

pose not permitted under this chapter shall be liable to the individual to whom the information pertains, who may bring a civil action in a United States district court.

(b) REMEDIES.—The court may award—

- (1) actual damages, but not less than liquidated damages in the amount of \$2,500;
- (2) punitive damages upon proof of willful or reckless disregard of the law;
- (3) reasonable attorneys' fees and other litigation costs reasonably incurred; and
- (4) such other preliminary and equitable relief as the court determines to be appropriate.

(Added Pub. L. 103-322, title XXX, §300002(a), Sept. 13, 1994, 108 Stat. 2101.)

EFFECTIVE DATE

Section effective on the date that is 3 years after Sept. 13, 1994, with provisions relating to release of personal information before the effective date and compliance after such date, see section 300003 of Pub. L. 103-322, set out as a note under section 2721 of this title.

§ 2725. Definitions

In this chapter—

(1) "motor vehicle record" means any record that pertains to a motor vehicle operator's permit, motor vehicle title, motor vehicle registration, or identification card issued by a department of motor vehicles;

(2) "person" means an individual, organization or entity, but does not include a State or agency thereof;

(3) "personal information" means information that identifies an individual, including an individual's photograph, social security number, driver identification number, name, address (but not the 5-digit zip code), telephone number, and medical or disability information, but does not include information on vehicular accidents, driving violations, and driver's status.¹

(4) "highly restricted personal information" means an individual's photograph or image, social security number, medical or disability information; and

(5) "express consent" means consent in writing, including consent conveyed electronically that bears an electronic signature as defined in section 106(5) of Public Law 106-229.

(Added Pub. L. 103-322, title XXX, §300002(a), Sept. 13, 1994, 108 Stat. 2102; amended Pub. L. 106-346, §101(a) [title III, §309(b)], Oct. 23, 2000, 114 Stat. 1356, 1356A-24.)

REFERENCES IN TEXT

Section 106(5) of Public Law 106-229, referred to in par. (5), is classified to section 7006(5) of Title 15, Commerce and Trade.

AMENDMENTS

2000—Pars. (4), (5). Pub. L. 106-346 added pars. (4) and (5).

EFFECTIVE DATE

Section effective on the date that is 3 years after Sept. 13, 1994, with provisions relating to release of personal information before the effective date and compliance after such date, see section 300003 of Pub. L. 103-322, set out as a note under section 2721 of this title.

¹ So in original. The period probably should be a semicolon.

PART II—CRIMINAL PROCEDURE

Chap.		Sec.
201.	General provisions	3001
203.	Arrest and commitment	3041
204.	Rewards for information concerning terrorist acts and espionage ..	3071
205.	Searches and seizures	3101
206.	Pen Registers and Trap and Trace Devices ¹	3121
207.	Release and detention pending judicial proceedings	3141
208.	Speedy trial	3161
209.	Extradition	3181
211.	Jurisdiction and venue	3231
212.	Military extraterritorial jurisdiction	3261
212A.	Extraterritorial jurisdiction over certain offenses	3271
213.	Limitations	3281
215.	Grand jury	3321
216.	Special grand jury	3331
217.	Indictment and information	3361
219.	Trial by United States magistrate judges	3401
221.	Arraignment, pleas and trial	3431
223.	Witnesses and evidence	3481
224.	Protection of witnesses	3521
225.	Verdict	3531
227.	Sentences	3551
228.	Death sentence	3591
228A.	Post-conviction DNA testing	3600
229.	Post-Sentence Administration ²	3601
	[231. Repealed.]	
232.	Miscellaneous Sentencing Provisions ¹	3661
232A.	Special forfeiture of collateral profits of crime	3681
233.	Contempts	3691
235.	Appeal	3731
237.	Crime victims' rights	3771
238.	Sexual assault survivors' rights	3772

AMENDMENTS

2016—Pub. L. 114-316, §2(b)(1), Dec. 16, 2016, 130 Stat. 1593, struck out "trafficking in persons" before "offenses" in item for chapter 212A.

Pub. L. 114-236, §2(b), Oct. 7, 2016, 130 Stat. 967, added item for chapter 238.

2006—Pub. L. 109-164, title I, §103(a)(2), Jan. 10, 2006, 119 Stat. 3563, added item for chapter 212A.

2004—Pub. L. 108-405, title I, §102(b), title IV, §411(a)(2), Oct. 30, 2004, 118 Stat. 2264, 2284, added items for chapters 228A and 237.

2000—Pub. L. 106-523, §2(b), Nov. 22, 2000, 114 Stat. 2492, added item for chapter 212.

1994—Pub. L. 103-359, title VIII, §803(c)(1), Oct. 14, 1994, 108 Stat. 3439, substituted "terrorist acts and espionage" for "terrorists acts" in item for chapter 204.

Pub. L. 103-322, title VI, §60002(b), Sept. 13, 1994, 108 Stat. 1968, added item for chapter 228.

1988—Pub. L. 100-702, title IV, §404(a)(1), Nov. 19, 1988, 102 Stat. 4651, struck out item 237 "Rules of criminal procedure".

1986—Pub. L. 99-646, §41(d), Nov. 10, 1986, 100 Stat. 3600, struck out item for chapter 232 "Special forfeiture of collateral profits of crime" and added item for chapter 232A.

Pub. L. 99-508, title III, §301(b), Oct. 21, 1986, 100 Stat. 1872, added item for chapter 206.

1984—Pub. L. 98-533, title I, §101(b), Oct. 19, 1984, 98 Stat. 2708, added item for chapter 204.

