

(2) Information from Federal agencies

Subject to sections 552, 552a, and 552b of title 5—

(A) the State and Local Board may secure directly from any Federal department or agency information necessary to enable it to carry out this subchapter; and

(B) upon request of the State and Local Board, the head of that department or agency shall furnish the information to the State and Local Board.

(3) Information to be kept confidential

The State and Local Board shall not disclose any information which may compromise an ongoing law enforcement investigation or is otherwise required by law to be kept confidential.

(f) Compensation**(1) In general**

Except as provided in paragraph (2), each State and Local Board member shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5 for each day (including travel time) during which such State and Local Board member is engaged in the performance of the duties of the State and Local Board.

(2) Prohibition of compensation for government employees

State and Local Board members who serve as officers or employees of the Federal Government or a State or a local government may not receive additional pay, allowances, or benefits by reason of their service on the State and Local Board.

(3) Travel expenses

Each State and Local Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5.

(Pub. L. 110-298, title II, §203, July 31, 2008, 122 Stat. 2991.)

§ 15254. Presentation of State and Local Law Enforcement Badges**(a) Presentation by Member of Congress**

A Member of Congress may present a State and Local Law Enforcement Badge to any State and Local Law Enforcement Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a State and Local Law Enforcement Badge, such Senator and Representative shall make a joint presentation.

(b) Presentation by Attorney General

If no Member of Congress chooses to present the State and Local Law Enforcement Badge as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such State and Local Law Enforcement Badge.

(c) Presentation arrangements

The office of the Member of Congress presenting each State and Local Law Enforcement

Badge may make arrangements for the presentation of such State and Local Law Enforcement Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Members shall make joint arrangements. The State and Local Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the State and Local Law Enforcement Badge and shall make arrangements in cases not undertaken by Members of Congress.

(Pub. L. 110-298, title II, §204, July 31, 2008, 122 Stat. 2993.)

SUBCHAPTER III—CONGRESSIONAL BADGE OF BRAVERY OFFICE**§ 15261. Congressional Badge of Bravery Office****(a) Establishment**

There is established within the Department of Justice a Congressional Badge of Bravery Office.

(b) Duties

The Office shall—

(1) receive nominations from Federal agency heads on behalf of the Federal Board and deliver such nominations to the Federal Board at Federal Board meetings described in section 15243(d)(2) of this title;

(2) receive nominations from State or local agency heads on behalf of the State and Local Board and deliver such nominations to the State and Local Board at State and Local Board meetings described in section 15253(d)(2) of this title; and

(3) provide staff support to the Federal Board and the State and Local Board to carry out the duties described in section 15243(b) and section 15253(b) of this title, respectively.

(Pub. L. 110-298, title III, §301, July 31, 2008, 122 Stat. 2994.)

CHAPTER 146—ELECTION ADMINISTRATION IMPROVEMENT

Sec.
15301 to 15545. Transferred.

SUBCHAPTER I—PAYMENTS TO STATES FOR ELECTION ADMINISTRATION IMPROVEMENTS AND REPLACEMENT OF PUNCH CARD AND LEVER VOTING MACHINES**§ 15301. Transferred****CODIFICATION**

Section 15301 was editorially reclassified as section 20901 of Title 52, Voting and Elections.

§ 15302. Transferred**CODIFICATION**

Section 15302 was editorially reclassified as section 20902 of Title 52, Voting and Elections.

§ 15303. Transferred**CODIFICATION**

Section 15303 was editorially reclassified as section 20903 of Title 52, Voting and Elections.

§ 15304. Transferred

CODIFICATION

Section 15304 was editorially reclassified as section 20904 of Title 52, Voting and Elections.

§ 15305. Transferred

CODIFICATION

Section 15305 was editorially reclassified as section 20905 of Title 52, Voting and Elections.

§ 15306. Transferred

CODIFICATION

Section 15306 was editorially reclassified as section 20906 of Title 52, Voting and Elections.

SUBCHAPTER II—COMMISSION

PART A—ESTABLISHMENT AND GENERAL ORGANIZATION

SUBPART 1—ELECTION ASSISTANCE COMMISSION

§ 15321. Transferred

CODIFICATION

Section 15321 was editorially reclassified as section 20921 of Title 52, Voting and Elections.

