

Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960), the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54), and the Violence Against Women Act Reauthorization Act of 2022, including with” for “, including with”.

Par. (6)(B). Pub. L. 117-103, §901(c)(3), inserted “synchronize Federal definitions and protocols,” before “and improve coordination”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 10442 of this title.

§ 10445. Staff of Office on Violence Against Women

The Attorney General shall ensure that the Director has adequate staff to support the Director in carrying out the Director’s responsibilities under this subchapter.

(Pub. L. 90-351, title I, §2005, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1791; amended Pub. L. 117-103, div. W, title IX, §901(d), Mar. 15, 2022, 136 Stat. 911.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796gg-0c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 2005 of Pub. L. 90-351 was renumbered section 2010 and is classified to section 10449 of this title.

AMENDMENTS

2022—Pub. L. 117-103 substituted “Office on Violence Against Women” for “Violence Against Women Office” in section catchline.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 10442 of this title.

§ 10446. State grants

(a) General grants

The Attorney General may make grants to States, for use by States, State and local courts (including juvenile courts), units of local government, victim service providers, and Indian tribal governments for the purposes described in section 10441(b) of this title.

(b) Amounts

Of the amounts appropriated for the purposes of this subchapter—

(1) 10 percent shall be available for grants under the program authorized by section 10452 of this title, which shall not otherwise be subject to the requirements of this subchapter (other than section 10447 of this title);

(2) 2.5 percent shall be available for grants for State domestic violence coalitions under section 10441(c) of this title, with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, the coalition for Guam, the coalition for American Samoa, the coalition for the United States Virgin Islands, and the coalition for the Commonwealth of the Northern Mariana Islands,¹ each receiving an amount equal to $\frac{1}{6}$ of the total amount made available under this paragraph for each fiscal year;

(3) 2.5 percent shall be available for grants for State sexual assault coalitions under section 10441(c) of this title, with the coalition for each State, the coalition for the District of Columbia, the coalition for the Commonwealth of Puerto Rico, coalitions for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to $\frac{1}{6}$ of the total amount made available under this paragraph for each fiscal year;

(4) $\frac{1}{6}$ shall be available for grants under section 10441(d) of this title;

(5) \$600,000 shall be available for grants to applicants in each State; and

(6) the remaining funds shall be available for grants to applicants in each State in an amount that bears the same ratio to the amount of remaining funds as the population of the State bears to the population of all of the States that results from a distribution among the States on the basis of each State’s population in relation to the population of all States.

(c) Qualification

Upon satisfying the terms of subsection (d), any State shall be qualified for funds provided under this subchapter upon certification that—

(1) the funds shall be used for any of the purposes described in section 10441(b) of this title;

(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

(A) the State sexual assault coalition;

(B) the State domestic violence coalition;

(C) the law enforcement entities within the State;

(D) prosecution offices;

(E) State and local courts;

(F) Tribal governments in those States with State or federally recognized Indian tribes;

(G) representatives from underserved populations, including culturally specific populations;

(H) victim service providers;

(I) population specific organizations; and

¹ So in original.

(J) other entities that the State or the Attorney General identifies as needed for the planning process;

(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 10407 of title 42 and the programs described in section 20103 of this title and section 280b-1b of title 42.²

(4)³ of the amount granted—

(A) not less than 25 percent shall be allocated for law enforcement;

(B) not less than 25 percent shall be allocated for prosecutors;

(C) not less than 30 percent shall be allocated for victims services of which at least 10 percent shall be distributed to culturally specific community-based organizations; and

(D) not less than 5 percent shall be allocated to State and local courts (including juvenile courts); and⁴

(4)³ any 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.^{2, 5}

(5) not later than 2 years after the date of enactment of this Act,⁵ and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter⁵ shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.

(d) Application requirements

An application for a grant under this section shall include—

(1) the certifications of qualification required under subsection (c);

(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 10449 of this title;

(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 10450 of this title;

(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 10451 of this title;

(5) proof of compliance with the requirements regarding training for victim-centered prosecution described in section 10454 of this title;

(6) certification of compliance with the grant conditions under section 12291(b) of this title, as applicable;

(7) an implementation plan required under subsection (i); and

(8) any other documentation that the Attorney General may require.

