

**(2) Federal share**

The Federal share of funding of a program funded with a grant under paragraph (1) shall not exceed 50 percent.

**(3) Authorization of appropriations**

There are authorized to be appropriated to carry out this section—

- (A) \$700,000 for fiscal year 1996;
- (B) \$1,000,000 for fiscal year 1997;
- (C) \$1,000,000 for fiscal year 1998;
- (D) \$1,100,000 for fiscal year 1999; and
- (E) \$1,200,000 for fiscal year 2000.

**(d) Definitions**

In this section—

“Indian tribe” means a tribe, band, pueblo, nation, or other organized group or community of Indians, including an Alaska Native village (as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.),<sup>1</sup> that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

“State” means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the United States Virgin Islands.

(Pub. L. 103-322, title III, §32201, Sept. 13, 1994, 108 Stat. 1901.)

**Editorial Notes****REFERENCES IN TEXT**

The Alaska Native Claims Settlement Act, referred to in subsec. (d), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

**CODIFICATION**

Section was formerly classified to section 13911 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**Statutory Notes and Related Subsidiaries****ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS**

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

**PART I—GANG RESISTANCE EDUCATION AND TRAINING****§ 12281. Gang Resistance Education and Training projects****(a) Establishment of projects****(1) In general**

The Attorney General shall establish not less than 50 Gang Resistance Education and Training (GREAT) projects, to be located in communities across the country, in addition to the number of projects currently funded.

<sup>1</sup> So in original. A closing parenthesis probably should precede the comma.

**(2) Selection of communities**

Communities identified for such GREAT projects shall be selected by the Attorney General on the basis of gang-related activity in that particular community.

**(3) Amount of assistance per project; allocation**

The Attorney General shall make available not less than \$800,000 per project, subject to the availability of appropriations, and such funds shall be allocated—

- (A) 50 percent to the affected State and local law enforcement and prevention organizations participating in such projects; and
- (B) 50 percent to the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice for salaries, expenses, and associated administrative costs for operating and overseeing such projects.

**(b) Authorization of appropriations**

There is authorized to be appropriated to carry out this section—

- (1) \$20,000,000 for fiscal year 2006;
- (2) \$20,000,000 for fiscal year 2007;
- (3) \$20,000,000 for fiscal year 2008;
- (4) \$20,000,000 for fiscal year 2009; and
- (5) \$20,000,000 for fiscal year 2010.

(Pub. L. 103-322, title III, §32401, Sept. 13, 1994, 108 Stat. 1902; Pub. L. 107-296, title XI, §1112(p), Nov. 25, 2002, 116 Stat. 2278; Pub. L. 109-162, title XI, §1188, Jan. 5, 2006, 119 Stat. 3128.)

**Editorial Notes****CODIFICATION**

Section was formerly classified to section 13921 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, which directed the amendment of section 32401(b) of the Violent Crime Control Act of 1994 by adding pars. (1) to (5) and striking out former pars. (1) to (6), was executed by making the amendments to this section, which is section 32401(b) of the Violent Crime Control and Law Enforcement Act of 1994, to reflect the probable intent of Congress. Former pars. (1) to (6) authorized appropriations for fiscal years 1995 through 2000.

2002—Subsec. (a). Pub. L. 107-296, §1112(p)(1), substituted “Attorney General” for “Secretary of the Treasury” wherever appearing.

Subsec. (a)(3)(B). Pub. L. 107-296, §1112(p)(2), substituted “Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice” for “Bureau of Alcohol, Tobacco and Firearms”.

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2002 AMENDMENT**

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

**SUBCHAPTER III—VIOLENCE AGAINST WOMEN****§ 12291. Definitions and grant provisions****(a) Definitions**

In this subchapter, for the purpose of grants authorized under this subchapter:

**(1) Abuse in later life**

The term “abuse in later life”—

(A) means—

(i) neglect, abandonment, economic abuse, or willful harm of an adult aged 50 or older by an individual in an ongoing relationship of trust with the victim; or

(ii) domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual; and

(B) does not include self-neglect.

**(2) Alaska Native village**

The term “Alaska Native village” has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

**(3) Child abuse and neglect**

The term “child abuse and neglect” means any recent act or failure to act on the part of a parent or caregiver with intent to cause death, serious physical or emotional harm, sexual abuse, or exploitation, or an act or failure to act which presents an imminent risk of serious harm to an unemancipated minor. This definition shall not be construed to mean that failure to leave an abusive relationship, in the absence of other action constituting abuse or neglect, is itself abuse or neglect.

**(4) Child maltreatment**

The term “child maltreatment” means the physical or psychological abuse or neglect of a child or youth, including sexual assault and abuse.

**(5) Community-based organization**

The term “community-based organization” means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—

(A) focuses primarily on domestic violence, dating violence, sexual assault, or stalking;

(B) has established a specialized culturally specific program that addresses domestic violence, dating violence, sexual assault, or stalking;

(C) has a primary focus on underserved populations (and includes representatives of these populations) and domestic violence, dating violence, sexual assault, or stalking; or

(D) obtains expertise, or shows demonstrated capacity to work effectively, on domestic violence, dating violence, sexual assault, and stalking through collaboration.

**(6) Court-based personnel; court-related personnel**

The terms “court-based personnel” and “court-related personnel” mean individuals working in the court, whether paid or volunteer, including—

(A) clerks, special masters, domestic relations officers, administrators, mediators, custody evaluators, guardians ad litem, lawyers, negotiators, probation, parole, interpreters, victim assistants, victim advocates, and judicial, administrative, or any other professionals or personnel similarly involved in the legal process;

(B) court security personnel;

(C) personnel working in related supplementary offices or programs (such as child support enforcement); and

(D) any other court-based or community-based personnel having responsibilities or authority to address domestic violence, dating violence, sexual assault, or stalking in the court system.

**(7) Courts**

The term “courts” means any civil or criminal, tribal, and Alaska Native Village, Federal, State, local or territorial court having jurisdiction to address domestic violence, dating violence, sexual assault or stalking, including immigration, family, juvenile, and dependency courts, and the judicial officers serving in those courts, including judges, magistrate judges, commissioners, justices of the peace, or any other person with decision-making authority.

**(8) Culturally specific**

The term “culturally specific” means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u-6(g)).<sup>1</sup>

**(9) Culturally specific services**

The term “culturally specific services” means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

**(10) Dating partner**

The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of—

(A) the length of the relationship;

(B) the type of relationship; and

(C) the frequency of interaction between the persons involved in the relationship.

**(11) Dating violence**

The term “dating violence” means violence committed by a person—

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction between the persons involved in the relationship.

**(12) Domestic violence**

The term “domestic violence” includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant

<sup>1</sup> So in original. The period probably should be preceded by another closing parenthesis.

funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—

(A) is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim;

(B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

(C) shares a child in common with the victim; or

(D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.

### **(13) Economic abuse**

The term “economic abuse”, in the context of domestic violence, dating violence, and abuse in later life, means behavior that is coercive, deceptive, or unreasonably controls or restrains a person’s ability to acquire, use, or maintain economic resources to which they are entitled, including using coercion, fraud, or manipulation to—

(A) restrict a person’s access to money, assets, credit, or financial information;

(B) unfairly use a person’s personal economic resources, including money, assets, and credit, for one’s own advantage; or

(C) exert undue influence over a person’s financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

### **(14) Elder abuse**

The term “elder abuse” means any action against a person who is 50 years of age or older that constitutes the willful—

(A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or

(B) deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness.

