each be allotted not less than  $\frac{1}{8}$  of 1 percent of the amounts available for grants under section 10406(a) of this title for the fiscal year for which the allotment is made; and

(2) each State shall be allotted for a grant under section 10406(a) of this title, \$600,000, with the remaining funds to be allotted to each State in an amount that bears the same ratio to such remaining funds as the population of such State bears to the population of all States.

#### (b) Population

For the purpose of this section, the population of each State, and the total population of all the States, shall be determined by the Secretary on the basis of the most recent census data available to the Secretary, and the Secretary shall use for such purpose, if available, the annual interim current census data produced by the Secretary of Commerce pursuant to section 181 of title 13.

#### (c) Ratable reduction

If the sums appropriated under section 10403 of this title for any fiscal year and available for grants to States under section 10406(a) of this title are not sufficient to pay in full the total amounts that all States are entitled to receive under subsection (a) for such fiscal year, then the maximum amounts that all States are entitled to receive under subsection (a) for such fiscal year shall be ratably reduced. In the event that additional funds become available for making such grants for any fiscal year during which the preceding sentence is applicable, such reduced amounts shall be increased on the same basis as they were reduced.

#### (d) Reallotment

If, at the end of the sixth month of any fiscal year for which sums are appropriated under section 10403 of this title, the amount allotted to a State has not been made available to such State in a grant under section 10406(a) of this title because of the failure of such State to meet the requirements for such a grant, then the Secretary shall reallot such amount to States that meet such requirements.

#### (e) Continued availability of funds

All funds allotted to a State for a fiscal year under this section, and made available to such State in a grant under section 10406(a) of this title, shall remain available for obligation by the State until the end of the following fiscal year. All such funds that are not obligated by the State by the end of the following fiscal year shall be made available to the Secretary for discretionary activities under section 10414 of this title. Such funds shall remain available for obligation, and for expenditure by a recipient of the funds under section 10414 of this title, for not more than 1 year from the date on which the funds are made available to the Secretary.

#### (f) Definition

In subsection (a)(2), the term “State” does not include any jurisdiction specified in subsection (a)(1).

(Pub. L. 98-457, title III, § 305, as added Pub. L. 111-320, title II, § 201, Dec. 20, 2010, 124 Stat. 3488.)

#### PRIOR PROVISIONS

A prior section 10405, Pub. L. 98-457, title III, § 306, Oct. 9, 1984, 98 Stat. 1760; Pub. L. 102-295, title III, § 314, May 28, 1992, 106 Stat. 204; Pub. L. 108-36, title IV, § 403, June 25, 2003, 117 Stat. 825, related to evaluation of the effectiveness of the programs administered and operated pursuant to this chapter, prior to the general amendment of this chapter by Pub. L. 111-320. See section 10404(c) of this title.

A prior section 305 of Pub. L. 98-457 was classified to section 10404 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

### § 10406. Formula grants to States

#### (a) Formula grants to States

The Secretary shall award grants to States in order to assist in supporting the establishment, maintenance, and expansion of programs and projects—

(1) to prevent incidents of family violence, domestic violence, and dating violence;

(2) to provide immediate shelter, supportive services, and access to community-based programs for victims of family violence, domestic violence, or dating violence, and their dependents; and

(3) to provide specialized services for children exposed to family violence, domestic violence, or dating violence, underserved populations, and victims who are members of racial and ethnic minority populations.

#### (b) Administrative expenses

##### (1) Administrative costs

Each State may use not more than 5 percent of the grant funds for State administrative costs.

##### (2) Subgrants to eligible entities

The State shall use the remainder of the grant funds to make subgrants to eligible entities for approved purposes as described in section 10408 of this title.

#### (c) Grant conditions

##### (1) Approved activities

In carrying out the activities under this chapter, grantees and subgrantees may col-