

34 USC 20110: Administrative provisions

Text contains those laws in effect on November 26, 2018

From Title 34-CRIME CONTROL AND LAW ENFORCEMENT

Subtitle II-Protection of Children and Other Persons

CHAPTER 201-VICTIM RIGHTS, COMPENSATION, AND ASSISTANCE

SUBCHAPTER I-CRIME VICTIMS FUND

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§20110. Administrative provisions

(a) Authority of Director to establish rules and regulations

The Director may establish such rules, regulations, guidelines, and procedures as are necessary to carry out any function of the Director under this subchapter.

(b) Recordkeeping

Each recipient of sums under this subchapter shall keep such records as the Director shall prescribe, including records that fully disclose the amount and disposition by such recipient of such sums, the total cost of the undertaking for which such sums are used, and that portion of the cost of the undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(c) Access of Director to books and records for purpose of audit and examination

The Director shall have access, for purpose of audit and examination, to any books, documents, papers, and records of the recipient of sums under this subchapter that, in the opinion of the Director, may be related to the expenditure of funds received under this subchapter.

(d) Revealing research or statistical information; prohibition; immunity from legal proceedings; permission; admission of information as evidence

Except as otherwise provided by Federal law, no officer or employee of the Federal Government, and no recipient of sums under this subchapter, shall use or reveal any research or statistical information furnished under this subchapter by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with this subchapter. Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding.

(e) Discrimination prohibited

No person shall on the ground of race, color, religion, national origin, handicap, or sex be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with, any undertaking funded in whole or in part with sums made available under this subchapter.

(f) Failure to comply with provisions; notice and hearing; power of Director

If, after reasonable notice and opportunity for a hearing on the record, the Director finds that a State has failed to comply substantially with any provision of this subchapter or a rule, regulation, guideline, or procedure issued under this subchapter, or an application submitted in accordance with this subchapter or the provisions of any other applicable law, the Director shall-

- (1) terminate payments to such State;
- (2) suspend payments to such State until the Director is satisfied that such noncompliance has ended; or
- (3) take such other action as the Director deems appropriate.

(g) Report

The Director shall, on December 31, 1990, and on June 30 every two years thereafter, report to the President and to the

Congress on the revenue derived from each source described in [section 20101 of this title](#) and on the effectiveness of the activities supported under this subchapter. The Director may include in such report recommendations for legislation to improve this subchapter.

(h) Maintenance of effort

Each entity receiving sums made available under this subchapter for administrative purposes shall certify that such sums will not be used to supplant State or local funds, but will be used to increase the amount of such funds that would, in the absence of Federal funds, be made available for these purposes.

(Pub. L. 98–473, title II, §1407, Oct. 12, 1984, 98 Stat. 2176 ; Pub. L. 99–646, §48, Nov. 10, 1986, 100 Stat. 3605; Pub. L. 100–690, title VII, §7123(b)(10)–(14), Nov. 18, 1988, 102 Stat. 4421 , 4422; Pub. L. 103–322, title XXIII, §§230206, 230207, Sept. 13, 1994, 108 Stat. 2080 ; Pub. L. 104–294, title VI, §604(b)(9), Oct. 11, 1996, 110 Stat. 3507 .)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (h), was in the original "this Act", and was translated as reading "this chapter", meaning chapter XIV of title II of Pub. L. 98–473, to reflect the probable intent of Congress, and subsequently was translated as "this subchapter" after [chapter 112 of Title 42](#), The Public Health and Welfare, was editorially reclassified as this subchapter.

CODIFICATION

Section was formerly classified to [section 10604 of Title 42](#), The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

AMENDMENTS

1996-Subsec. (g). Pub. L. 104–294 amended directory language of Pub. L. 103–322, §230207. See 1994 Amendment note below.

1994-Subsec. (g). Pub. L. 103–322, §230207, as amended by Pub. L. 104–294, substituted "and on June 30 every two years thereafter" for "and on December 31 every 2 years thereafter".

Subsec. (h). Pub. L. 103–322, §230206, added subsec. (h).

1988-Subsec. (a). Pub. L. 100–690, §7123(b)(10), substituted "Director" for "Attorney General" in two places and "under this chapter" for "under this chapter and may delegate to any officer or employee of the Department of Justice any such function as the Attorney General deems appropriate".

Subsec. (b). Pub. L. 100–690, §7123(b)(11), substituted "Director" for "Attorney General".

Subsec. (c). Pub. L. 100–690, §7123(b)(12), which directed substitution of "Director" for "Attorney General or any duly authorized representative of the Attorney General", was executed by making substitution in two places.

Subsec. (f). Pub. L. 100–690, §7123(b)(13), substituted "Director" for "Attorney General" two places in introductory provisions and in pars. (2) and (3).

Subsec. (g). Pub. L. 100–690, §7123(b)(14), substituted "Director" for "Attorney General" in two places and "on December 31, 1990, and on December 31 every 2 years thereafter" for "no later than December 31, 1987".

1986-Subsecs. (g), (h). Pub. L. 99–646 redesignated subsec. (h) as (g) and substituted "1402", which was translated as "[section 10601 of this title](#)" for "1302", which had been editorially translated as "[section 10601 of this title](#)", thereby requiring no change in text.

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.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100–690 not applicable with respect to a State compensation program that was an eligible State crime victim compensation program on Nov. 18, 1988, until Oct. 1, 1991, see section 7129 of Pub. L. 100–

690, as amended, set out as a note under section 20101 of this title.