### **(15) Female genital mutilation or cutting**

The term “female genital mutilation or cutting” has the meaning given such term in section 116 of title 18.

### **(16) Forced marriage**

The term “forced marriage” means a marriage to which 1 or both parties do not or cannot consent, and in which 1 or more elements of force, fraud, or coercion is present. Forced marriage can be both a cause and a consequence of domestic violence, dating violence, sexual assault or stalking.

### **(17) Homeless**

The term “homeless” has the meaning given such term in section 12473 of this title.

### **(18) Indian**

The term “Indian” means a member of an Indian tribe.

### **(19) Indian country**

The term “Indian country” has the same meaning given such term in section 1151 of title 18.

### **(20) Indian housing**

The term “Indian housing” means housing assistance described in the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq., as amended).

### **(21) Indian law enforcement**

The term “Indian law enforcement” means the departments or individuals under the direction of the Indian tribe that maintain public order.

### **(22) Indian tribe; Indian Tribe**

The terms “Indian tribe” and “Indian Tribe” mean a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

### **(23) Law enforcement**

The term “law enforcement” means a public agency charged with policing functions, including any of its component bureaus (such as governmental victim services programs or Village Public Safety Officers), including those referred to in section 2802 of title 25.

### **(24) Legal assistance**

#### **(A) Definition**

The term “legal assistance” means assistance provided by or under the direct supervision of a person described in subparagraph (B) to an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking relating to a matter described in subparagraph (C).

#### **(B) Person described**

A person described in this subparagraph is—

(i) a licensed attorney;

(ii) in immigration proceedings, a Board of Immigration Appeals accredited representative;

(iii) in claims of the Department of Veterans Affairs, a representative authorized by the Secretary of Veterans Affairs; or

(iv) any person who functions as an attorney or lay advocate in tribal court.

#### **(C) Matter described**

A matter described in this subparagraph is a matter relating to—

(i) divorce, parental rights, child support, Tribal, territorial, immigration, employment, administrative agency, housing, campus, education, healthcare, privacy, contract, consumer, civil rights, protection or other injunctive proceedings, re-

lated enforcement proceedings, and other similar matters;

(ii) criminal justice investigations, prosecutions, and post-conviction matters (including sentencing, parole, and probation) that impact the victim's safety, privacy, or other interests as a victim;

(iii) alternative dispute resolution, restorative practices, or other processes intended to promote victim safety, privacy, and autonomy, and offender accountability, regardless of court involvement; or

(iv) with respect to a conviction of a victim relating to or arising from domestic violence, dating violence, sexual assault, stalking, or sex trafficking victimization of the victim, post-conviction relief proceedings in State, local, Tribal, or territorial court.

#### **(D) Intake or referral**

For purposes of this paragraph, intake or referral, by itself, does not constitute legal assistance.

#### **(25) Personally identifying information or personal information**

The term “personally identifying information” or “personal information” means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

(A) a first and last name;

(B) a home or other physical address;

(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

(D) a social security number, driver license number, passport number, or student identification number; and

(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.

#### **(26) Population specific organization**

The term “population specific organization” means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

#### **(27) Population specific services**

The term “population specific services” means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.

#### **(28) Prosecution**

The term “prosecution” means any public agency charged with direct responsibility for prosecuting criminal offenders, including such agency's component bureaus (such as governmental victim assistance programs).

#### **(29) Protection order or restraining order**

The term “protection order” or “restraining order” includes—

(A) any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence or contact or communication with or physical proximity to, another person, including any temporary or final orders issued by civil or criminal courts whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and

(B) any support, child custody or visitation provisions, orders, remedies, or relief issued as part of a protection order, restraining order, or stay away injunction pursuant to State, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.

#### **(30) Rape crisis center**

The term “rape crisis center” means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in section 12511(b)(2)(C) of this title, to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.

#### **(31) Restorative practice**

The term “restorative practice” means a practice relating to a specific harm that—

(A) is community-based and unaffiliated with any civil or criminal legal process;

(B) is initiated by a victim of the harm;

(C) involves, on a voluntary basis and without any evidence of coercion or intimidation of any victim of the harm by any individual who committed the harm or anyone associated with any such individual—

(i) 1 or more individuals who committed the harm;

(ii) 1 or more victims of the harm; and

(iii) the community affected by the harm through 1 or more representatives of the community;

(D) shall include and has the goal of—

(i) collectively seeking accountability from 1 or more individuals who committed the harm;

(ii) developing a written process whereby 1 or more individuals who committed the harm will take responsibility for the actions that caused harm to 1 or more victims of the harm; and

(iii) developing a written course of action plan—

(I) that is responsive to the needs of 1 or more victims of the harm; and

(II) upon which 1 or more victims, 1 or more individuals who committed the harm, and the community can agree; and

(E) is conducted in a victim services framework that protects the safety and supports the autonomy of 1 or more victims of the harm and the community.

**(32) Rural area and rural community**

The term “rural area” and “rural community” mean—

(A) any area or community, respectively, no part of which is within an area designated as a standard metropolitan statistical area by the Office of Management and Budget;

(B) any area or community, respectively, that is—

(i) within an area designated as a metropolitan statistical area or considered as part of a metropolitan statistical area; and  
(ii) located in a rural census tract; or

(C) any federally recognized Indian tribe.

**(33) Rural State**

The term “rural State” means a State that has a population density of 57 or fewer persons per square mile or a State in which the largest county has fewer than 250,000 people, based on the most recent decennial census.

**(34) Sex trafficking**

The term “sex trafficking” means any conduct proscribed by section 1591 of title 18, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.

**(35) Sexual assault**

The term “sexual assault” means any non-consensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.

**(36) Stalking**

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) fear for his or her safety or the safety of others; or

(B) suffer substantial emotional distress.

**(37) State**

The term “State” means each of the several States and the District of Columbia, and except as otherwise provided, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

**(38) State domestic violence coalition**

The term “State domestic violence coalition” means a program determined by the Administration for Children and Families under sections 10402 and 10411 of title 42.

**(39) State sexual assault coalition**

The term “State sexual assault coalition” means a program determined by the Center for Injury Prevention and Control of the Centers for Disease Control and Prevention under the Public Health Service Act (42 U.S.C. 280b et seq.).

**(40) Technological abuse**

The term “technological abuse” means an act or pattern of behavior that occurs within domestic violence, sexual assault, dating violence or stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.

**(41) Territorial domestic violence or sexual assault coalition**

The term “territorial domestic violence or sexual assault coalition” means a program addressing domestic or sexual violence that is—

(A) an established nonprofit, nongovernmental territorial coalition addressing domestic violence or sexual assault within the territory; or

(B) a nongovernmental organization with a demonstrated history of addressing domestic violence or sexual assault within the territory that proposes to incorporate as a nonprofit, nongovernmental territorial coalition.

**(42) Tribal coalition**

The term “tribal coalition” means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

(A) provides education, support, and technical assistance to member Indian service providers, Native Hawaiian organizations, or the Native Hawaiian community in a manner that enables those member providers, organizations, or communities to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian or Native Hawaiian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

(B) is comprised of board and general members that are representative of—

(i) the member service providers, organizations, or communities described in subparagraph (A); and

(ii) the tribal communities or Native Hawaiian communities in which the services are being provided.

