

(iii) an identification of those institutions in the representative sample that appear to have been successful in deterring prison rape; and

(C) a listing of any prisons in the representative sample that did not cooperate with the survey conducted pursuant to this section.

### (3) Data adjustments

In preparing the information specified in paragraph (2), the Attorney General shall use established statistical methods to adjust the data as necessary to account for differences among institutions in the representative sample, which are not related to the detection, prevention, reduction and punishment of prison rape, or which are outside the control of the State, prison, or prison system, in order to provide an accurate comparison among prisons. Such differences may include the mission, security level, size, and jurisdiction under which the prison operates. For each such adjustment made, the Attorney General shall identify and explain such adjustment in the report.

### (4) Categorization of prisons

The report shall divide the prisons surveyed into three categories. One category shall be composed of all Federal and State prisons. The other two categories shall be defined by the Attorney General in order to compare similar institutions.

### (d) Contracts and grants

In carrying out its duties under this section, the Attorney General may—

- (1) provide grants for research through the National Institute of Justice; and
- (2) contract with or provide grants to any other entity the Attorney General deems appropriate.

### (e) Authorization of appropriations

There are authorized to be appropriated \$15,000,000 for each of fiscal years 2004 through 2010 to carry out this section.

(Pub. L. 108–79, §4, Sept. 4, 2003, 117 Stat. 975; Pub. L. 109–108, title I, §113(a), Nov. 22, 2005, 119 Stat. 2305.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 15603 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2005—Subsec. (a)(5). Pub. L. 109–108, §113(a)(1), inserted “, except as authorized in paragraph (7)” before period at end.

Subsec. (a)(7). Pub. L. 109–108, §113(a)(2), added par. (7).

## § 30304. Prison rape prevention and prosecution

### (a) Information and assistance

#### (1) National clearinghouse

There is established within the National Institute of Corrections a national clearinghouse

for the provision of information and assistance to Federal, State, and local authorities responsible for the prevention, investigation, and punishment of instances of prison rape.

#### (2) Training and education

The National Institute of Corrections shall conduct periodic training and education programs for Federal, State, and local authorities responsible for the prevention, investigation, and punishment of instances of prison rape.

### (b) Reports

#### (1) In general

Not later than September 30 of each year, the National Institute of Corrections shall submit a report to Congress and the Secretary of Health and Human Services. This report shall be available to the Director of the Bureau of Justice Statistics.

#### (2) Contents

The report required under paragraph (1) shall summarize the activities of the Department of Justice regarding prison rape abatement for the preceding calendar year.

### (c) Authorization of appropriations

There are authorized to be appropriated \$5,000,000 for each of fiscal years 2004 through 2010 to carry out this section.

(Pub. L. 108–79, §5, Sept. 4, 2003, 117 Stat. 978.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 15604 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## § 30305. Grants to protect inmates and safeguard communities

### (a) Grants authorized

From amounts made available for grants under this section, the Attorney General shall make grants to States to assist those States in ensuring that budgetary circumstances (such as reduced State and local spending on prisons) do not compromise efforts to protect inmates (particularly from prison rape) and to safeguard the communities to which inmates return. The purpose of grants under this section shall be to provide funds for personnel, training, technical assistance, data collection, and equipment to prevent and prosecute prisoner rape.

### (b) Use of grant amounts

Amounts received by a grantee under this section may be used by the grantee, directly or through subgrants, only for one or more of the following activities:

#### (1) Protecting inmates

Protecting inmates by—

- (A) undertaking efforts to more effectively prevent prison rape;
  - (B) investigating incidents of prison rape;
- or
- (C) prosecuting incidents of prison rape.

#### (2) Safeguarding communities

Safeguarding communities by—