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

³ So in original. There are two pars. designated "(4)".

⁴ So in original. The word "and" probably should not appear.

⁵ See References in Text note below.

(e) Disbursement

(1) In general

Not later than 60 days after the receipt of an application under this subchapter, the Attorney General shall—

(A) disburse the appropriate sums provided for under this subchapter; or

(B) inform the applicant why the application does not conform to the terms of section 10181⁵ of this title or to the requirements of this section.

(2) Regulations

In disbursing monies under this subchapter, the Attorney General shall issue regulations to ensure that States will—

(A) give priority to areas of varying geographic size with the greatest showing of need based on the availability of existing domestic violence, dating violence, sexual assault, and stalking programs in the population and geographic area to be served in relation to the availability of such programs in other such populations and geographic areas;

(B) determine the amount of subgrants based on the population and geographic area to be served;

(C) equitably distribute monies on a geographic basis including nonurban and rural areas of various geographic sizes; and

(D) recognize and meaningfully respond to the needs of underserved populations and ensure that monies set aside to fund culturally specific services and activities for underserved populations are distributed equitably among those populations.

(3) Conditions

In disbursing grants under this subchapter, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.

(f) Federal share

The Federal share of a grant made under this subchapter⁵ may not exceed 75 percent of the total costs of the projects described in the application submitted, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 12291(b)(1) of this title shall not count toward the total costs of the projects.

(g) Indian tribes

Funds appropriated by the Congress for the activities of any agency of an Indian tribal government or of the Bureau of Indian Affairs performing law enforcement functions on any Indian lands may be used to provide the non-Federal share of the cost of programs or projects funded under this subchapter.

(h) Grantee reporting

(1) In general

Upon completion of the grant period under this subchapter, a State or Indian tribal grantee shall file a performance report with the Attorney General explaining the activities carried out, which report shall include an assess-

ment of the effectiveness of those activities in achieving the purposes of this subchapter.

(2) Certification by grantee and subgrantees

A section of the performance report shall be completed by each grantee and subgrantee that performed the direct services contemplated in the application, certifying performance of direct services under the grant.

(3) Suspension of funding

The Attorney General shall suspend funding for an approved application if—

(A) an applicant fails to submit an annual performance report;

(B) funds are expended for purposes other than those described in this subchapter; or

(C) a report under paragraph (1) or accompanying assessments demonstrate to the Attorney General that the program is ineffective or financially unsound.

(i) Implementation plans

A State applying for a grant under this subchapter shall—

(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this subchapter, including how the State will meet the requirements of subsection (c)(5) and the requirements under section 12291(b) of this title, as applicable; and

(2) submit to the Attorney General—

(A) the implementation plan developed under paragraph (1);

(B) documentation from each member of the planning committee as to their participation in the planning process;

(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

(i) the need for the grant funds;

(ii) the intended use of the grant funds;

(iii) the expected result of the grant funds; and

(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, sexual orientation, gender identity, and language background;

(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

(G) goals and objectives for reducing domestic violence-related homicides within the State; and

(H) any other information requested by the Attorney General.

(j) Reallocation of funds

A State may use any returned or remaining funds for any authorized purpose under this subchapter if—

(1) funds from a subgrant awarded under this subchapter are returned to the State; or

(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4).

(k) Grant increases for States with certain child custody proceeding laws and standards

(1) Definitions

In this subsection:

(A) Child custody proceeding

The term “child custody proceeding”—

(i) means a private family court proceeding in State or local court that, with respect to a child, involves the care or custody of the child in a private divorce, separation, visitation, paternity, child support, legal or physical custody, or civil protection order proceeding between the parents of the child; and

(ii) does not include—

(I) any child protective, abuse, or neglect proceeding;

(II) a juvenile justice proceeding; or

(III) any child placement proceeding in which a State, local, or Tribal government, a designee of such a government, or any contracted child welfare agency or child protective services agency of such a government is a party to the proceeding.

