

(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 20101(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.

(Pub. L. 98-473, title II, §1404C, as added Pub. L. 106-386, div. C, §2003(c)(1), Oct. 28, 2000, 114 Stat. 1544; amended Pub. L. 107-56, title VI, §624(c), Oct. 26, 2001, 115 Stat. 373; Pub. L. 110-181, div. A, title X, §1083(b)(4), Jan. 28, 2008, 122 Stat. 342.)

Editorial Notes

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. 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 559 and 1013 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 559 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.

CODIFICATION

Section was formerly classified to section 10603c of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2008—Subsec. (a)(3)(A)(i). Pub. L. 110-181 substituted “October 23, 1983, 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.”

Statutory Notes and Related Subsidiaries

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 1605A of Title 28, Judiciary and Judicial Procedure.

§ 20107. Crime victims legal assistance grants**(a) In general**

The Director may make grants as provided in section 20103(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.

(Pub. L. 98-473, title II, §1404D, as added Pub. L. 108-405, title I, §103(a), Oct. 30, 2004, 118 Stat. 2264.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 10603d of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20108. Crime victims notification grants**(a) In general**

The Director may make grants as provided in section 20103(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 or private entities, to develop and implement state-of-the-art systems for notifying victims of crime of important dates and developments relating to the criminal proceedings at issue in a timely and efficient manner, provided that the jurisdiction has laws substantially equivalent to the provisions of chapter 237 of title 18.

(b) Integration of systems

Systems developed and implemented under this section may be integrated with existing case management systems operated by the recipient of the grant.

(c) Authorization of appropriations

In addition to funds made available under section 20101(d) of this title, there are authorized to be appropriated to carry out this section—

- (1) \$5,000,000 for fiscal year 2005; and
- (2) \$5,000,000 for each of the fiscal years 2006, 2007, 2008, and 2009.

(d) 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.

(Pub. L. 98-473, title II, §1404E, as added Pub. L. 108-405, title I, §103(c), Oct. 30, 2004, 118 Stat. 2265.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 10603e of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20109. Sexual assault survivors' notification grants**(a) In general**

The Attorney General may make grants as provided in section 20103(c)(1)(A) of this title to States to develop and disseminate to entities described in subsection (c)(1) of this section written notice of applicable rights and policies for sexual assault survivors.

(b) Notification of rights

Each recipient of a grant awarded under subsection (a) shall make its best effort to ensure that each entity described in subsection (c)(1) provides individuals who identify as a survivor of a sexual assault, and who consent to receiving such information, with written notice of applicable rights and policies regarding—

(1) the right not to be charged fees for or otherwise prevented from pursuing a sexual assault evidence collection kit;

(2) the right to have a sexual assault medical forensic examination regardless of whether the survivor reports to or cooperates with law enforcement;

(3) the availability of a sexual assault advocate;

(4) the availability of protective orders and policies related to their enforcement;

(5) policies regarding the storage, preservation, and disposal of sexual assault evidence collection kits;

(6) the process, if any, to request preservation of sexual assault evidence collection kits or the probative evidence from such kits; and

(7) the availability of victim compensation and restitution.

(c) Dissemination of written notice

Each recipient of a grant awarded under subsection (a) shall—

(1) provide the written notice described in subsection (b) to medical centers, hospitals, forensic examiners, sexual assault service providers, State and local law enforcement agencies, and any other State agency or department reasonably likely to serve sexual assault survivors; and

(2) make the written notice described in subsection (b) publicly available on the Internet website of the attorney general of the State.

(d) Provision to promote compliance

The Attorney General may provide such technical assistance and guidance as necessary to help recipients meet the requirements of this section.

(e) Integration of systems

Any system developed and implemented under this section may be integrated with an existing case management system operated by the recipient of the grant if the system meets the requirements listed in this section.

(Pub. L. 98-473, title II, §1404F, as added Pub. L. 114-236, §3, Oct. 7, 2016, 130 Stat. 967.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 10603f of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 20110. 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 subchapter.

(b) Recordkeeping

Each recipient of sums under this subchapter 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