

the failure of a responsible person to provide information as required by subsection (b) or (c).

**(e) Definitions**

For the purposes of this section—

(1) the term “responsible official” means a person designated pursuant to subsection (a) to perform the functions of a responsible official under that section; and

(2) the term “victim” means a person that has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime, including—

(A) in the case of a victim that is an institutional entity, an authorized representative of the entity; and

(B) in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, one of the following (in order of preference):

- (i) a spouse;
- (ii) a legal guardian;
- (iii) a parent;
- (iv) a child;
- (v) a sibling;
- (vi) another family member; or
- (vii) another person designated by the court.

(Pub. L. 101-647, title V, §503, Nov. 29, 1990, 104 Stat. 4820; Pub. L. 103-322, title IV, §40503(a), Sept. 13, 1994, 108 Stat. 1946.)

REFERENCES IN TEXT

Section 10606(b)(4) of title 42, referred to in subsec. (c)(3)(D), was in the original “section 1102(b)(4)”, meaning section 1102(b)(4) of Pub. L. 101-647, which has been translated as reading section 502(b)(4) of Pub. L. 101-647 to reflect the probable intent of Congress because Pub. L. 101-647 does not contain a section 1102 and section 502(b)(4) relates to the right of crime victims to be present at public court proceedings. Section 10606 of Title 42, The Public Health and Welfare, was repealed by Pub. L. 108-405, title I, §102(c), Oct. 30, 2004, 118 Stat. 2264.

CODIFICATION

Section was formerly classified to section 10607 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1994—Subsec. (c)(7). Pub. L. 103-322 inserted at end “The Attorney General shall provide for the payment of the cost of up to 2 anonymous and confidential tests of the victim for sexually transmitted diseases, including HIV, gonorrhea, herpes, chlamydia, and syphilis, during the 12 months following sexual assaults that pose a risk of transmission, and the cost of a counseling session by a medically trained professional on the accuracy of such tests and the risk of transmission of sexually transmitted diseases to the victim as the result of the assault. A victim may waive anonymity and confidentiality of any tests paid for under this section.”

**§ 20142. Closed circuit televised court proceedings for victims of crime**

**(a) In general**

Notwithstanding any provision of the Federal Rules of Criminal Procedure to the contrary, in order to permit victims of crime to watch criminal trial proceedings in cases where the venue of the trial is changed—

(1) out of the State in which the case was initially brought; and

(2) more than 350 miles from the location in which those proceedings originally would have taken place;

the trial court shall order closed circuit televising of the proceedings to that location, for viewing by such persons the court determines have a compelling interest in doing so and are otherwise unable to do so by reason of the inconvenience and expense caused by the change of venue.

**(b) Limited access**

**(1) Generally**

No other person, other than official court and security personnel, or other persons specifically designated by the court, shall be permitted to view the closed circuit televising of the proceedings.

**(2) Exception**

The court shall not designate a person under paragraph (1) if the presiding judge at the trial determines that testimony by that person would be materially affected if that person heard other testimony at the trial.

**(c) Restrictions**

(1) The signal transmitted pursuant to subsection (a) shall be under the control of the court at all times and shall only be transmitted subject to the terms and conditions imposed by the court.

(2) No public broadcast or dissemination shall be made of the signal transmitted pursuant to subsection (a). In the event any tapes are produced in carrying out subsection (a), such tapes shall be the property of the court and kept under seal.

(3) Any violations of this subsection, or any rule or order made pursuant to this section, shall be punishable as contempt of court as described in section 402 of title 18.

**(d) Donations**

The Administrative Office of the United States Courts may accept donations to enable the courts to carry out subsection (a).

**(e) Construction**

(1)<sup>1</sup> Nothing in this section shall be construed—

(i) to create in favor of any person a cause of action against the United States or any officer or employees thereof, or

(ii) to provide any person with a defense in any action in which application of this section is made.

**(f) “State” defined**

As used in this section, the term “State” means any State, the District of Columbia, or any possession or territory of the United States.

