

A prior section 301 of Pub. L. 98-457, title III, Oct. 9, 1984, 98 Stat. 1757, provided a short title for title III of Pub. L. 98-457 and was set out as a note under former section 10401 of this title, prior to the general amendment of this chapter by Pub. L. 111-320.

Statutory Notes and Related Subsidiaries

PROGRAMS FOR SURVIVORS OF SEXUAL ASSAULT AND DOMESTIC VIOLENCE

Pub. L. 117-2, title II, §2204(b)-(d), Mar. 11, 2021, 135 Stat. 34, 35, provided that:

“(b) COVID-19 PUBLIC HEALTH EMERGENCY DEFINED.—In this section [amending section 10403 of this title], the term ‘COVID-19 public health emergency’ means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19, including any renewal of the declaration.

“(c) GRANTS TO SUPPORT CULTURALLY SPECIFIC POPULATIONS.—

“(1) IN GENERAL.—In addition to amounts otherwise made available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Secretary of Health and Human Services (in this section referred to as the ‘Secretary’), \$49,500,000 for fiscal year 2021, to be available until expended, to carry out this subsection (excluding Federal administrative costs, for which funds are appropriated under subsection (e)).

“(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary acting through the Director of the Family Violence Prevention and Services Program, shall—

“(A) support culturally specific community-based organizations to provide culturally specific activities for survivors of sexual assault and domestic violence, to address emergent needs resulting from the COVID-19 public health emergency and other public health concerns; and

“(B) support culturally specific community-based organizations that provide culturally specific activities to promote strategic partnership development and collaboration in responding to the impact of COVID-19 and other public health concerns on survivors of sexual assault and domestic violence.

“(d) GRANTS TO SUPPORT SURVIVORS OF SEXUAL ASSAULT.—

“(1) IN GENERAL.—In addition to amounts otherwise made available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Secretary, \$198,000,000 for fiscal year 2021, to be available until expended, to carry out this subsection (excluding Federal administrative costs, for which funds are appropriated under subsection (e)).

“(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary acting through the Director of the Family Violence Prevention and Services Program, shall assist rape crisis centers in transitioning to virtual services and meeting the emergency needs of survivors.”

STUDY OF TRAINING NEEDS OF HEALTH PROFESSIONALS

Pub. L. 105-392, title IV, §407(b), Nov. 13, 1998, 112 Stat. 3589, related to study by the Institute of Medicine concerning the training needs of health professionals with respect to the detection and referral of victims of family or acquaintance violence and required the Institute to submit a report to Congress concerning such study not later than 2 years after Nov. 13, 1998.

§ 10402. Definitions

In this chapter:

(1) Alaska Native

The term “Alaska Native” has the meaning given the term “Native” in section 1602 of title 43.

(2) Dating violence

The term “dating violence” has the meaning given such term in section 12291(a) of this title.

(3) Domestic violence

The term “domestic violence” has the meaning given such term in section 12291(a) of this title.

(4) Family violence

The term “family violence” means any act or threatened act of violence, including any forceful detention of an individual, that—

(A) results or threatens to result in physical injury; and

(B) is committed by a person against another individual (including an elderly individual) to or with whom such person—

(i) is related by blood;

(ii) is or was related by marriage or is or was otherwise legally related; or

(iii) is or was lawfully residing.

(5) Indian; Indian tribe; tribal organization

The terms “Indian”, “Indian tribe”, and “tribal organization” have the meanings given such terms in section 5304 of title 25.

(6) Native Hawaiian

The term “Native Hawaiian” has the meaning given the term in section 7517 of title 20.

(7) Personally identifying information

The term “personally identifying information” has the meaning given the term in section 12291(a) of this title.

(8) Secretary

The term “Secretary” means the Secretary of Health and Human Services.

(9) Shelter

The term “shelter” means the provision of temporary refuge and supportive services in compliance with applicable State law (including regulation) governing the provision, on a regular basis, of shelter, safe homes, meals, and supportive services to victims of family violence, domestic violence, or dating violence, and their dependents.

