

nied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under section 290cc-21 of this title.

**(b) Enforcement**

**(1) Referrals to Attorney General after notice**

Whenever the Secretary finds that a State, or an entity that has received a payment pursuant to section 290cc-21 of this title, has failed to comply with a provision of law referred to in subsection (a)(1), with subsection (a)(2), or with an applicable regulation (including one prescribed to carry out subsection (a)(2)), the Secretary shall notify the chief executive officer of the State and shall request the chief executive officer to secure compliance. If within a reasonable period of time, not to exceed 60 days, the chief executive officer fails or refuses to secure compliance, the Secretary may—

(A) refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted;

(B) exercise the powers and functions provided by the Age Discrimination Act of 1975 [42 U.S.C. 6101 et seq.], section 504 of the Rehabilitation Act of 1973 [29 U.S.C. 794], title IX of the Education Amendments of 1972 [20 U.S.C. 1681 et seq.], or title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.], as may be applicable; or

(C) take such other actions as may be authorized by law.

**(2) Authority of Attorney General**

When a matter is referred to the Attorney General pursuant to paragraph (1)(A), or whenever the Attorney General has reason to believe that a State or an entity is engaged in a pattern or practice in violation of a provision of law referred to in subsection (a)(1) or in violation of subsection (a)(2), the Attorney General may bring a civil action in any appropriate district court of the United States for such relief as may be appropriate, including injunctive relief.

(July 1, 1944, ch. 373, title V, § 533, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 522; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4732.)

**Editorial Notes**

REFERENCES IN TEXT

The Age Discrimination Act of 1975, referred to in subsecs. (a)(1) and (b)(1)(B), is title III of Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728, as amended, which is classified generally to chapter 76 (§ 6101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

The Education Amendments of 1972, referred to in subsecs. (a)(1) and (b)(1)(B), is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended. Title IX of the Act, known as the Patsy Takemoto Mink Equal Opportunity in Education Act, is classified principally to chapter 38 (§ 1681 et seq.) of Title 20, Education. For complete classification of title IX to the Code, see Short Title note set out under section 1681 of Title 20 and Tables.

The Civil Rights Act of 1964, referred to in subsecs. (a)(1) and (b)(1)(B), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act

of 1964 is classified generally to subchapter V (§ 2000d et seq.) of chapter 21 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to nondiscrimination for provision relating to establishment of prohibition against making certain false statements.

**§ 290cc-34. Definitions**

For purposes of this part:

**(1) Eligible homeless individual**

The term “eligible homeless individual” means an individual described in section 290cc-22(a) of this title.

**(2) Homeless individual**

The term “homeless individual” has the meaning given such term in section 254b(h)(5) of this title.

**(3) State**

The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**(4) Substance use disorder services**

The term “substance use disorder services” has the meaning given the term “substance abuse services” in section 254b(h)(5)(C)<sup>1</sup> of this title.

(July 1, 1944, ch. 373, title V, § 534, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 522; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4733; Pub. L. 107-251, title VI, § 601(b), Oct. 26, 2002, 116 Stat. 1665; Pub. L. 114-255, div. B, title IX, § 9004(e), Dec. 13, 2016, 130 Stat. 1238.)

**Editorial Notes**

REFERENCES IN TEXT

Section 254b(h)(5)(C) of this title, referred to in par. (4), was redesignated section 254b(h)(5)(B) of this title and the definition of “substance abuse services” was amended to define “substance use disorder services” by Pub. L. 115-123, div. E, title IX, § 50901(b)(8)(B)(ii), (iii), Feb. 9, 2018, 132 Stat. 285.

AMENDMENTS

2016—Par. (4). Pub. L. 114-255 amended par. (4) generally. Prior to amendment, text read as follows: “The term ‘substance abuse’ means the abuse of alcohol or other drugs.”

2002—Par. (2). Pub. L. 107-251 substituted “254b(h)(5)” for “256(r)”.

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to definitions for provisions relating to nondiscrimination.

**§ 290cc-35. Funding**

**(a) Authorization of appropriations**

For the purpose of carrying out this part, there is authorized to be appropriated \$64,635,000 for each of fiscal years 2018 through 2022.

<sup>1</sup> See References in Text note below.