§ 15322. Transferred

CODIFICATION

Section 15322 was editorially reclassified as section 20922 of Title 52, Voting and Elections.

§ 15323. Transferred

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§ 15324. Transferred

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§ 15325. Transferred

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§ 15326. Transferred

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§ 15327. Transferred

CODIFICATION

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§ 15328. Transferred

CODIFICATION

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§ 15329. Transferred

CODIFICATION

Section 15329 was editorially reclassified as section 20929 of Title 52, Voting and Elections.

§ 15330. Transferred

CODIFICATION

Section 15330 was editorially reclassified as section 20930 of Title 52, Voting and Elections.

SUBPART 2—ELECTION ASSISTANCE COMMISSION STANDARDS BOARD AND BOARD OF ADVISORS

§ 15341. Transferred

CODIFICATION

Section 15341 was editorially reclassified as section 20941 of Title 52, Voting and Elections.

§ 15342. Transferred

CODIFICATION

Section 15342 was editorially reclassified as section 20942 of Title 52, Voting and Elections.

§ 15343. Transferred

CODIFICATION

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§ 15344. Transferred

CODIFICATION

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§ 15345. Transferred

CODIFICATION

Section 15345 was editorially reclassified as section 20945 of Title 52, Voting and Elections.

§ 15346. Transferred

CODIFICATION

Section 15346 was editorially reclassified as section 20946 of Title 52, Voting and Elections.

SUBPART 3—TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE

§ 15361. Transferred

CODIFICATION

Section 15361 was editorially reclassified as section 20961 of Title 52, Voting and Elections.

§ 15362. Transferred

CODIFICATION

Section 15362 was editorially reclassified as section 20962 of Title 52, Voting and Elections.

PART B—TESTING, CERTIFICATION, DECERTIFICATION, AND RECERTIFICATION OF VOTING SYSTEM HARDWARE AND SOFTWARE

§ 15371. Transferred

CODIFICATION

Section 15371 was editorially reclassified as section 20971 of Title 52, Voting and Elections.

PART C—STUDIES AND OTHER ACTIVITIES TO PROMOTE EFFECTIVE ADMINISTRATION OF FEDERAL ELECTIONS

§ 15381. Transferred

CODIFICATION

Section 15381 was editorially reclassified as section 20981 of Title 52, Voting and Elections.

§ 15382. Transferred

CODIFICATION

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§ 15383. Transferred

CODIFICATION

Section 15383 was editorially reclassified as section 20983 of Title 52, Voting and Elections.

§ 15384. Transferred

CODIFICATION

Section 15384 was editorially reclassified as section 20984 of Title 52, Voting and Elections.

§ 15385. Transferred

CODIFICATION

Section 15385 was editorially reclassified as section 20985 of Title 52, Voting and Elections.

§ 15386. Transferred

CODIFICATION

Section 15386 was editorially reclassified as section 20986 of Title 52, Voting and Elections.

§ 15387. Transferred

CODIFICATION

Section 15387 was editorially reclassified as section 20987 of Title 52, Voting and Elections.

PART D—ELECTION ASSISTANCE

SUBPART 1—REQUIREMENTS PAYMENTS

§ 15401. Transferred

CODIFICATION

Section 15401 was editorially reclassified as section 21001 of Title 52, Voting and Elections.

§ 15402. Transferred

CODIFICATION

Section 15402 was editorially reclassified as section 21002 of Title 52, Voting and Elections.

§ 15403. Transferred

CODIFICATION

Section 15403 was editorially reclassified as section 21003 of Title 52, Voting and Elections.

§ 15404. Transferred

CODIFICATION

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§ 15406. Transferred

CODIFICATION

Section 15406 was editorially reclassified as section 21006 of Title 52, Voting and Elections.

§ 15407. Transferred

CODIFICATION

Section 15407 was editorially reclassified as section 21007 of Title 52, Voting and Elections.

§ 15408. Transferred

CODIFICATION

Section 15408 was editorially reclassified as section 21008 of Title 52, Voting and Elections.

