community and with State and local officials, shall issue rules to carry out this chapter.


§ 10513. Authorization of appropriations

(a) Assistance in form of funds

There is authorized to be appropriated $20,000,000 for each fiscal year ending after September 30, 1984, to provide under this chapter Federal law enforcement assistance in the form of funds.

(b) Assistance other than funds

There are authorized to be appropriated for each fiscal year ending after September 30, 1984, such sums as may be necessary to provide under this chapter Federal law enforcement assistance other than funds.


CHAPTER 112—VICTIM COMPENSATION AND ASSISTANCE

Sec. 10601. Crime Victims Fund.


10603. Crime victim assistance.


10603b. Compensation and assistance to victims of terrorism or mass violence.

10603c. Compensation to victims of international terrorism.

10603d. Crime victims legal assistance grants.

10603e. Crime victims notification grants.

10604. Administrative provisions.


10606. Repealed.

10607. Services to victims.


§ 10601. Crime Victims Fund

(a) Establishment

There is created in the Treasury a separate account to be known as the Crime Victims Fund (hereinafter in this chapter referred to as the "Fund").

(b) Fines deposited in Fund; penalties; forfeited appearance bonds

Except as limited by subsection (c) of this section, there shall be deposited in the Fund—

(1) all fines that are collected from persons convicted of offenses against the United States except—

(A) fines available for use by the Secretary of the Treasury pursuant to—

(i) section 11(d) of the Endangered Species Act (16 U.S.C. 1540(d)); and

(ii) section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)); and

(B) fines to be paid into—

(i) the railroad unemployment insurance account pursuant to the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.); and

(ii) the Postal Service Fund pursuant to sections 2601(a)(2) and 2003 of title 39 and for the purposes set forth in section 404(a)(7) of title 39;

(iii) the navigable waters revolving fund pursuant to section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

(iv) county public school funds pursuant to section 3013 of title 18;

(2) penalty assessments collected under section 3013 of title 18;

(3) the proceeds of forfeited appearance bonds, bail bonds, and collateral collected under section 3146 of title 18;

(4) any money ordered to be paid into the Fund under section 2671(c)(2) of title 18; and

(5) any gifts, bequests, or donations to the Fund from private entities or individuals, which the Director is hereby authorized to accept for deposit into the Fund, except that the Director is not hereby authorized to accept any such gift, bequest, or donation that—

(A) attaches conditions inconsistent with applicable laws or regulations; or

(B) is conditioned upon or would require the expenditure of appropriated funds that are not available to the Office for Victims of Crime.

(c) Retention of sums in Fund; availability for expenditure without fiscal year limitation

Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this chapter for grants under this chapter without fiscal year limitation. Notwithstanding subsection (d)(5) of this section, all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation.

(d) Availability for judicial branch administrative costs; grant program percentages

The Fund shall be available as follows:


(2) Except as provided in subparagraph (B), the first $10,000,000 deposited in the Fund shall be available for grants under section 10603a of this title.

(B) For any fiscal year for which the amount deposited in the Fund is greater than the amount deposited in the Fund for fiscal year 1998, the $10,000,000 referred to in subparagraph (A) plus an amount equal to 50 percent of the increase in the amount from fiscal year 1998 shall be available for grants under section 10603a of this title.

(i) Amounts available under this subparagraph for any fiscal year shall not exceed $20,000,000.

(3) Of the sums remaining in the Fund in any particular fiscal year after compliance with paragraph (2), such sums as may be necessary shall be available for the United States Attorneys Offices and the Federal Bureau of Investigation to improve services for the benefit of crime victims in the Federal criminal justice system, and for a Victim Notification System.

(4) Of the remaining amount to be distributed from the Fund in a particular fiscal year—

1 See References in Text note below.
(A) 47.5 percent shall be available for grants under section 10602 of this title;
(B) 47.5 percent shall be available for grants under section 10603(a) of this title; and
(C) 5 percent shall be available for grants under section 10603(c) of this title.

(5)(A) In addition to the amounts distributed under paragraphs (2), (3), and (4), the Director may set aside up to $50,000,000 from the amounts transferred to the Fund in response to the airplane hijackings and terrorist acts that occurred on September 11, 2001, as an antiterrorism emergency reserve. The Director may replenish any amounts obligated from such reserve in subsequent fiscal years by setting aside up to 5 percent of the amounts remaining in the Fund in any fiscal year after distributing amounts under paragraphs (2), (3) and (4). Such reserve shall not exceed $50,000,000.

(B) The antiterrorism emergency reserve referred to in subparagraph (A) may be used for supplemental grants under section 10603(b) of this title and to provide compensation to victims of international terrorism under section 10603(c) of this title.

(C) Amounts in the antiterrorism emergency reserve established pursuant to subparagraph (A) may be carried over from fiscal year to fiscal year. Notwithstanding subsection (c) of this section and section 619 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 (and any similar limitation on Fund obligations in any future Act, unless the same shall expressly refer to this section), any such amounts carried over shall not be subject to any limitation on obligations from amounts deposited to or available in the Fund.

(e) Amounts awarded and unspent

Any amount awarded as part of a grant under this chapter that remains unspent at the end of a fiscal year in which the grant is made may be expended for the purpose for which the grant is made at any time during the 3 succeeding fiscal years, at the end of which period, any remaining unobligated sums shall be available for deposit into the emergency reserve fund referred to in subsection (d)(5) of this section at the discretion of the Director. Any remaining unobligated sums shall be returned to the Fund.

(f) “Offenses against the United States” as excluding

As used in this section, the term “offenses against the United States” does not include—
(1) a criminal violation of the Uniform Code of Military Justice (10 U.S.C. 801 et seq.);
(2) an offense against the laws of the District of Columbia; and
(3) an offense triable by an Indian tribal court or Court of Indian Offenses.

(g) Grants for Indian tribes: child abuse cases

(1) The Attorney General shall use 15 percent of the funds available under subsection (d)(2) of this section to make grants for the purpose of assisting Native American Indian tribes in developing, establishing, and operating programs designed to improve—
(A) the handling of child abuse cases, particularly cases of child sexual abuse, in a manner which limits additional trauma to the child victim; and
(B) the investigation and prosecution of cases of child abuse, particularly child sexual abuse.

(2) The Attorney General may use 5 percent of the funds available under subsection (d)(2) of this section (prior to distribution) for grants to Indian tribes to establish child victim assistance programs, as appropriate.

(3) As used in this subsection, the term “tribe” has the meaning given that term in section 450b(3) of title 25.


REFERENCES IN TEXT

The Railroad Unemployment Insurance Act, referred to in subsec. (b)(1)(B)(i), is act June 25, 1938, ch. 800, 52 Stat. 627, as amended, which is classified principally to chapter 11 (§351 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see section 367 of Title 45 and Tables.


Section 3671(c)(2) of title 18, referred to in subsec. (b)(4), was renumbered section 3601(c)(2) by Pub. L. 99–646, §41(a), Nov. 19, 1986, 100 Stat. 3960. Section 619 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, referred to in subsec. (d)(5)(C), is section 1a(a)(2) [title VI, §619] of Pub. L. 106–553, which was formerly set out as a note below.

The Uniform Code of Military Justice, referred to in subsec. (b)(1), is classified generally to chapter 47 (§801 et seq.) of Title 10, Armed Forces.

