

which such grant is received to carry out section 10332 of this title, except that in the case of funds distributed to an Indian tribe which performs law enforcement functions (as determined by the Secretary of the Interior) for any such program or project, the amount of such grant shall be equal to 100 percent of such cost. The non-Federal portion of the expenditures for such uses shall be paid in cash.

(b) Administration

Not more than 10 percent of a grant made under this subchapter may be used for costs incurred to administer such grant.

(c) Records

(1) Grant recipients (or private organizations with which grant recipients have contracted to provide equipment or training using grant funds) shall keep such records as the Director may require by rule to facilitate such an audit.¹

(2) The Director and the Comptroller General of the United States shall have access, for the purpose of audit and examination, to any books, documents, and records of grant recipients (or private organizations with which grant recipients have contracted to provide equipment or training using grant funds) if, in the opinion of the Director or the Comptroller General, such books, documents, and records are related to the receipt or use of any such grant.

(d) Utilization of private sector

Nothing in this subchapter shall prohibit the utilization of any grant funds to contract with a private organization to provide equipment or training for the televising of testimony as contemplated by the application submitted by an applicant.

(Pub. L. 90-351, title I, §1407, as added Pub. L. 101-647, title II, §241(a)(2), Nov. 29, 1990, 104 Stat. 4813; amended Pub. L. 103-322, title IV, §40156(c)(7), Sept. 13, 1994, 108 Stat. 1924.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796aa-6 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-322, §40156(c)(7)(A)(i), substituted “Grant recipients (or private organizations with which grant recipients have contracted to provide equipment or training using grant funds) shall keep such records as the Director may require by rule to facilitate such an audit.” for “Each State which receives a grant under this chapter shall keep, and shall require units of local government which receive any part of such grant to keep, such records as the Director may require by rule to facilitate an effective audit”.

Subsec. (c)(2). Pub. L. 103-322, §40156(c)(7)(A)(ii), substituted “grant recipients (or private organizations with which grant recipients have contracted to provide equipment or training using grant funds)” for “States which receive grants, and of units of local government which receive any part of a grant made under this subchapter”.

Subsec. (d). Pub. L. 103-322, §40156(c)(7)(B), added subsec. (d).

¹ So in original.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 10142(3) to (6) of this title, transferred to Assistant Attorney General for Office of Justice Programs, see section 1000(a)(1) [title I, §108(b)] of Pub. L. 106-113, set out as a note under section 10141 of this title.

§ 10337. Definitions

For purposes of this subchapter—

(1) the term “child” means an individual under the age of 18 years; and

(2) the term “abuse” means physical or mental injury, sexual abuse or exploitation, or negligent treatment of a child.

(Pub. L. 90-351, title I, §1409, as added Pub. L. 101-647, title II, §241(a)(2), Nov. 29, 1990, 104 Stat. 4813.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796aa-8 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER XIV—RURAL DRUG ENFORCEMENT

§ 10351. Rural drug enforcement assistance

(a) Of the total amount appropriated for this section in any fiscal year:

(1) 50 percent shall be allocated to and shared equally among rural States as described in subsection (b); and

(2) 50 percent shall be allocated to the remaining States for use in nonmetropolitan areas within those States, as follows:

(A) \$250,000 to each nonrural State; and

(B) of the total funds remaining after the allocation in subparagraph (A), there shall be allocated to each State an amount which bears the same ratio to the amount of remaining funds described as the population of such State bears to the population of all States.

(b) For the purpose of this section, the term “rural State” means a State that has a population density of fifty-two or fewer persons per square mile or a State in which the largest county has fewer than one hundred and fifty thousand people, based on the decennial census of 1990 through fiscal year 1997.

(Pub. L. 90-351, title I, §1501, as added Pub. L. 101-647, title VIII, §801(a)(3), Nov. 29, 1990, 104 Stat. 4825; amended Pub. L. 103-322, title XVIII, §180101(b), (c), Sept. 13, 1994, 108 Stat. 2045.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796bb of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 1501 of Pub. L. 90-351 was renumbered section 2601 and is classified to section 10541 of this title.

Another prior section 1501 of Pub. L. 90-351, title X, June 19, 1968, 82 Stat. 238, was not classified to the Code.