**(g) Rules**

The Judicial Conference of the United States, pursuant to its rule making authority under section 331 of title 28, may promulgate and issue rules, or amend existing rules, to effectuate the

<sup>1</sup> So in original. No par. (2) has been enacted.

policy addressed by this section. Upon the implementation of such rules, this section shall cease to be effective.

**(h) Effective date**

This section shall only apply to cases filed after January 1, 1995.

(Pub. L. 104-132, title II, §235, Apr. 24, 1996, 110 Stat. 1246.)

REFERENCES IN TEXT

The Federal Rules of Criminal Procedure, referred to in subsec. (a), are set out in the Appendix to Title 18, Crimes and Criminal Procedure.

CODIFICATION

Section was formerly classified to section 10608 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 20143. Grants for young witness assistance**

**(a) In general**

The Director of the Bureau of Justice Assistance of the Office of Justice Programs may make grants to State and local prosecutors and law enforcement agencies in support of juvenile and young adult witness assistance programs.

**(b) Use of funds**

Grants made available under this section may be used—

- (1) to assess the needs of juvenile and young adult witnesses;
- (2) to develop appropriate program goals and objectives; and
- (3) to develop and administer a variety of witness assistance services, which includes—
  - (A) counseling services to young witnesses dealing with trauma associated in witnessing a violent crime;
  - (B) pre- and post-trial assistance for the youth and their family;
  - (C) providing education services if the child is removed from or changes their school for safety concerns;
  - (D) protective services for young witnesses and their families when a serious threat of harm from the perpetrators or their associates is made; and
  - (E) community outreach and school-based initiatives that stimulate and maintain public awareness and support.

**(c) Definitions**

In this section:

- (1) The term “juvenile” means an individual who is age 17 or younger.
- (2) The term “young adult” means an individual who is age 21 or younger but not a juvenile.
- (3) The term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

**(d) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2006 through 2009.

(Pub. L. 109-162, title XI, §1136, Jan. 5, 2006, 119 Stat. 3109; Pub. L. 109-271, §8(c), Aug. 12, 2006, 120 Stat. 766.)

CODIFICATION

Section was formerly classified to section 3743 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-271 substituted “The Director of the Bureau of Justice Assistance of the Office of Justice Programs may” for “The Attorney General, acting through the Bureau of Justice Assistance, may”.

**§ 20144. Justice for United States victims of state sponsored terrorism**

**(a) Short title**

This section may be cited as the “Justice for United States Victims of State Sponsored Terrorism Act”.

**(b) Administration of the United States Victims of State Sponsored Terrorism Fund**

**(1) Administration of the Fund**

**(A) Appointment and terms of Special Master**

**(i) Initial appointment**

Not later than 60 days after December 18, 2015, the Attorney General shall appoint a Special Master. The initial term for the Special Master shall be 18 months.

**(ii) Additional terms**

Thereafter, each time there exists funds in excess of \$100,000,000 in the Fund, the Attorney General shall appoint or reappoint a Special Master for such period as is appropriate, not to exceed 1 year. In addition, if there exists in the Fund funds that are less than \$100,000,000, the Attorney General may appoint or reappoint a Special Master each time the Attorney General determines there are sufficient funds available in the Fund to compensate eligible claimants, for such period as is appropriate, not to exceed 1 year.

**(iii) Special Master to administer compensation from the Fund**

The Special Master shall administer the compensation program described in this section for United States persons who are victims of state sponsored terrorism.

**(B) Administrative costs and use of Department of Justice personnel**

The Special Master may utilize, as necessary, no more than 5 full-time equivalent Department of Justice personnel to assist in carrying out the duties of the Special Master under this section. Any costs associated with the use of such personnel, and any other administrative costs of carrying out this section, shall be paid from the Fund.

**(C) Compensation of Special Master**

The Special Master shall be compensated from the Fund at a rate not to exceed the annual rate of basic pay for level IV of the Executive Schedule, as prescribed by section 5315 of title 5.

**(2) Publication of regulations and procedures**

**(A) In general**

Not later than 60 days after the date of the initial appointment of the Special Master,