So in original. Probably should be “Indian tribe”.

See References in Text note below.
Section 450b of title 25, referred to in subsec. (g)(3), has been amended, and subsec. (b) of section 450b no longer defines the term "Indian tribe". However, such term is defined elsewhere in that section.

AMENDMENTS


Subsec. (b)(5). Pub. L. 109–162, § 1132(1), struck out period at end and inserted "", which the Director is hereby authorized to accept for deposit into the Fund, except that the Director is not hereby authorized to accept any such gift, bequest, or donation that—"" and subpars. (A) and (B).


Subsec. (g)(1). Pub. L. 109–162, § 1132(3)(A), struck out "‘acting through the Director.’’ after "‘Attorney General’."  

Subsec. (g)(2), (3). Pub. L. 109–162, § 1132(3)(B), (C), added par. (2) and redesignated former par. (2) as (3).


Subsec. (c). Pub. L. 107–77, § 111(b), amended heading and text of subsec. (c) to read as it did the day before enactment of amendment by Pub. L. 107–56. Text, as amended generally by Pub. L. 107–56, read as follows:

"(1) Subject to the availability of money in the Fund, in each fiscal year, beginning with fiscal year 2003, the Director shall distribute not less than 90 percent nor more than 110 percent of the amount distributed from the Fund in the previous fiscal year, except the Director may distribute up to 120 percent of the amount distributed in the previous fiscal year in any fiscal year that the total amount available in the Fund is more than 2 times the amount distributed in the previous fiscal year."

"(2) In each fiscal year, the Director shall distribute amounts from the Fund in accordance with subsection (d) of this section. All sums not distributed during a fiscal year shall remain in reserve in the Fund to be distributed during a subsequent fiscal year. Notwithstanding any other provision of law, all sums deposited in the Fund that are not distributed shall remain in reserve for the obligation in future fiscal years, without fiscal year limitation."

Pub. L. 107–56, § 621(b), amended heading and text of subsec. (c) generally.


Subsec. (d)(4). Pub. L. 107–56, § 621(c), substituted "‘from distributed in’" for "‘deposited in’" in introductory provisions, "‘75.3 percent’" for "‘75 percent’" in subpars. (A) and (B), and "‘3 percent’" for "‘3 percent’" in subpar. (C).

Subsec. (d)(5). Pub. L. 107–56, § 621(d), amended par. (5) generally. Prior to amendment, par. (5) read as follows: "‘The extraordinary reserve referred to in subparagraph (A) may be used for supplemental grants under section 10603b of this title, to provide compensation to victims of international terrorism under the program pursuant to section 10602(a)(1) of this title, the Director may retain any portion of the Fund that was deposited during a fiscal year that was in excess of 110 percent of the total amount deposited in the Fund during the preceding fiscal year as an emergency reserve. Such reserve shall not exceed $100,000,000.’’"

2000—Subsec. (c). Pub. L. 106–386, § 2003(d), directed insertion of "‘Notwithstanding subsection (d)(5) of this section, all sums deposited in the Fund in any fiscal year that are not made available for obligation by Congress in the subsequent fiscal year shall remain in the Fund for obligation in future fiscal years, without fiscal year limitation.’’ at the end of section 1402(c) of the Victims of Crime Act 1984, was executed by making the insertion at the end of subsec. (c) of this section, which is section 1402 of the Victims of Crime Act of 1984, to reflect the probable intent of Congress.

Subsec. (d)(2). Pub. L. 106–177 designated existing provisions as subpar. (A), substituted "‘Except as provided in subparagraph (B), the first $10,000,000’' for "‘The first $10,000,000’", and added subpar. (B).


Subsec. (d)(5)(B). Pub. L. 106–386, § 2003(c)(2), inserted "‘to provide compensation to victims of international terrorism under the program under section 10603c of this title,’’ after ‘‘section 10603b of this title’’.

Subsec. (e). Pub. L. 106–386, § 2003(b)(2), substituted "‘shall be available for deposit into the emergency reserve fund referred to in subsection (d)(5) of this section at the discretion of the Director. Any remaining unobligated sums in an amount less than $500,000 shall be returned to the Treasury. Any remaining unobligated sums in an amount less than $500,000’’.

1999—Subsec. (d)(3) to (5). Pub. L. 106–113 added subpar. (3), redesignated former subpars. (3) and (4) as (4) and (5), respectively, and struck out former par. (5) which read as follows: "‘The Director may set aside up to $500,000 of the reserve fund described in paragraph (4) to make supplemental grants to United States Attorneys Offices to provide necessary assistance to victims of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, to facilitate observation of and/or participation by such victims in trial proceedings arising therefrom, including, without limitation, provision of lodging and travel assistance, and to pay such other, related expenses determined to be necessary by the Director.’’"

1997—Subsec. (d)(1). Pub. L. 105–119, § 109(a)(1), struck out par. (1) which read as follows: "‘The first $6,200,000 deposited in the Fund in each of the fiscal years 1992 through 1995 and the first $3,000,000 in each fiscal year thereafter shall be available to the judicial branch for administrative costs to carry out the functions of the judicial branch under sections 3611 and 3612 of title 18.’’"

Subsec. (d)(2). Pub. L. 105–119, § 109(a)(2), substituted "‘The first’’ for ‘‘the next’’.

1996—Subsec. (c). Pub. L. 104–132, § 232(c)(1)(A), substituted "‘under this chapter for ‘under this subsection’.

Subsec. (d)(3)(B). Pub. L. 104–132, § 236, substituted "‘section 10603(a) of this title’’ for ‘‘section 10603a of this title’’

Subsec. (d)(4). Pub. L. 104–132, § 232(b), amended par. (4) generally. Prior to amendment, par. (4) read as follows: "‘The Director may retain any portion of the Fund that was deposited during a fiscal year that is in excess of 110 percent of the total amount deposited in the Fund during the preceding fiscal year as a reserve for use in a year in which the Fund falls below the amount available in the previous year. Such reserve may not exceed $20,000,000.’’"


Subsec. (e). Pub. L. 104–238 substituted "‘3 succeeding fiscal years’’ for ‘‘2 succeeding fiscal years’’.

Pub. L. 104–132, § 232(c)(1)(B), reenacted heading without change and amended text generally. Prior to amendment, text read as follows:

‘‘(1) Except as provided in paragraph (2), any sums awarded as part of a grant under this chapter that remain unspent at the end of a fiscal year in which such grant is made may be expended for the purpose for which such grant is made at any time during the next succeeding fiscal year, at the end of which year any remaining unobligated sums shall be returned to the general fund of the Treasury.

‘‘(2) For the purposes of the application of paragraph (1) to any grant under this chapter with respect to fiscal year 1985, there shall be substituted in such para-
of this title.''

1994—Subsec. (d)(2). Pub. L. 103–322, § 230201(a)(1), added par. (2) and struck out former par. (2) which read as follows: "(A) of the next $100,000,000 deposited in the Fund in a particular fiscal year—

(A) 49.5 percent shall be available for grants under section 10602 of this title;

(B) 45 percent shall be available for grants under section 10603(a) of this title;

(C) 1 percent shall be available for grants under section 10603(c) of this title; and

(D) 4.5 percent shall be available for grants as provided in section 10603a of this title.

