

STANDARDS, PRACTICE, AND TRAINING FOR SEXUAL
ASSAULT FORENSIC EXAMINATIONS

Pub. L. 106-386, div. B, title IV, §1405, Oct. 28, 2000, 114 Stat. 1515, provided that:

“(a) IN GENERAL.—The Attorney General shall—

“(1) evaluate existing standards of training and practice for licensed health care professionals performing sexual assault forensic examinations and develop a national recommended standard for training;

“(2) recommend sexual assault forensic examination training for all health care students to improve the recognition of injuries suggestive of rape and sexual assault and baseline knowledge of appropriate referrals in victim treatment and evidence collection; and

“(3) review existing national, State, tribal, and local protocols on sexual assault forensic examinations, and based on this review, develop a recommended national protocol and establish a mechanism for its nationwide dissemination.

“(b) CONSULTATION.—The Attorney General shall consult with national, State, tribal, and local experts in the area of rape and sexual assault, including rape crisis centers, State and tribal sexual assault and domestic violence coalitions and programs, and programs for criminal justice, forensic nursing, forensic science, emergency room medicine, law, social services, and sex crimes in underserved communities (as defined in [former] section 2003(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 ([former] 42 U.S.C. 3796gg-2(7)), as amended by this division).

“(c) REPORT.—The Attorney General shall ensure that not later than 1 year after the date of the enactment of this Act [Oct. 28, 2000], a report of the actions taken pursuant to subsection (a) is submitted to Congress.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$200,000 for fiscal year 2001.”

[For definitions of terms used in section 1405 of Pub. L. 106-386, set out above, see section 1002 of Pub. L. 106-386, set out as a note under section 3796gg-2 of this title.]

§ 3796gg-0. Establishment of Violence Against Women Office**(a) In general**

There is hereby established within the Department of Justice, under the general authority of the Attorney General, a Violence Against Women Office (in this subchapter referred to as the “Office”).

(b) Separate office

The Office shall be a separate and distinct office within the Department of Justice, headed by a Director, who shall report to the Attorney General and serve as Counsel to the Attorney General on the subject of violence against women, and who shall have final authority over all grants, cooperative agreements, and contracts awarded by the Office.

(c) Jurisdiction

Under the general authority of the Attorney General, the Office—

(1) shall have sole jurisdiction over all duties and functions described in section 3796gg-0b of this title; and

(2) shall be solely responsible for coordination with other departments, agencies, or offices of all activities authorized or undertaken under the Violence Against Women Act of 1994 (title VI¹ of Public 103-322) and the Violence

Against Women Act of 2000 (Division B of Public Law 106-386).

(Pub. L. 90-351, title I, §2002, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1789.)

REFERENCES IN TEXT

The Violence Against Women Act of 1994, referred to in subsec. (c)(2), is title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of this title and Tables.

The Violence Against Women Act of 2000, referred to in subsec. (c)(2), is div. B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491. For complete classification of this Act to the Code, see Short Title of 2000 Amendments note set out under section 13701 of this title and Tables.

PRIOR PROVISIONS

A prior section 2002 of Pub. L. 90-351 was renumbered section 2007 and is classified to section 3796gg-1 of this title.

EFFECTIVE DATE

Pub. L. 107-273, div. A, title IV, §403, Nov. 2, 2002, 116 Stat. 1791, provided that: “This title [enacting this section and sections 3796gg-0a to 3796gg-0d of this title, amending sections 3796gg-1 to 3796gg-5 of this title, and enacting provisions set out as a note under section 3711 of this title] shall take effect 90 days after this bill becomes law [Nov. 2, 2002].”

§ 3796gg-0a. Director of Violence Against Women Office**(a) Appointment**

The President, by and with the advice and consent of the Senate, shall appoint a Director for the Violence Against Women Office (in this subchapter¹ referred to as the “Director”) to be responsible, under the general authority of the Attorney General, for the administration, coordination, and implementation of the programs and activities of the Office.

(b) Other employment

The Director shall not—

(1) engage in any employment other than that of serving as Director; or

(2) 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 the Violence Against Women Act of 1994 (title IV of Public Law 103-322) or the Violence Against Women Act of 2000 (division B of Public Law 106-386).

(c) Vacancy

In the case of a vacancy, the President may designate an officer or employee who shall act as Director during the vacancy.

