

in suspension or termination of funding, recovery of funds provided, and civil and/or criminal sanctions.

§90.105 What are the review criteria for grant program applications?

(a) *Equitable participation and geographic distribution.* In accordance with section 826(a)(3) of the Higher Education Amendments of 1998, Public Law 105-244, 112 Stat. 1816, every effort shall be made to ensure:

(1) The equitable participation of private and public institutions of higher education in the activities assisted under this Subpart; and

(2) The equitable geographic distribution of grants funded through this Subpart among the various regions of the United States.

(b) *Additional review criteria.* Priority shall be given to applicants that demonstrate a commitment to developing strong collaborative models for developing services that are victim-centered; policies, protocols and penalties that hold offenders accountable; and programs that educate the entire campus community about how to end and prevent violence against women through systemic change. Commitment may be demonstrated in a number of ways including: clear communication from the institution's top leadership that strong responses to and prevention of violence against women is a priority; development and vigorous enforcement of campus policies and adherence to local laws addressing violence against women; creation of coordinated, multidisciplinary task forces that include at a minimum both campus and community-based victim service providers and campus security personnel and local law enforcement; innovative approaches to educating the entire campus community, including faculty, staff, administration, and students; provision of training and education programs to campus security personnel, others in positions of authority, and campus victim service providers; development of resource materials and information on violence against women; and innovative dissemination strategies for communicating information about the identification of violence against women, its underlying causes, and the con-

sequences of committing violent crimes against women.

(c) *Intergovernmental review.* This grant program is covered by Executive Order 12372, Intergovernmental Review of Federal Programs (3 CFR, 1982 Comp., p. 197), and implementing regulations at 28 CFR Part 30. A copy of the application submitted to the Violence Against Women Office of the Office of Justice Programs should also be submitted at the same time to the State's Single Point of Contact, if there is a Single Point of Contact.

§90.106 What are the grantee reporting requirements for the grant program?

(a) *Semi-annual progress reports and annual performance reports.* Each grantee receiving funds under this Subpart shall submit semi-annual progress reports and an annual performance report to the Attorney General (Office of Justice Programs, Violence Against Women Office). Funding shall be suspended if a grantee fails to submit an annual performance report.

(b) *Final performance report.* Upon completion of the grant period, the institution shall be required to file a final performance report to the Attorney General (Office of Justice Programs, Violence Against Women Office) and the Secretary of Education (U.S. Department of Education's Safe and Drug Free Schools Program) explaining the activities carried out under this Subpart along with an assessment of the effectiveness of those activities in achieving the purposes set forth previously.

PART 91—GRANTS FOR CORRECTIONAL FACILITIES

Subpart A—General

- Sec.
- 91.1 Purpose.
- 91.2 Definitions.
- 91.3 General eligibility requirements.
- 91.4 Truth in Sentencing Incentive Grants.
- 91.5 Violent Offender Incarceration Grants.
- 91.6 Matching requirement.

Subpart B—FY 95 Correctional Boot Camp Initiative

- 91.10 General.

§ 91.1

28 CFR Ch. I (7-1-05 Edition)

Subpart C—Correctional Facilities on Tribal Lands

- 91.21 Purpose.
- 91.22 Definitions.
- 91.23 Grant authority.
- 91.24 Grant distribution.

Subpart D—Environmental Impact Review Procedures for VOI/TIS Grant Program

IN GENERAL

- 91.50 Purpose.
- 91.51 Policy.
- 91.52 Definitions.
- 91.53 Other guidance.

APPLICATION TO VOI/TIS GRANT PROGRAM

- 91.54 Applicability.
- 91.55 Categorical exclusions.
- 91.56 Actions that normally require the preparation of an environmental assessment.
- 91.57 Actions that normally require the preparation of an environmental impact statement.

ENVIRONMENTAL REVIEW PROCEDURES

- 91.58 Timing of the environmental review process.
- 91.59 OJP's responsibilities.
- 91.60 Grantee's responsibilities.
- 91.61 Subgrantee's responsibilities.
- 91.62 Preparing an Environmental Assessment.
- 91.63 Preparing an Environmental Impact Statement.
- 91.64 Supplemental EA or EIS
- 91.65 Responsible OJP officials.
- 91.66 Public participation.

OTHER STATE AND FEDERAL LAW REQUIREMENTS

- 91.67 State Environmental Policy Acts.
- 91.68 Compliance with other federal environmental statutes, regulations and executive orders.

AUTHORITY: 42 U.S.C. 13701 through 14223.

SOURCE: 59 FR 63019, Dec. 7, 1994, unless otherwise noted.

Subpart A—General

§ 91.1 Purpose.

The Attorney General, through the Assistant Attorney General for the Office of Justice Programs, will make grants to states and to states organized as multi-state compacts to construct, develop, expand, operate or improve correctional facilities, including boot camp facilities and other alternative correctional facilities that can free

conventional space for the confinement of violent offenders, to:

- (a) Ensure that prison space is available for the confinement of violent offenders; and
- (b) Implement truth in sentencing laws for sentencing violent offenders.

§ 91.2 Definitions.

- (a) *Violent offender*. [Reserved]
- (b) *Serious drug offense* means an offense involving manufacturing, distributing, or possessing with intent to manufacture or distribute, a controlled substance (as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802)), for which a maximum term of imprisonment of 10 years or more is prescribed by state law.
- (c) *Part 1 violent crimes* means murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault as reported to the Federal Bureau of Investigation for purposes of the Uniform Crime Reports. If such data is unavailable, Bureau of Justice Statistics (BJS) publications may be utilized. See, e.g., "Census of State and Federal Correctional Facilities, 1990." ("Part 1 violent crimes" are defined here solely as the statutorily prescribed basis for the formula allocation of funding.)
- (d) *Recipient* means individual states or multi-state compacts awarded funds under this part.
- (e) *State* means a State, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam and the Northern Mariana Islands.

(f) *Comprehensive correctional plan* means a plan which represents an integrated approach to the management and operation of adult and juvenile correctional facilities and programs and which includes diversion programs, particularly drug diversion programs, community corrections programs, a prisoner screening and security classification system, appropriate professional training for corrections officers in dealing with violent offenders, prisoner rehabilitation and treatment programs, prisoner work activities (including to the extent practicable, activities relating to the development, expansion, modification, or improvement of correctional facilities) and job skills programs, educational programs,