

and contain such information, as the Attorney General may prescribe. In addition, applications shall include documentation showing—

- (1) the need for grant funds and that State or local funding, as the case may be, does not already cover these operations;
- (2) intended use of the grant funds, including a plan of action to increase record input; and
- (3) an estimate of expected results from the use of the grant funds.

(Pub. L. 103-322, title IV, §40604, Sept. 13, 1994, 108 Stat. 1951.)

§ 14034. Disbursement

Not later than 90 days after the receipt of an application under this part, the Attorney General shall either provide grant funds or shall inform the applicant why grant funds are not being provided.

(Pub. L. 103-322, title IV, §40605, Sept. 13, 1994, 108 Stat. 1952.)

§ 14035. Technical assistance, training, and evaluations

The Attorney General may provide technical assistance and training in furtherance of the purposes of this part, and may provide for the evaluation of programs that receive funds under this part, in addition to any evaluation requirements that the Attorney General may prescribe for grantees. The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, or through contracts or other arrangements with other entities.

(Pub. L. 103-322, title IV, §40606, Sept. 13, 1994, 108 Stat. 1952.)

§ 14036. Training programs for judges

The State Justice Institute, after consultation with nationally recognized nonprofit organizations with expertise in stalking and domestic violence cases, shall conduct training programs for State (as defined in section 10701¹ of this title) and Indian tribal judges to ensure that a judge issuing an order in a stalking or domestic violence case has all available criminal history and other information, whether from State or Federal sources.

(Pub. L. 103-322, title IV, §40607, Sept. 13, 1994, 108 Stat. 1952.)

REFERENCES IN TEXT

Section 10701 of this title, referred to in text, was in the original “section 202 of the State Justice Institute Authorization Act of 1984”, and was translated as reading “section 202 of the State Justice Institute Act of 1984”, which is section 202 of Pub. L. 98-620, to reflect the probable intent of Congress.

§ 14037. Recommendations on intrastate communication

The State Justice Institute, after consultation with nationally recognized nonprofit associations with expertise in data sharing among criminal justice agencies and familiarity with

¹ See References in Text note below.

the issues raised in stalking and domestic violence cases, shall recommend proposals regarding how State courts may increase intrastate communication between civil and criminal courts.

(Pub. L. 103-322, title IV, §40608, Sept. 13, 1994, 108 Stat. 1952.)

§ 14038. Inclusion in National Incident-Based Reporting System

Not later than 2 years after September 13, 1994, the Attorney General, in accordance with the States, shall compile data regarding domestic violence and intimidation (including stalking) as part of the National Incident-Based Reporting System (NIBRS).

(Pub. L. 103-322, title IV, §40609, Sept. 13, 1994, 108 Stat. 1952.)

§ 14039. Report to Congress

Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides information concerning the incidence of stalking and domestic violence, and evaluates the effectiveness of State antistalking efforts and legislation.

(Pub. L. 103-322, title IV, §40610, Sept. 13, 1994, 108 Stat. 1952; Pub. L. 109-162, §3(b)(1), title XI, §1135(a), Jan. 5, 2006, 119 Stat. 2971, 3108; Pub. L. 109-271, §2(d), 8(b), Aug. 12, 2006, 120 Stat. 752, 766.)

AMENDMENTS

2006—Pub. L. 109-162, §1135(a), which directed an amendment substantially identical to that directed by Pub. L. 109-162, §3(b)(1), was repealed by Pub. L. 109-271.

Pub. L. 109-162, §3(b)(1), which directed the substitution of “Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides” for “The Attorney General shall submit to the Congress an annual report, beginning 1 year after September 13, 1994, that provides”, was executed by making the substitution for “The Attorney General shall submit to the Congress an annual report, beginning one year after September 13, 1994, that provides”, to reflect the probable intent of Congress.

REPORT RELATING TO STALKING LAWS

Pub. L. 105-119, title I, §115(b)(2), Nov. 26, 1997, 111 Stat. 2467, provided that: “The Attorney General shall include in an annual report under section 40610 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14039) information concerning existing or proposed State laws and penalties for stalking crimes against children.”