Subsec. (d)(4). Pub. L. 103–322, § 230201(a)(3), added par. (4) and struck out former par. (4) which read as follows: "The next $5,500,000 deposited in the Fund in a particular fiscal year shall be available as follows:

(A) 47.5 percent shall be available for grants under section 10602 of this title.

(B) 47.5 percent shall be available for grants under section 10603(a) of this title.

(C) 5 percent shall be available for grants under section 10603(c) of this title.


Subsec. (d)(3). Pub. L. 102–121, § 110(a)(2), substituted "section 10603a of this title" for "section 10603(a) of this title".


1966—Subsec. (c)(1). Pub. L. 92–572, § 1001(1), added subsec. (c) and struck out former subsec. (c) which read as follows:

"11(A) If the total deposited in the Fund during a particular fiscal year exceeds the ceiling sum described in subparagraph (B), the excess over the ceiling sum shall not be part of the Fund. The first $2,200,000 of such excess shall be available to the fundamental branch for administrative costs to carry out the functions of the judicial branch under sections 3611 and 3612 of title 18 and administrative costs to carry out the functions of the judicial branch under sections 3611 and 3612 of title 18.

"(B) The ceiling sum referred to in subparagraph (A) is—

(i) $125,000,000 through fiscal year 1990; and

(ii) $150,000,000 thereafter through fiscal year 1994.

(2) No deposits shall be made in the Fund after September 30, 1994.

Subsec. (d). Pub. L. 102–572, § 1001(2), added subsec. (d) and struck out former subsec. (d) which read as follows: "(1) Sums deposited in the Fund shall remain in the Fund and be available for expenditure under this subsection for grants under section 10602 of this title without fiscal year limitation.

(2) The Fund shall be available as follows:

(A) Of the first $100,000,000 deposited in the Fund in a particular fiscal year—

(i) 49.5 percent shall be available for grants under section 10602 of this title;

(ii) 45 percent shall be available for grants under section 10603(a) of this title;

(iii) 1 percent shall be available for grants under section 10603(c) of this title; and

(iv) 4.5 percent shall be available for grants as provided in section 10603a of this title.

(B) The next $5,500,000 deposited in the Fund in a particular fiscal year shall be available for grants as provided in section 10603a of this title.

(C) Any deposits in the Fund in a particular fiscal year in excess of $10,500,000, but not in excess of $110,000,000, shall be available for grants under section 10602 of this title.

(D) Any deposits in the Fund in a particular fiscal year in excess of $110,000,000 shall be available as follows:

(i) 47.5 percent shall be available for grants under section 10602 of this title;

(ii) 47.5 percent shall be available for grants under section 10603(a) of this title; and

(iii) 5 percent shall be available for grants under section 10603(c) of this title.


1988—Subsec. (c). Pub. L. 100–690, § 7121(a), amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows:

'(1) if the total deposited in the Fund during a particular fiscal year reaches the sum of $110,000,000, the excess over that sum shall be deposited in the General fund of the Treasury and shall not be a part of the Fund.

(2) No deposits shall be made in the Fund after September 30, 1988.


Subsec. (g). Pub. L. 100–690, § 7124, added subsec. (g).

1986—Subsec. (c)(1). Pub. L. 99–401, § 102(b)(1), substituted "$110 million" for "$100 million".

Subsec. (d)(2). Pub. L. 99–401, § 102(b)(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows: "Fifty percent of the total deposited in the Fund during a particular fiscal year shall be available for grants under section 10602 of this title and fifty percent shall be available for grants under section 10603 of this title."

Subsec. (e). Pub. L. 99–416 designated existing provision as par. (1), substituted "Except as provided in paragraph (2), any" for "Any", and added par. (2).

EFFECTIVE DATE OF 1992 AMENDMENT


EFFECTIVE DATE OF 1988 AMENDMENT

Section 7129 of Pub. L. 100–690, as amended by Pub. L. 101–647, title V, § 505, Nov. 29, 1990, 104 Stat. 4822, provided that: "The amendments made by this chapter (probably means this subtitle, subtitle D (§§ 7121–7130) of title VII of Pub. L. 100–690, enacting section 10605 of this title, amending this section and sections 10602 to 10604 of this title, and enacting provisions set out as a note under this section) shall not apply with respect to a State compensation program that was an eligible State crime victim compensation program on the date of the enactment of this Act [Nov. 18, 1988] until October 1, 1991."

EFFECTIVE DATE

Section 1409 of chapter XIV of title II of Pub. L. 98–473 provided that:

"(a) Except as provided in subsection (b), this chapter [see Short Title note below] and the amendments made by this chapter shall take effect thirty days after the date of enactment of this joint resolution [Oct. 12, 1984].

"(b) Sections 1402, 1403, 1404, and 1407 of this chapter [enacting this chapter] shall take effect on October 1, 1984."

SHORT TITLE OF 1996 AMENDMENT

Section 231 of title II of Pub. L. 104–132 provided that: "This subtitle [subtitle C (§§ 231–236) of title II of Pub.

"This subtitle [subtitle C (§§ 231–236) of title II of Pub.
L. 104–132, enacting sections 10603b and 10608 of this title, amending this section and sections 10602 and 10603 of this title, and enacting provisions set out as notes under section 10602 of this title may be cited as the 'Justice for Victims of Terrorism Act of 1996.'"

**SHORT TITLE OF 1990 AMENDMENT**

Section 501 of title V of Pub. L. 101–647 provided that: "This title enacting sections 10606 and 10607 of this title, amending this section, enacting provisions set out as a note under section 10606 of this title, and amending provisions set out as a note under this section may be cited as the 'Victims' Rights and Restitution Act of 1990.'"

**SHORT TITLE**

Section 1401 of chapter XIV (§§1401–1411) of title II of Pub. L. 98–473 provided that: "This chapter enacting this chapter and sections 3013, 3671 and 3672 of Title 18, Crimes and Criminal Procedure, and amending sections 3150a, 4207, and 4215 of Title 18 and provisions set out as a note under section 1512 of Title 18 may be cited as the 'Victims of Crime Act of 1984.'"

**VICTIMS OF SEPTEMBER 11, 2001**

Pub. L. 107–56, title VI, §621(e), Oct. 26, 2001, 115 Stat. 371, provided that: "Amounts transferred to the Crime Victims Fund for use in responding to the airplane hijackings and terrorist acts (including any related search, rescue, relief, assistance, or other similar activities) that occurred on September 11, 2001, shall not be subject to any limitation on obligations from amounts deposited to or available in the Fund, notwithstanding—

"(1) section 619 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 [section 1a(x)2 [title VI, §619] of Pub. L. 106–553, formerly set out as a note below], and any similar limitation on Fund obligations in such Act for Fiscal Year 2002 [see Pub. L. 107–77, title VI, §619, Nov. 28, 2001, 115 Stat. 865, set out as a note below]; and

"(2) subsections (c) and (d) of section 1402 of the Victims of Crime Act of 1984 [42 U.S.C. 10601]."

**LIMITATION ON AMOUNTS AVAILABLE FOR OBLIGATION**

Pub. L. 111–117, div. B, title V, §512, Dec. 16, 2009, 123 Stat. 3151, provided that: "Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $705,000,000 shall not be available for obligation until the following fiscal year."