(B) Eligible State

The term “eligible State” means a State that—

(i) receives a grant under subsection (a); and

(ii) has in effect—

(I) each law described in paragraph (3);

(II) the standards described in paragraph (4); and

(III) the training program described in paragraph (5).

(C) Reunification treatment

The term “reunification treatment” means a treatment or therapy aimed at reuniting or reestablishing a relationship between a child and an estranged or rejected parent or other family member of the child.

(2) Increase

(A) In general

The Attorney General shall increase the amount of a grant awarded under subsection (a) to an eligible State that submits an application under paragraph (6) by an amount that is not more than 10 percent of the average of the total amount of funding provided to the State under subsection (a) under the 3 most recent awards to the State.

(B) Term of increase

An increase of a grant under subparagraph (A) shall be for 1 fiscal year.

(C) Renewal

An eligible State that receives an increase under subparagraph (A) may submit an application for renewal of the increase at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(D) Limit

An eligible State may not receive an increase under subparagraph (A) for more than 4 fiscal years.

(3) Laws

The laws described in this paragraph are the following:

(A) A law that ensures that, with respect to a child custody proceeding in which a parent has been alleged to have committed domestic violence or child abuse, including child sexual abuse—

(i) expert evidence from a court-appointed or outside professional relating to the alleged abuse may be admitted only if the professional possesses demonstrated expertise and clinical experience in working with victims of domestic violence or child abuse, including child sexual abuse, that is not solely of a forensic nature; and

(ii) in making a finding regarding any allegation of domestic violence or child abuse, including child sexual abuse, in addition to any other relevant admissible evidence, evidence of past sexual or physical abuse committed by the accused parent shall be considered, including—

(I) any past or current protection or restraining orders against the accused parent;

(II) sexual violence abuse protection orders against the accused parent;

(III) arrests of the accused parent for domestic violence, sexual violence, or child abuse; or

(IV) convictions of the accused parent for domestic violence, sexual violence, or child abuse.

(B) A law that ensures that, during a child custody proceeding—

(i) a court may not, solely in order to improve a deficient relationship with the other parent of a child, remove the child from a parent or litigating party—

(I) who is competent, protective, and not physically or sexually abusive; and

(II) with whom the child is bonded or to whom the child is attached;

(ii) a court may not, solely in order to improve a deficient relationship with the other parent of a child, restrict contact between the child and a parent or litigating party—

(I) who is competent, protective, and not physically or sexually abusive; and

(II) with whom the child is bonded or to whom the child is attached;

(iii) a court may not order a reunification treatment, unless there is generally accepted and scientifically valid proof of the safety, effectiveness, and therapeutic value of the reunification treatment;

(iv) a court may not order a reunification treatment that is predicated on cutting off a child from a parent with whom the child is bonded or to whom the child is attached; and

(v) any order to remediate the resistance of a child to have contact with a violent or abusive parent primarily addresses the behavior of that parent or the contributions of that parent to the resistance of the child before ordering the other parent of the child to take steps to potentially improve the relationship of the child with the parent with whom the child resists contact.

(C) A law that requires judges and magistrates who hear child custody proceedings and other relevant court personnel involved in child custody proceedings, including guardians ad litem, best interest attorneys, counsel for children, custody evaluators, masters, and mediators to complete, with respect to the training program described in paragraph (5)—

(i) not less than 20 hours of initial training; and

(ii) not less than 15 hours of ongoing training every 5 years.

(4) Uniform required standards

The standards described in this paragraph are uniform required standards that—

(A) apply to any neutral professional appointed by a court during a child custody proceeding to express an opinion relating to abuse, trauma, or the behaviors of victims and perpetrators of abuse and trauma; and

(B) require that a professional described in subparagraph (A) possess demonstrated expertise and clinical experience in working with victims of domestic violence or child abuse, including child sexual abuse, that is not solely of a forensic nature.