¹ So in original. First word only of item should be capitalized.

² So in original. Does not conform to chapter heading and first word only of item should be capitalized.

Pub. L. 98-473, title II, §§203(d), 212(b), 1209(a), 1406(b), Oct. 12, 1984, 98 Stat. 1985, 2011, 2163, 2176, inserted “and detention pending judicial proceedings” in item for chapter 207, added items for chapters 224, 227, 229, 231, and 232, and struck out items for former chapters 227 “Sentence, judgment, and execution”, 229 “Fines, penalties and forfeitures” and 231 “Probation”.

1975—Pub. L. 93-619, title I, §102, Jan. 3, 1975, 88 Stat. 2086, added item for chapter 208.

1970—Pub. L. 91-452, title I, §101(b), Oct. 15, 1970, 84 Stat. 926, added item for chapter 216.

1968—Pub. L. 90-578, title III, §301(c), Oct. 17, 1968, 82 Stat. 1115, substituted “Trial by United States magistrates” for “Trial by commissioners” in item for chapter 219.

1966—Pub. L. 89-465, §5(e)(2), June 22, 1966, 80 Stat. 217, substituted “Release” for “Bail” in item for chapter 207.

CHANGE OF NAME

“United States magistrate judges” substituted for “United States magistrates” in item for chapter 219 pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of Title 28, Judiciary and Judicial Procedure.

CHAPTER 201—GENERAL PROVISIONS

Sec.

3001. Procedure governed by rules; scope, purpose and effect; definition of terms; local rules; forms—Rule.
3002. Courts always open—Rule.
3003. Calendars—Rule.
3004. Decorum in court room—Rule.
3005. Counsel and witnesses in capital cases.
3006. Assignment of counsel—Rule.
- 3006A. Adequate representation of defendants.
3007. Motions—Rule.
3008. Service and filing of papers—Rule.
3009. Records—Rule.
3010. Exceptions unnecessary—Rule.
3011. Computation of time—Rule.
3012. Repealed.
3013. Special assessment on convicted persons.
3014. Additional special assessment.

AMENDMENTS

2015—Pub. L. 114-22, title I, §101(b), May 29, 2015, 129 Stat. 230, added item 3014.

1984—Pub. L. 98-473, title II, §§218(c), 1405(b), Oct. 12, 1984, 98 Stat. 2027, 2175, added item 3013 and substituted “Repealed” for “Orders respecting persons in custody” in item 3012.

1964—Pub. L. 88-455, §4, Aug. 20, 1964, 78 Stat. 554, added item 3006A.

LAW ENFORCEMENT ASSISTANCE ACT OF 1965

Note regarding Pub. L. 89-197, §§1-11, Sept. 22, 1965, 79 Stat. 828, which was amended and subsequently repealed, has been editorially reclassified in a note preceding section 10101 of Title 34, Crime Control and Law Enforcement.

COORDINATION OF FEDERAL LAW ENFORCEMENT AND CRIME PREVENTION PROGRAMS

Designation of Attorney General to coordinate Federal law enforcement and crime prevention programs, see Ex. Ord. No. 11396, Feb. 7, 1968, 33 F.R. 2689, set out as a note preceding section 10101 of Title 34, Crime Control and Law Enforcement.

§ 3001. Procedure governed by rules; scope, purpose and effect; definition of terms; local rules; forms—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Scope, rule 1.

Purpose and construction, rule 2.

Proceedings to which rules apply, rules 54 and 59.

Definition, rule 54(c).

Rules of District Courts and Circuit Courts of Appeal, rule 57.

Forms, rule 58.

Effective date, rule 59.

Citation of rule, rule 60.

(June 25, 1948, ch. 645, 62 Stat. 814.)

§ 3002. Courts always open—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Business hours, rule 56.

(June 25, 1948, ch. 645, 62 Stat. 814.)

§ 3003. Calendars—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Preference to criminal cases, rule 50.

(June 25, 1948, ch. 645, 62 Stat. 814.)

§ 3004. Decorum in court room—(Rule)

SEE FEDERAL RULES OF CRIMINAL PROCEDURE

Photographing or radio broadcasting prohibited, rule 53.

(June 25, 1948, ch. 645, 62 Stat. 814.)

§ 3005. Counsel and witnesses in capital cases

Whoever is indicted for treason or other capital crime shall be allowed to make his full defense by counsel; and the court before which the defendant is to be tried, or a judge thereof, shall promptly, upon the defendant's request, assign 2 such counsel, of whom at least 1 shall be learned in the law applicable to capital cases, and who shall have free access to the accused at all reasonable hours. In assigning counsel under this section, the court shall consider the recommendation of the Federal Public Defender organization, or, if no such organization exists in the district, of the Administrative Office of the United States Courts. The defendant shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial, as is usually granted to compel witnesses to appear on behalf of the prosecution.

(June 25, 1948, ch. 645, 62 Stat. 814; Pub. L. 103-322, title VI, §60026, Sept. 13, 1994, 108 Stat. 1982.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §563 (R.S. §1034). Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “; and the court before which the defendant is to be tried, or a judge thereof, shall promptly, upon the defendant's request, assign 2 such counsel, of whom at least 1 shall be learned in the law applicable to capital cases, and who shall have free access to the accused at all reasonable hours. In assigning counsel under this section, the court shall consider the recommendation of the Federal Public Defender organization, or, if no such organization exists in the district, of the Administrative Office of the United States Courts. The defendant shall” for “learned in the law; and the court before which he is tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding