

projects of the type described in subsection (b)(1)(A) and (B).

**(c) Reporting**

All grants under this section are contingent upon the filing of a report with the Secretary and the Department of Justice, Office of Victims of Crime, showing crime rates in or adjacent to public transportation before, and for a 1-year period after, the capital improvement. Statistics shall be compiled on the basis of the type of crime, sex, race, ethnicity, language, and relationship of victim to the offender.

**(d) Increased Federal share**

Notwithstanding any other provision of law, the Federal share under this section for each capital improvement project that enhances the safety and security of public transportation systems and that is not required by law (including any other provision of this Act) shall be 90 percent of the net project cost of the project.

**(e) Special grants for projects to study increasing security for women**

From the sums authorized under this section, the Secretary shall provide grants and loans for the purpose of studying ways to reduce violent crimes against women in public transit through better design or operation of public transit systems.

**(f) General requirements**

All grants or loans provided under this section shall be subject to the same terms, conditions, requirements, and provisions applicable to grants and loans as specified in section 5321 of title 49.

(Pub. L. 103-322, title IV, §40131, Sept. 13, 1994, 108 Stat. 1916.)

REFERENCES IN TEXT

This Act, referred to in subsecs. (a) and (d), is Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1796, known as the Violent Crime Control and Law Enforcement Act of 1994. For complete classification of this Act to the Code, see Short Title of 1994 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 13931 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBPART 2—ASSISTANCE TO VICTIMS OF SEXUAL ASSAULT

**§ 12311. Training programs**

**(a) In general**

The Attorney General, after consultation with victim advocates and individuals who have expertise in treating sex offenders, shall establish criteria and develop training programs to assist probation and parole officers and other personnel who work with released sex offenders in the areas of—

- (1) case management;
- (2) supervision; and
- (3) relapse prevention.

**(b) Training programs**

The Attorney General shall ensure, to the extent practicable, that training programs devel-

oped under subsection (a) are available in geographically diverse locations throughout the country.

**(c) Authorization of appropriations**

There are authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2014 through 2018.

(Pub. L. 103-322, title IV, §40152, Sept. 13, 1994, 108 Stat. 1920; Pub. L. 109-162, title I, §108, title XI, §1167, Jan. 5, 2006, 119 Stat. 2984, 3121; Pub. L. 109-271, §2(a), (b), Aug. 12, 2006, 120 Stat. 751, 752; Pub. L. 113-4, title I, §105, Mar. 7, 2013, 127 Stat. 77.)

CODIFICATION

Section was formerly classified to section 13941 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2013—Subsec. (c). Pub. L. 113-4 substituted “\$5,000,000 for each of fiscal years 2014 through 2018.” for “\$5,000,000 for each of fiscal years 2007 through 2011.”

2006—Subsec. (c). Pub. L. 109-271, §2(b), which directed amendment of section 1167 of the Violence Against Women Act of 2005, Pub. L. 109-162, by substituting “2007 through 2011” for “2006 through 2010”, was executed to subsec. (c) of this section, which is section 40152 of the Violence Against Women Act of 1994, as amended by section 1167 of Pub. L. 109-162, to reflect the probable intent of Congress. See below.

Pub. L. 109-162, §1167, added subsec. (c) and struck out heading and text of former subsec. (c) which authorized appropriations to carry out this section for fiscal years 1996 and 1997.

Pub. L. 109-162, §108, which directed the striking of subsec. (c) and the insertion of a new subsec. (c), authorizing appropriations to carry out this section for fiscal years 2007 through 2011, was repealed by Pub. L. 109-271, §2(a).

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

**§ 12312. Confidentiality of communications between sexual assault or domestic violence victims and their counselors**

**(a) Study and development of model legislation**

The Attorney General shall—

(1) study and evaluate the manner in which the States have taken measures to protect the confidentiality of communications between sexual assault or domestic violence victims and their therapists or trained counselors;

(2) develop model legislation that will provide the maximum protection possible for the confidentiality of such communications, within any applicable constitutional limits, taking into account the following factors:

(A) the danger that counseling programs for victims of sexual assault and domestic violence will be unable to achieve their goal of helping victims recover from the trauma associated with these crimes if there is no assurance that the records of the counseling sessions will be kept confidential;