(5) Training and education program

The training program described in this paragraph is an ongoing training and education program that—

(A) focuses solely on domestic and sexual violence and child abuse, including—

(i) child sexual abuse;

(ii) physical abuse;

(iii) emotional abuse;

(iv) coercive control;

(v) implicit and explicit bias, including biases relating to parents with disabilities;

(vi) trauma;

(vii) long- and short-term impacts of domestic violence and child abuse on children; and

(viii) victim and perpetrator behavior patterns and relationship dynamics within the cycle of violence;

(B) is provided by—

(i) a professional with substantial experience in assisting survivors of domestic violence or child abuse, including a victim service provider (as defined in section 12291 of this title); and

(ii) if possible, a survivor of domestic violence or child physical or sexual abuse;

(C) relies on evidence-based and peer-reviewed research by recognized experts in the types of abuse described in subparagraph (A);

(D) does not include theories, concepts, or belief systems unsupported by the research described in subparagraph (C); and

(E) is designed to improve the ability of courts to—

(i) recognize and respond to child physical abuse, child sexual abuse, domestic violence, and trauma in all family victims, particularly children; and

(ii) make appropriate custody decisions that—

(I) prioritize child safety and well-being; and

(II) are culturally sensitive and appropriate for diverse communities.

(6) Application

(A) In general

An eligible State desiring a grant increase under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(B) Contents

An application submitted by an eligible State under subparagraph (A) shall include information relating to—

(i) the laws described paragraph (3);

(ii) the standards described in paragraph (4); and

(iii) the training program described in paragraph (5).

(7) Use of funds

An eligible State that receives a grant increase under paragraph (2)(A) shall use the total amount of the increase for the purposes described in subparagraph (C) or (D) of subsection (c)(4).

(8) Rule of construction

Nothing in this subsection shall be interpreted as discouraging States from adopting additional provisions to increase safe outcomes for children. Additional protective provisions are encouraged.

(9) Authorization of appropriations

There are authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2023 through 2027.

(Pub. L. 90–351, title I, § 2007, formerly § 2002, as added Pub. L. 103–322, title IV, § 40121(a)(3), Sept. 13, 1994, 108 Stat. 1911; amended Pub. L. 106–386, div. B, title I, §§ 1102(a)(2), 1103(b)(2), Oct. 28, 2000, 114 Stat. 1494, 1496; renumbered § 2007 and amended Pub. L. 107–273, div. A, title IV, § 402(1), (2), Nov. 2, 2002, 116 Stat. 1789; Pub. L. 108–405, title III, § 310(b), (c), Oct. 30, 2004, 118 Stat. 2276; Pub. L. 109–162, title I, § 101(c)–(e), title IX, § 906(b), title XI, § 1134(a), Jan. 5, 2006, 119 Stat. 2973, 2974, 3081, 3108; Pub. L. 109–271, §§ 2(d), (f)(1), (g), (l), 7(a)(2), 8(b), Aug. 12, 2006, 120 Stat. 752, 754, 763, 766; Pub. L. 113–4, title I, § 101(3), Mar. 7, 2013, 127 Stat. 66; Pub. L. 117–103, div. W, title I, § 101(a)(2), title XV, § 1504, Mar. 15, 2022, 136 Stat. 847, 953.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in the second subsec. (c)(4), the second place it appears, and in subsec. (f), was in the original “this subtitle”, and was translated as reading “this part”, meaning part T of title I of Pub. L. 90–351, to reflect the probable intent of Congress. Title I of Pub. L. 90–351 does not contain subtitles.

The date of enactment of this Act, referred to in subsec. (c)(5), probably means the date of enactment of Pub. L. 113–4, which added subsec. (c)(5) and which was approved Mar. 7, 2013.

This subchapter, referred to in subsec. (c)(5), was in the original “this subchapter”, and was translated as reading “this part”, meaning part T of title I of Pub. L. 90–351, to reflect the probable intent of Congress.