**(43) Tribal government**

The term “tribal government” means—

(A) the governing body of an Indian tribe; or

(B) a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

**(44) Tribal nonprofit organization**

The term “tribal nonprofit organization” means—

(A) a victim services provider that has as its primary purpose to assist Native victims of domestic violence, dating violence, sexual assault, or stalking; and

(B) staff and leadership of the organization must include persons with a demonstrated history of assisting American Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, or stalking.

**(45) Tribal organization**

The term “tribal organization” means—

(A) the governing body of any Indian tribe;

(B) any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body of a tribe or tribes to be served, or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities; or

(C) any tribal nonprofit organization.

**(46) Underserved populations**

The term “underserved populations” means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.

**(47) Unit of local government**

The term “unit of local government” means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

**(48) Victim advocate**

The term “victim advocate” means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a victim services program.

**(49) Victim assistant**

The term “victim assistant” means a person, whether paid or serving as a volunteer, who provides services to victims of domestic violence, sexual assault, stalking, or dating violence under the auspices or supervision of a court or a law enforcement or prosecution agency.

**(50) Victim service provider**

The term “victim service provider” means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a docu-

mented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.

**(51) Victim services or services**

The terms “victim services” and “services” mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal assistance and legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

**(52) Youth**

The term “youth” means a person who is 11 to 24 years old.

**(b) Grant conditions****(1) Match**

No matching funds shall be required for any grant or subgrant made under this Act for—

(A) any tribe, territory, or victim service provider; or

(B) any other entity, including a State, that—

(i) petitions for a waiver of any match condition imposed by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development; and

(ii) whose petition for waiver is determined by the Attorney General or the Secretaries of Health and Human Services or Housing and Urban Development to have adequately demonstrated the financial need of the petitioning entity.

**(2) Nondisclosure of confidential or private information****(A) In general**

In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this subchapter shall protect the confidentiality and privacy of persons receiving services.

**(B) Nondisclosure**

Subject to subparagraphs (C) and (D), grantees and subgrantees shall not—

(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal

incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

**(C) Release**

If release of information described in subparagraph (B) is compelled by statutory or court mandate—

(i) grantees and subgrantees shall make reasonable attempts to provide notice to victims affected by the disclosure of information; and

(ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

**(D) Information sharing**

(i) Grantees and subgrantees may share—

(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(ii) In no circumstances may—

(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.

**(E) Statutorily mandated reports of abuse or neglect**

Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.

**(F) Oversight**

Nothing in this paragraph shall prevent the Attorney General from disclosing grant

activities authorized in this Act to the chairman and ranking members of the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

**(G) Confidentiality assessment and assurances**

Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

**(H) Death of the party whose privacy had been protected**

In the event of the death of any victim whose confidentiality and privacy is required to be protected under this subsection, grantees and subgrantees may share personally identifying information or individual information that is collected about deceased victims being sought for a fatality review to the extent permitted by their jurisdiction's law and only if the following conditions are met:

(i) The underlying objectives of the fatality review are to prevent future deaths, enhance victim safety, and increase offender accountability.

(ii) The fatality review includes policies and protocols to protect identifying information, including identifying information about the victim's children, from further release outside the fatality review team.

(iii) The grantee or subgrantee makes a reasonable effort to get a release from the victim's personal representative (if one has been appointed) and from any surviving minor children or the guardian of such children (but not if the guardian is the abuser of the deceased parent), if the children are not capable of knowingly consenting.

(iv) The information released is limited to that which is necessary for the purposes of the fatality review.

**(3) Approved activities**

In carrying out the activities under this subchapter, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking if—

(A) the confidentiality and privacy requirements of this subchapter are maintained; and

(B) personally identifying information about adult, youth, and child victims of domestic violence, dating violence, sexual assault, and stalking is not requested or included in any such collaboration or information-sharing.

**(4) Non-supplantation**

Any Federal funds received under this subchapter shall be used to supplement, not supplant, non-Federal funds that would otherwise be available for activities under this subchapter.

**(5) Use of funds**

Funds authorized and appropriated under this subchapter may be used only for the specific purposes described in this subchapter and shall remain available until expended.

**(6) Reports**

An entity receiving a grant under this subchapter shall submit to the disbursing agency a report detailing the activities undertaken with the grant funds, including and providing additional information as the agency shall require.

**(7) Evaluation**

Federal agencies disbursing funds under this subchapter shall set aside up to 3 percent of such funds in order to conduct—

(A) evaluations of specific programs or projects funded by the disbursing agency under this subchapter or related research; or

(B) evaluations of promising practices or problems emerging in the field or related research, in order to inform the agency or agencies as to which programs or projects are likely to be effective or responsive to needs in the field.

Final reports of such evaluations shall be made available to the public via the agency's website.

**(8) Nonexclusivity**

Nothing in this subchapter shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this subchapter.

**(9) Prohibition on tort litigation**

Funds appropriated for the grant program under this subchapter may not be used to fund civil representation in a lawsuit based on a tort claim. This paragraph should not be construed as a prohibition on providing assistance to obtain restitution in a protection order or criminal case.

**(10) Prohibition on lobbying**

Any funds appropriated for the grant program shall be subject to the prohibition in section 1913 of title 18, relating to lobbying with appropriated moneys.

**(11) Technical assistance****(A) In general**

Of the total amounts appropriated under this subchapter, not less than 3 percent and up to 8 percent, unless otherwise noted, shall be available for providing training and technical assistance relating to the purposes of this subchapter to improve the capacity of the grantees, subgrantees, and other entities. If there is a demonstrated history that the Office on Violence Against Women has previously set aside amounts greater than 8

percent for technical assistance and training relating to grant programs authorized under this subchapter, the Office has the authority to continue setting aside amounts greater than 8 percent.

**(B) Requirement**

The Office on Violence Against Women shall make all technical assistance available as broadly as possible to any appropriate grantees, subgrantees, potential grantees, or other entities without regard to whether the entity has received funding from the Office on Violence Against Women for a particular program or project, with priority given to recipients awarded a grant before March 15, 2022.

**(12) Delivery of legal assistance**

Any grantee or subgrantee providing legal assistance with funds awarded under this subchapter shall comply with the eligibility requirements in section 20121(d) of this title.

**(13) Civil rights****(A) Nondiscrimination**

No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080),<sup>2</sup> the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

**(B) Exception**

If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

**(C) Discrimination**

The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 10228 of this title.<sup>2</sup>

**(D) Construction**

Nothing contained in this paragraph shall be construed, interpreted, or applied to sup-

<sup>2</sup> See References in Text note below.



plant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

**(14) Clarification of victim services and legal assistance**

Victim services and legal assistance under this subchapter also include services and assistance to—

(A) victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 7102 of title 22;

(B) adult survivors of child sexual abuse; and

(C) victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of female genital mutilation or cutting, or forced marriage.

**(15) Accountability**

All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

**(A) Audit requirement**

**(i) In general**

Beginning in the first fiscal year beginning after the date of the enactment of this Act,<sup>2</sup> and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

**(ii) Definition**

In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

**(iii) Technical assistance**

A recipient of grant funds under this Act that is found to have an unresolved audit finding shall be eligible to receive prompt, individualized technical assistance to resolve the audit finding and to prevent future findings, for a period not to exceed the following 2 fiscal years.