**SIMILAR PROVISIONS**

Similar provisions were contained in the following prior appropriation acts:


**INTERACTION WITH ANY CAP**

Pub. L. 106–177, title I, §104(b), Mar. 10, 2000, 114 Stat. 36, provided that: "Subsection (a) [amending this section] shall be implemented so that any increase in funding provided thereby shall operate notwithstanding any dollar limitation on the availability of the Crime Victims Fund established under the Victims of Crime Act of 1984 [42 U.S.C. 10601 et seq.]."

**TRANSFER OF CERTAIN UNOBLIGATED FUNDS**

Section 109(b) of Pub. L. 105–119 provided that: "Any unobligated sums hitherto available to the judicial branch pursuant to the paragraph repealed by subsection (a) [former 42 U.S.C. 10601(d)(1)] shall be deemed to be deposits into the Crime Victims Fund as of the effective date hereof [Nov. 26, 1997] and may be used by the Director of the Office for Victims of Crime to improve services for the benefit of crime victims, including the processing and tracking of criminal monetary penalties and related litigation activities, in the Federal criminal justice system."

**RETOACTIVE TRANSFER TO FUND**

Section 7330 of Pub. L. 100–690 provided that: "An amount equal to that portion of the Crime Victims Fund that has been deposited in the Fund under section 10602(b) of the Victims of Crime Act [subsec. (b) of this section], but for the effect of section 1402(c)(2) of such Act, is hereby transferred to the Fund for any sums not appropriated from the general treasury."

**§ 10602. Crime victim compensation**

(a) Authority of Director; grants

(1) Except as provided in paragraph (2), the Director shall make an annual grant from the Fund to an eligible crime victim compensation program of 40 percent in fiscal year 2002 and of 60 percent in subsequent fiscal years of the amounts awarded during the preceding fiscal year, other than amounts awarded for property damage. Except as provided in paragraph (3), a grant under this section shall be used by such program only for awards of compensation.

(2) If the sums available in the Fund for grants under this section are insufficient to provide grants of 40 percent in fiscal year 2002 and of 60 percent in subsequent fiscal years as provided in paragraph (1), the Director shall make, from the sums available, a grant to each eligible crime victim compensation program so that all such programs receive the same percentage of the amounts awarded by such program during the preceding fiscal year, other than amounts awarded for property damage.

(3) Not more than 5 percent of a grant made under this section may be used for training purposes and the administration of the State crime victim compensation program receiving the grant.

(b) Eligible crime victim compensation programs

A crime victim compensation program is an eligible crime victim compensation program for the purposes of this section if—

(1) such program is operated by a State and offers compensation to victims and survivors of victims of criminal violence, including drunk driving and domestic violence for—

(A) medical expenses attributable to a physical injury resulting from compensable crime, including expenses for mental health counseling and care;

(B) loss of wages attributable to a physical injury resulting from a compensable crime; and

(C) funeral expenses attributable to a death resulting from a compensable crime;

(2) such program promotes victim cooperation with the reasonable requests of law enforcement authorities;
(3) such State certifies that grants received under this section will not be used to supplant State funds otherwise available to provide crime victim compensation;

(4) such program, as to compensable crimes occurring within the State, makes compensation awards to victims who are nonresidents of the State on the basis of the same criteria used to make awards to victims who are residents of such State;

(5) such program provides compensation to victims of Federal crimes occurring within the State on the same basis that such program provides compensation to victims of State crimes;

(6) such program provides compensation to residents of the State who are victims of crimes occurring outside the State if—

(A) the crimes would be compensable if they had occurred inside that State; and

(B) the places the crimes occurred in are States not having eligible crime victim compensation programs;

(7) such program does not, except pursuant to rules issued by the program to prevent unjust enrichment of the offender, deny compensation to any victim because of that victim’s familial relationship to the offender, or because of the sharing of a residence by the victim and the offender;

(8) such program does not provide compensation to any person who has been convicted of an offense under Federal law with respect to any time period during which the person is delinquent in paying a fine, other monetary penalty, or restitution imposed for the offense; and

(9) such program provides such other information and assurances related to the purposes of this section as the Director may reasonably require.

(c) Exclusion from income, resources, and assets for purposes of means tests

Notwithstanding any other law (other than title IV of Public Law 107–42), for the purpose of any maximum allowed income, resource, or asset eligibility requirement in any Federal, State, or local government program using Federal funds that provides medical or other assistance (or payment or reimbursement of the cost of such assistance), any amount of crime victim compensation that the applicant receives through a crime victim compensation program under this section shall not be included in the income, resources, or assets of the applicant, nor shall that amount reduce the amount of the assistance available to the applicant from Federal, State, or local government programs using Federal funds, unless the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime.

(d) Definitions

As used in this section—

(1) the term “property damage” does not include damage to prosthetic devices, eyeglasses or other corrective lenses, or dental devices; (2) the term “medical expenses” includes, to the extent provided under the eligible crime victim compensation program, expenses for eyeglasses or other corrective lenses, for dental services and devices and prosthetic devices, and for services rendered in accordance with a method of healing recognized by the law of the State;

(3) the term “compensable crime” means a crime the victims of which are eligible for compensation under the eligible crime victim compensation program, and includes crimes, whose victims suffer death or personal injury, that are described in section 247 of title 18, driving while intoxicated, and domestic violence; and

(4) the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and any other possession or territory of the United States.

(e) Relationship to certain Federal programs

Notwithstanding any other law, if the compensation paid by an eligible crime victim compensation program would cover costs that a Federal program, including the program established under title IV of Public Law 107–42, or a federally financed State or local program, would otherwise pay.—

1

(1) such crime victim compensation program shall not pay that compensation; and

(2) the other program shall make its payments without regard to the existence of the crime victim compensation program.

1 So in original. The comma probably should not appear.
government program using Federal funds that provides medical or other assistance (or payment or reimbursement of the cost of such assistance) that becomes necessary to an applicant for such assistance in full or in part because of the commission of a crime against the applicant, as determined by the Director, any amount of crime victim compensation that the applicant receives through a crime victim compensation program under this section shall not be included in the income of the applicant until the total amount of assistance that the applicant receives from all such programs is sufficient to fully compensate the applicant for losses suffered as a result of the crime.''


Subsec. (b)(6)(B). Pub. L. 104–132, §233(b), inserted "outside of the United States (if the compensable crime is terrorism, as defined in section 2331 of title 18, or)"

Subsec. (b)(8), (9). Pub. L. 104–132, §234(a)(1), added par. (8) and redesignated former par. (8) as (9).


Subsec. (d)(3). Pub. L. 104–155 inserted "crimes, whose victims suffer death or personal injury, that are described in section 247 of title 18," after "includes".

Pub. L. 104–132, §233(a), substituted "crimes involving terrorism, driving while intoxicated," for "driving while intoxicated".

1994—Subsec. (a)(1). Pub. L. 103–322, §230203(a), substituted "Except as provided in paragraph (3), a grant" for "A grant" in last sentence.


Subsec. (b)(1). Pub. L. 103–322, §230205(b), inserted before semicolon at end "for—" and subpars. (A) to (C).


1988—Subsec. (a). Pub. L. 100–690, §§7125(b), 7125(a)(2), 7125(e), struck out subsec. (a) and inserted subsec. (a). Amended by Pub. L. 100–690, §§7125(e), §7125(b)(1), 7125(a)(2), 7125(d), redesignated former par. (8) as (9), and inserted subsec. (d) after subsec. (c).