Section 10181 of this title, referred to in subsecs. (d) and (e)(1)(B), was in the original “section 513”, and was translated as reading “section 517”, meaning section 517 of title I of Pub. L. 90–351, to reflect the probable intent of Congress. Pub. L. 90–351 does not contain a section 513, but section 10181 of this title was section 513 of Pub. L. 90–351 prior to renumbering as section 517 by Pub. L. 101–647, title XVIII, § 1801(a)(6), Nov. 29, 1990, 104 Stat. 4847.

CODIFICATION

Section was formerly classified to section 3796gg–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 2007 of Pub. L. 90–351 was renumbered section 2015 and is classified to section 10452 of this title.

AMENDMENTS

2022—Subsec. (d)(5) to (8). Pub. L. 117–103, § 101(a)(2)(A), added pars. (5) and (6) and redesignated former pars. (5) and (6) as (7) and (8), respectively.

Subsec. (i)(1). Pub. L. 117–103, § 101(a)(2)(B)(i), which directed amendment of par. (1) by inserting “and the requirements under section 12291(b) of this title, as applicable” before “semicolon at the end”, was executed by making the insertion before “; and”, to reflect the probable intent of Congress.

Subsec. (i)(2)(C)(iv). Pub. L. 117–103, § 101(a)(2)(B)(ii), inserted “sexual orientation, gender identity,” after “ethnicity.”

Subsec. (j)(2). Pub. L. 117–103, § 101(a)(2)(C), inserted period at end.

Subsec. (k). Pub. L. 117–103, § 1504, added subsec. (k). 2013—Subsec. (a). Pub. L. 113–4, § 101(3)(A), which directed substitution of “victim service providers” for “nonprofit nongovernmental victim service programs”, was executed by making the substitution for “nonprofit nongovernmental victim services programs” to reflect the probable intent of Congress.

Subsec. (b)(6). Pub. L. 113–4, § 101(3)(B), struck out “(not including populations of Indian tribes)” before period at end.

Subsec. (c)(2). Pub. L. 113–4, § 101(3)(C)(i), added par. (2) and struck out former par. (2) which read as follows: “grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with nonprofit, nongovernmental victim services programs, including sexual assault and domestic violence victim services programs and describe how the State will address the needs of underserved populations;”

Subsec. (c)(3), (4). Pub. L. 113–4, § 101(3)(C)(ii), (iii), added par. (3) and redesignated former par. (3), relating to State allocation of funds granted, as (4).

Subsec. (c)(4)(A). Pub. L. 113–4, § 101(3)(C)(iv)(I), struck out “and not less than 25 percent shall be allocated for prosecutors” before semicolon at end.

Subsec. (c)(4)(B), (C). Pub. L. 113–4, § 101(3)(C)(iv)(II), (III), added subpar. (B) and redesignated former subpar. (B) as (C). Former subpar. (C) redesignated (D).

Subsec. (c)(4)(D). Pub. L. 113-4, § 101(3)(C)(iv)(IV), substituted “to” for “for”.

Pub. L. 113-4, § 101(3)(C)(iv)(II), redesignated subpar. (C) as (D).

Subsec. (c)(5). Pub. L. 113-4, § 101(3)(C)(v), added par. (5).

Subsec. (d). Pub. L. 113-4, § 101(3)(D), added subsec. (d) and struck out former subsec. (d) which related to application requirements.

Subsec. (e)(2)(A). Pub. L. 113-4, § 101(3)(E)(i)(I), substituted “domestic violence, dating violence, sexual assault, and stalking” for “domestic violence and sexual assault”.

Subsec. (e)(2)(D). Pub. L. 113-4, § 101(3)(E)(i)(II), struck out “linguistically and” before “culturally”.

Subsec. (e)(3). Pub. L. 113-4, § 101(3)(E)(ii), added par. (3).

Subsec. (f). Pub. L. 113-4, § 101(3)(F), substituted “, except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 13925(b)(1) of this title shall not count toward the total costs of the projects.” for period at end.

