

(iii) in the distribution of funds by a State under section 10408(a) of this title, the State will give special emphasis to the support of community-based projects of demonstrated effectiveness, that are carried out by nonprofit private organizations and that—

(I) have as their primary purpose the operation of shelters for victims of family violence, domestic violence, and dating violence, and their dependents; or

(II) provide counseling, advocacy, and self-help services to victims of family violence, domestic violence, and dating violence, and their dependents;

(C) in the case of an application submitted by a State, provide an assurance that there will be an equitable distribution of grants and grant funds within the State and between urban and rural areas within such State;

(D) in the case of an application submitted by a State, provide an assurance that the State will consult with and provide for the participation of the State Domestic Violence Coalition in the planning and monitoring of the distribution of grants to eligible entities as described in section 10408(a) of this title and the administration of the grant programs and projects;

(E) describe how the State or Indian tribe will involve community-based organizations, whose primary purpose is to provide culturally appropriate services to underserved populations, including how such community-based organizations can assist the State or Indian tribe in addressing the unmet needs of such populations;

(F) describe how activities and services provided by the State or Indian tribe are designed to reduce family violence, domestic violence, and dating violence, including how funds will be used to provide shelter, supportive services, and prevention services in accordance with section 10408(b) of this title;

(G) specify the State agency or tribally designated official to be designated as responsible for the administration of programs and activities relating to family violence, domestic violence, and dating violence, that are carried out by the State or Indian tribe under this chapter, and for coordination of related programs within the jurisdiction of the State or Indian tribe;

(H) provide an assurance that the State or Indian tribe has a law or procedure to bar an abuser from a shared household or a household of the abused person, which may include eviction laws or procedures, where appropriate; and

(I) meet such requirements as the Secretary reasonably determines are necessary to carry out the objectives and provisions of this chapter.

(b) Approval of application

(1) In general

The Secretary shall approve any application that meets the requirements of subsection (a) and section 10406 of this title. The Secretary shall not disapprove any application under

this subsection unless the Secretary gives the applicant reasonable notice of the Secretary's intention to disapprove and a 6-month period providing an opportunity for correction of any deficiencies.

(2) Correction of deficiencies

The Secretary shall give such notice, within 45 days after the date of submission of the application, if any of the provisions of subsection (a) or section 10406 of this title have not been satisfied in such application. If the State or Indian tribe does not correct the deficiencies in such application within the 6-month period following the receipt of the Secretary's notice, the Secretary shall withhold payment of any grant funds under section 10406 of this title to such State or under section 10409 of this title to such Indian tribe until such date as the State or Indian tribe provides documentation that the deficiencies have been corrected.

(3) State or tribal Domestic Violence Coalition participation in determinations of compliance

State Domestic Violence Coalitions, or comparable coalitions for Indian tribes, shall be permitted to participate in determining whether grantees for corresponding States or Indian tribes are in compliance with subsection (a) and section 10406(c) of this title, except that no funds made available under section 10411 of this title shall be used to challenge a determination about whether a grantee is in compliance with, or to seek the enforcement of, the requirements of this chapter.

(4) Failure to report; nonconforming expenditures

The Secretary shall suspend funding for an approved application if the applicant fails to submit an annual performance report under section 10406(d) of this title, or if funds are expended for purposes other than those set forth in section 10406(b) of this title, after following the procedures set forth in paragraphs (1), (2), and (3).

(Pub. L. 98-457, title III, §307, as added Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3493.)

Editorial Notes

PRIOR PROVISIONS

A prior section 10407, Pub. L. 98-457, title III, §308, Oct. 9, 1984, 98 Stat. 1761; Pub. L. 102-295, title III, §315, May 28, 1992, 106 Stat. 204; Pub. L. 103-322, title IV, §40272(b), Sept. 13, 1994, 108 Stat. 1937; Pub. L. 108-36, title IV, §404, June 25, 2003, 117 Stat. 826, related to information and technical assistance centers, prior to the general amendment of this chapter by Pub. L. 111-320. See section 10410 of this title.

A prior section 307 of Pub. L. 98-457 was classified to section 10406 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

§ 10408. Subgrants and uses of funds

(a) Subgrants

A State that receives a grant under section 10406(a) of this title shall use grant funds described in section 10406(b)(2) of this title to pro-

vide subgrants to eligible entities for programs and projects within such State, that is¹ designed to prevent incidents of family violence, domestic violence, and dating violence by providing immediate shelter and supportive services for adult and youth victims of family violence, domestic violence, or dating violence (and their dependents), and that may provide prevention services to prevent future incidents of family violence, domestic violence, and dating violence.