SUBPART 2—PAYMENTS TO STATES AND UNITS OF LOCAL GOVERNMENT TO ASSURE ACCESS FOR INDIVIDUALS WITH DISABILITIES

§ 15421. Transferred

CODIFICATION

Section 15421 was editorially reclassified as section 21021 of Title 52, Voting and Elections.

§ 15422. Transferred

CODIFICATION

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§ 15424. Transferred

CODIFICATION

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§ 15425. Transferred

CODIFICATION

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SUBPART 3—GRANTS FOR RESEARCH ON VOTING TECHNOLOGY IMPROVEMENTS

§ 15441. Transferred

CODIFICATION

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§ 15442. Transferred

CODIFICATION

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§ 15443. Transferred

CODIFICATION

Section 15443 was editorially reclassified as section 21043 of Title 52, Voting and Elections.

SUBPART 4—PILOT PROGRAM FOR TESTING OF EQUIPMENT AND TECHNOLOGY

§ 15451. Transferred

CODIFICATION

Section 15451 was editorially reclassified as section 21051 of Title 52, Voting and Elections.

§ 15452. Transferred

CODIFICATION

Section 15452 was editorially reclassified as section 21052 of Title 52, Voting and Elections.

§ 15453. Transferred

CODIFICATION

Section 15453 was editorially reclassified as section 21053 of Title 52, Voting and Elections.

SUBPART 5—PROTECTION AND ADVOCACY SYSTEMS

§ 15461. Transferred

CODIFICATION

Section 15461 was editorially reclassified as section 21061 of Title 52, Voting and Elections.

§ 15462. Transferred

CODIFICATION

Section 15462 was editorially reclassified as section 21062 of Title 52, Voting and Elections.

SUBPART 6—NATIONAL STUDENT AND PARENT
MOCK ELECTION**§ 15471. Transferred**

CODIFICATION

Section 15471 was editorially reclassified as section 21071 of Title 52, Voting and Elections.

§ 15472. Transferred

CODIFICATION

Section 15472 was editorially reclassified as section 21072 of Title 52, Voting and Elections.

SUBCHAPTER II—UNIFORM AND NON-
DISCRIMINATORY ELECTION TECH-
NOLOGY AND ADMINISTRATION RE-
QUIREMENTS

PART A—REQUIREMENTS

§ 15481. Transferred

CODIFICATION

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§ 15482. Transferred

CODIFICATION

Section 15482 was editorially reclassified as section 21082 of Title 52, Voting and Elections.

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CODIFICATION

Section 15483 was editorially reclassified as section 21083 of Title 52, Voting and Elections.

§ 15484. Transferred

CODIFICATION

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§ 15485. Transferred

CODIFICATION

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PART B—VOLUNTARY GUIDANCE

§ 15501. Transferred

CODIFICATION

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§ 15502. Transferred

CODIFICATION

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SUBCHAPTER IV—ENFORCEMENT

§ 15511. Transferred

CODIFICATION

Section 15511 was editorially reclassified as section 21111 of Title 52, Voting and Elections.

§ 15512. Transferred

CODIFICATION

Section 15512 was editorially reclassified as section 21112 of Title 52, Voting and Elections.

SUBCHAPTER V—HELP AMERICA VOTE
COLLEGE PROGRAM**§ 15521. Transferred**

CODIFICATION

Section 15521 was editorially reclassified as section 21121 of Title 52, Voting and Elections.

§ 15522. Transferred

CODIFICATION

Section 15522 was editorially reclassified as section 21122 of Title 52, Voting and Elections.

§ 15523. Transferred

CODIFICATION

Section 15523 was editorially reclassified as section 21123 of Title 52, Voting and Elections.

SUBCHAPTER VI—TRANSFER TO COMMIS-
SION OF FUNCTIONS UNDER CERTAIN
LAWS**§ 15531. Transferred**

CODIFICATION

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CODIFICATION

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§ 15534. Transferred

CODIFICATION

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SUBCHAPTER VII—MISCELLANEOUS
PROVISIONS**§ 15541. Transferred**

CODIFICATION

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§ 15542. Transferred

CODIFICATION

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§ 15543. Transferred

CODIFICATION

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CODIFICATION

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§ 15545. Transferred

CODIFICATION

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CHAPTER 147—PRISON RAPE ELIMINATION

Sec.