(d) Compensation

The Director shall be compensated at a rate of pay not to exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5.

(Pub. L. 90-351, title I, §2003, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1789.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original “this title”, and was translated as reading

¹ So in original. Probably should be “title IV”.

¹ See References in Text note below.

“this part”, meaning part T of title I of Pub. L. 90-351, to reflect the probable intent of Congress.

The Violence Against Women Act of 1994, referred to in subsec. (b)(2), is title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of this title and Tables.

The Violence Against Women Act of 2000, referred to in (b)(2), is div. B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491. For complete classification of this Act to the Code, see Short Title of 2000 Amendments note set out under section 13701 of this title and Tables.

PRIOR PROVISIONS

A prior section 2003 of Pub. L. 90-351 was renumbered section 2008 and is classified to section 3796gg-2 of this title.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 3796gg-0 of this title.

§ 3796gg-0b. Duties and functions of Director of Violence Against Women Office

The Director shall have the following duties:

(1) Maintaining liaison with the judicial branches of the Federal and State Governments on matters relating to violence against women.

(2) Providing information to the President, the Congress, the judiciary, State, local, and tribal governments, and the general public on matters relating to violence against women.

(3) Serving, at the request of the Attorney General, as the representative of the Department of Justice on domestic task forces, committees, or commissions addressing policy or issues relating to violence against women.

(4) Serving, at the request of the President, acting through the Attorney General, as the representative of the United States Government on human rights and economic justice matters related to violence against women in international fora, including, but not limited to, the United Nations.

(5) Carrying out the functions of the Department of Justice under the Violence Against Women Act of 1994 (title IV of Public Law 103-322) and the Violence Against Women Act of 2000 (division B of Public Law 106-386), including with respect to those functions—

(A) the development of policy, protocols, and guidelines;

(B) the development and management of grant programs and other programs, and the provision of technical assistance under such programs; and

(C) the award and termination of grants, cooperative agreements, and contracts.

(6) Providing technical assistance, coordination, and support to—

(A) other components of the Department of Justice, in efforts to develop policy and to enforce Federal laws relating to violence against women, including the litigation of civil and criminal actions relating to enforcing such laws;

(B) other Federal, State, local, and tribal agencies, in efforts to develop policy, provide technical assistance, and improve coordination among agencies carrying out ef-

orts to eliminate violence against women, including Indian or indigenous women; and

(C) grantees, in efforts to combat violence against women and to provide support and assistance to victims of such violence.

(7) Exercising such other powers and functions as may be vested in the Director pursuant to this subchapter or by delegation of the Attorney General.

(8) Establishing such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Office.

(Pub. L. 90-351, title I, §2004, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1790.)

REFERENCES IN TEXT

The Violence Against Women Act of 1994, referred to in par. (5), is title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1902, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 13701 of this title and Tables.

The Violence Against Women Act of 2000, referred to in par. (5), is div. B of Pub. L. 106-386, Oct. 28, 2000, 114 Stat. 1491. For complete classification of this Act to the Code, see Short Title of 2000 Amendments note set out under section 13701 of this title and Tables.

PRIOR PROVISIONS

A prior section 2004 of Pub. L. 90-351 was renumbered section 2009 and is classified to section 3796gg-3 of this title.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 3796gg-0 of this title.

§ 3796gg-0c. Staff of Violence Against Women Office

The Attorney General shall ensure that the Director has adequate staff to support the Director in carrying out the Director's responsibilities under this subchapter.

(Pub. L. 90-351, title I, §2005, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1791.)

PRIOR PROVISIONS

A prior section 2005 of Pub. L. 90-351 was renumbered section 2010 and is classified to section 3796gg-4 of this title.

EFFECTIVE DATE

Section effective 90 days after Nov. 2, 2002, see section 403 of Pub. L. 107-273, set out as a note under section 3796gg-0 of this title.

§ 3796gg-0d. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this subchapter for each fiscal year until fiscal year 2005.

(Pub. L. 90-351, title I, §2006, as added Pub. L. 107-273, div. A, title IV, §402(3), Nov. 2, 2002, 116 Stat. 1791.)

PRIOR PROVISIONS

A prior section 2006 of Pub. L. 90-351 was renumbered section 2011 and is classified to section 3796gg-5 of this title.