



1 and training on Department of Justice policy with respect  
2 to treatment of victims.

3 “(b) DUTIES.—The National Coordinator shall have  
4 the following duties:

5 “(1) REVISIONS.—Not less than once every 2  
6 years, the National Coordinator, in consultation with  
7 the Ombudsman, the Director of the Office of Violence  
8 Against Women, the Director of the Federal  
9 Bureau of Investigation, the litigating components of  
10 the Department of Justice, and victims’ rights and  
11 services groups, shall review and, if necessary, recommend  
12 the revision of the rules issued by the Attorney  
13 General to carry out this chapter.

14 “(2) ADVOCATE.—The National Coordinator  
15 may appear before the court and act as a Special  
16 Victims’ Advocate, either upon receiving a request  
17 from the Ombudsman pursuant to section  
18 3773(b)(5), upon a request from a prosecutor, Victim  
19 or Witness Coordinator, crime victim or crime  
20 victims’ counsel or representative, or in the discretion  
21 of the National Coordinator based on the circumstances.  
22

23 “(3) TRAINING.—The National Coordinator  
24 shall coordinate a mandatory biannual course of  
25 training, in consultation with victims’ rights and

1 services groups, on the responsibilities to crime vic-  
2 tims for each officer or employee of the Department  
3 of Justice who interacts with crime victims as a part  
4 of their official duties.

5 “(4) SANCTIONS.—Not later than 14 days after  
6 receiving a report from the Office of Crime Victims’  
7 Rights, the National Coordinator may impose sanc-  
8 tions on officers and employees of the Department  
9 of Justice who fail to comply with section 3771(a)  
10 or section 503 of the Victims’ Rights and Restitu-  
11 tion Act of 1990 (34 U.S.C. 20141), including—

12 “(A) suspension or termination from em-  
13 ployment;

14 “(B) delay of promotion or reduction in  
15 step on the General Schedule or other relevant  
16 pay schedule, for officers and employees of the  
17 Department of Justice who fail to comply with  
18 section 3771(a) or section 503 of the Victims’  
19 Rights and Restitution Act of 1990 (34 U.S.C.  
20 20141); and

21 “(C) referral to each State bar association  
22 of which an attorney is a member in good  
23 standing, where there is clear and convincing  
24 evidence of an intentional violation.

1           “(5) MINIMUM REQUIREMENTS.—The National  
2           Coordinator shall develop best practices for pro-  
3           tecting the rights of crime victims, which may exceed  
4           the minimum legal requirements set forth in this  
5           chapter and shall be relevant to determining whether  
6           an officer or employee of the Department of Justice  
7           has made best efforts to ensure that crime victims  
8           are notified of, and accorded, the rights described in  
9           section 3771(a) or section 503 of the Victims’  
10          Rights and Restitution Act of 1990 (34 U.S.C.  
11          20141).

12          “(c) AWARD.—

13                 “(1) IN GENERAL.—The National Coordinator  
14                 may, upon a final determination that an officer or  
15                 employee of the Department of Justice intentionally  
16                 violated the rights of a victim, award the victim not  
17                 more than \$15,000, to be paid out of the fund de-  
18                 scribed in section 1304 of title 31.

19                 “(2) SUPPLEMENTAL.—The award payable  
20                 under this subsection may not be used to reduce any  
21                 other restitution or recovery to which the crime vic-  
22                 tim is entitled as a result of the crime.

23          **“§ 3773. Office of Crime Victims’ Rights**

24                 “(a) ESTABLISHMENT.—There is established within  
25          the Executive Office for United States Attorneys of the

1 Department of Justice, the Office of Crime Victims’  
2 Rights, headed by the Crime Victims’ Rights Ombudsman  
3 (in this section referred to as the ‘Ombudsman’), for the  
4 purposes of—

5 “(1) receiving, coordinating investigations of,  
6 and adjudicating complaints relating to a violation of  
7 the rights of a crime victim; and

8 “(2) serving as a central resource for informa-  
9 tion and contact in the Department of Justice for  
10 crime victims.

