

tute of Justice in fiscal year 2018 shall instead be used for the purposes in subsection (a).

(Pub. L. 90-351, title I, §2705, as added Pub. L. 115-141, div. S, title V, §502(5), Mar. 23, 2018, 132 Stat. 1131.)

Editorial Notes

PRIOR PROVISIONS

A prior section 2705 of title I of Pub. L. 90-351, as added Pub. L. 106-386, div. B, title I, §1108(b), Oct. 28, 2000, 114 Stat. 1502; amended Pub. L. 109-162, title XI, §1169(a), Jan. 5, 2006, 119 Stat. 3122, was classified to section 3797e of Title 42, The Public Health and Welfare, prior to repeal by section 502(5) of title V of div. S of Pub. L. 115-141.

§ 10556. Rules of construction

(a) No funds to provide firearms or training

No amounts provided as a grant under this subchapter may be used for the provision to any person of a firearm or training in the use of a firearm.

(b) No effect on other laws

Nothing in this subchapter may be construed to preclude or contradict any other provision of law authorizing the provision of firearms or training in the use of firearms.

(Pub. L. 90-351, title I, §2706, as added Pub. L. 115-141, div. S, title V, §502(6), Mar. 23, 2018, 132 Stat. 1132.)

SUBCHAPTER XXVII—PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS

§ 10561. Grant authorization

The Attorney General shall award grants to States and units of local government in accordance with this subchapter.

(Pub. L. 90-351, title I, §2801, as added Pub. L. 106-561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2788; amended Pub. L. 107-273, div. B, title V, §5001(b)(1), Nov. 2, 2002, 116 Stat. 1813.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3797j of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2002—Pub. L. 107-273 inserted “and units of local government” after “States”.

§ 10562. Applications

To request a grant under this subchapter, a State or unit of local government shall submit to the Attorney General—

- (1) a certification that the State or unit of local government has developed a plan for forensic science laboratories under a program described in section 10564(a) of this title, and a specific description of the manner in which the grant will be used to carry out that plan;
- (2) a certification that any forensic science laboratory system, medical examiner’s office, or coroner’s office in the State, including any

laboratory operated by a unit of local government within the State, that will receive any portion of the grant amount uses generally accepted laboratory practices and procedures, established by accrediting organizations or appropriate certifying bodies and, except with regard to any medical examiner’s office, or coroner’s office in the State, is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, or attests, in a manner that is legally binding and enforceable, to use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under section 10561 of this title;

(3) a specific description of any new facility to be constructed as part of the program for a State or local plan described in paragraph (1), and the estimated costs of that facility, and a certification that the amount of the grant used for the costs of the facility will not exceed the limitations set forth in section 10564(c) of this title; and

(4) a certification that a government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner’s office, coroner’s office, law enforcement storage facility, or medical facility in the State that will receive a portion of the grant amount.

(Pub. L. 90-351, title I, §2802, as added Pub. L. 106-561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2788; amended Pub. L. 107-273, div. B, title V, §5001(b)(2), Nov. 2, 2002, 116 Stat. 1813; Pub. L. 108-405, title III, §311(b), Oct. 30, 2004, 118 Stat. 2277; Pub. L. 114-324, §9(a)(1), Dec. 16, 2016, 130 Stat. 1954.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3797k 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.

AMENDMENTS

2016—Par. (2). Pub. L. 114-324 inserted “and, except with regard to any medical examiner’s office, or coroner’s office in the State, is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, or attests, in a manner that is legally binding and enforceable, to use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under section 3797j of this title” after “bodies”.

2004—Par. (4). Pub. L. 108-405 added par. (4).

2002—Pub. L. 107-273, §5001(b)(2)(A), inserted “or unit of local government” after “State” in introductory provisions.

Par. (1). Pub. L. 107-273, §5001(b)(2)(B), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “a certification that the State has developed a consolidated State plan for forensic science laboratories operated by the State or by other units of local government within the State under a program described in section 3797m(a) of this title, and a specific description of the manner in which the grant will be used to carry out that plan;”.

Par. (2). Pub. L. 107-273, §5001(b)(2)(C), inserted “or appropriate certifying bodies” after “accrediting organizations”.