Subsec. (b)(1). Pub. L. 100–690, §7125(d), added par. (1) generally. Prior to amendment, par. (1) read as follows: "such program provides compensation to victims of crimes occurring within such State that would be compensable crimes, but for the fact that such crimes are subject to Federal jurisdiction, on the same basis as if such crimes had not occurred within said State; amount; insufficient funds

Subsec. (b)(5). Pub. L. 100–690, §7125(d), amended par. (5) generally. Prior to amendment, par. (5) read as follows: "such program provides compensation to victims of crimes occurring within such State that would be compensable crimes, but for the fact that such crimes are subject to Federal jurisdiction, on the same basis as if such crimes had not occurred within said State; amount; insufficient funds

Subsec. (b)(6)(B). Pub. L. 104–132, §234(a)(2), redesignated par. (6) as (8) and substituted "Director" for "Attorney General".

Subsec. (c). Pub. L. 100–690, §7125(e), struck out subsec. (c) which read as follows: "A State crime victim compensation program in effect on the date grants may first be made under this section shall be deemed an eligible crime victim compensation program for the purpose of this section until the day after the close of the first regular session of the legislature of that State that begins after such date."

Subsec. (d)(1). Pub. L. 100–690, §7126(a), inserted reference to eyeglasses or other corrective lenses.

Subsec. (d)(2). Pub. L. 100–690, §7126(b), inserted reference to eyeglasses or other corrective lenses and inserted comma after "prosthetic devices".


Subsec. (e). Pub. L. 103–322, §330025(b), inserted "crimes involving terrorism", after "section 247 of title 18,"


Subsec. (b)(6)(B). Pub. L. 104–132, §234(a)(2), provided that: "Section 1403(b)(8) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(b)(8)), as added by paragraph (1) of this section, shall not be applied to deny victims compensation to any person until the date on which the Attorney General, in consultation with the Director of the Administrative Office of the United States Courts, issues a written determination that a cost-effective, readily available criminal debt payment tracking system operated by the agency responsible for the collection of criminal debt has established cost-effective, readily available communications links with entities that administer Federal victim compensation programs that are sufficient to ensure that victim compensation is not denied to any person except as authorized by law."

§10603. Crime victim assistance

(a) Grant authority of Director; chief executive of States; amount; insufficient funds

(1) Subject to the availability of money in the Fund, the Director shall make an annual grant from any portion of the Fund made available by section 10601(d)(2) of this title for the purpose of grants under this subsection, or for the purpose of section 10611 of this title, but not used for that purpose, to the chief executive of each State for the financial support of eligible crime victim assistance programs.

(2) Such chief executive shall—

(A) be the State crime victim assistance agency responsible for the administration of grants under this subsection; amount; insufficient funds

(B) certify that funds shall be made available for grants to programs which serve previously underserved populations of victims of violent crime.

The Director, after consultation with State and local officials and representatives from private organizations, shall issue guidelines to implement this section that provide flexibility to the States in determining the populations of victims of violent crimes that may be underserved in their respective States; amount; insufficient funds

(C) certify that funds awarded to eligible crime victim assistance programs will not be

See References in Text note below.
used to supplant State and local funds otherwise available for crime victim assistance; and
(D) provide such other information and assurances related to the purposes of this section as the Director may reasonably require.
(3) The amounts of grants under paragraph (1) shall be—
(A) the base amount to each State; and
(B) that portion of the then remaining available money to each State that results from a distribution among the States on the basis of each State’s population in relation to the population of all States.
(4) If the amount available for grants under paragraph (1) is insufficient to provide the base amount to each State, the funds available shall be distributed equally among the States.
(5) As used in this subsection, the term “base amount” means—
(A) except as provided in subparagraph (B), $500,000; and
(B) for the territories of the Northern Mariana Islands, Guam, American Samoa, and the Republic of Palau, $200,000, with the Republic of Palau’s share governed by the Compact of Free Association between the United States and the Republic of Palau.
(6) An agency of the Federal Government performing local law enforcement functions in and on behalf of the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and any other territory or possession of the United States may qualify as an eligible crime victim assistance program for the purpose of grants under this subsection, or for the purpose of grants under subsection (c)(1) of this section.

(b) Eligibility of program; factors; limitation on distributed of sums
(1) A victim assistance program is an eligible crime victim assistance program for the purposes of this section if such program—
(A) is operated by a public agency or a nonprofit organization, or a combination of such agencies or organizations or of both such agencies and organizations, and provides services to victims of crime;
(B) demonstrates—
(i) a record of providing effective services to victims of crime and financial support from sources other than the Fund; or
(ii) substantial financial support from sources other than the Fund;
(C) utilizes volunteers in providing such services, unless and to the extent the chief executive determines that compelling reasons exist to waive this requirement;
(D) promotes within the community served coordinated public and private efforts to aid crime victims;
(E) assists potential recipients in seeking crime victim compensation benefits; and
(F) does not discriminate against victims because they disagree with the way the State is prosecuting the criminal case.
(2) Except as provided in paragraph (3), an eligible crime victim assistance program shall expend sums received under subsection (a) of this section only for providing services to victims of crime.
(3) Not more than five percent of sums received under subsection (a) of this section may be used for training purposes and the administration of the State crime victim assistance program receiving such sums.

(c) Grants: purposes; distribution; duties of Director; reimbursement by Director
(1) The Director shall make grants—
(A) for demonstration projects, program evaluation, compliance efforts, and training and technical assistance services to eligible crime victim assistance programs;
(B) for the financial support of services to victims of Federal crime by eligible crime victim assistance programs; and
(C) for nonprofit neighborhood and community-based victim service organizations and coalitions to improve outreach and services to victims of crime.
(2) Of the amount available for grants under this subsection—
(A) not less than fifty percent shall be used for grants under paragraphs (1)(A) and (1)(C);
(B) not more than fifty percent shall be used for grants under paragraph (1)(B); and
(C) not more than $10,000 shall be used for any single grant under paragraph (1)(C).
(3) The Director shall—
(A) be responsible for monitoring compliance with guidelines for fair treatment of crime victims and witnesses issued under section 6 of the Victim and Witness Protection Act of 1982 (Public Law 97-291) [18 U.S.C. 1512 note];
(B) consult with the heads of Federal law enforcement agencies that have responsibilities affecting victims of Federal crimes;
(C) coordinate victim services provided by the Federal Government with victim services offered by other public agencies and nonprofit organizations;
(D) perform such other functions related to the purposes of this title as the Director deems appropriate; and
(E) use funds made available to the Director under this subsection—
(i) for fellowships and clinical internships and for grants under subparagraphs (1)(A) and (B), pursuant to rules or guidelines that generally establish a publicly-announced, competitive process; and
(ii) to carry out programs of training and special workshops for the presentation and dissemination of information resulting from demonstrations, surveys, and special projects.
(4) The Director may reimburse other instrumentalities of the Federal Government and contracts for the performance of functions authorized under this subsection.