11 “(b) DUTIES.—The Ombudsman shall have the fol-  
12 lowing duties:

13 “(1) COMPLAINT SUBMISSION SYSTEM.—The  
14 Ombudsman shall develop a streamlined system for  
15 submitting complaints to the Ombudsman electroni-  
16 cally and by mail and shall maintain a log of each  
17 complaint submitted.

18 “(2) POINTS OF CONTACT.—The Ombudsman  
19 shall appoint a point of contact for each office of the  
20 Department of Justice and mandate annual training  
21 for each point of contact on the requirements and  
22 expectations of Department of Justice officers and  
23 employees with respect to the rights of crime vic-  
24 tims.

1           “(3) COMPLAINT PROCESS.—The Ombudsman  
2 shall establish, in coordination with the National Co-  
3 ordinator, a process for the Ombudsman—

4           “(A) to directly receive any complaint from  
5 crime victims for violations of their rights under  
6 section 3771(a) or section 503 of the Victims’  
7 Rights and Restitution Act of 1990 (34 U.S.C.  
8 20141) by an officer or employee of the Depart-  
9 ment of Justice and to refer the complaint to  
10 the point of contact at each relevant office for  
11 investigation, initial findings, and recommenda-  
12 tions;

13           “(B) in the case that the point of contact  
14 has a conflict of interest, to refer the complaint  
15 to another officer in a relevant office to address  
16 the complaint, who shall be designated as the  
17 point of contact with respect to that complaint;

18           “(C) to provide the complainant an oppor-  
19 tunity to be heard by the point of contact and  
20 respond to initial findings of the point of the  
21 contact;

22           “(D) to review the findings and rec-  
23 ommendations of the point of contact; and

24           “(E) to, not later than 90 days after re-  
25 ceipt of a complaint—

1                   “(i) provide a report to the National  
2                   Coordinator based on the findings and rec-  
3                   ommendations of the point of contact on  
4                   whether there was any violation of the  
5                   rights of the crime victim; and

6                   “(ii) in the case that there is a viola-  
7                   tion, identify each officer or employee re-  
8                   sponsible for the violation.

9                   “(4) COMPLAINTS.—Complaints received under  
10                  the process in subsection (3) shall include the fol-  
11                  lowing:

12                  “(A) The full name, address, telephone  
13                  number, and electronic mail address of the com-  
14                  plainant.

15                  “(B) The name and title of the individual  
16                  who violated the rights of the crime victim.

17                  “(C) The right of the crime victim that  
18                  was allegedly violated.

19                  “(D) The details of the allegation, includ-  
20                  ing the name of the court case and the jurisdic-  
21                  tion in which the misconduct occurred, if appli-  
22                  cable.

23                  “(E) Copies of any documents that sup-  
24                  port the complainant’s allegation.

1           “(F) Whether the victim desires pro bono  
2           counsel.

3           “(G) Any other information relevant to the  
4           complaint.

5           “(5) REPORT DETERMINATIONS.—

6           “(A) IN GENERAL.—The Ombudsman shall  
7           report to the complainant the determinations  
8           made under paragraph (3), after which the  
9           complainant shall have an opportunity to appeal  
10          to the National Coordinator, except in a case in  
11          which the complaint concerns the conduct of the  
12          National Coordinator, in which case the appeal  
13          shall be to the Attorney General or a designee  
14          of the Attorney General. Whether or not there  
15          is an appeal, the Ombudsman shall refer the  
16          determinations to the National Coordinator for  
17          final review and approval and application of any  
18          disciplinary sanctions or award.

19          “(B) TIME FOR REVIEW.—Not later than  
20          30 days after an appeal is filed under this para-  
21          graph, the National Coordinator, the Attorney  
22          General, or the designee of the Attorney Gen-  
23          eral shall review the order.

