

PRIOR PROVISIONS

A prior section 813 of Pub. L. 90-351 was classified to section 3789b of this title prior to repeal by section 609B(e) of Pub. L. 98-473.

AMENDMENTS

1984—Pub. L. 98-473, §609B(m), struck out subsec. (a) relating to programs concerned with juvenile delinquency and administered by the Law Enforcement Assistance Administration and struck out subsec. (b) designation.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by section 609B(m) of Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 3711 of this title.

§ 3789j. Prohibition on land acquisition

No funds under this chapter shall be used for land acquisition.

(Pub. L. 90-351, title I, §814, formerly §821, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1214; renumbered §814, Pub. L. 98-473, title II, §609B(f), Oct. 12, 1984, 98 Stat. 2093.)

PRIOR PROVISIONS

A prior section 814 of Pub. L. 90-351 was classified to section 3789c of this title prior to repeal by section 609B(e) of Pub. L. 98-473.

§ 3789k. Prohibition on use of Central Intelligence Agency services

Notwithstanding any other provision of this chapter, no use will be made of services, facilities, or personnel of the Central Intelligence Agency.

(Pub. L. 90-351, title I, §815, formerly §822, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1214; renumbered §815, Pub. L. 98-473, title II, §609B(f), Oct. 12, 1984, 98 Stat. 2093.)

PRIOR PROVISIONS

A prior section 815 of Pub. L. 90-351 was renumbered section 809 and is classified to section 3789d of this title.

§ 3789l. Indian liability waiver

Where a State does not have an adequate forum to enforce grant provisions imposing liability on Indian tribes, the Assistant Attorney General is authorized to waive State liability and may pursue such legal remedies as are necessary.

(Pub. L. 90-351, title I, §816, formerly §823, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1214; renumbered §816 and amended Pub. L. 98-473, title II, §609B(f), (n), Oct. 12, 1984, 98 Stat. 2093, 2096.)

PRIOR PROVISIONS

A prior section 816 of Pub. L. 90-351 was renumbered section 810 and is classified to section 3789e of this title.

AMENDMENTS

1984—Pub. L. 98-473, §609B(n), substituted “Assistant Attorney General” for “Administration”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by section 609B(n) of Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473,

set out as an Effective Date note under section 3711 of this title.

§ 3789m. District of Columbia matching fund source

Funds appropriated by the Congress for the activities of any agency of the District of Columbia government or the United States Government performing law enforcement functions in and for the District of Columbia may be used to provide the non-Federal share of the cost of programs or projects funded under this chapter.

(Pub. L. 90-351, title I, §817, formerly §824, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1214; renumbered §817, Pub. L. 98-473, title II, §609B(f), Oct. 12, 1984, 98 Stat. 2093.)

PRIOR PROVISIONS

A prior section 817 of Pub. L. 90-351 was renumbered section 811 and is classified to section 3789f of this title.

§ 3789n. Limitation on civil justice matters

Authority of any entity established under this chapter shall extend to civil justice matters only to the extent that such civil justice matters bear directly and substantially upon criminal justice matters or are inextricably intertwined with criminal justice matters.

(Pub. L. 90-351, title I, §818, formerly §825, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1214; renumbered §818, Pub. L. 98-473, title II, §609B(f), Oct. 12, 1984, 98 Stat. 2093.)

PRIOR PROVISIONS

A prior section 818 of Pub. L. 90-351 was renumbered section 812 and is classified to section 3789g of this title.

§ 3789o. Repealed. Pub. L. 98-473, title II, § 609B(e), Oct. 12, 1984, 98 Stat. 2093

Section, Pub. L. 90-351, title I, §826, as added Pub. L. 96-157, §2, Dec. 27, 1979, 93 Stat. 1214, required reimbursement of Federal assistance for unused equipment.

§ 3789p. Accountability and oversight**(a) Report by grant recipients**

The Attorney General or Secretary of Health and Human Services, as applicable, shall require grantees under any program authorized or reauthorized by this division or an amendment made by this division to report on the effectiveness of the activities carried out with amounts made available to carry out that program, including number of persons served, if applicable, numbers of persons seeking services who could not be served and such other information as the Attorney General or Secretary may prescribe.

(b) Report to Congress

The Attorney General or Secretary of Health and Human Services, as applicable, shall report biennially to the Committees on the Judiciary of the House of Representatives and the Senate on the grant programs described in subsection (a) of this section, including the information contained in any report under that subsection.