(b) Use of funds

(1) In general

Funds awarded to eligible entities under subsection (a) shall be used to provide shelter, supportive services, or prevention services to adult and youth victims of family violence, domestic violence, or dating violence, and their dependents, which may include—

(A) provision, on a regular basis, of immediate shelter and related supportive services to adult and youth victims of family violence, domestic violence, or dating violence, and their dependents, including paying for the operating and administrative expenses of the facilities for such shelter;

(B) assistance in developing safety plans, and supporting efforts of victims of family violence, domestic violence, or dating violence to make decisions related to their ongoing safety and well-being;

(C) provision of individual and group counseling, peer support groups, and referral to community-based services to assist family violence, domestic violence, and dating violence victims, and their dependents, in recovering from the effects of the violence;

(D) provision of services, training, technical assistance, and outreach to increase awareness of family violence, domestic violence, and dating violence and increase the accessibility of family violence, domestic violence, and dating violence services;

(E) provision of culturally and linguistically appropriate services;

(F) provision of services for children exposed to family violence, domestic violence, or dating violence, including age-appropriate counseling, supportive services, and services for the nonabusing parent that support that parent's role as a caregiver, which may, as appropriate, include services that work with the nonabusing parent and child together;

(G) provision of advocacy, case management services, and information and referral services, concerning issues related to family violence, domestic violence, or dating violence intervention and prevention, including—

(i) assistance in accessing related Federal and State financial assistance programs;

(ii) legal advocacy to assist victims and their dependents;

(iii) medical advocacy, including provision of referrals for appropriate health care services (including mental health, alcohol, and drug abuse treatment), but which shall not include reimbursement for any health care services;

(iv) assistance locating and securing safe and affordable permanent housing and homelessness prevention services;

(v) provision of transportation, child care, respite care, job training and employment services, financial literacy services and education, financial planning, and related economic empowerment services; and

(vi) parenting and other educational services for victims and their dependents; and

(H) prevention services, including outreach to underserved populations.

(2) Shelter and supportive services

Not less than 70 percent of the funds distributed by a State under subsection (a) shall be distributed to entities for the primary purpose of providing immediate shelter and supportive services to adult and youth victims of family violence, domestic violence, or dating violence, and their dependents, as described in paragraph (1)(A). Not less than 25 percent of the funds distributed by a State under subsection (a) shall be distributed to entities for the purpose of providing supportive services and prevention services as described in subparagraphs (B) through (H) of paragraph (1).

(c) Eligible entities

To be eligible to receive a subgrant from a State under this section, an entity shall be—

(1) a local public agency, or a nonprofit private organization (including faith-based and charitable organizations, community-based organizations, tribal organizations, and voluntary associations), that assists victims of family violence, domestic violence, or dating violence, and their dependents, and has a documented history of effective work concerning family violence, domestic violence, or dating violence; or

(2) a partnership of 2 or more agencies or organizations that includes—

(A) an agency or organization described in paragraph (1); and

(B) an agency or organization that has a demonstrated history of serving populations in their communities, including providing culturally appropriate services.

(d) Conditions

(1) Direct payments to victims or dependants

No funds provided under this chapter may be used as direct payment to any victim of family violence, domestic violence, or dating violence, or to any dependent of such victim.

(2) Voluntarily accepted services

Receipt of supportive services under this chapter shall be voluntary. No condition may be applied for the receipt of emergency shelter as described in subsection (b)(1)(A).

(Pub. L. 98-457, title III, §308, as added Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3494.)

Editorial Notes

PRIOR PROVISIONS

A prior section 10408, Pub. L. 98-457, title III, §309, Oct. 9, 1984, 98 Stat. 1762; Pub. L. 102-295, title III,

¹ So in original. Probably should be "are".

§ 311(b), May 28, 1992, 106 Stat. 203; Pub. L. 103-322, title IV, § 40272(a), Sept. 13, 1994, 108 Stat. 1937; Pub. L. 108-36, title IV, § 405, June 25, 2003, 117 Stat. 826, which related to definitions, was renumbered section 320 of Pub. L. 98-457 by Pub. L. 108-36, title IV, § 415(5), June 25, 2003, 117 Stat. 830, and transferred to section 10421 of this title, prior to the general amendment of this chapter by Pub. L. 111-320.

