

Editorial Notes

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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14039 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2006—Pub. L. 109-162, §1135(a), which directed an amendment substantially identical to that directed by Pub. L. 109-162, §3(b)(1), was repealed by Pub. L. 109-271.

Pub. L. 109-162, §3(b)(1), which directed the substitution of “Each even-numbered fiscal year, the Attorney General shall submit to the Congress a biennial report that provides” for “The Attorney General shall submit to the Congress an annual report, beginning 1 year after September 13, 1994, that provides”, was executed by making the substitution for “The Attorney General shall submit to the Congress an annual report, beginning one year after September 13, 1994, that provides”, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

REPORT RELATING TO STALKING LAWS

Pub. L. 105-119, title I, §115(b)(2), Nov. 26, 1997, 111 Stat. 2467, provided that: “The Attorney General shall include in an annual report under section 40610 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14039) [now 34 U.S.C. 12409] information concerning existing or proposed State laws and penalties for stalking crimes against children.”

§ 12410. Definitions

As used in this part—

(1) the term “national crime information databases” refers to the National Crime Information Center and its incorporated criminal history databases, including the Interstate Identification Index; and

(2) the term “protection order” includes an injunction or any other order issued for the purpose of preventing violent or threatening acts or harassment against, or contact or communication with or physical proximity to, another person, including temporary and final orders issued by civil or criminal courts (other than support or child custody orders) whether obtained by filing an independent action or as a pendente lite order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

(Pub. L. 103-322, title IV, §40611, Sept. 13, 1994, 108 Stat. 1952.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14040 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PART G—ENHANCED TRAINING AND SERVICES TO
END ABUSE LATER IN LIFE**Editorial Notes**

CODIFICATION

This part was, in the original, subtitle H of title IV of Pub. L. 103-322, as added by Pub. L. 106-386, and was redesignated as part G of this subchapter for purposes of codification.

Pub. L. 113-4, title II, §204(a), Mar. 7, 2013, 127 Stat. 82, substituted “ENHANCED TRAINING AND SERVICES TO END ABUSE LATER IN LIFE” for “ELDER ABUSE, NEGLECT, AND EXPLOITATION, INCLUDING DOMESTIC VIOLENCE AND SEXUAL ASSAULT AGAINST OLDER OR DISABLED INDIVIDUALS” in heading.

§ 12421. Enhanced training and services to end abuse in later life**(a) Definitions**

In this section—

(1) the term “exploitation” has the meaning given the term in section 1397j of title 42;

(2) the term “later life”, relating to an individual, means the individual is 50 years of age or older; and

(3) the term “neglect” means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

(b) Grant program**(1) Grants authorized**

The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

(2) Mandatory and permissible activities**(A) Mandatory activities**

An eligible entity receiving a grant under this section shall use the funds received under the grant to—

(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

(B) Permissible activities

An eligible entity receiving a grant under this section may use the funds received under the grant to—

(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

(C) Waiver

The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

(D) Limitation

An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

(3) Eligible entities

An entity shall be eligible to receive a grant under this section if—

(A) the entity is—

- (i) a State;
- (ii) a unit of local government;
- (iii) a tribal government or tribal organization;
- (iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;
- (v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or
- (vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

- (i) a law enforcement agency;
- (ii) a prosecutor's office;
- (iii) a victim service provider; and
- (iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

(4) Underserved populations

In making grants under this section, the Attorney General shall give priority to proposals

providing services to culturally specific and underserved populations.

(5) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$9,000,000 for each of fiscal years 2014 through 2018.

(Pub. L. 103-322, title IV, § 40801, as added Pub. L. 106-386, div. B, title II, § 1209(a), Oct. 28, 2000, 114 Stat. 1508; amended Pub. L. 113-4, title II, § 204(a), Mar. 7, 2013, 127 Stat. 82.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 14041 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2013—Pub. L. 113-4 amended section generally. Prior to amendment, section defined terms for this part.

Statutory Notes and Related Subsidiaries

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.

PART H—DOMESTIC VIOLENCE TASK FORCE

§ 12431. Task force

(a) Establish

The Attorney General, in consultation with national nonprofit, nongovernmental organizations whose primary expertise is in domestic violence, shall establish a task force to coordinate research on domestic violence and to report to Congress on any overlapping or duplication of efforts on domestic violence issues. The task force shall be comprised of representatives from all Federal agencies that fund such research.

(b) Uses of funds

Funds appropriated under this section shall be used to—

- (1) develop a coordinated strategy to strengthen research focused on domestic violence education, prevention, and intervention strategies;
- (2) track and report all Federal research and expenditures on domestic violence; and
- (3) identify gaps and duplication of efforts in domestic violence research and governmental expenditures on domestic violence issues.

(c) Report

The Task Force shall report to Congress annually on its work under subsection (b).

(d) Definition

For purposes of this section, the term “domestic violence” has the meaning given such term by section 10447¹ of this title.

(e) Authorization of Appropriations

There is authorized to be appropriated to carry out this section \$500,000 for each of fiscal years 2001 through 2004.

¹ See References in Text note below.