Subsecs. (i), (j). Pub. L. 113-4, § 101(3)(G), added subsecs. (i) and (j).

2006—Subsec. (b)(1). Pub. L. 109-271, § 7(a)(2), added par. (1) and struck out former par. (1) which read as follows: “Ten percent shall be available for grants under the program authorized in section 3796gg-10 of this title. The requirements of this subchapter shall not apply to funds allocated for such program.”

Pub. L. 109-162, § 906(b), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “10 percent shall be available for grants to Indian tribal governments.”

Pub. L. 109-162, § 101(d)(1)(A), substituted “10 percent” for “5 percent”.

Subsec. (b)(2). Pub. L. 109-271, § 2(g), which directed the substitution of “the coalition for Guam, the coalition for American Samoa, the coalition for the United States Virgin Islands, and the coalition for the Commonwealth of the Northern Mariana Islands.” for “and the coalitions for combined Territories of the United States”, was executed by making the substitution for “and the coalition for the combined Territories of the United States”, to reflect the probable intent of Congress.

Pub. L. 109-162, § 101(d)(1)(B), substituted “ $\frac{1}{56}$ ” for “ $\frac{1}{64}$ ”.

Subsec. (b)(3). Pub. L. 109-162, § 101(d)(1)(C), substituted “coalitions for Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each receiving an amount equal to $\frac{1}{56}$ ” for “and the coalition for the combined Territories of the United States, each receiving an amount equal to $\frac{1}{64}$ ”.

Subsec. (b)(4). Pub. L. 109-162, § 101(d)(1)(D), substituted “ $\frac{1}{56}$ ” for “ $\frac{1}{64}$ ”.

Subsec. (c)(2). Pub. L. 109-162, § 101(c)(1), inserted “and describe how the State will address the needs of underserved populations” before semicolon at end.

Subsec. (c)(3)(A). Pub. L. 109-271, § 2(l), amended subpar. (A) generally. Prior to amendment, subpar. (A) read as follows: “not less than 25 percent shall be allocated to police and not less than 25 percent shall be allocated to prosecutors.”

Pub. L. 109-162, § 1134(a)(1), which directed substitution of “law enforcement” for “police”, was repealed by Pub. L. 109-271, §§ 2(d) and 8(b).

Subsec. (c)(3)(B). Pub. L. 109-271, § 2(l), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: “not less than 30 percent shall be allocated to victim services, of which at least 10 percent shall be distributed to culturally specific community-based organization; and”.

Pub. L. 109-162, § 101(d)(2), inserted “, of which at least 10 percent shall be distributed to culturally specific community-based organization” after “victim services”.

Subsec. (d). Pub. L. 109-162, § 1134(a)(2), which directed insertion of “submitted by a State” after “each appli-

cation” in second sentence and substitution of “In addition, each application submitted by a State or tribal government” for “An application” in third sentence, was repealed by Pub. L. 109-271, §§ 2(d) and 8(b).

Subsec. (d)(4). Pub. L. 109-162, § 101(d)(3), added par. (4).

Subsec. (e)(2)(D). Pub. L. 109-162, § 101(c)(2), added subpar. (D) and struck out former subpar. (D) which read as follows: “recognize and address the needs of underserved populations.”

Subsec. (i). Pub. L. 109-271, § 2(f)(1), struck out subsec. (i) which related to training, technical assistance, and data collection.

Pub. L. 109-162, § 101(e), added subsec. (i).

2004—Pub. L. 108-405, § 310(b), made technical amendment to directory language of Pub. L. 107-273, § 402(2), which renumbered this section as section 2007 of Pub. L. 90-351.

Subsec. (b)(4). Pub. L. 108-405, § 310(c), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “ $\frac{1}{4}$ shall be available for the development and operation of nonprofit tribal domestic violence and sexual assault coalitions in Indian country.”

2002—Subsec. (d)(2). Pub. L. 107-273, § 402(1)(A), made technical amendment to reference in original act which appears in text as reference to section 10449 of this title.