Par. (3). Pub. L. 107-273, §5001(b)(2)(D), inserted “for a State or local plan” after “program”.

§ 10563. Allocation

(a) In general

(1) Population allocation

Eighty-five percent of the amount made available to carry out this subchapter in each fiscal year shall be allocated to each State that meets the requirements of section 10562 of this title so that each State shall receive an amount that bears the same ratio to the 85 percent of the total amount made available to carry out this subchapter for that fiscal year as the population of the State bears to the population of all States.

(2) Discretionary allocation

Fifteen percent of the amount made available to carry out this subchapter in each fiscal year shall be allocated pursuant to the Attorney General's discretion for competitive awards to States and units of local government. In making awards under this subchapter, the Attorney General shall consider the average annual number of part 1 violent crimes reported by each State to the Federal Bureau of Investigation for the 3 most recent calendar years for which data is available and consider the existing resources and current needs of the potential grant recipient.

(3) Minimum requirement

Each State shall receive not less than 1 percent of the amount made available to carry out this subchapter in each fiscal year.

(4) Proportional reduction

If the amounts available to carry out this subchapter in each fiscal year are insufficient to pay in full the total payment that any State is otherwise eligible to receive under paragraph (3), then the Attorney General shall reduce payments under paragraph (1) for such payment period to the extent of such insufficiency. Reductions under the preceding sentence shall be allocated among the States (other than States whose payment is determined under paragraph (3)) in the same proportions as amounts would be allocated under paragraph (1) without regard to paragraph (3).

(b) State defined

In this section, the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands, except that—

(1) for purposes of the allocation under this section, American Samoa and the Common-

wealth of the Northern Mariana Islands shall be considered as 1 State; and

(2) for purposes of paragraph (1), 67 percent of the amount allocated shall be allocated to American Samoa, and 33 percent shall be allocated to the Commonwealth of the Northern Mariana Islands.

(Pub. L. 90-351, title I, §2803, as added Pub. L. 106-561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2788; amended Pub. L. 107-273, div. B, title V, §5001(b)(3), Nov. 2, 2002, 116 Stat. 1814; Pub. L. 114-324, §9(a)(2), Dec. 16, 2016, 130 Stat. 1955.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3797l of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2016—Subsec. (a)(1). Pub. L. 114-324, §9(a)(2)(A), substituted “Eighty-five percent” for “Seventy-five percent” and “85 percent” for “75 percent”.

Subsec. (a)(2). Pub. L. 114-324, §9(a)(2)(B), substituted “Fifteen percent” for “Twenty-five percent”.

Subsec. (a)(3). Pub. L. 114-324, §9(a)(2)(C), substituted “1 percent” for “0.6 percent”.

2002—Subsec. (a)(2). Pub. L. 107-273 substituted “for competitive awards to States and units of local government. In making awards under this subchapter, the Attorney General shall consider the average annual number of part 1 violent crimes reported by each State to the Federal Bureau of Investigation for the 3 most recent calendar years for which data is available and consider the existing resources and current needs of the potential grant recipient” for “to States with above average rates of part 1 violent crimes based on the average annual number of part 1 violent crimes reported by such State to the Federal Bureau of Investigation for the 3 most recent calendar years for which such data is available”.

§ 10564. Use of grants

(a) In general

A State or unit of local government that receives a grant under this subchapter shall use the grant to do any one or more of the following:

(1) To carry out all or a substantial part of a program intended to improve the quality and timeliness of forensic science or medical examiner services in the State, including such services provided by the laboratories operated by the State and those operated by units of local government within the State.

(2) To eliminate a backlog in the analysis of forensic science evidence, including firearms examination, latent prints, impression evidence, toxicology, digital evidence, fire evidence, controlled substances, forensic pathology, questionable documents, and trace evidence.

(3) To train, assist, and employ forensic laboratory personnel and medicolegal death investigators, as needed, to eliminate such a backlog.

(4) To address emerging forensic science issues (such as statistics, contextual bias, and uncertainty of measurement) and emerging forensic science technology (such as high throughput automation, statistical software, and new types of instrumentation).

(5) To educate and train forensic pathologists.