(d) Definitions
As used in this section—
(1) the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and any
other territory or possession of the United States; and
(2) the term "services to victims of crime" includes—
(A) crisis intervention services;
(B) providing, in an emergency, transportation to court, short-term child care services, and temporary housing and security measures;
(C) assistance in participating in criminal justice proceedings; and
(D) payment of all reasonable costs for a forensic medical examination of a crime victim, to the extent that such costs are otherwise not reimbursed or paid;
(3) the term "services to victims of Federal crime" means services to victims of crime with respect to Federal crime, and includes—
(A) training of law enforcement personnel in the delivery of services to victims of Federal crime;
(B) preparation, publication, and distribution of informational materials—
(i) setting forth services offered to victims of crime; and
(ii) concerning services to victims of Federal crime for use by Federal law enforcement personnel; and
(C) salaries of personnel who provide services to victims of crime, to the extent that such personnel provide such services;
(4) the term "crises intervention services" means counseling to provide emotional support in crises arising from the occurrence of crime; and
(5) the term "chief executive" includes a person designated by a chief executive to perform the functions of the chief executive under this section.


REFERENCES IN TEXT

Section 10601(d)(2) of this title, referred to in subsec. (a)(3), was repealed and a new section 10601(d)(2) was added by Pub. L. 103–322, title XXIII, §§230204, 230205(a)(1), Sept. 13, 1994, 108 Stat. 2079. The new section 10601(d)(2) does not contain provisions relating to availability of Fund money for grants under this section or section 10602 of this title. See section 10601(d)(4) of this title.


AMENDMENTS

2009—Subsec. (c)(3)(E)(i). Pub. L. 111–8 inserted "and for grants under subparagraphs (1)(A) and (B), pursuant to rules or guidelines that generally establish a publicly-announced, competitive process" after "internships".

2006—Subsec. (b)(3). Pub. L. 109–162, §1133(b), inserted "training purposes and" after "may be used for".


Subsec. (c)(1)(C). Pub. L. 109–162, §230204, substituted "paragraphs (1)(A) and (1)(C)" for "paragraph (1)(A)".

Subsec. (c)(2)(A). Pub. L. 109–162, §11312(A)(I), substituted "paragraphs (1)(A) and (1)(C)" for "paragraph (1)(A)".


Subsec. (c)(2)(A). Pub. L. 107–56, §623(d)(1), substituted "not less than 50 percent" for "not more than 50 percent".

Subsec. (c)(2)(B). Pub. L. 107–56, §623(d)(2), substituted "not more than 50 percent" for "not less than 50 percent".


1996—Subsec. (a)(5). Pub. L. 104–132 amended par. (5) generally. Prior to amendment, par. (5) read as follows: "As used in this subsection, the term 'base amount' means—
(A) $150,000 for fiscal years 1989 through 1991; and
(B) $200,000 thereafter."

1994—Subsec. (a)(5)(B). Pub. L. 103–322, §230208, amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: "$200,000 thereafter through fiscal year 1995."


Subsec. (b)(2). Pub. L. 103–332, §230206(a), substituted "Except as provided in paragraph (3), an eligible" for "An eligible".

Subsec. (b)(3). Pub. L. 103–322, §230205(b), added par. (3).

Subsec. (c)(1)(A). Pub. L. 103–322, §230204, inserted "demonstration projects and" before "training".


Subsec. (a)(2)(B). Pub. L. 100–690, §7122(b)(7), substituted "Director" for "Attorney General, acting through the Assistant Attorney General for the Office of Justice Programs".

Subsec. (c)(3). Pub. L. 100–690, §7123(b)(6), substituted "Director" for "Attorney General, acting through the Assistant Attorney General for the Office of Justice Programs".

Subsec. (c)(4). Pub. L. 100–690, §7123(b)(9), substituted "Director" for "Attorney General".

Subsec. (d)(1). Pub. L. 100–690, §9306(a), struck out ", except for the purposes of paragraphs (3)(A) and (4) of subsection (a) of this section," before "any other territory".

See References to Text note below.

1 So in original. Probably should be preceded by “section".

AMENDMENTS


Subsec. (b). Pub. L. 107–56, § 624(a), amended heading and text of subsec. (b) generally. Prior to amendment, text read as follows: ‘‘The Director may make supplemental grants as provided in section 10601(d)(5) of this title to States for eligible crime victim compensation and assistance programs to provide emergency relief, including crisis response efforts, assistance, training, and technical assistance, for the benefit of victims of terrorist acts or mass violence occurring within the United States and may provide funding to United States Attorney’s Offices for use in coordination with State victim compensation and assistance efforts in providing emergency relief.’’

2000—Subsec. (a). Pub. L. 106–386, § 2003(a)(1), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: ‘‘The Director may make supplemental grants as provided in section 10603(d)(4)(B) of this title to States for eligible crime victim compensation and assistance programs to provide emergency relief, including crisis response efforts, assistance, training, and technical assistance, for the benefit of victims of terrorist acts or mass violence occurring within the United States and may provide funding to United States Attorney’s Offices for use in coordination with State victim compensation and assistance efforts in providing emergency relief.’’


§ 10603c. Compensation to victims of international terrorism

(a) Definitions

In this section:

(1) International terrorism

The term ‘‘international terrorism’’ has the meaning given the term in section 2331 of title 18.

(2) National of the United States

The term ‘‘national of the United States’’ has the meaning given the term in section 1101(a) of title 8.

(3) Victim

(A) In general

The term ‘‘victim’’ means a person who—

(i) suffered direct physical or emotional injury or death as a result of international terrorism occurring on or after October 23, 1983, with respect to which an investigation or civil or criminal prosecution was ongoing after April 24, 1996; and

(ii) as of the date on which the international terrorism occurred, was a national of the United States or an officer or employee of the United States Government.

(B) Incompetent, incapacitated, or deceased victims

In the case of a victim who is less than 18 years of age, incompetent, incapacitated, or deceased, a family member or legal guardian of the victim may receive the compensation under this section on behalf of the victim.

(C) Exception

Notwithstanding any other provision of this section, in no event shall an individual who is criminally culpable for the terrorist act or mass violence receive any compensation under this section, either directly or on behalf of a victim.

(b) Award of compensation

The Director may use the emergency reserve referred to in section 10601(d)(5)(A) of this title to carry out a program to compensate victims of acts of international terrorism that occur outside the United States for expenses associated with that victimization. The amount of compensation awarded to a victim under this subsection shall be reduced by any amount that the victim received in connection with the same act of international terrorism under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.

(c) Annual report

The Director shall annually submit to Congress a report on the status and activities of the program under this section, which report shall include—

(1) an explanation of the procedures for filing and processing of applications for compensation;

(2) a description of the procedures and policies instituted to promote public awareness about the program;

(3) a complete statistical analysis of the victims assisted under the program, including—

(A) the number of applications for compensation submitted;

(B) the number of applications approved and the amount of each award;

(C) the number of applications denied and the reasons for the denial;

(D) the average length of time to process an application for compensation; and

(E) the number of applications for compensation pending and the estimated future liability of the program; and

(4) an analysis of future program needs and suggested program improvements.

REFERENCES IN TEXT

The Omnibus Diplomatic Security and Antiterrorism Act of 1986, referred to in subsec. (b), is Pub. L. 99–399, Aug. 27, 1986, 100 Stat. 853, as amended, Title VIII of the Act, known as the “Victims of Terrorism Compensation Act”, enacted sections 5569 and 5570 of Title 5, Government Organization and Employees, sections 1051, 1095, and 2181 to 2185 of Title 10, Armed Forces, and sections 120 and 1210 of Title 37, Pay and Allowances of the Uniformed Services, amended section 6325 of Title 5, and enacted provisions set out as notes under section 5569 of Title 5, sections 1051, 1095, and 2181 of Title 10, and section 529 of Title 37. For complete classification of title VIII to the Code, see Short Title of 1986 Amendment note set out under section 5569 of Title 5 and Tables.

