

**§ 10448. General terms and conditions****(a) Nonmonetary assistance**

In addition to the assistance provided under this subchapter, the Attorney General may request any Federal agency to use its authorities and the resources granted to it under Federal law (including personnel, equipment, supplies, facilities, and managerial, technical, and advisory services) in support of State, tribal, and local assistance efforts.

**(b) Reporting**

Not later than 1 month after the end of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report that includes, for each State and for each grantee Indian tribe—

- (1) the number of grants made and funds distributed under this subchapter;
- (2) a summary of the purposes for which those grants were provided and an evaluation of their progress;
- (3) a statistical summary of persons served, detailing the nature of victimization, and providing data on age, sex, relationship of victim to offender, geographic distribution, race, ethnicity, language, and disability, and the membership of persons served in any underserved population; and
- (4) an evaluation of the effectiveness of programs funded under this subchapter.

**(c) Regulations or guidelines**

Not later than 120 days after September 13, 1994, the Attorney General shall publish proposed regulations or guidelines implementing this subchapter. Not later than 180 days after September 13, 1994, the Attorney General shall publish final regulations or guidelines implementing this subchapter.

(Pub. L. 90–351, title I, § 2009, formerly § 2004, as added Pub. L. 103–322, title IV, § 40121(a)(3), Sept. 13, 1994, 108 Stat. 1914; amended Pub. L. 106–386, div. B, title I, § 1103(b)(4), Oct. 28, 2000, 114 Stat. 1497; renumbered § 2009, 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; Pub. L. 109–162, § 3(b)(3), title XI, §§ 1134(b), 1135(c), Jan. 5, 2006, 119 Stat. 2971, 3108, 3109; Pub. L. 109–271, §§ 2(d), 8(b), Aug. 12, 2006, 120 Stat. 752, 766.)

**Editorial Notes****CODIFICATION**

Section was formerly classified to section 3796gg–3 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**AMENDMENTS**

2006—Subsec. (b). Pub. L. 109–162, §§ 1134(b) and 1135(c), which directed an amendment substantially identical to that made by Pub. L. 109–162, § 3(b)(3), were repealed by Pub. L. 109–271, §§ 2(d) and 8(b).

Pub. L. 109–162, § 3(b)(3), substituted “Not later than 1 month after the end of each even-numbered fiscal year, the Attorney General shall submit” for “Not later than 180 days after the end of each fiscal year for which grants are made under this subchapter, the Attorney General shall submit” in introductory provisions.

2000—Subsec. (b)(3). Pub. L. 106–386 inserted “, and the membership of persons served in any underserved population” before the semicolon.

**§ 10449. Rape exam payments****(a) Restriction of funds****(1) In general**

A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter<sup>1</sup> unless the State, Indian tribal government, unit of local government, or another governmental entity—

- (A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and
- (B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.

**(2) Redistribution**

Funds withheld from a State or unit of local government under paragraph (1) shall be distributed to other States or units of local government pro rata. Funds withheld from an Indian tribal government under paragraph (1) shall be distributed to other Indian tribal governments pro rata.

**(b) Medical costs**

A State, Indian tribal government, or unit of local government shall be deemed to incur the full out-of-pocket cost of forensic medical exams for victims of sexual assault if any government entity—

- (1) provides such exams to victims free of charge to the victim; or
- (2) arranges for victims to obtain such exams free of charge to the victims.

**(c) Use of funds**

A State or Indian tribal government may use Federal grant funds under this subchapter to pay for forensic medical exams performed by trained examiners for victims of sexual assault, except that such funds may not be used to pay for forensic medical exams by any State, Indian tribal government, or territorial government that requires victims of sexual assault to seek reimbursement for such exams from their insurance carriers.

**(d) Noncooperation****(1) In general**

To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

**(2) Compliance period**

States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act<sup>1</sup> to come into compliance with this section.

**(e) Judicial notification****(1) In general**

A State or unit of local government shall not be entitled to funds under this subchapter unless the State or unit of local government—

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