Subsec. (d)(3). Pub. L. 107-273, § 402(1)(B), made technical amendment to reference in original act which appears in text as reference to section 10450 of this title.

2000—Subsec. (a). Pub. L. 106-386, § 1102(a)(2)(A), inserted “State and local courts (including juvenile courts),” after “for use by States.”

Subsec. (b)(1). Pub. L. 106-386, § 1103(b)(2)(B), substituted “5 percent” for “4 percent”.

Subsec. (b)(2) to (4). Pub. L. 106-386, § 1103(b)(2)(D), added pars. (2) to (4). Former pars. (2) and (3) redesignated (5) and (6), respectively.

Subsec. (b)(5). Pub. L. 106-386, § 1103(b)(2)(A), (C), redesignated par. (2) as (5) and substituted “\$600,000” for “\$500,000”.

Subsec. (b)(6). Pub. L. 106-386, § 1103(b)(2)(A), redesignated par. (3) as (6).

Subsec. (c)(3). Pub. L. 106-386, § 1102(a)(2)(B), added par. (3) and struck out former par. (3) which read as follows: “at least 25 percent of the amount granted shall be allocated, without duplication, to each of the following 3 areas: prosecution, law enforcement, and victim services; and”.

Subsec. (d)(1). Pub. L. 106-386, § 1102(a)(2)(C), inserted “court,” after “law enforcement,” in introductory provisions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-103 not effective until Oct. 1 of the first fiscal year beginning after Mar. 15, 2022, see section 4(a) of div. W of Pub. L. 117-103, set out as an Effective Date note under section 6851 of Title 15, Commerce and Trade.

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by sections 101(c)—(e) and 906(b) of Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 10261 of this title.

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-405, title III, § 310(b), Oct. 30, 2004, 118 Stat. 2276, provided that amendment by section 310(b) (amending this section and sections 10447 to 10450 of this title) is effective as of Nov. 2, 2002, and as if included in Pub. L. 107-273, as enacted.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-273 effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as an Effective Date note under section 10442 of this title.

FINDINGS

Pub. L. 117-103, div. W, title XV, §1502, Mar. 15, 2022, 136 Stat. 951, provided that: “Congress finds the following:

“(1) Approximately 1 in 15 children is exposed to domestic violence each year.

“(2) Most child abuse is perpetrated in the family and by a parent. Intimate partner violence and child abuse overlap in the same families at rates between 30 and 60 percent. A child’s risk of abuse increases after a perpetrator of intimate partner violence separates from a domestic partner, even when the perpetrator has not previously directly abused the child. Children who have witnessed intimate partner violence are approximately 4 times more likely to experience direct child maltreatment than children who have not witnessed intimate partner violence.

“(3) More than 75 percent of child sexual abuse is perpetrated by a family member or a person known to the child. Data of the Department of Justice shows that family members are 49 percent, or almost half, of the perpetrators of crimes against child sex assault victims younger than 6 years of age.

“(4) Research suggests a child’s exposure to a batterer is among the strongest indicators of risk of incest victimization. One study found that female children with fathers who are batterers of their mothers were 6.5 times more likely to experience father-daughter incest than female children who do not have abusive fathers.

“(5) Child abuse is a major public health issue in the United States. Total lifetime financial costs associated with just 1 year of confirmed cases of child maltreatment, including child physical abuse, sexual abuse, psychological abuse, and neglect, result in \$124,000,000,000 in annual costs to the economy of the United States, or approximately 1 percent of the gross domestic product of the United States.

“(6) Empirical research indicates that courts regularly discount allegations of child physical and sexual abuse when those allegations are raised in child custody cases. Courts believed less than ¼ of claims that a father has committed child physical or sexual abuse. With respect to cases in which an allegedly abusive parent claimed the mother “alienated” the child, courts believed only 1 out of 51 claims of sexual molestation by a father. Independent research indicates that child sexual abuse allegations are credible between 50 and 70 percent of the time.

“(7) Empirical research shows that alleged or known abusive parents are often granted custody or unprotected parenting time by courts. Approximately ⅓ of parents alleged to have committed child abuse took primary custody from the protective parent reporting the abuse, placing children at ongoing risk.