24          “(C) FAILURE TO REVIEW.—If the Na-  
25          tional Coordinator, the Attorney General, or the



1           designee of the Attorney General fails to review  
2           an order pursuant to an appeal filed under this  
3           paragraph, the order shall be deemed to have  
4           been upheld by the Attorney General on the  
5           date that is 45 days after the appeal is filed.

6           “(6) APPOINT ADVOCATE.—

7                   “(A) REQUEST.—The Ombudsman shall  
8           develop a process by which victims may submit  
9           a request for the National Coordinator to ap-  
10          pear before the court and act as a Special Vic-  
11          tims’ Advocate.

12                   “(B) REFERRAL.—The Ombudsman shall  
13          refer to the National Coordinator any request  
14          received pursuant to the process developed  
15          under subparagraph (A).

16           “(7) COMPLAINT PERIOD.—A victim of a crime  
17          may submit a complaint under this subsection end-  
18          ing on the date that is 1 year after the victim learns  
19          of a violation of their rights under section 3771(a)  
20          or section 503 of the Victims’ Rights and Restitu-  
21          tion Act of 1990 (34 U.S.C. 20141) by an officer or  
22          employee of the Department of Justice or 2 years  
23          after the actual violation, whichever is later, except  
24          that the National Coordinator may extend such date  
25          if the National Coordinator determines an extension

1 to be necessary to accord the victim of a crime their  
2 rights upon a showing of good cause.

3 “(c) RIGHTS OF THE COMPLAINANT.—A complainant  
4 filling a complaint under subsection (b)(3) shall have the  
5 following rights:

6 “(1) NOTICE OF RECEIPT.—The Ombudsman  
7 shall provide to the complainant notice of receipt of  
8 a complaint not later than 10 days after the date of  
9 such receipt.

10 “(2) RIGHT TO COUNSEL.—

11 “(A) IN GENERAL.—The complainant shall  
12 have the right to be represented by legal coun-  
13 sel in any proceeding under section (b).

14 “(B) PRO BONO REPRESENTATION.—To  
15 the extent practicable, the Ombudsman will  
16 submit to the complainant a list of persons who  
17 have indicated their availability to represent  
18 crime victims on a pro bono basis.

19 “(C) CONTACT INFORMATION OF COUN-  
20 SEL.—In the case that a complainant is rep-  
21 resented by legal counsel in a proceeding con-  
22 vened under section (b), the contact information  
23 of such attorney shall be included on the com-  
24 plaint.

1           “(D) NOTICE OF WITHDRAWAL.—In the  
2           case that legal counsel for a complainant with-  
3           draws from such representation, the attorney  
4           shall provide notice to the Ombudsman.

5           “(3) RIGHT TO PRESENT EVIDENCE.—The com-  
6           plainant shall have the right to present evidence at  
7           any proceeding under section (b).

8           “(d) RIGHTS OF THE DEPARTMENT OF JUSTICE.—  
9           Any officer or employee for the Government against whom  
10          a complaint has been submitted to the Office of Crime  
11          Victims’ Rights is entitled to—

12           “(1) receive notice of a complaint against the  
13           officer or employee not later than 10 days after such  
14           complaint is received by the Office of Crime Victims’  
15           Rights;

16           “(2) a reasonable time to answer in writing and  
17           to furnish affidavits and other documentary evidence  
18           in support of the answer;

19           “(3) be represented by legal counsel;

20           “(4) present evidence and witnesses in their de-  
21           fense;

22           “(5) a copy of any final order imposing discipli-  
23           nary action not later than the date on which the  
24           order is issued;

1           “(6) end the complaint process by voluntarily  
2           forfeiting the attorney’s bar license in each jurisdic-  
3           tion in which the attorney is licensed; and

4           “(7) reasonable and timely access to records of  
5           the Department of Justice related to the com-  
6           plaint.”.

7           (b) CLERICAL AMENDMENT.—The table of sections  
8           for chapter 237 of title 18, United States Code, is amend-  
9           ed by adding at the end the following:

“3772. Office of the National Coordinator for Victims’ Rights.

“3773. Office of Crime Victims’ Rights.”.

