

(6) To fund medicolegal death investigation systems to facilitate accreditation of medical examiner and coroner offices and certification of medicolegal death investigators.

(b) Permitted categories of funding

Subject to subsections (c) and (d), a grant awarded for the purpose set forth in subsection (a)(1)—

(1) may only be used for program expenses relating to facilities, personnel, computerization, equipment, supplies, accreditation and certification, education, and training; and

(2) may not be used for any general law enforcement or nonforensic investigatory function.

(c) Facilities costs

(1) States receiving minimum grant amount

With respect to a State that receives a grant under this subchapter (including grants received by units of local government within a State) in an amount that does not exceed 0.6 percent of the total amount made available to carry out this subchapter for a fiscal year, not more than 80 percent of the total amount of the grant may be used for the costs of any new facility constructed as part of a program described in subsection (a).

(2) Other States

With respect to a State that receives a grant under this subchapter in an amount that exceeds 0.6 percent of the total amount made available to carry out this subchapter for a fiscal year—

(A) not more than 80 percent of the amount of the grant up to that 0.6 percent may be used for the costs of any new facility constructed as part of a program described in subsection (a); and

(B) not more than 40 percent of the amount of the grant in excess of that 0.6 percent may be used for the costs of any new facility constructed as part of a program described in subsection (a).

(d) Administrative costs

Not more than 10 percent of the total amount of a grant awarded under this subchapter may be used for administrative expenses.

(e) Backlog defined

For purposes of this section, a backlog in the analysis of forensic science evidence exists if such evidence—

(1) has been stored in a laboratory, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility; and

(2) has not been subjected to all appropriate forensic testing because of a lack of resources or personnel.

(Pub. L. 90-351, title I, §2804, as added Pub. L. 106-561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2789; amended Pub. L. 107-273, div. B, title V, §5001(b)(4), Nov. 2, 2002, 116 Stat. 1814; Pub. L. 108-405, title III, §311(a), Oct. 30, 2004, 118 Stat. 2276; Pub. L. 114-324, §9(a)(3), Dec. 16, 2016, 130 Stat. 1955.)

Editorial Notes

CODIFICATION

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

AMENDMENTS

2016—Subsec. (a)(2). Pub. L. 114-324, §9(a)(3)(A), inserted “impression evidence,” after “latent prints,” and “digital evidence, fire evidence,” after “toxicology.”

Subsec. (a)(3). Pub. L. 114-324, §9(a)(3)(B), inserted “and medicolegal death investigators” after “laboratory personnel”.

Subsec. (a)(4) to (6). Pub. L. 114-324, §9(a)(3)(C), added pars. (4) to (6).

2004—Subsec. (a). Pub. L. 108-405, §311(a)(1), substituted “shall use the grant to do any one or more of the following:

“(1) To carry out”

for “shall use the grant to carry out” and added pars. (2) and (3).

Subsec. (b). Pub. L. 108-405, §311(a)(2), substituted “for the purpose set forth in subsection (a)(1)” for “under this subchapter” in introductory provisions.

Subsec. (e). Pub. L. 108-405, §311(a)(3), added subsec. (e).

2002—Subsec. (a). Pub. L. 107-273, §5001(b)(4)(A), inserted “or unit of local government” after “A State”.

Subsec. (c)(1). Pub. L. 107-273, §5001(b)(4)(B), inserted “(including grants received by units of local government within a State)” after “under this subchapter”.

§ 10565. Administrative provisions

(a) Regulations

The Attorney General may promulgate such guidelines, regulations, and procedures as may be necessary to carry out this subchapter, including guidelines, regulations, and procedures relating to the submission and review of applications for grants under section 10562 of this title.

(b) Expenditure records

(1) Records

Each State, or unit of local government within the State, that receives a grant under this subchapter shall maintain such records as the Attorney General may require to facilitate an effective audit relating to the receipt of the grant, or the use of the grant amount.

(2) Access

The Attorney General and the Comptroller General of the United States, or a designee thereof, shall have access, for the purpose of audit and examination, to any book, document, or record of a State, or unit of local government within the State, that receives a grant under this subchapter, if, in the determination of the Attorney General, Comptroller General, or designee thereof, the book, document, or record is related to the receipt of the grant, or the use of the grant amount.

(Pub. L. 90-351, title I, §2805, as added Pub. L. 106-561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2790.)