“(8) Researchers have documented nearly 800 child murders in the United States since 2008 committed by a divorcing or separating parent. More than 100 of these child murders are known to have occurred after a court ordered the child to have contact with the dangerous parent over the objection of a safe parent or caregiver.

“(9) Scientifically unsound theories that treat abuse allegations of mothers as likely false attempts to undermine fathers are frequently applied in family court to minimize or deny reports of abuse of parents and children. Many experts who testify against abuse allegations lack expertise in the relevant type of alleged abuse, relying instead on unsound and unproven theories.

“(10) Judges presiding over custody cases involving allegations of child abuse, child sexual abuse, and domestic violence are rarely required to receive train-

ing on these subjects, and most States have not established standards for such training.”

[For definitions of terms used in section 1502 of div. W of Pub. L. 117-103, set out above, see section 12291 of this title, as made applicable by section 2(b) of div. W of Pub. L. 117-103, which is set out as a note under section 12291 of this title.]

PURPOSES

Pub. L. 117-103, div. W, title XV, §1503, Mar. 15, 2022, 136 Stat. 952, provided that: “The purposes of this title [see Short Title of 2022 Amendment note set out under section 10101 of this title] are to—

“(1) increase the priority given to child safety in any State court divorce, separation, visitation, paternity, child support, civil protection order, or family custody court proceeding affecting the custody and care of children, excluding child protective, abuse, or neglect proceedings and juvenile justice proceedings;

“(2) strengthen the abilities of courts to—

“(A) recognize and adjudicate domestic violence and child abuse allegations based on valid, admissible evidence; and

“(B) enter orders that protect and minimize the risk of harm to children; and

“(3) ensure that professional personnel involved in cases containing domestic violence or child abuse allegations receive trauma-informed and culturally appropriate training on the dynamics, signs, and impact of domestic violence and child abuse, including child sexual abuse.”

[For definitions of terms used in section 1503 of div. W of Pub. L. 117-103, set out above, see section 12291 of this title, as made applicable by section 2(b) of div. W of Pub. L. 117-103, which is set out as a note under section 12291 of this title.]

§ 10447. Definitions and grant conditions

In this subchapter the definitions and grant conditions in section 12291 of this title shall apply.

(Pub. L. 90-351, title I, §2008, as added Pub. L. 109-162, §3(c)(1), Jan. 5, 2006, 119 Stat. 2971.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3796gg-2 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Another section 2008 of Pub. L. 90-351 was renumbered section 2016 and is classified to section 10453 of this title.

PRIOR PROVISIONS

A prior section 2008 of title I of Pub. L. 90-351, formerly §2003, as added Pub. L. 103-322, title IV, §4012(a)(3), Sept. 13, 1994, 108 Stat. 1913; amended Pub. L. 106-386, div. B, title I, §§1103(b)(3), 1109(a)(1), Oct. 28, 2000, 114 Stat. 1496, 1502; renumbered §2008, Pub. L. 107-273, div. A, title IV, §402(2), Nov. 2, 2002, 116 Stat. 1789; Pub. L. 108-405, title III, §310(b), Oct. 30, 2004, 118 Stat. 2276, related to definitions of terms in part T of title I of Pub. L. 90-351, prior to repeal by Pub. L. 109-162, §3(c)(1), Jan. 5, 2006, 119 Stat. 2971.

Statutory Notes and Related SubsidiariesDEFINITIONS AND GRANT CONDITIONS APPLICABLE TO
DIVISION B OF PUB. L. 106-386

Pub. L. 106-386, div. B, §1002, Oct. 28, 2000, 114 Stat. 1491, as amended by Pub. L. 109-162, §3(d), Jan. 5, 2006, 119 Stat. 2972, provided that: “In this division [see section 1001 of Pub. L. 106-386, set out as a Short Title of 2000 Act note under section 10101 of this title] the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 [34 U.S.C. 12291] shall apply.”