§ 14040. Definitions

As used in this part—

(1) the term “national crime information databases” refers to the National Crime Information Center and its incorporated criminal history databases, including the Interstate Identification Index; and

(2) the term “protection order” includes an injunction or any other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil or criminal courts (other than support or child custody orders) whether

obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

(Pub. L. 103-322, title IV, §40611, Sept. 13, 1994, 108 Stat. 1952.)

PART G—ELDER ABUSE, NEGLECT, AND EXPLOITATION, INCLUDING DOMESTIC VIOLENCE AND SEXUAL ASSAULT AGAINST OLDER OR DISABLED INDIVIDUALS

CODIFICATION

This part was, in the original, subtitle H of title IV of Pub. L. 103-322, as added by Pub. L. 106-386, and has been redesignated as part G of this subchapter for purposes of codification.

§ 14041. Definitions

In this part:

(1) In general

The terms “elder abuse, neglect, and exploitation”, and “older individual” have the meanings given the terms in section 3002 of this title.

(2) Domestic violence

The term “domestic violence” has the meaning given such term by section 3796gg-2¹ of this title.

(3) Sexual assault

The term “sexual assault” has the meaning given the term in section 3796gg-2¹ of this title.

(Pub. L. 103-322, title IV, §40801, as added Pub. L. 106-386, div. B, title II, §1209(a), Oct. 28, 2000, 114 Stat. 1508.)

REFERENCES IN TEXT

Section 3796gg-2 of this title, referred to in pars. (2) and (3), was subsequently repealed and a new section 3796gg-2 enacted which does not define the terms “domestic violence” or “sexual assault”. However, such terms are defined in section 13925 of this title.

§ 14041a. Enhanced training and services to end violence against and abuse of women later in life

(a) Grants authorized

The Attorney General, through the Director of the Office on Violence Against Women, may award grants, which may be used for—

(1) training programs to assist law enforcement, prosecutors, governmental agencies, victim assistants, and relevant officers of Federal, State, tribal, territorial, and local courts in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, or stalking against victims who are 50 years of age or older;

(2) providing or enhancing services for victims of elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, or stalking, who are 50 years of age or older;

(3) creating or supporting multidisciplinary collaborative community responses to victims of elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, and stalking, who are 50 years of age or older; and

(4) conducting cross-training for victim service organizations, governmental agencies, courts, law enforcement, and nonprofit, non-governmental organizations serving victims of elder abuse, neglect, and exploitation, including domestic violence, dating violence, sexual assault, and stalking, who are 50 years of age or older.

(b) Eligible entities

An entity shall be eligible to receive a grant under this section if the entity is—

- (1) a State;
- (2) a unit of local government;
- (3) an Indian tribal government or tribal organization; or
- (4) a nonprofit and nongovernmental victim services organization with demonstrated experience in assisting elderly women or demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking.

(c) Underserved populations

In awarding grants under this section, the Director shall ensure that services are culturally and linguistically relevant and that the needs of underserved populations are being addressed.

(Pub. L. 103-322, title IV, §40802, as added Pub. L. 106-386, div. B, title II, §1209(a), Oct. 28, 2000, 114 Stat. 1509; amended Pub. L. 109-162, title II, §205(a), Jan. 5, 2006, 119 Stat. 3002.)

AMENDMENTS

2006—Pub. L. 109-162 amended section catchline and text generally. Prior to amendment, text read as follows: “The Attorney General may make grants for training programs to assist law enforcement officers, prosecutors, and relevant officers of Federal, State, tribal, and local courts in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect, and exploitation and violence against individuals with disabilities, including domestic violence and sexual assault, against older or disabled individuals.”

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 3793 of this title.

§ 14041b. Authorization of appropriations

There are authorized to be appropriated to carry out this part \$10,000,000 for each of the fiscal years 2007 through 2011.

(Pub. L. 103-322, title IV, §40803, as added Pub. L. 106-386, div. B, title II, §1209(a), Oct. 28, 2000, 114 Stat. 1509; amended Pub. L. 109-162, title II, §205(b), Jan. 5, 2006, 119 Stat. 3002.)

AMENDMENTS

2006—Pub. L. 109-162 substituted “\$10,000,000 for each of the fiscal years 2007 through 2011” for “\$5,000,000 for each of fiscal years 2001 through 2005”.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-162 not effective until the beginning of fiscal year 2007, see section 4 of Pub. L. 109-162, set out as a note under section 3793 of this title.

¹ See References in Text note below.