

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 10410¹ 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-

¹ See References in Text note below.