

she is infected with HIV and intends, through such sexual activity, to expose another to HIV. (Pub. L. 103-322, title IV, § 40503, Sept. 13, 1994, 108 Stat. 1946; Pub. L. 104-294, title VI, § 604(b)(1), Oct. 11, 1996, 110 Stat. 3506.)

CODIFICATION

Section was formerly classified to section 14011 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Section is comprised of section 40503 of Pub. L. 103-322. Subsec. (a) of section 40503 of Pub. L. 103-322 amended section 20141 of this title. Subsec. (c) of section 40503 of Pub. L. 103-322 also enacted provisions listed in a table relating to sentencing guidelines set out under section 994 of Title 28, Judiciary and Judicial Procedure.

AMENDMENTS

1996—Subsec. (b)(3). Pub. L. 104-294 substituted “paragraph (1)” for “paragraph (b)(1)”.

CHANGE OF NAME

Centers for Disease Control changed to Centers for Disease Control and Prevention by Pub. L. 102-531, title III, § 312, Oct. 27, 1992, 106 Stat. 3504.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-294 effective Sept. 13, 1994, see section 604(d) of Pub. L. 104-294, set out as a note under section 13 of Title 18, Crimes and Criminal Procedure.

§ 12392. Enforcement of statutory rape laws

(a) Sense of Senate

It is the sense of the Senate that States and local jurisdictions should aggressively enforce statutory rape laws.

(b) Justice Department program on statutory rape

Not later than January 1, 1997, the Attorney General shall establish and implement a program that—

(1) studies the linkage between statutory rape and teenage pregnancy, particularly by predatory older men committing repeat offenses; and

(2) educates State and local criminal law enforcement officials on the prevention and prosecution of statutory rape, focusing in particular on the commission of statutory rape by predatory older men committing repeat offenses, and any links to teenage pregnancy.

(c) Violence against women initiative

The Attorney General shall ensure that the Department of Justice’s Violence Against Women initiative addresses the issue of statutory rape, particularly the commission of statutory rape by predatory older men committing repeat offenses.

(Pub. L. 104-193, title IX, § 906, Aug. 22, 1996, 110 Stat. 2349.)

CODIFICATION

Section was formerly classified to section 14016 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and not as part of the Violent Crime Control and Law Enforcement Act of 1994 which enacted this chapter.

PART F—NATIONAL STALKER AND DOMESTIC VIOLENCE REDUCTION

§ 12401. Grant program

(a) In general

The Attorney General is authorized to provide grants to States and units of local government to improve and implement processes for entering data regarding stalking and domestic violence into local, State, and national crime information databases.

(b) Eligibility

To be eligible to receive a grant under subsection (a), a State or unit of local government shall certify that it has or intends to establish a program that enters into the National Crime Information Center records of—

(1) warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence;

(2) arrests or convictions of persons violating protection¹ or domestic violence; and

(3) protection orders for the protection of persons from stalking or domestic violence.

(Pub. L. 103-322, title IV, § 40602, Sept. 13, 1994, 108 Stat. 1951; Pub. L. 106-386, div. B, title I, § 1106(b), Oct. 28, 2000, 114 Stat. 1497.)

CODIFICATION

Section was formerly classified to section 14031 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2000—Subsec. (a). Pub. L. 106-386 inserted “and implement” after “improve”.

§ 12402. Authorization of appropriations

There is authorized to be appropriated to carry out this part \$3,000,000 for fiscal years 2014 through 2018.

(Pub. L. 103-322, title IV, § 40603, Sept. 13, 1994, 108 Stat. 1951; Pub. L. 106-386, div. B, title I, § 1106(a), Oct. 28, 2000, 114 Stat. 1497; Pub. L. 109-162, title I, § 109, Jan. 5, 2006, 119 Stat. 2984; Pub. L. 113-4, title XI, § 1103, Mar. 7, 2013, 127 Stat. 135.)

REFERENCES IN TEXT

This part, referred to in text, was in the original “this subtitle”, meaning subtitle F of title IV of Pub. L. 103-322, Sept. 13, 1994, 108 Stat. 1950, which enacted this part, amended section 534 of Title 28, Judiciary and Judicial Procedure, and enacted provisions set out as a note under section 534 of Title 28.

CODIFICATION

Section was formerly classified to section 14032 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2013—Pub. L. 113-4 substituted “\$3,000,000 for fiscal years 2014 through 2018.” for “\$3,000,000 for each of fiscal years 2007 through 2011.”