(10) State

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

(11) State Domestic Violence Coalition

The term “State Domestic Violence Coalition” means a statewide nongovernmental nonprofit private domestic violence organization that—

(A) has a membership that includes a majority of the primary-purpose domestic violence service providers in the State;

(B) has board membership that is representative of primary-purpose domestic violence service providers, and which may include representatives of the communities in which the services are being provided in the State;

(C) has as its purpose to provide education, support, and technical assistance to such service providers to enable the providers to establish and maintain shelter and supportive services for victims of domestic violence and their dependents; and

(D) serves as an information clearinghouse, primary point of contact, and resource center on domestic violence for the State and supports the development of policies, protocols, and procedures to enhance domestic violence intervention and prevention in the State.

(12) Supportive services

The term “supportive services” means services for adult and youth victims of family violence, domestic violence, or dating violence, and dependents exposed to family violence, domestic violence, or dating violence, that are designed to—

(A) meet the needs of such victims of family violence, domestic violence, or dating violence, and their dependents, for short-term, transitional, or long-term safety; and

(B) provide counseling, advocacy, or assistance for victims of family violence, domestic violence, or dating violence, and their dependents.

(13) Tribally designated official

The term “tribally designated official” means an individual designated by an Indian tribe, tribal organization, or nonprofit private organization authorized by an Indian tribe, to administer a grant under section 10409 of this title.

(14) Underserved populations

The term “underserved populations” has the meaning given the term in section 12291(a) of this title. For the purposes of this chapter, the Secretary has the same authority to determine whether a population is an underserved population as the Attorney General has under that section 12291(a)¹ of this title.

(Pub. L. 98-457, title III, §302, as added Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3484; amended Pub. L. 114-95, title IX, §9215(ii), Dec. 10, 2015, 129 Stat. 2175.)

Editorial Notes

PRIOR PROVISIONS

A prior section 10402, Pub. L. 98-457, title III, §303, Oct. 9, 1984, 98 Stat. 1757; Pub. L. 100-294, title III, §302, Apr. 25, 1988, 102 Stat. 124; Pub. L. 102-295, title III, §§303-309(a), 310, 311(a), May 28, 1992, 106 Stat. 201-203; Pub. L. 103-322, title IV, §40271, Sept. 13, 1994, 108 Stat. 1937; Pub. L. 104-235, title II, §201, Oct. 3, 1996, 110 Stat. 3089; Pub. L. 108-36, title IV, §§401, 415(2), (3), June 25, 2003, 117 Stat. 825, 830, related to authorization of State grants, prior to the general amendment of this chapter by Pub. L. 111-320. See section 10406 of this title.

A prior section 302 of Pub. L. 98-457 was classified to section 10401 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

AMENDMENTS

2015—Par. (6). Pub. L. 114-95 made technical amendment to reference in original act which appears in text as reference to 7517 of title 20.

¹ So in original.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of Title 20, Education.

§ 10403. Authorization of appropriations

(a) Formula grants to States

(1) In general

There is authorized to be appropriated to carry out sections 10401 through 10412 of this title, \$175,000,000 for each of fiscal years 2011 through 2015.

(2) Allocations

(A) Formula grants to States

(i) Reservation of funds

For any fiscal year for which the amounts appropriated under paragraph (1) exceed \$130,000,000, not less than 25 percent of such excess funds shall be made available to carry out section 10412 of this title.

(ii) Formula grants

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under clause (i), not less than 70 percent shall be used for making grants under section 10406(a) of this title.

(B) Grants to tribes

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 10 percent shall be used to carry out section 10409 of this title.

(C) Technical assistance and training centers

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 6 percent shall be used by the Secretary for making grants under section 10410 of this title.

(D) Grants for State Domestic Violence Coalitions

Of the amounts appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not less than 10 percent of such amounts shall be used by the Secretary for making grants under section 10411 of this title.

(E) Administration, evaluation and monitoring

Of the amount appropriated under paragraph (1) for a fiscal year and not reserved under subparagraph (A)(i), not more than 2.5 percent shall be used by the Secretary for evaluation, monitoring, and other administrative costs under this chapter.

(b) National domestic violence hotline

There is authorized to be appropriated to carry out section 10413 of this title \$3,500,000 for each of fiscal years 2011 through 2015.

(c) Domestic Violence Prevention Enhancement and Leadership Through Alliances

There is authorized to be appropriated to carry out section 10414 of this title \$6,000,000 for each of fiscal years 2011 through 2015.