

Section 405 of the Air Transportation Safety and System Stabilization Act, referred to in subsec. (j)(12) to (14), is section 405 of Pub. L. 107-42, which is set out in a note under section 40101 of Title 49, Transportation.

CODIFICATION

Section was formerly classified to section 10609 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2020—Subsec. (c)(2)(A)(i). Pub. L. 116-260, §1705(a)(1), substituted “foreign state that was designated as a state sponsor of terrorism at the time the acts described in clause (ii) occurred or was so designated as a result of such acts” for “state sponsor of terrorism”.

Subsec. (d)(4)(A). Pub. L. 116-260, §1705(b)(1), substituted “subparagraphs (B) and (C)” for “subparagraph (B)”.

Subsec. (d)(4)(C). Pub. L. 116-260, §1705(b)(2), added subpar. (C).

Subsec. (e)(6). Pub. L. 116-260, §1705(a)(2), substituted “January 2, 2039” for “January 2, 2030” in two places.

Subsec. (j)(6). Pub. L. 116-260, §1705(a)(3), inserted “, except that the term does not include payments received in connection with an international claims agreement to which the United States is a state party or any other settlement of terrorism-related claims against Sudan” after “final judgment”.

2019—Subsec. (b)(1)(B). Pub. L. 116-69, §1701(b)(1)(A)(i), substituted “section, except that, during the 1-year period beginning on November 21, 2019, the Special Master may utilize an additional 5 full-time equivalent Department of Justice personnel.” for “section.”

Subsec. (b)(2)(A). Pub. L. 116-69, §1701(b)(1)(A)(ii), substituted “Not later than 30 days after the date of enactment of the United States Victims of State Sponsored Terrorism Fund Clarification Act, the Special Master shall update, as necessary as a result of the enactment of such Act, such procedures and other guidance previously issued by the Special Master. Such notice and any updates to that notice or other guidance are” for “Such notice is”.

Subsec. (c)(2)(B). Pub. L. 116-69, §1701(b)(1)(B)(i), substituted “January 20, 1981” for “January 20, 1981, if such person is identified as a member of the proposed class in case number 1:00-CV-03110 (EGS) of the United States District Court for the District of Columbia”.

Subsec. (c)(3)(A)(i)(II). Pub. L. 116-69, §1701(b)(1)(B)(ii)(I), substituted for period at end “, except that any United States person with an eligible claim described in paragraph (2)(B) who did not have an eligible claim before November 21, 2019, shall have 90 days from November 21, 2019, to submit an application for payment.”

Subsec. (c)(3)(A)(ii). Pub. L. 116-69, §1701(b)(1)(B)(ii)(II), substituted for period at end “, unless the final judgment was awarded to a 9/11 victim, 9/11 spouse, or 9/11 dependent before November 21, 2019, in which case such United States person shall have 90 days from November 21, 2019, to submit an application for payment.”

Subsec. (d)(3)(A). Pub. L. 116-69, §1701(b)(1)(C)(i), added cls. (i) and (ii) and struck out former cls. (i) and (ii) which read as follows:

“(i) PRO RATA BASIS.—Except as provided in subparagraph (B) and subject to the limitations described in clause (ii), the Special Master shall carry out paragraph (1), by dividing all available funds on a pro rata basis, based on the amounts outstanding and unpaid on eligible claims, until all such amounts have been paid in full.

“(ii) LIMITATIONS.—The limitations described in this clause are as follows:

“(I) In the event that a United States person has an eligible claim that exceeds \$20,000,000, the Special Master shall treat that claim as if it were for \$20,000,000 for purposes of this section.

“(II) In the event that a United States person and the immediate family members of such person, have

claims that if aggregated would exceed \$35,000,000, the Special Master shall, for purposes of this section, reduce such claims on a pro rata basis such that in the aggregate such claims do not exceed \$35,000,000.

“(III) In the event that a United States person, or the immediate family member of such person, has an eligible claim under this section and has received an award or an award determination under section 405 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note), the amount of compensation to which such person, or the immediate family member of such person, was determined to be entitled under section 405 of the Air Transportation Safety and System Stabilization Act (49 U.S.C. 40101 note) shall be considered controlling for the purposes of this section, notwithstanding any compensatory damages amounts such person, or immediate family member of such person, is deemed eligible for or entitled to pursuant to a final judgment described in subsection (c)(2)(A).”

Subsec. (d)(4). Pub. L. 116-69, §1701(b)(1)(C)(ii), designated existing provisions as subpar. (A), inserted heading, substituted “Except as provided in subparagraph (B), on” for “On”, and added subpar. (B).

Subsec. (e)(2)(A)(ii). Pub. L. 116-69, §1701(b)(1)(D)(i), substituted “Seventy-five percent” for “One-half” and “seventy-five percent” for “one-half”.

Subsec. (e)(6). Pub. L. 116-69, §1701(b)(1)(D)(ii), substituted “2030” for “2026” in subpars. (A) and (B).

Subsec. (f)(1). Pub. L. 116-69, §1701(b)(1)(E), inserted “representing a non-9/11 related victim of state sponsored terrorism” after “No attorney” and “After November 21, 2019, no attorney representing a 9/11 related victim of state sponsored terrorism shall charge, receive, or collect, and the Special Master shall not approve, any payment of fees and costs that in the aggregate exceeds 15 percent of any payment made under this section after November 21, 2019.” after “section.”