2006—Pub. L. 109-162, § 109(2), which directed substitution of “2011” for “2006”, was executed by substituting “2011” for “2005” to reflect the probable intent of Congress, because “2006” does not appear in text.

¹So in original. Probably should be followed by “orders intended to protect victims from stalking”.

Pub. L. 109-162, §109(1), substituted “2007” for “2001”.
2000—Pub. L. 106-386 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this part—

“(1) \$1,500,000 for fiscal year 1996;

“(2) \$1,750,000 for fiscal year 1997; and

“(3) \$2,750,000 for fiscal year 1998.”

§ 12403. Application requirements

An application for a grant under this part shall be submitted in such form and manner, and contain such information, as the Attorney General may prescribe. In addition, applications shall include documentation showing—

(1) the need for grant funds and that State or local funding, as the case may be, does not already cover these operations;

(2) intended use of the grant funds, including a plan of action to increase record input; and

(3) an estimate of expected results from the use of the grant funds.

(Pub. L. 103-322, title IV, §40604, Sept. 13, 1994, 108 Stat. 1951.)

CODIFICATION

Section was formerly classified to section 14033 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12404. Disbursement

Not later than 90 days after the receipt of an application under this part, the Attorney General shall either provide grant funds or shall inform the applicant why grant funds are not being provided.

(Pub. L. 103-322, title IV, §40605, Sept. 13, 1994, 108 Stat. 1952.)

CODIFICATION

Section was formerly classified to section 14034 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12405. Technical assistance, training, and evaluations

The Attorney General may provide technical assistance and training in furtherance of the purposes of this part, and may provide for the evaluation of programs that receive funds under this part, in addition to any evaluation requirements that the Attorney General may prescribe for grantees. The technical assistance, training, and evaluations authorized by this section may be carried out directly by the Attorney General, or through contracts or other arrangements with other entities.

(Pub. L. 103-322, title IV, §40606, Sept. 13, 1994, 108 Stat. 1952.)

CODIFICATION

Section was formerly classified to section 14035 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12406. Training programs for judges

The State Justice Institute, after consultation with nationally recognized nonprofit organizations with expertise in stalking and domestic violence cases, shall conduct training programs

for State (as defined in section 10701¹ of title 42) and Indian tribal judges to ensure that a judge issuing an order in a stalking or domestic violence case has all available criminal history and other information, whether from State or Federal sources.

(Pub. L. 103-322, title IV, §40607, Sept. 13, 1994, 108 Stat. 1952.)

REFERENCES IN TEXT

Section 10701 of title 42, referred to in text, was in the original “section 202 of the State Justice Institute Authorization Act of 1984”, and was translated as reading “section 202 of the State Justice Institute Act of 1984”, which is section 202 of Pub. L. 98-620, to reflect the probable intent of Congress.

CODIFICATION

Section was formerly classified to section 14036 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12407. Recommendations on intrastate communication

The State Justice Institute, after consultation with nationally recognized nonprofit associations with expertise in data sharing among criminal justice agencies and familiarity with the issues raised in stalking and domestic violence cases, shall recommend proposals regarding how State courts may increase intrastate communication between civil and criminal courts.

(Pub. L. 103-322, title IV, §40608, Sept. 13, 1994, 108 Stat. 1952.)

CODIFICATION

Section was formerly classified to section 14037 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12408. Inclusion in National Incident-Based Reporting System

Not later than 2 years after September 13, 1994, the Attorney General, in accordance with the States, shall compile data regarding domestic violence and intimidation (including stalking) as part of the National Incident-Based Reporting System (NIBRS).

(Pub. L. 103-322, title IV, §40609, Sept. 13, 1994, 108 Stat. 1952.)

CODIFICATION

Section was formerly classified to section 14038 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 12409. Report to Congress

Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides information concerning the incidence of stalking and domestic violence, and evaluates the effectiveness of State antistalking efforts and legislation.

(Pub. L. 103-322, title IV, §40610, Sept. 13, 1994, 108 Stat. 1952; Pub. L. 109-162, §3(b)(1), title XI, §1135(a), Jan. 5, 2006, 119 Stat. 2971, 3108; Pub. L. 109-271, §§2(d), 8(b), Aug. 12, 2006, 120 Stat. 752, 766.)

¹ See References in Text note below.