

§ 12262. Requirements

For the purpose of placing Federal participants in a family unity demonstration project under section 12261 of this title, the Attorney General shall consult with the Secretary of Health and Human Services regarding the development and operation of the project.

(Pub. L. 103-322, title III, §31922, Sept. 13, 1994, 108 Stat. 1896.)

CODIFICATION

Section was formerly classified to section 13902 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART H—PREVENTION, DIAGNOSIS, AND TREATMENT OF TUBERCULOSIS IN CORRECTIONAL INSTITUTIONS

§ 12271. Prevention, diagnosis, and treatment of tuberculosis in correctional institutions**(a) Guidelines**

The Attorney General, in consultation with the Secretary of Health and Human Services and the Director of the National Institute of Corrections, shall develop and disseminate to appropriate entities, including State, Indian tribal, and local correctional institutions and the Immigration and Naturalization Service, guidelines for the prevention, diagnosis, treatment, and followup care of tuberculosis among inmates of correctional institutions and persons held in holding facilities operated by or under contract with the Immigration and Naturalization Service.

(b) Compliance

The Attorney General shall ensure that prisons in the Federal prison system and holding facilities operated by or under contract with the Immigration and Naturalization Service comply with the guidelines described in subsection (a).

(c) Grants**(1) In general**

The Attorney General shall make grants to State, Indian tribal, and local correction authorities and public health authorities to assist in establishing and operating programs for the prevention, diagnosis, treatment, and followup care of tuberculosis among inmates of correctional institutions.

(2) Federal share

The Federal share of funding of a program funded with a grant under paragraph (1) shall not exceed 50 percent.

(3) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

- (A) \$700,000 for fiscal year 1996;
- (B) \$1,000,000 for fiscal year 1997;
- (C) \$1,000,000 for fiscal year 1998;
- (D) \$1,100,000 for fiscal year 1999; and
- (E) \$1,200,000 for fiscal year 2000.

(d) Definitions

In this section—

“Indian tribe” means a tribe, band, pueblo, nation, or other organized group or commu-

nity of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.),¹ that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the United States Virgin Islands.

(Pub. L. 103-322, title III, §32201, Sept. 13, 1994, 108 Stat. 1901.)

REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in subsec. (d), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

CODIFICATION

Section was formerly classified to section 13911 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

PART I—GANG RESISTANCE EDUCATION AND TRAINING

§ 12281. Gang Resistance Education and Training projects**(a) Establishment of projects****(1) In general**

The Attorney General shall establish not less than 50 Gang Resistance Education and Training (GREAT) projects, to be located in communities across the country, in addition to the number of projects currently funded.

(2) Selection of communities

Communities identified for such GREAT projects shall be selected by the Attorney General on the basis of gang-related activity in that particular community.

(3) Amount of assistance per project; allocation

The Attorney General shall make available not less than \$800,000 per project, subject to the availability of appropriations, and such funds shall be allocated—

(A) 50 percent to the affected State and local law enforcement and prevention organizations participating in such projects; and

(B) 50 percent to the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice for salaries, expenses, and associated administrative costs for operating and overseeing such projects.

(b) Authorization of appropriations

There is authorized to be appropriated to carry out this section—

¹ So in original. A closing parenthesis probably should precede the comma.

- (1) \$20,000,000 for fiscal year 2006;
- (2) \$20,000,000 for fiscal year 2007;
- (3) \$20,000,000 for fiscal year 2008;
- (4) \$20,000,000 for fiscal year 2009; and
- (5) \$20,000,000 for fiscal year 2010.

(Pub. L. 103-322, title III, § 32401, Sept. 13, 1994, 108 Stat. 1902; Pub. L. 107-296, title XI, § 1112(p), Nov. 25, 2002, 116 Stat. 2278; Pub. L. 109-162, title XI, § 1188, Jan. 5, 2006, 119 Stat. 3128.)

CODIFICATION

Section was formerly classified to section 13921 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-162, which directed the amendment of section 32401(b) of the Violent Crime Control Act of 1994 by adding pars. (1) to (5) and striking out former pars. (1) to (6), was executed by making the amendments to this section, which is section 32401(b) of the Violent Crime Control and Law Enforcement Act of 1994, to reflect the probable intent of Congress. Former pars. (1) to (6) authorized appropriations for fiscal years 1995 through 2000.

2002—Subsec. (a). Pub. L. 107-296, § 1112(p)(1), substituted “Attorney General” for “Secretary of the Treasury” wherever appearing.

Subsec. (a)(3)(B). Pub. L. 107-296, § 1112(p)(2), substituted “Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice” for “Bureau of Alcohol, Tobacco and Firearms”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

SUBCHAPTER III—VIOLENCE AGAINST WOMEN

§ 12291. Definitions and grant provisions

(a) Definitions

In this subchapter:

(1) Alaska Native village

The term “Alaska Native village” has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

(2) Courts

The term “courts” means any civil or criminal, tribal, and Alaska Native Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision-making authority.

(3) Child abuse and neglect

The term “child abuse and neglect” means any recent act or failure to act on the part of a parent or caregiver with intent to cause death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm to an unemancipated minor. This definition shall not be construed to mean that

failure to leave an abusive relationship, in the absence of other action constituting abuse or neglect, is itself abuse or neglect.

(4) Community-based organization

The term “community-based organization” means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—

(A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;

(B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;

(C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or

(D) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.

(5) Child maltreatment

The term “child maltreatment” means the physical or psychological abuse or neglect of a child or youth, including sexual assault and abuse.

(6) Culturally specific

The term “culturally specific” means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).¹

(7) Culturally specific services

The term “culturally specific services” means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

(8) Domestic violence

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

(9) Dating partner

The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of—

¹ So in original. The period probably should be preceded by another closing parenthesis.