Subsec. (j)(6). Pub. L. 116-69, §1701(b)(1)(F)(i), struck out “(including payments from the September 11th Victim Compensation Fund (49 U.S.C. 40101 note))” after “local governments”.

Subsec. (j)(9) to (14). Pub. L. 116-69, §1701(b)(1)(F)(ii), added pars. (9) to (14).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-69, div. B, title VII, §1701(d), Nov. 21, 2019, 133 Stat. 1143, provided that: “This section [amending this section and enacting provisions set out as a note below] and the amendments made by this section shall take effect on the date of enactment of this Act [Nov. 21, 2019].”

CONSTRUCTION OF 2019 AMENDMENT

Pub. L. 116-69, div. B, title VII, §1701(c), Nov. 21, 2019, 133 Stat. 1143, provided that: “A determination by the Special Master before the date of enactment of the United States Victims of State Sponsored Terrorism Fund Clarification Act [Nov. 21, 2019] that an award or award determination under section 405 of the Air Transportation Safety and Stabilization Act [Pub. L. 107-42] (49 U.S.C. 40101 note) was controlling for purposes of the Fund (pursuant to subsection (d)(3)(A)(ii)(III) of the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144(d)(3)(A)(ii)(III)), as such section was in effect on the day before the date of enactment of this Act [Nov. 21, 2019] shall not prejudice a claim of a 9/11 victim, 9/11 spouse, or 9/11 dependent.”

CHAPTER 203—VICTIMS OF CHILD ABUSE

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SUBCHAPTER I—IMPROVING INVESTIGATION AND PROSECUTION OF CHILD ABUSE CASES

§ 20301. Findings

The Congress finds that—

- (1) over 3,300,000 reports of suspected child abuse and neglect are made each year, and drug abuse is associated with a significant portion of these;
- (2) the investigation and prosecution of child abuse cases is extremely complex, involving numerous agencies and dozens of personnel;
- (3) traditionally, community agencies and professionals have different roles in the prevention, investigation, and intervention process;
- (4) in such cases, too often the system does not pay sufficient attention to the needs and welfare of the child victim, aggravating the trauma that the child victim has already experienced;
- (5) there is a national need to enhance coordination among community agencies and professionals involved in the intervention system;
- (6) multidisciplinary child abuse investigation and prosecution programs have been developed that increase the reporting of child abuse cases, reduce the trauma to the child victim, improve positive outcomes for the child, and increase the successful prosecution of child abuse offenders;
- (7) such programs have proven effective, and with targeted Federal assistance, have expanded dramatically throughout the United States; and
- (8) State chapters of children’s advocacy center networks are needed to—
 - (A) assist local communities in coordinating their multidisciplinary child abuse

investigation, prosecution, and intervention services; and

(B) provide oversight of, and training and technical assistance in, the effective delivery of evidence-informed programming.

(Pub. L. 101-647, title II, §211, Nov. 29, 1990, 104 Stat. 4792; Pub. L. 102-586, §6(a), Nov. 4, 1992, 106 Stat. 5029; Pub. L. 115-424, §2(a), Jan. 7, 2019, 132 Stat. 5465.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 13001 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2019—Par. (1). Pub. L. 115-424, §2(a)(1), substituted “3,300,000” for “2,000,000”.

Par. (6). Pub. L. 115-424, §2(a)(2), inserted “improve positive outcomes for the child,” before “and increase” and substituted semicolon for “; and” at end.

Par. (7). Pub. L. 115-424, §2(a)(3), substituted “have expanded dramatically throughout the United States; and” for “could be duplicated in many jurisdictions throughout the country.”

Par. (8). Pub. L. 115-424, §2(a)(4), added par. (8).

1992—Pars. (3) to (7). Pub. L. 102-586 added pars. (3) and (5) and redesignated former pars. (3), (4), and (5) as (4), (6), and (7), respectively.

§ 20302. Definitions

For purposes of this subchapter—

- (1) the term “Administrator” means the agency head designated under section 11111(b) of this title;
- (2) the term “applicant” means a child protective service, law enforcement, legal, medical and mental health agency or other agency that responds to child abuse cases;
- (3) the term “census region” means 1 of the 4 census regions (northeast, south, midwest, and west) that are designated as census regions by the Bureau of the Census as of November 4, 1992;
- (4) the term “child abuse” means physical or sexual abuse or neglect of a child, including human trafficking and the production of child pornography;
- (5) the term “multidisciplinary response to child abuse” means a response to child abuse that is based on mutually agreed upon procedures among the community agencies and professionals involved in the intervention, prevention, prosecution, and investigation systems that best meets the needs of child victims and their nonoffending family members;
- (6) the term “nonoffending family member” means a member of the family of a victim of child abuse other than a member who has been convicted or accused of committing an act of child abuse;
- (7) the term “regional children’s advocacy program” means the children’s advocacy program established under section 20303(a) of this title; and
- (8) the term “State chapter” means a membership organization that provides technical assistance, training, coordination, grant administration, oversight, and support to local children’s advocacy centers, multidisciplinary