Editorial Notes

CODIFICATION

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

§ 10566. Reports**(a) Reports to Attorney General**

For each fiscal year for which a grant is awarded under this subchapter, each State or unit of local government that receives such a grant shall submit to the Attorney General a report, at such time and in such manner as the Attorney General may reasonably require, which report shall include—

- (1) a summary and assessment of the program carried out with the grant, which shall include a comparison of pre-grant and post-grant forensic science capabilities;
- (2) the average number of days between submission of a sample to a forensic science laboratory or forensic science laboratory system in that State operated by the State or by a unit of local government and the delivery of test results to the requesting office or agency;
- (3) an identification of the number and type of cases currently accepted by the laboratory;
- (4) the progress of any unaccredited forensic science service provider receiving grant funds toward obtaining accreditation; and
- (5) such other information as the Attorney General may require.

(b) Reports to Congress

Not later than 90 days after the last day of each fiscal year for which 1 or more grants are awarded under this subchapter, the Attorney General shall submit to the Speaker of the House of Representatives and the President pro tempore of the Senate, a report, which shall include—

- (1) the aggregate amount of grants awarded under this subchapter for that fiscal year; and
- (2) a summary of the information provided under subsection (a).

(Pub. L. 90-351, title I, §2806, as added Pub. L. 106-561, §2(c)(1), Dec. 21, 2000, 114 Stat. 2790; amended Pub. L. 107-273, div. B, title V, §5001(b)(5), Nov. 2, 2002, 116 Stat. 1814; Pub. L. 114-324, §9(a)(4), Dec. 16, 2016, 130 Stat. 1955.)

Editorial Notes

CODIFICATION

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

AMENDMENTS

2016—Subsec. (a)(4), (5). Pub. L. 114-324 added par. (4) and redesignated former par. (4) as (5).

2002—Subsec. (a). Pub. L. 107-273, §5001(b)(5)(A), inserted “or unit of local government” after “each State” in introductory provisions.

Subsec. (a)(1). Pub. L. 107-273, §5001(b)(5)(B), inserted “, which shall include a comparison of pre-grant and post-grant forensic science capabilities” before semicolon at end.

Subsec. (a)(3), (4). Pub. L. 107-273, §5001(b)(5)(C)-(E), added par. (3) and redesignated former par. (3) as (4).

SUBCHAPTER XXVIII—MENTAL HEALTH AND DRUG TREATMENT ALTERNATIVES TO INCARCERATION PROGRAMS

Editorial Notes

CODIFICATION

Pub. L. 114-255, div. B, title XIV, §14013, Dec. 13, 2016, 130 Stat. 1298, substituted “MENTAL HEALTH AND

DRUG TREATMENT ALTERNATIVES TO INCARCERATION PROGRAMS” for “PROSECUTION DRUG TREATMENT ALTERNATIVE TO PRISON PROGRAM” in subchapter heading.

§ 10581. Repealed. Pub. L. 115-391, title V, § 504(g)(2), Dec. 21, 2018, 132 Stat. 5234

Section, Pub. L. 90-351, title I, §2901, as added Pub. L. 114-255, div. B, title XIV, §14013, Dec. 13, 2016, 130 Stat. 1298, related to mental health and drug treatment alternatives to incarceration programs.

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

A prior section 2901 of title I of Pub. L. 90-351, as added Pub. L. 110-199, title I, §112(a), Apr. 9, 2008, 122 Stat. 672, authorized the Attorney General to make grants for qualified drug treatment programs as alternatives to imprisonment, prior to repeal by Pub. L. 114-255, div. B, title XIV, §14013, Dec. 13, 2016, 130 Stat. 1298.

SUBCHAPTER XXIX—GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT

§ 10591. Grants authorized

The Attorney General may make grants to States, units of local government, territories, nonprofit organizations, and Indian Tribes to—

- (1) develop, implement, and expand comprehensive and clinically-appropriate family-based substance abuse treatment programs as alternatives to incarceration for nonviolent parent drug offenders; and
- (2) to¹ provide prison-based family treatment programs for incarcerated parents of minor children or pregnant women.

(Pub. L. 90-351, title I, §2921, as added Pub. L. 110-199, title I, §113, Apr. 9, 2008, 122 Stat. 674; amended Pub. L. 114-198, title II, §201(c)(1), July 22, 2016, 130 Stat. 714; Pub. L. 115-391, title V, §502(b)(1), Dec. 21, 2018, 132 Stat. 5228.)

Editorial Notes

CODIFICATION

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

AMENDMENTS

2018—Par. (1). Pub. L. 115-391 inserted “nonprofit organizations,” before “and Indian” in introductory provisions.

2016—Par. (2). Pub. L. 114-198 inserted before period at end “or pregnant women”.

Statutory Notes and Related Subsidiaries

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 60504 of this title.

§ 10592. Use of grant funds

Grants made to an entity under section 10591 of this title for a program described in such section may be used for—

- (1) the development, implementation, and expansion of prison-based family treatment programs in correctional facilities for incar-

¹ So in original. The word “to” probably should not appear.