AMENDMENTS

2008—Subsec. (a)(3)(A)(i). Pub. L. 110–181 substituted “October 23, 1988, with respect to which an investigation or civil or criminal” for “December 21, 1988 with respect to which an investigation or”.

2001—Subsec. (b), Pub. L. 107–56 inserted at end “The amount of compensation awarded to a victim under this subsection shall be reduced by any amount that the victim received in connection with the same act of international terrorism under title VIII of the Omnibus Diplomatic Security and Antiterrorism Act of 1986.”

EFFECTIVE DATE OF 2008 AMENDMENT

For applicability of amendments by Pub. L. 110–181 to pending cases, see section 1083(c) of Pub. L. 110–181, set out as an Effective Date note under section 10601A of Title 28, Judiciary and Judicial Procedure.

§ 10603d. Crime victims legal assistance grants

(a) In general

The Director may make grants as provided in section 10603(c)(1)(A) of this title to State, tribal, and local prosecutors’ offices, law enforcement agencies, courts, jails, and correctional institutions, and to qualified public and private entities, to develop, establish, and maintain programs for the enforcement of crime victims’ rights as provided in law.

(b) Prohibition

Grant amounts under this section may not be used to bring a cause of action for damages.

(c) False Claims Act

Notwithstanding any other provision of law, amounts collected pursuant to sections 3729 through 3731 of title 31 (commonly known as the “False Claims Act”) may be used for grants under this section, subject to appropriation.

§ 10604. Administrative provisions

(a) Authority of Director to establish rules and regulations

The Director may establish such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Director under this chapter.

(b) Recordkeeping

Each recipient of sums under this chapter shall keep such records as the Director shall prescribe, including records that fully disclose the amount and disposition by such recipient of such sums, the total cost of the undertaking for which such sums are used, and that portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(c) Access of Director to books and records for purpose of audit and examination

The Director shall have access, for purpose of audit and examination, to any books, documents, papers, and records of the recipient of the grant.

(d) False Claims Act

Notwithstanding any other provision of law, amounts collected pursuant to sections 3729 through 3731 of title 31 may be used for grants under this section, subject to appropriation.
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(e) Discrimination prohibited

No person shall on the ground of race, color, religion, national origin, handicap, or sex be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any undertaking funded in whole or in part with sums made available under this chapter.

(f) Failure to comply with provisions; notice and hearing; power of Director

If, after reasonable notice and opportunity for a hearing on the record, the Director finds that a State has failed to comply substantially with any provision of this chapter or a rule, regulation, guideline, or procedure issued under this chapter, or an application submitted in accordance with this chapter or the provisions of any other applicable law, the Director shall—

(1) terminate payments to such State; or
(2) suspend payments to such State until the Director is satisfied that such noncompliance has ended; or
(3) take such other action as the Director deems appropriate.

(g) Report

The Director shall, on December 31, 1990, and on June 30 every two years thereafter, report to the President and to the Congress on the revenue derived from each source described in section 10601 of this title and on the effectiveness of the activities supported under this chapter. The Director may include in such report recommendations for legislation to improve this chapter.

(h) Maintenance of effort

Each entity receiving sums made available under this chapter for administrative purposes shall certify that such sums will not be used to supplant State or local funds, but will be used to increase the amount of such funds that would, in the absence of Federal funds, be made available for these purposes.

Subsec. (b). Pub. L. 100–690, §7123(b)(11), substituted “Director” for “Attorney General”.

Subsec. (c). Pub. L. 100–690, §7123(b)(12), which directed substitution of “Director” for “Attorney General or any duly authorized representative of the Attorney General”, was executed by making substitution in two places.

Subsec. (f). Pub. L. 100–690, §7123(b)(13), substituted “Director” for “Attorney General” in two places in introductory provisions and in pars. (2) and (3).

Subsec. (g). Pub. L. 100–690, §7123(b)(14), substituted “Director” for “Attorney General” in two places and “on December 31, 1990, and on December 31 every 2 years thereafter” for “no later than December 31, 1967”.

Subsec. (h). Pub. L. 99–646 redesignated subsec. (h) as (g) and substituted “1402”, which was translated as “section 10601 of this title” for “1302”, which had been editorially translated as “section 10601 of this title”, thereby requiring no change in text.

Effective Date of 1996 Amendment


Effective Date of 1988 Amendment

Amendment by Pub. L. 100–690 not applicable with respect to a State compensation program that was an eligible State crime victim compensation program on Nov. 18, 1988, until Oct. 1, 1991, see section 7129 of Pub. L. 100–690, as amended, set out as a note under section 10601 of this title.

Reports on Amounts Received and Distributed from Fines for Violations of Trade Secrets Provisions

Section 101(c) of Pub. L. 104–294 provided that: “Not later than 2 years and 4 years after the date of the enactment of this Act [Oct. 11, 1996], the Attorney General shall report to Congress on the amounts received and distributed from fines for offenses under this chapter (probable meaning chapter 90 of title 18, added by section 101(a) of Pub. L. 104–294 deposited in the Crime Victims Fund established by section 1402 of the Victims of Crime Act of 1994 (42 U.S.C. 10601).”

§ 10605. Establishment of Office for Victims of Crime

(a) Office established within Department of Justice

There is established within the Department of Justice an Office for Victims of Crime (hereinafter in this chapter referred to as the “Office”).

(b) Appointment of Director; authority; restrictions

The Office shall be headed by a Director (referred to in this chapter as the “Director”), who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall report to the Attorney General through the Assistant Attorney General for the Office of Justice Programs and shall have final authority for all grants, cooperative agreements, and contracts awarded by the Office. The Director shall not engage in any employment other than that of serving as the Director, nor shall the Director hold any office in, or act in any capacity for, any organization, agency, or institution with which the Office makes any contract or other agreement under this chapter.1

(c) Duties of Director

The Director shall have the following duties:

1 See References in Text note below.
(1) Administering funds made available by section 10601 of this title.
(2) Providing funds to eligible States pursuant to sections 10602 and 10603 of this title.
(3) Establishing programs in accordance with section 10600(c) of this title on terms and conditions determined by the Director to be consistent with that subsection.
(4) Cooperating with and providing technical assistance to States, units of local government, and other public and private organizations or international agencies involved in activities related to crime victims.
(5) Such other functions as the Attorney General may delegate.


REFERENCES IN TEXT
This chapter, the last place it appears in subsec. (b), was in the original “‘this part’”, which has been translated as reading in the original “‘this chapter’” meaning chapter XIV of title II of Pub. L. 98–473 to reflect the probable intent of Congress because chapter XIV of title II of Pub. L. 98–473 which comprises this chapter, does not contain parts.

EFFECTIVE DATE
Section not applicable with respect to a State compensation program that was an eligible State crime victim compensation program on Nov. 18, 1988, until Oct. 1, 1991, see section 7129 of Pub. L. 100–690, as amended, set out as an Effective Date of 1988 Amendment note under section 10601 of this title.

Section not applicable with respect to a State compensation program that was an eligible State crime victim compensation program on Nov. 18, 1988, until Oct. 1, 1991, see section 7129 of Pub. L. 100–690, as amended, set out as an Effective Date of 1988 Amendment note under section 10601 of this title.