**(iv) Priority**

In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

**(v) Reimbursement**

If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

**(B) Nonprofit organization requirements**

**(i) Definition**

For purposes of this paragraph and the grant programs described in this Act, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of title 26 and is exempt from taxation under section 501(a) of such title.

**(ii) Prohibition**

The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of title 26.

**(iii) Disclosure**

Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

**(C) Conference expenditures**

**(i) Limitation**

No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$100,000 in Department funds, unless the Director or Principal Deputy Director of the Office on Violence Against Women or the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

**(ii) Written approval**

Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

**(iii) Report**

The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

**(D) Annual certification**

Beginning in the first fiscal year beginning after the date of the enactment of this Act,<sup>2</sup> the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

(iii) all reimbursements required under subparagraph (A)(v) have been made; and

(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.

**(16) Innovation fund**

Of the amounts appropriated to carry out this subchapter, not more than 1 percent shall be made available for pilot projects, demonstration projects, and special initiatives designed to improve Federal, State, local, Tribal, and other community responses to gender-based violence.

(Pub. L. 103-322, title IV, §40002, as added Pub. L. 109-162, §3(a), Jan. 5, 2006, 119 Stat. 2964; amended Pub. L. 109-271, §§1(d)–(f), 2(e), Aug. 12, 2006, 120 Stat. 751, 752; Pub. L. 111-320, title II, §202(d), Dec. 20, 2010, 124 Stat. 3509; Pub. L. 113-4, §3, Mar. 7, 2013, 127 Stat. 56; Pub. L. 117-103, div. W, §2(a), Mar. 15, 2022, 136 Stat. 840; Pub. L. 117-315, §2(b), Dec. 27, 2022, 136 Stat. 4404.)

**Editorial Notes****REFERENCES IN TEXT**

This subchapter, referred to in text, was in the original “this title”, meaning title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902, known as the Violence Against Women Act of 1994. For complete classification of title IV to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

The Alaska Native Claims Settlement Act, referred to in subsec. (a)(2), (22), (43)(B), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

The Native American Housing Assistance and Self-Determination Act of 1996, referred to in subsec. (a)(20), is Pub. L. 104-330, Oct. 26, 1996, 110 Stat. 4016, which is classified principally to chapter 43 (§4101 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 4101 of Title 25 and Tables.

The Public Health Service Act, referred to in subsec. (a)(39), is act July 1, 1944, ch. 373, 58 Stat. 682, which is classified generally to chapter 6A (§201 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 201 of Title 42 and Tables.

This Act, referred to in subsec. (b)(1), (2)(F), (15), is Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1796, known as the Violence Crime Control and Law Enforcement Act of 1994. For complete classification of this Act to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

The Violence Against Women Act of 1994, referred to in subsec. (b)(13)(A), is title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902. For complete classification of this Act to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

The Violence Against Women Act of 2000, referred to in subsec. (b)(13)(A), is div. B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491. For complete classification of this Act to the Code, see Short Title of 2000 Act note set out under section 10101 of this title and Tables.

The Violence Against Women and Department of Justice Reauthorization Act of 2005, referred to in subsec. (b)(13)(A), is Pub. L. 109-162, Jan. 5, 2006, 119 Stat. 2960. For complete classification of this Act to the Code, see Short Title of 2006 Act note set out under section 10101 of this title and Tables.

The Violence Against Women Reauthorization Act of 2013, referred to in subsec. (b)(13)(A), is Pub. L. 113-4, Mar. 7, 2013, 127 Stat. 54. For complete classification of this Act to the Code, see Short Title of 2013 Act note set out under section 10101 of this title and Tables.

Section 10228 of this title, referred to in subsec. (b)(13)(C), was in the original a reference to “section 3789d of title 42, United States Code” but probably should have been a reference to section 809 of Pub. L. 90-351, which was formerly classified to section 3789d of Title 42, The Public Health and Welfare, prior to editorial reclassification as section 10228 of this title.

The date of the enactment of this Act, referred to in subsec. (b)(15)(A)(i), (D), probably means the date of enactment of Pub. L. 113-4, which enacted subsec. (b)(16) [now (b)(15)] of this section and was approved Mar. 7, 2013.

**CODIFICATION**

Section was formerly classified to section 13925 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**

2022—Subsec. (a). Pub. L. 117-103, §2(a)(1)(A), substituted “In this subchapter, for the purpose of grants authorized under this subchapter” for “In this subchapter” in introductory provisions.

Subsec. (a)(1), (2). Pub. L. 117-103, §2(a)(1)(N), (O), added par. (1) and redesignated former par. (1) as (2). Former par. (2) redesignated (7).

Subsec. (a)(4), (5). Pub. L. 117-103, §2(a)(1)(M), redesignated pars. (4) and (5) as (5) and (4), respectively, and transferred par. (4) to appear after par. (3).

Subsec. (a)(6). Pub. L. 117-103, §2(a)(1)(P), added par. (6). Former par. (6) redesignated (8).

Subsec. (a)(7). Pub. L. 117-103, §2(a)(1)(L), redesignated par. (2) as (7) and transferred it to appear before par. (8). Former par. (7) redesignated (9).

Subsec. (a)(8), (9). Pub. L. 117-103, §2(a)(1)(K), redesignated pars. (6) and (7) as (8) and (9), respectively. Former pars. (8) and (9) redesignated (12) and (10), respectively.

Subsec. (a)(10), (11). Pub. L. 117-103, §2(a)(1)(I), redesignated pars. (9) and (10) as (10) and (11), respectively. Former par. (11) redesignated (14).

Subsec. (a)(12). Pub. L. 117-103, §2(a)(1)(Q), substituted “includes felony or misdemeanor crimes committed by

a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who—” and subpars. (A) to (D) for “includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

Pub. L. 117–103, §2(a)(1)(J), redesignated par. (8) as (12) and transferred it to appear after par. (11). Former par. (12) redesignated (17).

Subsec. (a)(13) to (16). Pub. L. 117–103, §2(a)(1)(H), (R), (S), added pars. (13), (15) and (16) and redesignated par. (11) as (14). Former pars. (13) to (16) redesignated (18) to (20) and (22), respectively.

Subsec. (a)(17). Pub. L. 117–103, §2(a)(1)(T), added par. (17) and struck out former par. (17). Prior to amendment, text read as follows: “The term ‘homeless’ has the meaning provided in section 12473(6) of this title.”

Pub. L. 117–103, §2(a)(1)(G), redesignated par. (12) as (17). Former par. (17) redesignated (21).

Subsec. (a)(18) to (21). Pub. L. 117–103, §2(a)(1)(F), (G), redesignated pars. (13) to (15) and (17) as (18) to (21), respectively. Former pars. (18) to (21) redesignated (23) to (26), respectively.

Subsec. (a)(22). Pub. L. 117–103, §2(a)(1)(U), inserted “; Indian Tribe” after “tribe” in heading and substituted “terms ‘Indian tribe’ and ‘Indian Tribe’ mean” for “term ‘Indian tribe’ means” in text.

Pub. L. 117–103, §2(a)(1)(F), redesignated par. (16) as (22) and transferred it to appear before par. (23). Former par. (22) redesignated (27).

Subsec. (a)(23). Pub. L. 117–103, §2(a)(1)(E), redesignated par. (18) as (23). Former par. (23) redesignated (28).