(B) consideration of the appropriateness of an absolute privilege for communications between victims of sexual assault or domes-

tic violence and their therapists or trained counselors, in light of the likelihood that such an absolute privilege will provide the maximum guarantee of confidentiality but also in light of the possibility that such an absolute privilege may be held to violate the rights of criminal defendants under the Federal or State constitutions by denying them the opportunity to obtain exculpatory evidence and present it at trial; and

(C) consideration of what limitations on the disclosure of confidential communications between victims of these crimes and their counselors, short of an absolute privilege, are most likely to ensure that the counseling programs will not be undermined, and specifically whether no such disclosure should be allowed unless, at a minimum, there has been a particularized showing by a criminal defendant of a compelling need for records of such communications, and adequate procedural safeguards are in place to prevent unnecessary or damaging disclosures; and

(3) prepare and disseminate to State authorities the findings made and model legislation developed as a result of the study and evaluation.

**(b) Report and recommendations**

Not later than the date that is 1 year after September 13, 1994, the Attorney General shall report to the Congress—

(1) the findings of the study and the model legislation required by this section; and

(2) recommendations based on the findings on the need for and appropriateness of further action by the Federal Government.

**(c) Review of Federal evidentiary rules**

The Judicial Conference of the United States shall evaluate and report to Congress its views on whether the Federal Rules of Evidence should be amended, and if so, how they should be amended, to guarantee that the confidentiality of communications between sexual assault victims and their therapists or trained counselors will be adequately protected in Federal court proceedings.

(Pub. L. 103-322, title IV, §40153, Sept. 13, 1994, 108 Stat. 1921.)

REFERENCES IN TEXT

The Federal Rules of Evidence, referred to in subsec. (c), are set out in the Appendix to Title 28, Judiciary and Judicial Procedure.

CODIFICATION

Section was formerly classified to section 13942 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 12313. Information programs**

The Attorney General shall compile information regarding sex offender treatment programs and ensure that information regarding community treatment programs in the community into which a convicted sex offender is released is made available to each person serving a sentence of imprisonment in a Federal penal or correctional institution for a commission of an of-

fense under chapter 109A of title 18 or for the commission of a similar offense, including halfway houses and psychiatric institutions.

(Pub. L. 103-322, title IV, §40154, Sept. 13, 1994, 108 Stat. 1922.)

CODIFICATION

Section was formerly classified to section 13943 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART B—SAFE HOMES FOR WOMEN

SUBPART 1—CONFIDENTIALITY FOR ABUSED PERSONS

**§ 12321. Confidentiality of abused person's address**

**(a) Regulations**

Not later than 90 days after September 13, 1994, the United States Postal Service shall promulgate regulations to secure the confidentiality of domestic violence shelters and abused persons' addresses.

**(b) Requirements**

The regulations under subsection (a) shall require—

(1) in the case of an individual, the presentation to an appropriate postal official of a valid, outstanding protection order; and

(2) in the case of a domestic violence shelter, the presentation to an appropriate postal authority of proof from a State domestic violence coalition that meets the requirements of section 10410<sup>1</sup> of title 42 verifying that the organization is a domestic violence shelter.

**(c) Disclosure for certain purposes**

The regulations under subsection (a) shall not prohibit the disclosure of addresses to State or Federal agencies for legitimate law enforcement or other governmental purposes.

**(d) Existing compilations**

Compilations of addresses existing at the time at which order is presented to an appropriate postal official shall be excluded from the scope of the regulations under subsection (a).

(Pub. L. 103-322, title IV, §40281, Sept. 13, 1994, 108 Stat. 1938.)

REFERENCES IN TEXT

Section 10410 of title 42, referred to in subsec. (b)(2), was generally amended by Pub. L. 111-320, title II, §201, Dec. 20, 2010, 124 Stat. 3497, and, as so amended, no longer contains provisions relating to grants for State domestic violence coalitions. See section 10411 of Title 42, The Public Health and Welfare.

CODIFICATION

Section was formerly classified to section 13951 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBPART 2—DATA AND RESEARCH

**§ 12331. Research agenda**

**(a) Request for contract**

The Attorney General shall request the National Academy of Sciences, through its Na-

<sup>1</sup> See References in Text note below.