§ 10607. Services to victims
(a) Designation of responsible officials
The head of each department and agency of the United States engaged in the detection, investigation, or prosecution of crime shall designate by names and office titles the persons who will be responsible for identifying the victims of crime and performing the services described in subsection (c) of this section at each stage of a criminal case.

(b) Identification of victims
At the earliest opportunity after the detection of a crime at which it may be done without interfering with an investigation, a responsible official shall—
(1) identify the victim or victims of a crime; (2) inform the victims of their right to receive, on request, the services described in subsection (c) of this section; and
(3) inform each victim of the name, title, and business address and telephone number of the responsible official to whom the victim should address a request for each of the services described in subsection (c) of this section.

(c) Description of services
(1) A responsible official shall—
(A) inform a victim of a place where the victim may receive emergency medical and social services;
(B) inform a victim of any restitution or other relief to which the victim may be entitled under this or any other law and in which such relief may be obtained;
(C) inform a victim of public and private programs that are available to provide counseling, treatment, and other support to the victim; and
(D) assist a victim in contacting the persons who are responsible for providing the services and relief described in subparagraphs (A), (B), and (C).

(2) A responsible official shall arrange for a victim to receive reasonable protection from a suspected offender and persons acting in concert with or at the behest of the suspected offender.

(3) During the investigation and prosecution of a crime, a responsible official shall provide a victim the earliest possible notice of—
(A) the status of the investigation of the crime, to the extent it is appropriate to inform the victim and to the extent that it will not interfere with the investigation;
(B) the arrest of a suspected offender;
(C) the filing of charges against a suspected offender;
(D) the scheduling of each court proceeding that the witness is either required to attend or, under section 10606(b)(4)2 of this title, is entitled to attend;
(E) the release or detention status of an offender or suspected offender;
(F) the acceptance of a plea of guilty or nolo contendere or the rendering of a verdict after trial; and
(G) the sentence imposed on an offender, including the date on which the offender will be eligible for parole.

(4) During court proceedings, a responsible official shall ensure that a victim is provided a waiting area removed from and out of the sight and hearing of the defendant and defense witnesses.

(5) After trial, a responsible official shall provide a victim the earliest possible notice of—
(A) the scheduling of a parole hearing for the offender;
(B) the escape, work release, furlough, or any other form of release from custody of the offender; and
(C) the death of the offender, if the offender dies while in custody.

(6) At all times, a responsible official shall ensure that any property of a victim that is being held for evidentiary purposes be maintained in good condition and returned to the victim as soon as it is no longer needed for evidentiary purposes.

(7) The Attorney General or the head of another department or agency that conducts an investigation of a sexual assault shall pay, either directly or by reimbursement of payment by the victim, the cost of a physical examination of the victim which an investigating officer determines was necessary or useful for evidentiary purposes. The Attorney General shall provide for the payment of the cost of up to 2 anony-

1So in original. Probably should be followed by "the".
2See References in Text note below.
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§ 10608. Closed circuit televised court proceedings for victims of crime

(a) In general

Notwithstanding any provision of the Federal Rules of Criminal Procedure to the contrary, in order to permit victims of crime to watch criminal trial proceedings in cases where the venue of the trial is changed—

(1) out of the State in which the case was initially brought; and

(2) more than 350 miles from the location in which those proceedings originally would have taken place;

the trial court shall order closed circuit televising of the proceedings to that location, for viewing by such persons the court determines have a compelling interest in doing so and are otherwise unable to do so by reason of the inconvenience and expense caused by the change of venue.

(b) Limited access

(1) Generally

No other person, other than official court and security personnel, or other persons specifically designated by the court, shall be permitted to view the closed circuit televising of the proceedings.

(2) Exception

The court shall not designate a person under paragraph (1) if the presiding judge at the trial determines that testimony by that person would be materially affected if that person heard other testimony at the trial.

(c) Restrictions

(1) The signal transmitted pursuant to subsection (a) of this section shall be under the control of the court at all times and shall only be transmitted subject to the terms and conditions imposed by the court.

(2) No public broadcast or dissemination shall be made of the signal transmitted pursuant to subsection (a) of this section. In the event any tapes are produced in carrying out subsection (a) of this section, such tapes shall be the property of the court and kept under seal.

(3) Any violations of this subsection, or any rule or order made pursuant to this section, shall be punishable as contempt of court as described in section 402 of title 18.

(d) Donations

The Administrative Office of the United States Courts may accept donations to enable the courts to carry out subsection (a) of this section.
(e) Construction
   (1) 1 Nothing in this section shall be construed—
       (i) to create in favor of any person a cause of action against the United States or any officer or employees thereof, or
       (ii) to provide any person with a defense in any action in which application of this section is made.

(f) “State” defined
   As used in this section, the term “State” means any State, the District of Columbia, or any possession or territory of the United States.

(g) Rules
   The Judicial Conference of the United States, pursuant to its rule making authority under section 331 of title 28, may promulgate and issue rules, or amend existing rules, to effectuate the policy addressed by this section. Upon the implementation of such rules, this section shall cease to be effective.

(h) Effective date
   This section shall only apply to cases filed after January 1, 1995.

(6) “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, the Trust Territory of the Pacific Islands, and any other territory or possession of the United States;

(7) “Supreme Court” means the highest appellate court within a State unless, for the purposes of this chapter, a constitutionally or legislatively established judicial council acts in place of that court; and

(8) “domestic violence” means—
   (A) any action that constitutes—
       (i) attempting to cause or intentionally, knowingly, or recklessly causing bodily injury or physical illness;
       (ii) rape, sexual assault, or causing involuntary deviate sexual intercourse;
       (iii) placing by physical menace another in fear of imminent serious bodily injury; or
       (iv) the infliction of false imprisonment;
   if such action is taken by one of 2 spouses, former spouses, or sexual or intimate partners against the other spouse, former spouse, or partner and the 2 of whom share biological parenthood of, have adopted, are legal custodians of, or are stepparents of a minor child; or
   (B) physically or sexually abusing such minor child if such abuse is inflicted by either of such spouses, former spouses, or partners.

References in Text
The Federal Rules of Criminal Procedure, referred to in subsec. (a), are set out in the Appendix to Title 18, Crimes and Criminal Procedure.

Codification
This section was enacted as part of the Justice for Victims of Terrorism Act of 1996, and also as part of the Antiterrorism and Effective Death Penalty Act of 1996, and not as part of the Victims of Crime Act of 1984 which comprises this chapter.

CHAPTER 113—STATE JUSTICE INSTITUTE
Sec.
10701. Definitions.
10702. Establishment of Institute; duties.
10703. Board of Directors.
10704. Officers and employees.
10705. Grants and contracts.
10706. Limitations on grants and contracts.
10707. Restrictions on activities of Institute.
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10709. Presidential coordination.
10710. Records and reports.
10711. Audits.
10713. Authorization of appropriations.

§ 10701. Definitions
As used in this chapter, the term—
(1) “Board” means the Board of Directors of the Institute;
(2) “Director” means the Executive Director of the Institute;
(3) “Governor” means the Chief Executive Officer of a State;
(4) “Institute” means the State Justice Institute;
(5) “recipient” means any grantee, contractor, or recipient of financial assistance under this chapter;

1 So in original. No par. (2) has been enacted.