Subsec. (a)(24). Pub. L. 117–103, §2(a)(1)(V), added par. (24) and struck out former par. (24). Prior to amendment, text read as follows: “The term ‘legal assistance’ includes assistance to adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in—

“(A) family, tribal, territorial, immigration, employment, administrative agency, housing matters, campus administrative or protection or stay away order proceedings, and other similar matters; and

“(B) criminal justice investigations, prosecutions and post-trial matters (including sentencing, parole, and probation) that impact the victim’s safety and privacy.

“Intake or referral, by itself, does not constitute legal assistance.”

Pub. L. 117–103, §2(a)(1)(E), redesignated par. (19) as (24). Former par. (24) redesignated (29).

Subsec. (a)(25) to (30). Pub. L. 117–103, §2(a)(1)(E), redesignated pars. (20) to (25) as (25) to (30), respectively. Former pars. (26) to (30) redesignated (32) to (36), respectively.

Subsec. (a)(31). Pub. L. 117–103, §2(a)(1)(W), added par. (31). Former par. (31) redesignated (37).

Subsec. (a)(32) to (39). Pub. L. 117–103, §2(a)(1)(D), redesignated pars. (26) to (33) as (32) to (39), respectively. Former pars. (34) to (39) redesignated (41) to (46), respectively.

Subsec. (a)(40). Pub. L. 117–103, §2(a)(1)(X), added par. (40). Former par. (40) redesignated (47).

Subsec. (a)(41), (42). Pub. L. 117–103, §2(a)(1)(C), redesignated pars. (34) and (35) as (41) and (42), respectively.

Former pars. (41) and (42) redesignated (48) and (49), respectively.

Subsec. (a)(42)(A). Pub. L. 117–315, §2(b)(1), inserted “, Native Hawaiian organizations, or the Native Hawaiian community” after “Indian service providers”, “, organizations, or communities” after “member providers”, and “or Native Hawaiian” after “designed to assist Indian”.

Subsec. (a)(42)(B)(i). Pub. L. 117–315, §2(b)(2)(A), inserted “, organizations, or communities” after “member service providers”.

Subsec. (a)(42)(B)(ii). Pub. L. 117–315, §2(b)(2)(B), inserted “or Native Hawaiian communities” after “tribal communities”.

Subsec. (a)(43) to (49). Pub. L. 117–103, §2(a)(1)(C), redesignated pars. (36) to (42) as (43) to (49), respectively. Former pars. (43) to (45) redesignated (50) to (52), respectively.

Subsec. (a)(50). Pub. L. 117–103, §2(a)(1)(B), redesignated par. (43) as (50).

Subsec. (a)(51). Pub. L. 117–103, §2(a)(1)(Y), inserted “legal assistance and” before “legal advocacy”.

Pub. L. 117–103, §2(a)(1)(B), redesignated par. (44) as (51).

Subsec. (a)(52). Pub. L. 117–103, §2(a)(1)(B), redesignated par. (45) as (52).

Subsec. (b)(2)(H). Pub. L. 117–103, §2(a)(2)(A), added subpar. (H).

Subsec. (b)(3). Pub. L. 117–103, §2(a)(2)(B), substituted “if—” and subpars. (A) and (B) for period at end.

Subsec. (b)(11). Pub. L. 117–103, §2(a)(2)(C), designated existing provisions as subpar. (A), inserted heading and added subpar. (B).

Subsec. (b)(14). Pub. L. 117–103, §2(a)(2)(D), substituted “to—” for “to”, inserted subpar. (A) designation before “victims of domestic violence”, and added subpars. (B) and (C).

Subsec. (b)(15). Pub. L. 117–103, §2(a)(2)(E), (F), redesignated par. (16) as (15) and struck out former par. (15) which related to establishment of biennial conferral process.

Subsec. (b)(15)(A)(iii). Pub. L. 117–103, §2(a)(2)(G)(i), added cl. (iii) and struck out former cl. (iii). Prior to amendment, text read as follows: “A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.”

Subsec. (b)(15)(C)(i). Pub. L. 117–103, §2(a)(2)(G)(ii), substituted “\$100,000” for “\$20,000” and, which directed the insertion of “the Director or Principal Deputy Director of the Office on Violence Against Women or” before “the Deputy Attorney General”, was executed by making the insertion before “the Deputy Attorney General or”, to reflect the probable intent of Congress.

Subsec. (b)(16). Pub. L. 117–103, §2(a)(2)(H), added par. (16). Former par. (16) redesignated (15).

2013—Subsec. (a)(1). Pub. L. 113–4, §3(a)(3), added par. (1). Former par. (1) redesignated (2).

Subsec. (a)(2). Pub. L. 113–4, §3(a)(2)(H), redesignated par. (1) as (2). Former par. (2) redesignated (3).

Subsec. (a)(3). Pub. L. 113–4, §3(a)(4), substituted “serious harm to an unemancipated minor.” for “serious harm.”

Pub. L. 113–4, §3(a)(2)(H), redesignated par. (2) as (3). Former par. (3) redesignated (4).

Subsec. (a)(4). Pub. L. 113–4, §3(a)(5), substituted “The term ‘community-based organization’ means a non-profit, nongovernmental, or tribal organization that serves a specific geographic community that—” for “The term ‘community-based organization’ means an organization that—” in introductory provisions.

Pub. L. 113–4, §3(a)(2)(H), redesignated par. (3) as (4). Former par. (4) redesignated (5).

Subsec. (a)(5). Pub. L. 113–4, §3(a)(2)(H), redesignated par. (4) as (5).

Pub. L. 113–4, §3(a)(1), struck out par. (5), which defined “court-based” and “court-related personnel”.

Subsec. (a)(6), (7). Pub. L. 113–4, §3(a)(6), added pars. (6) and (7). Former pars. (6) and (7) redesignated (8) and (9), respectively.

Subsec. (a)(8). Pub. L. 113-4, §3(a)(7), inserted “or intimate partner” after “former spouse” and after “as a spouse”.

Pub. L. 113-4, §3(a)(2)(G), redesignated par. (6) as (8). Former par. (8) redesignated (10).

Subsec. (a)(9) to (11). Pub. L. 113-4, §3(a)(2)(G), redesignated pars. (7) to (9) as (9) to (11), respectively. Former pars. (10) and (11) redesignated (13) and (14), respectively.

Subsec. (a)(12). Pub. L. 113-4, §3(a)(8), added par. (12). Former par. (12) redesignated (15).

Subsec. (a)(13) to (16). Pub. L. 113-4, §3(a)(2)(F), redesignated pars. (10) to (13) as (13) to (16), respectively. Former pars. (14) to (16) redesignated (17) to (19), respectively.

Subsec. (a)(17). Pub. L. 113-4, §3(a)(2)(F), redesignated par. (14) as (17).

Pub. L. 113-4, §3(a)(1), struck out par. (17), which defined “linguistically and culturally specific services”.

Subsec. (a)(18). Pub. L. 113-4, §3(a)(9), inserted “or Village Public Safety Officers” after “governmental victim services programs”.

Pub. L. 113-4, §3(a)(2)(F), redesignated par. (15) as (18).

Pub. L. 113-4, §3(a)(1), struck out par. (18), which defined “personally identifying information” or “personal information”.

Subsec. (a)(19). Pub. L. 113-4, §3(a)(10), inserted at end “Intake or referral, by itself, does not constitute legal assistance.”