15601.	Findings.
15602.	Purposes.
15603.	National prison rape statistics, data, and research.
15604.	Prison rape prevention and prosecution.
15605.	Grants to protect inmates and safeguard communities.
15606.	National Prison Rape Elimination Commission.
15607.	Adoption and effect of national standards.
15608.	Requirement that accreditation organizations adopt accreditation standards.
15609.	Definitions.

§ 15601. Findings

Congress makes the following findings:

(1) 2,100,146 persons were incarcerated in the United States at the end of 2001: 1,324,465 in Federal and State prisons and 631,240 in county and local jails. In 1999, there were more than 10,000,000 separate admissions to and discharges from prisons and jails.

(2) Insufficient research has been conducted and insufficient data reported on the extent of prison rape. However, experts have conservatively estimated that at least 13 percent of the inmates in the United States have been sexually assaulted in prison. Many inmates have suffered repeated assaults. Under this estimate, nearly 200,000 inmates now incarcerated have been or will be the victims of prison rape. The total number of inmates who have been sexually assaulted in the past 20 years likely exceeds 1,000,000.

(3) Inmates with mental illness are at increased risk of sexual victimization. America's jails and prisons house more mentally ill individuals than all of the Nation's psychiatric hospitals combined. As many as 16 percent of inmates in State prisons and jails, and 7 percent of Federal inmates, suffer from mental illness.

(4) Young first-time offenders are at increased risk of sexual victimization. Juveniles are 5 times more likely to be sexually assaulted in adult rather than juvenile facilities—often within the first 48 hours of incarceration.

(5) Most prison staff are not adequately trained or prepared to prevent, report, or treat inmate sexual assaults.

(6) Prison rape often goes unreported, and inmate victims often receive inadequate treat-

ment for the severe physical and psychological effects of sexual assault—if they receive treatment at all.

(7) HIV and AIDS are major public health problems within America's correctional facilities. In 2000, 25,088 inmates in Federal and State prisons were known to be infected with HIV/AIDS. In 2000, HIV/AIDS accounted for more than 6 percent of all deaths in Federal and State prisons. Infection rates for other sexually transmitted diseases, tuberculosis, and hepatitis B and C are also far greater for prisoners than for the American population as a whole. Prison rape undermines the public health by contributing to the spread of these diseases, and often giving a potential death sentence to its victims.

(8) Prison rape endangers the public safety by making brutalized inmates more likely to commit crimes when they are released—as 600,000 inmates are each year.

(9) The frequently interracial character of prison sexual assaults significantly exacerbates interracial tensions, both within prison and, upon release of perpetrators and victims from prison, in the community at large.

(10) Prison rape increases the level of homicides and other violence against inmates and staff, and the risk of insurrections and riots.

(11) Victims of prison rape suffer severe physical and psychological effects that hinder their ability to integrate into the community and maintain stable employment upon their release from prison. They are thus more likely to become homeless and/or require government assistance.

(12) Members of the public and government officials are largely unaware of the epidemic character of prison rape and the day-to-day horror experienced by victimized inmates.

(13) The high incidence of sexual assault within prisons involves actual and potential violations of the United States Constitution. In *Farmer v. Brennan*, 511 U.S. 825 (1994), the Supreme Court ruled that deliberate indifference to the substantial risk of sexual assault violates prisoners' rights under the Cruel and Unusual Punishments Clause of the Eighth Amendment. The Eighth Amendment rights of State and local prisoners are protected through the Due Process Clause of the Fourteenth Amendment. Pursuant to the power of Congress under Section Five of the Fourteenth Amendment, Congress may take action to enforce those rights in States where officials have demonstrated such indifference. States that do not take basic steps to abate prison rape by adopting standards that do not generate significant additional expenditures demonstrate such indifference. Therefore, such States are not entitled to the same level of Federal benefits as other States.

(14) The high incidence of prison rape undermines the effectiveness and efficiency of United States Government expenditures through grant programs such as those dealing with health care; mental health care; disease prevention; crime prevention, investigation, and prosecution; prison construction, maintenance, and operation; race relations; poverty; unemployment and homelessness. The effec-