(Pub. L. 106-386, div. B, §1003, Oct. 28, 2000, 114 Stat. 1491.)

REFERENCES IN TEXT

This division, referred to in subsec. (a), is division B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491, known as

the Violence Against Women Act of 2000. For complete classification of division B to the Code, see Short Title of 2000 Amendment note set out under section 13701 of this title and Tables.

CODIFICATION

Section was enacted as part of the Violence Against Women Act of 2000, and also as part of the Victims of Trafficking and Violence Protection Act of 2000, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

SUBCHAPTER IX—DEFINITIONS

§ 3791. General provisions

(a) Definitions

As used in this chapter—

(1) “criminal justice” means activities pertaining to crime prevention, control, or reduction, or the enforcement of the criminal law, including, but not limited to, police efforts to prevent, control, or reduce crime or to apprehend criminals, including juveniles, activities of courts having criminal jurisdiction, and related agencies (including but not limited to prosecutorial and defender services, juvenile delinquency agencies and pretrial service or release agencies), activities of corrections, probation, or parole authorities and related agencies assisting in the rehabilitation, supervision, and care of criminal offenders, and programs relating to the prevention, control, or reduction of narcotic addiction and juvenile delinquency;

(2) “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands: *Provided*, That for the purposes of section 3755(a) of this title, American Samoa and the Commonwealth of the Northern Mariana Islands shall be considered as one state¹ and that for these purposes 67 per centum of the amounts allocated shall be allocated to American Samoa, and 33 per centum to the Commonwealth of the Northern Mariana Islands.²

(3) “unit of local government” means—

(A) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State;

(B) any law enforcement district or judicial enforcement district that—

(i) is established under applicable State law; and

(ii) has the authority to, in a manner independent of other State entities, establish a budget and impose taxes;

(C) an Indian Tribe that performs law enforcement functions, as determined by the Secretary of the Interior; or

(D) for the purposes of assistance eligibility, any agency of the government of the District of Columbia or the Federal Government that performs law enforcement functions in and for—

(i) the District of Columbia; or

(ii) any Trust Territory of the United States;

(4) “construction” means the erection, acquisition, renovation, repairs, remodeling, or expansion of new or existing buildings or other physical facilities, and the acquisition or installation of initial equipment therefor;

(5) “combination” as applied to States or units of local government means any grouping or joining together of such States or units for the purpose of preparing, developing, or implementing a criminal justice program, plan, or project;

(6) “public agency” means any State, unit of local government, combination of such States or units, or any department, agency, or instrumentality of any of the foregoing;

(7) “correctional facility” means any place for the confinement or rehabilitation of offenders or individuals charged with or convicted of criminal offenses;

(8) “correctional facility project” means a project for the construction, replacement, alteration or expansion of a prison or jail for the purpose of relieving overcrowding or substandard conditions;

(9) “criminal history information” includes records and related data, contained in an automated or manual criminal justice informational system, compiled by law enforcement agencies for the purpose of identifying criminal offenders and alleged offenders and maintaining as to such persons records of arrests, the nature and disposition of criminal charges, sentencing, confinement, rehabilitation, and release;

(10) “evaluation” means the administration and conduct of studies and analyses to determine the impact and value of a project or program in accomplishing the statutory objectives of this chapter;

(11) “neighborhood or community-based organizations” means organizations, including faith-based, that are representative of communities or significant segments of communities;

(12) “chief executive” means the highest official of a State or local jurisdiction;

(13) “cost of construction” means all expenses found by the Director to be necessary for the construction of the project, including architect and engineering fees, but excluding land acquisition costs;

(14) “population” means total resident population based on data compiled by the United States Bureau of the Census and referable to the same point or period in time;

(15) “Attorney General” means the Attorney General of the United States or his designee;

(16) “court of last resort” means that State court having the highest and final appellate authority of the State. In States having two or more such courts, court of last resort shall mean that State court, if any, having highest and final appellate authority, as well as both administrative responsibility for the State’s judicial system and the institutions of the State judicial branch and rulemaking authority. In other States having two or more courts with highest and final appellate authority, court of last resort shall mean the highest appellate court which also has either rulemaking authority or administrative responsibility for the State’s judicial system and the institu-

¹ So in original. Probably should be capitalized.

² So in original. The period probably should be a semicolon.