Pub. L. 113-4, §3(a)(2)(F), redesignated par. (16) as (19). Former par. (19) redesignated (23).

Subsec. (a)(20) to (22). Pub. L. 113-4, §3(a)(11), added pars. (20) to (22). Former pars. (20), (21), and (22) redesignated (24), (26), and (27), respectively.

Subsec. (a)(23). Pub. L. 113-4, §3(a)(12), substituted “assistance” for “services”.

Pub. L. 113-4, §3(a)(2)(E), redesignated par. (19) as (23).

Pub. L. 113-4, §3(a)(1), struck out par. (23), which defined “sexual assault”.

Subsec. (a)(24). Pub. L. 113-4, §3(a)(2)(E), redesignated par. (20) as (24). Former par. (24) redesignated (30).

Subsec. (a)(25). Pub. L. 113-4, §3(a)(13), added par. (25). Former par. (25) redesignated (31).

Subsec. (a)(26). Pub. L. 113-4, §3(a)(2)(D), redesignated par. (21) as (26). Former par. (26) redesignated (32).

Subsec. (a)(26)(C). Pub. L. 113-4, §3(a)(14), added subpar. (C).

Subsec. (a)(27). Pub. L. 113-4, §3(a)(15), substituted “57” for “52” and “250,000” for “150,000”.

Pub. L. 113-4, §3(a)(2)(D), redesignated par. (22) as (27). Former par. (27) redesignated (33).

Subsec. (a)(28). Pub. L. 113-4, §3(a)(16), added par. (28). Former par. (28) redesignated (34).

Subsec. (a)(29). Pub. L. 113-4, §3(a)(16), added par. (29).

Pub. L. 113-4, §3(a)(1), struck out par. (29) which defined “tribal coalition”.

Subsec. (a)(30) to (32). Pub. L. 113-4, §3(a)(2)(C), redesignated pars. (24) to (26) as (30) to (32), respectively. Former pars. (30) to (32) redesignated (36) to (38), respectively.

Subsec. (a)(33). Pub. L. 113-4, §3(a)(2)(C), redesignated par. (27) as (33).

Pub. L. 113-4, §3(a)(1), struck out par. (33) which defined “underserved populations”.

Subsec. (a)(34). Pub. L. 113-4, §3(a)(2)(C), redesignated par. (28) as (34). Former par. (34) redesignated (41).

Subsec. (a)(35). Pub. L. 113-4, §3(a)(17), added par. (35). Former par. (35) redesignated (42).

Subsec. (a)(36), (37). Pub. L. 113-4, §3(a)(2)(B), redesignated pars. (30) and (31) as (36) and (37), respectively.

Pub. L. 113-4, §3(a)(1), struck out pars. (36) and (37), which defined “victim services” or “victim service provider” and “youth”, respectively.

Subsec. (a)(38). Pub. L. 113-4, §3(a)(2)(B), redesignated par. (32) as (38).

Subsec. (a)(39), (40). Pub. L. 113-4, §3(a)(18), added pars. (39) and (40).

Subsec. (a)(41), (42). Pub. L. 113-4, §3(a)(2)(A), redesignated pars. (34) and (35) as (41) and (42), respectively.

Subsec. (a)(43) to (45). Pub. L. 113-4, §3(a)(19), added pars. (43) to (45).

Subsec. (b)(2)(B). Pub. L. 113-4, §3(b)(1)(A), added cls. (i) and (ii) and concluding provisions, and struck out former cls. (i) and (ii) which read as follows:

“(i) disclose any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees’ and subgrantees’ programs; or

“(ii) reveal individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of persons with disabilities, the guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, person with disabilities, or the abuser of the other parent of the minor.”

Subsec. (b)(2)(D). Pub. L. 113-4, §3(b)(1)(B), amended subpar. (D) generally. Prior to amendment, text read as follows: “Grantees and subgrantees may share—

“(i) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

“(ii) court-generated information and law-enforcement generated information contained in secure, governmental registries for protection order enforcement purposes; and

“(iii) law enforcement- and prosecution-generated information necessary for law enforcement and prosecution purposes.”

Subsec. (b)(2)(E) to (G). Pub. L. 113-4, §3(b)(1)(C)–(E), added subpars. (E) and (G) and redesignated former subpar. (E) as (F).

Subsec. (b)(3). Pub. L. 113-4, §3(b)(2), added par. (3) and struck out former par. (3). Prior to amendment, text read as follows: “In carrying out the activities under this subchapter, grantees and subgrantees may collaborate with and provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.”

Subsec. (b)(7). Pub. L. 113-4, §3(b)(3), inserted at end “Final reports of such evaluations shall be made available to the public via the agency’s website.”

Subsec. (b)(12) to (16). Pub. L. 113-4, §3(b)(4), added pars. (12) to (16).

2010—Subsec. (a)(26). Pub. L. 111-320 substituted “under sections 10402 and 10411 of this title” for “under the Family Violence Prevention and Services Act (42 U.S.C. 10410(b))”.

2006—Subsec. (a)(1). Pub. L. 109-271, §1(e)(1), substituted “Alaska Native” for “Alaskan”.

Subsec. (a)(23). Pub. L. 109-271, §1(d), substituted “proscribed” for “prescribed”.

Subsec. (a)(31) to (37). Pub. L. 109-271, §1(e)(2), (3), added par. (31) and redesignated former pars. (31) to (36) as (32) to (37), respectively.

Subsec. (b)(1). Pub. L. 109-271, §1(f), added par. (1) and struck out former par. (1) which read as follows: “No matching funds shall be required for a grant or subgrant made under this subchapter for any tribe, territory, victim service provider, or any entity that the Attorney General determines has adequately demonstrated financial need.”

Subsec. (b)(11). Pub. L. 109-271, §2(e), inserted “Of the total amounts appropriated under this subchapter, not less than 3 percent and up to 8 percent, unless otherwise noted, shall be available for providing training and technical assistance relating to the purposes of this subchapter to improve the capacity of the grantees, subgrantees, and other entities.” before “If there is a demonstrated history”.

## Statutory Notes and Related Subsidiaries

### EFFECTIVE DATE OF 2022 AMENDMENT

Amendment by Pub. L. 117-315 effective one day after Dec. 27, 2022, see section 3 of Pub. L. 117-315, set out as a note under section 10441 of this title.

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.

#### FINDINGS

Pub. L. 109-162, title II, §201, Jan. 5, 2006, 119 Stat. 2993, provided that: "Congress finds the following:

"(1) Nearly  $\frac{1}{3}$  of American women report physical or sexual abuse by a husband or boyfriend at some point in their lives.

"(2) According to the National Crime Victimization Survey, 248,000 Americans 12 years of age and older were raped or sexually assaulted in 2002.

"(3) Rape and sexual assault in the United States is estimated to cost \$127,000,000,000 per year, including—

"(A) lost productivity;

"(B) medical and mental health care;

"(C) police and fire services;

"(D) social services;

"(E) loss of and damage to property; and

"(F) reduced quality of life.

"(4) Nonreporting of sexual assault in rural areas is a particular problem because of the high rate of non-stranger sexual assault.

"(5) Geographic isolation often compounds the problems facing sexual assault victims. The lack of anonymity and accessible support services can limit opportunities for justice for victims.