AMENDMENTS

1994—Subsec. (a)(2)(A). Pub. L. 103-322, § 180101(b), substituted “\$250,000” for “\$100,000”.

Subsec. (b). Pub. L. 103-322, § 180101(c), inserted before period at end “, based on the decennial census of 1990 through fiscal year 1997”.

§ 10352. Other requirements

Parts A and C of subchapter V of this chapter shall apply with respect to funds appropriated to carry out this subchapter, in the same manner as such parts apply to funds appropriated to carry out subchapter V, except that—

(1) section 10156(a) of this title shall not apply with respect to this subchapter; and

(2) in addition to satisfying the requirements of section 10153 of this title, each application for a grant under this subchapter shall include in its application a statement specifying how such grant will be coordinated with a grant received under section 10156 of this title for the same fiscal year.

(Pub. L. 90-351, title I, § 1502, as added Pub. L. 101-647, title VIII, § 801(a)(3), Nov. 29, 1990, 104 Stat. 4825; amended Pub. L. 109-162, title XI, § 1111(c)(2)(G), Jan. 5, 2006, 119 Stat. 3102.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796bb-1 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.

Another section 1502 of Pub. L. 90-351, title X, June 19, 1968, 82 Stat. 238, is not classified to the Code.

AMENDMENTS

2006—Par. (1). Pub. L. 109-162, § 1111(c)(2)(G)(i), substituted “section 3755(a)” for “section 3756(a)”.

Par. (2). Pub. L. 109-162, § 1111(c)(2)(G)(ii), substituted “section 3752” for “section 3753(a)” and “section 3755” for “section 3756”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 applicable with respect to the first fiscal year beginning after Jan. 5, 2006, and each fiscal year thereafter, see section 1111(d) of Pub. L. 109-162, set out as a note under section 10151 of this title.

SUBCHAPTER XV—CRIMINAL CHILD SUPPORT ENFORCEMENT

§ 10361. Grant authorization

(a) In general

The Director of the Bureau of Justice Assistance may make grants under this subchapter to States, for the use by States, and local entities in the States to develop, implement, and enforce criminal interstate child support legislation and coordinate criminal interstate child support enforcement efforts.

(b) Uses of funds

Funds distributed under this subchapter shall be used to—

(1) develop a comprehensive assessment of existing criminal interstate child support enforcement efforts, including the identification of gaps in, and barriers to, the enforcement of such efforts;

(2) plan and implement comprehensive long-range strategies for criminal interstate child support enforcement;

(3) reach an agreement within the State regarding the priorities of such State in the enforcement of criminal interstate child support legislation;

(4) develop a plan to implement such priorities; and

(5) coordinate criminal interstate child support enforcement efforts.

(Pub. L. 90-351, title I, § 1601, as added Pub. L. 102-521, § 4(a)(3), Oct. 25, 1992, 106 Stat. 3404.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796cc of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Another section 1601 of Pub. L. 90-351, title XI, June 19, 1968, 82 Stat. 239, is set out as a note under section 10101 of this title.

PRIOR PROVISIONS

A prior section 1601 of Pub. L. 90-351 was renumbered section 2601 and is classified to section 10541 of this title.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Effective Aug. 1, 2000, all functions of Director of Bureau of Justice Assistance, other than those enumerated in section 10142(3) to (6) of this title, transferred to Assistant Attorney General for Office of Justice Programs, see section 1000(a)(1) [title I, § 108(b)] of Pub. L. 106-113, set out as a note under section 10141 of this title.

§ 10362. State applications

(a) In general

(1) To request a grant under this subchapter, the chief executive of a State shall submit an application to the Director in such form and containing such information as the Director may reasonably require.

(2) An application under paragraph (1) shall include assurances that Federal funds received under this subchapter shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities funded under this subchapter.

(b) State office

The office responsible for the trust fund required by section 10158 of this title—

(1) shall prepare the application required under this section; and

(2) shall administer grant funds received under this subchapter, including, review of spending, processing, progress, financial reporting, technical assistance, grant adjustments, accounting, auditing, and fund disbursement.

(Pub. L. 90-351, title I, § 1602, as added Pub. L. 102-521, § 4(a)(3), Oct. 25, 1992, 106 Stat. 3404;