

ganizations 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 exploitation 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 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' parents without such parents' 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 parents;

(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; Pub. L. 115-267, §2(d), Oct. 11, 2018, 132 Stat. 3759; Pub. L. 115-393, title II, §202(d), Dec. 21, 2018, 132 Stat. 5270.)

#### Editorial Notes

##### 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

2018—Subsec. (a)(7). Pub. L. 115-267, §2(d)(1)(A), and Pub. L. 115-393, §202(d)(1)(A), amended par. (7) identically, striking out “(as defined in section 11292(1)(A) of this title)” after “missing children”.

Subsec. (a)(8). Pub. L. 115-267, §2(d)(1)(B), and Pub. L. 115-393, §202(d)(1)(B), amended par. (8) identically, substituting “parents” for “legal custodians” and “parents” for “custodians”.

Subsec. (b)(1)(A). Pub. L. 115-267, §2(d)(2), and Pub. L. 115-393, §202(d)(2), amended subpar. (A) identically, substituting “parents” for “legal custodians”.

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).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-267 effective Oct. 11, 2018, and applicable to fiscal years beginning after Sept. 30, 2018, see section 4 of Pub. L. 115-267, set out as a note under section 11291 of this title.

##### 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.<sup>1</sup>

(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.)

**Editorial Notes**

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.

AMENDMENTS

1988—Pub. L. 100-690, § 7290(b), which purported to make technical amendment to reference to section 5775 of this title to reflect renumbering of corresponding section of original act, could not be executed to text because of general amendment of section by Pub. L. 100-690, § 7288, see below.

Pub. L. 100-690, § 7288, amended section generally. Prior to amendment, section read as follows: “The Administrator, in consultation with the Advisory Board, shall establish annual research, demonstration, and service program priorities for making grants and contracts pursuant to section 5775 of this title and, not less than 60 days before establishing such priorities, shall publish in the Federal Register for public comment a statement of such proposed priorities.”

**Statutory Notes and Related Subsidiaries**

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.

<sup>1</sup> So in original. Probably should be “contracts.”

**§ 11295a. Reporting**

**(a) Required reporting**

As a condition of receiving funds under section 11293(b) of this title, the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

(1) the number of children nationwide who are reported to the grantee as missing;

(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

(4) the number of missing children recovered nationwide whose recovery was reported to the grantee.

**(b) Incidence of attempted child abductions**

As a condition of receiving funds under section 11293(b) of this title, the grant recipient shall—

(1) track the incidence of attempted child abductions in order to identify links and patterns;

(2) provide such information to law enforcement agencies; and

(3) make such information available to the general public, as appropriate.

(Pub. L. 93-415, title IV, § 407, as added Pub. L. 115-267, § 2(e)(2), Oct. 11, 2018, 132 Stat. 3760, and Pub. L. 115-393, title II, § 202(e)(2), Dec. 21, 2018, 132 Stat. 5271.)

**Editorial Notes**

CODIFICATION

Pub. L. 115-267 and Pub. L. 115-393 enacted identical sections.

PRIOR PROVISIONS

A prior section 407 of Pub. L. 93-415 was renumbered section 408 and is classified to section 11296 of this title.

Another prior section 407 of title IV of Pub. L. 93-415, as added Pub. L. 103-322, title XVII, § 170303(2), Sept. 13, 1994, 108 Stat. 2043, established the Missing and Exploited Children’s Task Force, prior to repeal by Pub. L. 110-240, § 5(1), June 3, 2008, 122 Stat. 1564.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 11, 2018, and applicable to fiscal years beginning after Sept. 30, 2018, see section 4 of Pub. L. 115-267, set out as an Effective Date of 2018 Amendment note under section 11291 of this title.

**§ 11296. Oversight and accountability**

All grants awarded by the Department of Justice that are authorized under this subchapter shall be subject to the following:

**(1) Audit requirement**

For 2 of the fiscal years in the period of fiscal years 2014 through 2023, the Inspector General of the Department of Justice shall conduct audits of the recipient of grants under this subchapter to prevent waste, fraud, and abuse by the grantee.