"(6) Domestic elder abuse is primarily family abuse. The National Elder Abuse Incidence Study found that the perpetrator was a family member in 90 percent of cases.

"(7) Barriers for older victims leaving abusive relationships include—

"(A) the inability to support themselves;

"(B) poor health that increases their dependence on the abuser;

"(C) fear of being placed in a nursing home; and

"(D) ineffective responses by domestic abuse programs and law enforcement.

"(8) Disabled women comprise another vulnerable population with unmet needs. Women with disabilities are more likely to be the victims of abuse and violence than women without disabilities because of their increased physical, economic, social, or psychological dependence on others.

"(9) Many women with disabilities also fail to report the abuse, since they are dependent on their abusers and fear being abandoned or institutionalized.

"(10) Of the 598 battered women's programs surveyed—

"(A) only 35 percent of these programs offered disability awareness training for their staff; and

"(B) only 16 percent dedicated a staff member to provide services to women with disabilities.

"(11) Problems of domestic violence are exacerbated for immigrants when spouses control the immigration status of their family members, and abusers use threats of refusal to file immigration papers and threats to deport spouses and children as powerful tools to prevent battered immigrant women from seeking help, trapping battered immigrant women in violent homes because of fear of deportation.

"(12) Battered immigrant women who attempt to flee abusive relationships may not have access to bilingual shelters or bilingual professionals, and face restrictions on public or financial assistance. They may also lack assistance of a certified interpreter in court, when reporting complaints to the police or a 9-1-1 operator, or even in acquiring information about their rights and the legal system.

"(13) More than 500 men and women call the National Domestic Violence Hotline every day to get immediate, informed, and confidential assistance to help deal with family violence.

"(14) The National Domestic Violence Hotline service is available, toll-free, 24 hours a day and 7 days a week, with bilingual staff, access to translators in 150 languages, and a TTY line for the hearing-impaired.

"(15) With access to over 5,000 shelters and service providers across the United States, Puerto Rico, and the United States Virgin Islands, the National Domestic Violence Hotline provides crisis intervention and immediately connects callers with sources of help in their local community.

"(16) Approximately 60 percent of the callers indicate that calling the Hotline is their first attempt to address a domestic violence situation and that they have not called the police or any other support services.

"(17) Between 2000 and 2003, there was a 27 percent increase in call volume at the National Domestic Violence Hotline.

"(18) Improving technology infrastructure at the National Domestic Violence Hotline and training advocates, volunteers, and other staff on upgraded technology will drastically increase the Hotline's ability to answer more calls quickly and effectively."

Pub. L. 109-162, title III, §301, Jan. 5, 2006, 119 Stat. 3003, provided that: "Congress finds the following:

"(1) Youth, under the age of 18, account for 67 percent of all sexual assault victimizations reported to law enforcement officials.

"(2) The Department of Justice consistently finds that young women between the ages of 16 and 24 experience the highest rate of non-fatal intimate partner violence.

"(3) In 1 year, over 4,000 incidents of rape or sexual assault occurred in public schools across the country.

"(4) Young people experience particular obstacles to seeking help. They often do not have access to money, transportation, or shelter services. They must overcome issues such as distrust of adults, lack of knowledge about available resources, or pressure from peers and parents.

"(5) A needs assessment on teen relationship abuse for the State of California, funded by the California Department of Health Services, identified a desire for confidentiality and confusion about the law as 2 of the most significant barriers to young victims of domestic and dating violence seeking help.

"(6) Only one State specifically allows for minors to petition the court for protection orders.

"(7) Many youth are involved in dating relationships, and these relationships can include the same kind of domestic violence and dating violence seen in the adult population. In fact, more than 40 percent of all incidents of domestic violence involve people who are not married.

"(8) 40 percent of girls ages 14 to 17 report knowing someone their age who has been hit or beaten by a boyfriend, and 13 percent of college women report being stalked.

"(9) Of college women who said they had been the victims of rape or attempted rape, 12.8 percent of completed rapes, 35 percent of attempted rapes, and 22.9 percent of threatened rapes took place on a date. Almost 60 percent of the completed rapes that occurred on campus took place in the victim's residence.

"(10) According to a 3-year study of student-athletes at 10 Division I universities, male athletes made up only 3.3 percent of the general male university population, but they accounted for 19 percent of the students reported for sexual assault and 35 percent of domestic violence perpetrators."

#### DEFINITIONS AND GRANT CONDITIONS

Pub. L. 117-103, div. W, §2(b), Mar. 15, 2022, 136 Stat. 846, provided that: "Section 4002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291) shall apply

to this Act [div. W of Pub. L. 107-103, see Tables for classification] and any grant program authorized under this Act.”

### Executive Documents

#### ESTABLISHMENT OF THE WHITE HOUSE TASK FORCE TO ADDRESS ONLINE HARASSMENT AND ABUSE

Memorandum of President of the United States, June 16, 2022, 87 F.R. 37431, provided:

Memorandum for the Heads of Executive Departments and Agencies

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve efforts to prevent and address online harassment and abuse, it is hereby ordered as follows:

**SECTION 1. *Policy.*** Technology platforms and social media can be vital tools for expression, civic participation, and building a sense of community. But the scale, reach, and amplification effects of technology platforms have also exacerbated gender-based violence, particularly through online harassment and abuse. Online harassment and abuse include a broad array of harmful and sometimes illegal behaviors that are perpetrated through the use of technology. Women, adolescent girls, and LGBTQI+ individuals, who may be additionally targeted because of their race, ethnicity, religion, and other factors, can experience more severe harms from online harassment and abuse. Online harassment and abuse take many forms, including the non-consensual distribution of intimate digital images; cyberstalking; sextortion; doxing; malicious deep fakes; gendered disinformation; rape and death threats; the online recruitment and exploitation of victims of sex trafficking; and various forms of technology-facilitated intimate partner abuse. In the United States, 1 in 3 women under the age of 35 reports having been sexually harassed online, and over half of LGBTQI+ individuals report having been the target of severe online abuse, including sustained harassment, physical threats, and stalking in addition to sexual harassment. Globally, half of girls report that they are more likely to be harassed through social media than on the street.

In the United States and around the world, women and LGBTQI+ political leaders, public figures, activists, and journalists are especially targeted by sexualized forms of online harassment and abuse, undermining their ability to exercise their human rights and participate in democracy, governance, and civic life. Online abuse and harassment, which aim to preclude women from political decision-making about their own lives and communities, undermine the functioning of democracy. Growing evidence also demonstrates that online radicalization can be linked to gender-based violence, which, along with other forms of abuse and harassment, spans the digital and physical realms. Online harassment and abuse can result in a range of dire consequences for victims, from psychological distress and self-censorship to economic losses, disruptions to education, increased self-harm, suicide, homicide, and other forms of physical and sexual violence. Further, digital technologies are often used in concert with other forms of abuse and harassment, underscoring the urgency of addressing the interplay of in-person and online harms. More research is needed to fully understand the nature, magnitude, and costs of these harms and ways to address them in the United States and globally.

Therefore, I am directing the Director of the White House Gender Policy Council and the Assistant to the President for National Security Affairs to lead an interagency effort to address online harassment and abuse, specifically focused on technology-facilitated gender-based violence, and to develop concrete recommendations to improve prevention, response, and protection efforts through programs and policies in the United States and globally.