A prior section 308 of Pub. L. 98-457 was classified to section 10407 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

§ 10409. Grants for Indian tribes

(a) Grants authorized

The Secretary, in consultation with tribal governments pursuant to Executive Order No. 13175 (25 U.S.C. 450 note)¹ and in accordance with section 20126 of title 34, shall continue to award grants for Indian tribes from amounts appropriated under section 10403(a)(2)(B) of this title to carry out this section.

(b) Eligible entities

To be eligible to receive a grant under this section, an entity shall be an Indian tribe, or a tribal organization or nonprofit private organization authorized by an Indian tribe. An Indian tribe shall have the option to authorize a tribal organization or a nonprofit private organization to submit an application and administer the grant funds awarded under this section.

(c) Conditions

Each recipient of such a grant shall comply with requirements that are consistent with the requirements applicable to grantees under section 10406 of this title.

(d) Grantee application

To be eligible to receive a grant under this section, an entity shall submit an application to the Secretary under section 10407 of this title at such time, in such manner, and containing such information as the Secretary determines to be essential to carry out the objectives and provisions of this chapter. The Secretary shall approve any application that meets requirements consistent with the requirements of section 10406(c) of this title and section 10407(a) of this title.

(e) Use of funds

An amount provided under a grant to an eligible entity shall be used for the services described in section 10408(b) of this title.

(Pub. L. 98-457, title III, § 309, as added Pub. L. 111-320, title II, § 201, Dec. 20, 2010, 124 Stat. 3496.)

Editorial Notes

REFERENCES IN TEXT

Executive Order No. 13175, referred to in subsec. (a), was set out as a note under section 450 of Title 25, Indians, prior to editorial reclassification as a note under section 5301 of Title 25.

PRIOR PROVISIONS

A prior section 10409, Pub. L. 98-457, title III, § 310, Oct. 9, 1984, 98 Stat. 1763; Pub. L. 100-294, title III, § 301, Apr. 25, 1988, 102 Stat. 124; Pub. L. 102-295, title III, § 316, May 28, 1992, 106 Stat. 206; Pub. L. 103-322, title IV,

§ 40241, Sept. 13, 1994, 108 Stat. 1934; Pub. L. 104-235, title II, § 203, Oct. 3, 1996, 110 Stat. 3089; Pub. L. 106-386, div. B, title II, § 1202(a), Oct. 28, 2000, 114 Stat. 1505; Pub. L. 108-36, title IV, § 406(a), (b), June 25, 2003, 117 Stat. 827, related to authorization of appropriations, prior to the general amendment of this chapter by Pub. L. 111-320. See section 10403 of this title.

A prior section 309 of Pub. L. 98-457 was renumbered section 320 and transferred to section 10421 of this title prior to the general amendment of this chapter by Pub. L. 111-320.

§ 10410. National resource centers and training and technical assistance centers

(a) Purpose and grants authorized

(1) Purpose

The purpose of this section is to provide resource information, training, and technical assistance relating to the objectives of this chapter to improve the capacity of individuals, organizations, governmental entities, and communities to prevent family violence, domestic violence, and dating violence and to provide effective intervention services.

(2) Grants authorized

From the amounts appropriated under this chapter and reserved under section 10403(a)(2)(C) of this title, the Secretary—

(A) shall award grants to eligible entities for the establishment and maintenance of—

(i) 2 national resource centers (as provided for in subsection (b)(1)); and

(ii) at least 7 special issue resource centers addressing key areas of domestic violence, and intervention and prevention (as provided for in subsection (b)(2)); and

(B) may award grants, to—

(i) State resource centers to reduce disparities in domestic violence in States with high proportions of Indian (including Alaska Native) or Native Hawaiian populations (as provided for in subsection (b)(3)); and

(ii) support training and technical assistance that address emerging issues related to family violence, domestic violence, or dating violence, to entities demonstrating related expertise.

(b) Domestic violence resource centers

(1) National resource centers

In accordance with subsection (a)(2), the Secretary shall award grants to eligible entities for—

(A) a National Resource Center on Domestic Violence, which shall—

(i) offer a comprehensive array of technical assistance and training resources to Federal, State, and local governmental agencies, domestic violence service providers, community-based organizations, and other professionals and interested parties, related to domestic violence service programs and research, including programs and research related to victims and their children who are exposed to domestic violence; and

(ii) maintain a central resource library in order to collect, prepare, analyze, and disseminate information and statistics related to—

¹ See References in Text note below.