**SEC. 2. *Establishment.*** There is established within the Executive Office of the President the White House Task

Force to Address Online Harassment and Abuse (Task Force).

**SEC. 3. *Membership.*** (a) The Director of the White House Gender Policy Council and the Assistant to the President for National Security Affairs, or their designees, shall serve as Co-Chairs of the Task Force.

(b) In addition to the Co-Chairs, the Task Force shall consist of the following members:

- (i) the Secretary of State;
- (ii) the Secretary of Defense;
- (iii) the Attorney General;
- (iv) the Secretary of Commerce;
- (v) the Secretary of Health and Human Services;
- (vi) the Secretary of Education;
- (vii) the Secretary of Veterans Affairs;
- (viii) the Secretary of Homeland Security;
- (ix) the Director of the Office of Science and Technology Policy;
- (x) the Assistant to the President and Director of the Domestic Policy Council;
- (xi) the Assistant to the President for Economic Policy and Director of the National Economic Council;
- (xii) the Administrator of the United States Agency for International Development;
- (xiii) the Counsel to the President;
- (xiv) the Counsel to the Vice President; and
- (xv) the heads of such other executive departments, agencies, and offices as the Co-Chairs may, from time to time, designate.

(c) A member of the Task Force may designate, to perform the Task Force functions of the member, senior officials within the member's executive department, agency, or office who are full-time officers or employees of the Federal Government.

**SEC. 4. *Mission and Function.*** (a) The Task Force shall work across executive departments, agencies, and offices to assess and address online harassment and abuse that constitute technology-facilitated gender-based violence, including by:

- (i) improving coordination among executive departments, agencies, and offices to maximize the Federal Government's effectiveness in preventing and addressing technology-facilitated gender-based violence in the United States and globally, including by developing policy solutions to enhance accountability for those who perpetrate online harms;
- (ii) enhancing and expanding data collection and research across the Federal Government to measure the costs, prevalence, exposure to, and impact of technology-facilitated gender-based violence, including by studying the mental health effects of abuse on social media, particularly affecting adolescents;
- (iii) increasing access to survivor-centered services, information, and support for victims, and increasing training and technical assistance for Federal, State, local, Tribal, and territorial governments as well as for global organizations and entities in the fields of criminal justice, health and mental health services, education, and victim services;
- (iv) developing programs and policies to address online harassment, abuse, and disinformation campaigns targeting women and LGBTQI+ individuals who are public and political figures, government and civic leaders, activists, and journalists in the United States and globally;
- (v) examining existing Federal laws, regulations, and policies to evaluate the adequacy of the current legal framework to address technology-facilitated gender-based violence; and
- (vi) identifying additional opportunities to improve efforts to prevent and address technology-facilitated gender-based violence in United States foreign policy and foreign assistance, including through the Global Partnership for Action on Gender-Based Online Harassment and Abuse.

(b) Consistent with the objectives of this memorandum and applicable law, the Task Force may consult with and gather relevant information from external stakeholders, including Federal, State, local, Tribal, and territorial government officials, as well as vic-

tim advocates, survivors, law enforcement personnel, researchers and academics, civil and human rights groups, philanthropic leaders, technology experts, legal and international policy experts, industry stakeholders, and other entities and persons the Task Force identifies that will assist the Task Force in accomplishing the objectives of this memorandum.

SEC. 5. *Reporting on the Work and Recommendations of the Task Force.* (a) Within 180 days of the date of this memorandum [June 16, 2022], the Co-Chairs of the Task Force shall submit to the President a blueprint (Initial Blueprint) outlining a whole-of-government approach to preventing and addressing technology-facilitated gender-based violence, including concrete actions that executive departments, agencies, and offices have committed to take to implement the Task Force's recommendations. The Initial Blueprint shall include a synopsis of key lessons from stakeholder consultations and preliminary recommendations for advancing strategies to improve efforts to prevent and address technology-facilitated gender-based violence. Following submission of the Initial Blueprint to the President, the Co-Chairs of the Task Force shall make an executive summary of the Initial Blueprint publicly available.

(b) Within 1 year of the date that the Initial Blueprint is submitted to the President, the Co-Chairs of the Task Force shall submit to the President and make publicly available an update and report (1-Year Report) with additional recommendations and actions that executive departments, agencies, and offices can take to advance how Federal, State, local, Tribal, and territorial governments; service providers; international organizations; technology platforms; schools; and other public and private entities can improve efforts to prevent and address technology-facilitated gender-based violence.

(c) Prior to issuing its Initial Blueprint and 1-Year Report, the Co-Chairs of the Task Force shall consolidate any input received and submit periodic recommendations to the President on policies, regulatory actions, and legislation on technology sector accountability to address systemic harms to people affected by online harassment and abuse.

(d) Following the submission of the 1-Year Report to the President, the Co-Chairs of the Task Force shall, on an annual basis, submit a follow-up report to the President on implementation of this memorandum.

SEC. 6. *Definition.* For the purposes of this memorandum, the term “technology-facilitated gender-based violence” shall refer to any form of gender-based violence, including harassment and abuse, which takes place through, or is aided by, the use of digital technologies and devices.

SEC. 7. *General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall not apply to independent regulatory agencies as described in section 3502(5) of title 44, United States Code. Independent regulatory agencies are nevertheless strongly encouraged to participate in the work of the Task Force.

(c) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(e) The Attorney General is authorized and directed to publish this memorandum in the Federal Register.

J.R. BIDEN, JR.

## PART A—SAFE STREETS FOR WOMEN

### SUBPART 1—SAFETY FOR WOMEN IN PUBLIC TRANSIT

#### § 12301. Grants for capital improvements to prevent crime in public transportation

##### (a) General purpose

There is authorized to be appropriated not to exceed \$10,000,000, for the Secretary of Transportation (referred to in this section as the “Secretary”) to make capital grants for the prevention of crime and to increase security in existing and future public transportation systems. None of the provisions of this Act may be construed to prohibit the financing of projects under this section where law enforcement responsibilities are vested in a local public body other than the grant applicant.

##### (b) Grants for lighting, camera surveillance, and security phones

(1) From the sums authorized for expenditure under this section for crime prevention, the Secretary is authorized to make grants and loans to States and local public bodies or agencies for the purpose of increasing the safety of public transportation by—

(A) increasing lighting within or adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages;

(B) increasing camera surveillance of areas within and adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages;

(C) providing emergency phone lines to contact law enforcement or security personnel in areas within or adjacent to public transportation systems, including bus stops, subway stations, parking lots, or garages; or

(D) any other project intended to increase the security and safety of existing or planned public transportation systems.

(2) From the sums authorized under this section, at least 75 percent shall be expended on projects of the type described in subsection (b)(1)(A) and (B).

##### (c) Reporting

All grants under this section are contingent upon the filing of a report with the Secretary and the Department of Justice, Office of Victims of Crime, showing crime rates in or adjacent to public transportation before, and for a 1-year period after, the capital improvement. Statistics shall be compiled on the basis of the type of crime, sex, race, ethnicity, language, and relationship of victim to the offender.

##### (d) Increased Federal share

Notwithstanding any other provision of law, the Federal share under this section for each capital improvement project that enhances the safety and security of public transportation systems and that is not required by law (including any other provision of this Act) shall be 90 percent of the net project cost of the project.

##### (e) Special grants for projects to study increasing security for women

From the sums authorized under this section, the Secretary shall provide grants and loans for